

**Regular meeting of the Planning Board, Village of Lyndonville was held on Wednesday, February 24, 2021 at the Village Hall. Meeting by teleconference via Zoom, the meeting opened at 6:00 PM**

PRESENT: Chairman: Steven Vann - via Zoom  
Planning Board Members: Terry Chaffee  
Kelly Cousins - Absent  
Patricia Gawne  
Virginia Hughes  
Clerk-Treasurer/Planning/Zoning Clerk Teri Woodworth  
Supt. of Public Works Terry M. Woodworth - Absent  
Code Enforcement Officer Dan Wolfe - via Zoom  
Public – Dialed in to Zoom: Jon Hinman, Tara Mathias, Kelly Wilson  
Public – In person Darren Wilson, Kurt Rosentreter, Pat O'Brien

**ON MOTION** of Planning Board Member Hughes, seconded by Planning Board Member Gawne, to accept the minutes of the December 16, 2020 regular meeting.

Vote: 4 Ayes (Chaffee, Gawne, Hughes, Vann); 0 Nays; 0 Abstain

**NEW BUSINESS:**

- **246 West Avenue** – Cell Tower Ext – Chairman Vann noted per an email from Scientel Solutions the proposed cell tower extension is on hold until further notice.
- **15 Lynwood Drive** – Solar – Chairman Vann noted the Orleans County Planning Board had reviewed the project and made no recommendations. Project Manager Jon Hinman from MRB Group noted updated plans for this project arrived today and he was not able to review them prior to the meeting. Project Manger Hinman noted that per section 790.5E in the solar local law regarding emergency vehicle access to the solar panels the property does have an access road currently but not sure it could handle emergency equipment. Project Manager Hinman noted he doesn't know if the prior concerns have been met as he wasn't able to look at the updated plans. Rob from Solar Liberty noted the access road is being widened and is sure emergency equipment will have the proper access. Project Manager Hinman recommended that Solar Liberty get approval from the Lyndonville Fire Chief on having the appropriate access. The Planning Board agreed to have Solar Liberty get approval from the Fire Chief.

**RESOLUTION NO 2021-6**

**APPROVE THE 15 LYNWOOD DRIVE SOLAR PROJECT BY SOLAR LIBERTY**

**ON MOTION** of Planning Board Member Hughes, seconded by Planning Board Member Gawne, to approve the 15 Lynwood Drive Solar project by Solar Liberty pending all of the prior requirements by MRB Group are met and that the Lyndonville Fire Chief signs off on approval of the appropriate access road equipped for emergency equipment.

Vote: 3 Ayes (Chaffee, Gawne, Hughes); 0 Nays; 1 Abstain (Vann)

- **30 North Main Street** – Dollar General – Project Manager Jon Hinman noted they received updated plans, SHIPO letter, full EAF and everything will be sent to the DEC, and a flood plain permit will be required by the Village flood plain manager. Project Manager Hinman noted the easement agreements will need to be addressed and are in progress. Project Manager Hinman noted the state and Superintendent Woodworth have requested a field hydrant in the rear of the property. Project Manager Hinman noted there will need to be full time inspection when the water lines are relocated. Project Hinman noted a merger of the two parcels has been submitted. Project Manager Hinman noted they will need a close out on the spill incident on the property. Project Manager Tara Mathis from the Broadway Group presented the proposed plans for the Dollar General on the property at 30 North Main Street. Project Manager Mathias noted Superintendent Woodworth requested they add pipe bollards to sewer lift station and those are being added to the plans. Project Manager Mathias noted granite curbs will be along Main Street. Project Manger Mathias mentioned the parking concern from the neighbor to the south, that they were able to get the New York State DOT to add two additional parking spaces on Main Street in front of their proposed Dollar General location. Project Manager Mathias noted the Broadway Group has gone back 60 years reviewing survey maps, deeds and titles and have found no access easements with the neighbor to the south, there are only easements with the Village to access their utilities. Project Manager Mathis noted the community's concern regarding flood plain management, the Broadway Group will be working with the Village's flood plain manager. Project Manager Hinman explained the flood plain will have to be looked into further with the DEC. Planning Board Member Hughes noted some Planning Board comments regarding look of the building, color and mulch between the parking lot and sidewalk. Project Manager Mathias noted they are considering a different material instead of mulch. Planning Board Member Gawne inquired if the neighbor to the south would be allowed to use the proposed Dollar General parking for his establishment. Project Manager Mathis noted the neighbor to the south has access to his property from Maple Avenue or the property to the south of his property, that the Dollar General parking lot would be for their customers only.

Chairman Vann read a letter from John and Barb Champlin E-Z Shop / Hojack Ice Cream Shack Lyndonville, NY

Members of the Planning Board:

We are writing you this letter to express our concerns regarding the proposed Dollar General coming to the village as we are unable to attend the meeting on February 24, 2021.

