

**MINUTES OF A MEETING  
OF THE PLANING BOARD OF THE TOWN OF POMPEY  
May 20, 2024  
6:30 PM  
Pompey Town Hall**

Board Members Present: Sarah LoGiudice, Board Secretary  
Sue Smith, Chairperson  
Kevin Coursen  
Dan Bargabos  
Deb Cook  
Carl Fahrenkrug  
John Shaheen

Six members of the Planning Board were present. Board Member Will Frazee was absent. Also present were Attorney Amelia McLean-Robertson, Town Engineer John Dunkle, and Codes Enforcement Officer Tim Bearup. The meeting was live streamed via Zoom.

Chairperson Smith made a motion to accept the minutes from last month's meeting at 6:34 pm. K. Coursen seconded the motion. All were in favor, none were opposed. The motion passed at 6:34 pm.

**Lockheed Martin Site Plan Review**

**Public Hearing on a Site Plan submitted by Lockheed Martin for the rebuild of a dome building used for equipment testing in the same location as a previous dome located at 3254 Windy Hill Lane in the Town of Pompey (Tax Map No. 015.-02-22.0)**

Present for the applicant were Steve Mearon from C&S Companies and Jeff Eisel from Lockheed Martin Corporation. The existing pad will be taken out and replaced with a pad that has a slightly smaller footprint; on the pad will be a 2300 sq. foot dome to house radar equipment. They are relocating the antenna/lightning rod to outside of the pavement area. The equipment building is a pre-fab 8x14 structure.

K. Coursen confirmed that the equipment that is housed there now would now become enclosed. Therefore, it will be weather protected and quieter.

The proposed radar dome is 41 feet tall. The dome that is currently there is 45 feet tall. The diameter will be slightly smaller as well.

There will be no increased business; this will just make it easier for individuals who are working there to be out of the elements. There will be increased traffic during the construction phase,

but not after that. They anticipate starting construction July 15, 2024. The project should be completed by November of 2024.

D. Bargabos asked if there are any weight restrictions on the road. T. Bearup is not aware of any restrictions.

J. Dunkle had a comment of the location of the silt; he will make comment on this at the time of resolution. The rebuild has a minor sight plan impact, and the area has already been disturbed.

J. Shaheen asked what the purpose of adding an additional transformer is. They want to make sure that they are well within their range of capability.

K. Coursen asked if the proposed asphalt pavement is replacing what is there now, or will be additional to what is already there. It will be replacing what is there now.

This a Type 2 action as no significant footprint changes will occur; the Board will waive the short form EAF.

Chairperson Smith made a motion to open the Public Hearing at 6:45 pm. J. Shaheen seconded the motion at 6:45 pm. The Public Hearing was opened at 6:45 pm.

### **Public Hearing**

**Mike Crolick; 3228 Windy Hill Lane-**Mr. Crolick has been present each time that Lockheed Martin has proposed changes to the sight. His first concern was with the increase in activity during construction; the road is a mess. His second concern was with the noise that he gets at his house from the site, which has been getting louder and louder. He says that he asked a previous representative from Lockheed Martin about this, and they said he would look into it, but he has heard nothing back.

K. Coursen noted that we have discussed that the equipment will now be housed inside, and therefore the noise should decrease.

The applicant confirmed that the equipment makes noise as it rotates.

K. Coursen asked if they have done any sound surveys. They do RF surveys, but when the equipment rotates, they cannot stand next to it. They can look into the decibel readings and get back to the Board.

J. Shaheen asked what hours the equipment is making noise. The equipment runs 24 hours a day.

C. Fahrenkrug asked if it is a low frequency sound. It is not super loud, but it is constant.

Chairperson Smith would also like to know what the decibel level of the sound is. K. Coursen is confident that the decibel levels are far below what is required. Lockheed Martin confirmed that the sound is well below 90 decibels. K. Coursen is familiar with the humming sound that is coming from the property.

A. Mclean-Robertson asked to confirm that the use of the site would remain the same; if so, this should be noted for the record.

D. Bargabos asked where they do the open air testing at the site. It is just north of the equipment, and it needs to remain there due to the location of the other side of the Valley that they use for testing purposes as well.

J. Shaheen asked if the equipment is making a motor noise, and if the domes are turning themselves. The noise comes from the radar equipment turning inside of the dome. It could be a motor, or the bearing.

