

**TOWN OF SARATOGA  
PLANNING BOARD DRAFT MEETING MINUTES\*  
March 26, 2025**

Due to the absence of Chairman Walter Borisenok, Co-Chairman Laurie Griffen called the meeting to order at 7:00 p.m.

Clerk Linda McCabe called the roll: Co-Chairman Laurie Griffen – present, Joseph Lewandowski – present, George Olsen – present, Patrick Hanehan – present, Alternate Chuck Pafundi – present, Chairman Walter Borisenok – absent, Christopher Koval - absent, Robert McConnell – absent.

Due to the absence of a few Board members, Alternate Chuck Pafundi was elevated to full voting status.

Also attending: Zoning Officer/Building Inspector Gil Albert, Attorney Libby Coreno Clark, John & Pat Healy, Irene Durbin, Jared Kunkel, Edward Painter, Jon Haynes, Brandon Ferguson, Robert & Victoria Paterson, Shane Lyon, Matt Yarter, Erik & Sarah Whittle and other interested persons. (Sign in sheet is on record in the Clerk's office)

Minute approval: **Motion made by Patrick Hanehan, seconded by George Olsen, to accept the February 26, 2025 meeting minutes as written.** Co-Chairman Laurie Griffen – aye, Joseph Lewandowski – aye, George Olsen – aye, Patrick Hanehan – aye, Chuck Pafundi – aye, Chairman Walter Borisenok – absent, Christopher Koval – absent, Robert McConnell – absent.  
**Carried 5 – 0**

**Public Hearing for Minor Subdivision**

**Arthur DeGregory #25-01  
308 Co. Rd. 68  
Saratoga Springs, NY 12866  
S/B/L 168.-2-59.11 Rural District  
Location: 378 Co. Rd. 68**

**Representative: Kevin Weed  
GVG Land Surveyor PLLC  
988 Rt. 146  
Clifton Park, NY 12065**

Applicant seeks to subdivide a single lot from his 221.17+/- acre parcel for estate planning purposes.

Kevin Weed, Gil Van Guilder Land Surveyor, PLLC, appeared before the Board on behalf of the applicant. He stated they are separating the existing house and would like to divide the lot for estate purposes. Capped iron rods have been set, Lot 1R will be 218+/- acres remaining in agriculture, with an Ag Note to return to the Town Planning Board if any changes are to be made.

Co-Chairman Laurie Griffen asked if there were any Board comments; there were none. She then read the following letter from the Saratoga County Planning Board:

*“Re: SCPB Referral Review #25-A-11 – Subdivision Review – DeGregory  
A proposed two lot subdivision from an existing 221.17+/- acre parcel to create a 2.42+/- acre parcel with existing residential improvements.  
Location: Stafford Bridge Rd./CR-68, Tax Map #168.-2-59.11*

*Received from the Town of Saratoga Planning Board on March 4, 2025.  
Reviewed by the Saratoga County Planning Board on March 20, 2025.*

*Decision: No Significant County-wide or Intercommunity impact*

*Comments: For any driveway improvements, a permit must be obtained from the Saratoga County DPW for any work within the County Right-of-Way.*

*Please contact the Saratoga County Planning Board if you have any questions regarding this matter.*

*Sincerely,*

*Kimberly Lambert, Senior Planner, Authorized Agent for Saratoga County”*

**Proof of Notice having been furnished by newspaper on March 16, 2025, Co-Chairman Laurie Griffen opened the Public Hearing at 7:04 p.m.**, asking those wishing to speak to the Board to please stand at the podium, state their name and address and direct their comments to the Board. The following spoke to the Board:

**Eric Whittle, 117 Southard Rd.**, questioned if anything further will change on the property.

Co-Chairman Laurie Griffen responded no, they’re carving out the home and outbuildings for estate purposes; nothing changes according to this application and if in future they choose to do something, they’ll come back before the Board.

**John Healy, 115 Southard Rd.**, stated he was speaking on behalf of himself and three neighbors with concerns of the property turning into a development in future. To summarize, he said he lived on a golf course in Long Island and it was turned into a development, which was devastating to him. He wanted to know if anything can be done to prevent the owner developing his lands in future, as he doesn’t want to have to move again.

