

**MINUTES OF A MEETING
OF THE PLANING BOARD OF THE TOWN OF POMPEY
October 21, 2024
6:30 PM
Pompey Town Hall**

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

Seven members of the Planning Board were present. Also present were Attorney Amelia McLean-Robertson, Town Engineer John Dunkle`1`1 and Codes Enforcement Officer Tim Bearup.

J. Shaheen submitted proposed corrections to last month's minutes. C. Fahrenkrug made a motion to adopt the minutes with corrections at 6:38 pm. K. Coursen seconded the motion at 6:38 pm. All were in favor, none were opposed. The motion passed at 6:38 pm.

Delphi Falls Fire Department

Public Hearing on a site plan application to replace the existing sign with a LED sign located at 2260 Oran Delphi Road in the Town of Pompey (Tax Map No. 033.-02-05.5.)

Present for the applicant was Treasurer Diana Carpenter. The Department has an existing sign, but has received a grant through Dave Knapp in order to obtain a new LED sign. The cost of the new sign will be fully covered by the grant. The sign is the same size as the old one, and will be in the same location. The sign is fully programmable and can be as dim or as bright as necessary. The sign will be controlled by a computer and can be set to a timer.

Chairperson Smith asked if any parameters have been set regarding the time that the sign will dim etc. The Department will adhere to whatever guidelines are put in place by the Board.

In addition, present from the Fire Department was Donald Carpenter. He explained that the sign would be brighter beginning at 7:00 am.

K. Coursen felt that if the sign was too bright late at night that it may disturb the neighbors sleep. D. Bargabos agreed that setting certain hours would be beneficial.

Ms. Carpenter did not feel that the sign would need to be completely shut off at 9:00 pm.

The entire sign will be an LED screen. The sign that is there now used to have a light, but it has been broken for years.

J. Shaheen asked if both the upper and lower sign could be controlled separately. They could limit the sign to just saying Delphi Falls Fire Department at night, so that the building can be located.

Chairperson Smith introduced the SEQR. This is an unlisted action, so the Board used the Part 2 – Impact Assessment form.

SEQR

1. **Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?** No, or small impact
2. **Will the proposed action result in a change in the use or intensity of use of land?** No, or small impact
3. **Will the proposed action impair the character or quality of the existing community?** No, or small impact
4. **Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?** No, or small impact
5. **Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?** No, or small impact
6. **Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?** No, or small impact
7. **Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?** No, or small impact
8. **Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?** No, or small impact
9. **Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?** No, or small impact
10. **Will the proposed action result in an increase in the potential for erosion, flooding or drainage problem?** No, or small impact
11. **Will the proposed action create a hazard to environmental resources or human health?** No, or small impact

J. Shaheen made a motion for a negative SEQR declaration at 6:51 pm. K. Coursen seconded the motion at 6:51 pm. All were in favor, none were opposed. The motion carried at 6:51 pm.

Chairperson Smith made a motion to open the Public Hearing at 6:51 pm. D. Bargabos seconded the motion at 6:51 pm. All were in favor, none were opposed. The motion carried at 6:52 pm.

Public Hearing

Don Morris, 2246 Oran Delphi Road-He lives right across the street from the location of the sign. He had no objections to the lighting or the location. He felt the sign should remain fully lit until at least 10:00 pm, as there are many people passing by at that time of night.

C. Fahrenkrug made a motion to close the Public Hearing at 6:54 pm. K. Coursen seconded the motion. All were in favor, none were opposed. The motion carried at 6:54 pm.

Ms. Carpenter would like the sign to be lit all night long. She agreed that it should be dimmed.

Chairperson Smith asked T. Bearup if there were any guidelines available based on his work in other Towns. C. Fahrenkrug felt that the sign likely has a photo sensor on it and could dim on its own. If it could be set to dim at dawn or dusk that would be ideal.

J. Dunkle noted that there should be some clarity on what dim means so that it can be enforceable. K. Coursen noted that the spec sheet speaks on sight distance, and that it can be dimmed between 100 and 250 feet.

T. Bearup felt that 100 feet would be reasonable. K. Coursen noted that if there are issues after the sign is in use that changes could always be made. W. Frazee questioned how enforcement action would begin. The issue would be brought to Codes, who would then go to the Fire Department.

D. Cook asked what happens when it is foggy. Does the light reflect back against the fog? They are not sure, but would adjust the brightness of the sign as necessary based on the conditions.

A. McLean-Robertson confirmed that the sign be lit at 40% or less between the hours of 9:00 pm and 7:00 am.

D. Cook made a motion to approve the Site Plan with the stipulation that the percentage of the lights goes to maximum 40% brightness between the hours of 9:00 pm and 7:00 am, subject to adjustments based on the Code Enforcement Officer's discretion at 7:04 pm. C. Fahrenkrug seconded the motion at 7:04 pm. All were in favor, none were opposed. The motion carried at 7:04 pm.

Lockheed Martin Site Plan Review

Public Hearing on a site plan application for a new 85'X150' concrete pad and radome, enhancements to existing driveway, and electric service. New underground electric duct banks for power distribution to existing facilities located on Windy Hill Lane in the Town of Pompey (Tax Map No. 015.-02-21.0)

Present for the applicant was Brian Manthey, architect representing Lockheed Martin. The project was first presented in July. They were before the Board in August, which is when concerns related to drainage were raised. Mr. Manthey presented an aerial view of the project to the Board. Since the aerials were taken, there were additional projects completed. Subsequent to the discussion in August, they have addressed the drainage concerns after enlisting the help of Napriella Consulting. J. Dunkle received the information and has approved it. They have also produced a SWIPP.

