

Village of Voorheesville
Planning Commission Meeting
Village Hall, 29 Voorheesville Avenue
June 11, 2024

Present: Chairperson Kathy Fiero, Board Member; Jessica Burns, Todd Curley, Michael McTague, David Prendergast, Carrie Terraferma and Building Inspector/Code Enforcement Officer (CEO) Steve Mason, Attorney Rich Reilly, Trustee Jack Stevens and Deputy Clerk-Treasurer Francine Rychcik

Absent: Board Member Steve Reilly

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

On the agenda:

Site Plan Review/Special Use Permit application for 46 School Road (Atlas Copco Compressors, Inc.) relating to an addition to an existing building.

Chairperson, Kathy Fiero opened the meeting at 7:03 PM.

Minutes

The Board reviewed the minutes from the April 9, 2024 meeting. **Upon a motion from Board Member Burns and a second from Board Member Prendergast, the Board unanimously accepted and approved the minutes from the April 9, 2024 meeting.**

The Board reviewed the minutes from the May 7, 2024 Public Hearing meeting. **Upon a motion from Board Member Curley and a second from Board Member McTague, the Board unanimously accepted and approved the minutes from the May 7, 2024 meeting.**

Discussion

Atlas Copco

Gavin Vuillaume was happy to inform the Planning Commission that the Zoning Board of Appeals had approved the height variance and the square footage variance. Regarding lighting, he mentioned that he anticipates having to come before the Zoning Board of Appeals in the future for an additional height variance relating to the lighting of its larger doors. Maintaining downward-facing lights on these larger doors, which have an approximate height of 20 feet, will exceed the 18-foot maximum height requirement of the Village Code and will need a variance.

Chairperson Fiero went through the Special Use Permit considerations with the Board. See attached for more details.

A brief description of the initial ZBA Conditions are as follows:

1. The wooded buffer on the east side of the site shall be maintained as depicted in the Applicant's March 18, 2024 Site Plan.
2. A fence approved by the Codes Enforcement Officer, will be constructed adjacent to the Village Animal Clinic and maintained by the Applicant.

- 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 Village of Voorheesville Code.

Additional Planning Commission Conditions:

- 1. Any change in production that will materially impact noise will need to be brought before the Planning Commission.

After a brief discussion Board Member Curley with a 2nd from Board Member Terraferma made a motion that the Board approve Resolution 3 of 2024 relating to the Special Use Permit / Site Plan Review application for the addition to the existing building located at 46 School Road(Atlas Copco Compressors, Inc.). The vote was Chairperson Fiero – Yes, Board Members; Burns – Yes, Curley – Yes, McTague – Yes, Prendergast – Yes, Terraferma – Yes. Board Member Reilly- Absent. This motion passed unanimously.

Board Member Burns inquired as to the intention of this expansion materializing in the Village.

Randy Dirlam noted that once the proposal is finalized, later this summer, he will present the information to the Atlas Copco Board in Sweden. In the meantime, the company continues to invest in its existing infrastructure. The roof will be replaced and continued investment will be made with testing, which will help minimize noise levels. He made note that the company appreciates all the feedback that was received from the Public Hearing and will continue its effort of being a good neighbor.

At 7:32 pm upon a motion by Board Member McTague and a second by Board Member Prendergast the meeting was adjourned. All agreed, motion passed.

Attachments:

- Special Use Permit Findings
- Resolution 3 of 2024
- Albany County Planning Board Notification

Schedule of Upcoming Meetings and Events

Date	Day	Time	Event

Submitted Respectfully,

Francine Rychcik

Francine Rychcik

Deputy-Clerk Treasurer

Dated: 10/1, 2024

PAGE 3 of 4:

CONDITIONS: The Planning Commission finds that the following conditions are necessary in order to minimize objectionable impacts of the Special Use upon the neighborhood or community:

Condition No. 1: _____

Objectionable impact to be minimized: _____

Condition No. 2: _____

Objectionable impact to be minimized: _____

Condition No. 3: _____

Objectionable impact to be minimized: _____

Condition No. 4: _____

Objectionable impact to be minimized: _____

Condition No. 5: _____

Objectionable impact to be minimized: _____

Chairperson, Planning Commission

Date

VILLAGE OF VOORHEESVILLE
Planning Commission

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 May 7, 2024 the Commission and ZBA held a Joint Public Hearing, and the ZBA—acting as Lead Agency—classified the Project as a “Type 1 Action;” and

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

WHEREAS, the ZBA then granted the area variances requested by the Applicant; and

WHEREAS, the Applicant now seeks to have its applications for a Special Use Permit and Site Plan Review considered by the Commission.

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

1. The Commission grants the requested Special Use Permit and approves the Site Plan as presented and for the purposes proposed by the Applicant.
2. The Commission finds, however, that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community:

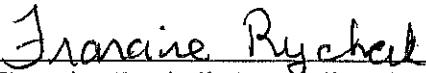
Condition No. 1: Any change in the proposed use of the facility or production methods that could result in material increases in noise and/or traffic impacts shall require further Site Plan review.

Adverse impact to be minimized: Adverse noise and/or traffic impacts on neighboring properties

The foregoing Resolution, offered by Commission Member Curley and seconded by Commission Member Terraferma, was duly put to a roll call vote as follows:

Member Jessica Burns	Voting:	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Member Todd Curley	Voting:	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Member Mike McTague	Voting:	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Member David Prendergast	Voting:	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Member Steven Reilly (Absent)	Voting:	<input type="checkbox"/> Aye	<input type="checkbox"/> Nay
Member Carrie Terraferma	Voting:	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Harvey Huth (Alternate) (Absent)	Voting:	<input type="checkbox"/> Aye	<input type="checkbox"/> Nay
Chairperson Kathy Fiero	Voting:	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay

Dated: June 11, 2024



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.

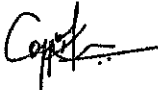
ACPB Modify local approval to include

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

PC

Meeting Date:

6/11/24

Please clearly print name

1 Brian Downey - Atlas Copco

2 Todd Gibbs - Atlas Copco

3 GAVIN VUILLAUME - EDP

4 Randy Dirham - Atlas Copco

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