

City of Fall River Massachusetts **RECEIVED**  
Office of the City Clerk

2019 OCT 18 P 3:21

**MEETINGS SCHEDULED**  
**CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER**

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

ALISON M. BOUCHARD  
CITY CLERK

INÊS LEITE  
ASSISTANT CITY CLERK

**TUESDAY, OCTOBER 22, 2019**  
**AGENDA**

**5:55 PUBLIC HEARING**

**Curb Removal**

1. Roger Poisson, 293 Driftwood Street, Fall River, MA, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
293 Driftwood Street	16'	10'	0'	26'

The petitioner has an existing 16 foot driveway and requests separate 10 foot driveway for additional access.

The proposed work improves access to the property and does not cause a significant adverse effect to on-street parking in the area.

**6:00 P.M. COMMITTEE ON FINANCE COUNCIL (OR IMMEDIATELY FOLLOWING THE PUBLIC HEARING IF THEY RUN PAST 6:00 P.M.)**

1. Citizens Input
2. \*Discussion of Fiscal Year 2020 Quarter 1 Budget Report
3. Discussion re: TIE Agreement for Downtown Development Companies, LLC – 30 Third Street (see #1 below)
4. Discussion re: TIE Agreement for BCBBK, LLC – 713 Davol Street (see #2 below)

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

**PRIORITY MATTERS**

1. \*Acting Mayor and resolution re: TIE Agreement for Downtown Development Companies, LLC – 30 Third Street
2. \*Acting Mayor and resolution re: TIE Agreement for BCBBK, LLC – 713 Davol Street

**PRIORITY COMMUNICATIONS**

3. \*Traffic Commission recommending amendments to traffic ordinances

**COMMITTEE REPORTS**

Committee on Economic Development and Tourism recommending:

Grant leave to withdraw:

4. \*Resolution – To discuss the development of a cultural district

**ADA Coordinator: Gary P. Howayeck, Esq. 508-324-2650**

One Government Center • Fall River, MA 02722

TEL 508-324-2220 • FAX 508-324-2211 • EMAIL [city\\_clerks@fallriverma.org](mailto:city_clerks@fallriverma.org)

Committee on Regulations recommending:

Grant leave to withdraw:

5. \*Resolution – Odors and hours of operation at JZ Express, Inc. located at 969 South Main Street

**ORDINANCES** – None

**RESOLUTIONS**

6. \*Creation of a state-authorized cultural district to be named Fall River Waterfront Cultural District
7. \*Request that Administration rescind all remaining Streetscape bond authorizations and work with City Council to authorize bonding for roadway infrastructure improvements
8. \*Committee on Ordinances and Legislation convene with Corporation Counsel, City Administrator and Chairs or representatives of Historical Commission and Preservation Society to discuss possible ordinance amendments

**CITATIONS**

9. Fall River Police Department Award Recipients and Retirees

John Albin	Gary K. Atkinson	Eric Bettencourt	Steven R. Burt
Mary Beth Buglio	Celeste Camara	Robert Canito	Dino Carlozzi
Barden Castro	Peter J. Cummings	Jose Dapedra	Michael C. Dean
William Desmarais	Michael Digangi	David Dos Santos	Michael Fogarty
Warren C. Francis	Dennis P. Gagne	Paul Gauvin	James T. Hoar
Gregory J. Homen	Jay Huard	Andrew C. Joseph	John P. Lapointe
Kenneth A. Machado	Coleen Medeiros	Kevin Medeiros	Theodore Nowicki
Tyler Paquette	Derek Pereira	David R. Ramunno	Thomas J. Roberts
Paul H. Santos	Jeffrey Silvia	Jonathan Souza	

10. Alexandra's Boutique – their grand re-opening and opening of Alexandra's too
11. James M. Souza – receiving the Florence Brigham Award
12. Judith Perrault – receiving the Florence Brigham Award

**ORDERS – HEARING**

Curb Removal:

13. \*Roger Poisson, 293 Driftwood Street, requests the removal of 10 feet at 293 Driftwood Street for a total of 26 feet

**ORDERS – MISCELLANEOUS**

14. Police Chief's report on licenses:

Taxicab Drivers:

