



**City of Biddeford**  
**Institutional Zone Review Committee**

March 9, 2026 at 4:00 PM  
City Hall Council Chambers & Teams

Join Microsoft [Teams Meeting Online](#)  
Or call in by phone: +1 872-242-8054  
Meeting ID: 472772714 #

1. Call to Order
2. Pledge of Allegiance
3. Approval of Minutes
  - 3.a February 26, 2026
4. Material Review
  - 4.a Institutional Zone Committee Staff Memo
  - 4.b Institutional Zone Committee Working Document
5. Adjourn

## Minutes of Institutional Zone Review Committee

February 26, 2026

### 1. Call to Order:

The meeting was called to order at 4:05 pm.

### 2. Pledge of Allegiance was recited.

### 3. Roll Call

All members were present: Councilors Patricia Boston and Marc Lessard; James Herbert, Matthew Haas, Christina Stone, Elizabeth Martin and Roby Fecteau (Staff).

### 4. Approval of Minutes of February 19, 2026

Motion to accept: Matt Haas; Second: Marc Lessard; Vote: Unanimous in favor.

### 5. Approval of Meeting Dates

Councilor Boston announced the following scheduled committee meeting dates: Monday, March 2, 6 pm which will include a public comment session; Monday, March 9, 4 pm; Thursday, March 19, 4 pm; Thursday, March 26, 4 pm.

### 6. Material Review

Councilor Lessard suggested that it would be helpful to have a high level chronology of events related to the ordinance, Institutional Zone master plan submissions, and UNE's completed projects. Roby Fecteau and Alan Thibeault stated they would work together on this and targeted March 9 as a completion date.

Councilor Boston reviewed the Overview of the Institutional Zone Biddeford Zoning Ordinance.

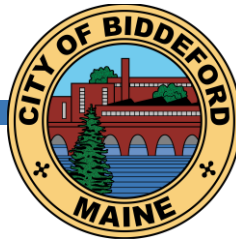
Councilor Boston and Roby Fecteau reviewed related documents which have been posted on the committee's page on the city website and how to access that page, and shared the committee's group email address – [InstitutionalZoneReview@biddefordmaine.org](mailto:InstitutionalZoneReview@biddefordmaine.org) – that members of the public can use to share information and submit questions.

The committee discussed how best to proceed with the Institutional Zone ordinance review. It was agreed that the committee would begin by reviewing the document prepared by David Galbraith (Article V, Section 11 in Word), comparing the text to the existing master plan, and sharing their comments, questions, and suggestions through the group email. Those will be inserted in the document for group review at the next meeting. It is recognized that there are additional sections

of the zoning ordinances which pertain to the Institutional Zone, such as Tables with footnotes, and those also will be reviewed.

**7. Adjourn**

The meeting was adjourned at 5:15 pm.



To: Chair Boston and Members of the Institutional Zone Review Committee (IZRC)

From: David C.M. Galbraith, City Planner / Acting Director - Planning and Economic Development  
Roby Fecteau, Director of Code Enforcement

Date: March 5, 2026

RE: Institutional Zone Ordinance (IZO) – Document Review for March 9, 2026, Committee Meeting

In preparation for the March 9, 2026, meeting of the Institutional Zone Review Committee (IZRC), City Staff have prepared the attached copy of the Institutional Master Plan which includes all written comments received from IZRC members. In order to track these comments, so that they can be addressed, and to designate which committee member submitted each comment, we have identified each committee member by a designated color and their initials. To date, written comments have been received from four (4) of our committee members. As such, committee members comments are designated by the below color and using each members identifier utilizing their initials.

- Patricia Boston (PB) = Purple
- Matt Haas (MH) = Dark Orange
- James Hebert (JH) = Bright Green
- Christine Stone (CS) = Sage Green

These colors were assigned randomly by City Staff, while keeping “assigned” colors out the blue and red spectrum. Our reasoning for this is due to our typical Ordinance amendment procedure where text deletions are indicated by ~~red strikethrough~~ and text additions shown as blue underline. As we continue through the actual ordinance amendment process we will be tracking the proposed changes using the standard by ~~red strikethrough (deleted text)~~ and blue underline (added text) formatting.

The vast majority of the submitted comments did not include suggested text changes. However, where specific text language was suggested by a committee member, it has been included in the members designated color with underline / ~~strikethrough~~ format. For example, added text from Christine Stone was shown as sage green underline. It should also be noted that Mr. Haas submitted a number of comments related to the current UNE Master Plan (2023-2027). These comments have been included towards the end of the document, in Mr. Haas' designated color, immediately following the “Other Questions” previously submitted by the Committee. The recommended “assignments” for our next Committee meeting (3-9-26) are below:

1. Each member should compare your submitted comments to the attached document to verify that all of your submitted comments are included within the attached. We will be using your comments

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to track each issue raised, which the Committee will review and determine if text changes are desired. Please notify City Staff (Roby and David) if you note any omissions/errors. Committee member comments have been included as submitted. Staff have not modified remarks nor provided commentary on said comments (at this time). This first effort was expressly to combine comments in an easy to read format.

2. Committee members should continue to review the ordinance and provide written comments through-out the amendment process. Future comments, related to specific sections of the ordinance will be color coded, as specified above, and will be placed within the ordinance sections where they relate. General comments will continue to be placed at the end of the document until:
  - A. Have been assigned, by the Committee, to a particular section of the ordinance. The comment will remain “as drafted” and color coded until specific language has been drafted and voted upon (line by line) by the Committee.
  - B. The Committee has voted to eliminate / remove the comment. For example, many of the submitted comments were questions. Once the question has been sufficiently answered the Committee may determine the question no longer applies, or the Committee may find the comment has some validity and should be included within the amended ordinance. If determined it should be included, then it will remain as a specific comment within the general comments section or until the Committee votes to relocate the comment to a specific section of the Ordinance where it will follow the procedure outlined in comment 2-A (above).
3. Prior to Monday’s meeting (3-9-26) Staff will begin reviewing some of the specific questions / comments proposed / posed by the Committee and will begin drafting sample ordinance language, which will be shared with the Committee at the meeting.
4. In discussing this matter internally, Staff believe the best way to keep this process moving forward would be to establish a two (2) document review process as outlined below:
  - A. Working / Tracking Document: The first of the two documents would be our working / tracking document. As proposed, this is the submitted document which includes the Committee’s ongoing list of questions and comments.
  - B. Ordinance Amendment Document: As proposed, this document will only include the existing Ordinance language illustrating proposed text deletions indicated by ~~red strikethrough~~ and text additions shown as blue underline. Once the Committee has completed its review of the document it would be forwarded to the Planning Board for their review, comment and recommendation. This document will ultimately become the Ordinance that will require Planning Board review, at a public hearing. Where Ordinance modifications are being proposed, the Planning Board acts as a recommending body to the City Council. Any further modifications to the Ordinance by the Planning Board will be

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specifically identified in the final recommendation to the City Council so the Council can track which changes are being proposed by IZRC.

- C. Ultimately, following Planning Board review, the Board will make a recommendation to the City Council for their review and final action.

In closing, Staff is dedicated to making this ordinance review process as thorough and transparent as possible. We welcome all Committee comments on the above outline and suggestions on improving the outlined process.

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**Section 11 Institutional master plan.**

[Ord. No. 2001.90, § 7, 10-16-2001]

- A. Applicability. Any university use or other use conducted by a college or university in an institutional zone shall be consistent with an institutional master plan approved by the Planning Board in accordance with this section. Any site plan approval or other approval for such uses shall be consistent with the approved institutional master plan.

Any university use or other use conducted by the university in the institutional zone shall be consistent with uses specified in the institutional zone and the master plan approved by the city of Biddeford council and planning board. Any site plan approval or other approval for such uses shall be consistent Biddeford zoning and the approved institutional master plan. CS

- B. Transition provisions.

1. Following the adoption of this section, the City shall continue to process any pending applications for site plan approval in the institutional zone and shall issue the required permits for these projects if approved and for any other approved but unbuilt projects. This shall include only the following University of New England projects:
  - a. Construction of two approved residence halls;
  - b. Expansion of the cafeteria;
  - c. Construction of a facilities management building;
  - d. Installation of lighting at the existing athletic fields.
2. The Planning Board shall not approve site plans for any other new or expanded buildings and structures, including parking lots, in the institutional zone not addressed in 1. until an institutional master plan has been approved for the college or university. Similarly, the City shall not issue building, plumbing, electrical, or other permits for any other new or expanded buildings or structures in the institutional zone not addressed in 1. until an institutional master plan is approved.

**\*Delete this transition section. Retain in archives. All (PB)**

- C. Coordination with site plan review. All projects in the institutional zone that require site plan review in accordance with Article XI of this Code shall continue to require site plan

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review and approval. In reviewing site plans for university uses or other uses conducted by a college or university in an institutional zone, the Planning Board shall consider the conformance of the proposed activities with the approved institutional master plan and shall approve the project only if it finds that the activities are consistent with the institutional master plan as well as other zoning overlays and as the other standards of Article XI and the provisions of the institutional zone.

**What sets off the requirement for a site review? (CS)**

In its review of projects in the institutional zone, the Planning Board shall be guided by the approved institutional master plan and shall not impose conditions or requirements on an applicant that are in conflict with the approved institutional master plan. In those areas where the master plan addresses issues that are also covered by site plan review, the Planning Board shall be guided by the overall direction provided in the approved institutional master plan and shall limit the scope of its review under the site plan provisions to how the projects contained in the master plan are designed and constructed to conform to the standards of Section B of Article XI. The following chart outlines the respective areas of concern for the review of an institutional master plan and the site plans for individual projects contained in the master plan for those areas covered in both reviews:

*This paragraph gives all power to the master plan. The planning office/board should be able to require something when overlooking a detailed plan for a new structure or use, just as they would do with any other Project coming before them. The project lacking detail needs to conform to zoning requirements. (CS)*

<b>Review Topic</b>	<b>Institutional Master Plan Review Focus</b>	<b>Site Plan Review Focus</b>
Buildings, athletic facilities, and supporting structures	The need for the facilities is related to program growth and changes supported in the master plan, and the general sizes and locations are appropriate based upon those needs	The buildings and/or facilities generally conform to the approved master plan and meet the specific zoning and site plan review standards

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Review Topic	Institutional Master Plan Review Focus	Site Plan Review Focus
Road network and traffic	The primary <u>public</u> road network providing access to the campus and <u>the neighborhood</u> within the campus will be adequate to handle the <u>current and</u> anticipated increase in traffic safely and efficiently while minimizing the impact on other users as a result of the identified improvements (CS)	Any road or traffic improvements that are identified in the overall traffic management program in the master plan that are needed to support the specific development project will be built and will meet the technical standards set out in the ordinance. <u>Any Road or traffic suggestions need to be reviewed by the city of Biddeford Planning and Public works if interfering with the public road. The narrowing of Hills Beach Road in the area of DeCary needs to be remedied. (CS)</u>
Parking	The amount of parking and general parking locations will be adequate to accommodate the anticipated increase in parking demand resulting from the growth and changes anticipated in the master plan <u>we need more detail about parking and paving, there is constant addition of parking here, there and every on campus. (CS)</u>	Any parking improvements that are identified in the overall parking program in the master plan that are needed to support the specific development project will be built and will meet the technical standards set out in the ordinance  <u>Curb cuts and added parking should be reviewed by the planning office and public works. (CS)</u>
Water and sewer	The water and sewer systems will be adequate to accommodate the anticipated increase in demand resulting from the growth and changes anticipated in the master plan  <u>This needs to be separated in two subjects. Water is public water and</u>	The location and design of the water and sewer facilities associated with the specific development proposal are consistent with the master plan and meet the technical standards set out in the ordinance

