

A Regular Meeting of the Planning Board was held on Wednesday, September 21, 2022 at the Mendon Community Center, 167 North Main Street, Honeoye Falls, NY, 14472 at 7:00 PM

PRESENT: Lauren Smith - Chair  
Earl DeRue  
Charlie Krukowski  
Teresa Winship  
Nicole Sayers

ATTORNEY: Donald Young

OTHERS: Town Councilperson, Brent Rosiek; David Stott; David Hoffman

Minutes were taken by Katrina Allen

Ms. Smith began the meeting at 7:00 PM

**MINUTES**

**MOTION**

Ms. Winship moved, seconded by Ms. Sayers to approve the minutes of the September 7, 2022 meeting.

**ADOPTED**

Ms. Smith – aye; Mr. DeRue – aye; and Mr. Krukowski – aye; Ms. Sayers – aye; and Ms. Winship– aye

**STOTT SPECIAL USE PERMIT- APARMENT PUBLIC HEARING**

Hilary Stott, 75 Langpap Rd, Honeoye Falls, NY, requesting a special use permit for property owned by Michael Yodice located at 6 Victor Mendon Road, containing .47 acres, for an a one-bedroom apartment on said property, tax account no. 216.07-1-16.1, zoned Commercial-Business.

Ms. Smith welcomed Hilary Stott to the Planning Board.

Ms. Smith said Michael Yodice is the owner of the property and Ms. Stott can speak on his behalf.

Ms. Stott said she is in the process of closing on the property and will open the pizza shop later. She has employees of her Mendon 64 restaurant, and they need to leave where they are in the city. Mr. Yodice is allowing her to sublet the apartment.

Ms. Smith asked what the apartment is used for now. Is it for storage and is there plumbing and electric?  
Ms. Stott said there will be no storage, and it has plumbing and electric.

Ms. Smith said Ms. Stott did the Environmental Assessment Form (EAF), and the County had no comment. The Code Enforcement Officer (CEO), Corey Gates, had a few comments. Ms. Stott said she received the comments two and a half hours ago and addressed them. This is a personal thing to her, because it is her employees, and they want to be able to start a family.

Ms. Winship asked what is on the second floor. Ms. Stott said Mr. Yodice rented to the Department of Transportation when they were here.

Ms. Winship asked for what the apartment was last used. Ms. Stott said as an office. Ms. Winship said it had a change in use.

Ms. Sayers asked what is going on with the building. Ms. Stott said they will finish the work in the Spring.

Mr. Krukowski said there is an expired building permit. Ms. Stott said she found out about it today, and Mr. Yodice is out of town for his son's wedding.

Mr. Young stated the Board gets comments from the Building Department, but the Board is not the Building Department. He advised the Board is looking at the site, landscaping, parking, and such. The Board does not need to do what the Building Department does; that is not what the Board does.

Ms. Smith asked about the parking. Ms. Stott said there is ample parking, and once Mr. Yodice is finished with his construction, there will be more parking available. Ms. Stott showed the Board the location of parking on a map.

Ms. Smith asked if there will be additional lighting and signage. Ms. Stott said there will be an additional light above the apartment door and no additional signage.

Ms. Smith said as Mr. Young stated, the Planning Board is looking at the site. It appears nothing has changed on the exterior, there is no problem with parking, and the added lighting is for the entrance at the back, so it is not applicable. She said the CEO had a lot, but Ms. Stott and he can discuss his comments.

The septic was discussed.

Ms. Winship asked if it is a two-bedroom apartment. Ms. Stott said it is a one bedroom, and she described the layout.

Mr. Young stated this is a Special Use Permit with Site Plan Review, as that is how it is addressed. He said he read the Code requirements for apartments, and nothing jumped out. Mr. Young said it is permitted to offer conditional approval with the CEO's requirements met. Mr. Young clarified this approval is for the apartment only and not the restaurant.

Mr. DeRue asked if there was one entrance to the apartment. Ms. Stott said yes.

Mr. DeRue said he did not see the CEO requiring additional entrances, and Ms. Stott said as far as she knows, she only needs one.

Ms. Winship said the site is in an Environmental Overlay Protection District (EPOD) 8, but it looks like the applicant is not disturbing or changing anything. Ms. Stott said she is not changing anything. It is a second-floor apartment.

Mr. Young stated because the site is in EPOD 8, it will need an EPOD permit.

Ms. Winship said EPOD 5 is the Historical Overlay because the site is within 500 feet of a location, and it will require a buffer if any changes are made. Ms. Stott said she is not making any changes; she is just

finishing what Mr. Yodice started. The only item she might change is in the future to have a sign that is perpendicular rather than flat on the building.

The applicant and the Board discussed the siding on the building.

