

# MULTIPLE DWELLING CODE COMMITTEE

Elma Town Hall

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

## MINUTES OF MEETING - November 20, 2013

The meeting of the Town of Elma Multiple Dwelling Code Committee, hereinafter referred to as the MDCC, was held on Wednesday, November 20, 2013 at 8:00 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  
Raymond Boy, ECB Member  
Joseph Colern, Building Inspector  
Phyllis Todoro, Town Attorney  
Joshua Blair, Community Representative  
Jeffrey Breidenstein, Community Representative  
Diane Rohl, Secretary EPB, Secretary MDCC

### ABSENT:

Michael Cirocco, EPB Member  
Michael Nolan, Town Board, Alternate MDCC

#### I Approve Draft of Minutes. October 30, 2013

Motion made by Tracy Petrocy and second by Jeffrey Breidenstein to approve the Minutes of October 30, 2013.

Ayes: 9. Nays: 0. Motion carried.

#### II Todd Huber, Building Solutions Inc.

Mr. Huber requested to speak to the MDCC. He stated that he has made a substantial investment along Seneca Street to make Springbrook a

better community. He desires to re-invest and feels that affordable alternatives for a developer are doubles, duplexes or condominiums "to provide a revenue stream in this corridor". (Currently the C-1 Commercial Code on Seneca Street from Old Pound Road to Rice Road limits the size of commercial properties to 3,000 square feet.) Thomas Reid said that the rationale by the Code Review Committee was for small commercial development but "this did not happen". He said that because there are no sewers, multiple family dwellings are limited. He also said that "duplexes look like duplexes but that they could look otherwise". He also suggested different parking and garages be provided.

Mr. Huber commented that one of his goals is to provide "a place for our children to live" in Elma when they cannot afford to buy a house.

Page -2- MDCC (11/20/13)

### III Proposed Draft of Recommendations (Drew Reilly)

The MDCC reviewed the third draft of MDCC Recommendations Report November 2013 as provided by Drew Reilly, Wendel. He had prepared two other drafts and via email, had sought comments and recommendations from all MDCC members. Included in the report, intended eventually for submittal to the Town Board, was a historical background; the Elma RCP and other relevant documents and policies at the local and County levels; definitions and appropriate locations for multiple family dwellings including zoning; and appendices with MDCC Minutes, etc.

Mr. Colern questioned whether this Committee should be dealing with the issue of duplexes. He said that in the past twelve years there have been 3,586 building permits, 21 of which were for duplexes.

Chairman Malczewski said that the primary focus is multiple dwellings although this Board is looking at what is best for the Town in making recommendations to the Town Board. Mr. Huber questioned where the MDCC would propose multiple family dwellings taking into account traffic patterns, infringement on residential homes, and

topographical issues. He suggested either Seneca Street and Jamison Road with its access to the 400 Expressway.

Chairman Malczewski asked of each MDCC member whether they felt the Committee should deal with duplexes at this time since this was not their original charge under the Moratorium adopted by the Town Board on January 23, 2013. Amidst a variety of preferences, the Chairman commented that the biggest problems is mixing residential and commercial uses, citing most recently Balducci Construction and Seasonal Landscaping. It was decided to invite Mr. Reilly to the December 18th meeting, requesting that he remove everything from the definitions referring to two family dwellings (duplexes), amend the definitions, submit a fee schedule and make suggestions regarding design standards, originally adopted by the Town Board for commercial properties upon the recommendation of the Design Guidelines Committee.

#### IV Set Meeting Date/Time for December

The MDCC modified the meeting schedule, deciding to meet on December 18th at 8:00 PM following the Town Board meeting.

#### V Adjourn

Meeting adjourned by unanimous consent at 9:45 PM.

Respectfully, submitted,

Diane Rohl, MDCC Secretary