



Cape Elizabeth Town Council
Minutes Monday, July 14, 2025
6:00 p.m.
Town Hall Council Chambers

Penelope A. Jordan, Chair
Stephanie P. Anderson
Caitlin J. Harriman
Jonathan T. Sahrbeck
Elizabeth K. Scifres
Andrew B. Swayze
Timothy L. Thompson

6:00 p.m. Workshop, followed by Regular Meeting
Start Time: 6:10 p.m., delayed due to technical difficulties with CETV

Present –

Town Councilors: Chair Penelope A. Jordan, Stephanie P. Anderson, Jonathan T. Sahrbeck, Elizabeth K. Scifres, Andrew B. Swayze, Timothy L. Thompson

Staff: Town Manager Patrick W. Fox, Deputy Town Clerk Melissa A. Newsome

Shore Road/Cliff House Beach Park Area Access and Use (6:00 PM-7:35 PM)

Shore Road line striping and parking area delineation occurred on June 23rd. The Council will discuss the effect of these changes, as well as the increase in use of Cliff House Beach Park over the past few years.

Councilors' Remarks Before Public Comment Summary:

The Council convened to address ongoing concerns related to parking, safety, and traffic flow along Shore Road. The discussion focused specifically on Shore Road, with clarification that Cliff House Beach represents a separate issue. Council members acknowledged resident concerns about visibility near intersections, the volume of parked vehicles, and the impact of parking changes on nearby side streets.

The Town Manager explained that the current strategy follows a “complete streets” model designed to calm traffic by narrowing travel lanes. While bike lanes remain a long-term goal, space limitations prevent their immediate implementation. Data collected thus far indicates a 10% decrease in traffic violations, and only minimal parking violations. Clarifications were provided on measurement standards for parking setbacks, and it was noted that emergency no-parking signage is not required at this time, though restriping is planned.

Council members agreed on the need to prioritize public safety, sightlines, and setbacks, with some advocating for a broader look at congestion, tour bus traffic, and the potential for resident-only parking zones. It was emphasized that further data collection, community input, and consideration of enforcement practices are essential. A public forum may be organized to allow for deeper resident engagement and collaborative problem-solving.

Public Comments:

Cynthia Troiano, 8 Charles Rd.

Brenda Daly-Weiss, 76 Stonybrook Rd.

Tom Mikulka, 4 Mountain View Rd.
Harvey Rosenfeld, 9 Glen Ave.
Kevin St. Jarre, 6 Elmwood Rd.
Sandy Shapiro, 75 Oakhurst Rd.
Kathy Mason, 43 Cottage Farm Rd.
Chair Jordan

Motioned to extend public comment time to hear additional speakers. Approved unanimously (7–0 vote).

Wyman Briggs, 3 Mountain View Rd.
Aimee Parsons, 43 Stonybrook Rd.
Anne Davis, 801 Shore Rd.
Teresa Childs Page, 9 Charles Rd.
Nancy Ross, 12 Elm Rd.
Mary Gray, 11 Glen Ave.
Stephanie Clifford, 823 Shore Rd. (between Ocean and Stoneybrook)

Councilor’s Discussion After Public Comment Summary:

The Town Council discussed parking and safety concerns along Shore Road, with focus on the impact of congestion, sightlines, and overall public safety. Several councilors emphasized the need to separate issues related to Shore Road from those associated with Cliff House Beach. There was broad acknowledgment of resident concerns, especially regarding visibility near driveways and intersections, traffic flow, and the spillover effect on side streets.

The Town Manager reviewed data collected under a “complete streets” approach, which included narrower traffic lanes and analysis of traffic and parking violations. While bike lanes are desired, there is currently insufficient space. The Council explored possible short-term interventions such as restriping and defined setback measurements. They determined that any emergency no-parking signage must be supported by clear criteria related to safety and sightlines.

Some councilors advocated for immediate action through defined emergency protocols, while others stressed the importance of community dialogue and long-term planning. The idea of resident-only parking on Shore Road was raised, along with the suggestion that tour bus traffic to nearby destinations may be a contributing factor. Public comment revealed a strong preference for improved safety measures, reduced congestion, and clearer enforcement of parking rules.

