

A regular meeting of the Planning Board was held on Wednesday April 16th, 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 - Town Engineer
Brendan Bystrek – Labella
David Bovee – RG&E
Steve Lawlor – RG&E
Kris Matteson – 864 Pittsford Mendon Center Road

Ms. Smith started the meeting at 7:00 pm.

Minutes were taken by Brooke Buckland, Director of Planning and Zoning Board.

APPROVE APRIL 2ND, 2025 MEETING MINUTES

Ms. Smith asked if anyone had any comments or concerns regarding the meeting minutes from April 2nd, 2025. No comments were raised.

Motion to approve the minutes from the April 2nd, 2025 Planning Board Meeting was made by Mr. Krukowski and seconded by Mr. DeRue. All in favor, none opposed.

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

CAWLEY SITE PLAN

Joshua and Courtney Cawley, 1100 Pittsford Mendon Center Road, Honeoye Falls, NY, for a Site Plan approval on property located on Pittsford Mendon Center Road, Honeoye Falls, NY, consisting of 10 acres and will contain a new home, septic system and driveway. Tax account no. 204.02-1-38. Zoned RA-5.

John Sciarabba, representing Joshua & Courtney Cawley, approached the Board to discuss their application. Mr. Sciarabba reported that they were able to flatten the slopes of the driveway to 6-9%, not exceeding 10%. They extended the cross culvert from 20 feet to 50 feet to avoid problematic areas. He also mentioned receiving approval from the Fire Department regarding the turnaround, though there was some confusion about whether one or two turnarounds were required.

Cawley informed the Board that they had met with the Zoning Board the previous month. The Zoning Board had concerns about Fire Department approval and drainage. He noted that the lot has existed in its current state since 1963, and they hope to avoid having to join properties as suggested by the Zoning Board.

Mr. Young presented a draft resolution for the site plan approval. The resolution included:

- Identification of the application as a Type 2 action under SEQR
- Referral to the Code Enforcement officer for an EPOD 2 permit
- Issuance of an EPOD 5 permit due to proximity to Mendon Ponds Park
- Clarification of matters related to the Environmental Assessment Form
- Conditional approval of the Site Plan application with several standard conditions

The conditions included addressing any outstanding engineering comments, building inspector or fire marshal comments, emergency service provider access concerns, confirmation of driveway grades, obtaining necessary easements and utility district approvals, and addressing the right-of-way issue through either an area variance or lot line adjustment.

Mr. Sciarabba inquired about the procedure for filing easements, particularly the access easement to the north. It was clarified that these would need to go through the town attorney.

Motion to approve the Cawley Site Plan as proposed and pursuant to the written resolution was made by Ms. Winship and seconded by Mr. DeRue.

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

Resolution for Approval of Site Plan Application for Property at or about the West Side of Pittsford Mendon Center Rd Approximately 800 ft. South of Topspin Dr.

WHEREAS, Joshua and Courtney Cawley (the “Applicant”) has submitted an application to the Town of Mendon requesting approval of a Site Plan (the “Application”) relating to the development of a single-family home all at property located at or about the west side of Pittsford Mendon Center Rd. approximately 800 ft. south of Topspin Drive (the “Property”), all as more fully detailed in application materials on file with the Town, inclusive of the proposed site plan map package drawn by Land Tech Surveying & Planning PLLC, entitled “Pittsford Mendon Center Road . . . Overall Site Plan;” and

WHEREAS, as the Application seeks approval for the construction of a single-family home on an existing lot, for purposes of the State Environmental Quality Review Act (“SEQR”) the Application is a Type II Action and not subject to further review thereunder; and

WHEREAS, while it appears that slopes in the development areas do not exceed 30%, in order to permit a more thorough assessment of the slopes at the Property, and consistent with the Town of Mendon Environmental Conservation Board Site Review Report, the Planning Board will defer to the Code Enforcement Officer relative to issuance of an EPOD 2: “Steep Slope Protection Overlay District” permit, such that the Code Enforcement Officer and Town’s Engineer may coordinate to assess the slopes prior to any proposed construction therein.

