

A Regular Meeting of the Planning Board was held on Wednesday, March 20, 2024 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  
Nicole Sayers  
Teresa Winship

ATTORNEY: Don Young

TOWN ENGINEER: Jacob Calabrese, MRB Group.

OTHERS: Town Councilperson, Brent Rosiek.

Minutes were taken by Katrina Allen

Ms. Smith began the meeting at 7:00 PM

**MINUTES**

**MOTION**

Ms. Winship moved, seconded by Ms. Sayers to approve the minutes of the February 21, 2024 Planning Board meeting.

**ADOPTED**

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

**PROKUPETS SUBDIVISION PUBLIC HEARING**

Daniel Prokupets, 18 Chamberlain Road, Honeoye Falls, for a two-lot subdivision on property located on 18 Chamberlain Road, Honeoye Falls and intersecting Bulls Sawmill Road, consisting of 33.1 acres. The applicant is proposing one 9.2-acre lot and one 25.7-acre lot. Tax account no. 215.04-1-4.1. Zoned RA-1.

John Sciarabba, Landtech, approached the Board on behalf of the applicant. The affidavit of posting was received.

Mr. Sciarabba said the applicant wants to subdivide the lot on the north half of the road from the southern half. If they were to build, it will be on the north half. Mr. Sciarabba said there are Environmental Protection Overlay Districts (EPODs) located there.

Ms. Winship asked if the EPODs had been delineated. Mr. Sciarabba said yes.

Ms. Smith asked the Board if it had any questions or comments. There were none.

Mr. Young reviewed the resolution.

**Resolution Approving Subdivision for Property at 18 Chamberlain Rd.**

WHEREAS, an application (the “Application”) has been received by the Town of Mendon Planning Board seeking the subdivision of a ~34 acre lot at 18 Chamberlain Rd., Tax Map 215.01-1-4.1, into two lots as follows: Lot 1 to contain 9.2 +/- acres and Lot 2 to contain 25.7 +/- acres and an existing residence, all in accord with the proposed subdivision map entitled “Prokupets Subdivision” produced by Land Tech, and last dated January 9, 2024; and

WHEREAS, no development is currently proposed; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby approves the attached EAF Parts 2 and 3, and a negative declaration based thereon is hereby issued; and

BE IT FURTHER, RESOLVED, that Preliminary and Final Subdivision approval relative to the Application, all in accord with the map last submitted for the Application, is hereby granted, subject to the following conditions:

1. That the delineation of EPODs on the Subdivision Map be updated/confirmed to the satisfaction of the Town Engineer, all prior to any signature on the Map.
2. That, per Monroe County DOT, the following note be added to the Map: “Any future driveways on the County Road (Bulls Sawmill Rd) must meet AASHTO sight distance requirements,” all prior to any signature on the Map.

**MOTION**

Mr. DeRue moved, seconded by Mr. Krukowski to approve the Prokupets Subdivision as stated in the resolution.

**ADOPTED**

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

**CAWLEY SUBDIVISION AND SITE PLANS**

Joshua Cawley, 1100 Pittsford Mendon Center Road, Honeoye Falls, NY, for a two-lot subdivision and two site plans on property located on Pittsford Mendon Center Road and Topspin Drive, Honeoye Falls, NY, consisting of 20 acres and 10.80 acres. Tax account nos. 204.02-1-8 and 204.02-1-36. Zoned RA-5.

John Sciarabba, Landtech, approached the Board on behalf of Josh and Courtney Cawley.

Mr. Sciarabba stated all the comments have been addressed, and Monroe County Surveyors are ready to sign the plat.

Mr. Sciarabba said they did a surrounding house inventory, and he gave an overview of it. He also discussed the proposed development and protecting the historical home.

Ms. Smith stated what he submitted is what the Planning Board was looking for.

Ms. Smith asked the Board if there were any comments or questions. There were none.

Mr. Young reviewed the resolution and the State Environmental Quality Review (SEQR) which has a negative declaration.