Chairperson Smith asked T. Bearup if the Town has received any formal written complaints on the noise, they have not. A. McLean-Robertson explained that the Planning Board's role does not involve intervening with regards to civil complaints between property owners. The Planning Board is only considering a new Site Plan for the same use.

K. Coursen explained that the equipment has been being tested without any cover on it. Now, they will continue to test the equipment but there will now be a dome over the equipment.

**Lisa Weiss, 6636 US Route 20-** Ms. Weiss asked how they picked this site. The site has been in use since World War 2. They are testing radar units that are made in Liverpool.

Mr. Crolick asked how often the equipment turns. Lockheed explained that it turns constantly.

Lockheed Martin will forward the decibel readings to T. Bearup, who will provide the information to the Board.

J. Shaheen asked if they are doing open air testing at the site now. Yes, they are.

K. Coursen asked what the dome is made of. It will be made of a poly material with non-conductive stainless steel bolts.

Chairperson Smith made a motion to close the Public Hearing at 6:59 pm. K. Coursen seconded the motion. All were in favor, none were opposed. The Public Hearing was closed at 6:59 pm.

K. Coursen has lived on the road for 30 years and Lockheed Martin has not really changed anything that they are doing in that period of time. They are continuing the operation. Is it necessary for the Board to get decibel readings before making a decision? He felt that it was an unnecessary burden on the applicant as they have been operating in the same fashion for years. Any noise complaint should be brought to Code Enforcement. The Board Members agreed.

Ms. Weiss asked how big the property is. She viewed the map provided by Lockheed Martin. The site is approximately 12.2 acres. The site falls in an overlay district, which means that the site was approved for this type of activity many years ago.

Mr. Crolick disputed that the noise has been there for 30 years. The noise has gotten louder over the past 10 years, and the past three to four years, it has gotten very loud. Lockheed Martin acknowledged that the equipment is bigger and better than it was when the site was first created.

Chairperson Smith asked how they differentiate the maps that were provided tonight from the maps that were provided previously. They will need to update the maps to include J. Dunkle's comments and re-submit. They will need to distinguish between the two at time of resolution.

A. McLean-Robertson asked if the main drawing that is being changed is marked C102. C103 was also changed. The difference is in C102 and C103, where minor changes were made. Further change will need to be made to C102.

K. Coursen told Mr. Crolick that in the future, he should speak to T. Bearup from Codes about the noise issues. T. Bearup should take a drive to the site to observe the noise level. This would be a better option for Mr. Crolick. The Board heard his concerns, but that is not their purview. T. Bearup will have a sound meter soon.

K. Coursen made a motion to approve the Site Plan submitted by Lockheed Martin for a rebuild of a dome building used for equipment testing in the same location as a previous dome located at 3254 Windy Hill Lane in the Town of Pompey with the stipulation that the final drawings with changes made by the Town Engineer, dated when those changes are accepted by the Town Engineer is included. The motion is dated based on maps C102 and C103 submitted by Lockheed Martin dated January 2024 with changes submitted May 20, 2024 at 7:10 pm.

C. Fahrenkrug seconded the motion at 7:10 pm. All were in favor, none were opposed. The motion carried at 7:10 pm.

### **Nappi Subdivision**

**Preliminary Review of a subdivision of two existing lots into three lots located at 6941 Kassonta Drive and 4271 Gates Road in the Town of Pompey (Tax Map No. 001.-02-14.4 and 001.-06-04.0)**

Present for the applicant was Attorney Jonathan Schechter via Zoom and Jacob Grubka.

The Alliance Property Group has a large farm property and they have been working with the Town and their surveyor with on a way to subdivide the land in order for it to be better used for both farm and residential purposes in the future. They want to break the land into three lots. There will be a shared driveway agreement for Lots 2B and 2C. On Gates Road, there will be an 87-acre parcel that will have frontage on Gates Road. They have changed it so that no one is landlocked anymore. They will add an easement to allow Lot 2B to run over Lot 2A. They have tried to make sure that it complies with the road frontage.

The Board reviewed the maps extensively. K. Coursen had questions on the proposed shared driveways. The driveway will support 2A and 2B.

The map was mislabeled in the upper left hand corner.

