

A Regular Meeting of the Planning Board was held on Wednesday, May 1, 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

OTHERS: Brent Rosiek, Town Councilperson

Minutes were taken by Katrina Allen

Ms. Smith began the meeting at 7:00 PM

**MINUTES**

**MOTION**

Ms. Sayers moved, seconded by Mr. DeRue to approve the minutes of the April, 17, 2024 Planning Board meeting.

**ADOPTED**

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

**ROACHE (PAT’S PIGS) SPECIAL USE PERMIT PUBLIC HEARING**

Patrick Roache, 17 Cambridge Court, Fairport, NY 14450, for a special use permit to operate Pat’s Pigs Restaurant at property owned by ALSL Enterprises, 8242 East Bluff Drive, Penn Yan, NY 14527, located on 5 Assembly Drive, Mendon, NY, consisting of 1 acre. Tax account no. 216.02-1-1.3. Zoned Business.

Mr. Roache and his mother were welcomed to the table.

Mr. Roache stated he is an ’07 HF-L grad and grew up here. He has a business roasting pigs on a food truck, but he now wants a brick-and-mortar place. It will mainly be a to go restaurant with some seating. He will be open weekdays from 11-8. He will have drinks but no alcohol.

Ms. Smith stated it will serve BBQ with limited seating in the former pizza shop. Mr. Roache said yes.

Ms. Smith asked about the parking. Mr. Roache said there is parking in front and in the back will be for employee parking.

Ms. Smith asked about lights and signage. Mr. Roache said he proposing a neon light sign, but it will not be bar-ish and will only be on during business hours.

Ms. Smith asked about the refuse. Mr. Roache said it is in back and listed on the site map.

Ms. Sayers asked if the dumpster is shared with other businesses. Mr. Roache said it is, but Speedy’s Cleaners and Kitchen Express have very little.

Mr. DeRue stated Mr. Roache has a mobile business. Mr. Roache said yes. He bought it last year and it is mainly for festivals and weekends.

Mr. DeRue asked if the food truck will be stored there, too. Mr. Roache said originally, he had permission from the landowner to store it there, but there is a conflict with the semis from Kitchen Express. He will store it at his house.

Mr. Roache said there will be no pig roasting on site; it is only for catering.

Ms. Winship the only problem she has is with the neon sign. If he would consider something that is not neon, it would fit better with the area. Mr. Roache asked about an LED sign. Ms. Winship asked Mr. Young what the Code states. Mr. Young stated signs require a building permit and discussed the illumines.

Ms. Sayers asked about the size of the sign. Mr. Roache said he does not know as he has not ordered it yet.

Signs on the inside were discussed.

Mr. Roache said there will be three to six rotating employees.

Ms. Smith asked Mr. Roache if he read the letter from the CEO. Mr. Roache said he had. Ms. Smith stated he can only have one Special Use Permit at a time, and Mr. Roache understood.

Ms. Smith asked if it is ADA compliant. Mr. Roache said it is, and there is off-street parking with roadcuts. Loading is done in the back.

Signs, ovens, cooking, and outdoor seating were discussed.

Ms. Smith opened the public hearing at 7:40 pm.

**PUBLIC COMMENT**

None

**MOTION**

Ms. Sayers moved, seconded by Mr. Krukowski to close the public hearing at 7:40 pm.

**ADOPTED**

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

Mr. Young read the resolution.

**TOWN OF MENDON PLANNING BOARD  
SPECIAL USE PERMIT DETERMINATION FOR RESTAURANT AT 5 ASSEMBLY  
DRIVE MENDON, NY**

WHEREAS, Patrick Roache (the “Applicant”) has filed a special use permit application to operate a restaurant (the “Application”) on property at 5 Assembly Drive (the “Property”) in the Town of Mendon (the “Town”); and

WHEREAS, the proposal in the Application constitutes a restaurant, and Section 260-17[D](11) of the Mendon Town Code (“Code”) permits a restaurant within the Business District upon the issuance of a Special Use Permit (“SUP”) by the Planning Board pursuant to Article VII of the Code; and

WHEREAS, upon information and belief, a restaurant has historically operated at the Property, and the Applicant propose to utilize the existing building at the Property, historically used as a restaurant, to operate the proposed restaurant; and

WHEREAS, of note, is that this special use permit does not address or include the use of a mobile food preparation vehicle and instead is limited to the use of the building and associated appurtenances on the Property as a restaurant; 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 the State Environmental Quality Review Act at 617.5(c)(18), and thus is not subject to further SEQR review; 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, the Planning Board finds as follows, particularly given the historic use of the Property as a restaurant apparently without material issue, and given that the Application proposes to re-utilize the building historically utilized as a restaurant:

- 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 is sufficient,
- f. Signs and lighting are compatible with the area;
- g. The required yard and open space is sufficient;
- h. The proposal is generally compatible with adjacent properties and other properties in the zoning district; 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, particularly given the historical use of the Property as a restaurant, 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

RESOLVED, that, regarding the Special Use Permit requirements at Section 260-48 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; and, be it further

RESOLVED, that, based upon the aforementioned findings, and **subject to any conditions set forth herein, the Application for a Special Use Permit for the operation of a restaurant as set forth herein be and hereby is approved and issued to the Applicant, including that the site plan submitted with such application is hereby approved for purposes of this Special Use Permit** and that information/items on such site plan not otherwise required by the Planning Board are hereby waived, and, be it further

RESOLVED, that this approval of the Special Use Permit and site plan is subject to the following conditions:

1. Prior to signatures/issuance of the SUP, the site plan shall be revised to remove the reference to the exterior facing neon sign in the window.
2. Compliance with the written comments of the Town Building Inspector, with comment Nos 1 through 8 to be addressed to the satisfaction of the Town Planning Board Chair upon consultation with the Building Inspector, and with comment Nos. 9-13 to be addressed to the satisfaction of the Town Building Inspector, all such comments to be addressed in any event no later than prior to issuance of the Certificate of Compliance.
3. Prior to the issuance of this special use permit, the Applicant shall obtain confirmation from the Monroe County Department of Health that the private wastewater treatment system is acceptable, all to the satisfaction of the Town Building Inspector.
4. All signage shall be in compliance with Code, including that signage shall require a permit from the Code Enforcement Officer in accordance with Code. Moreover, any signage shall not be internally illuminated, and shall otherwise be consistent with the standards set forth in the Comprehensive Plan.

**MOTION**

Mr. DeRue moved, seconded by Ms. Sayers to approve the Roache Special Use Permit as stated.

**ADOPTED**

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

**GENERAL DISCUSSION**

The Board discussed upcoming canceled meetings and the possibility of having a specially scheduled meeting on June 26, 2024 as the Town is closed June 19, 2024, and no meetings will be scheduled.

**MOTION**

Ms. Sayers moved, seconded by Mr. Krukowski to adjourn the meeting at 8:01 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/>