

TOWN OF THERESA PLANNING BOARD  
Public Hearing and Regular Meeting  
March 5, 2015

Members present: Rick Nuijens, Al O'Driscoll, Bill Mattingly, Ed Robertson, Tom Hood

Guests present: Joe Wheeler, Reuben Martin, Shawna Kavanaugh, Ed Law, James A. Burrows, Attorney at Law; Slye & Burrows, Terry McKeever, Town of Theresa Code Enforcement Officer

A motion was made by Bill Mattingly and seconded by Tom Hood to accept Minutes from the February 5, 2015 meeting, with all members present voting in favor thereof.

Public Hearings

1. A public hearing was opened at 7:22pm for two lot line adjustments to the property owned by **Reuben Martin**, of tax map parcel no. 's 34.00-2-17.2, 17.3 and 17.322 located on Elm Ridge Road in the Town of Theresa. Reuben Martin appeared for, and no one appeared against. The public hearing was closed at 7:25pm. A motion was made by Tom Hood and seconded by Bill Mattingly to approve the lot line adjustments. All members present voted unanimously in favor thereof.
2. A public hearing was opened at 7:27pm for the minor subdivision of property owned by **Joe Wheeler** of tax map parcel no. 45.09-1-27 located on County Route 18 in the Town of Theresa. The public hearing was closed at 7:29pm. A motion was made by Al O'Driscoll and seconded by Ed Robertson to approve the subdivision. All members present voted unanimously in favor thereof.

New Business:

No new business

Old Business:

On the evening of 4 March the Planning Board Chairman was contacted via email by Robert Busler; LaFave, White, and McGivern, LS PC on behalf of Shawna Kavanaugh, of tax map parcel no. 23.13-1-24 located on NYS Route 37 in the Town of Theresa. Mr. Busler asked if it was possible for the Chairman to re-sign the subdivision maps for parcel 23.13-1-24. Mr Busler explained that the maps had not been submitted to the county in the 60 day time limit due to nonpayment of back taxes and that the new map and taxes would both go to the county upon closing of the sale of the restaurant on 6 March. The Chairman agreed and asked if it was possible for Ms. Kavanaugh to be present at the meeting to ensure she and Terry McKeever; the Town of Theresa Code Enforcement Officer were both of the same understanding of what was required of Ms. Kavanaugh to reopen the gas station and/or the store. Mr Busler contacted Ms. Kavanaugh and she agreed. Ms. Kavanaugh was accompanied by her attorney who went through the requirements with Mr McKeever. All present were given the opportunity to ask questions, none were. It is the planning boards understanding that both Ms. Kavanaugh and Mr. McKeever agreed to what the requirements are in order to reopen either gas station or the store. The issues to be resolved will include but are not limited to the following: -new leach field required with septic inspection -fuel tanks and pumps must meet New York State Fire Code to include relocation if required.

Other:

Chairman Rick Nuijens made a motion to adjourn the March 5, 2015 meeting, which was seconded by Al O'Driscoll with all members present voting in favor thereof. The meeting was adjourned at 8:15pm.

The next Theresa Planning Board meeting will be at 7pm on April 2, 2015, at the Town of Theresa Office.

Respectfully submitted,  
Rick Nuijens, Chairman, Theresa Planning Board