

TOWN OF CONCORD TOWN BOARD MEETING  
Public Hearing  
Zoar Moto Special Use Permit

July 13, 2023  
6:30 p.m.

MEETING CALLED TO ORDER BY PHILIP DROZD, SUPERVISOR

ROLL CALL: PHILIP DROZD, SUPERVISOR  
CLYDE M. DRAKE, COUNCIL MEMBER  
WILLIAM F. SNYDER, III, COUNCIL MEMBER  
KENNETH D. ZITTEL, COUNCIL MEMBER  
KIMBERLY S. KRZEMIEN, COUNCIL MEMBER

ALSO PRESENT: DARLENE G. SCHWEIKERT, Town Clerk  
BARRY A. EDWARDS, Hwy Supt.

GEORGE DONHAUSER	STEVE RINEHART
BRUCE NISBET	LEE NISBET
EDWARD ABDO	BONNIE ABDO
BRIAN A. JOHNSON	CURT ROBLEE
TIM HERBERGER	CHRISTINE HERBERGER
JOHN WATSON	JOHN BARONICH
MARK FERGUSON	KEN LILLIS

Supervisor Drozd opened the Public Hearing at 6:30 p.m. regarding the proposed Special Use Permit Application for Donna Wittmeyer/Zoar Moto Park.

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Concord, will be holding a Public Hearing on Thursday, July 13, 2023 at 6:30 p.m. at the Concord Town Hall, 86 Franklin Street, Springville, New York, to consider the application of Donna Wittmeyer residing at 5776 Zoar Valley Road, Town of Concord, New York (SBL#353.00-2-5.2) to obtain a Special Use Permit under Section 150-179 for the purpose of a 50 Year Reunion and Ride Zoar Moto-Park. All interested parties will be heard at that time.

The Notice of the Public Hearing was published in the Springville Journal on June 15, 2023 and was also posted on the Town's signboard at 86 Franklin Street, Springville, New York, and the Town's website [www.townofconcordny.com](http://www.townofconcordny.com) on June 12, 2023 and mailed to neighboring parcel owners on June 12, 2023. The Erie County Referral was sent to the Department of Environment & Planning on May 25, 2023 and the County responded on June 23, 2023, noting "No Recommendation; proposed action has been reviewed and determined to be of local concerns."

Supervisor Drozd then asked if anyone in attendance wished to address the Board on this matter.

The following resident spoke regarding the proposed Special Use Permit Application:

Bruce Nisbet addressed the Board. He and his brother Lee Nisbet own land in Zoar Valley. Mr. Nisbet gave an overview/history of what happened in the past when the Zoar Moto Park events took place. The Town Supervisor was Ken Barie at that time; the neighbors had Hodgson Russ represent them at that time. There were only two insurance companies that would cover this kind of activity at that time. Mr. Nisbet believed that (1) insurance was an issue (that the Town needs to be indemnified or the Town would be at risk); (2) the roads were hugely damaged due to traffic from cars and trucks with trailers; (3) they ran all day and had music after with loudspeakers; the area acted as a natural amphitheater with the sound from the races, camping and concerts traveling to the neighboring parcels. These impacted the conditions in the Valley. Mr. Nisbet would hate to see Zoar Moto Park re-emerge. The neighbors were at numerous Board Meetings during that time; this was not in the best interests of those in the Valley. Supervisor Drozd advised that this Special Use Application is for a one-time event.

Edward Abdo addressed the Board. He is the person requesting the Special Use Permit and the organizer of this 50<sup>th</sup> Year Reunion and Ride. To answer some of Mr. Nisbet's questions: Insurance was not an issue in the past and will not be for this event. The Town will be covered on the policy and will receive proof of insurance prior to the event. There are now four insurance companies that cover these off-road activities. The proof of insurance will be available about one month before the event. This 50<sup>th</sup> Year Reunion and Ride is a bunch of old people and have no desire to bring the track back to life. He attended in his youth from 1973-1980 and does not recall the all-night loudspeaker sound; just a lot of great memories. This event will consist of no more than 20 bikes out for a 10-minute period and then the next group will go out. It will be very well organized. Supervisor Drozd reminded those in attendance that this is a ride not a race; there for the enjoyment and memories; to relive their youth.

John Baronich dittoed what Mr. Abdo said. Back in the day this was a great event. Mr. Baronich is interested in history and this is part of the Springville history and is a really good event. He has been talking with Mr. Abdo and confirms that this is a one-time deal. Mr. Baronich attended these events in the past and does not remember music all night long; and the people coming to the Reunion and Ride are now older.

Mr. Abdo advised that every penny of the profit from this event will benefit the Mortons Corners Fire Company; this company is the one who covers the rescues in the Zoar Valley area. The fire company has been involved in this since the beginning of the organizing.

Supervisor Drozd advised that the Town received two letters from neighbor John Whitney P.E./Town of Grand Island Supervisor. The first letter from March 2023 voiced concerns about this event and then the second letter from June 2023. Mr. Whitney asked that the second letter be read into the Minutes of the meeting:

"I understand that the rehab of Zoar Moto Park has all the necessary erosion and sedimentation controls in place. Also, from what I'm told, this is a one time "reunion" and there are no plans in place to continue using it after the event. As an adjacent property owner, I have no objections to this event."

Bruce Nisbet wanted the Board to know that he does not object to a one-time event but would have an issue if Zoar Moto Park was brought back to life. Supervisor Drozd advised that tonight's focus is on the one-time event, the 50<sup>th</sup> Year Reunion and Ride. It would be a separate process if anyone wanted to bring this event back. Lee Nisbet wanted to reinforce the major issues from the past with noise impacted so many people in the Valley; they purchased the land for the quietness of the area: not the noise of a loudspeaker and racing.

Supervisor Drozd asked if there were any other questions. There were none.

Motion by Council Member Zittel, seconded by Council Member Drake, to close the Public Hearing at 7:00 p.m. Council Members Drake, Zittel, Snyder & Krzemien; Supervisor Drozd, voting aye. Carried.

  
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Darlene G. Schwabert  
Town Clerk