

# **Bond Case Briefs**

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## **ZONING & PLANNING - MAINE**

### **Drew v. Town of York**

**Supreme Judicial Court of Maine - February 24, 2026 - A.3d - 2026 WL 503052 - 2026 ME 15**

Neighbors filed complaint for review of a decision of the town board of appeals to affirm the town planning board's approval of an application for the construction of a new wireless communications facility on top of town water tower.

The Superior Court affirmed. Neighbors appealed.

The Supreme Judicial Court held that board of appeals failed to make sufficient findings to allow appellate review of claim that facility violated setback requirements, and thus remand was required for additional findings.

Town board of appeals failed to make sufficient findings, when affirming grant of application to construct new wireless facility on top of water tower, to allow appellate review of neighbors' claim that facility violated setback requirements, and thus remand was required for additional findings, where the board's decision stated only that the board was "satisf[ied]" with the information that the applicant provided in its revised site plan, and the board did not address the important question of the point or line from which the setbacks should be measured or make any findings that abutting residential structures were more than 65 feet from that point or line, as required by town wireless communications facilities ordinance.