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Review Topic	Institutional Master Plan Review Focus	Site Plan Review Focus
	<p>the overuse will eventually interrupt the private neighborhoods. IF water pressure reduces the university will need to upgrade the water line coming to this area of the city. The sewer system is private and should be adequate to accommodate the demand and meet standards of waste water treatment and containment. (CS)</p>	<p>Is there regular monitoring of the sewer system and health of the water heading into the river? (CS)</p>
<p>Landscaping, lighting, signs, noise, scenic views</p>	<p>The master plan establishes appropriate standards for the design of these elements and to minimize the impact on surrounding neighborhoods</p> <p>How is this determined? Currently the lighting is not good but it may meet some standard according to ??? How are scenic views judged? It does not appear they are taken into consideration, the campus has become a wall of brick. (CS)</p>	<p>The location and design of these elements are consistent with the standards set out in the master plan and meet any other applicable technical standards set out in the ordinance</p> <p>The size and location of signs should be reviewed by the city Engineering/public works department. There is one may be interfering with site line. (CS)</p>
<p>Pedestrian and bicycle facilities</p>	<p>The pedestrian and bicycle facilities will be adequate to accommodate the anticipated increase in demand resulting from the growth and changes anticipated in the master plan and standards are established for the design of these elements</p> <p>These two columns do not appear to have enough detail. (CS)</p>	<p>The location and design of these elements are consistent with the master plan, meet the standards set out in the master plan, and any other technical standards set out in ordinance</p>

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**\*Building and facility sizes are represented by “splats” and do not represent relative size or shape. PB**

***\*With the understanding that shapes and size will still be conceptual and preliminary, UNE is happy to provide provisional shapes and sizes. JH***

**\*Is the distinction the between Master Plan review focus and Site Plan review focus appropriate and sufficiently clear in regard to Planning Board process? PB**

**\*Can we recognize that the tier building structure is working? Does it need to be refined? MH**

**\*Section C is too broad. We need to fill the information void between 10,000’ conceptual ideas and planning board submission level details. MH**

***\* UNE believes that the Master Plan process has worked well for UNE and the City. The essential purpose of the Master Plan process is to provide full transparency about UNE’s possible future plans. Any confusion or lack of understanding may be the product of insufficient dissemination or acquisition of available information, which UNE distributes widely to abutters and the Hills Beach Association in addition to public notices from the City.***

***The draft Master Plan has regularly been presented to the public at an on-campus meeting, prior to its submission to the Planning Board. UNE has then been able to hear and consider feedback to be included in the submission.***

***It is UNE’s standard practice to share the draft Master Plans and Site Plans with the Hills Beach Association and Ward 1 Council, with an offer to meet and review the information, requesting that they distribute the information to their email distribution lists.***

***UNE’s plans are conceptual in nature and look out many years into the future but may never come to fruition. The process has, however, allowed UNE to plan at the same time it has allowed the City the opportunity to understand UNE’s future plans and to weigh in on them.***

***A conceptual framework for UNE’s plans is a necessary part of the process for the very reason that most projects are conceptual in nature. For example, if UNE contemplates a potential future need to build a significant addition to an existing building, UNE notes that potential development on the Master Plan even though the addition has not been designed or funded, and even though it may never come to fruition. The placement of***

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*the addition on the Master Plan allows UNE to be ready to start planning for the project in earnest, which begins with finally determining the need and then the funding the project, which would include the hiring of an architect to design it. In short, before securing funding and spending money to design the project, UNE typically does not have detailed specificity about a future potential project. If further details of a potential project become available before the initiation of formal planning, those are included any updates to the Master Plan.*

*UNE believes that it is entirely appropriate for the details to be worked out within the Planning Board process as well as within any other applicable regulatory processes. Again, the details of a project and the future content of applicable regulations are not known at the time of the Master Plan process. JH*

*I agree with this section being too broad, not detailed enough. Seems to push everything to the master plan which does not necessarily have detail. While UNE holds a neighbor meeting it is well into the process, in December when no one is around and details are not provided. LONG term plans may not have design when the updated master plan is submitted, however items within 6 months of submittal of the master plan must have more detail known. (CS)*

D. Variances. Notwithstanding the provisions of Section 4 of Article IX of this Code, the Zoning Board of Appeals shall not grant variances with respect to the dimensional standards of the institutional zone unless the need for such variation is identified in an approved institutional master plan and such variation is explicitly endorsed by the Planning Board in its approval of the master plan.

*Explicitly endorsed needs more definition. Would a variance be identified in the master plan in advance? Why would something be approved with the need for a variance? This wording is confusing. (CS)*

E. Timing of the initial master plan submission. Any college or university located within an institutional zone shall submit an institutional master plan meeting the requirements of this section to the Planning Board for review within two years of the adoption of this section.

**\*Should E be deleted from the current ordinance and archived? PB**

*\*Agreed. JH*

*Agree delete and archive. (CS)*

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- F. Amendment of an approved master plan. A college or university may submit a request to amend the approved institutional master plan at any time provided that no request for an amendment shall be considered within three months of the date of the previous approval of the institutional master plan. The process, procedures, and standards for amending a master plan shall be the same as for the initial approval, however, the applicant may submit an application containing only those items that have been changed from the prior master plan.

All pages of the master master plan should have the revision number and date on each page. Amendments should be clearly identified as amendments within the master plan. (CS)

- G. Submission and review procedures. The institutional master plan shall contain the information and exhibits set forth in Subsection H. Upon receipt of the initial submission of an institutional master plan or a proposed amended master plan, the application shall be processed and reviewed in accordance with the procedures for reviewing site plan applications with the following additional provisions:

1. Upon receipt of an institutional master plan or an amendment to an approved master plan, the City planning staff shall have 14 days to review the plan for completeness. If the staff finds that the master plan provides all of the information set forth in Subsection H, the staff shall find the plan to be complete, shall notify the applicant, in writing, of this determination, and shall place the master plan on the agenda of the next regularly scheduled Planning Board meeting. The applicant will forward 10 copies of the proposed master plan for Planning Board review. If the staff finds the master plan to be incomplete, it shall notify the applicant, in writing, of this determination and shall indicate the additional information required.

Is this adequate timing for planning? Just asking.(CS)

2. Upon receipt of an institutional master plan, the planning department shall notify all agencies and departments regularly notified of site plan applications as well as the Biddeford Conservation Commission and any neighborhood organization that has requested to be notified of the submission of the master plan.

**\*For our information, which agencies and departments are notified? PB**

**More detail is needed in the master plan. IF a project is planned within the first year of the master plan acceptance details of that plan need to be more open, transparent and available. There has to be a better way to inform the**

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**neighborhoods. There are no totally inclusive organizations available. A copy should be posted on line with proper notice to the community. Giving a copy to the HBA does cover the entire area around UNE nor all of HBR.**

**And agencies and departments should be identified. (CS)**

3. Prior to the approval of an institutional master plan or an amended institutional master plan, the Planning Board shall hold a public hearing.

**\*Review notification requirements for Planning Board public hearing. PB**

4. The Planning Board shall review the institutional master plan at a regularly scheduled meeting of the Board. The Board shall have 30 days following its initial consideration of the plan to approve, approve with conditions, or deny the master plan.
5. A copy of any approved institutional master plan or an amendment to a master plan shall be filed with the City Clerk.

**\*Is this still current practice? PB**

**Is the master plan readily available for review by the public perhaps put a copy at the library? What is the exact process? This current master plan was submitted to the planning board in January of 2023? Or prior to that so it could go through the 30 days and then on to the Council. Should new items be in development which are not yet in an approved MS plan? (CS)**

[Amended 3-5-2019 by Ord. No. 2019.14]

- H. Contents of the institutional master plan. An institutional master plan shall provide the City and abutting neighborhoods with a clear outline of the anticipated growth and changes of the institution over the next five to 10 years and the potential impact of those changes on the City and areas surrounding the institution. The master plan should, therefore, contain a description of the current programs and facilities of the college or university, a description of anticipated changes in programs and facilities over the next five years, an analysis of the potential impacts of the anticipated changes on the facilities and the surrounding neighborhoods, an assessment of actions proposed to mitigate any adverse impacts resulting from the anticipated changes, and a conceptual plan showing the approximate size and location of proposed facility improvements.

*\*As previously stated, it would be helpful to show approximate size on a map rather than a “splat”. PB*

*\*The overview of planned growth starting on page 33 does not provide adequate detail size, scope or volume for future. One of the biggest lessons UNE learned during the initial master plan process was the value of 3D models to engage the public in its future vision. Can we consider a requirement for future plans to include 3D models or hard models or similar visual aids? MH*

*\*Models as suggested are expensive to generate and would add minimal value over a two-dimensional drawings, particularly if conceptual additions are noted by actual shapes rather than “splats.” And again, it is important to remember that the potential projects that have not been designed and that may never come to fruition. JH*

*Detail and transparency with the neighborhoods is needed. Protection and integrity of the neighborhoods needs more attention. Just putting a dot on a map when the plan is already in the works and permits applied for with agencies. Purchasing property does constitute zone change. Neighborhood impacts are not assessed. Traffic, noise, visual intrusion and events are bit monitored and need to be better managed. The coast is heavily controlled by zoning to protect the environment, the water ways and the quality of the area. Yet it does not appear that UNE has the same regulations imposed on them. (CS)*

The institutional master plan shall contain at least the following information and exhibits:

1. Mission statement and institutional objectives.
  - a. The institution's adopted mission statement.
  - b. A statement of any anticipated changes in the institution's mission over the next five years.
  - c. A statement of the institution's objectives with respect to growth and change over the next five years.

*\*Though no anticipated mission statement changes are noted in 3 of the 4 master plans I reviewed, the mission statement has evolved each time. While that is understandable, is that highlighted? PB*

*\*Changes to UNE's mission statement over the years have been largely semantic. UNE would be happy to highlight any future changes to its mission statement in future editions of the Master Plan. JH*

*What is the process for amendments and how is the information disseminated and memorialized. Page numbers, with REV and date would help. (CS)*

2. Existing physical conditions.
  - a. A scaled plan at a scale of not more than one inch equals 200 feet showing the location of all existing buildings, structures, athletic fields and facilities, parking, walkways, service areas, and other impervious surfaces and the height of all buildings and structures referenced to the National Geodetic Vertical Datum (NGVD).
  - b. A scaled plan at the same scale as the existing conditions plan showing the location of all existing utilities, sewer and water systems, and stormwater drainage facilities.
  - c. A natural resources inventory and analysis showing the location of all significant natural resources within those areas of the campus that are already developed or where development activities including clearing or filling are proposed or that will be potentially impacted by proposed development activities. The analysis shall assess the significance of these resources and the issues they raise with respect to the master plan. This shall include a plan at the same scale as the existing conditions plan showing the locations of the significant resources.

**\*Who defines what the natural resources are – forest reserves, air, sunlight? Pg 9 MH**

*The State of Maine determines what are considered significant natural resources. With the assistance of various experts, including Tom Saucier of Site Design Associates, UNE is guided by the regulatory requirements of the Maine DEP to determine what is considered a significant natural resource. As is indicated in the 2023 Master Plan text and Mr. Saucier's letter, UNE is also guided by past studies and past experience to determine whether significant natural resources exist within the already developed area of the Institutional Zone. JH*

In addition to the 250 ft shoreland zone on the river, there should be resource protection overlay on the Marsh, and stream set backs on other water. All set back areas should be memorialized on all plans. One only has to open ones eyes to see the natural resources. (CS)

- d. An historic and archeological resources inventory and analysis showing the location of any known historic or archeological resources and any area with potential as an area of historic or archeological significance within those areas of the campus that are already developed or where development activities including clearing or filling are proposed or that will be potentially impacted by proposed development activities. This shall include a plan at the same scale as the existing conditions plan.
- e. Data on the existing lot coverage and lot coverage ratio.

