

**MINUTES
TOWN OF BATAVIA
ZONING BOARD OF APPEALS
REGULAR MEETING
NOVEMBER 19, 2012**

PRESENT: Chairman Gary Diegelman, Members, Andrew Young, Mike Pullinzi, John DellaPenna
Brittany Witkop and Donna Morrill

ABSENT: Secretary Sandy Baubie

RE: CHRISTINE BOW-9366 BATAVIA STAFFORD TWLN-SIGN VARIANCE

An application was presented to obtain approval for an area variance for additional signs and size of sign.

There was a short discussion regarding the height and additional signage.

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 Brittany Witkop. Motion carried by unanimous vote (5-0).

Mike Pullinzi made a motion to approve the height of 10' for a lighted sign 24sq' on Route 63 along with approval of building sign as requested. Seconded by John Della Penna with recommendation that a natural buffer be in place to the north for the neighbors. Motion was carried by unanimous vote (5-0).

RE: TIM HORTONS- 8400 LEWISTON RD- AREA VARIANCE

An application was presented to obtain approval for an area variance for a side yard setback.

A short form SEQR was performed and was found that there was no negative impact. John Della Penna made a motion to accept the SEQR review. Seconded by Mike Pullinzi. Motion was carried by unanimous vote (5-0).

After a short discussion a motion was made by John Della Penna to approve the area variance as requested. Seconded by Brittany Witkop. Motion was carried by unanimous vote (5-0).

NO OLD BUSINESS

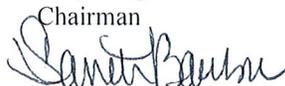
NO NEW BUSINESS

John Della Penna made a motion to adjourn at 7:35pm. Seconded by Mike Pullinzi.

Respectfully submitted,



Gary Diegelman
Chairman



Sandra Baubie
Secretary