

City of Fall River Massachusetts  
Office of the City Clerk

RECEIVED

ORIGINAL POSTING: OCTOBER 6, 2022 AT 2:30 P.M. 2022 OCT 11 P 3:09

ALISON M. BOUCHARD  
CITY CLERK

MEETINGS SCHEDULED  
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER  
TUESDAY, OCTOBER 11, 2022  
REVISED AGENDA

CITY CLERK INÊS LEITE  
FALL RIVER, MA ASSISTANT CITY CLERK

5:55 P.M. PUBLIC HEARING  
CURB REMOVAL

1. Romanow Real Estate Trust, Max Harrison TRS., One International Place Suite 3700, Boston, MA, 02110, for a curb removal as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Openings Proposed After Alteration
Newton Street	55.9'	42'	21.9'	76'
William S. Canning Blvd.	34.8'	24'	34.8'	24'

This applicant proposes to modify the existing three curb openings that currently access the property at 323 William S. Canning Blvd. to access the proposed new Marketplace and Gas Station. The overall project results in an increase of 9.2' of curb removal. The project has received Site Plan Approval.

6:00 P.M. CITY COUNCIL COMMITTEE ON FINANCE MEETING (OR IMMEDIATELY FOLLOWING THE PUBLIC HEARING IF IT RUNS PAST 6:00 P.M.)

1. Citizen Input
2. Transfer and appropriation (See #2 below)
3. Discussion with Administration and representatives from the Fall River Housing Authority regarding Home Rule Petition – An Act Authorizing the Fall River Housing Authority to convey a certain parcel of land to SouthCoast Hospital Group, Inc. (See #3 below)
4. Resolution – Committee on Finance meet with various parties regarding Fall River Cannabis Review Commission and process of approving marijuana licenses (tabled 10-26-2021)

7:00 P.M. REGULAR MEETING OF THE CITY COUNCIL (OR IMMEDIATELY FOLLOWING THE COMMITTEE ON FINANCE MEETING IF IT RUNS PAST 7:00 P.M.)

PRIORITY MATTERS

1. \*Mayor requesting confirmation of the following appointments to the Special Charter Review Committee:
  - a. Paul J. Machado
  - b. Traci L. Almeida
  - c. Kathryn M. Nemkovich
  - d. John R. Mitchell
  - e. Michelle (Mimi) Larrivee

2. \*Mayor and order transferring the sum of \$14,953.28 from the General Fund Reserve to Elections, Expenses (See Finance #2)
3. \*Mayor and Home Rule Petition – An Act Authorizing the Fall River Housing Authority to convey a certain parcel of land to SouthCoast Hospital Group, Inc. (See Finance #3)
4. \*Mayor and order accepting gift of \$57,114.00 for the Fall River Fire Department from Precise Packaging, LLC, to purchase two ChemProX, Handheld Chemical Detectors

**PRIORITY COMMUNICATIONS** – None

**COMMITTEE REPORTS** – None

**ORDINANCES**

Ordination, as amended

5. \*Proposed ordinance – Reorganization of city departments

**RESOLUTIONS**

6. \*Committee of Public Works and Transportation meet with residents of Grinnell and Jefferson Street areas, the Administrator of Community Utilities, and the City Engineer to discuss flooding issues
7. \*Administration consider the use of American Rescue Plan Act (ARPA) funds to install cameras in all parks and playgrounds to ensure residents' safety

**CITATIONS**

8. Jim Lopes for being awarded the 2022 Department of Conservation and Recreation Innovation in Interpretation Award

**ORDERS – HEARINGS**

Curb removal:

9. Romanow Real Estate Trust, Max Harrison TRS – Removal of 76 feet on Newton Street and 24 feet at 323 William S. Canning Boulevard (corner lot)

**ORDERS – MISCELLANEOUS**

10. \*Warrant for the State Election to be held on November 8, 2022
11. Auto Repair Shop License Renewals:  
Jody Oliveira d/b/a Ground Earth, Inc. located at 1741 Stafford Road  
Joseph Bilan d/b/a BP Auto Service Repair, Inc. located at 1091 South Main Street
12. Police Chief's report on licenses:  
Taxicab Driver:  
Lisa A. Padula
13. City Engineer prepare plans for the acceptance of Courtney Street from Highland Avenue to Fieldstone Lane

**COMMUNICATIONS – INVITATIONS – PETITIONS**

14. \*Claims
15. \*City resident requesting no parking signs on Bigelow Street
16. \*City Engineer – Street opening less than 5 years at 170 Purchase Street

City Council Minutes:

17. \*Committee on Finance – September 13, 2022
18. \*Committee on Finance – September 27, 2022
19. \*Regular Meeting of the City Council – September 13, 2022
20. \*Regular Meeting of the City Council – September 27, 2022
21. \*Special Meeting of the City Council – September 16, 2022

**BULLETINS – NEWSLETTERS – NOTICES**

22. \*Department of Public Utilities Public Hearing for National Grid – Approval of an Alternative Basic Service Procurement Plan scheduled for October 11, 2022
23. \*Department of Public Utilities Public Hearing for National Grid – 3 Year Energy Efficiency Plan scheduled for October 27, 2022



City Clerk

**ITEMS FILED AFTER THE AGENDA DEADLINE**  
**CITY COUNCIL MEETING DATE: OCTOBER 11, 2022**

**PRIORITY COMMUNICATIONS**

- 4a. \*Traffic Commission recommending amendments to traffic ordinances

**CITATIONS**

- 8a. Chorbishop Joseph F. Kaddo for the celebration of his 50<sup>th</sup> Anniversary of being ordained to the Priesthood

**ORDERS – MISCELLANEOUS**

- 13a. \*City Council appointments to the Special Charter Review Committee:
  - Attorney Rene Brown
  - Timothy Campos
  - Daniel Robillard
  - Councilor Laura-Jean Washington

**COMMUNICATIONS – INVITATIONS – PETITIONS**

- 21a. \*Corporation Counsel Response to Open Meeting Law complaint filed by Patrick Higgins re: August 16, 2022 alleged violation by City Council
- 21b. \*Corporation Counsel Response to Open Meeting Law complaint filed by Jeffery Gaudreau re: September 16, 2022 alleged violation by City Council
- 21c. \*Corporation Counsel Response to Open Meeting Law complaint filed by Collin Dias re: September 16, 2022 alleged violation by City Council

**BULLETINS – NEWSLETTERS – NOTICES**

24. \*Fall River Redevelopment Authority re: waterways application to construct and maintain a public marina





CITY OF FALL RIVER  
MASSACHUSETTS

Traffic & Parking Division

4a

Paul E. Coogan  
Mayor

LAURA FERREIRA  
Director of Traffic & Parking

October 5, 2022

The Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02720

RECEIVED  
2022 OCT -6 P 2:51  
CITY CLERK  
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, September 21, 2022 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

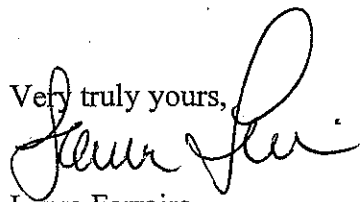
Article: 70  
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Locust Street	North	Starting at a point 26 feet west of Gifford Street for a distance of 20 feet west.

