

Unapproved

January 15th, 2025

A Regular Meeting of the Planning Board was held on Wednesday January 15th, 2025, at the Mendon Town Hall, 16 West Main Street. Honeoye Falls, NY 14472 at 7:00 pm.

PRESENT: Lauren Smith – Chair
Charlie Krukowski
Teresa Winship
Earl DeRue

ABSENT: Danielle Liberatore

ATTORNEY: Donald Young

OTHERS: Brent Rosiek, Town Councilperson
Emilio Moran, MRB
Glenn Thorton, Thornton Engineer
Laura Wallman
Al LaRue - McMahon Larue Associates
Brendan Bystrek - Labella Associates
Dave Bovee - RG&E
Steve Lawlor - RG&E
Meg Brooker - Canfield Vet
Elizabeth Ciaccio - Canfield Vet
Roy Jain - Canfield Vet

Ms. Smith started the meeting at 7:07 pm.

Minutes were taken by Brooke Buckland.

MINUTES

MOTION

Ms. Winship moved, seconded by Mr. DeRue, to approve the minutes of the December 18th, 2024 meeting, as submitted.

ADOPTED

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

WALLMAN SITE PLAN

Laura Wallman, 2 Preston Circle, Pittsford, NY, for a Site Plan approval on property located on Mile Square Road, Mendon, NY, consisting of 10 acres and will contain a new home, accessory structure, septic system and driveway. Tax account no. 192.04-1-53. Zoned RA-5.

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Al LaRue and Laura Wallman approach the board and explain their application.

The applicant is proposing a single-family dwelling with an accessory pole barn to be built in front of the primary residence.

Mr. LaRue states they submitted to the Zoning Board of Appeals for a variance, however at the time the ZBA could not act on this matter as there were no code violations. As of December 9th, 2024; Local Law 6 was adopted by the Town of Mendon in which now requires ALL accessory structures built in front of the primary residence to seek variance approval.

Discussion began as to if the Planning Board can grant approval for accessory structure in front of the primary residence.

Ms. Smith states that as the Law stands, any accessory structure built in front of a primary residence must submit an application for a Variance to the Zoning Board of Appeals.

Ms. Smith brings it to the attention of the Board that when this property was previously subdivided under the McWilliams Subdivision, it was referred to SHPO. SHPO's response was that the subdivision of this property does not have an impact on EPOD #5. However, future development of this property would require further review from SHPO.

Mr. LaRue states they have received comments from the Monroe County Planning Council, Monroe County DOT & the Environmental Conservation Board. There are no concerns with any of the comments received.

Ms. Winship asked the applicant to explain how they decided on the placement of the primary structure.

Ms. Wallman says it is the high point of the lot.

Ms. Winship would like to see the proposed pole barn meet the aesthetic of the house. She states the proposed plans make the barn look like a commercial warehouse.

If the applicants wish to proceed with building the barn in the proposed location, then the Board would like to see accurate renderings of the exterior of the barn.

Discussion around if the proposed single-family dwelling is one story or two story.

Mr. Krukowski asked Mr. LaRue where they plan to run the electric.

Mr. LaRue states they typically do not display the electrical design on the site plans as that is ultimately left up to RG&E to design.

Ms. Winship asked the applicants to provide plate heights and roof pitch of the pole barn therefore the Board can determine the overall height of the structure.

Mr. Kurkowski asked the Ms. Wallman if they are proposing a walkout basement. Ms. Wallman replies with yes, they are.

The board has agreed to have the applicants reappear at the next meeting.

MEDNON VILLAGE ANIMAL HOSPITAL D.B.A. CANFIELD VET- SPECIAL USE PERMIT

Mendon Village Animal Care for a special use permit to continue business operations as Canfield Vet, Dog and Cat Hospital under new business ownership on property located on 122 Canfield Road, Pittsford, NY, consisting of 6.54 acres. Tax account no. 19.03-1-5.2. Zoned RA-5.

Meg Brooker approaches the Board and represents Canfield Vet, Dog and Cat Hospital.

Ms. Smith confirms with Ms. Brooker that nothing is changing with the current Special Use Permit and all elements of the site plan will remain the same and business will continue as is.

PUBLIC HEARING

No public comment.

MOTION

Mr. DeRue moved, second by Ms. Winship to close the public hearing.

ADOPTED

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

MOTION

Ms. Winship moved, seconded by Mr. DeRue to approve the application pursuant to the written resolution.

