

**MINUTES
TOWN OF BATAVIA
ZONING BOARD OF APPEALS
REGULAR MEETING
MAY 10, 2011**

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

ALSO ATTENDING: ZEO Bruce Gerould and Secretary Sandy Baubie

ABSENT: Members Peter Call

RE: MARK TIEDMANN (MWT ARCHITURE) - 8360 COMMERCE DRIVE – AREA VARIANCE

The notice, as published in the Batavia News was read by the Chairman. The purpose of the public hearing is to obtain approval for an area variance for no front access to a State Highway.

MINUTES OF REGULAR MEETING ON APRIL 18, 2011

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 SPECIAL MEETING ON APRIL 25, 2011

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

Mr. Diegelman stated, what is at hand here is, an application for an area variance because this parcel does not front on a State Highway. October 2002, applicant proposes that their hotel/restaurant front on and be accessed from Commerce Drive. The Genesee County Planning Board recommended approval. The Zoning Board of Appeals also granted the area variance as such on October 2002.

The ZBA board discussed in length whether this area variance already exists or needs to be renewed since the parcel has been subdivided since the initial approval of original area variance in 2002. ZBA decided this is a new request and needs to be granted or not.

Mike Pullinzi made a motion to grant the area variance as applied for that this hotel will access front on and be accessed from Commerce Drive. Seconded by Andrew Young. Motion carried by unanimous vote (5-0).

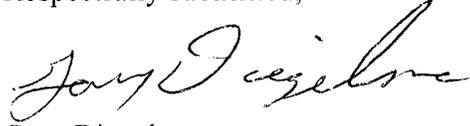
NO NEW BUSINESS

Brittany Witkop and Andrew Young will be attending training in Rochester.

NO OLD BUSINESS

Meeting was adjourned by John Della Penna and Seconded by Mike Pullinzi at 7:50pm

Respectfully submitted,

A handwritten signature in cursive script that reads "Gary Diegelman".

Gary Diegelman
Chairman

A handwritten signature in cursive script that reads "Sandra Baubie".

Sandra Baubie
Secretary