Michael Michaud  
254 Locust Street  
Fall River MA 02720

Very truly yours,  
  
Laura Ferreira  
Director of Traffic & Parking

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CITY OF FALL RIVER  
MASSACHUSETTS

4a

Traffic & Parking Division

Paul E. Coogan  
Mayor

LAURA FERREIRA  
Director of Traffic & Parking

October 7, 2022

The Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02720

RECEIVED  
2022 OCT 11 PM 12:00  
CITY CLERK  
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, September 21, 2022 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70  
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Bay Street	East	Starting at a point 159 feet north of Pokross Street for a distance of 20 feet north.

Debbie Rois  
23 Sunset Hill  
Fall River MA 02724

Very truly yours,

  
Laura Ferreira  
Director of Traffic & Parking

13a

City of Fall River, *In City Council*

ORDERED, that the City Council hereby appoints the following individuals to serve on the Special Charter Review Committee as designated:

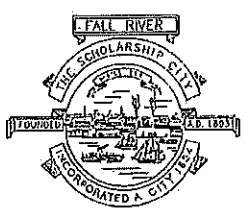
Attorney Rene Brown  
Timothy Campos  
Daniel Robillard  
Councilor Laura-Jean Washington

21a

City of Fall River  
Office of the Corporation Counsel

ALAN J. RUMSEY  
Corporation Counsel

GARY P. HOWAYECK  
Assistant Corporation Counsel



MARY O'NEIL  
Assistant Corporation Counsel

MATTHEW F. BURKE, JR.  
Assistant Corporation Counsel

PAUL E. COOGAN  
Mayor

October 04, 2022

Patrick Higgins  
P.O. Box 290  
Northport, Alabama 35476

Via email: [patrick@patrickhiggins.co](mailto:patrick@patrickhiggins.co)

**RE: Open Meeting Law Complaint against Fall River City Council**  
**Date of Alleged Violation: August 16, 2022**

CITY CLERK  
FALL RIVER, MA  
2022 OCT -4 P 3:43  
RECEIVED

Dear Mr. Higgins:

This response is provided pursuant to G.L. c. 30A, § 24 and 940 CMR 29.00 et seq., in response to your Open Meeting Law Complaint against the Fall River City Council (also referred to as "City Council") which alleges the following:

The Fall River City Council violated the open meeting law by not accepting the minutes of the June 14, 2022 meeting within 3 meetings or 30 days as required by the open meeting law. This city council has been found in violation of the open meeting law by not timely accepting minutes several times the past and has been warned that any further violations of this would be taken as intentional violations and the fines be imposed.

The City Council is well aware that the Open Meeting Law requires public bodies to create and approve minutes in a timely manner. G.L. c. 30A, § 22(c). A "timely manner" will generally be considered to be within the next three public body meetings or within 30 days, whichever is later, unless the public body can show good cause for further delay. 940 CMR 29.11(2).

The City of Fall River received your Complaint on September 14, 2022. On September 27, 2022, the City Council met to consider your complaint and voted to refer the matter to this office to provide formal response. In preparing this response, I communicated with the City Clerk, who provided the context for the minutes not being approved within three meetings.

When the "three meetings" requirement was calculated for purposes of minutes preparation, the Special Meeting of the City Council, held on June 15, 2022 to discuss the Fiscal Year 2023 Budget,



21a

was inadvertently not counted. The error was not an intentional violation and the June 14, 2022 Regular Meeting minutes were approved by the City Council during its August 16, 2022 Regular Meeting.

Please note that you have the right to appeal to the Massachusetts Attorney General – Division of Open Government.

Respectfully,



Gary P. Howayeck  
Assistant Corporation Counsel

Enclosures

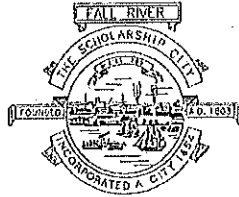
Cc: Mira Netsy, MA Office Attorney General-Division of Open Government  
via email: [Mira.Netsky@mass.gov](mailto:Mira.Netsky@mass.gov)  
Fall River City Council

**City of Fall River**  
*Office of the Corporation Counsel*

216

**ALAN J. RUMSEY**  
Corporation Counsel

**GARY P. HOWAYECK**  
Assistant Corporation Counsel



**PAUL E. COOGAN**  
Mayor

**MARY O'NEIL**  
Assistant Corporation Counsel

**MATTHEW F. BURKE, JR.**  
Assistant Corporation Counsel

October 7, 2022

Jeffrey Gaudreau  
229 Palmer St.  
Fall River, MA 02721

**VIA: Email: [jeffreyg1986@gmail.com](mailto:jeffreyg1986@gmail.com)**

**RE: Open Meeting Law Complaint against Fall River City Council**  
**Date of Alleged Violation: September 16, 2022**

Dear Mr. Gaudreau:

This correspondence is sent pursuant to G.L. c. 30A, § 24 and 940 CMR 29.00 et seq., in response to your Open Meeting Law Complaint against the Fall River City Council, which the City of Fall River received on September 21, 2022. Your complaint alleges the following:

The Fall River City Council held a meeting on 9/16/22. Notice for the 9/16 meeting was not posted 48 hours before the meeting as required by the Open Meeting Law. I want the City Council to rescind all action taken at the 9/16 meeting, declaring Michelle Dionne acting Council President until a new, lawful vote is held.

In preparing this response, I had communications with the Alison M. Bouchard, Fall River City Clerk, who provided the context surrounding the emergency circumstances, which led to the scheduling of the September 16, 2022, Special Meeting of the City Council. Mrs. Bouchard indicated the following:

Shortly before the City Council's September 13, 2022, meeting, the City Council's President resigned from the presidency. In its meeting immediately following her resignation, the City Council did not vote to elect a new President. Since there is no provision in the City Charter that allows the City Council Vice President to automatically succeed to the position of Council President, the City Clerk was to run the next Council meeting until a new President was elected, presumably at the next regularly scheduled City Council meeting on September 27, 2022. However, on September 15, 2022, the City Clerk's office received a call from a member of the City Council, stating that a vote for a new President should not wait until September 27 as it was

directly involved with the governing of the City, and requested that a special meeting of the Council be scheduled as soon as practicable. The issue was one of succession. With no Council President in place until the next regularly scheduled meeting, in the temporary absence of the Mayor, Section 3-8 of the City Charter could not go into effect. As the vote was directly related to the governing of the City, it was important to not delay the election of President and give all Council members the opportunity to cast their vote.

Members of the Council were polled regarding availability for the following week. Councilors were initially polled for a Special Meeting to elect a Council President to be held on Monday, September 19, 2022, and Tuesday, September 20, 2022. Councilors Shawn E. Cadime and Pam Laliberte replied that they were not able to attend a meeting scheduled between September 19, 2022, through September 23, 2022. Councilors Joseph D. Camara and Andrew Raposo replied that they were not available on September 19, 2022 but would be able to attend on September 20, 2022.

