

**MINUTES  
TOWN OF BATAVIA  
ZONING BOARD OF APPEALS  
REGULAR MEETING  
JULY 15, 2013**

PRESENT: Chairman Gary Diegelman, Members, John Della Penna, Mike Pullinzi, Donna Morrill and Brittany Witkop

ABSENT: Andrew Young

ALSO ATTENDING: ZEO Dan Lang and Secretary Sandy Baubie

MINUTES OF SPECIAL MEETING ON JUNE 27, 2013 TO CALL PUBLIC HEARINGS FOR JOSH EVERETT AND DAVID WALTHER ON JULY 15, 2013

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

**RE: JOSH EVERETT- 2655 PRATT ROAD- AREA VARIANCE**

An application was submitted to obtain approval for an area variance pertaining to a front yard setback. 50' is required and the request is for 22'.

County Planning approved this application.

Gary Diegelman made a motion to recognize that this is a Type 2 SEQR and there is no further review required. Seconded by Mike Pullinzi. Motion carried by unanimous vote (5-0).

Brittany Witkop made a motion to approve the application as submitted. Seconded by John Della Penna. Motion carried by unanimous vote (5-0).

**RE: DAVID WALTHER-8778 ALEXANDER ROAD- AREA VARIANCE**

An application was presented to obtain approval to construct a pond that is requiring a side and rear property line set back.

Gary Diegelman made a motion to recognize that this is a Type 2 SEQR and there is no further review required. Seconded by Mike Pullinzi. Motion carried by unanimous vote (5-0).

Mike Pulinzi made a motion to approve the variances as submitted. Seconded by John Della Penna. Motion carried by unanimous vote (5-0).

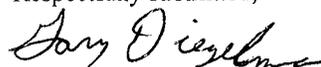
NO OLD BUSINESS

**NEW BUSINESS- RE: DAVE MORRILL-8434 STRINGHAM DRIVE**

Chairman Diegelman would like to set a public hearing for August 19, 2013 at 6:50pm. Brittany Witkop made a motion to set a public hearing at the request of Dave Morrill for a front yard setback. Seconded by John Della Penna. Motion carried by unanimous vote (5-0).

Gary Diegelman made a motion to adjourn the meeting at 7:20. Seconded by John DellaPenna.

Respectfully submitted,

  
Gary Diegelman

Chairman  
*Sandra Baubie*  
Sandra Baubie  
Secretary