



Present: John Dax, Chairman
Charles Gerald, Zoning Board Member
Jeff Hattat, Zoning Board Member
Tony Murad, Zoning Board Member
Phyllis Stoller, Zoning Board Member
Jeannine Tonetti, Zoning Board Member

Absent: Thaddeus Krolikowski, Zoning Board Member

I. Call to Order:

Chairman Dax called the regular meeting to order at 7:35 pm.

II. Minutes Approval:

Minutes of February 2, 2010 meeting and February 2, 2010 public hearings for variance application of Harry Hicks and special permit application of LVS approved unanimously.

III. Public Hearing:

**Lebanon Valley Speedway's (LVS) Special Permit Application, Continued
(Chairman Dax recuses himself and with LVS consent takes minutes)**

- a. Traffic study results for County Route 9 presented by LVS under letter dated March 1, 2010 from P. Prendergast and from a count taken on February 22, 2010 by Michael Gurda. Board discusses implications of the traffic counts. Mr. Murad suggests that permit could require traffic counts to be taken when Go-Kart traffic is in operation.
- b. No public present to offer comments.
- c. Motion made, seconded and approved unanimously to close public hearing.

IV. Regular Meeting

Board discussion re LVS application:

Jeannine Tonetti: Noise issues are being addressed by a combination of limiting Go-Kart track to nationally sanctioned vehicles with mufflers and a berm, but traffic impacts remain to be addressed.

Discussion among board members follows concerning how to set standards to deal with traffic and how to enforce such standards. Discussion turns to limiting Go-Kart track to certain days.

Anthony Murad: Two days per week but not Saturday.

Jeannine Tonetti: Why not limit it to Sundays at least initially?

Applicant: LVS seeks one weekday and Sundays.

Anthony Murad: The weekday should be on a day scheduled with another event, therefore Wednesdays.

Phyllis Stoller: The limitation to certain days should include practices.

Chuck Geraldi: If zoning law changes, can't reopen permit.

General Discussion about obtaining an answer from Jason Shaw concerning the following question: "If LVS holds a special permit for a use no longer permitted after zoning law change, to what extent may ZBA amend the special permit to allow, for example, additional racing days or a change in the number of automobiles per day going to the Go-Kart track?"

Summary of where ZBA members stand:

Anthony Murad: If ZBA can amend the special permit then he would go with one day per week initially. If not, then start with two days (Sunday and weekday already with a scheduled event) but with more detailed conditions. Doubts noise will be an issue.

Jeannine Tonetti: Prefers one day per week; no special events; limit to 200 automobiles per day.

Phyllis Stoller: Needs to see Jason's answer.

Jeff Hattat: Wants to set standards now without need to revisit later.

Additional Matters Discussed: Oil spill mitigation; ZBA request to Town Board to request speed limit enforcement on County Route 9.

Anthony Murad: Will circulate a draft discussion for next meeting.

VI. Adjournment

Respectfully submitted,

John W. Dax for Cissy Hernandez
Planning/Zoning Clerk