ADOPTED

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

TOWN OF MENDON PLANNING BOARD

**SPECIAL USE PERMIT DETERMINATION FOR VETERINARY CLINIC
COMMONLY KNOWN AS “CANFIELD VET – DOG AND CAT HOSPITAL” AT 122
CANFIELD RD, PITTSFORD, NY (Tax Account No. 192.03-1-5.2)**

WHEREAS, Mendon Village Animal Care, P.C. (the “Applicant”), has filed an application for a special use permit to operate a veterinary clinic on property 122 Canfield Rd., Pittsford NY (the “Property”), continuing business operations allowed under a previously issued special use permit to operate a veterinary clinic commonly known and referred to as “Canfield Vet – Dog and Cat Hospital” (the “Application”); and

WHEREAS, apparently, the Applicant will continue to operate by utilizing a “d/b/a” as “Canfield Vet – Dog and Cat Hospital;” and

WHEREAS, Section 260-13[D](11) of the Mendon Town Code (the “Code”) permits a veterinary clinic within the RA-5 District upon the issuance of a Special Use Permit (the “SUP”) by the Planning Board pursuant to Article VII of the Code; and

WHEREAS, a SUP has previously been issued to a different owner for the operation of a veterinary clinic at the Property (“the Pre-Existing Special Use Permit”); and

WHEREAS, the current Application for the SUP by the Applicant proposes to operate the veterinary clinic substantially consistent with operations apparently permitted under Pre-Existing Special Use Permit, with no substantial changes to current, pre-existing operations currently proposed, and no changes proposed to the Property or buildings thereon; and

WHEREAS, the applicant has submitted a map entitled “Canfield Road,” along with a rendering as well as a “Site Map Narrative” (collectively, the “Site Plan”) to be associated with the proposed SUP; and

WHEREAS, the Planning Board has fully reviewed and considered all submissions and information relevant to the Application, including any comments at the duly held public hearing.

NOW, THEREFORE, BE IT, RESOLVED, that the Application is a Type II Action pursuant to SEQR at 617.5(c)(32), and thus is not subject to further SEQR review; and, be it further

RESOLVED, that Planning Board makes the following findings of fact, the same being relevant to its determination herein:

1. A special use permit has previously been issued for the operation of a veterinary clinic at the Property, with said previous permit was for a different owner (“the Pre-Existing Special Use

Permit”).

2. No substantial changes have been proposed from the previously approved Pre-Existing Special Use Permit (except for ownership), including no material alterations to the Property or building, with operations proposed for Monday – Friday 8AM to 5PM, with the number of employees at the business to be the number required to service clients during said business hours.

3. Regarding the Special Use Permit requirements at Section 260-24 of the Code, relative to the Application as proposed, the record before the Planning Board, and based upon the conditions set forth herein, the Planning Board finds that, as follows:

a. Ingress and egress to/from the Property remains sufficient, given that no material increase in traffic is expected at Property - no increase in the size of the building is proposed and the business is proposed to be operated substantially consistent with historical operations.

b. Parking remains sufficient based upon the above.

c. Refuse handling remains sufficient based upon the above.

d. Utilities available remain sufficient, as no changes are proposed for the Property/building;

e. Screening / buffering remain sufficient, as no changes are proposed for the Property/building thereon.

f. Signs and lighting remain compatible with the area, as no changes are proposed for the Property/building thereon.

g. The required yard and open space remain sufficient, as no changes are proposed for the Property/building thereon.

h. The Application is generally compatible with adjacent properties and other properties in the zoning district, given all of the above.

4. Regarding the Special Use Permit requirements at Section 260-25 and 260-57 of the Code, the Planning Board finds that, the Application as proposed, based upon the record, satisfies the same, for all those reasons set forth above.

AND, BE IT FURTHER, RESOLVED, that, based upon the following findings, the Application for a Special Use Permit to operate the Veterinary Clinic as set forth in the Application be and hereby is approved, including that the Site Plan submitted with such application is hereby approved for purposes of this Special Use Permit and that information/items on such Site Plan not otherwise required by the Planning Board are hereby waived, all subject to the following condition(s):

1. That issuance of this Special Use Permit hereby terminates the Pre-Existing Special Use Permit at the Property; and

2. That all conditions required as per the Code for veterinary clinics shall be complied with (see Section 260-47 of the Code, as may be amended).

MITTEN SUBDIVISION & SITE PLAN

David and Paula Mitten, 8 Lawden Woods, Henrietta, NY 14467, for a three- lot subdivision and site plan approval on property located at 3741 Clover Street, Honeoye Falls, NY, consisting of 38.89 acres. Lots 1 & 2 comply with RA-5 zoning and will contain new homes, septic systems and driveways, Lot 3 will contain 27.89 acres with minor construction. Tax account no. 190.04-2-1.22 and 190.044.2-1.21. Zoned RA-5.

