

# MULTIPLE DWELLING CODE COMMITTEE

*Elma Town Hall*

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

## MINUTES OF MEETING - January 22, 2014

The meeting of the Town of Elma Multiple Dwelling Code Committee, hereinafter referred to as the MDCC, was held on Wednesday, January 22, 2014 at 8:09 PM, immediately following the Town Board Meeting, 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  
Michael Cirocco, EPB Member  
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 Nolan, Town Board, Alternate MDCC

### 1 Approve Draft of Minutes: December 18, 2013

Motion made by Thomas Reid and second by Raymond Boy to approve the Minutes of December 18, 2013.

Ayes: 11. Nays: 0. Motion carried.

## II Re-examination of Issues - Multiple Dwellings

### A. Definition:

Proposed definition of Multiple Dwellings(12/18/13) "Three or more dwelling units on a parcel regardless of ownership or leasehold."

### B. Concerns/Affects:

Chairman Malczewski opened the meeting, indicating we should continue with the process from the December meeting. Comments regarding the concerns or perceived affects of having multiple dwellings in the Town of Elma were:

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##### Concerns/Affects (cont'd):

- May damage the rural character of the Town.
- Probably no impact on school system.
- Negative effect of MF on property taxes.
- Future impact due to ECIDA granting tax exemptions to developers.
- Increased load for the Fire Department(s).
- Problems due to the lack of volunteer firemen.
- Increased response time for Fire Departments.
- Increased cost if need to call other services (i.e. Rural Metro).
- Type of people MF dwellings could attract - not well maintained.
- Building may become vacant if tenants not paying rent.
- Perceptions that Elma was "safe" because of codes, no sewers, etc.
- If buying for investment, will the owner be putting money into it or not.
- Differences when individuals are paying rent vs. subsidized rentals.
- Effect on Springbrook if Seneca St changed from C-1(3,000) C-2 (7,000).

- Building Design - does it fit into the character of the surrounding area?
- MF more likely to deteriorate over a period of time.
- Should be treated like a business - even if owner occupied.
- Design & Performance Guidelines should apply - commercial or residential.
- Should go through EPB review & approval process - just as any business.
- Septic systems vs. sewer plants - positives & negatives.
- Costs of tying into existing sewer system vs. new septic systems.

#### C. Benefits to Town

- Would MF be an improvement on Seneca Street?
- No benefit if more Town services are required.
- Decline in school enrollment doesn't necessarily mean lower taxes.
- Increase in school enrollment could mean more services required.
- A need for more affordable housing?(duplexes currently \$1200-\$1500/mo)
- What does "Affordable Housing" mean in Elma - legally & realistically?
- Could MF have a positive impact on growth in the Elma Plaza?

#### D. Location of MF

- On Transit Road from Seneca St north to Elma Town Line?
- On Transit Road south to Kingsley Road?
- On Maple Road from Jamison Road to West Blood Road? Too dense?
- On Transit Road only is too restrictive.
- In certain areas on Seneca Street? to Rice Road? to Jamison? to EA?
- Potential for rows of apartment complexes on Seneca Street.
- On Bowen Road from Clinton Street north to Lancaster Town Line?

- On north side of Clinton Street up to St. Gabriel's Catholic Church?

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Location of MF (cont'd)

- Use of a MF Overlay in Zoning Code?
- MF should not directly impact the residential area.
- MF is readily available in other towns. Do we need it in Elma?

Mr. Cirocco believes that Elma won't face having large apartment complexes built because there are no sewers. Most members agreed on Transit Road and Bowen Road locations, possibly Seneca Street with variations as to between certain intersecting roads, but were divided regarding other areas listed above. Mr. Reid said we could specify exceptions. Mr. Colern said Commercial Zones C-1, C-2 and C-3 can indicate where MF may be located. Other members liked the idea of creating a MF Overlay.

Joseph Colern said to keep in mind that there are other types of MF units: group homes, nursing homes and assisted living facilities. Chairman Malczewski commented that different definitions work in different areas. It was agreed that the new definition (as agreed to in December) is too generic and simplistic and that it needs to be broken down into more detail.

E. Restrictions

Not specifically discussed.

III Updates Submitted by Drew Reilly (12/5/13)

1. Revised MDCC Report
2. Revised Zoning Code

Not specifically discussed.

IV Executive Session

Motion made by Diane Rohl and second by Chairman Malczewski that the MDCC go into Executive Session at 10:10 PM to discuss a legal matter. MDCC consensus.

Two remaining members of the audience were asked to leave. They were advised that all business was finished and that there would be no actions prior to adjournment. Meeting was reconvened at 10:13 PM.

V Adjourn

Motion made by Thomas Reid & second by Michael Cirocco to adjourn meeting at 10:13 PM. Unanimous consent.

Respectfully submitted,

Diane Rohl,  
MDCC Secretary