

Unapproved

July 7, 2021

A Regular Meeting of the Planning Board was held on Wednesday, July 7, 2021 at the Mendon Community Center, 167 North Main Street, Honeoye Falls, NY, 14472 at 7:00 p.m.

PRESENT: Brent Rosiek – Chair
Earl DeRue
Tom Voorhees
Christopher McCourt
Lauren Smith
ATTORNEY: Donald Young
OTHERS: Town Supervisor John Moffitt

Minutes were taken by Michelle Booth

Mr. Rosiek began the meeting at 7:00 pm.

MINUTES

MOTION

Mr. Voorhees, moved, seconded by Mr. DeRue to approve the minutes of the June 16, 2021 meeting, as amended.

ADOPTED

Mr. Rosiek – aye; Mr. DeRue – aye; Mr. Voorhees – aye; Mr. McCourt - aye and Ms. Smith – aye.

KAISEN SITE PLAN

Glenn Thorton, Thorton Engineering and Sharon Kaisen, 39 Stoneleigh Trail, Victor, requesting site plan approval for a single-family residence at 68 Harloff Rd. The property consists of approx. 1.57 acres. Tax account no. 217.03-1-13. Zoned RA-1.

The Board reviewed the Monroe County Planning and Development comments.

The project occurs within 500 feet of the Town of Victor. A notice was sent to their municipality in accordance with General Municipal Law 239-nn.

LaBella’s engineering comments were read into the record.

Mr. Thorton stated he has received Monroe County Health Department approval.

Mr. Young asked if the proposed development is within an EPOD. Mr. Voorhees confirmed it is and the applicant would need an EPOD permit and approvals from the Environmental Conservation Board to proceed.

Mr. Thorton stated he would add a retaining wall with a french drain to eliminate any development in the EPOD.

Mr. Young stated this is a Type II action in regards to SEQR, no further considerations will be required.

Mr. DeRue asked about the electric to the property. A pole is located to the South of the house across the street and the applicant stated the excavator would dig the trench to bury the electric.

Mr. Voorhees pointed out that the first item under the construction sequence should be to install the house number at the street in case of an emergency.

There was discussion about the culvert size. Mr. Thorton stated he would adjust it to 40 feet to comply with the Town of Mendon's design criteria.

The following 4 conditions will be applied:

1. Plans will be revised to eliminate any EPOD development.
2. Address LaBella's concerns.
3. Enhance the swale with a french drain on the east side of the house.
4. The Construction sequence will be modified to show #1 as installing the house number at the street.

MOTION

Ms. Smith moved, seconded by Mr. Voorhees, for conditional preliminary and final approval.

ADOPTED

Mr. Rosiek – aye; Mr. DeRue – aye; Mr. Voorhees – aye; Mr. McCourt - aye and Ms. Smith – aye.

MAIN ST CAFÉ – MENDON PUBLIC HEARING

Joe Bucciarelli, 7783 Martin Rd, Lima, NY, for a special use permit at 1336 Pittsford – Mendon Road, consisting of 1.10 acres. Tax account no. 216.02-1-6. Zoned Commercial – Business.

Mr. Bucciarelli explained his application to the Board. He would like to add a restaurant into an existing building on the property. He will make some changes to the parking area by adding a couple spots to make navigating vehicles better.

Mr. Rosiek asked if he is leasing this location. The applicant agreed and he will provide a letter from the owner.

There was a discussion about the hours of operation. The applicant decided he would like the hours of operation to be approved for 6am to 10pm every day.

Mr. DeRue asked about the ponding area next to the parking lot, he wondered where that water comes from. The applicant was unsure but stated it is normally dry. The applicant stated that a retaining wall will be added.

Mr. Voorhees asked about the retaining wall near the ramp and dumpster, it is leaning. Mr. Bucciarelli stated that he would look into repairing that.

Mr. Bucciarelli stated that Vern Vallance has cleaned and inspected the septic.

Mr. Rosiek stated Pea Pods daycare is next door, they have a special use permit also. He would like to dedicate a couple parking spaces to the parents, for pick up and drop off. The applicant agreed to do this.

Mr. Voorhees asked if the dumpster would be screened. Mr. Bucciarelli stated he would be putting up screening.

Mr. Rosiek asked if there is a patio shown in the aerial view photo provided. The applicant confirmed, it will be for some outdoor seating.

Mr. Bucciarelli expressed his desire in cleaning up the landscaping and making the property more aesthetically pleasing.

This will be a Type II action under SEQR; it is reusing an existing building. There will be no further action required.

Mr. Rosiek opened the Public Hearing at 7:42pm.

There was no public in attendance or on Zoom.

