

Approved
9/5/24

**Village of Voorheesville
Zoning Board of Appeals Meeting
Village Hall, 29 Voorheesville Avenue
June 6, 2024**

Present: **Chairman** Jim Giglio, **Board Members** Nicholas Duncan, Michael O’Leary, Krystina Smith, Mark Wight and **Building Inspector/Code Enforcement Officer** Steve Mason, **Attorney** Rich Reilly, Emma Renzi and **Deputy Clerk Treasurer** Francine Rychcik

Absent:

Others: Gavin Vuillaume (Environmental Design Partnership), Randy Dirlam (Atlas Copco-General Manager), Brian Downey (Atlas Copco), Todd Gibbs and Judy Strauss (ZBA alternate)

On the agenda:

- 1. Atlas Copco Compressors, Inc. applying for two variances relating to an addition to an existing building.***
 - a. Variance to allow an addition to the existing building to have a height of 60 feet, when 40 feet is the current maximum building height in the Industrial Zone.***
 - b. Variance to allow for the addition to expand the building footprint to 165,438 sq/ft, when 20,000 SF is the current maximum footprint for a structure in the Industrial Zone.***

Chairman Giglio opened the meeting at 7:01 pm.

Minutes

The Board reviewed the minutes from the May 2, 2024 meeting. **Upon a motion from Board Member O’Leary and a second from Board Member Wight, the Board unanimously approved the minutes from the May 2, 2024 meeting.**

The Board reviewed the minutes from the May 7, 2024 public hearing meeting. **Upon a motion from Board Member Smith and a second from Board Member O’Leary, the Board unanimously approved the minutes from the May 7, 2024 public hearing meeting.**

Board Discussion

Atlas Copco

Gavin Vuillaume noted that the public hearing went well and there were no changes to the plan.

Attorney Reilly explained that with the project expansion being over 100,000 sq. ft., Part 2 of the full environmental assessment form will need to be completed by the Board (see attached). He explained that the answer to the “Impact on Land” prompt for each section may be yes simply because it meets the very minimum threshold defined by the form instructions. He went on to

explain that an answer of yes and moderate to large impact should be clarified concerning its significance. He worked with the Board to go through all eighteen questions. The following are some of the areas discussed.

Impact on Land:

1a. The Site has a water table depth of between 2 and 3 feet. However, construction is limited to concrete slabs and footings.

1e. To be fully operational the construction of the project could take up to twenty months. That is to allow for the facility to continue to operate, however. As a result, impacts should be minimal.

Impact on Surface Water:

3. The proposed action may affect one or more wetlands. The new road will disturb approximately .40 acres of the existing US Army Corps of Engineers (“USACE”) and the NYS Department of Environmental Conservation (“NYSDEC”) wetlands. A permit will need to be obtained from both organizations and the project will need to comply with all regulations. Village Stormwater Management compliance will be required as well.

Impact on Groundwater:

The proposed facility will utilize Public Water. There will be a water tank for fire protection purposes, however. The facility also has its own wastewater treatment facility which is overseen by the Department of Health. The facility can support the increase of wastewater generated from the expansion.

Impact on Energy:

The proposed action will involve heating and/or cooling of more than 100,000 square feet of building area. The proposed facility will be approximately 165,000 square feet; but the applicant’s existing facility already exceeds 100,000 square feet. The applicant proposes to increase its efficiency to its existing structure as part of the project.

Impact on Flooding:

The proposed project is not in a flood zone. The drainage patterns will also need to comply with the Village Stormwater regulations, as well as USACE and NYSDEC.

Impact on Air:

The proposed project may have a temporary impact on the air during the construction phase—due to the increase in trucks. When the project is fully operational, however, it will have minimal impact on the air.

Impact on Plants and Animals:

The action will need to comply with NYSDEC regarding threatened and endangered species.

Impact on Aesthetic Resources:

Attorney Reilly recommended answering yes to this section, as the project is adjacent to an existing facility with an aesthetic impact. The additional impact will be minimal.

Impact on Historic and Archeological Resources:

The standard report notes that the proposed action may occur adjacent to a historic or archeological resource. The applicant has an approval letter from the State, however, indicating that there will not be any significant impact.

