



# TOWN OF PORTER

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## STATE OF NEW YORK

COUNTY OF NIAGARA

## ZONING BOARD OF APPEALS

TOWN OF PORTER

The regular meeting of the Town of Porter Zoning Board of Appeals was held June 22, 2023 at 7:00 PM, in the Town Hall Auditorium located at 3265 Creek Road, Youngstown, NY 14174.

	Date	Present	Absent
Jackie Robinson, Chairperson	06/22/2023	X	
Terry Duffy	06/22/2023	X	
Paul Brown	06/22/2023	X	
Scott Szarejko	06/22/2023	X	
Steve Zappy	06/22/2023	X	
Michael Dowd, Attorney	06/22/2023		X
Peter Jeffery, Code Enforcement Officer	06/22/2023		X

Chairperson Robinson called the meeting to order with the Pledge of Allegiance at 7:03 p.m.

Chairperson Robinson stated that (Planning Board) Secretary Amy Beaudreau was present for this meeting as Zoning Board of Appeals Secretary Nancy Smithson was unable to attend this evening.

Chairperson Robinson asked for a motion to approve the May 25, 2023 minutes. Member Szarejko stated that his name was spelled incorrectly within the body of minutes. With no further changes, a motion was made by Member Zappy and Seconded by Member Brown to approve the minutes. All in favor, motion carried.

Chairperson Robinson read the following Notice of Public Hearing:

*NOTICE IS HEREBY GIVEN THAT, pursuant to Section 267 of the Town Law and Local Law No. 2 of 2010, as amended, of the Town of Porter, Niagara County, New York, a PUBLIC HEARING will be held by the Zoning Board of Appeals at the Town Offices, 3265 Creek Road, Youngstown, NY on Thursday, June 22, 2023 at 7:00 PM for the purpose of considering and hearing all interested persons concerning the following application(s):*

**Application of Parm Atwal, 4763 Townline Road, Lockport, NY of Track Vision, LLC (Ransomville Speedway), 2315 Braley Road, Ransomville, NY.** To renew two Special Use Permits No. 335-2016 for go-kart track and SP No. 336-2016 for motor vehicle racing track. Property is located on the North Side of Braley Road in a RA Zoning District in the Town of Porter.

Bret Pawlack was present to represent the application.

A motion to open the public hearing was made by Member Brown and seconded by Member Duffy. All in favor, motion carried.

Chairperson Robinson asked if any audience members had comments on the application. With no public present, a motion to close the public hearing as made by Member Brown and seconded by Member Duffy. All in favor, motion carried.

Permit 335-2016 for a Go-Kart Track was addressed first. It was stated that the Planning Board made the recommendation to renew the permit with the removal of the second paragraph of the permit starting with “To construct a five room viewing tower . . .” The Members were in agreement.

Member Szarejko stated that the previously issued permit was for 7 years, but felt that because the racetrack has been in business for many years, it was appropriate for the permit to expire in 10 years.

No further changes were requested from the applicant. Chairperson Robinson reviewed the other items of the permit and found no other modifications to be addressed.

A motion was made to renew the Special Use Permit for the Go-Kart Track with the expiration of 10 years and the removal of the paragraph regarding the construction of the viewing tower. The motion was made by Member Szarejko and seconded by Member Brown.

With no further discussion, roll was called:

Chairperson Robinson:	Yes
Member Duffy:	Yes
Member Brown:	Yes
Member Szarejko:	Yes
Member Zappy:	Yes

Motion carried.

Permit 336-2016 for a Commercial Race Track was addressed next. It was stated that the Planning Board made the recommendation to renew the permit with modification of wording in paragraph #7 to replace Go-Kart with motor vehicle as requested by the applicant. The Members were in agreement.

Chairperson Robinson reviewed the other items on the permit. Term #4 previously named specific individuals for special permission of extending the race timeframe in extenuating circumstances. It was agreed to change the individual names to job titles that will read: “. . . special permission can be granted by the Building Inspector or the Zoning Board of Appeals Chairperson or the Town Supervisor.”

Term # 11 had a spelling error and the word “cash” should be replaced with the word “case”.

It was also agreed that a 10 year term was appropriate for this permit.

Therefore a motion to approve the renewal of the Special Use Permit for a Motor Vehicle Commercial Race Track with the following modifications (from the previously issued permit):

- Expiration date of ten (10) years

- Term #4 wording to read:” . . . special permission can be granted by the Building Inspector or the Zoning Board of Appeals Chairperson or the Town Supervisor.”
- Term #7 wording to read: “Said motor vehicle track and said premises . . .”
- Term #11 to read: “. . . in case of a power outage . . .”

The motion was made by Member Szarejko and seconded by Member Brown.

With no further discussion, roll was called:

Chairperson Robinson:	Yes
Member Duffy:	Yes
Member Brown:	Yes
Member Szarejko:	Yes
Member Zappy:	Yes

Motion carried.

Attorney Dowd was absent.

Code Enforcer Jeffery was absent.

A motion was made to adjourn the meeting at 7:15 pm was made by Member Duffy and seconded by Member Brown. All in favor, motion carried.

The next meeting of the Zoning Board of Appeals is currently scheduled for Thursday, August 24, 2023.

Respectfully submitted,

Amy Beaudreau  
(Alternative) Secretary, Zoning Board of Appeals