

MULTIPLE DWELLING CODE COMMITTEE

Elma Town Hall

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

MINUTES OF MEETING - August 28, 2013

The meeting of the Town of Elma Multiple Dwelling Code Committee, hereinafter referred to as the MDCC, was held on Wednesday, August 28, 2013 at 7:00 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
Phyllis Todoro, Town Attorney
Robert Schafer, ZBA Member
Raymond Boy, ECB Member
Jeffrey Breidenstein, Community Representative

ABSENT:

Joseph Colern, Building Inspector
Michael Cirocco, EPB Member
Thomas Reid, EPB Chairman
Joshua Blair, Community Representative
Michael Nolan, Town Board, Alternate MDCC

I Approve Draft of Minutes: July 24, 2013

Motion made by Jeffrey Breidenstein and second by Robert Schafer to approve the Minutes of June 26, 2013.

Ayes: 8. Nays: 0. Motion carried.

II Wendel Input (8/20/13) - Andrew Reilly

Prior to Mr. Reilly's attendance at 7:45, there was discussion amongst the MDCC Members regarding the process for developing the new codes. Everyone seemed to agree that should there be any differences of opinion on issues, the majority should rule. Mr. Petrocy said it was time to put something down on paper and Chairman Malczewski added that Building Inspector Colern will play an important role since he has had so much experience in working with the Codes. Mr. Schafer commented that he had talked to people in other towns and Multiple Housing "is considered a business".

Mr. Reilly arrived and began a review of his suggestions on the process to be followed by the MDCC from development to final adoption by the Town Board.

This one-page outline, listing eight various steps, had previously been distributed to the MDCC via email. This will be attached to the official MDCC Minutes.

Mr. Reilly made the following suggestions:

1. Zoning Code revisions.
2. Start with Zoning Map and identify. How allowed? Re-zone? Overlay?
3. Determine if revisions are in accord with RCP. (protect against litigation.)
4. Change a number of definitions. (language lacking or in conflict with other.)
5. Decide overall direction and see if Town Board is in agreement.
6. Affordable Housing: Have to show affordability. (i.e. duplexes)
7. Locations: stronger language and process = SUP; re-zoning.
8. Examine DEC regs on sewers; large septic systems.
9. Costs of adding treatment plants? Maintenance? Borrowing costs?
10. Offer Incentive Housing? Senior Citizens; Disadvantaged;
11. Be in accord with EC Regional Framework Plan.

A general survey of the Members identifying location of Multi-Family Dwellings indicated opposition to multi-family in any residential district and not allowed or limited in commercial districts.

VI MEETING ADJOURNED

Motion made by Raymond Boy and second by Robert Schafer to adjourn at 9:10. Unanimous.

Respectfully submitted,

Diane Rohl,
Sec'y MDCC

Town of Elma
Wendel Input – MDCC
August 20, 2013

Based upon my review of the meeting minutes from your last meetings and my attendance at your April meeting, I would offer the following advice on where to proceed from here:

1. The results of your collection of information, data and input should be summarized in a small report. This will help with the Committee's decision making process and will provide the supporting documentation needed for the recommendations you will eventually make.
2. Based on this "report" and the Committees input, an overall strategy / recommendation path should be made. This strategy / recommendation path can be modified as you proceed and build your final recommendation (the report can also be tweaked and built upon as you move forward).
3. With the overall strategy / recommendation path in place, the Committee can begin to develop the specific code and potential Comprehensive Plan revisions.
4. It appears that these code revisions could include such things as follows:
 - a) Improved and new definitions for residential building units (multi-family, 2 unit buildings/duplexes, etc.), and other definitions in the Code.
 - b) Potential revisions to each of the "Permitted and prohibited uses", in each of the residential districts.
 - c) It appears that the Commercial Districts may not change, but they may need tweaking to match new definitions and objectives.
 - d) It appears that Article XVI (Multiple Dwellings) would need a major overhaul or completely eliminated. If eliminated, it may be replaced with a new Multiple Dwellings article or a new Overlay District. This new article or overlay would set the allowed areas for these types of uses, procedural requirements, design considerations, etc.
 - e) A search of the code would need to be done to ensure that the above changes do not result in any conflicts with other sections of the Town Code.
5. Depending on the chosen strategy / recommendation path, it may also be necessary to recommend revisions / clarifications to the RCP.
6. While completing the "report", code revisions and RCP updates; each product will help to create the other document. In the end, the report and RCP must support the changes to the zoning of the Town.
7. The Committee will submit the report (its documentation of your decision), the proposed zoning revisions, and the potential Comprehensive Plan Update to the Town Board for their consideration.
8. The Town Board will complete the required adoption process.