The procedures for calling of special meetings are set forth in the City Charter and Ordinances.

***Charter of the City of Fall River, Section 2-6 Exercise of Powers; Quorum; Rules***

*(ii) "Special meetings of the city council shall be held at the call of the president or at the call of any 3 or more members, for any purpose. Notice of the meeting shall, except in an emergency, which shall be determined by the president, be delivered to each member at least 48 weekday hours in advance of the time set and shall specify the date, time and location of the meeting and the purpose or purposes for which the meeting is to be held. A copy of each notice shall immediately be posted as the General Laws relative to such postings require."*

***Code of the City of Fall River, Section 2-55 Special meetings.***

*"The Mayor, and in like manner the President of the City Council, may at any time call a special meeting of the City Council by causing a written notice of such meeting, specifying the subject which he desires to have considered, to be left at the usual place of residence of each Councilor, or given to him in hand, at least 24 hours before the time appointed for the meeting, and no other business shall be transacted at such special meeting. On petition of any five members of the City Council, the President shall call a special meeting of the City Council to act upon any matters set forth in the petition. Notice of any such special meeting shall be given as provided in this section.*

The Open Meeting Law requires that, except in an emergency, "a public body shall post notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays." G.L. c. 30A, § 20(b). An emergency is defined as "a sudden, generally unexpected occurrence or set of circumstance demanding immediate action." G.L. c. 30A, §18. The burden of justifying the need for an emergency meeting lies with the public body. See OML 2012-7; OML 2010-6. A public body must post notice for an emergency meeting as soon as reasonably possible before the meeting. G.L. c. 30A, s 20(b). If the event precipitating the need for a meeting was anticipated, it may not be considered an emergency as that term is defined in the statute and regulations. See OML 2011-45 ("Where a public body has advance notice of circumstances that are likely to require deliberation, it is not an emergency. Emergency meetings are reserved for circumstances that are unanticipated and require an immediate response to, for example, protect public safety or health").

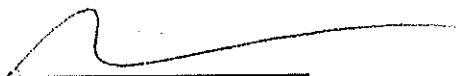
216

It is the City Council's position that emergency circumstances existed, which necessitated a Special Meeting being scheduled without the requisite (48) hours-notice. As the President Pro Tempore, the City Clerk deemed the matter an emergency, as waiting until the week of September 19, 2022, would not afford all Council members the opportunity to participate and select a President for the remainder of the year. She therefore scheduled the Special Meeting for September 16, 2022, at 6:15 p.m. Notice of the Special Meeting was posted on September 15, 2022, at 4:01 p.m., as soon as reasonably possible before the meeting. This allowed for at least a 24-hour advanced notice to the Council members and the public.

There was never an intent to circumvent the Open Meeting requirements. Even if the Division of Open Government deems that a violation occurred, a nullification of the votes taken at the meeting, namely, votes to elect a new Council President, would not serve the public interest.

Please note that you have the right to appeal to the Massachusetts Attorney General – Division of Open Government.

Respectfully,



Gary P. Howayeck  
Assistant Corporation Counsel

Enc.

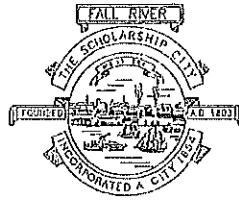
Cc: Mira Netsy, MA Office Attorney General-Division of Open Government  
via email: [Mira.Netsky@mass.gov](mailto:Mira.Netsky@mass.gov)  
Fall River City Council

21C

**City of Fall River**  
*Office of the Corporation Counsel*

**ALAN J. RUMSEY**  
Corporation Counsel

**GARY P. HOWAYECK**  
Assistant Corporation Counsel



**MARY O'NEIL**  
Assistant Corporation Counsel

**MATTHEW F. BURKE, JR.**  
Assistant Corporation Counsel

**PAUL E. COOGAN**  
Mayor  
October 7, 2022

Collin Dias  
560 Ray St.  
Fall River, MA 02720

**VIA: Email: [Collind00@aol.com](mailto:Collind00@aol.com)**

**RE: Open Meeting Law Complaint against Fall River City Council**  
**Date of Alleged Violation: September 16, 2022**

Dear Mr. Dias:

This correspondence is sent pursuant to G.L. c. 30A, § 24 and 940 CMR 29.00 et seq., in response to your Open Meeting Law Complaint against the Fall River City Council, which the City of Fall River received on September 19, 2022. Your complaint alleges the following:

On September 16, 2022, the Fall River City Council ("Council"), held a meeting at Fall River Government Center to vote on a new permanent president of the City Council. This meeting violated the Massachusetts Open Meeting Law by:

1. Notice of the meeting was not posted 48 hours prior to the meeting (Not even 24 hours prior to the meeting), in violation of Open Meeting Law section 20(b). There was no emergency reasoning for the special meeting to be held on short notice. Former Council President Pam Laliberte Lebeau stepped down from the position shortly before the 9/13/22 City Council Meeting, per the Fall River City Charter. Michelle Dionne would become acting City Council President, which she did, and was chair of the 9/13/22 meeting.
2. Acting Chair of the City Council did not read the Open Meeting Law statement, nor did the New City Council President Joe Camara after he was elected during said meeting, in violation of Open Meeting Law section 20(f).

In preparing this response, I had communications with the Alison M. Bouchard, Fall River City Clerk, who provided the context surrounding the emergency circumstances, which led to the scheduling

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of the September 16, 2022, Special Meeting of the City Council. Mrs. Bouchard indicated the following:

Shortly before the City Council's September 13, 2022 meeting, the City Council's President resigned from the presidency. In its meeting immediately following her resignation, the City Council did not vote to elect a new President. Since there is no provision in the City Charter that allows the City Council Vice President to automatically succeed to the position of Council President, the City Clerk was to run the next Council meeting until a new President was elected, presumably at the next regularly scheduled City Council meeting on September 27, 2022. However, on September 15, 2022, the City Clerk's office received a call from a member of the City Council, stating that a vote for a new President should not wait until September 27 as it was directly involved with the governing of the City, and requested that a special meeting of the Council be scheduled as soon as practicable. The issue was one of succession. With no Council President in place until the next regularly scheduled meeting, in the temporary absence of the Mayor, Section 3-8 of the City Charter could not go into effect. As the vote was directly related to the governing of the City, it was important to not delay the election of President and give all Council members the opportunity to cast their vote.

Members of the Council were polled regarding availability for the following week. Councilors were initially polled for a Special Meeting to elect a Council President to be held on Monday, September 19, 2022, and Tuesday, September 20, 2022. Councilors Shawn E. Cadime and Pam Laliberte replied that they were not able to attend a meeting scheduled between September 19, 2022, through September 23, 2022. Councilors Joseph D. Camara and Andrew Raposo replied that they were not available on September 19, 2022 but would be able to attend on September 20, 2022.