Glenn Thornton approaches the Board to represent the Mitten's in their Site Plan Application.

Mr. Thornton provides an updated site plan with revisions requested by the Planning Board and explains the revisions made.

Discussion ensues around the report provided by the Historic Preservation Committee in reference to EPOD #5.

Ms. Smith points out the HPC's recommendation of screening in between neighboring properties. However, Mr. Thornton assures the Board there will not be a significant amount of disturbance that would require any additional screening and that there will be a significant amount of vegetation undisturbed to provide a sufficient visual barrier between the two properties.

Ms. Smith asked Mr. Thornton if the applicant plans to have any driveway lighting. The applicant wishes to have post lantern lighting along the driveway and has massaged the idea of motion activated lighting.

Mr. Thornton says they will be low height, low intensity lighting.

Ms. Smith and Mr. Thorton discuss the HPC's recommendation of motion activated lighting however the board would agree that the motion sensitivity could be more of a disturbance then if the lights were on an hourly timer at dusk.

Discussion circles back around the disturbance of vegetation and if the remaining vegetation will provide enough of a buffer between lot #1 and the neighboring property to the east.

Ms. Winship expresses her concern for development within the EPOD, as she believes it can be avoided by moving the single-family dwelling back and out of the 500' buffer.

Mr. Thornton explains due to lot width, lot frontage, proximity to Federal Wetlands & septic design criteria; there is no option to move the houses back and out of the EPOD #5, 500'buffer.

Discussion circles back around pertaining to the screening and buffering between adjacent properties. The board agrees to set the amount of vegetation disturbance as a condition within the resolution.

Ms. Smith confirms with the Board that all members have had the opportunity to review the letter provided by the neighbor.

Discussion ensues around EPOD #6.

Mr. Thornton states he spoke with Chris Kassman at the Monroe County Health Department. MCDOH along with the Monroe County Environmental Management Council have both reviewed this case and it was agreed upon that no further action was necessary.

Mr. Thornton assures the board that if at any point during construction in which a concern is raised, the applicant and engineer will bring it to the attention of the DEC and MCDOH for advice on how to proceed.

Mr. Moran confirms the board is aware that construction is not being proposed directly on a waste disposal site but rather within the radius of one. The epicenter of the existing waste disposal site is believed to be to the North East of the property.

It is agreed upon between the board and the applicant that should anything hazardous be discovered during construction, the appropriate authorities will be notified.

PUBLIC HEARING

No public comment.

MOTION

Ms. Winship moved, second by Mr. Krukowski to close the public hearing.

ADOPTED

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

INFORMAL DISCUSSION

Representatives from RG&E and Labella Associates appeared for an informal discussion with the Board for a future Site Plan Application - update project on property located at 274 Canfield Road, Mendon NY.

The Board reviews the proposed written resolution for the Mitten Subdivision & Site Plan application.

MOTION

Mr. Krukowski moved, seconded by Mr. DeRue to approve the Mitten Subdivision & Site Plan application pursuant to the written resolution.

ADOPTED

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

Resolution Approving Subdivision and Site Plan Approval for Property at or about 3741 Clover Street (Just South of the Pittsford/Mendon Town Line)

WHEREAS, an application (the “Application”) has been received by the Town of Mendon Planning Board seeking the subdivision and site plan approval for property at or about 3741 Clover Street (just south of the Pittsford/Mendon Town Line), Tax Map No. 190.04-2-1.22 and 190.04-2-1.21, to result in two residential buildings lots as well as a third lot with no development proposed, all in accord with the Application materials on file with the Town and available for public review; and

WHEREAS, the Application is an unlisted action pursuant to SEQR; and

WHEREAS, the Application has been referred to the MCDPH in accordance with the Mendon Town Code as it relates to EPOD 6 and the MCDPH has determined, in sum, that if suspicious and/or hazardous material is encountered during construction, all work shall stop and the MCDPH and NY DEC shall be notified and that work shall not resume until the developer has outlined appropriate action for dealing with the waste material and the development plans are modified as may be necessary; and

WHEREAS, both the HPC and the EPC has reviewed the Application as it relates to other EPODs on the site, including as a it relates to EPOD #5.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board has considered the Application and all relevant information, and finds that, as it pertains to the Short Form EAF Part 2, all eleven items identified are found to have “No, or Small Impact . . .,” including for all those reasons set forth in the record of the Planning Board, inclusive of the comments of the HPC and the ECB, and that such Part 2 be issued in accordance with such findings; and, be it further

