



RESOLUTION

RESOLUTION CALLING FOR STATE REVIEW OF THE UNIVERSITY OF NEW ENGLAND PIER PERMIT AND CLARIFICATION OF STATE LAW

WHEREAS the University of New England is a post-secondary institution with a campus located along the Saco River in the City of Biddeford; and

WHEREAS the University of New England seeks to construct a marine pier extending from its Biddeford campus into the Saco River; and

WHEREAS pursuant to the City of Biddeford's Code of Ordinances, no dock, pier, or wharf may be constructed unless a regulatory permit from the Saco River Corridor Commission (SRCC) is obtained by the applicant; and

WHEREAS the University of New England has provided to the City of Biddeford SRCC Permit #20-491, *Findings of Fact and Order* dated September 13, 2024, approving the University's pier; and

WHEREAS in reliance upon that approval from the Saco River Corridor Commission, the City of Biddeford Planning Board subsequently approved the University's application; and

WHEREAS it has been brought to the attention of the City of Biddeford that in 2001, the University of New England appeared before the Saco River Corridor Commission and obtained SRCC Permit #20-209, which established a 250-foot vegetative buffer along the Saco River; and

WHEREAS questions have arisen as to whether the SRCC's Permit #20-491 approval is consistent with, or in conflict with the SRCC Permit #20-209, and whether the existence of a vegetative buffer zone may affect the legal validity of the current pier permit; and

WHEREAS this situation has created uncertainty for the City, the University, and the public regarding the enforceability of SRCC Permit #20-491 and SRCC Permit #20-209, and the City's obligations under state law; and

WHEREAS the Saco River represents a critical ecological, recreational, marine, and maritime resource whose protection requires consistency and clarity in state and municipal permitting decisions; and

WHEREAS the City of Biddeford has an obligation to uphold state law and ensure that no municipal approvals are issued based on a permit that may be invalid or unlawful;

NOW, THEREFORE, BE IT RESOLVED, that the Biddeford City Council formally requests that the State of Maine Office of the Attorney General conduct an immediate review of SRCC Permits #20-209 and #20-491 and issue a written legal opinion addressing:

1. The continuing validity and enforceability of the 2001 SRCC Permit #20-209 and its conditions;
2. Whether SRCC Permit #20-491 was lawfully issued given the existence of the conditions of SRCC Permit #20-209;
3. The implications for municipal permitting or approvals that relied upon SRCC Permit #20-491; and
4. Whether conditions established in prior SRCC permits affecting the same property remain in legal effect absent explicit amendment, rescission, or supersession by the Commission.

BE IT FURTHER RESOLVED, that pending clarification from the Office of the Attorney General, the City of Biddeford will withhold further permitting or authorization related to the proposed UNE pier to ensure full compliance with applicable state law.

BE IT FURTHER RESOLVED that the City Council reaffirms its commitment to transparent, lawful, and environmentally responsible governance in all matters concerning development along the Saco River.

*In Witness Whereof, We the undersigned have herewith affixed
our signatures this 6th day of November 2025.*

Mayor

City Clerk