- **Memorialize data on the 250' no build zone per the SRCC. Pg 20 MH**
- **Are there any other no build areas which should be on this map? PB**
- *The characterization of the 2001 Saco River Corridor Commission (SRCC) permit condition of a 250-foot vegetative buffer as a “no build zone” is inaccurate. In 2001, the SRCC issued UNE a permit with a condition that UNE maintain a “250 foot wide vegetative buffer” along the shoreline of UNE’s property on parcel 52-4. Since at least 2008, on its Master Plan maps, UNE has recognized that vegetative buffer using the words “250’ SRCC setback.”*

*Some confusion has been created by the inaccurate characterization of the vegetative buffer as “Saco Corridor Commission permit conditions, preventing UNE from building within 250 feet of the Saco River” in UNE’s 2003-2007 Master Plan. That error was corrected in UNE’s 2008 Master Plan, which stated that UNE would comply with the SRCC regulations. The 2001 SRCC permit condition allows certain development in the vegetated buffer as long as it is permitted by the SRCC. Moreover, supported by their attorneys at Maine Attorney General’s Office, the SRCC has interpreted the vegetative buffer permit condition that it created as allowing certain development within the buffer as long as it is properly permitted by the SRCC. In other words, the SRCC created the vegetative buffer through a permit condition and, therefore, controls activity within it.*

*Nevertheless, so as to avoid an attempt to circumvent the SRCC's jurisdiction over the permit condition it created, it could make sense to indicate the 250-foot shoreland zoning ordinance line and requirements within the Institutional Zone Ordinance. The 250-foot shoreland zoning area also does not preclude all development within it. Within the Master Plan, UNE would continue to indicate the need to comply with both the SRCC and the City regulations without specifics because those regulations could be subject to change, like all other regulations and laws, between publishing and approval of the Master Plan and actual permitting of any particular project. JH*

- The marsh should not have been filled in to build soccer fields and the parking lot next to it should not have been recently expanded. These changes are never discussed although they go against zoning.
- Article V, section 2.b. Comments about coastal areas with significant environmental or visual significance should apply in IN.
- Article V, section L is great language but is really being done to minimize adverse effects etc. That language needs to be in the Institutional zone.
- Who determined the lot coverages on various locations of the campus?
- There are other “no build” areas which need to be shown on all plans. (CS)

3. Programs and activities.

- a. A narrative providing at least the following information about current programs and activities:
  - (1) The current educational programs and degree offerings.
  - (2) Other regularly scheduled programs or activities offered or hosted by the institution.
  - (3) Current enrollment of full time and part time students by head count based upon the most recent integrated postsecondary data survey (IPDS) report.
  - (4) Current employment by type of positions and full time/part time status by head count based upon the most recent IPDS report.
  - (5) The number of people living on campus.

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- b. A narrative describing how the programs and activities and the number of students, employees, campus residents, and program participants are anticipated to change over the next five years.
4. Educational, research, residential, support and athletic facilities.
- a. A description and plan identifying what buildings and facilities are currently used for these purposes.
  - b. The current bed capacity of all residential buildings and the anticipated change in the total bed capacity.
  - c. A description of any significant changes in the type of use made of existing buildings, significant expansions of existing buildings, or new buildings and facilities that are anticipated to be needed in the next five years.
  - d. A description of how the anticipated changes in facilities relate to program changes and the institution's mission.

**\*Can someone expand on what 4d entails? Is the proposed pier considered part of this expansion? MH**

**\* With respect, UNE is unclear why this question is part of the examination of the IZO and is interested in understanding the purpose behind this question.**

***Nevertheless, the portion of the Master Plan makes a general statement about all kinds of research. Also on page 34, just down the page is more specific information about marine research:***

***Waterfront Access for Research and Recreation - increasing use of the waterfront for academic and research activities has resulted in a demand for year-round dock facilities. The current seasonal research facility limits the access to the water, thus a more permanent pier is required for the extensive programming being conducted. The ideal location for this year-round facility would be adjacent to the Girard Marine Science and Education Center.***

***On page 10 of the Master Plan, there is another reference more specific to marine research:***

***The Saco River and associated wetlands are located northerly of the campus. There are several potential projects within 500' of the Saco River. These include an addition to the existing Marine Science Research Center in support***

*of the ongoing research activities, a new waterfront access research pier facility to allow research related activities to year round, converting the temporary recreational waterfront access facility to a permanent facility in support UNE's crew and sailing programs, recreational waterfront access from 1 Hills beach Road, ADA compliant trails along the waterfront, an addition to the wastewater treatment facility, an addition to Decary Hall, an addition to the Petts Center, and addition(s) to the Campus Center. Development of these projects will require compliance with the regulations of and approval from the Saco River Corridor Commission, as well as the other requisite permitting agencies. JH*

*Does this go before the board for approval of change of use or just a description provided? (CS)*

**\*Shouldn't temporary facilities need limitations on size, location, and duration?  
MH**

*\* UNE is not opposed to appropriate limitations on any temporary facilities but notes that it has not used them in years. JH*

*I believe change of use is a standard throughout our zoning protecting neighborhoods from dramatic change of use. I see this as standard zoning language which most likely does not affect most UNE buildings. The medical building undergoing change as we speak does not really impact anything and the temporary building office trailers do not impact much. Assuming when the project is over UNE is not going to leave those trailers. Temporary office or classroom trailers left over a long period of time could be a problem. (CS)*

5. Parking and traffic.

- a. Information on current traffic volumes and conditions including levels of service on the principal public streets and intersections of public streets within the zone and on the primary access routes to the campus.

*Curb cuts and public road conditions need to be identified and managed.(CS)*

- b. A description of anticipated changes in traffic volumes over the next five years resulting from the changes in programs and facilities included in the master plan.

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- c. An analysis of the impact of these changes on traffic flow and vehicular and pedestrian safety on public streets within the zone and that provide access to the campus.

We need safer traffic through the campus, open the road back up and delete that new curb cut across from Decary. It is next to the busiest cross walk on the entire campus. (CS)

- d. A proposed program of improvements to address any unacceptable impacts resulting from changes in traffic volumes including activities that will be undertaken to mitigate any adverse impacts on adjacent residential neighborhoods.

How? The road needs to be widened and improved in front of Decary where UNE narrowed it. It is dangerously narrow. There should be a consistent road design with width in place. Biddeford has road requirements. Curb cuts need to be better managed. (CS)

- e. Information on the number and location of existing parking spaces.

Lot coverage needs to be studied, there is constant addition to parking throughout the campus. (CS)

- f. An analysis of the adequacy of the existing parking to meet anticipated changes in programs and facilities over the next five years.

How? It may time to build a garage instead of paving over more land and chopping down more trees. (CS)

- g. An assessment of pedestrian and bicycle movements and safety related to the parking supply and locations.

- h. A proposed program of parking improvements to meet any identified deficiencies.

6. Water and sewer service.

- a. A description of current provisions for water supply and sewage disposal including capacities, current utilization rates, and conformance with any permit or other legal standards.
- b. An analysis of the change in demand for water supply and sewage disposal resulting from anticipated changes in programs and facilities over the next five years and the adequacy of the existing systems to meet this demand.

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- c. A proposed program of improvements to address any identified deficiencies.
- d. A statement as to how water supply and sewer disposal improvements are or will be coordinated with City programs and the needs of neighboring residential areas.

**\* The master plan indicates the waste treatment plant may need to be expanded yet a 50K gallon surplus is later described. This should be reconciled. MH**

**\*Can we have access to the historical WWTP discharge reporting for the last 3 years? MH**

***\* With respect, UNE is unclear why this question is part of the examination of the IN. Nevertheless, on page 35, UNE stated that upgrades to the treatment facility “may be required if the projected water usage is greater than anticipated.” Later in the Master Plan, the information indicated sufficient capacity. The two statements are not in contradiction. Monthly reports are submitted to the Maine DEP. JH***

**\*Regarding water services and sprinkler coverage for a campus of this size being fed with an 8” main, what method was used to determine adverse impacts to the community? Shouldn’t they be scrutinized and held to a known standard such as FM global or similar industry standard? MH**

***\* As indicated in the Master Plan, Maine Water, which owns the existing water main, reviewed the Master Plan and stated, “Based on the revised capital plan, we are comfortable that the water system has capacity for the projected growth and uses you have indicated.” (Maine Water’s letter is part of the Master Plan). JH***

***As commented elsewhere this should be two subjects divided. Is the 8 inch line adequate for the college and the neighborhoods? And at the time it becomes inadequate is the college replacing the line? Who is responsible and how does the system get an upgrade when needed? (CS)***

7. Municipal and community services.

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- a. A description of all municipal and community services (police, fire, rescue, recreation, etc.) currently utilized by the institution and data on the current level of usage.
- b. An analysis of the change in demand for municipal and community services and the adequacy of the existing services to meet this demand.

Is this happening and is there a system in place for the university to compensate the city? (CS)

- c. A proposed program of improvements to meet the identified deficiencies including proposed funding mechanisms.
8. Neighborhood impacts.
- a. An assessment of how current campus activities impact neighboring residential areas including, but not limited to, traffic, noise, and visual intrusions. This assessment shall consider conformity to current City and state standards with respect to these items as well as documented evidence of any community or neighborhood concerns relative to these issues.

How is this managed, I do not see this happening. (CS)

- b. An evaluation of current efforts to mitigate these impacts.
- c. An assessment of any changes in these impacts resulting from the changes in programs or facilities included in the master plan.
- d. A program for mitigating the adverse impacts of proposed changes or improvements on surrounding residential neighborhoods.

**\*This aspect could use some alteration in process. The neighborhoods should be more directly involved in the identification of potential negative impacts and possible strategies for mitigation. PB**

**\*UNE suggests that feedback be provided by the community at a UNE hosted Master Plan Workshop, prior to the submission to Planning Board for review, in order for the feedback to be solicited from City residents and incorporated into the Plan as appropriate. JH**

Communication with the neighborhoods including those on Pool Road and Old pool road needs improvement. The current master plan was introduced to us in December of 2022 in a meeting that was not well advertised. I happened to

be there and my question about the plan for the pier was met with an answer of “it is just a dot on the map, there is not a good plan at this time”. Yet we learn now that design was already done and in for funding and approval. WE need better transparency. ONE neighborhood couple from Old Pool asked me how I heard about the meeting and asked me why more folks did not know about it. This review should be moved to September before a January Submittal. Not at Christmas with little publicity and a January submittal. (CS)

The smooth movement is on the street is often impacted with “FUN” events.  
(CS)

Those non UNE events create noise and other problems. (CS)

9. Community outreach.

- a. A description of current Biddeford (CS) community outreach activities.
  - b. An analysis of anticipated changes in outreach activities over the next five years.
- **There are a myriad of community outreach components on pages 74-82 that should not be taken on face value. Have these been scrutinized, validated, and then celebrated? MH**
  - ***UNE cannot speak to what was done by the Biddeford Planning Board. UNE does attest to the accuracy of the information contained in the Master Plan. In light of the fact that that section of the Master Plan is informational, it would seem overly burdensome for UNE and the Planning Board if such information were to be subject to the level of proof suggested by the question. JH***

10. Conceptual development program.

- a. A conceptual site plan at the same scale as the existing conditions plan showing the approximate size and location of proposed changes to buildings, structures, parking lots, pedestrian facilities, bicycle facilities, athletic fields and facilities, roads, and similar facilities proposed in the master plan. This should show new facilities, modifications or enlargements of existing facilities, and the planned removal of facilities.

Is this updated when the master plan is updated? (CS)

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- b. An accompanying narrative or tables detailing the scale or size of the proposed improvements including the approximate height of buildings, the approximate peak elevation of buildings and structures referenced to NGVD, approximate floor area, approximate size of parking areas, or approximate occupancy.