**Resolution of the Town of Mendon, NY Planning Board Approving Subdivision and Site Plan Applications for Property at or about 1100 Pittsford Mendon Center Rd., Tax Map No. 204.02-1-8.**

WHEREAS, on or about December 13, 2023, an application was received from Land Tech on behalf of the applicants, Joshua and Courtney Cawley (the "Applicant"), relative to a parcel of land the Applicant owns at or about 1100 Pittsford Mendon Center Rd, Honeoye Falls, NY 14472, Tax Map. No. 204.02-1-8, which parcel is approximately 10.8 +/- acres in size (the "Property"), seeking preliminary and final subdivision approval of such Property, all to subdivide said Property into two residential lots, Lot 1 to be approximately 5.09 +/- acres in size, and Lot 2 to be approximately 5.74 +/- acres in size (the "Subdivision Application"), all in accord with a proposed subdivision map entitled "Courtside Estates, Topspin Drive, Final Plat" (the "Subdivision Map"); and

WHEREAS, in addition, said proposal seeks Site Plan approval for said two resultant residential lots, all with the aim to develop a single-family home on each of the two lots (the "Site Plan Application") (the Site Plan Application and Subdivision Application are sometimes collectively referred to herein as the "Application"); and

WHEREAS, originally, the Applicant sought to develop three single family homes on three lots at or about the Property, but, after receiving feedback and public comment, including relative to EPODs (including EPOD #1 [wetlands], EPOD #5 [Historic] and EPOD #9 [Soils and Ponding]) at or about the Property, Applicant submitted the revised Application the subject hereof; and

WHEREAS, the Town of Mendon Environmental Conservation Board has reviewed the revised Application, and recommended that EPOD permits not be required for EPOD #s 1 and 9 (presumably given that the proposed development is outside of said EPOD limits), and also expressed its understanding that the Town HPC would review the Application relative to EPOD #5; and

WHEREAS, the Town of Mendon Historic Preservation Committee has reviewed the revised Application, and has issued a number of comments, particularly as it concerns EPOD #5 relative to the historic house at 822 Mendon Center Road, which is a locally designated historic landmark; and

WHEREAS, the Planning Board has had some version of the Application before it beginning in December of 2022 (informal), has had multiple hearings/appearances before it relative to the Application, has requested and received additional information and revisions relative to the Application, and has reviewed the Application and considered the same pursuant to the Town of Mendon Code, including pursuant to Chapter 226 and per Article VIII of Chapter 260; and

WHEREAS, the Application represents an Unlisted Action pursuant to the State Environmental Quality Review Act ("SEQR").

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby approves the attached EAF Parts 2 and 3, and a negative declaration based thereon is hereby issued relative to the Application; and, be it further

RESOLVED, that an **EPOD Permit for the Development in EPOD #5 is hereby issued** (including relative to the historic house at 822 Mendon Center Road), for development as depicted on the relevant Site Plans, given that the proposed development will not adversely affect the physical integrity or historic character of the listed site for all those reasons as more specifically set forth in the SEQR determination, which is incorporated herein and made part hereof by this reference, and given that there is no reasonable alternative to the Applicant's intent to utilize the lands for its zoned residential purposes, particularly, given that the Applicant has revised the Application to reduce the request from three to two homes; and, be it further

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 Plans, given that the proposed development will not adversely affect the physical integrity or historic character of the listed site, including for all those reasons as more specifically set forth in the SEQR determination, which is incorporated herein and made part hereof by this reference, and given that there is no reasonable alternative to the Applicant's intent to utilize the lands for its zoned residential purposes, particularly, given that the Applicant has revised the Application to reduce the request from three to two homes; and further given that the proposed development is consistent with the type and density of surrounding development and zoning, and thus would not constitute overdevelopment; and, be it further

RESOLVED, that for all those reasons set forth herein, and in the record, and because the Subdivision Map, as presented, is consistent with the purpose and intent of the Town's Subdivision Code, **Preliminary and Final Subdivision approval is hereby issued**, relative to and consistent with the Subdivision Map last revised, subject to the following conditions:

1. Prior to signatures, all outstanding written comments of the Fire Marshal shall be addressed to the satisfaction of the Fire Marshal, except those items the Fire Marshal identifies as appropriate to be addressed prior to the issuance of the Certificate of Occupancy, which items shall be identified in the Building Permit or otherwise addressed to the satisfaction of the Fire Marshal.
2. Prior to signatures, all outstanding written comments of the Code Enforcement Officer / Building Inspector shall be addressed to the satisfaction of the Code Enforcement Officer, except those items the Code Enforcement Officer / Building Inspector identifies appropriate to be addressed prior to the issuance of the Certificate of Occupancy, which items shall be identified in the Building Permit or otherwise addressed to the satisfaction of the Code Enforcement Officer / Building Inspector.
3. Prior to signatures, all outstanding written comments of the Town Engineer shall be addressed to the satisfaction of the Town Engineer, except those items the Town Engineer identifies as appropriate to be addressed prior to the issuance of the Certificate of Occupancy, which items shall be addressed to the satisfaction of the Town Engineer prior to the issuance of the Certificate of Occupancy.
4. Prior to signatures, erosion control measures shall be shown on all relevant plans, all to the satisfaction of the Town Engineer, and shall be implemented as required.
5. Prior to signatures, landscaping notes which detail the number and type of trees to be installed along the ROWs shall be added, all to the satisfaction of the Town Engineer.

