

# MULTIPLE DWELLING CODE COMMITTEE

Elma Town Hall

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

## MINUTES OF MEETING - October 30, 2013

The meeting of the Town of Elma Multiple Dwelling Code Committee, hereinafter referred to as the MDCC, was held on Wednesday, October 30, 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  
Thomas Reid, EPB Chairman  
Robert Schafer, ZBA Member  
Phyllis Todoro, Town Attorney  
Joshua Blair, Community Representative  
Jeffrey Breidenstein, Community Representative

### ABSENT:

Diane Rohl, Secretary EPB, Secretary MDCC  
Michael Cirocco, EPB Member  
Raymond Boy, ECB Member  
Joseph Colern, Building Inspector (emergency)  
Michael Nolan, Town Board, Alternate MDCC

### 1 Approve Draft of Minutes. September 25, 2013

Motion made by Joshua Blair and second by Robert Schafer to approve the Minutes of September 25, 2013.

Ayes: 7. Nays: 0. Motion carried.

## II Wendel, Drew Reilly - Reports

Based upon the 9/25/13 Minutes and input from Chairman Malczewski, Mr. Reilly summarized in a one page outline, the three major areas discussed. MDCC Results:

1. Multi-Family allowed only in C-3 and only on Transit Road.
2. Duplexes allowed only in C-2 Zones.
3. Residential above Commercial allowed only in C-2 and C-3 Zones.

The Report Outline detailed the following:

- I. Introduction/Background
- II. Summary of Results
- III. Conclusions/Recommendations
- IV. Process to Complete

Page -2- MDCC (10/30/13)

The MDCC and Mr. Reilly reviewed the 11-page Multiple Dwelling Code Committee - Recommendations Report draft that he provided. Mr. Reilly stressed the importance of ensuring that recommendations were in concert with the RCP (Regional Comprehensive Plan). Fee structures were discussed. Mr. Reilly recommended not using an Overlay for multiple dwellings in C-3 but rather updating that section of the Town Code as well as other miscellaneous Code revisions as necessary.

Mr. Reilly agreed to do the following in preparation for the 11/20 meeting:

1. Finish writing the zoning code revisions - update with no overlay.
2. Revise the draft as comments are received via email from the MDCC.
3. Provide sample definitions to the Building Inspector.
4. Produce revised draft for 11/20 MDCC meeting.
5. Outline process for final adoption including:

- MDCC recommendation to Town Board for review.
- Zoning Code amendments requiring public hearing, Type I SEQR, lead agency and decision, County referral and local law adoption.

Following the adoption of the local laws, the Moratorium may be lifted by the Town Board.

### III Change in October Meeting

Chairman Malczewski announced that due to a conflict, it will be necessary to change the MDCC November meeting from 11/13 to 11/20 - 8:00 PM - following the Town Board Meeting.

### IV ADJOURN

Meeting adjourned at 8:35 PM by unanimous consent.

Respectfully submitted,

Diane Rohl,  
MDCC Secretary

Note: Proceedings recorded at Meeting by Jeffrey Breidenstein.