In closing, the Council expressed interest in organizing a public forum for deeper community engagement and exploring comprehensive parking solutions. Staff was directed to continue data collection and define criteria for temporary parking restrictions, with additional input expected from the safety and ordinance committees.

Next steps:

Residents are invited to send emails about concerns and possible solutions to cetowncouncil@capeelizabeth.gov, Town Manager Fox and Police Chief Fenton will work on Restriping and addressing true emergency no-parking situations.

Public Art Requests (7:35PM-7:40PM)

The Town occasionally receives requests for public art displays, such as a recent request to install a rainbow crosswalk for Pride Month. Council will discuss the merits of a policy regarding such requests or guide staff for future requests.

Public comments: None

Town Manager Patrick Fox raised the idea of painting a sidewalk but noted the need for a clear town policy on public art and installations, suggesting a matrix or framework to guide approvals in the town center.

Councilors remarks:

The Council discussed a recent request to paint a crosswalk installation and the broader question of how public art is regulated in town. Some members supported the creation of a clear policy to guide future decisions, while others suggested a simpler approach, applying existing traffic laws. The discussion emphasized the need for consistency in how the town approves or restricts public art installations. It was noted that this is the first occurrence of its kind since October.

Any decisions or next steps: No Policy for now – Manager Fox will assess on a case-by-case basis, and should look into other town policies.

LD 2003 – Zoning Amendments (7:40 PM-8:32 PM)

Supplemental LD 2003 Amendments to Chapter 19 - Zoning Ordinance were referred to Workshop on March 10, 2025, following a public hearing. Council will further discuss the draft amendments.

Public comments:

Ryan Debruyne of 31 Crescent View Ave.

Councilors remarks:

Town Council members discussed key issues related to accessory dwelling units (ADUs), base density definitions, and infill housing. Several members referenced prior background materials and emphasized that many provisions had already undergone review. Concerns were raised about the exclusion of transferable density rights, inconsistencies in base density definitions, and the proposed increase in ADU size to 1,600 square feet. Questions were also raised regarding the legality of separate ADU ownership through condominiums. Clarifications were provided on definitions for multifamily and mixed-use structures to ensure alignment with state requirements. Members debated the potential redundancy in ordinance language and the broader implications of ADU expansion, with calls for precise wording that supports both the town's comprehensive plan and housing goals. Some members supported simplifying the ordinance language and capping ADU size at 1,200 square feet to promote equity and livability. Others sought further clarity on the legislative process and the motivations behind the proposed changes.

Next steps:

The council agreed to continue discussion and review potential amendments during the regular Town Council Meeting, immediately following Close Workshop
Chair Jordan ended the workshop at 8:32 pm.

Chair Jordan convened the Regular Town Council meeting at 8:37 p.m.

Roll Call by Deputy Town Clerk Melissa Newsome
All members of the Town Council were present.

Town Staff:

Rachel Davis, Director of the Thomas Memorial Library
Patrick W. Fox, Town Manager
Melissa Newsome, Deputy Town Clerk
Kristie Bradbury, Finance Director
Kathy Raftice, Community Services Director

Pledge of Allegiance

Council Reports and Correspondence

Members expressed gratitude for the yellow ribbons in recognition of survivors of domestic violence. Councilor Thompson highlighted the importance of cybersecurity awareness and recommended that board members and staff attend the upcoming Maine Municipal Association (MMA) Lunch and Learn session on the topic, scheduled for August 19.

Finance Committee Report

Finance Chair Elizabeth K. Scifres - No Finance Report for July (1st month of new fiscal year)

Citizen Opportunity for Items Not on the Agenda

Public comments:

Rachel Davis, Director of the Thomas Memorial Library, thanked the community for supporting the yellow ribbons campaign and encouraged everyone to wear yellow the following day in solidarity with survivors of domestic violence. She noted that the library would be making signs for survivors and hosting a survivor panel at 6:30 p.m., featuring several speakers, including Ben Davis, representatives from Through These Doors, and authors. Davis expressed hope for strong attendance at the event. She encouraged residents to request "Break the Silence" yard signs through a form available on the town website. Yard signs can be picked up at the library.

