

Unapproved

July 6, 2022

A Regular Meeting of the Planning Board was held on Wednesday, July 6, 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
Nicole Sayers

RECUSED: Teresa Winship

ATTORNEY: Donald Young

TOWN ENGINEER: Jason Ebbs, LaBella, PC

OTHERS: Town Councilperson, Brent Rosiek; Cole Papasergi, Marathon Engineering; Jerry Watkins, Riedman Acquisitions.

Minutes were taken by Katrina Allen

Ms. Smith began the meeting at 7:02 PM

MINUTES

MOTION

Ms. Sayers moved, seconded by Mr. Krukowski to approve the minutes of the May 18, 2022 meeting.

ADOPTED

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

Ms. Smith welcomed that applicants back to the table.

Mr. Papasergi said he is familiar with the plans and is filling in for Mr. Tiede, who is away. He said the final Mylar was submitted with no major changes. They added comments about the drainage and gutter and have leveled the crest in the road as well as lengthened the vertical curve.

Ms. Smith asked how they were coming along with the condition. Mr. Papasergi said on the preliminary the first three are in within lines with comments. The zoning language on the plat has been added, and they are planning on moving forward with the dedication.

Ms. Smith asked about the letter of intent with the Mendon Foundation. Mr. Watkins said there are a few things that still need to be discussed.

Ms. Smith asked the Board if there were any questions.

Mr. DeRue asked if the applicant had thought about the Department of Environmental Conservation (DEC) with the rain garden. Mr. Papasergi said they had not with the rain garden and the DEC wants them to treat the water before it is held and this site is limited.

Mr. DeRue asked if they did a soil sample. Mr. Papasergi said yes, and they have identified suitable areas for it.

Mr. DeRue asked if they had any available maintenance information of this type. Mr. Papasergi said the Code Enforcement Officer (CEO) asked within his comments about it. New York State DEC has a maintenance manual for stormwater.

Mr. DeRue asked if this is recorded somewhere. Mr. Papasergi said yes.

Ms. Smith said the Highway Superintendent, Andy Caschetta, is concerned about the maintenance of the stormwater. Are there other towns who have this type up and running to see his concerns? There will be a condition of final approval for his questions to be answered. Mr. Caschetta's signature is needed on the final plans, and Ms. Smith said that would hold them up if he is not satisfied. Mr. Watkins said they will find other towns with this system, and he is sure LaBella knows of towns, too.

Mr. Ebbs said he has spoken with Mr. Young regarding the budget.

Ms. Smith asked Mr. Young if he had any questions. Mr. Young reviewed the conditions of the determination. Mr. Young advised Town Councilperson, Brent Rosiek, the Town board will need to facilitate putting this special district on the tax rolls.

**TOWN OF MENDON PLANNING BOARD FINAL APPROVAL FOR PUD SITE
PLAN/SUBDIVISION RELATIVE TO APPLICATION FOR THE "MENDON GREEN"
SUBDIVISION REVISED PROPOSAL**

WHEREAS, Riedman Acquisitions, LLC (the "Applicant"), has made application to the Town of Mendon for PUD site plan / subdivision approval relative to the proposal commonly known and referred to as "Mendon Green Subdivision" (the "Project"); and

WHEREAS, the Project received PUD rezoning in 2004 and preliminary approval in 2005, all associated with a 54-lot subdivision (the "Original Proposal"); and

WHEREAS, an agreement was entered into with the Town of Pittsford relative to the provision of sewer service to the Project, which agreement was confirmed by the Town of Pittsford in a January 22, 2022 letter as currently being in full force and effect; and

WHEREAS, the Applicant has now revised the Project to comprise a 30-lot subdivision (the "Revised Proposal"); and

WHEREAS, the Planning Board has previously made a finding of consistency relative to the intent of the PUD regulations regarding the Revised Proposal; and

WHEREAS, on or about March 15, 2022, the Town Board, as lead agency, confirmed that the original State Environmental Quality Review Act negative declaration applies to the Revised Proposal and no further SEQRA action is required relative to the same; and

WHEREAS, on or about March 15, 2022, the Town Board consented to the consideration by the Planning Board of the preliminary PUD site plan for the Revised Proposal; and

WHEREAS, on or about May 18, 2022, the Planning Board:

1. Issued waivers relative to: a) allowing the intersection of the entrance to the proposed Project to be within 500 feet of the existing intersection, b) allowing the proposed Cul-de-sac of the Project to exceed 1,000 feet in length for a maximum of +/- 1,580, and c) relating to tangent curves, such that the design shall be permitted all as shown on the Map last submitted as part of said Application;
2. Issued EPOD permits relative to EPOD#7 and EPOD #3; and
3. Issued conditional preliminary approval of the Application, including PUD site plan / subdivision; and

WHEREAS, the Applicant is now seeking final approval of the Application, including PUD site plan / subdivision.

