

**TOWN OF SARATOGA
PLANNING BOARD DRAFT MEETING MINUTES*
December 17, 2025**

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

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

Due to the absence of Laurie Griffen and Christopher Koval, Chuck Pafundi was elevated to full member status.

Also attending: Shane Lyon, Jim Vianna, Devin Klender, Brian Hill, Amie & Matt Gabriel.
(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 November 19, 2025 meeting minutes as written.** Chairman Walter Borisenok – aye, Robert McConnell – aye, Patrick Hanehan – aye, Chuck Pafundi – aye, Joseph Lewandowski – aye, George Olsen – aye, Laurie Griffen – absent, Christopher Koval – absent.
Carried 6 – 0

Public Hearings for Special Use Permits

**Elizabeth Sullivan #25-10
139 Walsh Rd.
Saratoga Springs, NY 12866
S/B/L 168.-2-47 & 48 Rural District**

**Representative: James Vianna, PLS
170 Lohnes Rd.
Stillwater, NY 12170**

Returning Applicant seeks to subdivide a 3+/- acre parcel, centered around an existing residence and to perfect the boundary line with the neighbor to the south.

Jim Vianna appeared on behalf of the applicant. He reviewed the proposed subdivision and lot-line adjustment presented at last month's meeting. He stated he found the septic system today and it has been inspected, adding that the well is pre-existing.

Chairman Walter Borisenok asked if there were any questions or concerns of the Board; there were none. Chairman Walter Borisenok read through the Rules of the Board prior to opening the public hearing.

Proof of Notice having been furnished by newspaper on December 7, 2025, Chairman Walter Borisenok opened the Public Hearing at 7:04 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.

A person from a neighboring property, who did not identify himself, asked to see the map; he was fine with what he saw.

Seeing as no one wished to speak, **Chairman Walter Borisenok closed the Public Hearing at 7:05 p.m.**

Chairman Walter Borisenok 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 Patrick Hanehan, to declare SEQR complete and make a Negative Declaration. Chairman Walter Borisenok – aye, Robert McConnell – aye, Patrick Hanehan – aye, Chuck Pafundi – aye, Joseph Lewandowski – aye, George Olsen – aye, Laurie Griffen – absent, Christopher Koval – absent.
Carried 6 – 0

A motion was made by Chairman Walter Borisenok, seconded by Patrick Hanehan, to approve the minor subdivision and the proposed lot-line as presented. Chairman Walter Borisenok – aye, Robert McConnell – aye, Patrick Hanehan – aye, Chuck Pafundi – aye, Joseph Lewandowski – aye, George Olsen – aye, Laurie Griffen – absent, Christopher Koval – absent.
Carried 6 – 0
Granted

Review of Occupancy/Use Change

Shane Lyons #25-12
275 Evans St.
Schuylerville, NY 12871
S/B/L 168.-2-76.12 Rural District
Location: Burgoyne Rd. (between 255 & 273 Co. Rd. 68)

Applicant seeks a review of the Ag Statement for Lot 2B to be changed from ag use purposes to residential, in order to build a single-family dwelling.

Applicant Shane Lyons appeared before the Board and stated he is present tonight because his survey map has an Ag Statement on it saying he needs to appear before the Board if he wants to do anything other than agriculture on his parcel. He said he'd like the Ag Statement removed in order to build a single-family home. He brought out his large survey for the Board to review, and said he has obtained all necessary permits and plans, aside from a building permit. He obtained County permits to improve the existing driveway and to create a new driveway as well. He has been keeping the Town Zoning Officer/Building Inspector in the loop throughout the entire process and asked the Board to consider changing the note from agricultural purposes to residential.

Chairman Walter Borisenok added there are some wetlands and the applicant has obtained a permit from NYSDEC for his buffer line of such to be at 75'. His septic and well meet separations and he is within all required setbacks. He asked if there were any Board questions or comments; there were none.

Chairman Walter Borisenok made a motion, seconded by Patrick Hanehan, to remove the Ag Statement designation from the applicant's survey map and deed. Chairman Walter Borisenok – aye, Robert McConnell – aye, Patrick Hanehan – aye, Chuck Pafundi – aye, Joseph Lewandowski – aye, George Olsen – aye, Laurie Griffen – absent, Christopher Koval – absent.
Carried 6 – 0
Granted

Pre-Submission Conference for Special Use Permit

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

Owner: Phlox Warehouse, LLC

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 and said his company leases office space in the old Garnsey building for their accountant and sales & marketing team. He has 6 full time employees working from computers, coordinating deliveries. He stated their main manufacturing facility is located off exit 18, in the tech park. He has a 25,000 sq. ft. facility there, where they manufacture and process products which are sold to over 350 accounts.

Chairman Walter Borisenok questioned if there are cannabis products on site at the local offices.

Applicant Devin Klender said no sir. The only thing that may end up at the offices are fully packaged orders that may be going out to accounts, as a one-off. Sometimes they'll all meet here to go to an event; there's no manufacturing or processing on site.

Chairman Walter Borisenok questioned if he has retail sales at the offices.

Applicant Devin Klender responded they may have packaged products delivered to them to deliver to wholesalers every now and again, but no retail sales from there. He said they are not licensed for retail sales; they supply the retailers.

Chairman Walter Borisenok stated he'll do a bit of research and will contact the applicant to let him know if he needs to return to the Board. There is an existing multi-use permit in place with the Garnsey property, so he needs to determine if this is necessary. The applicant thanked the Board.

Old Business: none

New Business: After a short discussion, the Board decided there will be no meeting in February 2026, due to the training conference and some members being away for vacations.

A motion was made by Walter Borisenok, seconded by Patrick Hanehan, to adjourn the meeting at 7:18 p.m. Chairman Walter Borisenok – aye, Robert McConnell – aye, Patrick Hanehan – aye, Chuck Pafundi – aye, Joseph Lewandowski – aye, George Olsen – aye, Laurie Griffen – absent, Christopher Koval – absent.

Carried 6 – 0 Meeting Adjourned

The next regular meeting will be held Wednesday, January 28, 2026 at 7:00 p.m. *All submittals must be to the Clerk no later than 8:45 a.m., January 14, 2026, to be on the next agenda.*

Respectfully submitted,

Linda McCabe
Planning Clerk

~Minutes are not verbatim~