NOW, THEREFORE, BE IT, 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 Site Plan, given that the proposed development will not adversely affect the physical integrity or historic character of the listed site, particularly given that the vast majority of the site will remain undeveloped, that the proposed development is consistent with type and density of surrounding development and the zoning and thus would not constitute overdevelopment, given that the NY State Parks, Recreation and Preservation Office concluded by letter dated December 30, 2024 that there

will be no relevant impacts as it relates to the application, and given that the Property is not generally close to any park entrance; and, be it further

RESOLVED, that the Planning Board will not require EAF question 12(A) to be revised to “Yes” because the Planning Board is unaware of the Park being listed or determined eligible for listing on the State Register or National Register or Historic Places – and thus such “No” conclusion being consistent with the EAF Mapper Answer of “No” to this question; and further that the Planning Board will not further condition approval of the EPOD 5 permit on compliance with County Parks Rules as the Planning Board does not understand the Property to actually be within the boundaries of a Park, and, to the extent any Park rules would nonetheless apply, presumably such Park rules speak for themselves; and, be it further

RESOLVED, that, in consideration of all criteria and information relevant to the Application, including but not limited to as discussed during the Planning Board meeting(s), as addressed herein, based upon the Application materials, and as otherwise set forth in the record, and subject to any conditions set forth herein, the Planning Board hereby approves the Application for Site Plan approval, including issuing preliminary and final Site Plan approval, subject to the following conditions:

1. Any outstanding comments of the Engineer for the Planning Board, including per the letter dated February 10, 2025, shall be addressed to the satisfaction of the Town Building Inspector.
2. Any outstanding comments of the Town Building Inspector / Fire Marshal, including per the letters dated February 5, 2025 and March 10, 2025, shall be addressed to the satisfaction of the Town Building Inspector.
3. That, as per the determination of the Town Building Inspector / Fire Marshal, and consistent with his comments, the driveway shall be designed and constructed to meet all fire and building code requirements, including as it relates to loading, pull offs, setbacks, width, etc., all to the satisfaction of the Town Building Inspector / Fire Marshal.
4. That, consistent with the above, that the Building Inspector / Fire Marshal coordinate with local EMS providers (e.g., the Fire Dept.) to confirm that the final design and construction of the access / drive is acceptable for EMS purposes, including but not limited to as it relates to pull offs, design criteria and sufficient space for emergency vehicles to service the home, all to the satisfaction of the Town Building Inspector / Fire Marshal.
5. That the Building Inspector or designee confirm that the actual grades of the driveway as constructed comply with requirements.
6. All required easements, including as shown on the plans, inclusive of access/driveway easements and all public and/or private utility easements, shall be reviewed by and determined to be sufficient and acceptable to Attorney for the Town (sometimes referred to as the Town Attorney), including confirming the filing/recording thereof.
7. That any utility districting required shall be completed to the satisfaction of the Town Board or designee.
8. That any approvals required of the Monroe County Water Authority, including but not limited to as it relates to water hookup, shall be obtained.
9. That the Applicant shall obtain an EPOD 2: “Steep Slope Protection Overlay District” permit from the Code Enforcement Officer relative to steep slopes, and that a steep slope seed mix be used when restoring any areas of disturbed steep slopes, all to the satisfaction of the Building Inspector.
10. That a) an area variance be obtained relative to the lot width at the right of way, or b) the lot lines be adjusted to permit the required lot width at the right of way – the same

of which is hereby permitted without formal subdivision review given that the same owner owns the two contiguous parcels and no additional lots would be created.

RG&E MENDON GATE STATION – UPGRADE PROJECT

Rochester Gas and Electric, 180 South Clinton Avenue Rochester, NY 14604 for a special use permit to continue use as purchase point for natural gas and distribution to customers in the RGE franchise area, and upgrade station equipment and site features on property located on 274 Canfield Road, Honeoye Falls, NY, consisting of 4.695 acres. Tax account no. 192.03-1-12.22. Zoned RA-5.

Brendan Bystrek, Steven Lawlor, David Bovee presented updates on their Mendon Gate Station project. They provided revised site plans, building designs, and landscaping plans. Key points of the presentation included:

Site Plan and Buildings:

- The applicant intends to retain the existing large structure on-site, with internal and external modifications to accommodate updated infrastructure.
- An increase of approximately 1,100 square feet in overall building area is proposed to house upgraded equipment and facilitate better operations.
- Modifications to the placement of security fencing and gates are included in the plan to enhance site access control and meet safety protocols.
- Proposed exterior color scheme includes “Surrey Beige” for siding materials and “Charcoal” for the roofing, replacing the existing white finish.

Landscaping:

- A comprehensive landscaping plan was submitted, detailing additional plantings to enhance the existing vegetative screening.
- The applicant plans to replace dead or unhealthy trees and supplement areas lacking sufficient natural screening, particularly along Route 64.
- Landscaping efforts are aimed at softening the visual impact of the station from surrounding properties and public rights-of-way.

Fencing and Security:

- The applicant proposes installation of a 9-foot-high black vinyl-coated chain-link fence topped with barbed wire. This is intended to meet utility security standards.
- The fence design seeks to balance safety and minimal visual intrusion, with the dark vinyl finish expected to blend into the landscape more effectively than standard galvanized fencing.

- Proposed 9-foot-high black vinyl-coated chain-link fence with barbed wire

Board members engaged in detailed discussion regarding the proposed color changes for the buildings and fencing. Several members debated the visual compatibility of the new colors with the surrounding rural landscape. The majority expressed that the proposed colors were more muted and appropriate for a utility facility in a residential agricultural zone.