Town Manager's Monthly Report

Patrick W. Fox, Town Manager

Councilor Requests and Follow-ups:

Our Planning staff has completed the data comparisons to similar communities regarding land development ordinances. We will have that on the August Council meeting agenda as one piece of the business outreach process deliverables.

Our new Traffic Safety Working Group will hold its first meeting on August 6th at 8 am at Town Hall to discuss some pending items that have been emailed to various staff members regarding street lights, children playing signs, and parking safety at a couple

locations.

Agendas will be posted at least a week in advance, and requesting parties will be notified if their item is being discussed. This format will likely adapt to community needs as we get started with this new approach.

Bids, Events, and Special Announcements:

There are several events scheduled for tomorrow, July 15th, at the library to promote “Cape Elizabeth Breaks the Silence of Domestic Abuse” month. Please visit www.thomasmemoriallibrary.org for more details.

There were no bids received for the new Basketball Court installation adjacent to the library parking lot. Staff, our engineering consultant, and Cape Hoops will be working collaboratively to still deliver this project in a timely manner and on budget.

An RFP for a new dump truck was released earlier this week. These bids are due Thursday, July 31st.

The Town has contracted with Gorrill-Palmer to update the Pavement Condition Analysis Report. This assessment assists in determining the condition of our roadways and rank/prioritize our road segments, and where to perform future paving projects.

You may notice them out surveying the roads this summer and they will be finalizing the report later this fall.

Review of Draft Minutes

June 9, 2025 – Town Council Meeting

Moved by Jonathan T. Sahrbeck and Seconded by Caitlin J. Harriman

ORDERED, the Cape Elizabeth Town Council approves the minutes of the meetings held on June 9th, 2025, as written.

Vote: (7 Yes) (0 No)

Item #76-2025: Spurwink Rod & Gun Club Range Inspection - Acknowledgement of Receipt of Annual Spurwink Rod & Gun Club Range Inspection

Introduction: Pursuant to Sec. 24-6-1 ARTICLE VI. LICENSE ADMINISTRATION, SEC. 24-6-1 ANNUAL INSPECTION A licensed shooting range facility shall be inspected by the Town’s Police Department at least once during a calendar year for compliance with the license and general protection of public safety. The code enforcement officer may also attend the inspection. Chief Paul Fenton and Code Enforcement Officer Ben McDougal were joined on June 24, 2025, by Spurwink Rod & Gun President Mark Mayone for the annual inspection. Chief Fenton has submitted the report dated June 24, 2025. No concerns were found by either Chief Fenton or CEO Ben McDougal.

Public Comment: None

Moved by Caitlin J. Harriman, Seconded by Timothy L. Thompson

ORDERED, the Cape Elizabeth Town Council acknowledges receipt of the 2025 Spurwink Rod & Gun Club Annual Range Inspection Report.

Vote: (7 Yes) (0 No)

Item #77-2025: Encore Energy Land Lease

Legal review still pending. Moved to August Agenda.

Item #78-2025: LD 2003 Zoning Amendments

Summary: The LD 2003 Supplemental Amendments bring the Town into compliance with the

State law known as LD 2003 by addressing the deficiencies with the amendments adopted by the Cape Elizabeth Town Council in December 2023. The Supplemental LD 2003 amendments were referred to the Planning Board by the Town Council on December 9, 2024. The Planning Board held a public hearing and voted to recommend the amendments to the Town Council on January 21, 2025. The Town Council held a workshop on February 3, 2025, presented the amendments at the February 10, 2025, meeting, and held a public hearing on March 10, 2025, and an additional workshop earlier this evening, on July 14, 2025.

Public Comment:

Ryan Debruyn – 31 Crescent View Ave.

Action Taken:

Harriman submitted an amendment to adjust the size of the ADU to 1200 sq. ft.

Moved by Caitlin J. Harriman, Seconded by Jonathan T. Sahrbeck

Stephanie P. Anderson moved to Strike a line from page 28, Line 8 under Ownership. “The primary dwelling unit and the accessory dwelling unit shall be held in the same ownership or owned in compliance with the requirements of the Main Condominium Act, 33 MRS Chapter 31.”

