

**Mexico Zoning Board of Appeals  
Minutes of the Regular Meeting  
Held Monday, August 18, 2025, at the Town Hall  
Commencing at 6:30 P.M.**

**Present:** Ned Waterbury, Chairman  
Lori Behling, Counselor  
Mathew Bryant, Counselor  
Marty Trey, Counselor  
Dan Yawman, Counselor  
**Absent :** Ron Marsden, Code Enforcement Officer  
Graham Seiter, Town Attorney

And 1 in the audience.

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

**Old Business- Space Place**

Chairman Waterbury asked the board to review section 345. Chairman Waterbury read the list of items to allow the board members to chime in with any impacts they feel the change to the site plan may make. Applicant said outdoor lighting is traditional floodlights. Chairman Waterbury said neighbors have been notified and have received no response, no existing violations on the property. Chairman Waterbury asked the board members if anyone had any opinions on conditions to the plan. A motion was made by Councilor Yawman to approve the site plan, seconded by Councilor Behling, no further discussion, all ayes. Chairman Waterbury congratulated the applicant and asked him to contact Officer Marsden to move the project along. Applicant left the meeting at 6:48pm.

**New Business-** Town renewable energy law in step with the time. Chairman Waterbury said he is not an expert in the topic but explained that this matter was presented and discussed; M Delong called Chairman Waterbury to let him know that a draft of a moratorium was going to be on the town board agenda. Chairman Waterbury said the Town Board asked the ZBA and Planning Board to have discussion at their respective meetings to provide comments/questions/concerns to the Town Board. Chairman Waterbury said the existing law is from 2017 and the thinking is that, due to advancing technology surrounding renewable energy, our law has fallen behind; town leadership is seeing our law as difficult to interact with applicants should there be any short or long term applications for windmill or solar energy, so the moratorium will provide a period of time to work together to revise the renewable local law. Chairman Waterbury said the question of six months or one year came up. Councilor Yawman asked if the goal of revising the law- to restrict solar farms or to update the local law. Councilor Yawman said it sounds like they need to review the local law filing with an expert in the field because the town doesn't know the difference between the technology.

Councilor Yawman asked what the public thought about solar power from the Comprehensive Plan survey. Councilor Behling said they want to get more information for the updated law to move forward with a better law as opposed to a law that is obsolete. Councilor Behling said they want to update the outdated law. Councilor Trey said the Comprehensive Plan informs land use laws, from the plan, the laws flow. Councilor Trey said it makes sense to put a moratorium to time it appropriately. Councilor Trey wondered how much time should be spent on a local law if it can just be overridden. Chairman Waterbury said Gov Cuomo initiated they NYS override factor; recalls reading that small villages and towns have a home rule concept that grants a community like Mexico significant powers to maintain the look and feel of their community and his big concern was that the state would just override us. Councilor Yawman said he would like the help of an expert on updating the renewables law. Councilor Trey said the two parts of the plan would be to assess the inventory of the town. Councilor Yawman said the only downside he sees is that if someone wants to put up something small, they can't. Councilor Bryant said it might not stop something private. Councilor Trey said the small/large scale or is it all? Chairman Waterbury said it would be all. Councilor Bryant said page three at top delineates a difference allowing for already accepted uses. Councilor Trey said he would raise an objection on behalf of residential solar for dedicated residential use. Councilor Bryant said it sounds like they're trying to prohibit solar farms that have been cropping up all over the area. Councilor Behling said if it's less than ¼ acre, it's not considered. Chairman Waterbury said he feels an expert would be warranted and more specific language could be included. Councilor Trey is confused- if we have a local law on the books for renewable energy, why wouldn't the moratorium specifically address that law and the sections of that law that a moratorium is enforced? Councilor Yawman asked what the big issue is that is trying to be resolved by reviewing the local law. Chairman Waterbury said the city of Oswego just approved a 12-month moratorium on renewable energy being adopted as well. Councilor Yawman said every board member should read the existing local law that we're thinking about editing. Councilor Trey said the Town Board is ultimately in charge of changing the law but they're asking our opinion or delegating the responsibility. Councilor Trey said the ZBA's role is to interpret the law they establish. Councilor Trey said they got hung up on a definition of small solar KW limit and Councilor Yawman said the language of the law should be formula instead of number. Councilor Trey said if the intention was to capture the amount of land being used, and area ¼ acre instead of 10kw have been more appropriate for the law. Councilor Yawman added it'd be longer lasting as well. Councilor Trey said if the intention is to moratorium on solar farms greater than ¼ ACRE, MAYBE adjust the language such that ground mounted would still be permitted specifically for residential use. Councilor Trey is hesitant to know what language to use without knowing the goal of the review. Chairman Waterbury said he will communicate with DeLong, Toth and share where the discussion is at this point and asked if there was anything else they'd like to pass along.

#### **Other Business-**

Town land use plan map- for the Comprehensive Plan. Chairman Waterbury said the Planning Board member Allison Trudell is leading this part of the plan, the zoning map review. Chairman

Waterbury said the Planning Board has asked that two members of the Zoning Board and Planning Board come together for some meetings specific to addressing the existing map and if it needs changes to meet the needs of the community today. Councilor Trey and Councilor Yawman have agreed to help with this task. Chairman Waterbury said he would appreciate feedback as this moves along.

A motion was made by Councilor Yawman and seconded by Councilor Behling to adjourn at 7:26pm. The motion was approved by a unanimous vote.

Respectfully submitted,

Nicole Wild  
Town Clerk