

**MINUTES
TOWN OF BATAVIA
ZONING BOARD OF APPEALS
REGULAR MEETING
JANUARY 18, 2011**

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

ALSO ATTENDING: ZEO Bruce Gerould and Secretary Sandy Baubie

ABSENT: Member Mike Pullinzi

MINUTES OF REGULAR MEETING ON DECEMBER 20, 2010

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

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

An application was presented to obtain approval for an area variance. The purpose of the public hearing is to obtain approval for an area variance for the maximum height of a structure.

After a short discussion regarding the use of the area and the height of the building, Chairman Diegelman stated that this is a Type 2 Action and is not reviewable for SEQR. John Della Penna made a motion to approve this as a Type 2. Seconded by Mike Pullinzi. Motion carried by unanimous vote (5-0).

Chairman Diegelman read the approval from County Planning.

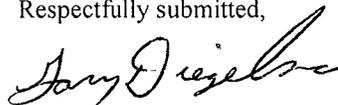
John Della Penna made a motion that the height variance be approved. Seconded by Pete Call. Motion carried by unanimous vote (5-0).

NO NEW BUSINESS

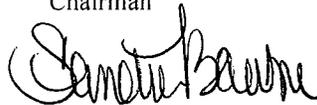
NO OLD BUSINESS

Pete Call made a motion to adjourn at 7:35pm. Seconded by John DellaPenna.

Respectfully submitted,



Gary Diegelman
Chairman



Sandra Baubie
Secretary