

**TOWN OF CAPE ELIZABETH
MINUTES OF THE
PLANNING BOARD WORKSHOP
September 2, 2025**

(Minutes of a Planning Board workshop are 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. These meeting minutes were prepared as a reasonable summary of the essential content of the meeting, not a transcription.)

September 2, 2025

7:00 p.m.

Town Hall

Present:	Andrew Gilbert, Chair Dan Bodenski Jim Huebener Al Palmer	Natalie Burns Matthew Caton Derek Lavallee
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Also present: Maureen O'Meara, Town Planner

Chair Gilbert called the meeting to order at 7:00 p.m.

1. **Accessory Structures setback reduction Amendment.** The Planning Board will discuss a potential zoning amendment to make the setback for accessory structures consistent in all zones.

The Planning Board reviewed a chart depicting the setbacks for accessory structures in the RA, RB, RC, TC, BA, and BB zoning districts. Chair Gilbert suggested that a uniform setback made sense across districts rather than increasing the setback in the districts with larger lot sizes. The setback change would apply to accessory structures up to 200 sq. ft. in size. A minimum setback of 10' was supported. It is the Planning Board's intent that this change could "catch up" with the Miscellaneous Amendments package that was recommended to the Town Council at the August 19, 2025 meeting.

Mr. Palmer made a motion, seconded by Ms. Burns to schedule a public hearing on the amendment for September 16, 2025 and the motion passed 7-0.

The Planning Board received a review of the relationship between the submission requirement - standard of review -findings of fact. Ms. O'Meara explained how she handles findings for plan amendments, which the Planning Board supported.

Ms. Burns stated that the Planning Board should provide more detailed findings when issues have been raised at meetings. Ms. O'Meara noted that she is limited in how detailed the findings she drafts before the meeting can be, and that the Board should feel comfortable to ask for 5 minute pause in the meeting if more detailed findings need to be drafted.

This discussion led to the review the Town Manager performs for financial capability at the applicant's request. Mr. Caton would like to add some structure to the information provided. Ms. O'Meara suggested that the Planning Board providing direction to the Town Manager may be inappropriate, and Ms. Burns concurred. Ms. Burns noted that no other town has the Town Manager review option, and there is concern that information is not available to the Planning Board and the public. That information is not confidential.

The Board discussed eliminating the financial capability option for the Town Manager, which Ms. O'Meara suggested the Town Manager would support.

Mr. Caton made a motion to revise the financial capability submission information to delete the second sentence and add it to the public hearing package for September 16th, which was seconded by Ms. Burns, and the motion passed 7-0. This revision will be added to the Miscellaneous Amendments Part 2 package.

The meeting adjourned at 8:03 p.m.