James M. Evans      Travis Long

15. Auto Repair Shop License Renewals:

John H. Knight, Knight's Quality Service Station, Inc. at 260 Linden Street  
John B. Pacheco, The Shine Shop, Inc. d/b/a Ray's Auto Sale's at 707 Brayton Avenue  
Vincent Nanni, Vin's Motor Sales, Inc. at 1426 Plymouth Avenue

**COMMUNICATIONS – INVITATIONS – PETITIONS**

- 16. \*Claims
- 17. Drainlayer License – GT Excavating Corporation
- 18. Structure over a public way – Banners for the Fall River Holiday Parade Committee, Inc. located at Bedford Street at the Central Fire Station and South Main Street at Center Place
- 19. \*The Fall River Holiday Parade Committee, Inc. requesting permission to hang banners from the railings of Government Center

**BULLETINS – NEWSLETTERS – NOTICES**

- 20. \*Department of Public Utilities – Notice of public hearing for Massachusetts Electric Company and Nantucket Electric Company each d/b/a National Grid, for approval of their 2016-2018 energy efficiency three year term report

  
City Clerk

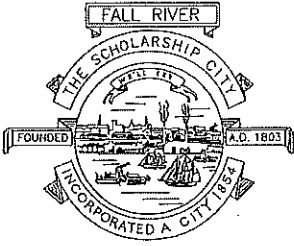
**ITEMS FILED AFTER THE AGENDA WAS PREPARED:**  
**CITY COUNCIL MEETING DATE: OCTOBER 22, 2019**

**PRIORITY MATTERS**

- 2a. \*Acting Mayor and order to accept the gift of a piano from Ms. Nancy Dempsey for Flint Senior Center

**PRIORITY COMMUNICATIONS**

- 3a. \*City Engineer requesting street opening for pavement less than five years old at 56 Franklin Street



**City of Fall River**  
**Massachusetts**  
Office of the Mayor

RECEIVED

2019 OCT 17 P 5:02

**CLIFF A. PONTE**  
*Acting Mayor*

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

October 17, 2019

The Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02722

Honorable Council Members:

The Tax Increment Financing (TIF) Board met on Thursday, October 17, 2019 and voted to approve a Tax Increment Exemption (TIE) Agreement for Downtown Development Companies, LLC for 18 residential units at 30 Third St.

An incremental tax assessment of \$1,490,756 will result in a real estate tax exemption, over 10 years, totaling approximately \$86,940.89.

Your approval of this TIE Agreement is respectfully requested.

Very Truly Yours,

Cliff A Ponte  
Acting Mayor

*City of Fall River, In City Council*

RESOLUTION

APPROVING  
HOUSING DEVELOPMENT INCENTIVE  
LOCAL TAX INCENTIVE  
CERTIFIED PROJECT  
OF

Downtown Development Companies LLC

WHEREAS, Downtown Development Companies LLC has submitted a Housing Development Incentive Program (HDIP) Application to the City of Fall River and is seeking Certified Project Status under the Massachusetts Housing Development Incentive Program created by Chapter 40V of the Massachusetts General Laws and promulgated thereunder at 760 CMR 66.00 (HD TIE), and

WHEREAS, the City of Fall River has been designated a gateway municipality by the Commonwealth of Massachusetts and Downtown Development Companies LLC plans to invest an estimated \$5,574,475 to create 16 market rate residential units and 2 affordable residential units at 30 Third Street, Fall River, Massachusetts, and

WHEREAS, Downtown Development Companies LLC is seeking a Local Tax Incentive as part of the Certified Project approval an HDIP-Investment Tax Credit and meets the minimum requirements of 760 CMR 66.00 and the project described in the Housing Development Incentive Program Application, and

WHEREAS, the proposed Local Tax Incentive Certified Project is located at 30 Third Street, Fall River, Massachusetts, which is within the boundaries of the gateway municipality of Fall River, and

WHEREAS, approval of the Downtown Development Companies LLC Housing Development Incentive Program Application in accordance with the above referenced laws, rules and regulations of the Commonwealth of Massachusetts is hereby accepted by the City Council, now therefore

BE IT RESOLVED that the City Council of Fall River approves the Downtown Development Companies LLC Housing Development Incentive Program Application and forwards said application for final project certification to the Massachusetts Department of Housing and Community Development for its approval and endorsement.