Moved by Stephanie P. Anderson, Seconded by Timothy L. Thompson

Vote: (2 Yes) (5 No Councilors, Jordan, Harriman, Sahrbeck, Scifres, and Swayze.)

Amendment did not pass.

Thompson moved to amend the ADU size from 1200 sq ft. to 1100 sq ft.

Moved by Timothy L. Thompson, Seconded by Stephanie P. Anderson

Vote: (3 Yes) (4 No Councilors, Harriman, Sahrbeck, Scifres, and Swayze.)

Amendment did not pass

Moved by Caitlin J. Harriman, Seconded by Jonathan T. Sahrbeck

ORDERED, the Cape Elizabeth Town Council adopts the Supplemental LD2003 Amendments, as presented in the January 22, 2025, packet. Adjusting the size of the ADU to 1200 sq. ft.

Vote: (6 Yes) (1 No, Councilor Thompson)

Item #79-2025: Contract Zoning

Summary: At the June 24, 2025, meeting, the Ordinance Committee voted 3-0 to recommend to the Town Council against adoption of the Contract Zoning Amendment. At the October 16, 2024, meeting, the Town Council referred to the Planning Board a Contract Zoning Amendment for review. The Planning Board independently prepared a Contract Zoning provision, held a public hearing on April 15, 2025, and recommended the Contract Zoning provision to the Town Council.

Public Comment: None

Moved by Jonathan T. Sahrbeck, Seconded by Caitlin J. Harriman

ORDERED, the Cape Elizabeth Town Council does not adopt the Contract Zoning Amendments as put forth to the Ordinance Committee at the June 24, 2025, Ordinance Committee meeting.

Vote: (7 Yes) (0 No)

Item #80-2025: DEI Committee Ordinance Change

Summary: At the June 24, 2025, meeting, the Ordinance Committee voted 3-0 to move the Boards and Committees Amendments to the Town Council for consideration. The Town Council referred amendments to the Diversity, Equity, and Inclusion Committee charge, which is located in Chapter 4, Boards and Committees Ordinance, at the June 9, 2025, meeting. The amendments incorporate revisions requested by the Diversity, Equity and Inclusion Committee into the

standard format of the Boards and Committees Ordinance, Chapter 4.

Public Comment: None.

Action Taken:

Harriman stated that DEI will be changing to the Accessibility and Inclusion Committee (AIC).
Moved by Caitlin J. Harriman, Seconded by Jonathan T. Sahrbeck

ORDERED, the Cape Elizabeth Town Council schedules a public hearing on August 11, 2025, at 7:00 PM at the Cape Elizabeth Town Hall related to the Ordinance Committee's recommendations for amendments to Chapter 4 - Boards and Committees.

Vote: (7 Yes) (0 No)

Item #81-2025: FY25 Carryforward Balances

Summary: Approve carryforward balances of approximately \$60,000.00 to the next fiscal year.

Public Comment: None

Moved by Elizabeth K. Scifres, Seconded by Andrew B. Swayze

ORDERED, the Cape Elizabeth Town Council authorizes the attached estimated General Fund departmental balances be carried forward from FY 2025 to FY 2026.

Vote: (7 Yes) (0 No)

Item #82-2025: Council Goals Update

Summary: The Town Council adopted goals for 2025 in February. The goals were aimed at addressing specific needs above and beyond the day-to-day services carried out by local government. Staff update on the status of these initiatives for Council review and discussion provided in the agenda packet.

Public Comment: None

Action Taken: Possible workshop for August agenda.

No motion. Discussion only.

Second Public Comment Opportunity

Andy Patten of 1 Warbler Dr.

Adjournment

Moved by Caitlin J. Harriman, Seconded by Elizabeth K. Scifres

ORDERED, the Cape Elizabeth Town Council adjourns at 9:14 p.m.

Vote: (7 yes) (0 no)

Respectfully Submitted,

Melissa Newsome, Deputy Town Clerk