

**Mexico Zoning Board of Appeals
Minutes of the Regular Meeting
Held Monday, July 21, 2025 at the Town Hall
Commencing at 6:30 P.M.**

Present: Ned Waterbury, Chairman
Lori Behling, Councilor
Marty Trey, Councilor
Dan Yawman, Councilor

Absent: Mathew Bryant, Councilor
Graham Seiter, Town Attorney
Ron Marsden, Code Enforcement Officer

And 7 in the audience.

Chairman Waterbury called the meeting to order with the Pledge of Allegiance at 6:32 pm.

Old Business-

Garrett Solar

Councilor Trey said adding additional batteries in the future might be added as a condition to review any augmentation should that become a possibility in the future. Applicant and board members agreed.

A motion was made by Councilor Trey and seconded by Councilor Yawman to approve the special use permit as submitted on the condition that any augmenting to add battery storage or change the project in any way be re-submitted to the ZBA for review. All ayes. Motion carried. Chairman Waterbury will ask Attorney Seiter to prepare resolution, and Officer Marsden will prepare the permit.

Ministorage space place

Chairman Waterbury said we have an option to reach the attorney by phone if the board needs clarification on a 239 review. Chairman Waterbury said Attorney Seiter felt that it was appropriate to use terminology, but does it require another public hearing, and he asked if anyone came, no member of the public came to that. Chairman Waterbury thought there would not be a need for a public hearing. Chairman Waterbury reminded the board that it makes the decision on how to proceed. Chairman Waterbury said the building is moving closer to the road. Councilor Behling said their map marks the buildings as storage unit 1 and storage unit 2. Chairman Waterbury said the SEQRA needs to be re-reviewed with the determination of significance. Chairman Waterbury said he has received no communication regarding application from Officer Marsden or Attorney Seiter that time is of the essence. Councilor Yawman said having a new public hearing wouldn't be a bad idea that the original hearing date was in 2024. Councilor Trey asked if they have started work. Councilor Yawman is suggesting another public

hearing since the project has been going so long. Chairman Waterbury said the ZBA can schedule a public hearing. Councilor Trey said the attorney is of the opinion... Chairman Waterbury said he wasn't sure that the moving of the building has any real impact on the project; as in it's not out of character for the project. Councilor Trey said the initial public hearing there was virtually no public. Chairman Waterbury reviewed the minutes to the public hearing from September 2024. Chairman Waterbury said protocol and being consistent is important and err on the side of all-inclusive approach so part of him feels compelled to have a hearing. Councilor Yawman assumes the applicant is in a hurry. Chairman Waterbury moves to schedule a public hearing for August 18, 6:30pm to hear comments on the space place application, Councilor Yawman seconded, 3 ayes Yawman, Trey, Waterbury, abstain Behling.

New Business-

Other Business-

A motion was made by Councilor Trey and seconded by Chairman Waterbury to adjourn at 7:07pm. The motion was approved by a unanimous vote.

Respectfully submitted,

Nicole Wild
Town Clerk