# Cordeiro PROPERTIES

131 Pleasant Street  
Fall River, MA 02721  
Tel: 508.667.0000  
Fax: 508.667.0000

RECEIVED

2019 OCT 17 P 5:01

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

October 15, 2019

Mayor Jasiel Correia  
City of Fall River  
One Government Center  
Fall River, MA 02721

Dear Mayor Correia,

Downtown Development Companies, LLC intends to apply for a Housing Development Incentive Program (HDIP) Tax Credit award from the Massachusetts Department of Housing and Community Development (DHCD) to create 18 residential rental units at 30 Third Street. Of the 18 residential units to be created, 16 will be market rate units. The total project cost is estimated to be \$5,574,475. Without an HDIP tax credit award, the project we envision will not be financially feasible.

The HDIP is designed to assist developers in creating market rate residential units in gateway cities as a way to help the community build and diversify its housing stock, spur economic development and enhance neighborhood stability. In the past few years, the City of Fall River has seen an increase in the number of market rate units available in the City. These units have been in high demand and the need for additional market rate units remains high.

Moving forward, the HDIP requires participation from the local government, as such I would respectfully request:

- Your written certification of the Third Street project as a Housing Development Incentive Program project.
- To negotiate a HD Tax Increment Exemptions (TIEs) for the Third Street project.

The DHCD views the TIE terms as an indication of the project's importance to the City. The more advantageous the TIE terms, the more likely Commonwealth Landing will be awarded HDIP tax credits.

Specifically, we request a TIE which abates 80% of the projects added value during the first five years and 20% of the projects added value for an additional five years. The structure of this 10 year exemption will provide more assistance as the project stabilizes and less as the project matures.



111 Pleasant Street  
Fall River, MA 02721  
Tel: 508/271-1111  
Fax: 508/271-1111

# Cordeiro PROPERTIES

Time is of the essence, so I would respectfully request your prompt attention and action on this matter. Thank you in advance for your support. I look forward to hearing from you.

Sincerely,

Anthony F. Corderio  
Downtown Development Companies, LLC

### HDIP Local Incentive Only Application Exhibit 1: Local Incentive Valuation

FY	Municipal Tax Rate Per	Incremental Assessed Value	Projected Annual RE Property Tax Bill for	TIF/STA Yearly Exemption %	Exempted Annual RE Property Taxes	Exempted Annual	Total Yearly Value of Local Tax
2021	\$14.58	\$1,490,756.00	\$21,735.22	80%	\$17,388.18	\$0.00	\$17,388.18
2022	\$14.58	\$1,490,756.00	\$21,735.22	80%	\$17,388.18	\$0.00	\$17,388.18
2023	\$14.58	\$1,490,756.00	\$21,735.22	80%	\$17,388.18	\$0.00	\$17,388.18
2024	\$14.58	\$1,490,756.00	\$21,735.22	80%	\$17,388.18	\$0.00	\$17,388.18
2025	\$14.58	\$1,490,756.00	\$21,735.22	80%	\$17,388.18	\$0.00	\$17,388.18
2026	\$14.58	\$1,490,756.00	\$21,735.22	20%	\$4,347.04	\$0.00	\$4,347.04
2027	\$14.58	\$1,490,756.00	\$21,735.22	20%	\$4,347.04	\$0.00	\$4,347.04
2028	\$14.58	\$1,490,756.00	\$21,735.22	20%	\$4,347.04	\$0.00	\$4,347.04
2029	\$14.58	\$1,490,756.00	\$21,735.22	20%	\$4,347.04	\$0.00	\$4,347.04
2030	\$14.58	\$1,490,756.00	\$21,735.22	20%	\$4,347.04	\$0.00	\$4,347.04
				<b>TOTALS</b>	<b>\$86,940.89</b>	<b>\$0.00</b>	<b>\$86,940.89</b>

**Note:** In Massachusetts, Proposition 2½ operates at the level of a municipality's total tax levy. Due to Proposition 2½, it is impossible to make reliable projections for individual parcels, whose taxes

\*Estimated average of 75% of residential portion of the base value for this project is \$525,450.00

\*\*Please note the above Incremental assessed value reflects an estimated average of 75% of the estimated mixed use assessed value of \$1,987,675.00, less the above listed 75% base value for the residential use portion of this property