Co-Chairman Laurie Griffen responded she understood his concerns, but the application before the Board is for this subdivision for estate planning purposes. She explained property owners with large parcels or farms have to do this for estate planning, particularly those with large families. She assured him she has no knowledge of plans to turn this into a large development, but property owners do have private property rights. She reiterated this application is to subdivide out the 2.27+/- acre parcel for estate planning. This Board has to deal with the application before them. At this moment there is no plan, aside from this subdivision and if the property owner wishes to do something in future, he would come before the Board, but right now this is for this single lot subdivision for estate planning purposes.

Co-Chairman Laurie Griffen asked if anyone further would like to speak; seeing no one,  
**Co-Chairman Laurie Griffen closed the Public Hearing at 7:10 p.m.**

George Olsen went through SEQR line by line with the Board. The Board found in favor of the Applicant.

**A motion was made by Co-Chairman Laurie Griffen, seconded by Patrick Hanehan, to accept SEQR as complete and to make a Negative Declaration.** Co-Chairman Laurie Griffen – aye, Joseph Lewandowski – aye, George Olsen – aye, Patrick Hanehan – aye, Chuck Pafundi – aye, Chairman Walter Borisenok – absent, Christopher Koval – absent, Robert McConnell – absent.

**Carried 5 – 0**

**A motion was made by Patrick Hanehan, seconded by George Olsen, to approve the subdivision as presented.** Co-Chairman Laurie Griffen – aye, Joseph Lewandowski – aye, George Olsen – aye, Patrick Hanehan – aye, Chuck Pafundi – aye, Chairman Walter Borisenok – absent, Christopher Koval – absent, Robert McConnell – absent.

**Carried 5 – 0**

### **Planned Unit Development (PUD) Conference**

**Robert & Victoria Paterson #25-05**  
**433 Co. Rd. 68**  
**Saratoga Springs, NY 12866**  
**S/B/L 181.1-15, 181.-1-16, 181.-1-17 Rural District**  
**Location: 433 Co. Rd. 68**

**Representative: Environmental Design**  
**Partnership, LLP**  
**900 Rt. 146**  
**Clifton Park, NY 12065**

Applicants seek a mixed use P.U.D. (Planned Unit Development), to be named ‘Mostly Modern Arts Center’ on their property. This property will be 18.85+/- acres, once merged, and will be a commercial and residential community comprised of a music and art venue, single family detached houses. This was presented to the Town Board, per P.U.D. legislation, who in turn sent this to the Planning Board for review. Once completed, this will go back to the Town Board for final approval.

Brandon Ferguson and Jon Haynes, Environmental Design Partnership, LLP., addressed the Board on behalf of the applicants. Brandon Ferguson stated the planned unit development will be for a music and art venue, located on three parcels, two with frontage on Burke Rd. and one with frontage on CR 68, for a total of 18.85+/- acres combined. They are proposing a music/art venue, with an 8500 sq. ft. art/music building, located on the portion of the land closer to CR 68, with parking and everything for the event center around it. There are two existing houses currently on the land which they’d like to renovate, to be used as a parttime residence for the owner and for rental purposes. The applicants first proposed building a minimum of three houses, but most likely there will be a total of five new houses, each ranging from 2,000 – 2,500 sq. ft., to be used as rentals for guests, musicians, artists, etcetera. The main venue area will be in the middle of the property with an amphitheater with an open second story, along with a storage area for art exhibits and music storage.

Proposed on-site parking will be approximately 32 parking spaces, based upon one space for every 150 sq. ft. of venue area, with additional parking for the houses. They’re also looking to bank 30 – 35 spaces along the access road to the site; they don’t think they’ll need them, but if so, they can build the additional parking in future. They will host music events along with other concerts and performances.

Water supply will be new drilled wells for the houses and music venue, with an onsite waste water system. Stormwater will be handled onsite per NYSDEC regulations.