NOW, THEREFORE, BE IT, RESOLVED, that the proposed final PUD site plan / subdivision conforms substantially to the preliminary PUD site plan / subdivision; and, be it further

RESOLVED, that the Planning Board hereby issues final approval of the Application, including for PUD site plan / subdivision, consistent with those plans last submitted prior to this Resolution and subject to those conditions set forth below; and, be it further

RESOLVED, that the approval in this Resolution is subject to the following conditions:

Prior to Final Signatures on Plans

1. Address all outstanding Town Engineer written review comments directly impacting map, including mapping of easements (per Comment #4), and including regarding wetland delineation confirmation and JD from USACOE per comment #25 of the April 27, 2022 and June 29, 2022 Labella comment letters, all to the satisfaction of the Town Engineer.
2. Provide an additional sheet to the map package which clearly depicts the delineation of the proposed open space area.
3. Revise the notation on Map C2.0 and C2.1 to reference "RS-30" District instead of "RS" District.
4. Address all outstanding Town Code Enforcement Officer written review comments directly impacting the map, all to the satisfaction of the Code Enforcement Officer.
5. Address all outstanding Town of Pittsford written review comments directly impacting map, all to the satisfaction of the Town of Mendon Engineer.
6. Add to page 1 of the Plans at restrictions list: #28 – A Declaration of Covenants and Restrictions will be recorded with the County Clerk. Should there be any inconsistency between this list of restrictions herein and the recorded Declaration of Covenants and restrictions, the recorded Declaration of Covenants will control.
7. Parenthetical notes on C1.0 referencing Recreational Trail should be revised to read as follows: "(To be field determined/located prior to issuance of C/O)."
8. Note "A. Zoning" on C1.0 should be revised to be entitled "Pre-Approval Zoning" and "Current" should be removed. An additional sentence should be added to this note, reading: Applicable regulations relative to the approved plans is located on page C2.0 hereof.
9. Note 3 "Open Space" under Development Notes on pages C2.0 and C2.1 should be revised to remove "donated to the Mendon Foundation."

Prior to Issuance of Building Permit

10. Approval by the Fire Marshal relative to fire protection plans, all to the satisfaction of the Fire Marshal.
11. Address any remaining Town Engineer written review comments all to the satisfaction of the Town Engineer, except those comments which the Engineer concludes may be addressed prior to the issuance of the C/O.
12. Address any remaining Code Enforcement Officer written review comments all to the satisfaction of the Code Enforcement officer, except those comments which the Code Enforcement Officer concludes may be addressed prior to the issuance of the C/O.
13. Address any remaining Town of Pittsford written review comments all to the satisfaction of the Town of Mendon Engineer, except those comments which the Mendon Engineer concludes may be addressed prior to the issuance of the C/O.
14. Acquire any and all approvals and consent required by NYSDOT.
15. In connection with the drainage systems a part of the project, including any bioretention pond and related appurtenant facilities, the Applicant shall provide cost estimates/a budget relative to operation and maintenance of such facilities, all subject to acceptance by the Town Engineer and the Town Highway Superintendent relative to completeness of the same.

Prior to Issuance of a Certificate of Occupancy

16. Acceptance of Declaration of Covenants by Town, including the filing thereof, though such are not enforceable by Town.
17. Filing of all required/indicated Utility and Access easements/agreements satisfactory to the Attorney for the Town and the Town Engineer.
18. Filing of an open space easement, acceptable to the attorney for the Town, covering the ~ 70 acres of open space to be preserved, such open space as identified in the June 13, 2022 letter of intent from the Mendon Foundation, Inc.
19. Ownership of the open space covered by said open space easement shall be confirmed prior to issuance of the certificate of occupancy as owned by: the Applicant, the Mendon Foundation, Inc., a Homeowners Association, or another third party acceptable to the Town.
20. Proof of approval/acceptance by the Town of Pittsford of the sanitary sewers and associated infrastructure.
21. Acquire any and all approvals and consent required by the Monroe County Water Authority.
22. Posting of any security/bonds required in connection with facilities/utilities to be dedicated to the Town(s), all to the satisfaction of the Town Engineer.
23. Acquire any approvals required of the Town Board relative to the acceptance of drainage improvements/appurtenant facilities into a drainage district.

MOTION

Mr. DeRue moved, seconded by Ms. Sayers to approve the determination.

ADOPTED

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

PUBLIC COMMENT

None

GENERAL DISCUSSION

The Board discussed their upcoming meetings.

MOTION

Mr. Krukowski moved, seconded by Ms. Smith to close the meeting at 7:18 PM

ADOPTED

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