Chairperson Smith read an email from J. Dunkle that was sent to the Board. The email noted that the concerns related to drainage have been addressed.

C. Fahrenkrug asked if the drainage project has affected the timeline. All of the work will be completed at the same time. They are looking at fall construction. They will begin clearing trees in November. The amount of trees that will be taken out has been reduced from the original plan. The location of the storage basin has been moved from the original plan as well. J. Dunkle explained how the drainage plan was changed to avoid erosion.

The matter was sent to the OCPB for review. They determined that the referral will have no significant adverse effects and can be acted on solely by the Board. Any tree removal will have to occur between November and March to accommodate the bats who live in Jamesville Quarry.

The OCPB noted that the application would need to include an Agricultural Data Statement. They do not have one on file with the Town. The project could be approved with this as a contingency.

Chairperson Smith introduced the SEQR. This is an unlisted action, so the Board used the Part 2 – Impact Assessment form.

SEQR

- 1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?** No, or small impact
- 2. Will the proposed action result in a change in the use or intensity of use of land?** No, or small impact

3. **Will the proposed action impair the character or quality of the existing community?**
No, or small impact
4. **Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?** No, or small impact
5. **Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?** No, or small impact.
Traffic may increase temporarily during construction.
6. **Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?** No, or small impact
7. **Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?** No, or small impact
8. **Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?** No, or small impact
9. **Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?** No, or small impact
10. **Will the proposed action result in an increase in the potential for erosion, flooding or drainage problem?** No, or small impact. This has been mitigated through engineering plans.
11. **Will the proposed action create a hazard to environmental resources or human health?** No, or small impact

C. Fahrenkrug made a motion for a negative SEQR declaration at 7:20 pm. Chairperson Smith seconded the motion at 7:20 pm. All were in favor, none were opposed. The motion carried at 7:20 pm.

Chairperson Smith made a motion to open the Public Hearing at 7:20 pm. K. Coursen seconded the motion at 7:20 pm. No members of the public who were present wished to speak.

W. Frazee made a motion to close the Public Hearing at 7:21 pm. D. Cook seconded the motion at 7:21 pm. All were in favor, none were opposed. The motion carried at 7:21 pm.

J. Dunkle suggested that a condition that states no building permit will be issued until they have the storm water permit from the NYS DEC be added.

K. Coursen made a motion to approve the Lockheed Martin Site Plan 015.-02-21.0 located on Windy Hill Lane in the Town of Pompey based on plans submitted by Brian Manthey dated 6/14/2024 and the SWIPP plans dated 10/21/2024 for a new Radome with the contingencies that they submit an Agricultural Data Statement prior to construction and the receipt of the

DEC storm water permit coverage prior to the issuing of a building permit at 7:22 pm. J. Shaheen seconded the motion at 7:22 pm. All were in favor, none were opposed. The motion passed at 7:24 pm.

Ramboll Site Plan Review

Preliminary review of a site plan application for a new 22'x22' water treatment building, updates to the existing treatment building, and driveway located at 7898 Rt. 20 in the Town of Pompey.
(Tax Map No 023.02-03.0)

Present for the applicant is Josh Baritell from Ramboll. The DEC is requiring additional treatment to the solvent landfill that has been there since 1998. They are requiring an upgrade to the existing building, and then they will be adding new treatment in a new building. Nothing is changing about what they are doing; only improvements are being made. The air stripper that is in the existing building will go into the new building. The buildings take up a total footprint of less than a third of an acre.

The site work associated with the project is minimal. They will regrade just west of the existing footing. There will be a new 22x22 building. All the well points will stay the same, and the fencing will not change. There will be no additional noise. The new building will look identical to the existing building.

C. Fahrenkrug asked if there are any emissions. The stripper will have air that is exhausted into the atmosphere. They did an evaluation for the permits; they are not needed. They will also add an emergency generator. This will be used to maintain the heat in the buildings, not to run the system. It will be 25 kW. It will be fueled by a 250-gallon propane tank, which will be outside and behind the building. The design has been reviewed and approved by the DEC.

K. Coursen asked what the Fire Department access to the site would be, now that there is a generator and propane. They would require bolt cutters. There are alarms for the ozone and fire alarms.

J. Dunkle noted that most of the operation is governed by DEC regulation. The Planning Board is more concerned with visual impacts etc.

They treat 900 gallons of groundwater per day. J. Dunkle confirmed that there is a minor addition of impervious surfaces.

The Board will hold a special meeting for Public Hearing purposes on 11/1/2024, as they need to move forward as soon as possible due to their DEC constraints.

K. Coursen made a motion to meet on 11/1/2024 at 6:00 pm for a Public Hearing on the application at 7:42 pm. C. Fahrenkrug seconded the motion at 7:43 pm. All were in favor, none were opposed. The motion passed at 7:43 pm.

T. Bearup provided the applicant with a list of neighbors for notification purposes.

C. Fahrenkrug made a motion to adjourn the meeting at 7:46 pm. Chairperson Smith seconded the motion at 7:46 pm. All were in favor, none were opposed. The motion carried at 7:46 pm.

Respectfully Submitted,

Sarah LoGiudice
Secretary to the Planning Board
Town of Pompey