The procedures for calling of special meetings are set forth in the City Charter and Ordinances.

***Charter of the City of Fall River, Section 2-6 Exercise of Powers; Quorum; Rules***

*(ii) "Special meetings of the city council shall be held at the call of the president or at the call of any 3 or more members, for any purpose. Notice of the meeting shall, except in an emergency, which shall be determined by the president, be delivered to each member at least 48 weekday hours in advance of the time set and shall specify the date, time and location of the meeting and the purpose or purposes for which the meeting is to be held. A copy of each notice shall immediately be posted as the General Laws relative to such postings require."*

***Code of the City of Fall River, Section 2-55 Special meetings.***

*"The Mayor, and in like manner the President of the City Council, may at any time call a special meeting of the City Council by causing a written notice of such meeting, specifying the subject which he desires to have considered, to be left at the usual place of residence of each Councilor, or given to him in hand, at least 24 hours before the time appointed for the meeting, and no other business shall be transacted at such special meeting. On petition of any five members of the City Council, the President shall call a special meeting of the City Council to act upon any matters set forth in the petition. Notice of any such special meeting shall be given as provided in this section.*

21c

The Open Meeting Law requires that, except in an emergency, “a public body shall post notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays.” G.L. c. 30A, § 20(b). An emergency is defined as “a sudden, generally unexpected occurrence or set of circumstance demanding immediate action.” G.L. c. 30A, §18. The burden of justifying the need for an emergency meeting lies with the public body. See OML 2012-7; OML 2010-6. A public body must post notice for an emergency meeting as soon as reasonably possible before the meeting. G.L. c. 30A, s 20(b). If the event precipitating the need for a meeting was anticipated, it may not be considered an emergency as that term is defined in the statute and regulations. See OML 2011-45 (“Where a public body has advance notice of circumstances that are likely to require deliberation, it is not an emergency. Emergency meetings are reserved for circumstances that are unanticipated and require an immediate response to, for example, protect public safety or health”).

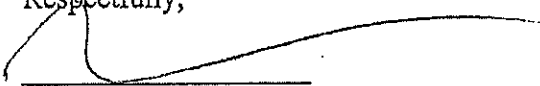
It is the City Council’s position that emergency circumstances existed which necessitated a Special Meeting being scheduled without the requisite (48) hours-notice. As the President Pro Tempore, the City Clerk deemed the matter an emergency, as waiting until the week of September 19, 2022, would not afford all Council members the opportunity to participate and select a President for the remainder of the year. She therefore scheduled the Special Meeting for September 16, 2022, at 6:15 p.m. Notice of the Special Meeting was posted on September 15, 2022, at 4:01 p.m., as soon as reasonably possible before the meeting. This allowed for at least a 24-hour advanced notice to the Council members and the public.

The City also disputes your second allegation that the Open Meeting Law was not read at beginning of the meeting in accordance with Open Meeting Law requirements. The City Clerk, Alison M. Bouchard, opened the meeting and read the Open Meeting Law statement, as required. Mr. Camara, who was not elected President until later in the meeting, was not required to read the Open Meeting Law statement.

There was never an intent to circumvent the Open Meeting requirements. Even if the Division of Open Government deems that a violation occurred, a nullification of the votes taken at the meeting, namely, votes to elect a new Council President, would not serve the public interest.

Please note that you have the right to appeal to the Massachusetts Attorney General – Division of Open Government.

Respectfully,

  
\_\_\_\_\_  
Gary P. Howayeck  
Assistant Corporation Counsel

Enc.

Cc: Mira Netsy, MA Office Attorney General-Division of Open Government  
via email: [Mira.Netsky@mass.gov](mailto:Mira.Netsky@mass.gov)  
Fall River City Council

24

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WATERWAYS REGULATION PROGRAM**

**Notice of License Application Pursuant to M. G. L. Chapter 91  
Waterways License Application Number 22-WW01-0117-APP  
Fall River Redevelopment Authority**

**NOTIFICATION DATE: October 7, 2022**

Public notice is hereby given of the waterways application by Fall River Redevelopment Authority construct and maintain a public marina with a pile supported float system and establish a Marina Reconfiguration Zone at 600 Davol Street, in the municipality of Fall River, in and over filled tidelands of the Taunton River. The proposed project has been determined to be water-dependent.

The Department will consider all written comments on this Waterways application received within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more, with at least five of the 10 residents residing in the municipality(s) in which the license or permitted activity is located, to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (508) 946-2873. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

Written comments must be addressed to: Carlos T. B. Fragata, Environmental Analyst, DEP Waterways Regulation Program, 20 Riverside Drive, Lakeville, MA 02347.

CITY CLERK  
FALL RIVER, MA

2022 OCT - 6 A 11: 01

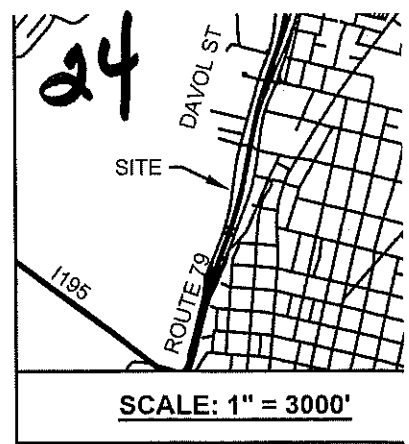
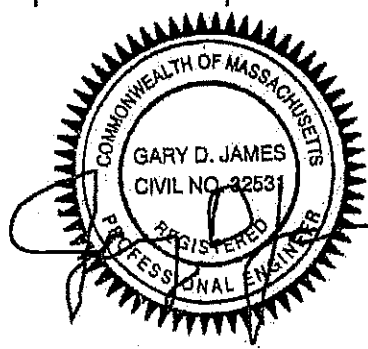
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*Mailed 10/10/22*

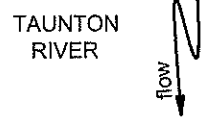




DRAWING LIST	
SHEET NO.	NAME
1	LOCUS SHEET
2	GENERAL SITE PLAN
3	IMPACT PLAN
4	PROFILES
5	CROSS SECTIONS



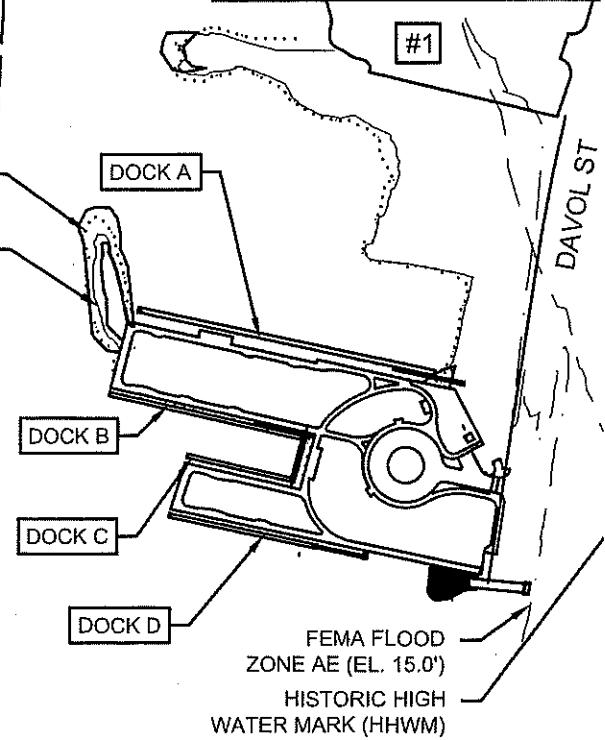
SCALE: 1" = 3000'