Impact on Transportation:

The proposed action may have a moderate increase on traffic flow due to an increase in trucks and additional employees. It was determined, however, that on average this expansion would increase traffic by six trucks a week. The trucks would go north on School Road, avoiding driving through the Village.

Impact on Energy

14(d) The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed. The existing facility already exceeds 100,000 square feet, however. The applicant proposes to increase the efficiency of its existing system as part of the project. The heat pumps will also move from natural gas to electric and the utilization of solar panels will help to minimize electricity usage and improve sustainability.

Board Member Wight inquired about the electrical feeder line. The applicant indicated that it feeds from the main line coming from Guilderland.

Impact on Noise, Odor and Light

The proposed action is not likely to significantly increase noise, odors or outdoor lighting. The company does vacuum testing and the noise when the facility is fully operational—should stay at its current levels. During the construction phase noise will be higher, but any such impact will be temporary. The large trees on the boundary line also help minimize the noise level.

Board Member Wight clarified that no lights are proposed for the new roadway. The applicant confirmed the only additional lighting will be downward facing wall packs on the building.

Impact on Human Health

The proposed action may result in the unearthing of solid waste during the construction phase.

Consistency with Community Plan

The size of the proposed building exceeds adopted land use plans; however, the action is consistent with the comprehensive plan for industrial growth.

The Albany County Planning Board referral form was reviewed.

Part 3 of the Full Environmental Assessment Form was reviewed and completed. (see attached)

Board Member Wight made a motion, with a second from Board Member Duncan to approve Resolution 2 of 2024 (Action on SEQRA) adopting a negative environmental declaration in regard to the project.

The vote was Chairperson Giglio – Yes, Board Member Duncan – Yes, Board Member O’Leary – Yes, Board Member Smith – Yes, Board Member Wight- Yes. Motion passed unanimously.

Chairman Giglio reviewed the 5 Balancing Questions for the property located at 46 School Rd with the Board (see attached).

	J Giglio	N Duncan	M O’Leary	K Smith	M Wight
1.	No	No	No	No	No
2.	No	No	No	No	No
3.	Yes	Yes	Yes	Yes	Yes
4.	No	No	No	No	No
5.	Yes	Yes	Yes	Yes	Yes

The Board discussed the conditions of approval listed in **Resolution 3 of 2024** (attached). The following is an outline of the conditions:

1. The wooded buffer along the east side of the site shall be preserved as outlined on the Site Plan dated March 18, 2024
2. A fence of suitable material and design, to be approved by the Codes Enforcement Officer, will be constructed and maintained along the property boundary with 70 School Road.
3. Any lighting shall be downward facing, installed at a maximum height not to exceed 2 ft. above the height of the door and be fully compliant with the Village Code.

Chairperson Giglio asked if there were any additional concerns or questions.

Board Member Smith inquired as to the height of the lights. After some discussion, it was determined that the height of the downward-facing wall lights will not exceed 2 feet above the door frame and maintain compliance with Village Zoning.

Board Member Wight inquired about the fence. The applicant is planning a chain link fence around the property with a solid fence between the neighbor, the Village Animal Clinic.

After additional review, Board Member Smith made a motion, with a second from Board Member Duncan to approve Resolution 3 of 2024 relating to an application of Atlas Copco Compressors, Inc. for two area variances relating to an addition to an existing building. The vote was Chairman Giglio – Yes, Board Member Duncan – Yes, Board Member O’Leary- Yes, Board Member Smith - Yes, Board Member Wight – Yes. The motion passed unanimously.

At 7:46 PM Board Member Smith made the motion that the meeting be adjourned with a second by Board Member Duncan. All agreed; motion passed.

- Attachments
- Part 2 of Full Environmental Assessment Form
 - Part 3 of Full Environmental Assessment Form
 - Resolution 2 of 2024
 - Resolution 3 of 2024
 - Albany County Planning Board Referral Form

Approved

9/5/24

Schedule of Upcoming Meetings and Events

Date	Day	Time	Event
TBD			

Submitted Respectfully,

Francine Rychcik

Francine Rychcik,
Deputy Clerk Treasurer

Date: 9/5, 2024

Full Environmental Assessment Form

Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]