Mixed use property location: 18 - 30 Third St





**PROPERTY LOCATION**

No	Alt No	Direction/Street/City
1830		THIRD ST, FALL RIVER

**OWNERSHIP**

Owner #	Owner Name
1	MKM MANAGEMENT LLC
2	
3	

**Street 1:** 171 PLEASANT ST  
**Street 2:**

**Town/City:** FALL RIVER  
**State/Zip:** MA 02721

**PREVIOUS OWNER**

Owner #	Owner Name
1	KAROUSOS - GEORGE
2	C/O MKM MANAGEMENT LLC -

**Town/City:** FALL RIVER  
**State/Zip:** MA 02721

**NARRATIVE DESCRIPTION**

This Parcel contains 9,213 SQ FT of land mainly classified as RST/BBAR with a(n) OFFICE Building Built about 1906, Having Primarily BRICK Exterior and MEMBRANE Roof Cover, with 4 Units, 0 Baths, 9 HalfBaths, 0 3/4 Baths, 0 Rooms Total, and 0 Bdrms.

**OTHER ASSESSMENTS**

Code	Description/No	Amount	Com. Int.

**IN PROCESS APPRAISAL SUMMARY**

Use Code	Building Value	Yard Items	Land Value	Land Size	Total Value
326	567,200	1,200	132,200	9,213.000	700,600

**Total Card** Entered Lot Size: 700,600  
**Total Parcel** Total Land: 700,600  
Source: Market Adj Cost Total Value per SQ unit /Card: 26.59 /Parcel: 26.59

**PREVIOUS ASSESSMENT**

Tax Yr	Use	Cal	Bldg Value	Yrd Value	Land Value	Total Value	Asses'd Value	Notes	Date
2019	326	FV	850,700	1,200	132,200	984,100	984,100	YER	12/20/2018
2018	326	FV	742,900	1,200	132,200	876,300	876,300	Year End Roll	12/19/2017
2017	326	FV	742,900	1,200	132,200	876,300	876,300	Year End Roll	12/18/2016
2016	326	FV	972,200	1,200	132,200	1,105,600	1,105,600	YEAR END	11/11/2016
2015	326	FV	972,200	1,300	132,200	1,105,700	1,105,700	Year End Roll	1/5/2015
2014	326	FV	972,200	1,300	132,200	1,105,700	1,105,700	year end	12/6/2013
2013	326	EX	972,200	1,300	137,700	1,111,200	1,111,200	Year End Roll	12/14/2012
2013	326	FV	972,200	1,300	137,700	1,111,200	1,111,200		2/13/2013

**SALES INFORMATION**

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc FOL Value	Notes
KAROUSOS GEORG	6861-345	OC	1/31/2008	OTHER	850,000	No	No	No	1-08 \$850 (\$816,250M) / 1-08 \$1.3,	
KAROUSOS GEORG	3449-275		7/23/1998		465,000	NO	NO	NO		
STERMBERG RICH	1819-78		5/13/1987		265,000	NO	NO	NO		

**PARCEL ID** N-06-0021

**ASR Map:** 9381

**Fact Dist:**

**Reval Dist:**

**Year:**

**Land Reason:**

**Bld Reason:**

**PROPERTY FACTORS**

Item	Code	Descr	%	Item	Code	Descr
0	B-L	Bus <=3units	100	U	C	ALL UTIL
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**LAND SECTION (First 7 lines only)**

Use Code	Description	Fact	No of Units	Price/Unit	Depth / Price/Unit
326	RST/BBAR		9213		

**Total AC/F/A:** 0.21150  
**Total SF/SM:** 9213.00

**BUILDING PERMITS**

Date	Number	Descr	Amount	C/O	Last Visit	Fed Code	F. Descr	Comment
10/1/2019	1814	REPAIRS	1,227,000	O				
5/1/2019	701	INT ALTE	51,500	O				
12/14/2018	328	RENOVATE	150,000	O				
7/24/2013	789	REPAIRS	1,000	C				
5/31/2013	551	RE-ROOF	29,900	C				
3/17/2009		GUT-REN		C				
12/17/2008	1209	SIGNS	432	C				REPLACE EXISTING S
10/16/2008	1051	SIGNS	800	C				
3/18/2008	199	WALLS&FE	30,000	C				8' HIGH WALL OVERA

**ACTIVITY INFORMATION**

Date	Result	By	Name
12/22/2019	ABATE REVIEW	DR	Doug Rebello
12/22/2013	PERMIT VISIT	DR	Doug Rebello
12/30/2009	MEAS+INSPECT	JV	
12/1/2009	PERMIT VISIT	7	

