

**TOWN OF BATAVIA  
ZONING BOARD OF APPEALS  
REGULAR MEETING  
APRIL 18, 2006**

**PRESENT:** Chairman Gary Diegelman, Members, Andrew Young, Mike Pullinzi and John Della Penna.

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

**ABSENT:** Members Peter Call and Dorothy Myers

**MINUTES OF PUBLIC HEARING ON MARCH 21, 2006 FOR – AREA  
VARIANCE- MR. MATTHEW LANE- WORTENDYKE RD**

Andrew Young made a motion to approve the minutes as submitted. Seconded by John DellaPenna. Motion carried by unanimous vote (4-0).

**MINUTES OF PUBLIC HEARING ON MARCH 21, 2006 FOR AREA  
VARIANCE – SOUTHWORTH MILTON CAT**

Mike Pullinzi made a motion to approve the minutes as submitted. Seconded by Andrew Young. Motion carried by unanimous vote (4-0).

**MINUTES OF REGULAR MEETING ON MARCH 21, 2006**

Andrew Young made a motion to approve the minutes as submitted. Seconded by Gary Diegelman. Motion carried by unanimous vote (4-0).

**MATTHEW LANE – 8974 WORTENDYKE- AREA VARIANCE FOR SIGN AND  
SIZE**

Gary Diegelman made a motion to bring the matter of Mr. Lane's area variance, which was tabled at the March meeting, back to the table for discussion. Seconded by Andrew Young.

Mr. Lane was present at this meeting and there was a lengthy discussion as to where his business signs could be placed and still is visible to passer bys. He is asking for 25' + 0 rather than 25' + 10'. This would place the sign in the right away. Mr. Young suggested that we grant Mr. Lane 25' + 5'. Mr. Lane agreed with that suggestion. County Planning disapproved the request.

Andrew Young made a motion to grant Mr. Lane an 8 square foot sign, 5 feet from the front property line. Seconded by Mike Pullinzi. Motion carried by unanimous vote (4-0), thus overriding County Planning recommendation.

**MARY HUBBARD- 8077 STATE STREET ROAD-AREA VARIANCE-**

Fifty square foot addition with a 29' set back. County planning was in approval for the front yard set back.

John Della Penna made a motion to approve the 29' set back for her addition. Seconded by Mike Pullinzi. Motion carried by unanimous vote (4-0).

**DON PARTRIDGE- 4957 ELLICOTT STREET ROAD-AREA VARIANCE-  
NUMBER AND HEIGHT OF TOWERS**

Discussion was held explaining what is considered a "system". Mr. Partridge is asking for 2-3 wind towers. Mr. Partridge was not in attendance for the public hearing to present anything further regarding this matter.

**TABLED DON PARTRIDGE AREA VARIANCE –NUMBER AND HEIGHT OF TOWERS –SYSTEM-** Motion was made by Andrew Young to table this issue, looking for interpretation, from the Town Attorney, as to the definition of how many towers make a system. Seconded by John Della Penna. Motion carried by unanimous vote (4-0).

A motion was made to adjourn the meeting at 8:35pm by Andrew Young. Seconded by Mike Pullinzi.

Respectfully submitted,

Gary Diegelman  
Chairman

Sandra Baubie  
Secretary