Kristine Matteson, a resident of 864 Pittsford Mendon Road, spoke in favor of the proposed color scheme. She stated the “Surrey Beige” and “Charcoal” colors would present a more aesthetically pleasing and subdued appearance, consistent with the natural tones of the area.

The board also discussed the black vinyl-coated fencing, including the barbed wire, which would reach a total height of 9 feet.

Mr. Young presented a draft resolution for the Special Use Permit and Site Plan Approval. The resolution included:

- SEQR Determination: The project was classified as a Type II action under the State Environmental Quality Review (SEQR) regulations, requiring no further environmental review.
- Waivers Granted:
 - Dimensional conflicts, specifically related to existing setbacks and lot coverage.
 - Parking requirements, due to the nature of the facility as a non-public, unmanned utility site.
- Findings: The board found that the proposal met the standards for the issuance of a Special Use Permit, including:
 - Compatibility with surrounding land uses.
 - Minimal adverse impact on the neighborhood.
 - Conformity with the comprehensive plan and zoning regulations.
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- Conditions of Approval:
 1. Written consent from National Fuel for any work or access within easement areas.
 2. Use of black vinyl-coated chain-link fencing with barbed wire, as proposed.
 3. Retention and exterior upgrade of the existing barn or large structure.
 4. Implementation of landscaping improvements as per submitted plan.
 5. Resolution of any outstanding comments from the Town Engineer, Building Inspector, or Fire Marshal prior to issuance of permits.

Motion to approve the Mendon Gate Station Special Use Permit & Site Plan as proposed and pursuant to the written resolution was made by Mr. DeRue and seconded by Mr. Krukowski.

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

TOWN OF MENDON PLANNING BOARD
SPECIAL USE PERMIT AND SITE PLAN DETERMINATION FOR MENDON
GATE STATION – UPGRADE PROJECT – BY RGE

WHEREAS, Labella Associates, on behalf of Rochester Gas and Electric Corporation (“RGE,” or the “Applicant”), has submitted an application to the Town of Mendon for approval of a site plan(s) (the “Site Plan Application”) and special use permit(s) (the “Special Use Permit Application”), all, in sum, to update/upgrade and continue to operate the facility on adjoining properties located at or about 274 Canfield Rd. (collectively, the “Property”) as a public utility (the “Development”), with said Application more fully detailed in application materials on file with the Town; and

WHEREAS, Section 260-13[D](3) of the Mendon Town Code (the “Code”) permits a public utility / essential service 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, the applicant has submitted a map entitled “Mendon Gate Station,” (the “Site Plan”) to be associated with the proposed SUP; and

WHEREAS, in sum and substance, the Property has been historically operated as a public utility at the Property for ~ 30+ years, and has previously received approval from the Town relative to the same; and

WHEREAS, in sum and substance, the current Development aims to replace the public utility scale “heaters,” remove several buildings, upgrade the fence, and replace/upgrade several buildings; and

WHEREAS, initially, and significantly, the Applicant had proposed to remove the large barn now housing the public utility scale “heaters,” but, after receiving feedback on the barn’s importance for screening and community character, has revised its proposal to retain the barn (but with upgrades to the exterior) to contain the heaters; and

WHEREAS, the Planning Board has fully reviewed and considered all submissions and information relevant to the Applications, 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)(2), and thus is not subject to further SEQR review; and, be it further

RESOLVED, that, to the extent the Development spanning across adjoining properties presents zoning dimensional conflicts as it pertains to Zoning Code requirements, the Town of Mendon Planning Board hereby determines that, given the unique nature of the Development, given its status as a public utility, and given its longstanding historical operation and the consistency of the current proposal therewith, dimensional requirements (such as setbacks [but not waiving any fire apparatus access road requirements and associated needs as determined and required by the Building Inspector / Fire Marshal) are hereby waived but only to the extent to permit the Development as proposed, as the same are not appropriate to the particular site plan(s) and are not in the interest of the public for the reasons set forth herein, and waivers for the same are thus hereby granted pursuant to the Town of Mendon Zoning Code at Section 260-59; and, be it further

RESOLVED, that, relative to parking requirements (i.e., parking spaces), the Town of Mendon Planning Board hereby determines that, given the unique nature of the Development, given its status as a public utility, and given its longstanding historical operation and the consistency of the current proposal therewith, parking requirements hereby waived but only to the extent to permit the Development as proposed, as the same are not appropriate to the particular site plan(s) and are not in the interest of the public for the reasons set forth herein, and waivers are hereby granted pursuant to the Town of Mendon Zoning Code at Section 260-59; and, be it further

