

A regular meeting of the Planning Board was held on Wednesday July 2nd, 2025, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY 14472 at 7:00 pm.

PRESENT: Lauren Smith - Chair
Teresa Winship
Earl DeRue
Danielle Liberatore
Charlie Krukowski

ATTORNEY: Donald Young

OTHERS: Brent Rosiek – Town Councilperson
Jared Brush
Carmen Ishman
Adam Ishman
Luke Ishman
Anthony Rodriguez
Amy (Lear) Rodriguez
Dave Smith

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

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

APPROVE JUNE 16th, 2025 MEETING MINUTES

Ms. Smith asked if anyone had any comments or concerns regarding the meeting minutes from June 16th, 2025. No comments were raised.

Motion to approve the minutes from the June 16th, 2025 Planning Board Meeting was made by Ms. Liberatore and seconded by Mr. Krukowski. All in favor, none opposed.

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

LEAR STABLES - SPECIAL USE PERMIT

Amy Rodriguez of Lear Stables located on property at 256 Cheese Factory Road, Honeoye Falls, NY, for an amendment to her special use permit to extend her riding lesson stable onto the abutting property located at 280 Cheese Factory Road, Honeoye Falls, NY, consisting of 20.19 acres. Tax account no. 222.03-1-11. Zoned RA-5.

Ms. Liberatore recused herself due to potential conflicts of interest.

Ms. Smith invited Amy Rodriguez back. Ms. Rodriguez approached the board to discuss her application for an amendment to her special use permit. She explained that she had originally

obtained a special use permit when building her outdoor and indoor riding arenas on her property at 256 Cheese Factory Road. She was now seeking to extend her operations onto the neighboring property at 280 Cheese Factory Road.

Amy stated that she had started partnering with her neighbor through a land lease agreement. She clarified that she was leasing from her neighbors but not business partnering with them. She takes care of the property, including mowing and upkeep, uses their property, and pays them. She didn't realize she needed a special use permit for this arrangement since she wasn't planning to build anything.

Ms. Rodriguez clarified that she had recently added a run-in shed on the leased property and applied for a permit, which prompted the town to inform her that she needed to amend her special use permit.

Ms. Smith asked Ms. Rodriguez how she chose the location of the run-in shed. Ms. Rodriguez explained that there is a creek that runs diagonally with the property and during heavy rains, there is significant flooding in the main pasture. Therefore, the location of the run-in shed is in the driest spot of the paddock.

Ms. Smith asked Ms. Rodriguez where she keeps her manure.

Ms. Rodriguez stated that she currently keeps manure in a dumpster that is emptied weekly by a waste management company. Rodriguez explained that location of the manure stockpile was previously in the woods however a neighbor strongly objected to that and therefore she agreed to hire a waste management company to remove the manure from the property, weekly.

Ms. Winship expressed concerns about the property being located in multiple environmental protection overlay districts, particularly the Water Course Protection Overlay District. She noted that the majority of the site where Rodriguez planned to conduct riding activities was in a protected area near a creek and the slope of the property is all downhill toward the creek.

Ms. Winship is worried about potential environmental impacts from manure runoff and sediment generation affecting the creek ecosystem and potentially abutting neighbors.

Ms. Rodriguez expressed that it is her understanding that that horses had been present on the property for many years prior to her operations.

Other members of the board agreed with Ms. Winship's concerns and explained to Ms. Rodriguez that it is the board's responsibility and job to be good stewards of the land and protect those sensitive areas.

Ms. Rodriguez explained she is already taking precautionary measures by removing the manure weekly and is unsure of what else the board would like her to do to help prevent further disturbance.

Ms. Winship stated she wasn't sure there is anything she could do. Unfortunately, it's the nature of the use of the property that just is not compatible with this particular site.

Ms. Rodriguez stated that to her knowledge there has been horses on this property since the 1800's and she doesn't quite understand how the pasturing of the horses could disturb these EPOD's, but could agree with how riding horses within these sensitive areas could have an impact.

Ms. Winship explained that the current riding arena is directly in the middle of the protected areas.

Mr. DeRue expressed his concerns in regards to the safety issue with the neighboring properties gun range. Due to this safety issue he feels as though he can't approve the special use permit.