Ms. Smith opened the Public Hearing at 7:15 pm.

Brent Rosiek, 987 Mile Square Road, stated he lives nearby and spends a lot of time in the Hamlet. He said as far as he knows, this building has always been mixed use. Mr. Rosiek said it was a post office at one time. He said he likes the idea of the application, as the Hamlet needs activity, and there is a shortage of apartments.

Ms. Smith closed the Public Hearing at 7:16 pm.

Mr. Young read the conditional approval and stated the Board will approve the site plan for 6 Victor Mendon Road and it will include EPOD 5 and 8 permits. There is no extension of the project and it is a condition that the written comments from the CEO, dated 9/21/22, will be satisfied.

#### **MOTION**

Ms. Sayers moved, seconded by Mr. Krukowski to approve the Stott Special Use Permit- Apartment with conditions.

#### **ADOPTED**

Ms. Smith – aye; Mr. DeRue – aye; and Mr. Krukowski – aye; Ms. Sayers – aye; and Ms. Winship– aye.

#### **MOORE SITE PLAN**

Robert Moore, 968 Mile Square Road, Pittsford, NY to construct a garage forward of the house. Zoned RA-5. Tax account no. 205.04-1-6.3.

Ms. Smith welcomed Mr. Moore and Mr. Hoffman to the table.

Ms. Smith said the applicant is requesting a full barn to be built forward of the home.

Mr. Moore said he purchased the property and added additional acreage. He needs the barn in the front, because there is no room in the back with the septic and geothermal.

Ms. Smith stated the applicant walked in tonight with a lot of paperwork for the Board. Mr. Hoffman said Santelli Lumber is contracted with them and the details, blue prints, and elevations were supplied tonight.

Mr. Hoffman said the pole barn will match the house. Mr. Krukowski said it is a nice building.

Mr. Moore said they tried to keep within the boundaries of the acreage, and since he wants to maintain the wetlands and the pond, he cannot move the barn's location

Ms. Smith asked if there are trees screening it. Mr. Moore said the existing trees will stay.

Ms. Winship asked the applicant if he is opposed to adding more trees. Mr. Moore said not at all.

The Board and applicant discussed the landscape buffer as well as the colors and elevation of the barn.

Mr. Krukowski and Mr. Hoffman discussed the insulation of the barn.

The Board and the applicant continued the discussion of the trees and their height. Mr. Moore said he has a landscape architect.

Mr. Young advised the applicant the Board wants a buffer to the Cobblestone house. He stated there is a lot of subjectivity with landscaping.

The Board discussed the EPODs on the property.

Mr. Moore showed his property and trees he had on his phone to members of the Board.

Mr. Krukowski asked if Mr. Moore is adding plumbing and restrooms. Mr. Moore said not right away.

Mr. DeRue stated he would like to see the design of the landscape. Ms. Winship said she would, too.

Mr. Young discussed the cost of landscaping and the possibility of a landscape bond or a condition of landscaping with the Certificate of Occupancy (C of O). Mr. Young said, but the applicant would want the C of O before the trees could be planted.

The Board debated when and what the landscaping buffer should be consisted of and the location.

The amount of the landscaping bond was discussed with the applicant and the Board did not want to give a required number of trees.

Mr. Young advised the Board will need someone to follow up and confirm the buffer has been planted. Ms. Smith is delegating to Ms. Winship to follow up.

Mr. Krukowski stated the planting should not be shrubs and wanted to guarantee the height would be sufficient.

Ms. Winship asked about the lighting on the building. Mr. Moore said the lighting will appear residential.

The Board discussed the conditional and final conditional approval

The conditions for the Moore Application:

1. Installation of landscaping sufficient to screen the historic cobblestone house across the street, to be installed no later than June of 2023, all in accordance with a general plan satisfactory to the Planning Board Chair or designee. Initial planted height shall be approximately six feet.
2. Posting of Letter of Credit or other security satisfactory to the Town for \$10,000.00 for said landscaping, to be posted prior to issuance Building Permit, and released upon satisfaction of this condition.

**MOTION**

Mr. DeRue moved, seconded by Ms. Sayers for conditional and final approval of the Moore Site Plan.

**ADOPTED**

Ms. Smith – aye; Mr. DeRue – aye; and Mr. Krukowski – aye; Ms. Sayers – aye; and Ms. Winship– aye.

**PUBLIC COMMENT**

None

**GENERAL DISCUSSION**

The Board discussed their upcoming meetings.

**MOTION**

Ms. Sayers moved, seconded by Mr. Krukowski to close the meeting at 8:01 pm.

**ADOPTED**

Ms. Smith – aye; Mr. DeRue – aye; and Mr. Krukowski – aye; Ms. Sayers – aye; and Ms. Winship– aye.