

MULTIPLE DWELLING CODE COMMITTEE

Elma Town Hall

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

MINUTES OF MEETING - June 26, 2013

The meeting of the Town of Elma Multiple Dwelling Code Committee, hereinafter referred to as the MDCC, was held on Wednesday, June 26, 2013 at 7:00 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

PRESENT:

James Malczewski, Town Board, Chairman MDCC (arrived 7:20 PM)

Tracy Petrocy, Town Board, Vice Chairman MDCC

Diane Rohl, Secretary EPB, Secretary MDCC

Phyllis Todoro, Town Attorney

Robert Schafer, ZBA Member

Raymond Boy, ECB Member

Joshua Blair, Community Representative

Jeffrey Breidenstein, Community Representative

ABSENT:

Michael Cirocco, EPB Member

Thomas Reid, EPB Chairman

Joseph Colern, Building Inspector

Michael Nolan, Town Board, Alternate MDCC

1 Approve Draft of Minutes: May 22, 2013

Motion made by Phyllis Todoro and second by Jeffrey Breidenstein to approve the Minutes of May 22, 2013.

Ayes: 8. Nays: 0. Motion carried.

II Review List of Highlights of Previous Meetings

The following was a recap of previous meetings and reviewed by the members to provide direction as to the next step:

February 20, 2013

STATEMENT OF PURPOSE

LOCAL LAW NO. 1-2013 - MORATORIUM ON 2 OR MORE
MULTI-FAMILY

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

TOWN OF ELMA MULTI-FAMILY CODE

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

Page -2- MDCC (6/26/13)

March 27, 2013

RICHARD HENRY, ENGINEER, CLARK, PATTERSON & LEE

Sewer vs. septic systems; operation of sewer plants.

JAMES WYZYKIEWICZ, ENGINEER, TOWN OF ELMA

Drainage, NYS Realty Law enforced by ECHD.

TOWN OF LANCASTER: Zoning Map, Multifamily Code, Fee
Schedule

TOWN ORCHARD PARK: Zoning Map, Multifamily Code, Fee
Schedule

TOWN OF ELMA: Zoning Map, Multifamily Code, Fee Schedule

REGIONAL COMPREHENSIVE PLAN - ELMA

April 24, 2013

ANDREW REILLY, ENVIRONMENTAL CONSULTANT, WENDEL
INC.

Review RCP & Maps; Elma Res/Comm Codes; Types of MD
Zoning.

TIM WALCZAK, SANITARY ENGINEER, TOWN OF ELMA

History of Elma Sewer Districts; sewer plant operations.

REGIONAL COMPREHENSIVE PLAN (RCP) 2003

Specific references to Elma Sections.

May 22, 2013

JAMES CAFFERTY, HUNT REAL ESTATE

Deed Restriction Issues.

THOMAS DEARING, EC ENV & PLANNING ; EC HOME
CONSORTIUM

*Affordable & Equal Housing Rights, EC policy on urban
sprawl.*

UPDATE ON TOWN OF ELMA WEB SITE

Overview includes Town Codes, Agendas/Minutes, events.

III Poll - Where do you stand on the Multiple Dwellings in Elma?

*Chairman Malczewski requested that this item be tabled until
the July meeting due to four regular members being absent. Everyone
present agreed.*

IV Review/Revise Wendel Suggestions for Process

*An outline from 2/20/13 email from Drew Reilly was also
reviewed. The major points of the process he suggested were:*

- *Providing updates to the Town Board.*
- *Establish purpose and gather baseline information.*
- *Review the RCP (Regional Comprehensive Plan).*
- *Determine if there should be public outreach by the Town Board.*
- *Devise an overall strategy.*
- *Determine if there should be changes to the RCP?*
- *Propose specific recommendations to the Town Board.*
- *Town Board begins the adoption process.*

V Determine Next Step

There were a number of questions raised regarding language in the Town Code. It was felt that Joseph Colern, Building Inspector (absent) could provide clarification at the next meeting. Some of issues were:

- What is the "four-split" rule? When does it apply?
- Clarify One multiple family dwelling for each lot.
- Section 2D vs. Section 6B:

Fischione

Miller

Hesse

Baker

Koch

Bullis Road (Young)

Clinton/Girdle (Dinato)

Chairman Malczewski said flag lots benefit the Town by allowing everything to get built without adding new infrastructure. Erie County has adopted policies regarding prevention of urban sprawl and not adding new roads. Mr. Malczewski also reviewed the latest request for historical preservation - the creation of historical districts vs. identification of individual homes. He said that the Town Board is not in favor of historical districts.

Chairman Malczewski suggested that the MDCC request permission of the Town Board to continue for another six months even though, the current moratorium is for one year with six month extensions allowed by the Town Board. (The MDCC has met for six months inclusive of the July meeting.)

Ayes: 7. Nays: 0. Carried.

VI MEETING ADJOURNED BY UNANIMOUS CONSENT AT 8:25 PM.

Respectfully submitted,

Diane Rohl, Sec'y MDCC