6. Prior to signatures, Note 6 on Final Plat shall be revised to read: "Prior to beginning construction of the home structure, owner shall seek non-binding advisory opinion from Town HPC relative to proposed home."
7. Prior to issuance of a building permit, and in accordance with the Town Code at Section 138-7, the applicant shall furnish the Town with an irrevocable letter of credit or certified check in an amount to be established by the Town Board after review by the Town Engineer, including but not limited to ensure that requirements for vegetative screening depicted on Site Plans / Subdivision Map are complied with.

AND, BE IT FURTHER, RESOLVED, that **Preliminary and Final Site Plan approval is hereby issued**, relative to and consistent with the Site Plans as last revised, subject to the following conditions:

1. Prior to signatures, the signed and approved Subdivision Map shall be duly recorded with the County Clerk.
2. Prior to signatures, all outstanding written comments of the Fire Marshal shall be addressed to the satisfaction of the Fire Marshal, except those items the Fire Marshal identifies as being appropriate to address prior to the issuance of the Certificate of Occupancy, which items shall be identified in the Building Permit or otherwise addressed to the satisfaction of the Fire Marshal.
3. Prior to signatures, all outstanding written comments of the Code Enforcement Officer / Building Inspector shall be addressed to the satisfaction of the Code Enforcement Officer, except those items the Code Enforcement Officer / Building Inspector identifies appropriate to be addressed prior to the issuance of the Certificate of Occupancy, which items shall be identified in the Building Permit or otherwise addressed to the satisfaction of the Code Enforcement Officer / Building Inspector.
4. Prior to signatures, all outstanding written comments of the Town Engineer shall be addressed to the satisfaction of the Town Engineer, except those items the Town Engineer identifies as appropriate to be addressed prior to the issuance of the Certificate of Occupancy, which items shall be addressed to the satisfaction of the Town Engineer prior to the issuance of the Certificate of Occupancy.
5. Prior to signatures, erosion control measures shall be shown on all relevant plans, all to the satisfaction of the Town Engineer, and shall be implemented as required.
6. Prior to signatures, landscaping notes which detail the number and type of trees to be installed along the ROWs shall be added, all to the satisfaction of the Town Engineer.
7. Prior to signatures, a Note shall be added to read: "Prior to beginning construction of the home structure, owner shall seek non-binding advisory opinion from Town HPC relative to proposed home."
8. Prior to issuance of a building permit, and in accordance with the Town Code at Section 138-7, the applicant shall furnish the Town with an irrevocable letter of credit or certified check in an amount to be established by the Town Board after review by the Town Engineer, including but not limited to ensure that requirements for vegetative screening depicted on Site Plans / Subdivision Map are complied with.

**MOTION**

Ms. Sayers moved, seconded by Mr. DeRue to approve the Cawley Subdivision and Site Plans as stated in the resolution

**ADOPTED**

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

**SALVISKI SITE PLAN**

James Salviski, 342 Smith Road, Pittsford, NY, consisting of 10 acres, for a 5,000 square-foot storage barn forward of the front of the home. Zoned RA-5. Tax account no. 205.01-1-9.31.

Glenn Thornton, Thronton Engineering, and Mr. Salviski approached the Board.

Mr. Thornton stated he updated the plans and the building will be south of the new build fence. It is farther south than what was originally proposed.

Drainage, swale, and contours were discussed.

Ms. Winship said this is a great improvement, but to note the finished floor elevations of the house for contours.

The change of the location was discussed.

The screening was discussed, as well as recommending using Norway spruces for the buffering. The Board recommended screening on both sides of the road, and overlapping the trees. The number of trees was discussed.

Mr. Salviski said it is fair to screen with trees.

A discussion followed on the buffer and the location, as well as the spacing of the trees.

Glenn Thronton agreed to get the information to the Planning Board within a week, so he may appear on the applicant's behalf at the April 3, 2024 meeting. The applicant will not be present at this meeting.

**PUBLIC COMMENT**

None

**GENERAL DISCUSSION**

The Board discussed letters of credit as well as its upcoming meetings.

**MOTION**

Ms. Sayers moved, seconded by Mr. DeRue to adjourn the meeting at 8:17 pm.

**ADOPTED**

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

For full meeting information, please visit the Town of Mendon's YouTube page:

<https://townofmendon.org/community/youtube/>