

Public Hearing of the Zoning Board of Appeals, Village of Lyndonville was held on Thursday, February 11, 2021 at the Village Hall. Meeting by teleconference via Zoom, the meeting opened at 6:00 PM

PRESENT: Chairman: Carla Woodworth
Zoning Board of Appeals Members: George Avery
Benjamin Holland
Clerk-Treasurer/Planning/Zoning Clerk Teri Woodworth
Supt. of Public Works Terry M. Woodworth
Code Enforcement Officer Dan Wolfe
Public – Dialed in to Zoom: Jon Hinman, Tara Mathias
Public – In Person: Kurt Rosentreter, Pat O’Brien, Teresa Poler, Jim Poler,
John Champlin, Barb Champlin and Corey Champlin

ON MOTION of Zoning Board of Appeals Member Avery, seconded by Zoning Board of Appeals Member Holland, to open the public hearing for an application for an area variance of the Village of Lyndonville Zoning Ordinance by the Broadway Group, LLC for 30 North Main Street, Lyndonville, NY at 6:02pm.

Vote: 3 Ayes (Avery, Holland, Woodworth); 0 Nays; 0 Abstain

APPROVAL OF THE MINUTES

ON MOTION of Zoning Board of Appeals Member Avery, seconded by Zoning Board of Appeals Member Holland, to accept the minutes of the January 28, 2021 meeting.

Vote: 3 Ayes (Avery, Holland, Woodworth); 0 Nays; 0 Abstain

- Chairman Woodworth read said legal notice:

NOTICE IS HEREBY GIVEN that an application for an area variance of the Village of Lyndonville Zoning Ordinance has been made by The Broadway Group, LLC, for 30 North Main Street, Lyndonville, NY for a variance on the following:

- Retaining wall height are proposing fence heights in Zone "A" of +/- 9 feet above ground level and in Zone "B" of +/- 7 feet, requiring a variance of +/-3 feet for the retaining wall in Zone "A" and requiring a variance of +/-1 foot for the retaining wall in Zone "B", pursuant to §604.C - Fence Building and Maintenance Regulations of the Zoning Regulations of the Village of Lyndonville.
- Visual Screening is not proposing any vegetative screening to separate the commercial district and the residential property line to the East. There is a 20-foot waterline easement that is at the eastern section of the property line that does inhibit the ability to place screening on the Eastern Lot line. Requiring to allow the applicant to be exempt from this regulation pursuant to §502. E.1 - Other Provisions and Requirements - Buffer Strip of the Zoning Regulations of the Village of Lyndonville.
- Setback from Residential District is proposed that a 1 story retail building be built 30.5 feet from the residential district requiring a variance of 19.5 feet for the rear setback from the residential district to the East, pursuant to §502. E.3 - Other Provisions and Requirements - Residential Lot Line of the Zoning Regulations of the Village of Lyndonville.

Tara Mathias Project Manager for the Broadway Group presented to the public the proposed project to build a Dollar General. Jim Poler expressed his concerns regarding high flood waters relative to the properties on Garland Street. Mr. Poler inquired if a flood study had been done. The Broadway Group noted they have been working with their engineers to ensure there will be no change to the flow of the current flood plain. Kurt Rosentreter expressed his concerns regarding the property line between 30 North Main Street and 16 North Main Street. Mr. Rosentreter noted he will have no room for parking on the north side of his property and asked if the Broadway Group has confirmed the property line is correct. The Broadway Group noted they did a 60-year title search on the property and have found the property line in the survey map provided is correct. The Broadway Group and Mr. Rosentreter both noted they were going to look into the property line further.

RESOLUTION 2021-2

TO REFER THE 30 NORTH MAIN STREET PROJECT TO THE ORLEANS COUNTY PLANNING BOARD FOR REVIEW AND COMMENT

ON MOTION of Zoning Board of Appeals Member Holland, seconded by Zoning Board of Appeals Member Avery, to refer the 30 North Main Street project to the Orleans County Planning Board for review and comment.

Vote: 3 Ayes (Avery, Holland, Woodworth); 0 Nays; 0 Abstain

OLD BUSINESS:

- Nothing.

NEW BUSINESS:

- Nothing.

ON MOTION of Zoning Board of Appeals Member Avery, seconded by Zoning Board of Appeals Member Holland, to adjourn the meeting at 6:48PM.

Vote: 3 Ayes (Avery, Holland, Woodworth); 0 Nays; 0 Abstain

Teri M. Woodworth
Clerk-Treasurer, Planning/Zoning Clerk