



# Saco River Corridor Commission

*"Communities Working Together To Protect Our Rivers"*

10/20/2025

Mr. Roby Fecteau  
Biddeford Code Enforcement  
P.O. Box 586  
Biddeford, ME 04005

Re: Permit #20-491 (University of New England Research Pier)

Dear Mr. Fecteau,

I've prepared this letter in response to recent misconstrued statements that misrepresent the Commission's staff and process. This letter is intended to explain the SRCC's process in regards to permitting in general and the status of Permit #20-491, which was issued to the University of New England (UNE) in August 2024.

Staff statements, such as those contained in this letter or in any reported quotations, are not statements of the Commission and are made within the bounds of the staff's knowledge. My interest in providing a staff-level statement in response to recent communications/articles is to ensure that there is no misunderstanding about or misconstruing of the Commission's procedures, the validity of SRCC permits, or the actions/statements of the staff. To that purpose, I provide the following points:

1. To the knowledge of its staff, the Saco River Corridor Commission and the staff followed a correct and typical process for considering the application from UNE in August 2024, which was approved as Permit #20-491.
2. Permit #20-491, as granted by the Commission, remains valid and is neither under review nor in question at the SRCC office. No reconsideration petition was received, and there has been no finding of falsification in the application materials.
3. Any statement that the granting of the permit, or the permitted project itself, is "illegal" is incorrect, so far as the SRCC's review is concerned. The staff make no statement about the project's adherence to other rules and regulations not under the purview of the Commission.
4. There was a condition placed on an amendment to a different UNE permit in 2001 (Permit #20-209), which was phrased as follows:

*"The applicants are hereby required to retain and maintain a 250 foot wide vegetative buffer along the entire shoreline of the property, measured horizontally starting from the mean high water line and proceeding inland, described herein (Lot #4, Biddeford Property Map #52). Failure to do so will result in revocation of Permit #20-209 and all subsequent amendments."*

5. That condition appears to require that the University refrain from clearing vegetation within the 250-foot buffer *without further permitting*. The condition restricts the actions of the University, and not the subsequent actions of the Commission.

6. Since that condition was placed, UNE has applied for several permits for development within the 250-foot buffer, and the Commission has granted some of those requests with full knowledge of this previous buffer condition. The permit application files, permit orders, and meeting minutes can be made available for review upon request.
7. It is the understanding of staff, as advised by counsel, that the Commission is not restricted from granting further permits for development within the 250-foot buffer by the above-stated 2001 permit amendment condition. The condition was created by, and thus can be altered by, the Commission.
8. While the 2001 amendment condition was not discussed during the evaluation of Permit #20-491 in August 2024, the existence of that condition would not have prevented the Commission from issuing Permit #20-491 if the proposed pier project was found to be in line with the applicable regulations of the Saco River Corridor Act and its associated Chapters. The Commission granted the permit after such a review of the project as presented. As the permit has not been overturned or revoked by any mechanism, it remains valid until its expiration date of 9/13/2026.
9. SRCC staff did not have knowledge of the 2001 amendment prior to the August 2024 Commission meeting, and the 250-foot buffer condition was therefore not made part of the Commission's review materials. However, the omission of such information does not invalidate the Commission's decision.
10. The staff is aware of no evidence of deliberate omission or falsification of information presented to the Commission during the review of Permit #20-491. It is the conclusion of the SRCC's staff that the Commission acted with correct procedures in this matter.
11. There was no error in the staff-level handling of Application (now Permit) #20-491. Past permit research is an optional, sometimes helpful feature of the staff's process, and is not required by the Act or any Commission policy – it is conducted, when time allows, to provide context, or is researched to answer specific questions if there is a known issue.
12. Permit conditions like the one seen on Permit #20-209 that are applicable beyond the expiration date of the permit are rare, and our staff plans to implement an additional tracking measure to bring similar longstanding conditions to the attention of the staff at the time of a new application, so that they are more easily brought to the attention of the Commission if relevant. The lack of past permitting research in this case, or in any matter before the Commission, does not in any way invalidate the Commission's decisions.

If any further clarification is needed, please contact us at 207-625-8123 or [srcc@srcc-maine.org](mailto:srcc@srcc-maine.org).

Sincerely,



Cheri Dunning  
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