We may want to review the height and scale of the buildings. (CS)

- c. A description of all development and design standards or provisions that will apply to the proposed improvements in accordance with Subsection I.
  - d. A schedule setting out when the improvements included in the conceptual development program are anticipated to be completed.
- I. Development and design standards. The institutional master plan shall establish development and design standards that shall apply to all development proposals and other improvements within the institutional zone. These development and design standards will apply to individual projects that are submitted for site plan review. These standards shall foster the development of a visually and architecturally integrated campus that is safe, environmentally sensitive, and that minimizes the adverse impact of the campus on neighboring residential areas. At a minimum, these development and design standards shall address the following areas:
- 1. Landscaping. The standards shall establish a general pattern for all campus landscaping including the typical size and type of plantings and shall detail how landscaping will be used to enhance the visual environment of the campus, shield and soften service and parking areas, and minimize impacts on surrounding residential areas and the users of public streets through the campus.
  - 2. Exterior lighting. The standards shall establish a general lighting theme for the campus and shall identify the appropriate maximum, average, or minimum illumination levels and uniformity ratios for various areas and facilities, the typical type of lighting fixtures and poles that will be used, and shall detail how night-time sky glow and light intrusion on neighboring residential areas will be minimized.

How can we make this work better? It sounds great on paper.(CS)

- 3. Signage. The standards shall establish a consistent design theme for all campus signs that enhances the visual environment of the campus and shall identify the general design, sizes, and locations for various types of campus signs.

**\*Temporary signage – Are we complying with the temporary signs and banners at the Alford Center now (10 days)? MH**

**\* With respect, UNE is curious how this question is within the scope of this Committee. Nevertheless, the City has confirmed that UNE is in compliance in this regard. JH**

4. Pedestrian and bicycle facilities. The standards shall establish an integrated program for accommodating pedestrians and bicyclists safely while promoting a campus environment that is pedestrian focused. The standards shall identify the types, general location, and typical design of various pedestrian and bicycle facilities.
5. Noise. The standards shall establish an overall program for minimizing the impact of campus noise on adjacent residential areas. The standards shall identify measures that will be employed to control noise at the source as well as to mitigate the impacts of noise on adjacent property.

The daily noise of the campus does not appear to be an issue, but the event noise is, especially events that are not UNE sponsored on their campus. I hear the speaker on the football field at my house on the end of HBR. (CS)

6. Architectural design and details. The standards shall establish an integrated design theme for campus buildings that is harmonious with existing buildings while promoting a high level of design for new buildings. The standards shall address the scale and massing of buildings, appropriate materials and colors, rooflines, locations of building entrances, architectural detailing, and similar features to create a visually attractive campus while minimizing impacts on surrounding residential areas.
7. Protection of identified scenic views. The standards shall establish a standard approach for protecting scenic views within or from the campus that have been formally identified and approved by the City Council.

**\*I don't find documentation that UNE or the city is hitting the mark on this. "The standards shall establish a standard approach for protecting scenic views within or from the campus that have been formally identified and approved by the City Council." MH**

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*\* UNE welcomes clarification. Although the City Council has not created standards regarding scenic views, the other regulatory oversight UNE is subject to, including SRCC and Maine DEP, include consideration of public views. JH*

*I do not see this happening. The tax paying residents have had stricter requirements put in place while UNE seems to have none. Biddeford does have view protection in its zoning. Where is it for the campus? (CS)*

J. Approval standards. In reviewing an institutional master plan, the Planning Board shall approve the master plan if it finds that:

1. The activities and facilities proposed in the master plan are consistent with the institution's mission statement.

*This zone sends all power back to the master plan, is this the way it should be or should this zone have more detail? (CS)*

2. The facilities conform to the requirements of the institutional zone and other applicable provisions of the zoning ordinance.
3. There is a reasonable expectation that individual projects carried out in accordance with the institutional master plan will be able to be designed so that they comply with the site plan review standards of Article XI.
4. The activities and facilities will be designed in a manner that will not unreasonably increase adverse impacts on adjacent residential neighborhoods or the facilities or services of the City of Biddeford.

*How is this measured? (CS)*

5. The City Council and UNE shall establish a scholarship and community grant program, within the first six months of the acceptance of the university's master plan.

**\*Grants/Scholarship program – I don't see documentation that UNE or the city is hitting the mark on this. "The City Council and UNE shall establish a scholarship and community grant program, within the first six months of the acceptance of the university's master plan." MH**

*\* On May 6, 2003 the City Council voted to authorize the City Manager to execute an agreement with UNE to establish the PILOT program. This was executed on May 8, 2003 and was deemed to satisfy this section of the ordinance. JH*

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**Is this ongoing and how is it established? Where are the details.(CS)**

K. Appeals of Planning Board action. Appeals of the actions of the Planning Board in reviewing and approving institutional master plans under this section shall be to the City of Biddeford's Zoning Board of Appeals. The applicant and any party to the review of the institutional master plan may appeal any action of the Planning Board within 30 days of such action by providing written notice to the Board of Appeals setting forth the action being appealed and the specific basis for the appeal. Appeals of Planning Board actions in the review of an institutional master plan shall be processed in accordance with the procedures set out in Section 5 of Article IX of this ordinance.<sup>[1]</sup>

[1] *Editor's Note: The provisions of former Section 12, Medical marijuana dispensary moratorium, added 3-16-2010 by Ord. No. 2010.23, have expired and therefore are not included in the Code.*

**Other Questions:**

1. Conditional uses – It was clarified at the last meeting that research labs are not conditional unless they are run by a contracted service/outside agency. Where is this documented? MH

***Experimental research and testing laboratories are a conditional use in the Institutional Zone, per Footnote 19 of Table A, which states: “This use does not include facilities, activities, or programs conducted by or hosted by a college or university that meet the definition of ‘university uses.’ Such uses shall be considered as university uses and shall be permitted in the institutional zone subject to the requirements of the zone and the additional performance standards for colleges/universities.” All ongoing research activities at UNE are conducted or hosted by UNE, thus are University Uses and thus permitted in the Institutional Zone. JH***

Tables A and B need to be studied. (CS)

2. Contracted services are an extension of UNE and critical to their business. They also have potential adverse impacts as well and potential mutual benefits. The city might consider defining those “Essential service providers and suppliers” as potentially impactful in many ways? MH

***UNE does contract for some services such as dining and trash management, but UNE does not understand what is being suggested and seeks clarification. JH***

3. Can someone elaborate/refresh us on no build zone for parcel 2 and 7? MH

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*This nomenclature is not entirely accurate as these are not “No Build Zones,” but are more appropriately described as “Restricted Development Areas” as clearly identified in the ordinance. The restricted development in these areas is defined in Table B, note P.5.a-f. This includes development of low impact academic or support facilities at the former Housing Park site, improvements to the existing athletic facilities and the potential creation of a bypass road. JH*

Parcel 2 is part of the marsh that was filled in under Dr. Featherman. It should be in Resource protection. Those fields and lights do not belong there. Parcel 7 is wetland. The former housing Park site is in wetland and should be part of the marsh and not built upon. (CS)

4. Is the undeveloped parcel on Guinea Road in the IN zone? MH

*Yes, that information is identified in the Conceptual Development Section, on the Campus Master Plan – University Properties plan. It is also identified as being part of the IN on the City Zoning Map. JH*

How and when did some land on Guinea Road become part of the IN zone? That may constitute spot zoning. (CS)

5. How do future land acquisitions relate to the IN zone? MH

*UNE does not believe that future land acquisitions are necessarily relevant to the INZ. UNE does not believe that every piece of property owned by UNE should necessarily be contained in the IN, primarily because such a necessary inclusion could result in inappropriate spot zoning throughout the City. Needless to say, any development outside the IN must comply with the zoning and other regulatory requirements applicable to any particular piece of property. JH*

As aggravating as it is we know that universities and churches are not taxed. Does that have to include every parcel of land or building that UNE purchases. The removal of properties from the tax roles is concerning. (CS)

6. Given the University is private and there are known public access such as Town Landing, and there are rumors of other mutually agreed upon public access points to the campus and the waterfront, could UNE elaborate on all the free public access to the campus for pedestrians, bikers, water access, etc. as well as any programs and events? MH

*UNE is a place of public accommodation where the public is welcome. As part of a proposed agreement with the City to convey land to the City for a fire substation at no cost, UNE would also grant an irrevocable license to the public to use Freddy Beach so long as UNE owns it. JH*

7. How do we establish a means for tracking previous conditions of approval; (IE SRCC no build zone, Decary Road posts were agreed as part of traffic control on Hills Beach road, but are removed)? MH

*UNE agrees that a method of tracking changes would be useful. Again, however, UNE must note that the characterization of the vegetative buffer as a “no build zone” is inaccurate. JH*

*Going forward we need to memorialize in writing with UNE all agreements no matter how small. People change positions, people leave positions and we need a system to better document all agreements. Many of the issues which go against zoning or are creating anger in the community were done prior to the arrival of Dr. Herbert. UNE needs to be more transparent. (CS)*

8. The relationship with the city and UNE must have clear and transparent accounting of the financial puts and takes. There are many positive impacts to social capital such as lecture series, real capital like UNE volunteer time and real dollars that UNE contributes to offset the costs of city services, property taxes, etc. There needs to be an accurate accounting of the current costs and investments. We should also agree on an agreed financial formula to ensure equity and offset any adverse impacts or effects on the community, and a possible oversight committee for this charge. MH

Agreed (CS)

*Respectfully, UNE disagrees that this suggestion is within the scope of the work of the Committee. Nevertheless, based on a 2024 economic impact study, UNE is confident that by any objective measure, the economic benefits that UNE provides to Biddeford residents far exceeds any impact on the City’s infrastructure. Just a few of the many of UNE’s contributions include:*

- *UNE is the largest non-health care related Maine-based employer in York County and employs close to 250 Biddeford residents.*
- *UNE spends approximately \$55 million dollars on goods and services from Maine businesses.*
- *Between 2021 and 2024, 118 UNE interns provided service with Biddeford, Saco, and Old Orchard Beach.*
- *UNE students and faculty are working in the community to restore the Biddeford Pool Marsh, and UNE set up and helps manage the Saco Watershed Collaborative to protect water quality and public health in the area.*
- *UNE students have assisted the Biddeford Conservation Commission on two projects, one involving the value of unfragmented forests and the other involving the restoration of the Thatcher Brook Watershed.*
- *In addition to the UNE community providing thousands of hours of volunteer time within the Biddeford Community, UNE subsidizes the Biddeford Saco Old Orchard Beach Transit at \$90,000 a year and pays the City of Biddeford an annual \$100,000 Payment in Lieu of Taxes.*

*In contrast, UNE manages its own waste disposal and maintains its own sewage treatment plant. With respect to the use of public safety services such as police, fire, and EMS, UNE maintains its own public safety department and first responders. As a result, as of 2021, UNE's usage of those public safety services was .17 calls per resident as compared to the City average of 2.28 calls per resident. JH*

**COMMENTS OF 3-5-26:**

**Our charge is to review the exiting standards and processes to appropriately guide UNE development while reducing adverse impacts on the community.**

By looking at the current Master plan, we can test the effectiveness of the current INZ.

This is not meant to be an in-depth review but rather a inquiry into key areas and potential opportunities for improvement

**2023-2027 Master Plan submission questions**

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Page 9 states there are no significant natural resources located on the developed site: Who defined what those are? forest reserves? air? sunlight?

Page 20-I am pleased to see UNE recognizes the 250' no build zone per the SRCC and this should be memorialized in the INZ.

Page 34-Research Facilities-can someone expand on what this entails? Is the proposed pier considered part of this expansion?

Page 35-This indicated the Waste treatment plant may need to be expanded. But page 64 indicates 50K gallon surplus. These should be reconciled.

Can we have access to the historical WWTP discharge reporting for the last 3 years?

Page 35-Shouldn't temporary facilities need limitations on size, location, and duration?

Page 63 Water-Regarding water services and sprinkler coverage for a campus of this size being feed with an 8" main, what method was used to determine adverse impacts to the community? Shouldn't they be scrutinized and held to a known standard such as FM global or similar industry standard?