TAUNTON RIVER  
 CHANNEL DEPTH 20'  
 MAIN SHIP CHANNEL PROJECT DEPTH 35'

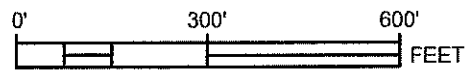
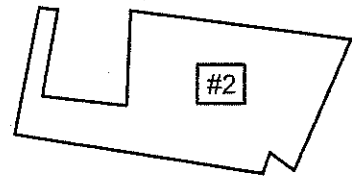
MEAN LOW WATER (MLW) EL: -2.26'  
 MEAN HIGH WATER (MHW) EL: 2.10'

ABUTTER INFORMATION		
ID	NAME	ADDRESS
1	POINT GLORIA CONDO TRUST	750 DAVOL STREET FALL RIVER, MA 02720
2	RAPIDS MANAGEMENT, LLC.	700 SHORE DR. UNIT 612, FALL RIVER, MA 02721



**NOTES:**

1. PLAN PREPARED BY: BETA GROUP, INC., MAY 27, 2022. THIS PLAN IS FOR PERMITTING PURPOSES ONLY.
2. HYDROGRAPHIC DATA SHOWN WAS COLLECTED ON MAY 3, 2011 BY CHILDS ENGINEERING CORPORATION. UPLAND SURVEY TAKEN FROM DRAWING TITLED "TOPOGRAPHIC SURVEY, CITY PIER, DAVOL STREET, FALL RIVER, MA" BY SURVEYING AND MAPPING CONSULTANTS DRAWING NO. U12300FP.
3. COORDINATES ARE BASED ON THE MASSACHUSETTS MAINLAND STATE PLANE COORDINATE SYSTEM NAD 1983. ELEVATIONS ARE SHOWN IN FEET AND TENTHS BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
4. FALL RIVER CITY PIER, SHORELINE AND SURROUNDING STRUCTURES ARE SHOWN FOR REFERENCE ONLY AND ARE TAKEN FROM DRAWING TITLED "TOPOGRAPHIC SURVEY CITY PIER, DAVOL STREET FALL RIVER, MA." DATED 8/31/2010 BY SURVEYING AND MAPPING CONSULTANTS, DRAWING No. U12300FP.
5. THE HHWM IS THE LIMIT OF CHAPTER 91 JURISDICTION WITHIN THE PROJECT LIMITS
6. HHWM DERIVED FROM MASSGIS DATA LAYER ENTITLED "TIDELANDS JURISDICTION CHAPTER 91 HISTORIC HIGH WATER"
7. TIDAL ELEVATIONS SOURCED FROM NOAA STATION ID 8447386, FALL RIVER, MA. TIDAL ELEVATIONS ARE:  
 MEAN HIGH WATER (MHW) 2.10'  
 MEAN LOW WATER (MLW) -2.26'

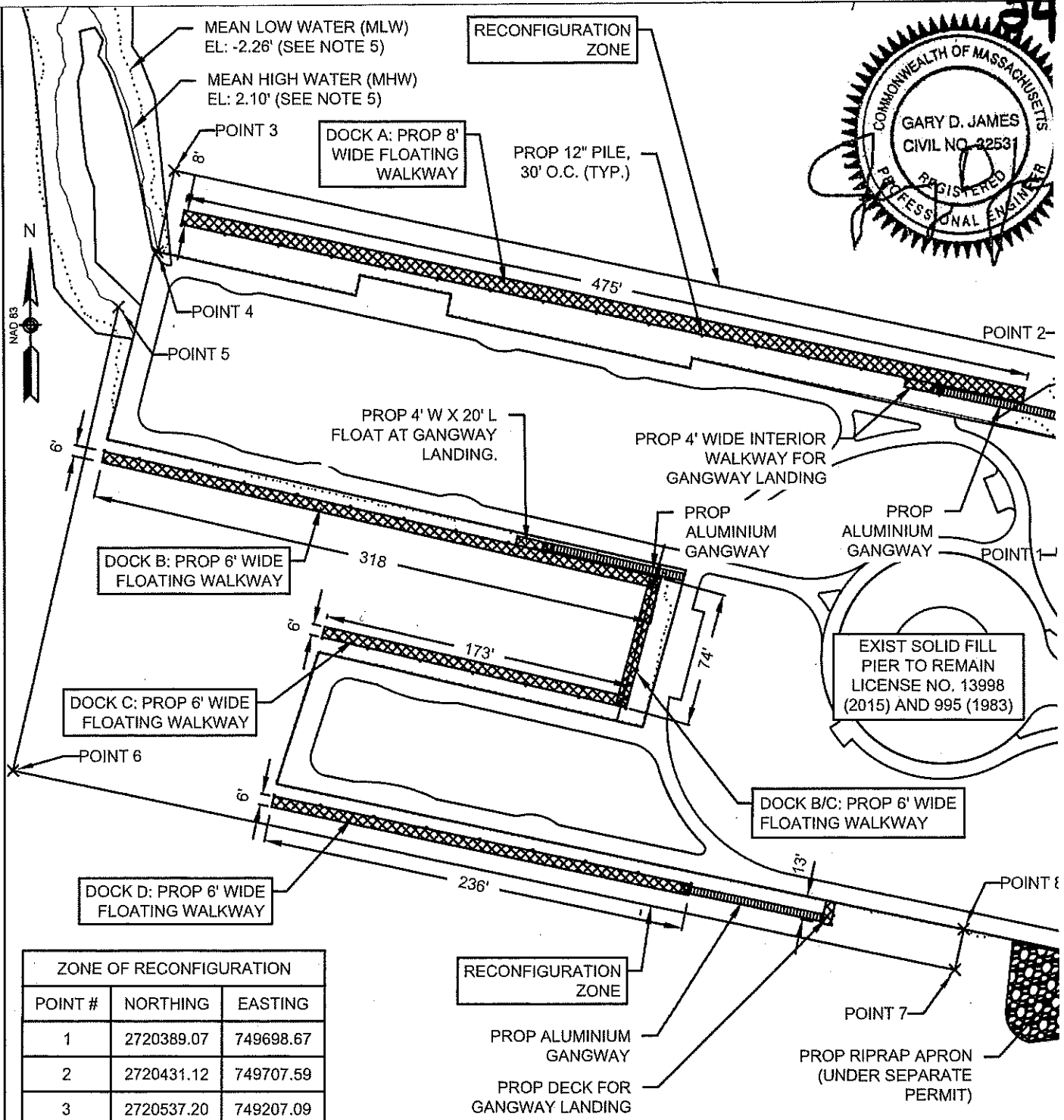
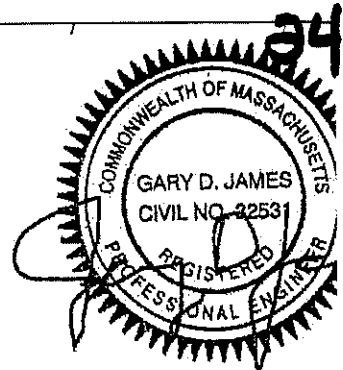


