

MULTIPLE DWELLING CODE COMMITTEE

Elma Town Hall

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

MINUTES OF MEETING - February 20, 2013

The first meeting of the Town of Elma Multiple Dwelling Code Committee, hereinafter referred to as the MDCC, was held on Wednesday, February 20, 2013 at 7:05 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

PRESENT:

James Malczewski, Town Board, Chairman MDCC
Tracy Petrocy, Town Board, Vice Chairman MDCC
Diane Rohl, Secretary EPB, Secretary MDCC
Joseph Colern, Building Inspector
Phyllis Todoro, Town Attorney
Thomas Reid, EPB Chairman
Michael Cirocco, EPB Member
Robert Schafer, ZBA Member
Raymond Boy, ECB Member
Joshua Blair, Community Representative
Jeffrey Breidenstein, Community Representative

ABSENT:

Michael Nolan, Town Board, Alternate MDCC

I STATEMENT OF PURPOSE

Chairman Malczewski called the meeting to order at 7:05 PM. He stated that it is his goal to preserve the rural character and protect the integrity of the our Town; that it is important to continue to update the *Elma Regional Comprehensive Plan*. He said that a lot of things in the Codes were left up to interpretation; that definitions needed to be clearer and more well defined; and that it was now appropriate to act to address present and future growth and development. He referred to *Local Law No. 1-2013* which imposes a twelve month moratorium on construction of two or more unit multifamily dwellings/projects and impanels a committee "to investigate, develop and report its recommendations".

II INTRODUCTION BY COMMITTEE MEMBERS

Each of the members introduced themselves, stated their home addresses and when they moved to Elma and whether they owned any land in the Town in addition to their residence. Chairman Malczewski then announced that subsequent meetings would be on the 4th Wednesday of each month and would last approximately 1 1/2 hours. He requested that all cell phones be turned off and that members could use email to communicate in-between meetings. He said the public was welcome to attend, that they reserve their questions or comments until the end of the meeting. He also said that the agendas and minutes would be posted on the Town Web Site (www.elmanewyork.com).

Secretary Diane Rohl briefly reviewed what materials were in the members' individual folders, the procedure for meeting notification and the distribution of Agendas, Minutes, etc. Included in the folders was a MDCC Membership List with email addresses and a Meeting Schedule for 2013.

III LOCAL LAW NO. 1-2013

Chairman Malczewski, who proposed the Moratorium after the Public Hearing held by the Town Board on January 23, 2013, referred to the heavy attendance by community residents who objected to large scale development and who supported the passage of the this Law.

IV TOWN OF ELMA ZONING MAP (Adopted 10/1/08)

V TOWN OF ELMA MULTI-FAMILY CODE

VI TOWN OF ELMA CODES: RES A,B,C & COMM C-1, C-2, C-3

The Zoning Map was examined, noting that the largest portion of the Town is Zoned as Residential C. Joseph Colern, Building Inspector, commented that probably the biggest job will be determining where on the zoning map, multiple dwellings should be located. It was suggested that the MDCC look at the larger parcels on the map to try to determine what are most likely to be developed. Several others noted the affect that dense population may have on the our fire departments, schools, the need for more sewer districts and traffic patterns. Jeffrey Breidenstein, real estate appraiser, said that property values of surrounding homes adjacent to multi-family dwellings would be affected negatively. Presently Elma has five sewer districts. Currently Springbrook Shores sewage treatment plant is being maintained by the Town but will not be taken over until two years after all lots are developed.

In a cursory overview of the Multi-Family Code and the Residential Codes, it was pointed out that there were inconsistencies between codes leaving some open to interpretation (i.e. Residential C vs. Multi-Family vs. residential on upper floors of commercial buildings); that definitions were insufficient or lacking.

Chairman Malczewski referred to an email received 2/20 at 2:19 PM from Drew Reilly of Wendel, environmental consultants. He suggested what steps to take, the importance of reviewing and revising the Elma Regional Comprehensive Plan (RCP) , working with the Town Board and seeking the community input, and provided an outline of the adoption process. A copy of the RCP will also be provided to MDCC members in March. Chairman Malczewski said he would like to review the email at the March meeting and has asked Mr. Reilly to be present on April 24th to work with the MDCC. Tim Walczyk, Town Sanitation Engineer, has been invited to the March 27th meeting.

IX MEETING ADJOURNED AT 8:10 PM.

Respectfully submitted,
Diane Rohl, Secy MDCC

