

TOWN OF THERESA PLANNING BOARD
Public Hearing and Regular Meeting
February 24, 2022 (6:00pm)

Members present: Daren Morgan, Rick Nuijens, John O’Driscoll, Christian Oblender, Joe Wheeler and Nancianne Cutler Feist

Members absent:

Guests present: Robert Busler, Brandon Fults

Meeting called to order by Chairman Morgan at 6:00 pm followed by the Pledge of Allegiance.

Public Hearings:

1. **Gascon** – Regarding a minor subdivision of approximately 1.5 acres from Tax parcel no. 15.07-1-2. Nuijens motioned to approve the application, seconded by Wheeler with all members present voting in favor thereof.
2. **Fults** – Regarding a lot line adjustment of Tax Parcel no. 15.00-1-67.1 and 15.00-1-67.4. There is no need. Members agree to accept the application with John O’Driscoll motioning and Wheeler seconds. All members present voting in favor thereof. Wheeler motions to approve the application with Nuijens second, all members voting in favor thereof.

New Business:

Members discuss area variances and subdivisions, a guide to planning/town and zoning laws, presented by Rob Busler – The board of appeals shall, in the granting of both us variances and area variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning ordinance or local law and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

Subdivision regulates design and improvements. It cannot be used to establish minimum lot sizes; dimension requirements or control uses on the property. Those things are the functions of zoning. Subdivision review cannot be used to regulate the style or design of buildings – that is a function of site plan review. Finally, subdivision review is not a substitute for health department review of sewer and water services.

Old Business: None

Motion to adjourn by O’Driscoll, which was seconded by Joe Wheeler with all members present voting in favor thereof. The meeting was adjourned at 6:38pm.

The next Theresa Planning Board meeting will be on Thursday, **24 March 2022 at 6:00pm** at the Town of Theresa Office. No public hearings scheduled at this time.

Respectfully submitted,

Nancianne Cutler Feist
Secretary, Theresa Planning Board