Currently existing are two large lots. One is approximately 146 acres, and one is approximately 26 acres.

Chairperson Smith asked what the setback between 2A and 2B would be. The setbacks will be five feet. The buildings shown on the maps are barns. The circular building is a horse arena/walker.

J. Shaheen asked how high the riding building is. He is concerned that 5.5 feet of setback will not be enough. Side setback is related to the height of the building per the Town's Zoning Code. The applicant should refer to the Code for setback requirements. The Board will need the height of this building, and of another small building shown on the map. The smaller building has a concrete floor and is surrounded by tarvia. There is also building on Lot 2C that is also on/over the line that is drawn.

A. McLean-Robertson confirmed that per the Code, design standards say that excessive depth related to the width shall be avoided. Two and a half to one would normally be considered maximum. Lot 2B does not conform to this and will require a variance from the Zoning Board; 2B is a "flag lot."

Mr. Schechter explained that they did consider making 2B a true flag lot with no road frontage. Chairperson Smith does not feel that this is a better option; they agree.

This will be two-board process, as the Town has a separate Zoning Board. They will need to apply for and receive those variances before the Planning Board considers approval for this project.

There is a one-story frame structure on Lot 2c that borders Lot 2B. Mr. Grubka believed that the building had been there since they purchased the property. The Board questioned whether that building was built before or after the property line was placed there. Mr. Grubka reported that the building was there when the owner purchased 6941 Kassonta Drive.

The applicant will need to decide whether it is worth getting a variance for the two buildings that are currently in major setback violation. Relative to the garage, the property line will need to be moved in the westerly direction; a variance would likely need to be given there as well.

J. Shaheen asked why they would not just move the line between 2B and 2A to get enough setback. They could do that if they had enough room.

C. Fahrenkrug felt that if they are going to get a variance, they should try to mitigate the problem as much as possible.

Chairperson Smith asked if there is currently one driveway going on to Gates Road. Does the right of way already exist? They were going to create a right of way for 2B to get on to 2A, minus commercial vehicles. They have previously gone through the route with the fire department.

The applicant will go back to their surveyor and attempt to accomplish a better plan.

J. Dunkle asked if there is a single-family residence on each of the three lots being created. The primary residence is on Lot 2C, Lot 2A is all farm and has no living structure and is all accessory. The office structure on 2A would also pose a setback issue.

D. Bargabos asked who the Linger Trust is. This is a related trust.

J. Dunkle noted that they should make sure that any new lines allow the septic systems to be on the same parcel as the structure they serve.

D. Bargabos found online that the house and garage were built in 1999.

They will need a variance on 2A because there is no house there; there cannot be accessory structures with no primary structure. They wish for this to remain a working farm.

D. Bargabos noted that a fix for this would be to add the property noted as Linger Trust to the property; this would also fix the septic issue.

### **Whitefield Farm Subdivision**

**Preliminary Review of a subdivision of a 5.6-acre piece of land from a 45-acre parcel located at the northeast corner of Gates and Henneberry Roads at the terminus of Deer Crossing Run in the Town of Pompey (Tax Map No. 009.-02-08.2)**

Present is the applicant, Lisa Weiss. Gary Cottrell has surveyed the property for her, and has divided it into five-acre lots.

Chairperson Smith explained that if they are considering developing the entire parcel, they need to consider if the road is going to go all the way through or not. If it does not, they will be severely limiting their options. If all they want to do is build one new house, then this may work. She should let her surveyor know that they she cannot subdivide the parcel to include flag lots.

Ms. Weiss stated that people have approached her with different ideas for the property.

J. Shaheen noted that the map is showing a cul-de-sac serving one lot, but that does not really make sense for one lot.

J. Dunkle agreed that making a road would cost more, but would be an efficient way to subdivide this parcel.

The applicant will re-do the maps to include a road, keeping in mind the flag lot issue. This parcel is in an Ag district, and may contain wetlands etc. that will need to be further identified and considered.

The applicant will work with her surveyor to make changes to her proposal, and will likely come back before the Board later.

K. Coursen made a motion to adjourn the meeting at 8:15 pm. Chairperson Smith seconded the motion. All were in favor, none were opposed. The meeting closed at 8:15 pm.

Respectfully Submitted,

Sarah LoGiudice  
Secretary to the Planning Board