RESOLVED, that the Planning Board hereby finds that the current Application for the SUP by the Applicant proposes to operate the Development substantially consistent with operations apparently pre-existing, with no substantial changes to current, pre-existing operations currently proposed, except improvements to drainage, and an upgrade to the fence

for security purposes to a height of nine feet inclusive of barbed wire but with additional landscaping and a black coating for visual purposes; and, be it further

RESOLVED, that, given the improvements to drainage, and given that the proposal will result in operating the Development substantially consistent with operations apparently pre-existing, with no substantial changes to current, pre-existing operations currently proposed with exceptions otherwise noted, an EPOD Permit for the Development in EPOD #9 is hereby issued for development as depicted on the relevant Site Plan; and, be it further

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

1. Regarding the Special Use Permit requirements at Section 260-24 of the Code, relative to the Applications as proposed, the record before the Planning Board, and based upon the conditions set forth herein and the Applications materials, the Planning Board finds as follows:
 - a. Ingress and egress to/from the Property appears to remain sufficient given that no material increase in traffic is expected at Property, and given that Development is proposed to be operated substantially consistent with longstanding historical operations for which the Town is unaware of any material issues as it may relate to site plan or special use permit requirements.
 - b. Parking remains sufficient based upon the above, including for those reasons in the Application materials.
 - c. Refuse handling remains sufficient based upon the above, including for those reasons in the Application materials.
 - d. Utilities available remain sufficient based upon the above including for those reasons in the Application materials.
 - e. Screening / buffering remain sufficient, particularly given the retention of the barn over the heater, given the additional landscaping, and given the above at “a.”
 - f. Signs and lighting remain compatible with the area given the above, and as detailed in the Application materials (emergency lighting without an automatic on/off [manual operation] will be installed).
 - g. The required yard and open space remain sufficient – while paving may be implemented, it is generally planned only to those areas where roadways are already present, thus limiting any impact on existing yard and open space.
 - h. The Application is generally compatible with adjacent properties and other properties in the zoning district, given all of the above, and, relative to the fence, given there is an existing fence, and given the improved landscaping and coating proposed for the fence.
2. Regarding the Special Use Permit requirements at Section 260-25 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, including as detailed in the Application materials.

3. Regarding Special Use Permit requirements at Section 260-32 of the Code, given its status as a public utility, and given the above, and in addition given the upgrade of the fence to a height of 9 total feet and inclusive of barbed wire for security purposes to ensure adequate fencing is provided, the Planning Board finds that, the Application as proposed satisfies the same.

AND, BE IT FURTHER, RESOLVED, that, in consideration of all criteria and information relevant to the Application, including but not limited to as discussed during the Planning Board meeting(s), as addressed herein, based upon the Application materials, and as otherwise set forth in the record, and subject to any conditions set forth herein, the Planning Board **hereby approves the Special Use Permit Application to operate the Development as Public Utility/Essential Service and also hereby issues preliminary and final approval of the Site Plan Application**, all as detailed in and consistent with the Applications, and **all subject to satisfaction of the following** conditions:

1. Written consent relative to the Applications from the adjoining property owner (referred to as “National Fuel”) be provided to the Town.
2. That the perimeter fence includes a black vinyl coating as depicting in the plans.
3. That the barn housing the public utility scale “heaters” be retained, but with upgrades to the exterior consistent with the renderings entitled “Existing Heater Barn,” “RG&E Stations Cross Section,” and “Overall Sytation Cross Sections” presented at the April 16, 2025 Planning Board meeting and last dated March 20, 2025, with the color of the barn and the RTU Building to be as depicted on said drawings.
4. That landscaping be provided consistent with the landscaping plan provided, entitled “Landscape Plan,” and last dated April 16, 2025, and that as on ongoing condition the landscaping be maintained in accordance with such Plan.
5. Any outstanding comments of the Engineer for the Planning Board, including per the letter dated March 12, 2025, shall be addressed to the satisfaction of the Town Building Inspector.
6. Any outstanding comments of the Town Building Inspector / Fire Marshal, including per the letter dated March 25, 2025, shall be addressed to the satisfaction of the Town Building Inspector.
7. That any required easements, including as shown on the plans, inclusive of access/driveway easements shall be reviewed by and determined to be sufficient and acceptable to Attorney for the Town (sometimes referred to as the Town Attorney), including as it relates to shared access to the Property, including confirming the filing/recording thereof.

GENERAL DISCUSSION

UPCOMING MEETING INFO

The board discussed upcoming meeting dates. The May 7th & May 21st meetings were cancelled due to lack of agenda items. The next potential meeting is scheduled for June 4th, with one subdivision application expected to be ready for review.

Motion to adjourn the meeting at 7:58 pm was made by Ms. Winship and seconded by Mr. DeRue.

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