

MULTIPLE DWELLING CODE COMMITTEE

Elma Town Hall

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

MINUTES OF MEETING - April 24, 2013

The first meeting of the Town of Elma Multiple Dwelling Code Committee, hereinafter referred to as the MDCC, was held on Wednesday, April 24, 2013 at 7:00 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

PRESENT:

James Malczewski, Town Board, Chairman MDCC

Diane Rohl, Secretary EPB, Secretary MDCC

Joseph Colern, Building Inspector

Phyllis Todoro, Town Attorney

Thomas Reid, EPB Chairman

Robert Schafer, ZBA Member

Raymond Boy, ECB Member

Joshua Blair, Community Representative

Jeffrey Breidenstein, Community Representative

ABSENT:

Michael Cirocco, EPB Member

Michael Nolan, Town Board, Alternate MDCC

Tracy Petrocy, Town Board, Vice Chairman MDCC

I Approve Draft of Minutes: March 27, 2013

Motion made by Joseph Colern, Building Inspector and second by Raymond Boy, ECB to approve the Minutes of March 27, 2013.

Ayes: 8. Nays: 0. Motion carried.

II Guest Speaker - Andrew Reilly, Environmental Consultant

Mr. Reilly, Environmental Consultant with Wendel submitted an agenda of his presentation with attachments. (Included with the

official Minutes.) Also included were the Town of Elma Vision Map from the RCP 2003 and the Zoning Map adopted October 1, 2008. He included the survey sent out to residents to determine public sentiment as the RCP was being developed. This included a detailed breakdown of responses, some of which were on *Community Services, Land Use Policies, Residential Growth, Environment, Family Parks & Recreation and Regional Data*. Listed were the various criteria in the RCP determined to be important. Section 5.0 from the RCP listed the *Findings & Recommendations*. Another page listed Wendell's observations on the RCP as it relates to housing and multiple dwelling issues.

Current residential and commercial zoning districts and uses allowed according to the Town of Elma Building Code zones were summarized. Mr. Reilly included a document developed through the Code Review Committee prior to the adoption by the Town Board of the new Town Map and Commercial Code revisions.

Page -2- MDCC (4/24/13)

Some of the more important points of Mr. Reilly's presentation were:

- NYS Department of Health and role regarding septic and sewers.
- Conflict (or absence) of language in the current Elma Codes.
- Importance of using definitions in the Code.
- Affects on real estate values and importance of correct re-zoning.
- Observation that 70% of the land in Elma is zoned Residential C.
- RCP can be amended with "logic and reasoning".

Regarding the development of a Multiple Dwelling Code, he reviewed options:

1. Clear definitions.
2. Could pick just one district and identify on map. Need to amend the RCP.
3. Have several zoning districts.
4. Allow by SUP (Special Use Permit)
5. Create an Overlay District for multiple dwellings.

6. Can create zoning districts but not apply on Map. (meet criteria & rezone)
7. Define "Multiple Family". (i.e. Quad; owner occupied; etc.)
8. Incentivize: Larger density; easier process;
9. Cannot zone based upon public opinion but what Town's goals are.
10. Sewers are typically required. NYS is not providing funds any more.
11. Sewer Districts should be identified on the Town Map.
12. RCP is outdated and needs to be revised. MDCC final report and recommendations for change to RCP will be the basis for the Town Board.
13. Revisions will require public hearing by the Town Board.

III Guest Speaker - Tim Walczyk, Sanitary Engineer, Town of Elma

Mr. Walczyk identified the five sewer districts in Elma:

SD #1 - 1950s - Jerge Drive inclusive; upgraded 1990. - 35 homes

SD #2 - Alton's (pass through with Town of West Seneca)

SD #4 - Briggswood - 57 homes

SD #5 - 1970s - Elma Meadows - 149 homes

SD #7 - 1990 - Pond Brook; upgraded 2012; Sylvia's Place 2013*.

*A sewer extension requires approval from DEC, ECHD and the Town. These are covered in Town Code Article V, Section 115-28. Mr. Walczyk compared septic systems and sewers, saying that a tie-in with the Town of West Seneca is now extremely expensive and could be as much as \$1 million dollars. He said the septic system at the Professional Commons (Transit/Bullis Roads) cost about \$135,000.

He outlined his concerns regarding multi-family and sewer vs. septic:

- How the sewers are to be tied in.
- The engineering costs involved in sewer design.
- Possible to do a septic system with proper maintenance.
- Need enough land: useable area per unit.

IV General Discussion

Questions and answers during presentations by guest speakers.

Page -3- MDCC (4/24/13)

V FYI (included in Agenda materials)

Regional Comprehensive Plan (RCP) 2003 -

References to Elma Sections. Sent by email on 4/4/13 by Secretary Rohl and included in Agenda materials.

VI Topics for April 24th Meeting

A. Review of Multiple Dwelling Codes (holdover from 4/24 meeting)

B. Chairman Malczewski requested that prior to the May meeting, everyone study the Town Map and determine where they think multiple housing would be appropriate.

VII MEETING ADJOURNED AT 8:50 PM.

Respectfully submitted,

Diane Rohl, Sec'y MDCC