

MINUTES OF THE LAND USE COMMITTEE MEETING 11-6-2023

The meeting was called for 7 pm in the Town Hall. Present were Dedun Ingram, chair; Kathy Flaxman, Eric Murtagh, Stuart Sessions; and Rich Brancato, Council liaison.

Minutes of the October meeting **were** approved as distributed.

Dedun reported that the Town Council has prioritized our projects as follows:

- 1) Review and update as needed the report previously prepared by the Land Use and Long Range Planning Committees that details recommendations about revisions to Chapter 1 Section 7 to update the list of County code chapters the Town has opted into. Dedun will do this and submit the report to The Town before the end of November.
- 2) Identify changes to the Building Code that would make it compatible with the building of multi-family units such as condos and apartments in the Town.
- 3) Complete work on revisions to the Town's storm water management regulations
- 4) Look at the possibility of placing additional limits on impervious surfaces in a yard)

Micro-bioretenion planter boxes. Eric brought photos/schematics of micro-bioretenion planter boxes being installed on a site in Martin's Additions. The committee considered several issues with respect to the devices:

- The County requires that they be detached from a house by at least one inch, which makes them separate structures, not projections.
- Given the bulkiness of the planter boxes, how much clearance is needed to allow emergency access to a rear yard? Are there safety issues if there is not room for emergency access to the rear yard? Rich said that he would ask Todd/Dave to check with local rescue organizations about what they consider appropriate access.
- Should we consider these as an additional **creditable** device when creating a water drainage plan?
- What kinds of upkeep/maintenance do these devices require?
- Are there visual/appearance issues?
- How much water can these devices capture?

The consensus of the committee was that we need to know how much water these devices capture. If it is substantial, they might well be considered one of the creditable options used to retain water. Although they do include an underdrain and may overflow and thus will likely not retain water as well as, for example, dry wells, they nevertheless could offer other advantages (e.g., attractive vegetated appearance) as well as some water retention capability. If not, they could be part of a water drainage plan but be restricted to the variance process to ensure that other methods be used to the maximum extent practicable before they are employed.

Building code changes to accommodate possible multi-family structures: The committee considered changes to Chapter 4, "Buildings" of the Town building code. Most of the changes needed are in the Definitions section.

Changes discussed:

- Throughout Chapter 4, change house to main building.
- Throughout Chapter 4, consider changing “property owner” to “property owners”.
- Add a definition of *Household*. Household is used in the definition of dwelling unit but is not currently defined.
- *Change definition of Accessory dwelling unit to:* A dwelling unit located in the main building or in an accessory building on a lot and that is subordinate to a dwelling unit in the main building .
- Change the definition of *Main Building to:* “The building on a lot that contains one or more dwelling units and that is the largest building on the lot.”
- Change the definition of *Porch* to: “A roofed platform attached to a building” (previously “main structure”). The present definition implies that a porch can only be built on a main building. We think they should be allowed on accessory buildings, particularly those containing an accessory dwelling unit..

Section 4-3, Building Height, massing, and neighborhood compatibility: Four purposes are given for this set of regulations. Dedun asked whether the committee would consider adding a fifth, referencing a desire to mitigate/reduce the heat effects of climate change via maintaining the tree canopy and green space. Committee members were asked to think about the wording for such a purpose and send suggestions to Dedun.

The committee also considered a couple of other possible code changes:

- *Established Building Line:* criterion (a)(10) removes from EBL calculations properties less than 50 feet wide at the 25-foot minimum front setback. If subdivisions for building of townhouses might result in narrower lots, this exclusion will need to be removed. Committee agreed to wait until such time. .
- *Gross Floor Area:* There was discussion regarding whether (a)(5) and (b)(1) were redundant, but it was decided that they were not.

The meeting adjourned at 8:35 pm.