

**MINUTES
TOWN OF BATAVIA
ZONING BOARD OF APPEALS
SPECIAL MEETING
APRIL 25, 2011**

PRESENT: Chairman Gary Diegelman, Members, Pete Call John Della Penna, Andrew Young, Mike Pullinzi and Brittany Witkop

ALSO ATTENDING: Secretary Sandy Baubie

HOLIDAY INN EXPRESS –COMMERCE DRIVE – AREA VARIANCE-

The Town of Batavia Attorney would like us to review the request for the area variance because the proposed hotel doesn't front on or have immediate access to a state highway. Commerce Drive is not considered immediate access to Route 98 and is not fronting on it. Initially, when the Hampton was built, the whole parcel was reviewed and a variance was given. The parcel has since been divided. Kevin Earl, Town Attorney, would like for the ZBA to look further into this and wants the Hampton to re-apply for an area variance for the new hotel not fronting or having immediate access to a state highway.

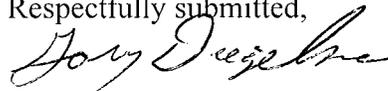
Andrew Young made a motion that a special meeting be held on May 10, 2011 at 6:45, to discuss the variance request stating that since the parcel was split, the ZBA looked at the variance again and granted a separate variance for the separate parcel. Seconded by John Della Penna (5-0)

NEW BUSINESS

NO OLD BUSINESS

Pete Call made a motion to adjourn the meeting at 5:05 PM. Seconded by Mike Pullinzi

Respectfully submitted,



Gary Diegelman
Chairman



Sandra Baubie
Secretary