**VERIFICATION OF VISIT NOT DATA**

Appraised Value	%	Class	Spec. Land	J Code	Use Value	Notes
132,196		CNTR			132,200	C/I SITE

**TOTAL**

Total	132,196	Spl Credit	Total	132,200
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Fall River



**Patriot**  
Properties Inc.

USER DEFINED

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Land Value	Total Value	Legal Description	User Acct
112	1,624,675	1,200	0.000	361,800	1,987,675			
<b>Total</b>	<b>1,624,675</b>	<b>1,200</b>	<b>0.000</b>	<b>361,800</b>	<b>1,987,675</b>			
<b>Total Parcel</b>	<b>1,624,675</b>	<b>1,200</b>	<b>0.000</b>	<b>361,800</b>	<b>1,987,675</b>			
Source: Market Adj Cost							Total Value per SQ unit / Card: 75.43	Insp Date: 12/02/13
Parcel ID N-06-0021								

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Assess Value	Notes	Date
2018	326	FV	850,700	1200	9,213	132,200	984,100	984,100	YER	12/20/2018
2019	326	FV	742,900	1200	9,213	132,200	876,300	876,300	Year End Roll	12/5/2017
2017	326	FV	742,900	1200	9,213	132,200	876,300	876,300	Year End Roll	12/8/2016
2016	326	FV	972,200	1200	9,213	132,200	1,105,600	1,105,600	YEAR END	1/11/2016
2015	326	FV	972,200	1300	9,213	132,200	1,105,700	1,105,700	Year End Roll	1/5/2015
2014	326	FV	972,200	1300	9,213	132,200	1,105,700	1,105,700	year end	12/6/2013
2013	326	EX	972,200	1300	9,213	137,700	1,111,200	1,111,200	Year End Roll	12/14/2012
2013	326	FV	972,200	1300	9,213	137,700	1,111,200	1,111,200		2/13/2013

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
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KAROUSOS GEORG	3449-275		7/23/1998		465,000	No	No	No		
STERNBERG RICH	1819-78		5/13/1987		265,000	No	No	No		

BUILDING PERMITS

Date	Number	Descrpt	Amount	C/O	Last Visit	Fed Code	F. Descrpt	Comment
10/1/2019	1814	REPAIRS	1,227,000	O				
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7/24/2013	789	REPAIRS	1,000	C				
5/31/2013	551	RE-ROOF	29,900	C				
3/17/2009		GUT -REN		C				
12/17/2008	1209	SIGNS	432	C				REPLACE EXISTING S
10/16/2008	1051	SIGNS	800	C	1/21/2009			
3/18/2008	199	WALLS&FE	30,000	C	1/21/2009			8' HIGH WALL OVERA

LAND SECTION (First 7 lines only)

Use Code	Description	Fact	No. of Units	Depth / Price/Unit	LT Factor	Basa Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1	Infl 2	Infl 3	%	Appraised Value	Spec Land	Code	Use Value	Notes
112	APTS BUP		18			0	20,100	1,000	9603							361,800	CNTR		361,800	C/I SITE

Total AC/Ha: 0.00000 Total SF/SM: 0.00 Parcel LUG: 112 APTS BUP Prime NB Desc/APT GD

Total: 361,800 Spt Credit: Total: 361,800

Sign: VERIFICATION OF VISIT NOT DATA

ASR Map: 9381

Fact Dist: Reval Dist: Year: Land Reason: Bid Reason:

Activity Information Table with columns: Date, Result, Name

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ASR Map: 9381

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ASR Map: 9381

Fact Dist: Reval Dist: Year: Land Reason: Bid Reason:

Activity Information Table with columns: Date, Result, Name, Comment



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**City of Fall River  
Massachusetts  
Office of the Mayor**

RECEIVED

2019 OCT 18 P 2:22

**CLIFF A. PONTE**  
*Acting Mayor*

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

October 18, 2019

The Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02722

Honorable Council Members:

The Tax Increment Financing (TIF) Board met on Thursday, October 17, 2019 and voted to approve a Tax Increment Exemption (TIE) Agreement for BCBBK, LLC at 697-713 Davol Street for 49 units of housing.

An incremental tax assessment of \$10,256,070 will result in a real estate tax exemption, over 10 years, totaling approximately \$747,667.50.

Acting Mayor, Cliff A. Ponte, abstained from this vote.

