

**Special meeting of the Planning Board, Village of Lyndonville was held on Tuesday, March 9, 2021 at the Village Hall. Meeting by teleconference via Zoom, the meeting opened at 6:00 PM**

PRESENT: Chairman: Steven Vann  
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  
Code Enforcement Officer Dan Wolfe - Absent  
Public – Dialed in to Zoom: Tara Mathias  
Public – In person Darren Wilson, Kurt Rosentreter, Pat O’Brien, Carla Woodworth

**ON MOTION** of Planning Board Member Hughes, seconded by Planning Board Member Gawne, to open the public hearing for an application for the Broadway Group, LLC for 30 North Main Street, Lyndonville, NY at 6:00pm.

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

- Chairman Vann read said legal notice:

NOTICE IS HEREBY GIVEN that an application had been made by The Broadway Group, LLC, for 30 North Main Street, Lyndonville, NY for a retail development involving the consolidation of parcels #25.13-1-43 and #25.13-1-44.

Kurt Rosentreter stated he’s the property owner to the south and that there was an easement of 15 feet granted to the prior owner. He expressed his concerns regarding parking for his business, the pizza shop and the Hair Villa building with apartments. Chairman Vann asked for proof of said easement. Mr. Rosentreter noted he doesn’t have anything in writing. Mr. Rosentreter claimed Dollar General offered him \$5,000.00 to buy out his portion of said easement. Mr. Rosentreter noted he would be willing to pave his side to match Dollar General’s property and provide them with insurance covering their property. Mr. Rosentreter noted Dollar General is going to need access to Mr. Rosentreter’s property on Maple Avenue and he wants access to his property via the Dollar General’s property. Project Manager Mathias noted they did a 60-year title search and found no easements with Mr. Rosentreter’s property. Project Manager Mathias noted the easement that Mr. Rosentreter is referring to is an easement with the Village to access their utilities. Project Manager Mathias noted they have worked with the NYS DOT to have two additional parking spots put on North Main Street in front their proposed project. Project Manager Mathias noted they are working on the easements with the Village. Mr. Rosentreter insists he needs an easement to use Dollar General’s property for his customer’s parking. Mr. Rosentreter noted everyone needs to get along, he needs his trash truck and venders to be able to come into his property. Mr. Rosentreter noted he’s got \$300,000.00 into his building he’s owned for over 15 years. Project Manager Mathias noted she understands his position however the property owners are not willing to open up their property for his business. Planning Board Member Chaffee expressed his concern of one business effecting 3 other businesses. Chairman Vann noted its private property no one can be forced to do anything they don’t want to do on their property. Zoning Board of Appeals Chairman Carla Woodworth noted there is plenty of municipal parking out behind the Town Hall, she noted most patrons are in the evening when the library is closed and that parking lot is available also. Chairman Vann noted Dollar General will be closed when most of Mr. Rosentreter’s patrons are there. Chairman Vann made it clear the Board understands Mr. Rosentreter’s concerns. Planning Board Hughes inquired about the delivery trucks. Planning Board Hughes inquired if this Dollar General would be an NCI location. Project Manager Mathias wasn’t familiar with an NCI. Planning Board Hughes noted she’d like to see pavers out front instead of mulch and that the building be blue like the one in Olcott, NY. Project Manager Mathias noted they could change the color to blue. Planning Board Chaffee noted at the Ridgeway location there are several of empty carts tipped over and unkept, asked if that could be better contained or kept up at the proposed Lyndonville location. Project Manager Mathias noted they proposed an enclosed dumpster area and inquired if the Board was asking if that area needed to be expanded. Planning Board Hughes inquired if the store was not kept up who would be responsible for that. Project Manager Mathias noted if things weren’t to code the Village code enforcement officer can address it with the store manager, Corporate can be contacted as well. Mr. Rosentreter noted the roof fell off the Ridgeway location with live wires, and there’s trash everywhere. Zoning Board of Appeals Chairman Carla Woodworth noted the ZBA addressed the trash concerns and requested a fence in the back. Zoning Board of Appeals Chairman Carla Woodworth mentioned the trash enclosure, and inquired if could it be expanded to include the carts. The Board discussed the blue color. The Board inquired how tall the dumpster fence was. Project Manager Mathias noted the fence is 6 feet tall. The Board asked that dumpster area be expanded to include the carts.

**RESOLUTION 2021-9**

**30 NORTH MAIN STREET – PAVERS, TREES, BLUE COLOR AND TO REFER THE 30 NORTH MAIN STREET PROJECT TO THE ORLEANS COUNTY PLANNING BOARD FOR REVIEW AND COMMENT**

**ON MOTION** of Planning Board Member Hughes, seconded by Planning Board Member Gawne, to request that pavers replace the mulch out front with trees, change the color of the building to blue like Olcott and to refer the 30 North Main Street project to the Orleans County Planning Board for review and comment.

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

The Planning Board cancelled the March 17, 2021 regular meeting.

The Planning Board set the next meeting for April 21, 2021 at 6:00pm as a joint meeting with the Village Zoning Board of Appeals.

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**RESOLUTION 2021-10**

**KEEP THE PUBLIC HEARING OPEN FOR PUBLIC COMMENT**

**ON MOTION** of Planning Board Member Hughes, seconded by Planning Board Member Chaffee, to the public hearing open for public comment until a response is received from the Orleans County Planning Board.

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

**ON MOTION** of Planning Board Member Gawne, seconded by Planning Board Member Hughes, to adjourn the meeting at 6:41PM.

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

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