

MULTIPLE DWELLING CODE COMMITTEE

Elma Town Hall

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

MINUTES OF MEETING - March 26, 2014

The meeting of the Town of Elma Multiple Dwelling Code Committee, hereinafter referred to as the MDCC, was held on Wednesday, March 26, 2014 at 6:00 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
Michael Cirocco, EPB Member
Robert Schafer, ZBA Member
Raymond Boy, ECB Member
Joseph Colern, Building Inspector
Joshua Blair, Community Representative
Jeffrey Breidenstein, Community Representative
Diane Rohl, Secretary EPB, Secretary MDCC

ABSENT:

Phyllis Todoro, Town Attorney (on vacation)
Michael Nolan, Town Board, Alternate MDCC

I. Approve Draft of Minutes. February 26, 2014

Motion made by Raymond Boy and Joseph Colern to approve the Minutes of February 26, 2014.

Ayes: 10. Nays: 0. Motion carried.

II. Review of decisions - February 26, 2014 Meeting

Mr. Reilly provided an agenda: Consultant Agenda Items. The original MDCC agenda was modified slightly to accommodate it. Chairman

Malczewski opened the meeting by saying that he had discussed our progress and concerns with the Town Board. He said the Town Board is not in agreement with extending an Overlay District on Seneca Street beyond Rice Road; "that nobody wants anything past Rice Road". He also stated that they were "O.K." with Seneca Street from Transit Road to Rice Road. Several MDCC members took issue with the Town Board making a statement of disagreement when they had not received any explanations or recommendations from the MDCC as a whole.

Chairman Malczewski also said that he felt recommending a rezoning from C-1 to C-2 on Seneca Street from Old Pound to Rice Road, previously discussed, was not part of the MDCC's role. Further discussion ensued regarding the disadvantages and merits of increasing the building footprint from 3000 to 7000 square feet.

Page -2- MDCC (3/26/14)

Mr. Reilly reminded the MDCC that it had decided to remove duplexes from consideration. He said he will get sample MF definitions after this meeting. It would include apartment houses, town houses, condos and senior housing. Described will be all types of Overlay Districts and what will be allowed within each one. Therefore MF dwellings will not be allowed in the Town except in the designated Overlay Districts. This will not require any change to the Town Map but a section of the MF Code (§144-142(9)) will have to be removed and some minor changes made to the existing Code. Then the Overlay Districts will apply. Mr. Reilly reminded the MDCC that group homes are defined under NYS Pattiman Law as single family residences. He then handed out sample outlines of MF Overlays. These were based upon the existing Elma Center Overlay. Each proposed Overlay District contained the following criteria:

1. S144 - Statement of Intent
2. §144 - Boundaries

3. §144 - Permitted Uses
4. §144 - Other Zoning Requirements & Design Standards:
 - A. Minimum Lot Size
 - B. Maximum Lot Coverage
 - C. Building Setbacks
 - D. Architecture
 - E. Site Layout
 - F. Parking & Loading Areas
 - G. Landscaping/Screening
 - H. Signage
 - I. Other

III. Discussion of Proposed Locations/Requirements for Overlay Districts

Mr. Reilly provided pictures of some MF dwellings, more in keeping with the old style homes of Elma, that almost looked like SFR although they were 3-4 unit apartment buildings. He suggested that the MDCC refer to the website: visualizing residential density for more examples. When someone suggested they be owner occupied, Mr. Reilly responded that there was no way to enforce this.

In regard to density, questions raised were size of lots. Mr. Colern responded that Residential C lots are 100x320 and allow for two family units. There was no agreement on lot depth. Other issues reviewed were placement of the building on the site and location of parking, both dependent upon which Overlay District. The MDCC was concerned for residential properties in certain areas, providing buffers between residential and commercial. Some areas presented scenarios that could readily accommodate more depth and development behind existing properties - either residential or commercial. Commenting split zoning is normally not desirable, sometimes resulting in land locked property, Mr. Reilly said there would probably be pressure in the future to rezone. Also posed was how many buildings should be allowed on one lot.

The RCP (Regional Comprehensive Plan) was taken into consideration when determining where Overlays should be located. Existing Residential and Commercial Codes were also taken into account.

Page -3- MDCC (3/26/14)

The MDCC decided that of equal importance were the architecture and landscaping. Mr. Reilly suggested that these be apart from the MF Code and be placed in a separate book. Diane Rohl reminded them that a Performance Design Guidelines book was developed by the Elma Code Review Committee subsequent to the new commercial codes being adopted by the Town Board on 10/1/2008.

IV. Revisions/Amendments to Recommendations Report (Reilly)

After some discussion and a polling of the MDCC by Chairman Malczewski, the following were determined to be under consideration as MF Overlay Districts. For a detailed review of the rationale behind each Overlay District, Drew Reilly's 4/1/14 email recap of the 3/26/14 meeting, will be attached to the MDCC Minutes.

1. TRANSIT ROAD NORTH- BULLIS ROAD TO TOWN LINE (LANCASTER)

Polling: Approval unanimous. Lot depth in question.

2. TRANSIT ROAD SOUTH - RTE 400 TO SENECA STREET

Polling: Approval unanimous. Proper buffer to SFR behind.

3. CLINTON STREET - TRANSIT TO ST. GABRIEL'S CHURCH

Polling: Yes- 9. No-1. Question regarding including south side - flood plain.

4. BOWEN ROAD NORTH - CLINTON STREET TO TOWN LINE (LANCASTER)

Polling: Yes - 2. No - 7. Undecided - 1.

5. SENECA STREET - TRANSIT ROAD TO OLD POUND: KINGS TO NORTHRUP FOLLOW THE PROPERTY LINE

Polling: Yes - 7. All from Transit to Pound - 1. No - 1 all. No - 1 beyond 300'.

6. SENECA STREET - OLD POUND TO RICE ROAD

Polling: Yes - 10. No - 0. Questions: SF size, design, layout, lot size, parking.

7. SENECA STREET SOUTH - RICE ROAD TO SOUTH OF JAMISON

Polling: Yes - 4. No - 6. Decision to continue discussion at next meeting.

V. Schedule/Next Steps

Mr. Reilly said he will write up the MDCC recommendations and send them out by email for comments. He is hoping for consensus so that he may proceed with the updates, then prepare a new Recommendations Report from the MDCC, to be submitted to the Town Board for a proposed MF Code. He said he expects this process to take about three months, suggesting that the MDCC work on the MF Design Guidelines Book in the meantime.

VI. Adjourn

Meeting adjourned by unanimous consent at 8:30 PM.

Respectfully Submitted,
Diane Rohl, MDCC Secretary