Your approval of this TIE Agreement is respectfully requested.

Very Truly Yours,

Cliff A. Ponte  
Acting Mayor

City of Fall River, *In City Council*

RESOLUTION

APPROVING  
HOUSING DEVELOPMENT INCENTIVE  
LOCAL TAX INCENTIVE  
CERTIFIED PROJECT  
OF  
BCBKK, LLC

WHEREAS, BCBKK, LLC has submitted a Housing Development Incentive Program (HDIP) Application to the City of Fall River and is seeking Certified Project Status under the Massachusetts Housing Development Incentive Program created by Chapter 40V of the Massachusetts General Laws and promulgated thereunder at 760 CMR 66.00 (HD TIE), and

WHEREAS, the City of Fall River has been designated a gateway municipality by the Commonwealth of Massachusetts and BCBKK, LLC plans to invest an estimated \$11,000,000 to create 40 market rate residential units and 9 affordable residential units at 697-713 Davol Street, Fall River, Massachusetts, and

WHEREAS, BCBKK, LLC is seeking a Local Tax Incentive as part of the Certified Project approval an HDIP-Investment Tax Credit and meets the minimum requirements of 760 CMR 66.00 and the project described in the Housing Development Incentive Program Application, and

WHEREAS, the proposed Local Tax Incentive Certified Project is located at 697-713 Davol Street, Fall River, Massachusetts, which is within the boundaries of the gateway municipality of Fall River, and

WHEREAS, approval of the BCBKK, LLC Housing Development Incentive Program Application in accordance with the above referenced laws, rules and regulations of the Commonwealth of Massachusetts is hereby accepted by the City Council, now therefore

BE IT RESOLVED that the City Council of Fall River approves the BCBKK, LLC Housing Development Incentive Program Application and forwards said application for final project certification to the Massachusetts Department of Housing and Community Development for its approval and endorsement.



RECEIVED

2019 OCT 17 P 5:01

CITY CLERK  
FALL RIVER, MA

October 14, 2019

Mayor Jasiel Correia  
City of Fall River  
One Government Center  
Fall River, MA 02722

Dear Mayor Correia,

BCBBK, LLC intends to utilize the Housing Development Incentive Program (HDIP) from the Massachusetts Department of Housing and Community Development (DHCD) to create 49 residential housing rental units at the property located at 697 – 713 Davol Street, Fall River, MA. Pursuant to M.G. L. Chapter 40V, 80% of the units will be market rate and the total project cost is estimated to be \$11,000,000.

The 47,700 sq. ft. of vacant property is located along Fall River's Waterfront, within the City of Fall River Housing Development Overlay District and one quarter mile from the South Coast Rail Project Davol Street commuter rail terminal which is currently under construction. The proposed six story new construction project will create 49 one and two bedroom units on Floors 2 through 6 of which 80% will be market rate units.

A portion of the first floor of the facility will be dedicated to a branch office of BayCoast Bank with the balance of the first floor space being dedicated additional complementary retail space and supportive services to the residential units inclusive of lobby, mail room, trash storage, bicycle storage utility rooms etc.

Specifically, we are seeking a local real estate tax exemption on the increased property value resulting from the proposed improvements. Without an HDIP local real estate tax exemption, the project we envision will not be financially feasible.

The HDIP is designed to assist developers in creating market rate residential units in gateway cities as a way to help the community build and diversify its housing stock, spur economic development and enhance neighborhood stability. In the past few years, the City of Fall River has seen an increase in the number of market rate units available in the City. These units have been in high demand and the need for additional market rate units remains high.

Moving forward, the HDIP requires participation from the local government, as such in order to be placed on the Fall River City Council October 22, 2019 agenda, I would respectfully request that this request be placed on the October 17, 2019 TIF Board meeting for the following purposes:

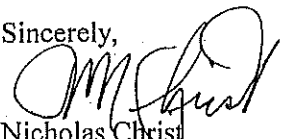
- Your written certification of the Turner/Davol Street project as a Housing Development Incentive Program project.
- To negotiate a HD Tax Increment Exemptions (TIE) for the Davol Street project.

Specifically, we request a TIE which abates 80% of the projects added value during the first five years and 20% of the projects added value for an additional five years. The structure of

this 10 year exemption will provide more assistance as the project stabilizes and less as the project matures.

