

**MINUTES  
TOWN OF BATAVIA  
ZONING BOARD OF APPEALS  
REGULAR MEETING  
MARCH 18, 2013**

PRESENT: Chairman Gary Diegelman, Members, John Della Penna, Mike Pullinzi, Donna Morrill (not able to vote), Andrew Young and Brittany Witkop

ALSO ATTENDING: ZEO Dan Lang and Secretary Sandy Baubie

MINUTES OF SPECIAL MEETING MARCH 7 CALLING FOR PUBLIC HEARINGS  
Brittany W Witkop made a motion to approve the minutes as submitted. Seconded by Mike Pullinzi. Motion carried by unanimous vote (5-0).

**RE: DONNA VONKRAMER – 3556 WEST MAIN ST RD- AREA VARIANCE**

An application was presented to obtain approval for an area variance pertaining to a front yard setback for an off premises sign and a front yard setback for new construction.

There was a short discussion regarding the setbacks and where the buildings are going to set.

John Della Penna made a motion to recognize that this is a Type 2 SEQR and there is no further review required. Seconded by Andrew Young. Motion carried by unanimous vote (5-0).

Andrew Young made a motion to approve the variances as submitted. Seconded by Mike Pullinzi Motion carried by unanimous vote (5-0).

**RE: BATAVIA BEACH LLC – 4153 WEST MAIN ST RD- AREA VARIANCE**

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

Mr. Diegelman read the approval from County Planning with modifications. They would like an easement on the Rite Aid property and have gutters installed

There was a lengthy discussion regarding the variances.

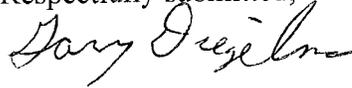
Mike Pullinzi made a motion to table this request to see what other options Batavia Beach LLC can come up with to eliminate the 0' lot line with Rite Aid. Seconded by Brittany Witkop. Motion carried by unanimous vote (5-0).

**NO OLD BUSINESS**

**NO NEW BUSINESS**

Andrew Young adjourned the meeting at 8:05pm. Seconded by Gary Diegelman. Motion carried by unanimous vote (5-0).

Respectfully submitted,



Gary Diegelman  
Chairman



Sandra Baubie  
Secretary