Jon Haynes, Environmental Design Partnership, LLP., showed the location of the existing houses on the presented print of the property. He stated this will be similar to the Skidmore space – they want to do small performances with record quality sound. He showed the long storage areas, which will be used as transitional space for art exhibitions and presentations. He said they’ve been working with a sound designer for state-of-the art recording capabilities. He showed, on the plan, all the double walls which will make everything sound isolated. He reviewed their layout vision for the center; the proposed music venue, the recording area, amphitheater, outdoor seating, etcetera.

Co-Chairman Laurie Griffen thanked them for their presentation. She then stated for a bit of perspective, this was presented to the Town Board and now, per Town regulation, it’s back to Planning for site work. We treat this similar to special use permit site reviews, then this goes back to the Town Board. She then asked Attorney Libby Clark, attorney for the Town, to

explain the process.

Attorney Libby Clark stated this is a bit of a hybrid process in the sense that it is a form of rezoning, so if approved by the Town Board the zoning code will change for this specific property. As part of that process, the Town lays out an important role for the Planning Board, in making recommendations to whether or not that law should pass. This is the time in the process where the expertise of this Planning Board is giving the kind of look to this project as they do special use permits, land use, etcetera, even though it is not one of those types of application. Some of those things are laid out in Town code, but the need for the proposed land use and character, traffic circulation, density, reasonable operational questions, design alternatives, building locations, screening, all kinds of environmental impacts, drainage, stormwater, all of those things are available to the Planning Board to ask about. As part of this process, the Board may request more information, suggest redesigns and solutions to offset the impacts they may see. Right now, during this time, it is the job of the Planning Board to deliberate with the applicants and decide, with additional information, to send this to the Town Board to approve, approve with modifications or disapprove this project. Those are the three options that are open to the Planning Board, and at this stage, this meeting is an opportunity to collect information for the Board's first review. She then stated if there are any Board questions about the process, Board members should contact her.

Co-Chairman Laurie Griffen stated this will be reviewed in the manner of a special use permit by this Planning Board, so information collection and clarity begins tonight.

George Olsen stated it looks like a depiction of an amphitheater and questioned if they're building an amphitheater there.

Jon Hayes responded yes, it's circular, made of stone and goes upward.

George Olsen questioned how many seats for the amphitheater and was told 150 inside and potentially 150 outside.

Co-Chairman Laurie Griffen stated the proposed houses are very sizeable at 2,000 – 2,500 sq. ft.

Jon Haynes responded 2,000 – 2,500 sq. ft. is what they're thinking.

Co-Chairman Laurie Griffen stated to give the Board a sense of your business plan, how frequently will these be rented? Will it be one or two artists at a time, or how many will be living/staying in each house and for what length of time? Once a week? Monthly? All year?

Jon Haynes responded it will be short term; artists will come in for a couple of days here, a weekend or two there, a couple of weeks at most, to record in studio. It won't be year-round.

Co-Chairman Laurie Griffen questioned it's just for the summers?

Owner Victoria Paterson said no, it could be year-round.

Co-Chairman Laurie Griffen said as the Board goes through this submittal, there are things to talk about, such as various outside events, hours of operation, how this will affect the surrounding neighbors, infrastructure, etcetera. We'd like to do a walk-through/ site visit of the property to get a better sense of the site, the topography, the layout, the sound, ingress/egress of the driveway, location of neighboring homes, etcetera. For the walk-through, we post notice in the paper, the Board walks it, neighbors are welcome to walk it with us and we'd like the Town

Board to join us for the walk-through as well. She suggested that the owners talk with the neighbors and explain their plan prior to the walk-through so it's not a surprise to them. If done right, this will be a wonderful addition to our community.

Co-Chairman Laurie Griffen stated the drive off CR 68 serves the current home, two drives on Burke Rd., one which serves the second existing house and accessory structure. They propose to use the Burke Rd. drives as the main ingress/egress to serve the majority of this proposal. She questioned why have the majority of traffic coming in off Burke Rd., a residential road, instead of the westside of CR 68 for ingress/egress.

Brian Ferguson said sight distance isn't good there.