Project:	Atlas Copco Building Expansion
Date:	June 6, 2024

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “Yes” to a numbered question, please complete all the questions that follow in that section.
- If you answer “No” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)			
<i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

l. Other impacts: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. NO YES
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding. NO YES
 (See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air
 The proposed action may include a state regulated air emission source. NO YES
 (See Part 1. D.2.f., D.2.h, D.2.g)
If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflouorocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals
 The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) NO YES
If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>				<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur	
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>	
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>	
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>	
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>	
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>	

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>				<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur	
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>	
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>	
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>	

13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other Impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
 (See Part 1. C.1, C.2. and C.3.)
 If "Yes", answer questions a - h. If "No", go to Section 18.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
 (See Part 1. C.2, C.3, D.2, E.3)
 If "Yes", answer questions a - g. If "No", proceed to Part 3.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
Site Plan and Application; Special Use Permit Application; Variance Application; Floor Plan and Renderings; Traffic Assessment

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Zoning Board of Appeals _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Atlas Copco Expansion

Name of Lead Agency: Village of Voorheesville

Name of Responsible Officer in Lead Agency: James Giglio

Title of Responsible Officer: Chairperson

Signature of Responsible Officer in Lead Agency:

Date: 7/30/24

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Steve Mason, Building Inspector and Codes Enforcement Officer

Address: Village of Voorheesville, 29 Voorheesville Avenue, Voorheesville, NY 12186

Telephone Number: 518-765-2698

E-mail: building@villageofvoorheesville.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**VILLAGE OF VOORHEESVILLE
ZONING BOARD OF APPEALS**

**Resolution Number 2 of 2024
Relating to an Application of Atlas Copco Compressors, Inc.
(Action on SEQRA)**

WHEREAS, Atlas Copco Compressors, Inc. (the “Applicant”) has submitted to the Village of Voorheesville (the “Village”) an application (the “Application”) for an expansion of its existing facility (the “Project”) located at 46 School Road in the Village (the “Site”); and

WHEREAS, pursuant to the Village’s Zoning Code, the Project requires Special Use Permit approval and Site Plan review by the Village of Voorheesville Planning Commission (the “Commission”); and

WHEREAS, pursuant to the Village’s Zoning Code, the Project is also dependent on one or more variances being granted by the Village of Voorheesville Zoning Board of Appeals (the “ZBA”); and

WHEREAS, on May 7, 2024, the Commission and ZBA conducted a joint Public Hearing on the Application and received public comment; and

WHEREAS, the Commission and ZBA then formerly closed the Public Hearing and had further discussions concerning the Applicant; and

WHEREAS, pursuant to the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations at 6 NYCRR Part 617, the Application necessitates a determination of environmental significance in connection with its review of the Project; and

WHEREAS, on or about May 7, 2024, the ZBA determined—with the consent of the Commission—to act as “Lead Agency” and classify the Project as a “Type 1 Action;” and

WHEREAS, as part of its Application the Applicant has submitted Part 1 of a Full Assessment Environmental Assessment Form; and

WHEREAS, the ZBA has thoroughly reviewed the Application and other supporting documentation submitted by the Applicant, and has considered any public comments it has received; and

WHEREAS, the ZBA reviewed and completed Part 2 of the Full Environmental Assessment Form, and took a hard look at the potential for significant adverse environmental impacts of the Project; and

WHEREAS, the ZBA has also reviewed and completed Part 3 of the Full Environmental Assessment Form; and

WHEREAS, the ZBA has duly considered the Environmental Assessment Form, as well as the criteria for determining significance under SEQRA, as set forth in 6 NYCRR 617.7(c), and deliberated on the potential significant adverse environmental impacts of the Project; and

WHEREAS, the ZBA determines that the Project will not result in one or more potentially large or significant adverse impacts.

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Appeals of the Village of Voorheesville, at a regular meeting duly convened, as follows:

1. The ZBA of the Village of Voorheesville hereby adopts a negative Declaration pursuant to SEQRA with respect to the Project, and incorporates herein the findings and determinations set forth in Parts 2 and 3 of the Environmental Assessment Form, reviewed and agreed to by the ZBA.
2. The Village's Attorney is directed to work with the Village's Codes Enforcement officer and the Clerk's Office to complete any necessary filings.