The board discussed the safety concerns related to nearby shooting activities startling the horses. Ms. Rodriguez indicated there had previously been good communication with neighbors about shooting schedules, but this had recently taken a turn.

Ms. Winship asked how many horses were on the property.

Ms. Rodriguez said there is currently 10 horses.

There was discussion amongst the board as to how many horses were allowed per acreage. It was agreed upon that all Code Enforcement was to be left up to the Code Enforcement Officer.

Ms. Smith stated the public hearing was left open from the previous meeting and therefore asked if any there was any public comment.

Mr. Brush, a member of the public, asked for clarification as to why she needs a special use permit. The board explained she currently has one for her primary residence at 256 Cheese Factory and is seeking to amend her special use permit to extend her use onto the abutting property 280 Cheese Factory.

Ms. Smith asked if anyone else from the Board has any further questions before they move on to voting on the application.

Mr. Young asked the board if they would like to have an attorney/client discussion prior to voting on the application.

The board entered into an executive session at 7:30pm for an attorney/client discussion.

The board exited the executive session at 8:03pm.

After extensive discussion, the board determined that the site was not compatible with the proposed expanded use due to environmental sensitivities. They did not deny the application outright, but requested that Rodriguez return with additional documentation including:

1. A site plan with EPOD (Environmental Protection Overlay District) delineations
2. Location of the run-in shed with dimensional setbacks
3. A proposed solution for mitigating safety concerns related to shooting noise

The board agreed to leave the public hearing open and have Rodriguez return at a future meeting with the requested materials and information.

Ms. Liberatore reentered the meeting.

JARED BRUSH – SPECIAL USE PERMIT

Jared Brush for a special use permit to operate a farm stand on property located on 51 Probst Road, Pittsford, NY, consisting of 38.36 acres. Tax account no. 192.04-1-5.11. Zoned RA-5. Jared Brush approached the board and presented his proposal to operate a farm stand on his property. He explained that he was moving his farm market back to his home farm after closing a location on Pittsford Mendon Road.

Mr. Brush went into detail with his experience running the previous location, explaining the challenges he faced in making it profitable due to restrictions on what he could sell. He emphasized that the new location was more of a hobby than a business venture.

Brush described his new operation as a self-serve produce stand, selling beef, eggs, fruits, and vegetables grown on location. He stated that the operation would be year-round, with a scaled-back setup in the winter months.

The board discussed the size limitations for farm stands, noting that Brush's barn was larger than the allowed 2,400 square feet. Brush explained that he had partitioned off a section of an existing pole barn and a porch area, totaling approximately 576 square feet that will be used for the farm stand.

The board reviewed the site plan and discussed various aspects of the proposed operation, including:

- Hours of operation (self-serve, 24/7)
- Products to be sold (produce, beef, eggs, fruits, vegetables)
- Livestock location
- Parking and traffic flow

- Lighting
- Signage

Ms. Smith opened the public hearing.

There was no public comment.

The public hearing was closed.

Motion to approve the Jared Brush Special Use Permit as proposed and pursuant to the written resolution was made by Mr. DeRue and second by Ms. Liberatore.

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

**TOWN OF MENDON PLANNING BOARD
SPECIAL USE PERMIT AND SITE PLAN DETERMINATION FOR FARM
MARKET AT 51 PROBST RD.**

WHEREAS, Jared Brush (the “Applicant”), has filed a special use permit application, inclusive of a roughly sketched map (the “Site Plan”) (collectively, the “Application”), to operate a farm market on property at 51 Probst Rd. in the RA-5 District (the “Property”), all pursuant to the Application materials on file with the Town where they are available for review by the public; and

WHEREAS, permanent farms markets are permitted in the RA-5 District per the Mendon Town Code at Section 260-13[d](8) as a specially permitted use; 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.

WHEREAS, the Application is an unlisted action pursuant to SEQR.

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, and that such Part 2 be issued in accordance with such findings; and, be it further

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, with respect to certain relevant details pertaining to the Application, the Planning Board finds as follows:

1. The Applicant seeks a special use permit to operate a permanent farms market at the Property.
2. The Applicant has historically operated and currently does operate “Hidden Springs Farm” which is associated with the proposal.
3. The pole barn structure at the Property in which the farm market is proposed is currently existing, and was constructed in 2009 pursuant to a setback variance.