SCALE: 1"=300'

VERSION HISTORY		
NO	DESCRIPTION	DATE
0	ORIGINAL SUBMISSION	7/5/2022
1	REVISION 1	10/4/2022

**LOCUS SHEET**

PLANS ACCOMPANYING PETITION OF THE FALL RIVER REDEVELOPMENT AUTHORITY, 600 DAVOL STREET, FALL RIVER, BRISTOL COUNTY IN THE TAUNTON RIVER TO CONSTRUCT AND MAINTAIN A MARINA WITH A PILE SUPPORTED FLOAT SYSTEM AND ESTABLISH A MARINA

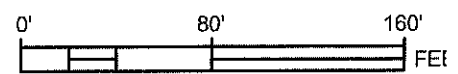


ZONE OF RECONFIGURATION		
POINT #	NORTHING	EASTING
1	2720389.07	749698.67
2	2720431.12	749707.59
3	2720537.20	749207.09
4	2720492.43	749197.68
5	2720462.08	749175.60
6	2720207.13	749117.96
7	2720097.07	749638.80
8	2720119.41	749643.64

VERSION HISTORY		
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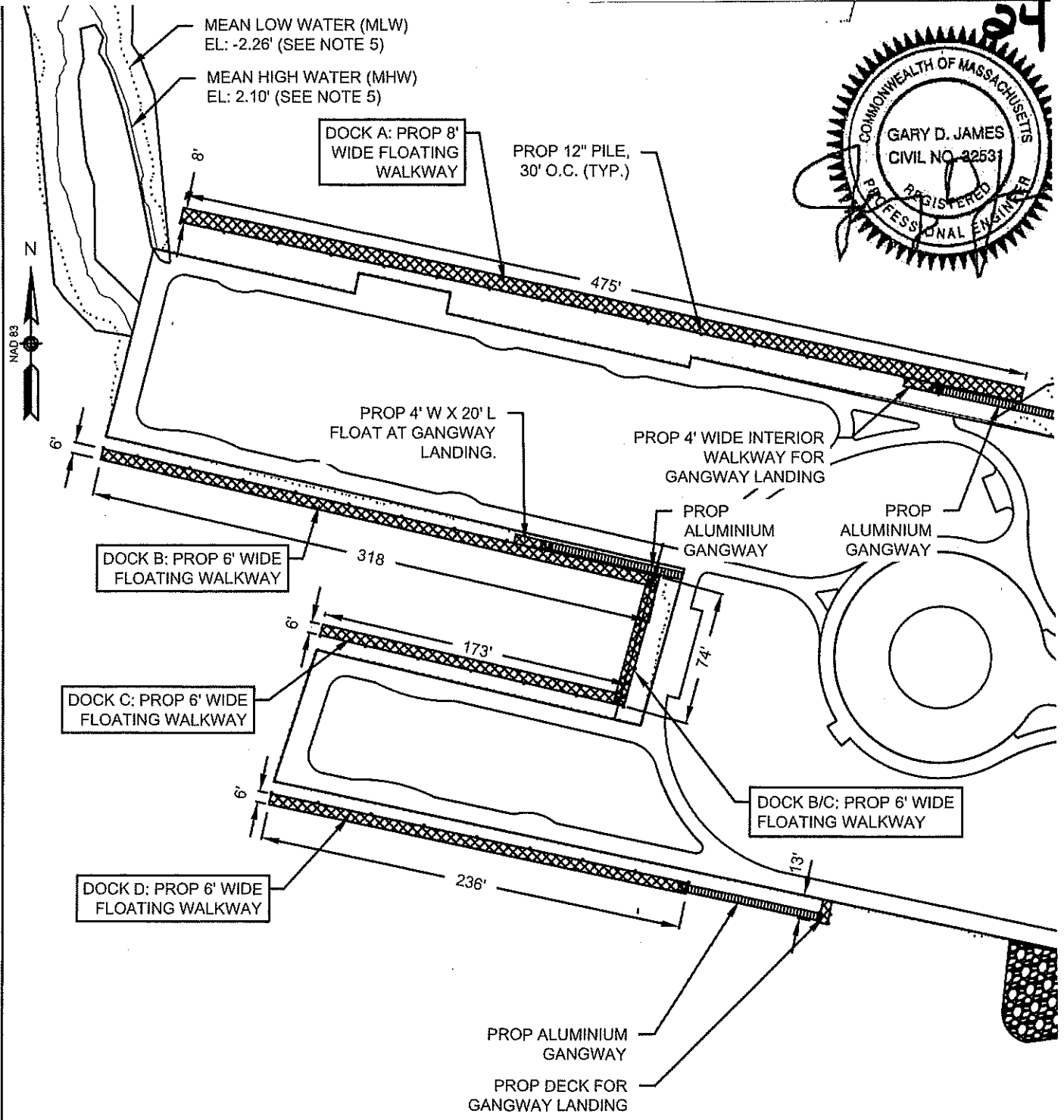
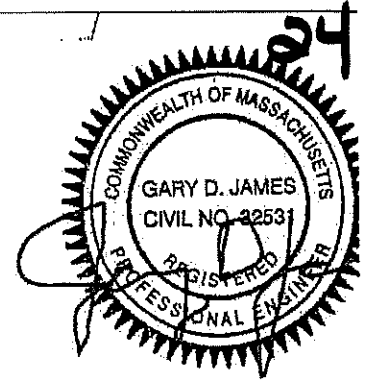
- NOTES:**
1. THE TOTAL DOCK SPACE AS DEFINED BY THE ADA REQUIREMENTS IS 30 SLIPS ON DOCK A AND 1 ON DOCK B WILL BE DESIGNATED AS ACCESSIBLE.
  2. THE TRANSITION PLATE AT THE END OF THE GANGWAY SHALL MEET ALL REQUIREMENTS FOR PLATE LENGTH, HAND RAIL EXTENSIONS, AND LANDING ZONES.
  3. DOCK LENGTH AT THE END OF THE GANGWAY SHALL BE A MINIMUM OF 20' LENGTH OR AS REQUIRED TO MEET ACCESSIBLE REQUIREMENTS BASED UPON FINAL GANGWAY DESIGN.
  4. MOORING CLEATS ON DOCKS SHALL BE 20' O.O. TO ALLOW 40' LONG MOORING LENGTH ALONG FACE OF DOCKS.
  5. LOCATION OF MHW AND MLW COINCIDES WITH LIMIT OF REVETMENT / WALL EXCEPT WHERE OTHERWISE NOTED OR DEPICTED.
  6. POINT NORTHING AND EASTING IS REFERENCED TO THE MASSACHUSETTS MAINLAND STATE PLANE COORDINATE SYSTEM NAD 1983.

