Town of Mexico Zoning Board of Appeals

Minutes of the Regular Meeting

Monday, July 20, 2026
Town Hall
64 Jefferson Street
Mexico, NY 13114

Meeting Called to Order: 6:37 p.m.

Present

- Ned Waterbury, Chairman
- Lori Behling, Board Member
- Marty Trey, Board Member
- Matt Bryant, Board Member
- Dan Yawman, Board Member
- Ron Marsden, Code Enforcement Officer

Absent

- Graham Seiter, Town Attorney

Public Hearing

Chairman Waterbury opened the Public Hearing at **6:30 p.m.** by reading the Public Hearing Notice and explaining the procedures for the public hearing.

It was noted that the correct property address is **2977 State Route 104**.

The Board determined that the required registered notices had not been mailed; therefore, the Public Hearing could not legally proceed.

Motion: Lori Behling moved to close the Public Hearing.
Second: Matt Bryant
Vote: All Ayes. Motion carried (4-0).

Call to Order

Chairman Waterbury called the regular meeting to order at **6:37 p.m.** with the **Pledge of Allegiance**.

Approval of Minutes

The Board reviewed the draft minutes of the **June 15, 2026** regular meeting.

Motion: Lori Behling moved to approve the minutes with the addition of Matt Bryant's name.
Second: Dan Yawman
Vote: Motion carried. All voted Aye with Marty Trey abstaining.

Old Business

Special Use Permit – 2977 State Route 104

Because the required legal notices had not been mailed, the Public Hearing scheduled for this evening could not be held.

Motion: To reschedule the Public Hearing to **August 17, 2026**.
Second: Dan Yawman
Vote: All Ayes. Motion carried.

The applicant, Mr. Hershberger, agreed to the revised timeline.

Chairman Waterbury stated that he expects legal counsel to be present at the August 17 meeting. He noted that further discussion regarding the June 15, 2026 minutes and the Special Use Permit should occur with legal counsel present.

Chairman Waterbury invited **Marcia DeLong** and **Nancy Weber** to participate in a discussion regarding Board policy and procedures.

Ms. DeLong stated that, based on her experience, the discussion would be more productive with legal counsel in attendance.

Motion: To table further discussion until the August meeting.
Moved by: Matt Bryant
Second: Lori Behling
Vote: All Ayes. Motion carried.

New Business

Area Variance Application – Christine Harris

Chairman Waterbury introduced the Area Variance application submitted by **Christine Harris**, noting that Board members had received copies prior to the meeting.

Chairman Waterbury explained that the applicant owns property with approximately **300 feet of road frontage** and is proposing to transfer approximately **50 feet** to the adjoining property owner, resulting in approximately **250 feet of road frontage**. An Area Variance is therefore required.

Discussion included:

- A survey has not yet been completed.
- The application will also require Planning Board review.
- The Board discussed obtaining a copy of the property's deed.

- The Board requested that all required documentation be assembled before proceeding.
- Ms. Behling asked when the property was purchased. An audience member stated the property was purchased in **1987**.
- Discussion occurred regarding whether deeds for one or both properties would be required.
- The Board discussed whether garage plans would be necessary. Mr. Marsden indicated they were not relevant to the variance request.
- The applicant stated that the purpose of the variance is to allow expansion of an existing garage and that a buffer would remain around the proposed structure.
- Ms. Behling and Mr. Trey interjected that they felt this application is of very low risk and approving it this evening would be fine.

Board members reviewed the application requirements and discussed missing information, including:

- A current survey showing all existing buildings and setbacks.
- A complete legal description of the property.
- A statement describing the character of the neighborhood.
- Clarification of Section 340 of the application, which members felt was difficult to understand.

Chairman Waterbury noted that a complete application is necessary prior to scheduling a Public Hearing.

Board members further discussed whether the applicant or purchaser should be identified as the applicant and agreed that additional documentation could be submitted on the applicant's behalf.

Following discussion, the Board determined that additional information is required before the application can proceed.

Motion: Dan Yawman moved to table the application until the next meeting pending submission of:

- A survey showing all existing buildings and property lines.
- A current deed describing the property.
- A written statement describing the surrounding neighborhood.

Second: Lori Behling

Vote: All Ayes. Motion carried.

Mr. Marsden left the meeting at **7:55 p.m.**

Resignation of Kristina Raymond – Tina was thanked for her service and wished the very best on her new career with Mexico Middle School – This will be Tina’s final meeting.

Board Discussion

Mr. Yawman suggested revising the Special Use Permit application to make it more user-friendly by allowing applicants to clearly identify:

- The type of use being requested (for example, farm or sawmill).
- The zoning district in which the property is located.

Board members agreed that simplifying the application would benefit both applicants and the Board.

It was noted that Marcia DeLong originally created the forms. The Board discussed locating the original electronic files and updating them as needed.

Chairman Waterbury requested that a draft revision be prepared and submitted to Nicole for review and guidance regarding the approval process.

Mr. Yawman volunteered to prepare a draft for Board review.

Mr. Trey also suggested converting the applications into fillable electronic forms and ensuring applications are complete before being placed on the Board's agenda.

Adjournment

Motion: Dan Yawman moved to adjourn the meeting.
Second: Lori Behling
Vote: All Ayes.

The meeting adjourned at **8:13 p.m.**

Respectfully submitted,

Kristina Raymond
Recording Secretary