

TOWN OF COLONIE PLANNING BOARD MINUTES

MARCH 10, 2009

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PRESENT: Chairperson Donovan, Members Holland, Lane, O'Rourke, Nardacci, Sullivan, Vaida, Counsel Stuto, Director LaCivita, Senior Planner DeLaughter

ABSENT: None

* Chairperson Donovan called the meeting to order at 7:00 PM at the Public Operations Center.

* Counsel Stuto read into record the Public Hearing Notice pursuant to Section 276 of the Town Law. The Public Hearing was scheduled for the purpose of a special use permit application for the property known as St. Francis DeSales Church/Rectory.

Sr. Planner DeLaughter gave an overview as to the reason as to why the special use permit exists with the application currently before the board. The application by St Francis DeSales has a proposal to subdivide the property on Exchange Street. This being a minor subdivision that technically does not require Board action but due to the property is being separated into 2 parcels the rectory is an accessory use to the church which thereby creates the special use. The rectory now becomes a single family residence.

Chairperson Donovan asked several questions of Sr. Planner DeLaughter based on Land Use Law and the logic placed upon it. Mr. Caponera, attorney for St Frances DeSales agreed with Chairperson and encouraged an amendment to the Land Use Law on this matter.

Mr. Caponera discussed the reasons as to why the request is being sought. St Francis DeSales will continue to use the rectory to house the pastor of the parish and the church will be used by the Korean Catholic Community of Albany

Member O'Rourke voiced concern as to how board ensures what it approves tonight should the property change. Chairperson Donovan stated that there will be stipulations in a Findings Statement to be approved later – to which a letter will be filed with Town Clerk.

Chairperson Donovan asked if anyone from the neighborhood or board had any additional concerns. Having heard none from either a motion to move was requested.

Member O'Rourke made a motion to grant site plan approval and a special use permit for the single family residential structure. Member Nardacci 2nd the motion. All members voted in favor and no one opposed.

* The meeting was adjourned at 7:41 PM.

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_____ (Chairperson) _____

JL

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