4. The proposed farm market will operate in a 12x24 +/- partitioned section of the pole barn structure, as well as in a 12x24 area in the southern facing porch.
5. Moreover, the Applicant has provided the following information: in sum and substance, that the existing access and parking located adjacent to the existing pole barn will be sufficient to serve the proposal, and no additional parking or access is proposed.
6. While the pole barn is slightly larger than 2400 SF, only 12x24 +/- partitioned section of the barn as well as a 12x24 +/- porch area will be used, totaling 576 +/- SF, and, particularly given NY Agriculture and Markets Law, the Planning Board finds that this satisfies the Town Code regarding the same.
7. Given that the pole barn did obtain a variance prior to its construction permitting its location and thus is permitted with its existing setbacks, and given NY Agriculture and Markets Law, the Planning Board finds that this satisfies the Town Code requirement regarding the same.

RESOLVED, that, thus, and based upon the conditions here, as it relates to the Special Use Permit requirements at Section 260-43 of the Code, the Planning Board finds that, the Application as proposed, based upon the record, including the findings above, and based upon the conditions set forth herein, satisfies the same; and, be it further

RESOLVED, that, regarding the Special Use Permit requirements at Section 260-24 of the Code, based upon the record before the Planning Board and the conditions set forth herein, including the Application materials and specifically the details shared by the supplemental materials provided by the Applicant, and the fact that no construction of significant/primary structures is proposed, the Planning Board finds as follows:

- a. Ingress and egress from the Property is sufficient,
- b. Parking is sufficient,
- c. Refuse handling is sufficient,
- d. Utilities available are sufficient,
- e. Screening / buffering (as existing) is sufficient,
- f. Signs and lighting are compatible with the area,
- g. The required yard and open space is sufficient, and
- h. The Application is generally compatible with adjacent properties and other properties in the zoning district, given the conditions herein; and, be it further

RESOLVED, that, 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, and based upon the conditions set forth herein, satisfies the same, including given that no construction of significant/primary structures is proposed, as follows:

- a. The proposed use would not endanger or tend to endanger public health, safety, morals or the general welfare of the community.
- b. The proposed use will be in harmony with the probable future development of the neighborhood and will not discourage the appropriate development and use of adjacent land and buildings or impair their value.

- c. The Application is proposed in a manner that would mitigate potential adverse impacts and preserve or enhance the scenic, natural or historic character of the Town; and, be it further

BE RESOLVED, that, based the record of the matter before the Planning Board, including the aforementioned findings, as well as and subject to any conditions set forth herein, in accordance with Article VII of Chapter 260 of the Mendon Town Code, in consideration of all criteria and information relevant to the Application, the Application is approved, including approval of a Special Use Permit and issuance of the same to the Applicant for the operation of a permanent farm market at 51 Probst Rd., all as set forth herein, as well as issuance of preliminary and final approval of the associated Site Plan, with waivers hereby issued relative to remaining Site Plan requirements as they are not in the requisite interest, particularly given that the Application is primarily in the nature of a Special Use Permit with no material development proposed (no primary or significant structures), all subject to the following conditions:

1. All outstanding comments of the Town of Mendon Code Enforcement Officer shall be addressed to the satisfaction of the Town Code Enforcement Officer, except that the Site Plan shall not be required to be further revised given the waivers issued herein, provided that documentation sufficient to show compliance with building and fire Codes shall be submitted to the satisfaction of the Code Enforcement Officer.
2. All outstanding comments of the Engineer for the Town of Mendon shall be addressed to the satisfaction of the Town Code Enforcement Officer or designee.
3. That the pictured signage shall be permitted in the location generally denoted on the provided map, so long as it meets Code requirements and obtains any necessary approvals as required by Code.

GENERAL DISCUSSION

UPCOMING MEETING INFO

The board discussed upcoming meeting dates.

July 16th, 2025 – *Cancelled unless rehearing is necessary*

**August 6th, 2025 – *Crosby's Site Plan
Lear Stables Special Use Permit Rehearing***

Motion to adjourn the meeting at 8:44pm was made by Mr. DeRue and seconded by Ms. Liberatore.

Approved

July 2nd, 2025

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