

**TOWN OF CAPE ELIZABETH
MINUTES OF THE
PLANNING BOARD WORKSHOP**

(Minutes of a Planning Board workshop is prepared for an item when the Planning Board takes a vote. Votes are restricted to holding an executive session, scheduling a public hearing, or deciding a potential conflict of interest)

February 7, 2023

Present:	Jonathan Sahrbeck, Chair	Daniel Bodenski
	Matthew Caton	Derek DeLaVallee
	Andrew Gilbert	James Huebener
	Al Palmer	

Also present was Maureen O'Meara, Town Planner.

Mr. Sahrbeck called the meeting to order at 7:00 p.m.

3. **Stormwater Amendments to the Zoning and Subdivision Ordinance.** The Town Council has referred amendments to the Planning Board referencing the Stormwater Amendments (Chapter 25) required by the MS4 permit.

Ms. O'Meara introduced the Stormwater Amendments, which are required as part of the Town's MS4 General Permit. The amendments revise Chapter 25 Stormwater, Chapter 16 Subdivision and Chapter 19 Zoning. The Subdivision and Zoning amendments have been referred by the Town Council to the Planning Board and the Stormwater Ordinance amendments have been provided for context.

Mr. Caton said that he had prepared a list of clean-up edits. Ms. O'Meara will incorporate those edits into the draft.

Mr. Gilbert had questions and suggested edits to definitions. Chair Sahrbeck asked about the origin of the draft. Ms. O'Meara said a model ordinance had been provided to the town, was prepared by an attorney, and reviewed by the MS4 communities and the DEP (Department of Environmental Protection). After discussion, board members preferred to stay with the definitions in the model ordinance.

Additional edits that complete the transition to spelling stormwater as one word were identified.

Mr. Caton asked about using capital letters within the ordinance for defined terms. Ms. O'Meara said that it is not consistent with the formal of other town ordinances. She will remove capitalization in the draft.

The committee discussed reviewing the draft at the March workshop or moving it forward. Mr. Sahrbeck made a motion, seconded by Mr. Huebener, that the stormwater amendments be placed on the March 21, 2023 meeting when a public hearing will be held and the motion passed 7-0.

The Planning Board moved to the remaining agenda item and the workshop adjourned at 9:00 p.m.