The foregoing Resolution, offered by ZBA Member Mark Wight and seconded by ZBA Member Nick Duncan, was duly put to a roll call vote as follows:

Member: Nick Duncan	Voting:	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Member: Michael O'Leary	Voting:	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Member: Krystina Smith	Voting:	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Member: Mark Wight	Voting:	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay

Chairperson: Jim Giglio	Voting:	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
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Alternate Member: Judy Strauss	Voting:	<input type="checkbox"/> Aye	<input type="checkbox"/> Nay
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Dated: June 6, 2024



Francine Rychcik, Recording Secretary

**VILLAGE OF VOORHEESVILLE
ZONING BOARD OF APPEALS**

**Resolution Number 3 of 2024
Relating to an Application of Atlas Copco Compressors, Inc.**

WHEREAS, Atlas Copco Compressors, Inc. (the “Applicant”) has submitted to the Village of Voorheesville (the “Village”) an application (the “Application”) for an expansion of its existing facility (the “Project”) located at 46 School Road in the Village (the “Site”); and

WHEREAS, pursuant to the Village’s Zoning Code, the Project requires Special Use Permit approval and Site Plan review by the Village of Voorheesville Planning Commission (the “Commission”); and

WHEREAS, pursuant to the Village’s Zoning Code, the Project is also dependent on one or more variances being granted by the Village of Voorheesville Zoning Board of Appeals (the “ZBA”); and

WHEREAS, on or about May 7, 2024, the ZBA—acting as Lead Agency—classified the Project as a “Type 1 Action;” and

WHEREAS, the ZBA has reviewed the Application and other supporting documentation submitted by the Applicant, and has considered any public comment it has received; and

WHEREAS, the ZBA has received and considered input in connection with the Application; and referred the Application to and received comment from, the Albany County Planning Board; and

WHEREAS, pursuant to the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations at 6 NYCRR Part 617, the ZBA has determined that the Project is not likely to result in one or more potentially large or significant adverse impacts; and

WHEREAS, the ZBA has considered the five (5) factors required under New York State law; notes that the Applicant maintains an existing facility at the Site that already exceeds the height and building site limitations imposed under the Zoning Code; and notes that if the Applicant operated as a pre-existing non-conforming use instead of a conforming use it would be able to expand its building size by fifty percent (50%).

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Appeals of the Village of Voorheesville, at a regular meeting duly convened, as follows:

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above factors, finds that:

1. The Benefit to the Applicant outweighs any potential detriment to the neighborhood or community that could result if the Application is granted.

2. The variance requested is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

CONDITIONS:

The ZBA finds, however, that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

Condition No. 1: The vegetative buffer along the east side of the site shall be preserved to the extent depicted in the Applicant's March 18, 2024 Site Plan.

Adverse impact to be minimized: The visual impact of the expanded facility on neighboring properties.

Condition No. 2: A fence, of suitable materials and design agreed to by the Codes Enforcement Officer, shall be constructed and maintained along the property boundary with 70 School Road.

Adverse impact to be minimized: The visual impact of the expanded facility on neighboring properties.

Condition No. 3: Any lighting installed to the exterior of the structure shall be downward facing; installed at a maximum height not exceed two feet (2 ft.) above the height of a door; designed solely to illuminate the area immediately adjacent to the structure; and fully compliant with applicable Village Code and Design Standards.

Adverse impact to be minimized: The visual impact of the expanded facility on neighboring properties.

The foregoing Resolution, offered by ZBA Member Michael O'Leary and seconded by ZBA Member Nick Duncan, was duly put to a roll call vote as follows:

Member: Nick Duncan	Voting:	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Member: Michael O'Leary	Voting:	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Member: Krystina Smith	Voting:	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Member: Mark Wight	Voting:	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay

Chairperson: Jim Giglio	Voting:	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
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Alternate Member: Judy Strauss	Voting:	<input type="checkbox"/> Aye	<input type="checkbox"/> Nay
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Dated: June 6, 2024

Francine Rychcik
Francine Rychcik, Recording Secretary



ALBANY COUNTY PLANNING BOARD
NOTIFICATION

RECOMMENDATION DATE: May 16th, 2024


Case #: 16-2405040479
Project Name: Atlas Copco building Expansion
Project Location: 46 School Road
Tax Map Number: 61.18-2-4.1
Referring Agency: Village of Voorheesville Planning Board
Considerations: Site plan review and special use permit for the proposed new 63,000 SF building addition on the east side of the existing building, a new truck access drive and grading/drainage improvements. An area variance is requested for relief from maximum non-residential building footprint and building height.