MOTION

Mr. Rosiek moved, seconded by Mr. DeRue, to close the public hearing at 7:43pm.

ADOPTED

Mr. Rosiek – aye; Mr. DeRue – aye; Mr. Voorhees – aye; Mr. McCourt - aye and Ms. Smith – aye.

Mr. Young asked about the site plan approval for this. Mr. Rosiek referenced the hand drawn site plan dated 7/7/21 as the approved site plan.

The Board reviewed the following proposed resolution drafted by Mr. Young.

Resolution of the Mendon Planning Board Relative to “Main St. Café” Restaurant for Special Use Permit and Site Plan Approval

WHEREAS, MSC Mendon, LLC (the “Applicant”) has made application to the Town of Mendon for approval of a restaurant (the “Restaurant Application”) at 1336

Pittsford Mendon Rd. (the “Property”), and

WHEREAS, such Restaurant Application may be approved pursuant the Mendon Town Code upon issuance of a Special Use Permit for a “Restaurant” and also requires Site Plan approval; and

WHEREAS, the Restaurant Application includes a hand drawn site plan, dated July 7, 2021, referencing “scale $\frac{3}{4} = 20$ ft, 31 Total Parking Spaces” (the “Site Plan);” and

WHEREAS, the Restaurant Application is a Type II Action pursuant to SEQRA regulations at 617.5[c](18); and

WHEREAS, in considering such Restaurant Application, the Planning Board has duly considered all submissions and information relevant to the Application, including any comments at the duly held public hearing as well as the special permit requirements.

NOW, THEREFORE, BE IT RESOLVED, that relative to the special permit requirements at Sections 260-24 and 260-48 of the Code, the Planning Board finds that satisfactory provisions and arrangements have been made, and/or the Restaurant Application has been proposed such that those requirements are satisfied, including given the explanation provided relative to these issues in the “July 7, 2021” letter provided by the Applicant, with findings more specifically as follows:

- a. Ingress and egress from the Property is sufficient based upon the application and record before the Planning Board;
- b. Parking is sufficient based upon the application and record before the Planning Board;
- c. Refuse handling is sufficient based upon the application and record before the Planning Board;
- d. Utilities available are sufficient based upon the application and record before the Planning Board;
- e. Screening / buffering is sufficient based upon the application and record before the Planning Board;
- f. Signs and lighting are compatible with the area based upon the application and record before the Planning Board;
- g. The required yard and open space is sufficient based upon the application and record before the Planning Board;
- h. The Application is generally compatible with adjacent properties and other properties in the zoning district based upon the application and record before the Planning Board, and, be it further

RESOLVED, that relative to Special Use Permit requirements at Section 260-25 of the Code, the Planning Board finds that:

- 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

RESOLVED, that the Restaurant Application be and is hereby approved, including the issuance of a Special Use Permit for the Restaurant use and Final Site Plan approval for the Site Plan, all subject to the following conditions:

1. Hours of operation shall be from 6am to 10pm, seven days a week,
2. Any signage shall be compliant with the Town of Mendon Code, as confirmed by the Town Code Enforcement Officer,
3. Coordination with the daycare sharing the site to identify areas/parking spaces dedicated to pick up and drop off during peak times, to be verified with the Code Enforcement Officer, and
4. A letter from the owner of the property indicating permission of the Applicant to proceed with the proposal.

MOTION

Mr. McCourt moved, seconded by Mr. Voorhees to approve the resolution for the Main St. Café – Mendon.

ADOPTED

Mr. Rosiek – aye; Mr. DeRue – aye; Mr. Voorhees – aye; Mr. McCourt - aye and Ms. Smith – aye.

PUBLIC COMMENT

There was no public comment.

GENERAL DISCUSSION

There was a discussion about the Silvarole site plan on the corner of Cheese Factory Rd and Quaker Meeting House Rd. The work being done does not seem to meet the approved site plan. The driveway does not meet the approved plan. Mr. Rosiek was asked about moving the barn to the East side of the property, but the grading would be in an EPOD. The approval was conditioned with a swale on the property line. The Board discussed any changes like these could possibly need reapproval from the Planning

Board. Mr. Rosiek stated that moving the barn to the South 20 feet would need a public hearing and approval from the Environmental Conservation Board. It was also stated that making the barn larger would also require a new site plan approval.

Mr. Young stated any reapplications to the Planning Board will need to come from the direction of the Code Enforcement Officer.

MOTION

Mr. DeRue moved, seconded by Mr. Rosiek, to adjourn the meeting at 8:13pm.

ADOPTED

Mr. Rosiek – aye; Mr. DeRue – aye; Mr. Voorhees – aye; Mr. McCourt - aye and Ms. Smith – aye.