There are a myriad of community Outreach components on page 74-82, that should not be taken on face value. Have these been scrutinized, validated, and then celebrated?

Conditional uses-It was clarified at the last meeting that research labs are not conditional unless they are run by a contracted Service/outside agency. Where is this documented?

Contracted Services are an extension of UNE and critical to their business. They also have potential adverse impacts as well and potential mutual benefits. The city might consider defining those "Essential service providers and suppliers" as potentially impactful in many ways.

Can someone elaborate/refresh us on no build zone for parcel 2 and 7?

Is the undeveloped parcel on Guinea road in the IN zone?

How do future land acquisitions relate to the INZ?

Temporary signage-Are we complying with the temporary signs and banners at the Alford Center now (10 days)?

**IN Zone review comments**

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Can we recognize that the tier building structure is working? Does it need to be refined?

Section C-is too broad. We need to fill the information void between 10,000' conceptual ideas and planning board submission level details.

I7 Scenic views- I don't find documentation that UNE or the city is hitting the mark on this. *"The standards shall establish a standard approach for protecting scenic views within or from the campus that have been formally identified and approved by the City Council."*

J5 Grants/Scholarship program I don't see documentation that UNE or the city is hitting the mark on this *"The City Council and UNE shall establish a scholarship and community grant program, within the first six months of the acceptance of the university's master plan."*

Considerations for key areas of focus

1. The overview of planned growth starting on page 33 does not provide adequate detail size, scope or volume for future. One of the biggest lessons UNE learned during the initial master plan process was the value of 3D models to engage the public in its future vision. Can we consider a requirement for future plans to include 3D models or hard models or similar visual aids?
2. Given the University is private and there are known public access such as Town Landing, and there are rumors of other mutually agreed upon public access points to the campus and the waterfront, could UNE elaborate on all the **free public access** to the campus for pedestrians, bikers, water access, etc. as well as any programs and events?
3. How do we establish a means for tracking previous conditions of approval; (IE SRCC no build zone, Decary Road posts were agreed as part of traffic control on Hills Beach road, but are removed)?
4. The relationship with the city and UNE must have clear and transparent accounting of the financial puts and takes. There are many positive impacts to **social capital** such as lecture series, **real capital** like UNE volunteer time and **real dollars** that UNE contributes to offset the costs of city services, property taxes, etc. There needs to be an accurate accounting of the current costs and investments. We should also agree on an agreed financial formula to ensure equity and offset any adverse impacts effects on the community, and a possible oversight committee for this charge.



## Minutes of Institutional Zone Review Committee

February 26, 2026

### 1. Call to Order:

The meeting was called to order at 4:05 pm.

### 2. Pledge of Allegiance was recited.

### 3. Roll Call

All members were present: Councilors Patricia Boston and Marc Lessard; James Herbert, Matthew Haas, Christina Stone, Elizabeth Martin and Roby Fecteau (Staff).

### 4. Approval of Minutes of February 19, 2026

Motion to accept: Matt Haas; Second: Marc Lessard; Vote: Unanimous in favor.

### 5. Approval of Meeting Dates

Councilor Boston announced the following scheduled committee meeting dates: Monday, March 2, 6 pm which will include a public comment session; Monday, March 9, 4 pm; Thursday, March 19, 4 pm; Thursday, March 26, 4 pm.

### 6. Material Review

Councilor Lessard suggested that it would be helpful to have a high level chronology of events related to the ordinance, Institutional Zone master plan submissions, and UNE's completed projects. Roby Fecteau and Alan Thibeault stated they would work together on this and targeted March 9 as a completion date.

Councilor Boston reviewed the Overview of the Institutional Zone Biddeford Zoning Ordinance.

Councilor Boston and Roby Fecteau reviewed related documents which have been posted on the committee's page on the city website and how to access that page, and shared the committee's group email address – [InstitutionalZoneReview@biddefordmaine.org](mailto:InstitutionalZoneReview@biddefordmaine.org) – that members of the public can use to share information and submit questions.

The committee discussed how best to proceed with the Institutional Zone ordinance review. It was agreed that the committee would begin by reviewing the document prepared by David Galbraith (Article V, Section 11 in Word), comparing the text to the existing master plan, and sharing their comments, questions, and suggestions through the group email. Those will be inserted in the document for group review at the next meeting. It is recognized that there are additional sections

of the zoning ordinances which pertain to the Institutional Zone, such as Tables with footnotes, and those also will be reviewed.

**7. Adjourn**

The meeting was adjourned at 5:15 pm.

**Institutional Zone Review Committee**  
**Section 11 - Institutional Master Plan**  
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**Section 11 Institutional master plan.**

[Ord. No. 2001.90, § 7, 10-16-2001]

- A. Applicability. Any university use or other use conducted by a college or university in an institutional zone shall be consistent with an institutional master plan approved by the Planning Board in accordance with this section. Any site plan approval or other approval for such uses shall be consistent with the approved institutional master plan.

Any university use or other use conducted by the university in the institutional zone shall be consistent with uses specified in the institutional zone and the master plan approved by the city of Biddeford council and planning board. Any site plan approval or other approval for such uses shall be consistent Biddeford zoning and the approved institutional master plan. CS

- B. Transition provisions.

1. Following the adoption of this section, the City shall continue to process any pending applications for site plan approval in the institutional zone and shall issue the required permits for these projects if approved and for any other approved but unbuilt projects. This shall include only the following University of New England projects:
  - a. Construction of two approved residence halls;
  - b. Expansion of the cafeteria;
  - c. Construction of a facilities management building;
  - d. Installation of lighting at the existing athletic fields.
2. The Planning Board shall not approve site plans for any other new or expanded buildings and structures, including parking lots, in the institutional zone not addressed in 1. until an institutional master plan has been approved for the college or university. Similarly, the City shall not issue building, plumbing, electrical, or other permits for any other new or expanded buildings or structures in the institutional zone not addressed in 1. until an institutional master plan is approved.

**\*Delete this transition section. Retain in archives. All (PB)**

- C. Coordination with site plan review. All projects in the institutional zone that require site plan review in accordance with Article XI of this Code shall continue to require site plan

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review and approval. In reviewing site plans for university uses or other uses conducted by a college or university in an institutional zone, the Planning Board shall consider the conformance of the proposed activities with the approved institutional master plan and shall approve the project only if it finds that the activities are consistent with the institutional master plan as well as other zoning overlays and as the other standards of Article XI and the provisions of the institutional zone.

**What sets off the requirement for a site review? (CS)**

In its review of projects in the institutional zone, the Planning Board shall be guided by the approved institutional master plan and shall not impose conditions or requirements on an applicant that are in conflict with the approved institutional master plan. In those areas where the master plan addresses issues that are also covered by site plan review, the Planning Board shall be guided by the overall direction provided in the approved institutional master plan and shall limit the scope of its review under the site plan provisions to how the projects contained in the master plan are designed and constructed to conform to the standards of Section B of Article XI. The following chart outlines the respective areas of concern for the review of an institutional master plan and the site plans for individual projects contained in the master plan for those areas covered in both reviews:

*This paragraph gives all power to the master plan. The planning office/board should be able to require something when overlooking a detailed plan for a new structure or use, just as they would do with any other Project coming before them. The project lacking detail needs to conform to zoning requirements. (CS)*

<b>Review Topic</b>	<b>Institutional Master Plan Review Focus</b>	<b>Site Plan Review Focus</b>
Buildings, athletic facilities, and supporting structures	The need for the facilities is related to program growth and changes supported in the master plan, and the general sizes and locations are appropriate based upon those needs	The buildings and/or facilities generally conform to the approved master plan and meet the specific zoning and site plan review standards

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Review Topic	Institutional Master Plan Review Focus	Site Plan Review Focus
Road network and traffic	The primary <u>public</u> road network providing access to the campus and <u>the neighborhood</u> within the campus will be adequate to handle the <u>current and</u> anticipated increase in traffic safely and efficiently while minimizing the impact on other users as a result of the identified improvements (CS)	Any road or traffic improvements that are identified in the overall traffic management program in the master plan that are needed to support the specific development project will be built and will meet the technical standards set out in the ordinance. <u>Any Road or traffic suggestions need to be reviewed by the city of Biddeford Planning and Public works if interfering with the public road. The narrowing of Hills Beach Road in the area of DeCary needs to be remedied. (CS)</u>
Parking	The amount of parking and general parking locations will be adequate to accommodate the anticipated increase in parking demand resulting from the growth and changes anticipated in the master plan <u>we need more detail about parking and paving, there is constant addition of parking here, there and every on campus. (CS)</u>	Any parking improvements that are identified in the overall parking program in the master plan that are needed to support the specific development project will be built and will meet the technical standards set out in the ordinance  <u>Curb cuts and added parking should be reviewed by the planning office and public works. (CS)</u>
Water and sewer	The water and sewer systems will be adequate to accommodate the anticipated increase in demand resulting from the growth and changes anticipated in the master plan  <u>This needs to be separated in two subjects. Water is public water and</u>	The location and design of the water and sewer facilities associated with the specific development proposal are consistent with the master plan and meet the technical standards set out in the ordinance

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Review Topic	Institutional Master Plan Review Focus	Site Plan Review Focus
	<p>the overuse will eventually interrupt the private neighborhoods. IF water pressure reduces the university will need to upgrade the water line coming to this area of the city. The sewer system is private and should be adequate to accommodate the demand and meet standards of waste water treatment and containment. (CS)</p>	<p>Is there regular monitoring of the sewer system and health of the water heading into the river? (CS)</p>
<p>Landscaping, lighting, signs, noise, scenic views</p>	<p>The master plan establishes appropriate standards for the design of these elements and to minimize the impact on surrounding neighborhoods</p> <p>How is this determined? Currently the lighting is not good but it may meet some standard according to ??? How are scenic views judged? It does not appear they are taken into consideration, the campus has become a wall of brick. (CS)</p>	<p>The location and design of these elements are consistent with the standards set out in the master plan and meet any other applicable technical standards set out in the ordinance</p> <p>The size and location of signs should be reviewed by the city Engineering/public works department. There is one may be interfering with site line. (CS)</p>
<p>Pedestrian and bicycle facilities</p>	<p>The pedestrian and bicycle facilities will be adequate to accommodate the anticipated increase in demand resulting from the growth and changes anticipated in the master plan and standards are established for the design of these elements</p> <p>These two columns do not appear to have enough detail. (CS)</p>	<p>The location and design of these elements are consistent with the master plan, meet the standards set out in the master plan, and any other technical standards set out in ordinance</p>

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**\*Building and facility sizes are represented by “splats” and do not represent relative size or shape. PB**

***\*With the understanding that shapes and size will still be conceptual and preliminary, UNE is happy to provide provisional shapes and sizes. JH***

**\*Is the distinction the between Master Plan review focus and Site Plan review focus appropriate and sufficiently clear in regard to Planning Board process? PB**

**\*Can we recognize that the tier building structure is working? Does it need to be refined? MH**

**\*Section C is too broad. We need to fill the information void between 10,000’ conceptual ideas and planning board submission level details. MH**

***\* UNE believes that the Master Plan process has worked well for UNE and the City. The essential purpose of the Master Plan process is to provide full transparency about UNE’s possible future plans. Any confusion or lack of understanding may be the product of insufficient dissemination or acquisition of available information, which UNE distributes widely to abutters and the Hills Beach Association in addition to public notices from the City.***

***The draft Master Plan has regularly been presented to the public at an on-campus meeting, prior to its submission to the Planning Board. UNE has then been able to hear and consider feedback to be included in the submission.***

***It is UNE’s standard practice to share the draft Master Plans and Site Plans with the Hills Beach Association and Ward 1 Council, with an offer to meet and review the information, requesting that they distribute the information to their email distribution lists.***

***UNE’s plans are conceptual in nature and look out many years into the future but may never come to fruition. The process has, however, allowed UNE to plan at the same time it has allowed the City the opportunity to understand UNE’s future plans and to weigh in on them.***

***A conceptual framework for UNE’s plans is a necessary part of the process for the very reason that most projects are conceptual in nature. For example, if UNE contemplates a potential future need to build a significant addition to an existing building, UNE notes that potential development on the Master Plan even though the addition has not been designed or funded, and even though it may never come to fruition. The placement of***

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*the addition on the Master Plan allows UNE to be ready to start planning for the project in earnest, which begins with finally determining the need and then the funding the project, which would include the hiring of an architect to design it. In short, before securing funding and spending money to design the project, UNE typically does not have detailed specificity about a future potential project. If further details of a potential project become available before the initiation of formal planning, those are included any updates to the Master Plan.*

*UNE believes that it is entirely appropriate for the details to be worked out within the Planning Board process as well as within any other applicable regulatory processes. Again, the details of a project and the future content of applicable regulations are not known at the time of the Master Plan process. JH*

*I agree with this section being too broad, not detailed enough. Seems to push everything to the master plan which does not necessarily have detail. While UNE holds a neighbor meeting it is well into the process, in December when no one is around and details are not provided. LONG term plans may not have design when the updated master plan is submitted, however items within 6 months of submittal of the master plan must have more detail known. (CS)*

D. Variances. Notwithstanding the provisions of Section 4 of Article IX of this Code, the Zoning Board of Appeals shall not grant variances with respect to the dimensional standards of the institutional zone unless the need for such variation is identified in an approved institutional master plan and such variation is explicitly endorsed by the Planning Board in its approval of the master plan.

