

**TOWN OF SARATOGA  
PLANNING BOARD DRAFT MEETING MINUTES\*  
January 28, 2026**

Chairman Walter Borisenok called the meeting to order at 7:00 p.m.

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

Due to the absence of several Board members, Chuck Pafundi was elevated to full member status.

Also attending: Devin Klender, Daniel Gaga, Jeremy Van Worner, Shawn & Theresa Fitzgerald, Marcia Garnsey, Sarah Cartwright and Kelly Kilventon.  
(Sign in sheet is on record in the Clerk's office)

Minute approval: **Motion made by Patrick Hanehan, seconded by Christopher Koval, to accept the December 17, 2025 meeting minutes as written.** Chairman Walter Borisenok – aye, Laurie Griffen – aye, Christopher Koval – aye, Chuck Pafundi – aye, Joseph Lewandowski – absent, George Olsen – absent, Robert McConnell – absent, Patrick Hanehan – absent.  
**Carried 4 – 0**

**Public Hearing for Special Use Permit**

**Devin Klender, Capital Region Co. Inc. #25-11      Owner: Phlox Warehouse, LLC**  
**952 Rt. 4**  
**Schuylerville, NY 12871**  
**S/B/L 183.-1-61.11 Conservancy District**  
**Location: 952 Rt. 4**

Returning applicant seeks to continue his sales, marketing & distribution of cannabis products (wholesale supplies to retail) business at 952 Rt. 4.

Applicant Devin Klender appeared before the Board. He stated he rents six spaces for his marketing team, sales and accounting offices.

Last month he and said his company lease office space in the old Garnsey building for their accountant and sales & marketing team. He said he has 6 full time employees working from computers, coordinating deliveries. He clarified that their main manufacturing is done in Queensbury, NY.

Chairman Walter Borisenok questioned the hours of operation and was told 7 a.m. – 7 p.m. He then questioned signage and was told there will be no signs.

Chairman Walter Borisenok asked if there were any Board questions; there were none.

**Proof of Notice having been furnished by newspaper on January 18, Chairman Walter Borisenok opened the Public Hearing at 7:06 p.m., asking those wishing to speak concerning**

this application to please stand at the podium, state their name, address and direct their comments to the Board. The following spoke:

**Marcia Garnsey**, 105 Airport Lane, stated this is right next to her home and she wants to be certain there will be no retail sales taking place on site.

Chairman Walter Borisenok confirmed, with the applicant, that there will be no retail sales at this location; this is for clerical and office work only.

Applicant Devin Klender replied correct, no retail sales.

Seeing as no one further wished to speak, **Chairman Walter Borisenok closed the Public Hearing at 7:07 p.m.**

Laurie Griffen went through SEQR line by line with the Board. The Board found in favor of the applicant.

Chairman Walter Borisenok asked if there were any comments or concerns of the Board; there were none.

**A motion was made by Chairman Walter Borisenok, seconded by Laurie Griffen, to declare SEQR complete and make a Negative Declaration.**

Chairman Walter Borisenok – aye, Laurie Griffen – aye, Christopher Koval – aye, Chuck Pafundi – aye, Joseph Lewandowski – absent, George Olsen – absent, Robert McConnell – absent, Patrick Hanehan – absent.

**Carried 4 – 0**

**A motion was made by Chairman Walter Borisenok, seconded by Christopher Koval, to approve the special use permit for the sole purpose of sales, marketing and administrative offices of his Capital Region Co. Inc. cannabis business. There will be no retail sales allowed from this location.**

Chairman Walter Borisenok – aye, Laurie Griffen – aye, Christopher Koval – aye, Chuck Pafundi – aye, Joseph Lewandowski – absent, George Olsen – absent, Robert McConnell – absent, Patrick Hanehan – absent.

**Carried 4 – 0**

**Granted**

### Sketch Plan Conference

**Daniel Gaba #26-01  
8 Labelle Ln.  
Saratoga Springs, NY 12866  
S/B/L 170.-1-33 Rural District**

**Owner: Janet Merluzzi  
40 Cemetery Hill Rd.  
Benton, PA 17814**

**Location: 209 Haas Rd., intersection of Mennen & Haas Rd.**

Applicant seeks to subdivide the 23.94+/- acre parcel into two building lots, each lot to be 11.97+/- acres. As the property has 475' of frontage, a variance will be needed.

Applicant Dan Gaba appeared before the Board and stated the property is 23.9+/- acres and he'd like to subdivide the property into two equal size lots. The two lots will conform to all Town requirements except for the minimum frontage; each parcel will need 300' frontage to meet code but he only has 222' per lot. He'll need 78' per proposed lot.

Chairman Walter Borisenok stated this does meet Town requirements, aside from the frontage. The applicant will need to go before the Zoning Board of Appeals for the frontage variances. He asked if there were any questions of the Board; there were none. He told the applicant they'll send him to ZBA with a positive recommendation for the variances.

Applicant Dan Gaba thanked the Board and said he'll return if the variances are granted.

**Returning**

**Information:**

Jeremy Van Worner sought information and guidance on the possibility of subdividing the old Saratoga Lake Motel, 1192 Rt. 9P, into 4 – 5 building lots. After a discussion with the Board, Chairman Walter Borisenok said that Jeremy has work to do; well work, septic, title abstract searches, easements, as well as addressing driveway locations with NYSDOT as he'll need permits from them. The Board agreed the project looks good, but a lot of work is involved. It will be a challenging project.

Jeremy Van Worner thanked the Board.

**Old Business:** none

**New Business:** none

**A motion was made by Walter Borisenok, seconded by Laurie Griffen, to adjourn the meeting at 7:24 p.m.** Chairman Walter Borisenok – aye, Laurie Griffen – aye, Christopher Koval – aye, Chuck Pafundi – aye, Joseph Lewandowski – absent, George Olsen – absent, Robert McConnell – absent, Patrick Hanehan – absent.

**Carried 4 – 0**

**Meeting Adjourned**

The next regular meeting will be held Wednesday, March 25, 2026 at 7:00 p.m. *All submittals must be to the Clerk **no later than 8:45 a.m., March 11 2026, to be on the next agenda.***

Respectfully submitted,

Linda McCabe  
Planning Clerk

~Minutes are not verbatim~