

**MINUTES
TOWN OF BATAVIA
ZONING BOARD OF APPEALS
PUBLIC HEARING
MARCH 18, 2013**

RE: BATAVIA BEACH LLC- 4153 WEST MAIN- AREA VARIANCE

Chairman Gary Diegelman called the public hearing to order at 6:58 PM. The notice, as published in the Batavia News was read by the Chairman. The purpose of the public hearing is to obtain approval for an area variance pertaining to a front and side yard setback.

James , with Benderson Development, was present to explain his project. They would like to develop a 4500 square foot retail building. They are asking for a 10' front yard setback from West Main Street Road and also a 0' setback from east side property line. A plan has been submitted with these setbacks. He believes that this development would not be a detriment to the area including Rite Aid.

Gary Diegelman opened the public hearing to any questions the residents may have.

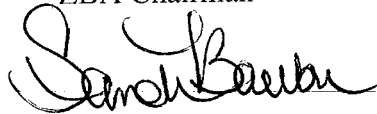
Bob Zeagler, 8930 Donahue Road, commented that he is not in favor of any of the setbacks for this property to be developed. He feels that this area is already overly congested and a dangerous area. A letter was given to Chairman Diegelman stating Mr. Zeagler's concerns.

When no further comments or opinions were expressed, the public hearing was closed at 7:25pm

Respectfully Submitted,



Gary Diegelman
ZBA Chairman



Sandra Baubie
Secretary