

**TOWN OF BATAVIA  
ZONING BOARD OF APPEALS  
REGULAR MEETING  
FEBRUARY 21, 2006**

**PRESENT:** Chairman Gary Diegelman, Members, Andrew Young, Dorothy Myers and John Della Penna (observer).

**OTHERS PRESENT:** ZEO Clint Worthington and Secretary Sandy Baubie

**ABSENT:** Members Peter Call and Mike Pullinzi

**MINUTES OF PUBLIC HEARING ON DECEMBER 20,2005 FOR PEPSI COLA TOWER PROJECT – AREA VARIANCE**

Gary Diegelman made a motion to approve the minutes as submitted with one amendment. The amendment is Paul Marchese from Marchese Computer was present for the public hearing for Pepsi Cola Bottling. Mr. Marchese presented the proposal to the ZBA Board. Seconded by Andrew Young. Motion carried by unanimous vote (3-0).

**MINUTES OF REGULAR MEETING DECEMBER 20, 2005**

Gary Diegelman made a motion to approve the minutes as submitted. Seconded by Dorothy Myers. Motion carried by unanimous vote for approval (3-0).

Chairman Gary Diegelman informed the Board that he and the Town received a letter from Ruth Cobb of her resignation as ZBA secretary and a letter from Sandy Baubie requesting the position. The Town Board accepted Ms. Cobb's resignation and appointed Ms. Baubie.

**MR. ROTONDO- TERRY HILLS – AREA VARIANCE- NUMBER AND SIZE OF BUSINESS SIGNS**

An application was presented to obtain approval to erect 2 additional freestanding signs in addition to the existing one. This A frame freestanding sign is to advertise whether there are tables available and also if the restaurant is closed to the public. There would also be a banner on this freestanding sign adding additional advertisement for Terry Hills Restaurant. Andrew Young made a motion to approve the signs. Seconded by Dorothy Myers. Motion carried by unanimous vote (3-0) for approval.

**VANTAGE EQUIPMENT- AREA VARIANCE – NUMBER AND SIZE OF BUSINESS SIGNS**

Dan Voltura, Territory Development Manager of Vantage Equipment, appeared before the Board to discuss the proposed 5 signs. The main building will have one sign (6'x 20') on the front facing north stating Vantage Equipment, one free standing sign (8'3 9/16"x 5' 5 3/4 ") on the road side and one on the upper left side of the building (6'x20')

representing the main supplier to Vantage Equipment. The other two signs are directional signs. One sign (8" x 5'5") to represent the entrance and the other (30"x 5'5") to represent where to park and go for service/parts. Dorothy Myers made a motion to approve the signs as presented. Seconded by Andrew Young. Motion carried by unanimous vote (3-0) for approval.

## **NEW BUSINESS**

Gary Diegelman reported on the following:

### **Milton Cat, Caterpillar**

Milton Cat, of Caterpillar is in the process of putting together a site on East Saile Drive, just east of the animal hospital and across from the airport. They are merging a number of parcels. Their proposal is to construct a sales and service facility. The concern is the placement of the building. There are issues for both the Planning Board and ZBA, therefore, there will be a combined public hearing at the March meeting.

The planning board is requesting to be **Lead Agency** for Milton Cat. Andrew Young made a motion to return the form to planning board to be **Lead Agency**. Seconded by Dorothy Myers. Motion carried by unanimous vote for approval (3-0).

**Core Development** – a retail developer for Veterans Memorial Plaza, is in the planning. An area variance may be needed.

Chairman Gary Diegelman adjourned the meeting at 7:25pm.

Respectfully submitted,

Gary Diegelman  
Chairman

Sandra Baubie  
Secretary

Veterans Memorial Plaza, Core Development, is in the planning. Area variance may be needed.