

**MINUTES
TOWN OF BATAVIA
ZONING BOARD OF APPEALS
REGULAR MEETING
MARCH 15, 2010**

PRESENT: Chairman Gary Diegelman, Members, Andrew Young, Mike Pullinzi, John Della Penna and Jeanette Gallant (serving as an alternant member)

ALSO ATTENDING: ZEO Clint Worthington and Secretary Sandy Baubie

ABSENT: Pete Call

**MINUTES OF PUBLIC HEARING ON FEBRUARY 16, 2010 FOR RICHARD KING-
AREA VARIANCE**

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 REGULAR MEETING ON FEBRUARY 16, 2010

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

Mike Pullinzi made a motion to bring back on the table a request for an area variance for Richard King, 2649 Pearl Street Road. Seconded by Andrew Young.

RICHARD KING –2649 PEARL ST RD- AREA VARIANCE

An application was presented to obtain approval for an area variance pertaining to required frontage for lot for property. Mr. King would like to separate the land with the barn from the property his house sits on. 75' is required and there is only 48' plus a 47' easement granted by the neighbor for original house construction. Mr. King has created a permanent ingress/egress easement for perpetual access to the home site as well as the barn site. Therefore, requesting the area variance for a purposed land separation.

Gary Diegelman read the dis-approval from County Planning. County Planning feels it may pose significant impact upon public safety in the area by not allowing direct access from a public right away.

After a lengthy discussion regarding concern with the lack of frontage and how it would affect the future use of this property an agreement was made that it would not have much of an affect. John Della Penna made a motion to approve the area variance with the stipulation that the current owner and any future owners of these parcels will share the responsibility to maintain access for emergency vehicles to each parcel. Seconded by Gary Diegelman. Motion carried by unanimous vote (5-0).

Andrew Young made a motion to table the application for Northstar. Seconded by Mike Puliinzi. Motion carried by unanimous vote (5-0).

NO OLD BUSINESS

NEW BUSINESS

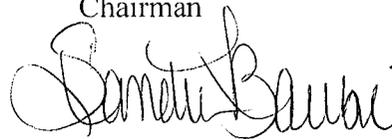
There is training available at MCC coming up for those that are in need of hours.

Gary Diegelman made a motion to adjourn at 8:05pm. Seconded by Andrew Young. Motion carried by unanimous vote (5-0).

Respectfully submitted,



Gary Diegelman
Chairman



Sandra Baubie
Secretary