

## MINUTES OF THE LAND USE COMMITTEE MEETING 10-2-2023

The meeting was called for 7 pm in the Town Hall. Present were Dedun Ingram, chair; Kathy Flaxman, Sybil Freedman, Eric Murtagh, Suzanne Parmet, Joe Rubin, David Valenstein; and Rich Brancato, Council liaison.

Minutes of the September 11, 2023 meeting were approved with the correction of a member's name.

Dedun reported that the Town Council has not yet had a work session regarding what they would like us to consider with respect to revision of the building code, so we will postpone further discussions until after they hold the work session.

**Stormwater Management Regulations The Committee reviewed information about a new Micro-Bioretenion device** that has been approved by the County: The new device is a planter box that filters stormwater. The walls of the box can project out of the soil 4 or more feet. The County is not requiring setbacks for this device.

The Committee discussed whether the Town should require the box to be set back from property lines at least 2 feet if the wall of the planter box projects out of the ground more than 1 foot. The Town currently requires that walls over 12 inches in height be set back from property lines by at least 2 feet. The Committee also discussed allowing the device to be a projection from the house so it could be built as an attachment to the house.

It was noted that this device would not satisfy the Town's requirement for devices that retain water because of its under drains and would be allowed in a Town water drainage plan only through the variance process as a device that could at least slow or divert stormwater flow when retention is not possible. These devices are beginning to show up in stormwater drainage plans approved by the County DPS, so Ron Bolt has recommended that the Town consider adding regulations about this device.

Eric noted that he is involved in a project in Martin's Addition where a device of this sort will be used.

The Committee voted unanimously to:

- 1) Recognize this device in the Town's water drainage regulations as a tool that can be used (through the variance process) for stormwater management when bioretention tanks do not meet the retention volume requirements.
- 2) Add a setback requirement that if the planter box projects more than 12 inches out of the ground it is to be set back at least 2 feet from the property line similar to our requirement for walls.
- 3) Add this Micro-Bioretenion device to the list of allowed main building projections.

### **Bethesda Cap**

Dedun reported on the status of the Bethesda soft cap and hard cap and what happened at recent county council committee and Planning Board meetings..

### **Exploration of Impervious Surface Limits**

Dedun has a data set with dimensions of Town properties that can be used to explore lot coverage/impervious surfaces.

The meeting adjourned at 8:20 pm.