

TOWN OF CAPE ELIZABETH  
MINUTES OF THE PLANNING BOARD

April 27, 2009

7:00 p.m. Town Hall

Present: Peter Hatem, Chair  
Elaine Falender  
Thomas Dolan

Beth Richardson  
Barbara Schenkel

Absent: James Huebener, Liza Quinn

Also present was Maureen O'Meara, Town Planner.

Mr. Hatem called the meeting to order and called for discussion or corrections of the minutes of March 17, 2009. Mrs. Richardson made a motion to accept the minutes and was seconded by Mr. Dolan. The minutes were accepted 5-0.

OTHER BUSINESS

**2009 Shoreland Zoning Amendments** - The Cape Elizabeth Town Council has referred to the Planning Board the update of the State Mandatory Shoreland Zoning, which includes amendments to the Zoning Ordinance and Official Zoning Map, Sec. 19-10-3, Zoning Ordinance Amendments Public Hearing.

Mr. Hatem asked Ms. O'Meara to summarize the proposal.

Ms. O'Meara said the State has required the Town to amend its current ordinance. New rules will take effect and the Town's ordinance needs to be brought into compliance with the incoming regulations. She said they needed to amend definitions and record keeping. It is mostly not a substantial change, but a clean up and tightening of the existing ordinance.

There are new timber harvesting standards and the Town will not comply with those, so it will need to rely upon its own standards. The Town does not agree with any clearcutting around Great Pond, which would be permitted under the State's rules.

There are amendments to the zoning map, but they are not significant. The extensions of the zone are almost exclusively where there are already wetland buffers in place.

Mr. Dolan asked about the notes that are seen on the proposed ordinance.

Ms. O'Meara replied that they are the comments from the DEP and have been addressed in the proposal.

She also told the Board that the amendments will go to the Town Council, then to the Ordinance Committee. It will then go back to the Town Council and then after passage there it will go to the Maine DEP.

Mr. Hatem opened the public hearing. Since no one came forward to speak, the public hearing was closed.

Mrs. Schenkel offered thanks on behalf of the Board to Ms. O'Meara. She said that Ms. O'Meara has done a very good job and that it was a great deal of work.

Mr. Dolan made the following motion:

BE IT ORDERED, that, based on the proposed amendments, the Planning Board recommends to the Town Council that the attached Shoreland Zoning Amendments to the Zoning Ordinance and Zoning map amendments be adopted.

Mrs. Richardson seconded and the motion passed 5-0.

Mr. Dolan made a motion to adjourn and was seconded by Mrs. Richardson. The Board voted 5-0 to adjourn at 7:15 pm.

Respectfully submitted,

Hiromi Dolliver