

MULTIPLE DWELLING CODE COMMITTEE

Elma Town Hall

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

MINUTES OF MEETING - June 25, 2014

The special meeting of the Town of Elma Multiple Dwelling Code Committee, hereinafter referred to as the MDCC, was held on Wednesday, June 25, 2014 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
Michael Cirocco, EPB Member
Robert Schafer, ZBA Member
Raymond Boy, ECB Member
Jeffrey Breidenstein, Community Representative
Phyllis Todoro, Town Attorney
Diane Rohl, Secretary EPB, Secretary MDCC

ABSENT:

Joshua Blair, Community Representative
Joseph Colern, Building Inspector
Michael Nolan, Town Board, Alternate MDCC

I. Approve Draft of Minutes: May 7, 2014

Motion made by Tracy Petrocy and second by Robert Schafer to approve the Minutes of May 7, 2014. Ayes: 9. Nays: 0. Motion Carried.

II. Review Revisions of Overlay Districts - Reilly (6/10/14) - Town Board (6/18/14)

Chairman Malczewski reported to the MDCC that the Town Board had briefly reviewed at their June 18th Work Session, reviewed the MDCC Recommendations Report prepared by Drew Reilly (Overlays 5/14/14). The Town Board commented that they wanted to see criteria for the Springbrook Overlay lot size and density; and density for the Transit North Overlay. He said they will continue their review at the July 16th Work Session. Mr. Malczewski said that he expected a Public Hearing on the MDCC Recommendations. Instead, the Town Board adopted into law a second six month extension to allow the MDCC to complete their work. (Current extension expires in August.)

III. Revisions/Recommendations to Overlays

There was considerable discussion between members on what they wanted to see develop in Springbrook; and what was realistic in view of some of the limitations: small lot sizes, narrow street, traffic corridor with no reason to stop, etc. Most agreed that a developer

would have to buy multiple lots. There was no consensus on the "what" but that it had to offer enough for a developer to build and make it profitable. Cited was the Town's 485-b Law as one incentive.

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Brought up previously, and raised again, was the issue of land clearing by a developer prior to requesting a building permit - that the goal of the Town is to preserve the land and natural vegetation. It was agreed upon that the MDCC needs to make a recommendation to the Town Board. Michael Cirocco suggested that one way to enforce this law is to increase the fines for any violations. Chairman Malczewski said that the Building Inspector is supposed to be getting comparisons from other municipalities. Michael Cirocco and Diane Rohl offered to get copies of other towns' laws for examination by the MDCC at the July 23rd meeting.

Springbrook Overlay Recommendations:

Motion made by Michael Cirocco and second by Chairman Malczewski to require a minimum lot size of 3/4 AC.

Ayes: 7. Nays: 2. (Petrocy & Reid). Motion Carried.

Motion made by Michael Cirocco and second by Thomas Reid to allow 8 Units per AC.

Ayes: 9. Nays: 0. Motion Carried.

Transit North Overlay Recommendation:

Motion made by Michael Cirocco and second by Chairman Malczewski to change density from 8 units to 15 units.

Ayes: 9. Nays: 0. Motion Carried.

Transit South Overlay Recommendation:

Motion made by Thomas Reid and second by Raymond Boy to modify language on setback to read: "front setback greater than 100 feet."

Ayes: 9. Nays: 0. Motion Carried.

IV. Matrix Comparing Proposed Overlays Districts - Ray Boy

This document was reviewed by the MDCC and found to be extremely useful in comparing various sections of the four Overlay Districts. Mr. Boy offered to update it subsequent to this meeting. A copy will be provided to Drew Reilly and the Town Board.

V. Begin Process - Design Guidelines for Multi-Family Dwellings

Chairman Malczewski asked Diane Rohl to inform the MDCC on the previously adopted Performance Design Guidelines for commercial properties. She had served on the Design Guidelines Committee and provided a copy of the cover page, index and goals, objectives page. She explained the contents and showed a sample page of pictures. It was decided that the MDCC would develop a supplement for multi-family dwellings.

VI. Adjourn

Motion to adjourn at 8:30 PM made by Chairman Malczewski and second by Raymond Boy. Unanimous. Motion carried.

Respectfully submitted,

Diane Rohl,
Secretary