

1 PLANNING BOARD COUNTY OF ALBANY
2 TOWN OF COLONIE

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SEBASTIAN'S
705 TROY-SCHENECTADY ROAD
HEARING PURSUANT TO TOWN CODE SECTION 62-31
REGARDING DEMOLITION OF BUILDING

THE STENOGRAPHIC MINUTES of the above entitled
public hearing BY NANCY STRANG-VANDEBOGART, a
Shorthand Reporter, commencing on
September 27, 2011 at 9:59 p.m. at the Public
Operations Center 347 Old Niskayuna Road,
Latham, New York 12110

BOARD MEMBERS:

- PETER STUTO, Chairman
- MICHAEL SULLIVAN
- LOUIS MION
- KATHLEEN DALTON
- TIM LANE
- PAUL ROSANO
- ELENA VAIDA, Esq., Attorney for the Planning Board

Also present:

- Joseph LaCivita, Director, Planning and Economic
Development
- Michael C. Magguilli, Esq., Town Attorney

1 CHAIRMAN STUTO: Okay, last on the agenda
2 is Sebastian's, 705 Troy Schenectady Road,
3 hearing pursuant to Town Code Section 62-61
4 regarding demolition of building.

5 MR. MAGGUILLI: Good evening. My name is
6 Michael Magguilli. I'm the Town Attorney for
7 the Town of Colonie. I would like the record
8 to reflect that it is now 9:43 pm. We've been
9 here since 7:00 at the time that the hearing
10 was called and the time of the hearing set
11 forth on September 12th, notice and order that
12 was issued to the respondent in this case.

13 Mr. Charles Rafferty, pursuant to
14 Resolution 492 for 2011, which resolution and
15 notice ordered Mr. Rafferty to demolish and
16 remove the building commonly known as
17 Sebastian's, the real property located at
18 705 Troy-Schenectady Road, Colonie, New York.
19 We were scheduled for a hearing this evening.
20 The Town Board, pursuant to Resolution 492 for
21 2011 designated the Planning Board as the
22 hearing body and affording Mr. Rafferty his
23 due process rights to be heard as to why the
24 building and improvements at 705 Troy
25 Schenectady Road should not be removed. I have

1 my witnesses here. We are ready to proceed.

2 In the meantime, Mr. Rafferty who is
3 represented by an attorney, Mr. Anthony
4 Ianniello and I have reached an agreement
5 that's acceptable to the Town. We have
6 obtained a license on behalf of the people of
7 the Town of Colonie and have the authority now
8 to move in and demolish the building located
9 at 705 Troy Schenectady Road.

10 I would like to have a copy of the
11 license and settlement agreement marked as an
12 exhibit and placed into the record in this
13 matter. I would like this marked as
14 People's 1.

15 ***(People's Exhibit 1 was marked and***
16 ***received into the record.)***

17 MR. MAGGUILLI: With that, I would like
18 to thank the Board. I would like to thank my
19 witnesses, who have been here all night and
20 members of the Building Department, Police
21 Department and Mr. Grasso from Clough Harbour.
22 We'll withdraw the requirement for a hearing
23 at this time.

24 CHAIRMAN STUTO: Thank you.

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

*(Whereas the proceeding concerning the above
entitled matter was concluded at
10:04 p.m.)*