**GENERAL SITE PLAN**



SCALE: 1"=80'

24



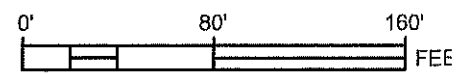
**NOTES:**

1. LOCATION OF MHW AND MLW COINCIDES WITH LIMIT OF REVETMENT / WALL EXCEPT WHERE OTHERWISE NOTED OR DEPICTED.

VERSION HISTORY		
NO	DESCRIPTION	DATE
0	ORIGINAL SUBMISSION	7/5/2022
1	REVISION 1	10/4/2022

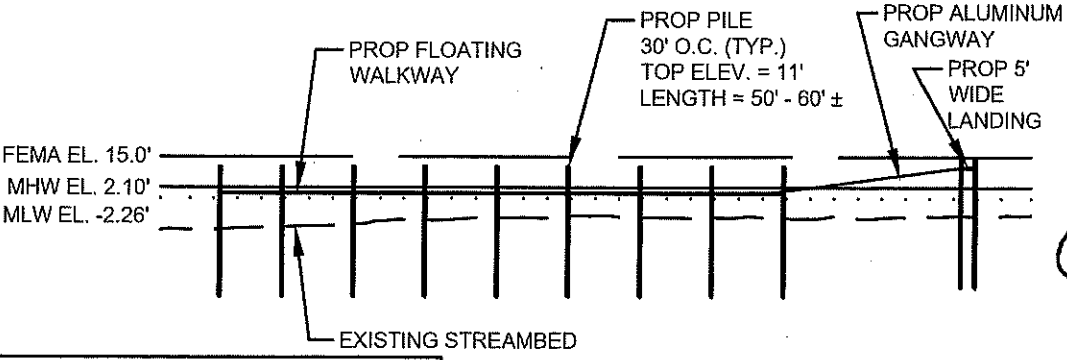
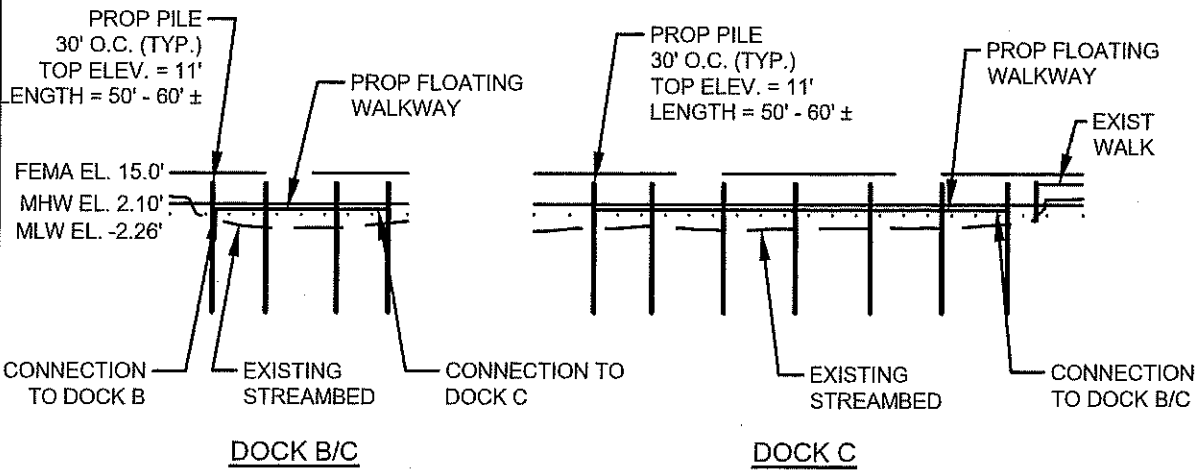
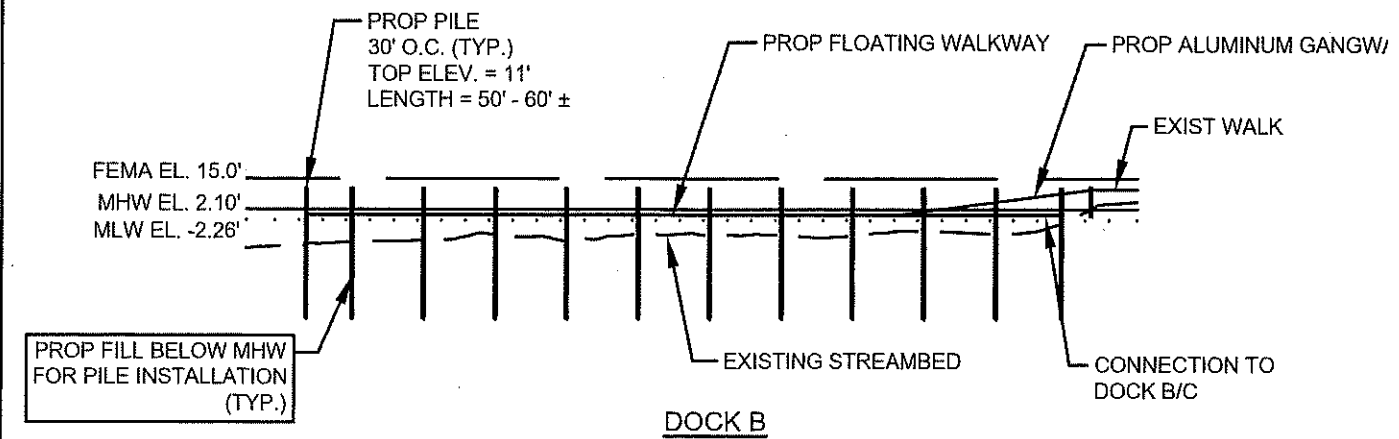
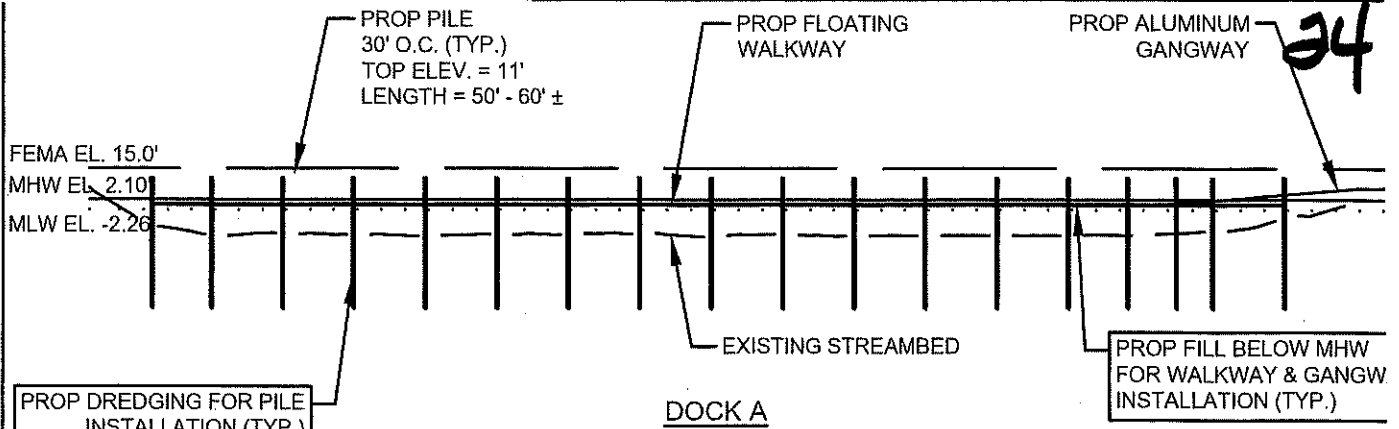
PROJECT IMPACTS		
	FILL AREA BELOW MHW (CY)	WATER DISPLACEMENT BETWEEN MLW AND MHW (CY)
TOTAL	105.2	171.7
DOCK A	45.4	39.0
DOCK B	23.8	20.4
DOCK B/C	5.1	4.4
DOCK C	11.7	10.7
DOCK D	19.2	97.3