*Explicitly endorsed needs more definition. Would a variance be identified in the master plan in advance? Why would something be approved with the need for a variance? This wording is confusing. (CS)*

E. Timing of the initial master plan submission. Any college or university located within an institutional zone shall submit an institutional master plan meeting the requirements of this section to the Planning Board for review within two years of the adoption of this section.

**\*Should E be deleted from the current ordinance and archived? PB**

*\*Agreed. JH*

*Agree delete and archive. (CS)*

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- F. Amendment of an approved master plan. A college or university may submit a request to amend the approved institutional master plan at any time provided that no request for an amendment shall be considered within three months of the date of the previous approval of the institutional master plan. The process, procedures, and standards for amending a master plan shall be the same as for the initial approval, however, the applicant may submit an application containing only those items that have been changed from the prior master plan.

All pages of the master master plan should have the revision number and date on each page. Amendments should be clearly identified as amendments within the master plan. (CS)

- G. Submission and review procedures. The institutional master plan shall contain the information and exhibits set forth in Subsection H. Upon receipt of the initial submission of an institutional master plan or a proposed amended master plan, the application shall be processed and reviewed in accordance with the procedures for reviewing site plan applications with the following additional provisions:

1. Upon receipt of an institutional master plan or an amendment to an approved master plan, the City planning staff shall have 14 days to review the plan for completeness. If the staff finds that the master plan provides all of the information set forth in Subsection H, the staff shall find the plan to be complete, shall notify the applicant, in writing, of this determination, and shall place the master plan on the agenda of the next regularly scheduled Planning Board meeting. The applicant will forward 10 copies of the proposed master plan for Planning Board review. If the staff finds the master plan to be incomplete, it shall notify the applicant, in writing, of this determination and shall indicate the additional information required.

Is this adequate timing for planning? Just asking.(CS)

2. Upon receipt of an institutional master plan, the planning department shall notify all agencies and departments regularly notified of site plan applications as well as the Biddeford Conservation Commission and any neighborhood organization that has requested to be notified of the submission of the master plan.

**\*For our information, which agencies and departments are notified? PB**

**More detail is needed in the master plan. IF a project is planned within the first year of the master plan acceptance details of that plan need to be more open, transparent and available. There has to be a better way to inform the**

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**neighborhoods. There are no totally inclusive organizations available. A copy should be posted on line with proper notice to the community. Giving a copy to the HBA does cover the entire area around UNE nor all of HBR.**

**And agencies and departments should be identified. (CS)**

3. Prior to the approval of an institutional master plan or an amended institutional master plan, the Planning Board shall hold a public hearing.

**\*Review notification requirements for Planning Board public hearing. PB**

4. The Planning Board shall review the institutional master plan at a regularly scheduled meeting of the Board. The Board shall have 30 days following its initial consideration of the plan to approve, approve with conditions, or deny the master plan.
5. A copy of any approved institutional master plan or an amendment to a master plan shall be filed with the City Clerk.

**\*Is this still current practice? PB**

**Is the master plan readily available for review by the public perhaps put a copy at the library? What is the exact process? This current master plan was submitted to the planning board in January of 2023? Or prior to that so it could go through the 30 days and then on to the Council. Should new items be in development which are not yet in an approved MS plan? (CS)**

[Amended 3-5-2019 by Ord. No. 2019.14]

- H. Contents of the institutional master plan. An institutional master plan shall provide the City and abutting neighborhoods with a clear outline of the anticipated growth and changes of the institution over the next five to 10 years and the potential impact of those changes on the City and areas surrounding the institution. The master plan should, therefore, contain a description of the current programs and facilities of the college or university, a description of anticipated changes in programs and facilities over the next five years, an analysis of the potential impacts of the anticipated changes on the facilities and the surrounding neighborhoods, an assessment of actions proposed to mitigate any adverse impacts resulting from the anticipated changes, and a conceptual plan showing the approximate size and location of proposed facility improvements.

*\*As previously stated, it would be helpful to show approximate size on a map rather than a “splat”. PB*

*\*The overview of planned growth starting on page 33 does not provide adequate detail size, scope or volume for future. One of the biggest lessons UNE learned during the initial master plan process was the value of 3D models to engage the public in its future vision. Can we consider a requirement for future plans to include 3D models or hard models or similar visual aids? MH*

*\*Models as suggested are expensive to generate and would add minimal value over a two-dimensional drawings, particularly if conceptual additions are noted by actual shapes rather than “splats.” And again, it is important to remember that the potential projects that have not been designed and that may never come to fruition. JH*

*Detail and transparency with the neighborhoods is needed. Protection and integrity of the neighborhoods needs more attention. Just putting a dot on a map when the plan is already in the works and permits applied for with agencies. Purchasing property does constitute zone change. Neighborhood impacts are not assessed. Traffic, noise, visual intrusion and events are bit monitored and need to be better managed. The coast is heavily controlled by zoning to protect the environment, the water ways and the quality of the area. Yet it does not appear that UNE has the same regulations imposed on them. (CS)*

The institutional master plan shall contain at least the following information and exhibits:

1. Mission statement and institutional objectives.
  - a. The institution's adopted mission statement.
  - b. A statement of any anticipated changes in the institution's mission over the next five years.
  - c. A statement of the institution's objectives with respect to growth and change over the next five years.

*\*Though no anticipated mission statement changes are noted in 3 of the 4 master plans I reviewed, the mission statement has evolved each time. While that is understandable, is that highlighted? PB*

*\*Changes to UNE's mission statement over the years have been largely semantic. UNE would be happy to highlight any future changes to its mission statement in future editions of the Master Plan. JH*

*What is the process for amendments and how is the information disseminated and memorialized. Page numbers, with REV and date would help. (CS)*

2. Existing physical conditions.
  - a. A scaled plan at a scale of not more than one inch equals 200 feet showing the location of all existing buildings, structures, athletic fields and facilities, parking, walkways, service areas, and other impervious surfaces and the height of all buildings and structures referenced to the National Geodetic Vertical Datum (NGVD).
  - b. A scaled plan at the same scale as the existing conditions plan showing the location of all existing utilities, sewer and water systems, and stormwater drainage facilities.
  - c. A natural resources inventory and analysis showing the location of all significant natural resources within those areas of the campus that are already developed or where development activities including clearing or filling are proposed or that will be potentially impacted by proposed development activities. The analysis shall assess the significance of these resources and the issues they raise with respect to the master plan. This shall include a plan at the same scale as the existing conditions plan showing the locations of the significant resources.

**\*Who defines what the natural resources are – forest reserves, air, sunlight? Pg 9 MH**

*The State of Maine determines what are considered significant natural resources. With the assistance of various experts, including Tom Saucier of Site Design Associates, UNE is guided by the regulatory requirements of the Maine DEP to determine what is considered a significant natural resource. As is indicated in the 2023 Master Plan text and Mr. Saucier's letter, UNE is also guided by past studies and past experience to determine whether significant natural resources exist within the already developed area of the Institutional Zone. JH*

In addition to the 250 ft shoreland zone on the river, there should be resource protection overlay on the Marsh, and stream set backs on other water. All set back areas should be memorialized on all plans. One only has to open ones eyes to see the natural resources. (CS)

- d. An historic and archeological resources inventory and analysis showing the location of any known historic or archeological resources and any area with potential as an area of historic or archeological significance within those areas of the campus that are already developed or where development activities including clearing or filling are proposed or that will be potentially impacted by proposed development activities. This shall include a plan at the same scale as the existing conditions plan.
- e. Data on the existing lot coverage and lot coverage ratio.

- **Memorialize data on the 250' no build zone per the SRCC. Pg 20 MH**
- **Are there any other no build areas which should be on this map? PB**
- *The characterization of the 2001 Saco River Corridor Commission (SRCC) permit condition of a 250-foot vegetative buffer as a “no build zone” is inaccurate. In 2001, the SRCC issued UNE a permit with a condition that UNE maintain a “250 foot wide vegetative buffer” along the shoreline of UNE’s property on parcel 52-4. Since at least 2008, on its Master Plan maps, UNE has recognized that vegetative buffer using the words “250’ SRCC setback.”*

*Some confusion has been created by the inaccurate characterization of the vegetative buffer as “Saco Corridor Commission permit conditions, preventing UNE from building within 250 feet of the Saco River” in UNE’s 2003-2007 Master Plan. That error was corrected in UNE’s 2008 Master Plan, which stated that UNE would comply with the SRCC regulations. The 2001 SRCC permit condition allows certain development in the vegetated buffer as long as it is permitted by the SRCC. Moreover, supported by their attorneys at Maine Attorney General’s Office, the SRCC has interpreted the vegetative buffer permit condition that it created as allowing certain development within the buffer as long as it is properly permitted by the SRCC. In other words, the SRCC created the vegetative buffer through a permit condition and, therefore, controls activity within it.*

*Nevertheless, so as to avoid an attempt to circumvent the SRCC's jurisdiction over the permit condition it created, it could make sense to indicate the 250-foot shoreland zoning ordinance line and requirements within the Institutional Zone Ordinance. The 250-foot shoreland zoning area also does not preclude all development within it. Within the Master Plan, UNE would continue to indicate the need to comply with both the SRCC and the City regulations without specifics because those regulations could be subject to change, like all other regulations and laws, between publishing and approval of the Master Plan and actual permitting of any particular project. JH*

- The marsh should not have been filled in to build soccer fields and the parking lot next to it should not have been recently expanded. These changes are never discussed although they go against zoning.
- Article V, section 2.b. Comments about coastal areas with significant environmental or visual significance should apply in IN.
- Article V, section L is great language but is really being done to minimize adverse effects etc. That language needs to be in the Institutional zone.
- Who determined the lot coverages on various locations of the campus?
- There are other “no build” areas which need to be shown on all plans. (CS)

3. Programs and activities.

- a. A narrative providing at least the following information about current programs and activities:
  - (1) The current educational programs and degree offerings.
  - (2) Other regularly scheduled programs or activities offered or hosted by the institution.
  - (3) Current enrollment of full time and part time students by head count based upon the most recent integrated postsecondary data survey (IPDS) report.
  - (4) Current employment by type of positions and full time/part time status by head count based upon the most recent IPDS report.
  - (5) The number of people living on campus.

