

A Regular Meeting of the Planning Board was held on Wednesday, April 19, 2023 at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY, 14472 at 7:00 PM

PRESENT: Lauren Smith - Chair
Earl DeRue
Charlie Krukowski
Teresa Winship
Nicole Sayers

ATTORNEY: Donald Young

TOWN ENGINEER: Mike Simon, LaBella, PC

OTHERS: Town Councilperson, Brent Rosiek; Employees of Canfield Vet

Minutes were taken by Katrina Allen

Ms. Smith began the meeting at 7:00 PM

MINUTES

MOTION

Mr. Krukowski moved, seconded by Mr. DeRue to approve the minutes of the April 5, 2023 meeting.

ADOPTED

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

McDERMOTT SITE PLAN

Mark and Karen McDermott, 20 Fall Meadow Drive, Pittsford NY, for site plan approval on a 2,800+/- square foot single-family residence with a farm pond on Pond Road, consisting of 40 acres. Tax account no. 204.04-1-40.4. Zoned RA-5.

Pete Gorman, Marathon Engineering, representing Mark and Karen McDermott, approached the Board.

Mr. Gorman stated the property is located on Pond Road and is in the RA5 zoning district. It is a vacant and mature lot. The wetlands and Environmental Protection Overlay District (EPODs) were addressed. He said it will be a 2800 square-foot single-family home with garage. They are adhering to the required setbacks, and there will be a farm pond with a dry hydrant for fire suppression. The house will be 150 feet from any wetlands.

Ms. Smith stated the property had an approved site plan from the previous owners. It is the same, except the applicant will not have the riding rink as previously approved. She stated the wetlands were addressed and cleared up, as well as the Code Enforcement Officer (CEO) and Engineer comments. The Environmental Conservation Board recommended a gravel driveway because of the EPODs, and an EPOD permit was already submitted.

Mr. Krukowski asked if the applicants chose to run public water. Mr. McDermott said they are having a well instead. Mr. Gorman said public water is a significant expense as the water is to the driveway and across the property.

Ms. Winship addressed the needed contours and slopes required on the mapping, as well as a note regarding the finished floor of the house. Ms. Winship stated the side setback is cutoff on the drawing.

The stockpiling of the soil and need for a silt fence was discussed.

Ms. Smith asked Mr. Young about the State Environmental Quality Review (SEQR) listing. Mr. Young stated it is Type Two.

Mr. Young reviewed the determination.

PRELIMINARY AND FINAL SITE PLAN APPROVAL FOR MCDERMOTT POND ROAD PROPOSAL

WHEREAS, the Town of Mendon has received an application from Mark and Karen McDermott relative to a site plan approval at Pond Road, including a single-family home on the 40+/- acre property at tax account # 204.04-1-40.4 zoned RA-5 Residential Agricultural 5 Acre; and

WHEREAS, the Mendon Planning Board has reviewed the application and considered all relevant information pertinent thereto; and

WHEREAS, the Application is a Type II action pursuant to SEQR, not subject to further review thereunder.

NOW, THEREFORE, BE IT RESOLVED, that preliminary and final approval is hereby issued relative to the application, subject to the following conditions:

1. That an EPOD Permit for EPOD #9 be obtained by the Code Enforcement Officer prior to the issuance of a building permit.
2. That any approvals/permitting required by the Dept. of Health be obtained.
3. Revise plans to denote proposed setback, basement, and contours, and add notes regarding slopes and basement, all prior to signature.

MOTION

Ms. Sayers moved, seconded by Ms. Winship to give preliminary and final site plan approval for the McDermott Site Plan.

ADOPTED

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

CANFIELD VET SPECIAL USE PERMIT AMENDMENT PUBLIC HEARING

Margaret Brooker, DVM of Canfield Veterinary, 122 Canfield Road, Pittsford, NY, for an amendment to the existing Special Use Permit to add one more veterinary doctor and three more support staff, consisting of 6.55 acres. Tax account no. 192.03-1-5.2. Zoned RA-5.

Dr. Brooker approached the Board and said there has been only two vets working, and times have changed. Emergency vets were not open during COVID and her facility is being inundated with requests

for emergency assistance. Dr. Brooker stated she is not looking to grow her business, but rather space appointments out more.

Ms. Smith stated Dr. Brooker is not looking to grow her business; she is looking to maintain it. Dr. Brooker said she just wants to spread out appointments, and she is looking to add one more vet and additional staff.

Ms. Smith asked Mr. Young what the SEQR classification is. Mr. Young stated it is Type Two.

Ms. Smith opened the Public Hearing at 7:17 pm

PUBLIC COMMENT

None

MOTION

Mr. DeRue moved, seconded by Ms. Sayers to close the public hearing at 7:17 pm

ADOPTED

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

Mr. Young reviewed the determination.

**TOWN OF MENDON PLANNING BOARD
SPECIAL USE PERMIT AMENDMENT FOR CANFIELD 122, LLC AT 122 CANFIELD
RD., PITTSFORD, NY (Tax Account No. 192.03-1-5.2)**

WHEREAS, Canfield 122, LLC, by Margaret Brooker, (the “Applicant”) filed an application to amend a previously issued special use permit application to operate a veterinary clinic (the “Application”) on property 122 Canfield Rd., Pittsford NY, tax account no. 192.03-1-5.2 (the “Property”), said Property comprising approximately 6.55 acres in the “RA-5” District in the Town of Mendon (the “Town”); and

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

WHEREAS, a special use permit has previously been issued to the Applicant for the operation of a veterinary clinic at the Property, but said previous application apparently specified that two veterinarians would be working at the Property (“the 2010 Special Use Permit”); and

WHEREAS, the current Application for the amendment to the special use permit provides for three veterinarians working at the Property, with a total of 12 +/- employees; 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 SEQRA at 617.5(c)(18), and thus is not subject to further SEQR review; and

BE IT FURTHER, BE RESOLVED, that, based upon the following findings, **the Application to amend the 2010 Special Use Permit for the veterinary clinic be and hereby is approved**, with

such amendment permitting up to three veterinarians (instead of two), with all provisions and conditions of the 2010 Special Use Permit carrying forward and remaining applicable except as amended herein.

Findings of Relevant Fact:

1. A special use permit has previously been issued to the Applicant for the operation of a veterinary clinic at the Property, but said previous application apparently specified that two veterinarians would be working at the Property (“the 2010 Special Use Permit”).
2. No changes have been proposed to the previously approved 2010 Special Use Permit except that three veterinarians are called to work at the Property (instead of two), with a total of 12 +/- employees.
3. No changes have been proposed to the Site Plan associated with the 2010 Special Use Permit, including that no material alterations to the Property or building are proposed.
4. 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 from the Property remains sufficient, provided that no additional traffic is expected at Property given that the number of appointments is expected to remain stable (and not materially increase) – it is the length and/or intensity of such appointments that has or is expected to increase.
 - 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 thereon.
 - 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 remains 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.
5. 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.

MOTION

Ms. Sayers moved, seconded by Mr. Krukowski to approve the determination, as written.

ADOPTED

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

GENERAL DISCUSSION

The Board has no upcoming meetings, and the May 3 and May 17, 2023 meetings are canceled as there are no agenda items.

MOTION

Mr. Krukowski moved, seconded by Ms. Sayers to adjourn the meeting at 7:23 pm.

ADOPTED

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