

**Mexico Zoning Board of Appeals
Minutes of the Regular Meeting
Held July 17, 2023 at the Town Hall
Commencing at 7:00 P.M.**

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

And 4 in the audience.

Chairman Waterbury called the meeting to order with the Pledge of Allegiance at 7:01 pm. Counselor Trey entered at 7:02pm.

A motion was made by Behling and seconded by Yawman to approve the June ZBA minutes. The motion was approved by a vote of 3 ayes: Waterbury, Behling, Yawman, 1 abstention: Trey, and 0 nays.

Old Business- none

New Business

Special Use Permit Application- 43 Co Rt 64 Ouderkirk Print Business

Chairman Waterbury introduced the application and reminded the board that their purpose is to determine completeness of application; the proposed location is in the R1 zone. Waterbury read a message from Attorney Seiter that the application is a type 2 SEQR action. The applicant said that the nature of the business is manufacturing/printing, packaging and delivering shirts and other custom goods but that there is no plan for a retail section; custom orders are placed over the phone or via email, made on site, then delivered to the customer.

Yawman said the business is currently located within the R1 zone and is relocating within the R1 zone. Yawman asked for clarification on the classification of the business. Trey said this business doesn't fit the intent of the "personal service" classification. Yawman said it fits into the "other" category. Trey said it could fit into the "manufacturing" classification as light industry. Waterbury said that small businesses, compatible with residential living are supported in R1. Trey said this application is consistent with a precedence set by approving Dishaw's craft businesses out of her home, which is in the A1 zone. Trey said the category needs to be determined but that it is not the purpose of this evening's meeting and that the permit can be issued with constraints to maintain the character of the district.

Waterbury said the survey shows a wetland. The applicant said there will be no dirt movement and no new buildings; they plan to use the existing 30x60 barn to house their equipment and conduct business; they would like to add millings from recycled roads to their gravel and small parking area; the type of trucks entering/exiting are delivery box trucks. The applicant said they do not plan to hire existing employees but components exist in the barn for a bathroom. The applicant said they do not have a design for a sign but will follow regulations related to signage. The applicant said they have a light on the end of the barn but do not plan to add additional lighting. Trey said a sign can be six feet squared. The applicant said they would like to be moved in before snow flies. The applicant said they plan to have a typical 9am-5pm, 5 days per week work schedule and their equipment is quiet.

Yawman said a copy of the deed is needed and height of the building should be noted. Trey said the site plan is Planning Board's oversight.

A motion was made by Yawman and seconded by Waterbury to deem the application complete contingent upon presentation of the deed to the Planning and Zoning Boards. The motion was adopted by a vote of 4 ayes: Waterbury, Behling, Trey, and Yawman, and 0 nays.

Waterbury set the public hearing for August 21, 2023 at 7:00pm at the Town Hall located at 64 S Jefferson Street in the village of Mexico. Waterbury said neighbors within 500 feet need to be notified of the public hearing.

Other Business

Waterbury thanked Wild for her service to the board and recognized this as her last meeting. Wild thanked the board for their cooperation and hard work.

A motion was made by Yawman, seconded by Behling to adjourn at 8:39pm. The motion was approved by a vote of 4 ayes: Waterbury, Behling, Trey, Yawman, and 0 nays.

Respectfully submitted,

Nicole Wild
Town Clerk