

TOWN OF SARATOGA
PLANNING BOARD DRAFT MEETING MINUTES*
June 18, 2025

Chairman Walter Borisenok called the meeting to order at 7:01 p.m.

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

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

Also attending: Zoning Officer/Building Inspector Gil Albert, John Haynes, Robert & Victoria Paterson and Brandon Ferguson. (Sign in sheet is on record in the Clerk's office)

Minute approval: **Motion made by Chairman Walter Borisenok, seconded by Christopher Koval, to accept the May 28, 2025 meeting minutes as written.** Chairman Walter Borisenok – aye, Patrick Hanehan– aye, George Olsen – aye, Christopher Koval - aye, Robert McConnell – aye, Chuck Pafundi – aye, Joseph Lewandowski – absent, Laurie Griffen – absent.

Carried 6 – 0

PUD Review 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
Location: 433 Co. Rd. 68

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

Returning 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 homes and cottages. 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, Environmental Design Partnership, LLC. and Jon Haynes, architect with Phinney Design Group, appeared before the Board on behalf of the applicants. Brandon Ferguson stated he is hoping all Board members have now visited the site, as a few Board members were on site today that were unable to attend the walk-through a few weeks ago. He then reviewed concerns the Board discussed with them at the last meeting:

Access off Burke Rd. – at the last meeting he spoke on why coming off Co. Rd. 68 wouldn't work due to the sight distance in the dip. Looking at Burke Rd., instead of using that driveway that also accesses the neighbor, they slid the site access driveway down to where the access is to the existing house. Sliding it down the hill gives better sight distance and also gives the neighbor their own private access; they'll work with the neighbor on the easement for that.

Lighting plan – In the recently submittal packets the lighting plan, along with planting plans, details on setbacks, detailed grading of the site, updated adjusted parking plan which shows paved parking around the building with additional spaces down along driveway area – 51 paved

Parking spaces on the site and 39 grass overflow spaces if needed, as well as a couple parking spaces per house/cottage. Overall about 100 parking spaces.

A letter from NYS DEC was also provided, confirming they don't have jurisdiction over onsite wetlands. There are Army Corp wetlands only onsite and one small narrow crossing of those wetlands and that's it.

Chairman Walter Borisenok questioned if they need approval from Army Corp. to cross that area or just notify them.

Brandon Ferguson replied yes, they'll need their approval for a permit to allow that driveway access there and they'll work on obtaining that permit. So based on their internal review of the wetlands with their specialist, that one area is the best location and Army Corp will want that. He then handed out sections of the site map that he forgot to enclose in the packets to the Board. He then reviewed those areas with the Board.

Chairman Walter Borisenok said in the submitted narrative, it says that Co. Rd 68 will be secondary, how will you manage that?

Brandon Ferguson responded yes, it'll be used to access existing house and the proposed house/cottage down there.

Chairman Walter Borisenok said it does say to the venue in here.

Brandon Ferguson stated they have a little emergency connection there that they can, with signage or a little gate, manage that. That would be for going to the house or if needed, they can open that up so you can get out that way, but it would be closed off for those attending an event. With a gate, it could be opened for emergencies.

Town Engineer Ken Martin questioned will there be a gate on it?

Brandon Ferguson said yes, there could be a gate on it if you like, that's reasonable.

Chairman Walter Borisenok concerning elevation; the site's up on the hill and looks over a valley, road, whatever the case may be, so the outdoor venue will be on the downhill side of the property, correct?

Brandon responded yes.

Chairman Walter Borisenok questioned if they're digging into the hill and building the outdoor venue on the downhill side and then digging up into the hill?

Brandon Ferguson responded yes, on the downhill side you drop down off the back of the building to patio area and stage and then it goes back up to top of berm and there'll be step seating, looking down into the stage area.

Chairman Walter Borisenok questioned that basically the building has basement, first floor, second floor?

Brandon Ferguson responded a bit of balcony around the second floor; officially it's a two-story building with storage and entrance in the side wing, the only access to that will be on the downhill side below patio area, stepped down from there.

Discussion continued concerning hours of operation, etcetera. Chairman Walter Borisenok and Board members said they need to do their due diligence for the Town by having a sound study completed, as this venue sits atop the hill. Sound travels, especially at night, so the Board requires sound tests to see how loud and how far it will travel.

Zoning Officer Gil Albert agreed and said he'll see if he can get access to the hill across the road and get the sound meter there while they produce the sounds as loud as they can. He'll also test the patio area, berm area, etcetera, as the Town needs to see what the levels will be prior to determining how late into the night they can have events.

Town Engineer Ken Martin stated he'd like to see the perc and deep pit results up above the music venue part; he doesn't expect to see any difference but needs the results.

Brandon responded okay.

Town Engineer Ken Martin said it looked like their perc tests were for wastewater and Brandon said yes. Town Engineer Ken Martin then said his worry is if they didn't use it for their control, he would like to see the results.

Brandon Ferguson responded he'll get the results to him.

Chairman Walter Borisenok stated he, Town Engineer Ken Martin, as well as all Board members, will review all the submitted information and will follow up with questions and/or further information needed as soon as possible, in hopes that Brandon Ferguson will have enough time to provide his feedback prior to the July meeting. In the meantime, he requested that they please coordinate the sound testing with Zoning Officer Gil Albert, Engineer Ken Martin and himself so those results will be completed prior to the July meeting as well. If all comes back completed and with positive results, the Planning Board will send this on to the Town Board, with a positive recommendation. The Town Board will take it from there to complete the Planned Unit Development process.

Old Business: none

New Business: none

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

Carried 6 – 0

Meeting Adjourned

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

Respectfully submitted,

Linda McCabe
Planning Clerk