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- b. A narrative describing how the programs and activities and the number of students, employees, campus residents, and program participants are anticipated to change over the next five years.
4. Educational, research, residential, support and athletic facilities.
- a. A description and plan identifying what buildings and facilities are currently used for these purposes.
  - b. The current bed capacity of all residential buildings and the anticipated change in the total bed capacity.
  - c. A description of any significant changes in the type of use made of existing buildings, significant expansions of existing buildings, or new buildings and facilities that are anticipated to be needed in the next five years.
  - d. A description of how the anticipated changes in facilities relate to program changes and the institution's mission.

**\*Can someone expand on what 4d entails? Is the proposed pier considered part of this expansion? MH**

**\* With respect, UNE is unclear why this question is part of the examination of the IZO and is interested in understanding the purpose behind this question.**

***Nevertheless, the portion of the Master Plan makes a general statement about all kinds of research. Also on page 34, just down the page is more specific information about marine research:***

***Waterfront Access for Research and Recreation - increasing use of the waterfront for academic and research activities has resulted in a demand for year-round dock facilities. The current seasonal research facility limits the access to the water, thus a more permanent pier is required for the extensive programming being conducted. The ideal location for this year-round facility would be adjacent to the Girard Marine Science and Education Center.***

***On page 10 of the Master Plan, there is another reference more specific to marine research:***

***The Saco River and associated wetlands are located northerly of the campus. There are several potential projects within 500' of the Saco River. These include an addition to the existing Marine Science Research Center in support***

*of the ongoing research activities, a new waterfront access research pier facility to allow research related activities to year round, converting the temporary recreational waterfront access facility to a permanent facility in support UNE's crew and sailing programs, recreational waterfront access from 1 Hills beach Road, ADA compliant trails along the waterfront, an addition to the wastewater treatment facility, an addition to Decary Hall, an addition to the Petts Center, and addition(s) to the Campus Center. Development of these projects will require compliance with the regulations of and approval from the Saco River Corridor Commission, as well as the other requisite permitting agencies. JH*

*Does this go before the board for approval of change of use or just a description provided? (CS)*

**\*Shouldn't temporary facilities need limitations on size, location, and duration?  
MH**

*\* UNE is not opposed to appropriate limitations on any temporary facilities but notes that it has not used them in years. JH*

*I believe change of use is a standard throughout our zoning protecting neighborhoods from dramatic change of use. I see this as standard zoning language which most likely does not affect most UNE buildings. The medical building undergoing change as we speak does not really impact anything and the temporary building office trailers do not impact much. Assuming when the project is over UNE is not going to leave those trailers. Temporary office or classroom trailers left over a long period of time could be a problem. (CS)*

5. Parking and traffic.

- a. Information on current traffic volumes and conditions including levels of service on the principal public streets and intersections of public streets within the zone and on the primary access routes to the campus.

*Curb cuts and public road conditions need to be identified and managed.(CS)*

- b. A description of anticipated changes in traffic volumes over the next five years resulting from the changes in programs and facilities included in the master plan.

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- c. An analysis of the impact of these changes on traffic flow and vehicular and pedestrian safety on public streets within the zone and that provide access to the campus.

We need safer traffic through the campus, open the road back up and delete that new curb cut across from Decary. It is next to the busiest cross walk on the entire campus. (CS)

- d. A proposed program of improvements to address any unacceptable impacts resulting from changes in traffic volumes including activities that will be undertaken to mitigate any adverse impacts on adjacent residential neighborhoods.

How? The road needs to be widened and improved in front of Decary where UNE narrowed it. It is dangerously narrow. There should be a consistent road design with width in place. Biddeford has road requirements. Curb cuts need to be better managed. (CS)

- e. Information on the number and location of existing parking spaces.

Lot coverage needs to be studied, there is constant addition to parking throughout the campus. (CS)

- f. An analysis of the adequacy of the existing parking to meet anticipated changes in programs and facilities over the next five years.

How? It may time to build a garage instead of paving over more land and chopping down more trees. (CS)

- g. An assessment of pedestrian and bicycle movements and safety related to the parking supply and locations.

- h. A proposed program of parking improvements to meet any identified deficiencies.

**6. Water and sewer service.**

- a. A description of current provisions for water supply and sewage disposal including capacities, current utilization rates, and conformance with any permit or other legal standards.
- b. An analysis of the change in demand for water supply and sewage disposal resulting from anticipated changes in programs and facilities over the next five years and the adequacy of the existing systems to meet this demand.

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- c. A proposed program of improvements to address any identified deficiencies.
- d. A statement as to how water supply and sewer disposal improvements are or will be coordinated with City programs and the needs of neighboring residential areas.

**\* The master plan indicates the waste treatment plant may need to be expanded yet a 50K gallon surplus is later described. This should be reconciled. MH**

**\*Can we have access to the historical WWTP discharge reporting for the last 3 years? MH**

***\* With respect, UNE is unclear why this question is part of the examination of the IN. Nevertheless, on page 35, UNE stated that upgrades to the treatment facility “may be required if the projected water usage is greater than anticipated.” Later in the Master Plan, the information indicated sufficient capacity. The two statements are not in contradiction. Monthly reports are submitted to the Maine DEP. JH***

**\*Regarding water services and sprinkler coverage for a campus of this size being fed with an 8” main, what method was used to determine adverse impacts to the community? Shouldn’t they be scrutinized and held to a known standard such as FM global or similar industry standard? MH**

***\* As indicated in the Master Plan, Maine Water, which owns the existing water main, reviewed the Master Plan and stated, “Based on the revised capital plan, we are comfortable that the water system has capacity for the projected growth and uses you have indicated.” (Maine Water’s letter is part of the Master Plan). JH***

***As commented elsewhere this should be two subjects divided. Is the 8 inch line adequate for the college and the neighborhoods? And at the time it becomes inadequate is the college replacing the line? Who is responsible and how does the system get an upgrade when needed? (CS)***

7. Municipal and community services.

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- a. A description of all municipal and community services (police, fire, rescue, recreation, etc.) currently utilized by the institution and data on the current level of usage.
- b. An analysis of the change in demand for municipal and community services and the adequacy of the existing services to meet this demand.

Is this happening and is there a system in place for the university to compensate the city? (CS)

- c. A proposed program of improvements to meet the identified deficiencies including proposed funding mechanisms.
8. Neighborhood impacts.
- a. An assessment of how current campus activities impact neighboring residential areas including, but not limited to, traffic, noise, and visual intrusions. This assessment shall consider conformity to current City and state standards with respect to these items as well as documented evidence of any community or neighborhood concerns relative to these issues.

How is this managed, I do not see this happening. (CS)

- b. An evaluation of current efforts to mitigate these impacts.
- c. An assessment of any changes in these impacts resulting from the changes in programs or facilities included in the master plan.
- d. A program for mitigating the adverse impacts of proposed changes or improvements on surrounding residential neighborhoods.

**\*This aspect could use some alteration in process. The neighborhoods should be more directly involved in the identification of potential negative impacts and possible strategies for mitigation. PB**

**\*UNE suggests that feedback be provided by the community at a UNE hosted Master Plan Workshop, prior to the submission to Planning Board for review, in order for the feedback to be solicited from City residents and incorporated into the Plan as appropriate. JH**

Communication with the neighborhoods including those on Pool Road and Old pool road needs improvement. The current master plan was introduced to us in December of 2022 in a meeting that was not well advertised. I happened to

be there and my question about the plan for the pier was met with an answer of “it is just a dot on the map, there is not a good plan at this time”. Yet we learn now that design was already done and in for funding and approval. WE need better transparency. ONE neighborhood couple from Old Pool asked me how I heard about the meeting and asked me why more folks did not know about it. This review should be moved to September before a January Submittal. Not at Christmas with little publicity and a January submittal. (CS)

The smooth movement is on the street is often impacted with “FUN” events.  
(CS)

Those non UNE events create noise and other problems. (CS)

9. Community outreach.

- a. A description of current Biddeford (CS) community outreach activities.
  - b. An analysis of anticipated changes in outreach activities over the next five years.
- **There are a myriad of community outreach components on pages 74-82 that should not be taken on face value. Have these been scrutinized, validated, and then celebrated? MH**
  - ***UNE cannot speak to what was done by the Biddeford Planning Board. UNE does attest to the accuracy of the information contained in the Master Plan. In light of the fact that that section of the Master Plan is informational, it would seem overly burdensome for UNE and the Planning Board if such information were to be subject to the level of proof suggested by the question. JH***

10. Conceptual development program.

- a. A conceptual site plan at the same scale as the existing conditions plan showing the approximate size and location of proposed changes to buildings, structures, parking lots, pedestrian facilities, bicycle facilities, athletic fields and facilities, roads, and similar facilities proposed in the master plan. This should show new facilities, modifications or enlargements of existing facilities, and the planned removal of facilities.

Is this updated when the master plan is updated? (CS)

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- b. An accompanying narrative or tables detailing the scale or size of the proposed improvements including the approximate height of buildings, the approximate peak elevation of buildings and structures referenced to NGVD, approximate floor area, approximate size of parking areas, or approximate occupancy.

We may want to review the height and scale of the buildings. (CS)

- c. A description of all development and design standards or provisions that will apply to the proposed improvements in accordance with Subsection I.
  - d. A schedule setting out when the improvements included in the conceptual development program are anticipated to be completed.
- I. Development and design standards. The institutional master plan shall establish development and design standards that shall apply to all development proposals and other improvements within the institutional zone. These development and design standards will apply to individual projects that are submitted for site plan review. These standards shall foster the development of a visually and architecturally integrated campus that is safe, environmentally sensitive, and that minimizes the adverse impact of the campus on neighboring residential areas. At a minimum, these development and design standards shall address the following areas:
- 1. Landscaping. The standards shall establish a general pattern for all campus landscaping including the typical size and type of plantings and shall detail how landscaping will be used to enhance the visual environment of the campus, shield and soften service and parking areas, and minimize impacts on surrounding residential areas and the users of public streets through the campus.
  - 2. Exterior lighting. The standards shall establish a general lighting theme for the campus and shall identify the appropriate maximum, average, or minimum illumination levels and uniformity ratios for various areas and facilities, the typical type of lighting fixtures and poles that will be used, and shall detail how night-time sky glow and light intrusion on neighboring residential areas will be minimized.

How can we make this work better? It sounds great on paper.(CS)

- 3. Signage. The standards shall establish a consistent design theme for all campus signs that enhances the visual environment of the campus and shall identify the general design, sizes, and locations for various types of campus signs.

**\*Temporary signage – Are we complying with the temporary signs and banners at the Alford Center now (10 days)? MH**

**\* With respect, UNE is curious how this question is within the scope of this Committee. Nevertheless, the City has confirmed that UNE is in compliance in this regard. JH**

4. Pedestrian and bicycle facilities. The standards shall establish an integrated program for accommodating pedestrians and bicyclists safely while promoting a campus environment that is pedestrian focused. The standards shall identify the types, general location, and typical design of various pedestrian and bicycle facilities.
5. Noise. The standards shall establish an overall program for minimizing the impact of campus noise on adjacent residential areas. The standards shall identify measures that will be employed to control noise at the source as well as to mitigate the impacts of noise on adjacent property.

The daily noise of the campus does not appear to be an issue, but the event noise is, especially events that are not UNE sponsored on their campus. I hear the speaker on the football field at my house on the end of HBR. (CS)

6. Architectural design and details. The standards shall establish an integrated design theme for campus buildings that is harmonious with existing buildings while promoting a high level of design for new buildings. The standards shall address the scale and massing of buildings, appropriate materials and colors, rooflines, locations of building entrances, architectural detailing, and similar features to create a visually attractive campus while minimizing impacts on surrounding residential areas.
7. Protection of identified scenic views. The standards shall establish a standard approach for protecting scenic views within or from the campus that have been formally identified and approved by the City Council.