Co-Chairman Laurie Griffen questioned the frequency of people going in and out and was told once monthly.

Chuck Pafundi stated in the near future these parcels need to be consolidated.

Zoning Officer/Building Inspector Gil Albert suggested the applicant talk to County DOT about using CR 68, as Burke Rd. is residential. They can knock down some trees on CR 68 to make the sight distance work.

Brandon Ferguson responded they'll reach out to County DOT.

Co-Chairman Laurie Griffen questioned if they've completed septic and deep hole tests.

Brandon Ferguson responded they've done some test pits, but they want to build more houses and renovate existing homes to rent out.

Zoning Officer/Building Inspector Gil Albert stated low lighting/down-lighting is needed for parking.

Co-Chairman Laurie Griffen asked if there were any further questions at this time; there were none. In summary, she then stated the Board needs to see detailed septic design, well information, lighting plan, County DOT approval of the driveway from CR 68, NYSDEC approval, wetlands designated, County Planning Board approval, along with landscape and site work. She also added this Board needs to conduct a site visit/walk-through to better understand the topography of the proposed property.

Brandon Ferguson questioned if they need to do a site plan review.

Planning Board clarified that yes, they'll need to complete a site plan review.

Attorney Libby Clark stated it is vital the Town Planning Board completes a site plan review, as it is this Board that will be proposing legislation to the Town Board.

Co-Chairman Laurie Griffen stated this Board will review in tandem with the Town Board. We'll conduct a site visit/walk-through on April 8, 2025 tentatively at 5 p.m., but will confirm with the both Boards.

Attorney Libby Clark stated Town Engineer Ken Martin will do a comment memo and will send it to Brandon of Environmental Design Partnership, LLP.

**Returning**

**Special Use Permit Pre-Submission Conference**

**Irene Durbin #25-03  
115 Hathaway Rd.  
Schuylerville, NY 12871  
S/B/L 182.-2-3.2 Rural District**

**Representative: Dylan Porter, Clayton Homes  
2138 Doubleday Ave.  
Ballston Spa, NY 12020**

Applicant seeks to place a secondary dwelling on her property for her son.

Jared Kunkel, Clayton Homes, addressed the Board on behalf of the applicant and stated she is seeking a special use permit for a second dwelling on her property for her son. The home will be 28' x 60'.

Co-Chairman Laurie Griffen questioned if they're subdividing the property.

Jared Kunkel responded no, she doesn't want to break up the property.

Co-Chairman Laurie Griffen stated the Board needs to see the location of the current home, driveway, barn and building envelope for the new home.

Applicant Irene Durbin showed those locations to the Board, stating the new home will face Hathaway Rd.

Ken Martin, Town Engineer, said it's allowable without subdividing, she meets as all setbacks, and has plenty of frontage. She needs a new well and septic for the new house and must meet setbacks as well. She needs to submit a completed application for the special use permit. She'll then need to show everything noted above on the survey and get a building permit from Zoning Officer/Building Inspector Gil Albert.

Jared Kunkel and Irene Durbin thanked the Board.

**Returning**

Old Business: none

New Business: none

Shane Lyon addressed the Board seeking to build a house on his property, located on Co. Rd. 68 and Burgoyne Rd. After a discussion with the Board, it was decided he needs to meet with Zoning Officer/Building Inspector Gil Albert and go from there.

**A motion was made by Patrick Hanehan, seconded by Joseph Lewandowski, to adjourn the meeting at 7:56 p.m.** Co-Chairman Laurie Griffen – aye, Joseph Lewandowski – aye, George Olsen – aye, Patrick Hanehan – aye, Chuck Pafundi – aye, Chairman Walter Borisenok – absent, Christopher Koval – absent, Robert McConnell – absent.

**Carried 5 – 0**

**Meeting Adjourned**

The next regular meeting will be held Wednesday, April 23, 2025 at 7:00 p.m. *All submittals must be to the Clerk **no later than 8:45 a.m., April 9, 2025 to be on the next agenda.***

Respectfully submitted,

Linda McCabe  
Planning Clerk

~Minutes are not verbatim~