**IMPACT PLAN**

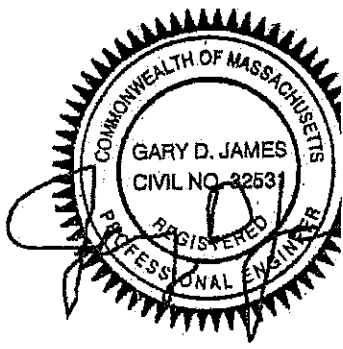


SCALE: 1"=80'

34

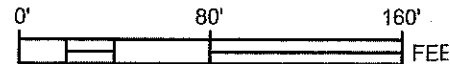


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REFER TO SHEET FOR DREDGE A/FILL QUANTITIES

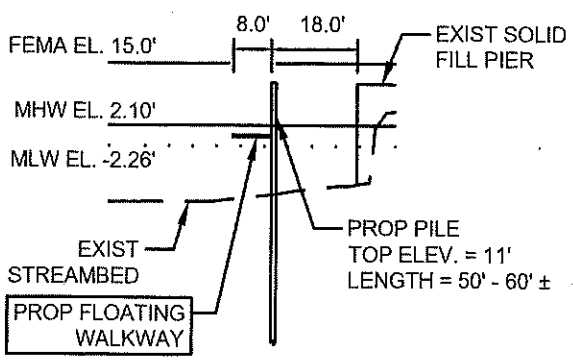
**PROFILES**



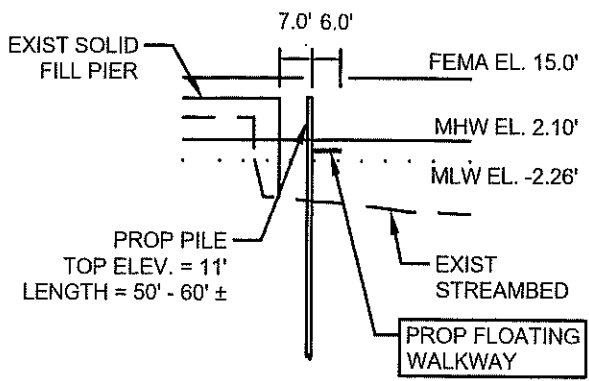
SCALE: 1"=80'

24

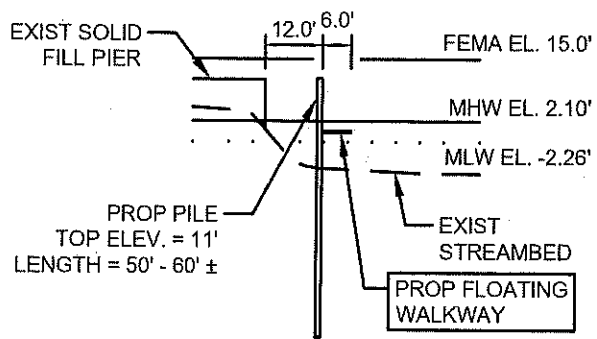
DOCK A  
STA. 0+50



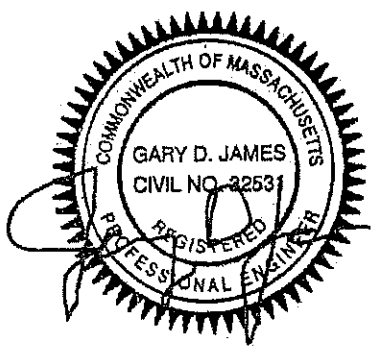
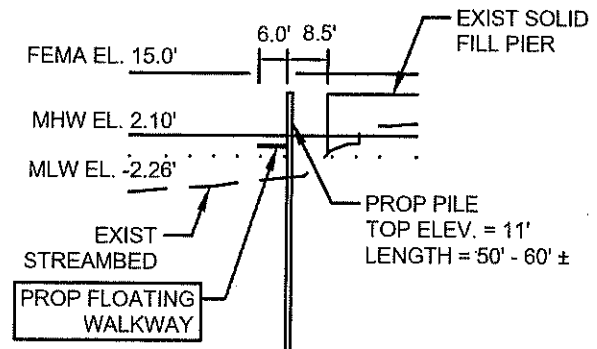
DOCK B  
STA. 10+50



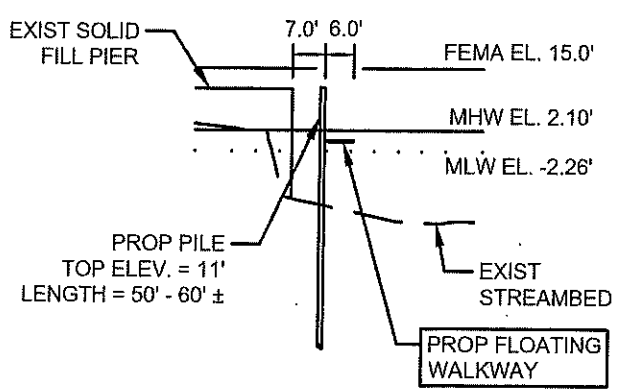
DOCK B-C  
STA. 40+55



DOCK C  
STA. 20+50

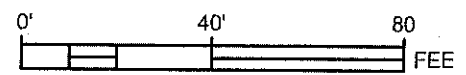


DOCK D  
STA. 30+50



VERSION HISTORY		
NO	DESCRIPTION	DATE
0	ORIGINAL SUBMISSION	7/5/2022
1	REVISION 1	10/4/2022

**CROSS SECTIONS**



SCALE: 1"=40'