ACPB Modify local approval to include

Recommendation:

1. A Notice of Intent filed with the New York State Department of Environmental Conservation affirming that a Stormwater Pollution Prevention Plan has been prepared and is being implemented, or submission of a Stormwater Pollution Prevention Plan (SWPPP) that is consistent with the requirements included in the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges (GP-0-24-001, effective January 3, 2024) for construction activities that disturb more than one acre of land.
2. Any wetlands disturbance will require notification to and review by the U.S. Army Corps of Engineers for permits under Section 404 of the Clean Water Act.
3. Notification of the application should be sent to the Town of New Scotland, including all required notices pursuant to GML §239-nn.
4. The local fire department should be notified to evaluate with an emphasis on building height and for public safety, emergency services access, water availability and any sprinkler system that may be required by building code.
5. All variance requests such as building footprint and building height requirements should be assessed to evaluate zoning compliance of the proposed project before granting the final site plan approval.
6. The Village of Voorheesville should require noise attenuation to the greatest extent possible by the applicant.

Advisory: 1. The Albany County Planning Board advises that the proposal should be sent back for review if there are substantial changes to the concept plan which would be considered site plan amendment as per GML 239.



Gopika Muddappa, Senior Planner
Albany County Planning Board

NOTE:

- This recommendation is rendered in compliance with applicable requirements of Section 239 of New York State General Municipal Law. Final determination on this matter rests with the appropriate municipal body.
- A recommendation of "APPROVE" or "MODIFY LOCAL APPROVAL" should not be interpreted as a recommendation by this body that the referring agency approve the matter referred. Such recommendation does not indicate that this body has reviewed all local concerns; rather the referral has met certain countywide considerations. Evaluation of local criteria is the responsibility of the referring agency.
- General Municipal Law Section 239 requires that the local agency notify the county within thirty days of its final action. Please use the OFFICIAL NOTICE OF LOCAL ACTION form that is attached for this purpose.
- General Municipal Law Section 239 sets forth the procedural requirements for taking local action contrary to the County Planning Board's recommendation of objection or conditional approval.
- Albany County is required to submit a Municipal Separate Storm Sewer System Permit (MS4) (No. GP-0-10-002) Notice of Intent (NOI) to comply with the NYS DEC permit for the control of wastewater and stormwater discharges in accordance with the Clean Water Act. Construction Activity Permit No. GP-0-1-001 issued by NYSDEC is also required for activity with soil disturbances of one acre or more. The law is required by the Clean Water Act to control point source discharges to ground water as well as surface waters.

449 New Salem Road, Voorheesville, NY 12186
TELEPHONE: (518) 655-7932 FAX: (518) 765-3459

In compliance with Article 12-B, Section 239 of New York State General Municipal Law, this serves as official notification to the Albany County Planning Board of the action taken on the application described above.

LOCAL ACTION ON ACPB RECOMMENDATION:

- AGREED WITH COUNTY PLANNING BOARD RECOMMENDATIONS TO MODIFY OR DISAPPROVE
- OVER-RULED COUNTY PLANNING BOARD RECOMMENDATIONS TO MODIFY OR DISAPPROVE

LOCAL DECISION ON PROJECT:

- PROJECT APPROVED
- PROJECT DISAPPROVED

VOTE RECORDED: _____ DATE OF LOCAL ACTION: _____

Set forth the reasons for any action contrary to the ACPB recommendations (use additional sheets if needed):

SIGNED: _____ TITLE: _____



Attendance Sheet

Committee ZBA 6/6/24
Meeting Date: 6/6/24

Please clearly print name

- 1 Brian Downey - Atlas Copco
- 2 Randy Darlam - Atlas Copco
- 3 Todd Gibbs - Atlas Copco
- 4 Judy Strauss Zoning Board Alternate
- 5 _____
- 6 _____
- 7 _____
- 8 _____
- 9 _____
- 10 _____
- 11 _____
- 12 _____
- 13 _____
- 14 _____
- 15 _____
- 16 _____
- 17 _____
- 18 _____
- 19 _____
- 20 _____