

STATE OF NEW YORK  
ADIRONDACK PARK AGENCY

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In the Matter of the Application of

APA Project No. 2021-0276

UNCONVENTIONAL CONCEPTS, INC. and MICHAEL  
HOPMEIER,

APA Hearing Officer  
David N. Greenwood

**Response to APA Hearing Staff's  
Discovery Demands**

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Unconventional Concepts, Inc. and Michael Hopmeier (hereinafter collectively referred to as "Applicants"), by and through their attorneys, Norfolk Beier PLLC, as and for their response to the APA hearing staff's request for disclosure and production of documents, dated April 8, 2026, respond as follows:

**GENERAL RESPONSES AND OBJECTIONS**

Unless otherwise indicated, the following objections apply to each of the demands for documents or information as set forth in the demands:

A. Applicants object to the demands to the extent that they appear to require disclosure of information beyond the permissible scope of discovery.

B. Applicants object to the demands to the extent they appear to require the disclosure of information prepared in anticipation of litigation, subject to claim of privilege, which is exclusive and private under the attorney-work doctrine. Any unintentional disclosure or production of documents subject to such protections and privileges shall not waive Applicants' rights to those privileges.

C. Applicants object to the demands to the extent they are vague, ambiguous, overly broad, unlimited in scope, unduly burdensome, redundant, and improper.

D. Applicants object to the demands to the extent that they seek information

immaterial or unnecessary within the course of the subject hearing.

E. Applicants reserve the right to amend or supplement their responses herein.

F. Applicants object to the demands to the extent that they seek productions of documents or information already in the possession, custody or control of APA hearing staff or their attorneys.

G. Applicants object to the number of demands as excessive and onerous.

H. Applicants object to any demands that do not set forth a defined time period for the production of the documents or information requested.

I. Applicants incorporate each and every general objection and reservation into the responses contained herein.

### **RESPONSES TO DEMANDS**

1. A copy of the articles of incorporation for Unconventional Concepts, Inc., including any amendments.

**RESPONSE: See Attachment A folder.**

2. A copy of any service contracts, past or present, entered into in connection with the proposed howitzer testing range.

**RESPONSE: Applicants object to Demand No. 2 on the grounds that it seeks documents protected from disclosure by applicable national security laws and regulations governing classified materials, as well as proprietary, trade secret, and confidential business information.**

3. All communications between the Applicant and the U.S. Army Combat Capabilities Development Command Armaments Center (DEVCOM) in connection with the feasibility of the proposed howitzer testing location.

**RESPONSE: Applicants object to Demand No. 3 on the grounds that it seeks documents protected from disclosure by applicable national security laws and regulations governing classified materials, as well as proprietary, trade secret, and confidential business**

**information.**

4. All documents and communications relating to safety protocols, risk assessment, safety design plan(s), site security plan(s) and/or safety operations plan(s).

**RESPONSE:** Applicants object to Demand No. 4 on the grounds that it is overly broad, unduly burdensome, and seeks documents that are already in the requesting party's possession, custody, or control, rendering the request duplicative and not proportional to the needs of the case. Subject to and without waiving the foregoing, see the Applicant's permit application submitted to the Adirondack Park Agency for APA Project No. 2021-0276, including the original submission dated November 19, 2021, and all amendments, revisions, supplements, and responses to Notices of Incomplete Permit Application submitted thereafter (hereinafter referred to as the "Application") found in Attachment B folder.

5. All documents relating to transportation of equipment, materials, or components associated with the proposed project, including any road use agreements, permits or communications with the NYSDOT, counties, towns or other entities.

**RESPONSE:** Applicants object to Demand No. 5 as overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, after a diligent search Applicants have not located any documents responsive to this demand in its possession, custody or control.

6. Copies of any letters from the Highway Department, Fire Department, and Emergency Services Providers on the current manpower and equipment capacity of the fire department and the ambulance and emergency squad to respond to any calls generated from the proposed howitzer testing range

**RESPONSE:** Applicants object to Demand No. 6 as overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, after a diligent search Applicants have not located any documents responsive to this demand in its possession, custody or control.

7. A copy of any fiscal and economic analysis that specifically gives a realistic estimate for the projected operational employment and payroll for each year the testing range will be in operation.

**RESPONSE:** Applicants object to Demand No. 7 as overbroad, unduly burdensome, and

**not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, after a diligent search Applicants have not located any documents responsive to this demand in its possession, custody or control.**

8. A copy of any fiscal and economic analysis outlining any specific benefits to local businesses and the regional economy.

**RESPONSE: Applicants object to Demand No. 8 as overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, after a diligent search Applicants have not located any documents responsive to this demand in its possession, custody or control.**

9. All documents describing operation of the 155mm Howitzer Barrel, including any documentation related to the potential propellant charge range.

**RESPONSE: Applicants object to Demand No. 9 on the grounds that it seeks documents protected from disclosure by applicable national security laws and regulations governing classified materials, as well as proprietary, trade secret, and confidential business information.**

10. All documents describing the storage, handling, use and disposal of any materials, hazardous or otherwise, associated with the proposed project, including but not limited to fuels, lubricants, propellants, projectiles and any by products or residues generated during testing.

**RESPONSE: Applicants object to Demand No. 10 as overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, after a diligent search Applicants have not located any documents responsive to this demand in its possession, custody or control.**

11. All documents supporting any representations that materials used in testing (including any lubricants) are “environmentally friendly” including product specifications, safety data sheets and environmental impact evaluations.

**RESPONSE: Applicants object to Demand No. 11 as overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, after a diligent search Applicants have not located any documents responsive to this demand, see Attachment C folder.**

Dated: Lake Placid, New York  
April 29, 2026

Norfolk Beier PLLC



By: \_\_\_\_\_

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