**\*I don't find documentation that UNE or the city is hitting the mark on this. "The standards shall establish a standard approach for protecting scenic views within or from the campus that have been formally identified and approved by the City Council." MH**

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*\* UNE welcomes clarification. Although the City Council has not created standards regarding scenic views, the other regulatory oversight UNE is subject to, including SRCC and Maine DEP, include consideration of public views. JH*

*I do not see this happening. The tax paying residents have had stricter requirements put in place while UNE seems to have none. Biddeford does have view protection in its zoning. Where is it for the campus? (CS)*

J. Approval standards. In reviewing an institutional master plan, the Planning Board shall approve the master plan if it finds that:

1. The activities and facilities proposed in the master plan are consistent with the institution's mission statement.

*This zone sends all power back to the master plan, is this the way it should be or should this zone have more detail? (CS)*

2. The facilities conform to the requirements of the institutional zone and other applicable provisions of the zoning ordinance.
3. There is a reasonable expectation that individual projects carried out in accordance with the institutional master plan will be able to be designed so that they comply with the site plan review standards of Article XI.
4. The activities and facilities will be designed in a manner that will not unreasonably increase adverse impacts on adjacent residential neighborhoods or the facilities or services of the City of Biddeford.

*How is this measured? (CS)*

5. The City Council and UNE shall establish a scholarship and community grant program, within the first six months of the acceptance of the university's master plan.

**\*Grants/Scholarship program – I don't see documentation that UNE or the city is hitting the mark on this. "The City Council and UNE shall establish a scholarship and community grant program, within the first six months of the acceptance of the university's master plan." MH**

*\* On May 6, 2003 the City Council voted to authorize the City Manager to execute an agreement with UNE to establish the PILOT program. This was executed on May 8, 2003 and was deemed to satisfy this section of the ordinance. JH*

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**Is this ongoing and how is it established? Where are the details.(CS)**

K. Appeals of Planning Board action. Appeals of the actions of the Planning Board in reviewing and approving institutional master plans under this section shall be to the City of Biddeford's Zoning Board of Appeals. The applicant and any party to the review of the institutional master plan may appeal any action of the Planning Board within 30 days of such action by providing written notice to the Board of Appeals setting forth the action being appealed and the specific basis for the appeal. Appeals of Planning Board actions in the review of an institutional master plan shall be processed in accordance with the procedures set out in Section 5 of Article IX of this ordinance.<sup>[1]</sup>

[1] *Editor's Note: The provisions of former Section 12, Medical marijuana dispensary moratorium, added 3-16-2010 by Ord. No. 2010.23, have expired and therefore are not included in the Code.*

**Other Questions:**

1. Conditional uses – It was clarified at the last meeting that research labs are not conditional unless they are run by a contracted service/outside agency. Where is this documented? MH

***Experimental research and testing laboratories are a conditional use in the Institutional Zone, per Footnote 19 of Table A, which states: “This use does not include facilities, activities, or programs conducted by or hosted by a college or university that meet the definition of ‘university uses.’ Such uses shall be considered as university uses and shall be permitted in the institutional zone subject to the requirements of the zone and the additional performance standards for colleges/universities.” All ongoing research activities at UNE are conducted or hosted by UNE, thus are University Uses and thus permitted in the Institutional Zone. JH***

Tables A and B need to be studied. (CS)

2. Contracted services are an extension of UNE and critical to their business. They also have potential adverse impacts as well and potential mutual benefits. The city might consider defining those “Essential service providers and suppliers” as potentially impactful in many ways? MH

***UNE does contract for some services such as dining and trash management, but UNE does not understand what is being suggested and seeks clarification. JH***

3. Can someone elaborate/refresh us on no build zone for parcel 2 and 7? MH

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*This nomenclature is not entirely accurate as these are not “No Build Zones,” but are more appropriately described as “Restricted Development Areas” as clearly identified in the ordinance. The restricted development in these areas is defined in Table B, note P.5.a-f. This includes development of low impact academic or support facilities at the former Housing Park site, improvements to the existing athletic facilities and the potential creation of a bypass road. JH*

Parcel 2 is part of the marsh that was filled in under Dr. Featherman. It should be in Resource protection. Those fields and lights do not belong there. Parcel 7 is wetland. The former housing Park site is in wetland and should be part of the marsh and not built upon. (CS)

4. Is the undeveloped parcel on Guinea Road in the IN zone? MH

*Yes, that information is identified in the Conceptual Development Section, on the Campus Master Plan – University Properties plan. It is also identified as being part of the IN on the City Zoning Map. JH*

How and when did some land on Guinea Road become part of the IN zone? That may constitute spot zoning. (CS)

5. How do future land acquisitions relate to the IN zone? MH

*UNE does not believe that future land acquisitions are necessarily relevant to the INZ. UNE does not believe that every piece of property owned by UNE should necessarily be contained in the IN, primarily because such a necessary inclusion could result in inappropriate spot zoning throughout the City. Needless to say, any development outside the IN must comply with the zoning and other regulatory requirements applicable to any particular piece of property. JH*

As aggravating as it is we know that universities and churches are not taxed. Does that have to include every parcel of land or building that UNE purchases. The removal of properties from the tax roles is concerning. (CS)

6. Given the University is private and there are known public access such as Town Landing, and there are rumors of other mutually agreed upon public access points to the campus and the waterfront, could UNE elaborate on all the free public access to the campus for pedestrians, bikers, water access, etc. as well as any programs and events? MH

*UNE is a place of public accommodation where the public is welcome. As part of a proposed agreement with the City to convey land to the City for a fire substation at no cost, UNE would also grant an irrevocable license to the public to use Freddy Beach so long as UNE owns it. JH*

7. How do we establish a means for tracking previous conditions of approval; (IE SRCC no build zone, Decary Road posts were agreed as part of traffic control on Hills Beach road, but are removed)? MH

*UNE agrees that a method of tracking changes would be useful. Again, however, UNE must note that the characterization of the vegetative buffer as a “no build zone” is inaccurate. JH*

*Going forward we need to memorialize in writing with UNE all agreements no matter how small. People change positions, people leave positions and we need a system to better document all agreements. Many of the issues which go against zoning or are creating anger in the community were done prior to the arrival of Dr. Herbert. UNE needs to be more transparent. (CS)*

8. The relationship with the city and UNE must have clear and transparent accounting of the financial puts and takes. There are many positive impacts to social capital such as lecture series, real capital like UNE volunteer time and real dollars that UNE contributes to offset the costs of city services, property taxes, etc. There needs to be an accurate accounting of the current costs and investments. We should also agree on an agreed financial formula to ensure equity and offset any adverse impacts or effects on the community, and a possible oversight committee for this charge. MH

Agreed (CS)

*Respectfully, UNE disagrees that this suggestion is within the scope of the work of the Committee. Nevertheless, based on a 2024 economic impact study, UNE is confident that by any objective measure, the economic benefits that UNE provides to Biddeford residents far exceeds any impact on the City’s infrastructure. Just a few of the many of UNE’s contributions include:*

- *UNE is the largest non-health care related Maine-based employer in York County and employs close to 250 Biddeford residents.*
- *UNE spends approximately \$55 million dollars on goods and services from Maine businesses.*
- *Between 2021 and 2024, 118 UNE interns provided service with Biddeford, Saco, and Old Orchard Beach.*
- *UNE students and faculty are working in the community to restore the Biddeford Pool Marsh, and UNE set up and helps manage the Saco Watershed Collaborative to protect water quality and public health in the area.*
- *UNE students have assisted the Biddeford Conservation Commission on two projects, one involving the value of unfragmented forests and the other involving the restoration of the Thatcher Brook Watershed.*
- *In addition to the UNE community providing thousands of hours of volunteer time within the Biddeford Community, UNE subsidizes the Biddeford Saco Old Orchard Beach Transit at \$90,000 a year and pays the City of Biddeford an annual \$100,000 Payment in Lieu of Taxes.*

*In contrast, UNE manages its own waste disposal and maintains its own sewage treatment plant. With respect to the use of public safety services such as police, fire, and EMS, UNE maintains its own public safety department and first responders. As a result, as of 2021, UNE's usage of those public safety services was .17 calls per resident as compared to the City average of 2.28 calls per resident. JH*

#### **COMMENTS OF 3-5-26:**

**Our charge is to review the exiting standards and processes to appropriately guide UNE development while reducing adverse impacts on the community.**

By looking at the current Master plan, we can test the effectiveness of the current INZ.

This is not meant to be an in-depth review but rather a inquiry into key areas and potential opportunities for improvement

#### **2023-2027 Master Plan submission questions**

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Page 9 states there are no significant natural resources located on the developed site: Who defined what those are? forest reserves? air? sunlight?

Page 20-I am pleased to see UNE recognizes the 250' no build zone per the SRCC and this should be memorialized in the INZ.

Page 34-Research Facilities-can someone expand on what this entails? Is the proposed pier considered part of this expansion?

Page 35-This indicated the Waste treatment plant may need to be expanded. But page 64 indicates 50K gallon surplus. These should be reconciled.

Can we have access to the historical WWTP discharge reporting for the last 3 years?

Page 35-Shouldn't temporary facilities need limitations on size, location, and duration?

Page 63 Water-Regarding water services and sprinkler coverage for a campus of this size being feed with an 8" main, what method was used to determine adverse impacts to the community? Shouldn't they be scrutinized and held to a known standard such as FM global or similar industry standard?

There are a myriad of community Outreach components on page 74-82, that should not be taken on face value. Have these been scrutinized, validated, and then celebrated?

Conditional uses-It was clarified at the last meeting that research labs are not conditional unless they are run by a contracted Service/outside agency. Where is this documented?

Contracted Services are an extension of UNE and critical to their business. They also have potential adverse impacts as well and potential mutual benefits. The city might consider defining those "Essential service providers and suppliers" as potentially impactful in many ways.

Can someone elaborate/refresh us on no build zone for parcel 2 and 7?

Is the undeveloped parcel on Guinea road in the IN zone?

How do future land acquisitions relate to the INZ?

Temporary signage-Are we complying with the temporary signs and banners at the Alford Center now (10 days)?

**IN Zone review comments**

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Can we recognize that the tier building structure is working? Does it need to be refined?

Section C-is too broad. We need to fill the information void between 10,000' conceptual ideas and planning board submission level details.

I7 Scenic views- I don't find documentation that UNE or the city is hitting the mark on this. *"The standards shall establish a standard approach for protecting scenic views within or from the campus that have been formally identified and approved by the City Council."*

J5 Grants/Scholarship program I don't see documentation that UNE or the city is hitting the mark on this *"The City Council and UNE shall establish a scholarship and community grant program, within the first six months of the acceptance of the university's master plan."*

Considerations for key areas of focus

1. The overview of planned growth starting on page 33 does not provide adequate detail size, scope or volume for future. One of the biggest lessons UNE learned during the initial master plan process was the value of 3D models to engage the public in its future vision. Can we consider a requirement for future plans to include 3D models or hard models or similar visual aids?
2. Given the University is private and there are known public access such as Town Landing, and there are rumors of other mutually agreed upon public access points to the campus and the waterfront, could UNE elaborate on all the **free public access** to the campus for pedestrians, bikers, water access, etc. as well as any programs and events?
3. How do we establish a means for tracking previous conditions of approval; (IE SRCC no build zone, Decary Road posts were agreed as part of traffic control on Hills Beach road, but are removed)?
4. The relationship with the city and UNE must have clear and transparent accounting of the financial puts and takes. There are many positive impacts to **social capital** such as lecture series, **real capital** like UNE volunteer time and **real dollars** that UNE contributes to offset the costs of city services, property taxes, etc. There needs to be an accurate accounting of the current costs and investments. We should also agree on an agreed financial formula to ensure equity and offset any adverse impacts effects on the community, and a possible oversight committee for this charge.

