

**TOWN OF BATAVIA PLANNING BOARD  
PUBLIC HEARING OCTOBER 4, 2005**

**RE: JOHN MAGER – HARLOFF RD – NOISE ISSUE**

The Public Hearing was called to order by Chairman Kathleen Jasinski at 7:00 pm. The notice, as published in the Batavia Daily News, was read by the Secretary.

The purpose of the public hearing is to hear the concerns from the neighbors in regards to noise.

Jason Tomporowski – 8084 Kelsey Rd – stated that the noise is annoying and it is almost everyday based upon which way the wind is blowing. It is so loud he can even tell what class of race is running. Might be tough to sell a home in this area. The races have been running late at night – 11:30 to 12 midnight. It is irritating.

Nancy Jaszko – 8087 Kelsey Rd – stated that she agrees with Mr. Tomporowski.

Shirley Foley – 3233 Pratt Rd – stated that she cannot have guests over on weekends with the track and Thruway noise. Floodlights are on and are annoying.

Nancy Francis – 3540 Galloway Rd. – states she is concerned about the loud speaker. There is a lot of hum noise. She does not like to hear the speakers.

Paul Heist – 3833 Pratt Rd. – stated that he can see the top hill of the track from his living room window. He agrees with the people who live closer that they want a quiet area. Need some type of soundproofing.

Kathy Cino – 8064 Kelsey Rd. – She agrees. Announcements are annoying. Traffic flow has increased tremendously. Lots of dust. This is an everyday occurrence – use to be a weekend thing.

Joyce Diegelman – 8151 Kelsey Rd. – She also agrees with the residents. One night the noise lasted until 12:45 am.

Mike Liptak – 3385 Pratt Rd. – Lives 3/10 of a mile down the road. He is in the sound path of the track. He agrees with what has been said. Also concerned about property values.

Joe Jaszko – 8087 Kelsey Rd. – noise and dust. You can't leave your windows open. Also there is no drinkable water on Harloff Rd. Also concerned about fire equipment getting down the road.

Harriett Worthington – 3290 Pratt Rd – Asked how is the area zoned? ZEO advised that the go-kart track is zoned commercial – pre-existing, non-conforming and the rest of the area is res/ag. zone – permitted use with a special use permit. Mrs. Worthington asked if when the Planning Board grants permits do you ever consider the quality of life for the residents. Something is different this year; there is an increase in traffic on Kelsey and Pratt Rd. Also Mrs. Worthington asked if the Planning Board could establish a time frame for the track to operate. Also who maintains the roadway?

Paul Heist – 3833 Pratt Rd – asked if the tracks are anywhere near the superfund site. Was a SEQR done? ZEO advised that he would check into it but there was no excavation done – dirt was just moved around. Town Engineer Andy Schmieder stated that DEC did walk the site to inspect the proximity to the superfund and check out the 100 ft. buffer to the wetlands. The grading was pre-existing and there was only minor surface treatment.

Joe Jaszko – 8087 Kelsey Rd – concerned about the business part of it. Is the track getting bigger? Is there overnight camping allowed? A lot of traffic on Galloway.

When no further comments or opinions were expressed, the public hearing was closed at 7:28 pm.

Respectfully submitted,

Kathleen Jasinski  
Chairman

Sharon White  
Secretary