RESOLVED, that, as it relates to EPOD #6, based upon the response of the MCDPH as set forth herein, an EPOD Permit is hereby issued, conditioned upon that if suspicious and/or hazardous material is encountered during construction, all work shall stop and the MCDPH and NY DEC shall be notified and that work shall not resume until the developer has outlined appropriate action for dealing with the waste material and the development plans are modified as may be necessary; and, be it further

RESOLVED, that to the extent that EPOD 5 extends from Mendon Ponds Park, an EPOD Permit for the Development in said EPOD #5 is hereby issued, for development as depicted on the relevant plans, given that the proposed development will not adversely affect the physical integrity or historic character of the listed site, for all those reasons set forth in the HPC's comment letter, and also given that the proposed development is consistent with the type and density of surrounding development and zoning, and thus would not constitute overdevelopment; and, be it further

RESOLVED, that as a condition of the approval relative to EPOD 5, the limits of clearing shall be limited as set forth in the submitted on the Site Plan S-1, the same in order to act as a visual barrier as called for by the HPC, and as an alternative to the HPC's suggestion that additional trees be planted if there is not a sufficient barrier, with such alternative being preferable and chosen given that the forest is currently existing and the limits of clearing have been established by Site Plan S-1; and

RESOLVED, that, as per the above, the proposal will not result in any significant adverse environmental impacts, that a negative declaration is hereby issued, and that the EAF Part 3 be completed in accordance with such negative declaration; and, be it further

RESOLVED, that Preliminary and Final Subdivision approval relative to the Application, all in accord with the map last submitted with the Application (entitled "Mitten Subdivision – Being a Resubdivision of Lot 1 & 2 of the Campbell Subdivision," drawn by O-Neill-Rodak) is hereby granted, subject to the conditions set forth herein; and, be it further

RESOLVED, that Site Plan approval relative to the Application, all in accord with the map last submitted with the Application (entitled "Site Plan," drawn by Thornton Engineering) is hereby granted, subject to the conditions set forth herein; and, be it further

RESOLVED, that the approvals herein are subject to the following conditions:

A. Relative to both the Subdivision and Site Plan approvals:

1. All outstanding comments of the Town of Mendon Code Enforcement Officer, including as per the letter dated Nov. 26, 2024, shall be addressed to the satisfaction of the Town Code Enforcement Officer; and

2. All outstanding comments of the Engineer for the Town of Mendon, including as per the letter dated Nov. 25, 2024, shall be addressed to the satisfaction of the Town Code Enforcement Officer or designee; and
3. All outstanding comments of the Monroe County Dept. of Health, including as per the letter dated Oct. 21, 2024, shall be addressed to the satisfaction of the Town Code Enforcement Officer or designee; and
4. The establishment the private access and the method(s) by which the same will be maintained, including the instrument(s) used for the same and filings required or associated therewith (e.g., easement(s)/maintenance agreement(s)) shall be reviewed by and determined to be sufficient and acceptable to Attorney for the Town (sometimes known and referred to as the Town Attorney); and
5. All easements required by the Town, including as shown on the plans, including all public and private utility easements and the filing/recording thereof, shall reviewed by and determined to be sufficient and acceptable to Attorney for the Town (sometimes known and referred to as the Town Attorney); and
6. That utility districting required, if any, shall be completed to the satisfaction of the Town Board or designee; and
7. That any approvals required of the Monroe County Water Authority, including as it relates to water hookup, shall be obtained; and
8. That if suspicious and/or hazardous material is encountered during construction, all work shall stop and the MCDPH and NY DEC shall be notified and that work shall not resume until the developer has outlined appropriate action for dealing with the waste material and the development plans are modified as may be necessary; and
9. The limits of tree clearing shall not exceed those and shall comply with those tree clearing limits depicted on Site Plan S-1, which limits shall be clarified on Site Plan S-1 as set forth at the Planning Board meeting to the Planning Board Chair's satisfaction, all such that tree clearing shall not occur outside of such clearing limits, the same to be staked out prior to construction to the satisfaction of the Building Inspector, all in order to preserve visual buffering.

B. Relative to the Site Plan approvals:

1. That the Subdivision Map shall be filed.

GENERAL DISCUSSION

The upcoming meeting agendas were discussed.

Unapproved

January 15th, 2025

MOTION

Ms. Winship moved, seconded by Mr. Krukowski, to adjourn the meeting at 9:10pm.

ADOPTED

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