Regular meeting of the Zoning Board of Appeals, Village of Lyndonville was held on Thursday, January 28, 2021 at the Village Hall. Meeting by teleconference via Zoom, the meeting opened at 6:02 PM

PRESENT: Chairman: Carla Woodworth

Zoning Board of Appeals Members: George Avery

Benjamin Holland

Clerk-Treasurer/Planning/Zoning Clerk

Supt. of Public Works

Code Enforcement Officer

Public – Dialed in to Zoom:

Terry M. Woodworth

Dan Wolfe - via Zoom

Jon Hinman, Tara Mathias

## **NEW BUSINESS:**

• Appointment of the Zoning Board of Appeals Chairman. The Board discuss the best fit for the Chairman.

## **RESOLUTION 2021-1**

## APPOINTMENT OF CARLA WOODWORTH AS THE CHAIRMAN OF THE VILLAGE ZONING BOARD OF APPEALS

**ON MOTION** of Zoning Board of Appeals Member Avery, seconded by Zoning Board of Appeals Member Holland, to appoint Carla Woodworth as the chairman of the Village Zoning Board of Appeals.

Vote: 2 Ayes (Avery, Holland); 0 Nays; 1 Abstain (Woodworth)

- 30 North Main Street The Broadway Group Dollar General The Zoning Board of Appeals acknowledged receiving an application for an area variance for 30 North Main Street. Jon Hinman from MRB Group presented the Zoning Board of Appeals with the proposed area variances requested for 30 North Main Street:
  - Retaining wall height are proposing fence heights in Zone "A" of 4/-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 from the Broadway Group presented the proposed project to build a Dollar General to the Zoning Board of Appeals. She noted the project would offer 8-10 jobs for the community. Project Manager Mathias noted they will be complying with the historic preservation district. She also noted the project would help with the Village's tax base once the project is complete. She noted the Broadway Group will be establishing easements with the Village for water and sewer lines.

Chairman Woodworth inquired if the retaining wall would attach to the bridge on Main Street and if the back of the wall be enclosed in fencing to discourage climbing on. Project Manager Mathias noted the fencing is only at the highest points of the wall to prevent vehicles from going over the wall. Project Manager Mathias noted the retaining wall would come up to the base of the bridge. Chairman Woodworth inquired if anything will be done to prevent anyone from climbing on the wall. The Board expressed concerns of kids climbing on the retaining wall. Project Manager Mathias noted they will look into a fence that would prohibit access to the retaining wall. Chairman Woodworth noted upon research there are some prior similar variances that were granted, the precedence has been set for these types of variances. Superintendent Woodworth explained the plans to move the water and sewer lines. ZBA Member Avery inquired if this was the smallest footprint for Dollar General. Project Manager Mathias confirmed the 7500 sq ft is the smallest. ZBA Member Avery inquired if there was a right-ofway issues or concerns with the neighbor to the south unloading trucks, he noted its kind of a shared parking lot currently. Project Manager Mathias noted a title search was done and there currently are no right-of-way's or easements with the neighbor to the South, he would have access from Maple Avenue. Superintendent Woodworth noted there would only be 15 feet between south neighbors building and the property line. ZBA Avery inquired if the retaining wall would be about even with the current wall to the north of the building. Chairman Woodworth inquired if a fence could be put on the east property line to prevent any debris blowing over into the neighbor's property. Project Manager Mathias noted they can look into putting a board-on-board fence on the east property line. ZBA Avery inquired what is going to be done to give the building a historic look. Project Manager Mathias presented the ZBA with new updated design proposal and noted they will be complying with the certificate of appropriateness.

The Zoning Board of Appeals set the Public Hearing for February 11, 2021 at 6:00pm.

**ON MOTION** of Zoning Board of Appeals Member Holland, seconded by Zoning Board of Appeals Member Avery, to adjourn the meeting at 6:41PM.

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

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