

**TOWN OF BATAVIA  
ZONING BOARD OF APPEALS  
PUBLIC HEARING  
November 14, 2011**

**Present:** Chairman Gary Diegelman, Members, Andrew Young, Pete Call, John Della Penna, and Brittany Witkop

**Absent:** Mike Pullinzi

**Others Present:** Secretary Sandy Baubie

**RE: GCEDC (PROJECT WAVE)-AG BUSINESS PARK- AREA VARIANCE**

The public hearing was called to order at 6:54 PM by Chairman Gary Diegelman. The notice, as published in the Batavia Daily News was read by the Chairman. The purpose of the public hearing is to obtain approval for 2 area variances for a business in the Ag Business Park.

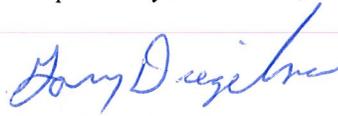
Mark Masse presented the request for GCEDC. GCEDC is taking on a project which is a food and beverage processing plant. It is 20 year build out for this project. They are requesting a height variance because it would cost them more to go out with the building rather than up and it would also have an impact on the SEQR. Initially they would go with a 45' in height where our zoning regulations allow 40' in height. Then they would like a guarantee that they would be allowed to build up to 120' height in the future.

The second area variance request is regarding the size of the parking spaces. The company is providing enough parking for the employees of two shifts. The number is not an issue but the size is. Town of Batavia ordinance requires 10x20 and they would like theirs to be 9x18.

Mr. Diegelman read a letter from Janice Spiotta, 8802 Haven Lane. She is concerned that Project Wave's location, behind her house, will change the face of the neighborhood and affect her property values. Ms. Spiotta feels that the height is excessive given there are 58 houses within a half of mile from this project. Ms. Spiotta attended the public hearing and again expressed her concern with the height of this project. She feels that the project should stay within the town ordinance or maybe find another location to build their facility.

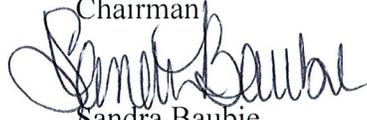
When no further comments or opinions were expressed, the Chairman closed the public hearing at 7:00pm.

Respectfully submitted,



Gary Diegelman

Chairman



Sandra Baubie

Secretary