

**MINUTES
TOWN OF BATAVIA
ZONING BOARD OF APPEALS
REGULAR MEETING
JUNE 23, 2010**

PRESENT: Chairman Gary Diegelman, Members, Andrew Young, Mike Pullinzi, John Della Penna and Jeanette Gallant

ALSO ATTENDING: ZEO Clint Worthington and Secretary Sandy Baubie

MINUTES OF PUBLIC HEARING FOR LARRY REIGEL ON APRIL 19, 2010

John Della Penna made a motion to approve the minutes as submitted. Seconded by Andrew Young. Motion carried by unanimous vote (5-0).

MINUTES OF PUBLIC HEARING FOR MR LANG ON APRIL 19, 2010

Mike Pullinzi made a motion to approve the minutes as submitted. Seconded by John Della Penna. Motion carried by unanimous vote (5-0).

MINUTES OF PUBLIC HEARING FOR GREG OBRIEN ON APRIL 19, 2010

Andrew Young made a motion to approve the minutes as submitted. Seconded by John Della Penna. Motion carried by unanimous vote (5-0).

MINUTES OF PUBLIC HEARING FOR JAY PARMENTER ON APRIL 19, 2010

Andrew Young made a motion to approve the minutes as submitted. Seconded by John Della Penna. Motion carried by unanimous vote (5-0).

MINUTES OF REGULAR MEETING ON APRIL 19, 2010

Mike Pullinzi made a motion to approve the minutes as submitted. Seconded by John Della Penna. Motion carried by unanimous vote (5-0).

CHRIS AND LISA SUOZZI- 10 VALLE DRIVE-AREA VARIANCE

An application was presented to obtain approval for an area variance pertaining to a side yard setback.

Mr. Diegelman read the approval from County Planning.

Mr. Clint Worthington explained that the Suozzi's would like the placement of the home they are building to be placed 6' and 7.75' from the side yard property lines where 8' and 15' are required. There was a lengthy discussion whether there is another way the home could be placed without having to be an area variance. Clint proposed a way the house could set on the property without having an area variance.

Mr. Diegelman made a motion to deny the variance as requested. The board indicates that the variance request is self created as a new building is being placed on a new building lot. The request is also substantial as both sides combined are over 50% that is allowed. Access to the rear yard would be compromised. The board feels there are other options available to bring the proposed home into zoning ordinance. Seconded by John DellaPenna. Motion carried by 4ayes and 1nay.

Chairman Diegelman indicated a need to call two public hearings for the July 19, 2010 meeting as two variance requests have been received by the town.

First request presented was from Jeffrey Frens pertaining to size of a sign in an Ag/R district. Motion by John Della Penna with second by Mike Pullinzi the public hearing is held 6:45 p.m. July 19, 2010 at the town hall to hear the variance request. Carried by unanimous vote.

Second request presented was from Ray Nichols pertaining to a rear property line setback. Motion by John Della Penna with second by Mike Pullinzi the public hearing is held at 6:50 p.m. July 19, 2010 at the town hall to hear the variance request. Carried by unanimous vote.

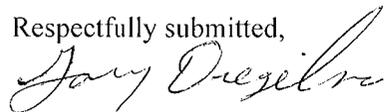
Old Business

Mr. Reigel's request for area variance is still tabled because the board is waiting for a response from him.

No New Business

Gary Diegelman made a motion to adjourn. Seconded by Mike Pullinzi

Respectfully submitted,



Gary Diegelman
Chairman



Sandra Baubie
Secretary