It would be very easy to just assume the obvious and say the Champlin's are just against the project because it is in direct competition with products sold at the E-Z Shop. This is true. The opening of the dollar store in Ridgeway has taken 30 percent of the grocery sales from both the E-Z Shop and Champs Mini Mart. The addition of another Dollar General Store in the village would further erode the profit margins at the E-Z Shop.

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The location is a favorite tourism spot for fisherman. We currently service the local fisherman along with those that come from out of state. They patronize all the food/fuel establishments in the village and would likely bring in revenue to the new location currently being built at the old Pennysaver location. The addition of the Dollar General would be a lose-lose situation for both the business owners and tourism.

We feel that the property on Main Street could be better used to fulfill the needs of the residents and advance the growth and prosperity of the village for the future. Why do we need another Dollar General built in the village when there is one just 4 miles south?

We chose to expand our self employment dreams when we purchased the E-Z Shop that we have owned and operated since 2001. We again chose to invest in the community when we purchased the property on Main Street, tore down and old eye sore and built the Hojack Ice-Cream Shack in 2010. We have worked very hard over the years to do our best to provide our goods and services to the residents of the surrounding area. The people of this area and especially the Lyndonville residents have overwhelmingly supported our efforts over the years and we are truly grateful.

While we may not have created many career positions, we have employed many individuals over the years. Some have been full time, many part time and even those looking for second incomes. It is most satisfying to be able to provide a first time job opportunity for many of the local students. Currently out two locations employ over 30 students and adults. How many employment opportunities will be provided by Dollar General for adult residents and our students?

While there may not be any legal obligations to the current businesses in the village, we would hope that there would be some consideration to the individuals who have invested both monetarily and personal dedication before deciding to allow the building of a Dollar General that would negatively impact their livelihood.

The decision to allow a Dollar General into the village, rather than to continue to look for a better option, may not be best for the future resilience of the village and current businesses.

Thank you for your consideration and hearing our concerns  
Sincerely,  
John and Barb Champlin

**RESOLUTION NO 2021-7**

**30 NORTH MAIN STREET NEW RETAIL STORE PROJECT PRELIMINARY SITE PLAN APPLICATION  
SEQR - DECLARING INTENT TO BECOME LEAD AGENCY**

**WHEREAS**, the Village of Lyndonville Planning Board (hereinafter referred to as Planning Board), is also considering a Site Plan approval for the demolition of the existing structure and redevelopment of the site, including a 7,600 square foot retail store, new parking lot, relocating and connection to public utilities, and stormwater management on approximately 1.03-acre property. The property will include the lot consolidation of parcels 25.13-1-44 and 25.13-1-43 located on North Main Street (New York Route 63) in the Village of Lyndonville, Orleans County, New York, and as described in the Site Plans dated August 25, 2020 and last revised February 8, 2021 and all other relevant information submitted as of February 11, 2021 (the current application); and

**WHEREAS**, the Planning Board has reviewed the completed State Environmental Quality Review (SEQR) Full Environmental Assessment Form (EAF), Part 1 prepared by the applicant on the above referenced Lyndonville New Retail Store Project (hereinafter referred to as the Action); and

**WHEREAS**, the Planning Board determines that said Action is classified as Unlisted Action under the SEQR Regulations; and

**WHEREAS**, the Planning Board determines that said Action is also subject to a coordinated review and approval by other involved agencies under SEQR Regulations; and

**WHEREAS**, the Planning Board determines that it may be the most appropriate agency to insure the coordination of this Action and will provide written notifications to the involved and interested agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations.

**NOW, THEREFORE BE IT RESOLVED** that the Planning Board does hereby declare its intent to be designated as the lead agency for the Action.

**BE IT FURTHER RESOLVED**, that the Village Consulting Engineer (MRB Group) is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before noon on Wednesday, March 31, 2021.

The above Resolution was offered by Planning Board Member Hughes and seconded by Planning Board Member Gawne at a regular scheduled Planning Board meeting held on February 24, 2021. Following discussion, a voice vote was recorded:

Steven Vann	AYE
Patricia Gawne	AYE
Terry Chaffee	AYE
Virginia Hughes	AYE

Vote: 4 Ayes (Chaffee, Gawne, Hughes, Vann); 0 Nays; 0 Abstain

**RESOLUTION NO 2021-8**

**PLANNING BOARD PUBLIC HEARING FOR 30 NORTH MAIN STREET NEW RETAIL STORE PROJECT**

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**ON MOTION** of Planning Board Member Gawne, seconded by Planning Board Member Chaffee, to set the Planning Board public hearing for 30 North Main Street for March 9, 2021 at 6:00pm.

Vote: 3 Ayes (Chaffee, Gawne, Hughes); 0 Nays; 1 Abstain (Vann)

The Planning Board set the next meeting for March 17, 2021 at 6:00pm.

**ON MOTION** of Planning Board Member Gawne, seconded by Planning Board Member Hughes, to adjourn the meeting at 6:53PM.

Vote: 4 Ayes (Chaffee, Gawne, Hughes, Vann); 0 Nays; 0 Abstain

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