Time is of the essence, so I would respectfully request your prompt attention and action on this matter. Thank you in advance for your support. I look forward to hearing from you.

Sincerely,



Nicholas Christ  
BCBBK, LLC

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HDIP Local Incentive Only Application Exhibit 1: Local Incentive Valuation

FY	Municipal Tax Rate Per	Incremental Assessed Value	Projected Annual RE Property Tax Bill for Incremental Assessed Value	TIF/STA Yearly Exemption %	Exempted Annual RE Property Taxes	Exempted Annual	Total Yearly Value of Local Tax
2021	\$14.58	\$10,256,070.00	\$149,533.50	80%	\$119,626.80	\$0.00	\$119,626.80
2022	\$14.58	\$10,256,070.00	\$149,533.50	80%	\$119,626.80	\$0.00	\$119,626.80
2023	\$14.58	\$10,256,070.00	\$149,533.50	80%	\$119,626.80	\$0.00	\$119,626.80
2024	\$14.58	\$10,256,070.00	\$149,533.50	80%	\$119,626.80	\$0.00	\$119,626.80
2025	\$14.58	\$10,256,070.00	\$149,533.50	80%	\$119,626.80	\$0.00	\$119,626.80
2026	\$14.58	\$10,256,070.00	\$149,533.50	20%	\$29,906.70	\$0.00	\$29,906.70
2027	\$14.58	\$10,256,070.00	\$149,533.50	20%	\$29,906.70	\$0.00	\$29,906.70
2028	\$14.58	\$10,256,070.00	\$149,533.50	20%	\$29,906.70	\$0.00	\$29,906.70
2029	\$14.58	\$10,256,070.00	\$149,533.50	20%	\$29,906.70	\$0.00	\$29,906.70
2030	\$14.58	\$10,256,070.00	\$149,533.50	20%	\$29,906.70	\$0.00	\$29,906.70
<b>TOTALS</b>					<b>\$747,667.50</b>	<b>\$0.00</b>	<b>\$747,667.50</b>

Note: In Massachusetts, Proposition 2½ operates at the level of a municipality's total tax levy. Due to Proposition 2½, it is impossible to make reliable projections for individual parcels, whose taxes may increase

\*Estimated average of 92% of residential portion of the base value for this project is \$11,000,000.

\*\*Please note the above Incremental assessed value reflects an estimated average of 92% of the estimated misused use assessed value of \$11,000,000. less the above listed 92% base value for the residential use portion of this property

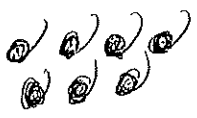


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**HOUSING DEVELOPMENT INCENTIVE PROGRAM**

**TAX INCREMENT EXEMPTION (TIE) AGREEMENT**

between  
**THE CITY OF FALL RIVER**  
and  
**BCBBK, LLC**



This AGREEMENT is made this \_\_\_\_ day of \_\_\_\_, 20\_\_ by and between the City of Fall River, ("Municipality") and BCBBK, LLC, a Massachusetts Limited Liability Corporation with an address at 456 Rock Street, Fall River, MA 02720.

**Section 1 – Agreement**

The Municipality and the Sponsor, for good and valuable consideration and in consideration of the covenants and agreements herein contained, hereby make this agreement regarding a tax increment exemption pursuant to the Housing Development (HD) Incentive Program, M.G.L. c. 40V and the regulations promulgated thereunder at 760 CMR 66.00 (HD TIE), with respect to the Property as herein defined.

**Section 2 – Definitions**

Each reference in this Agreement to the following terms shall be deemed to have the following meanings:

- Act: M.G.L. c. 40V as may be amended from time to time.
- Completion: Certificates of occupancy have been issued for the entire Project.
- DHCD: Department of Housing and Community Development
- Event of Default: An "Event of Default" as defined in Section 5 below.
- Final Certification: Determination by DHCD that the Sponsor has completed the new construction or substantial rehabilitation of the Property, consistent with the New Construction or Rehabilitation Plans, including the creation of MRRUs, as set forth in the Act and the Regulations.
- Fiscal Year: An annual period of July 1 through June 30.
- HD Project: A Certified Housing Development Project as defined in the Act and the Regulations.
- HD Zone: The Housing Development Zone adopted by the Fall River City Council on December 13, 2013 and approved by DHCD as evidenced by a Certificate of Approval dated January 10, 2014 and recorded with the Fall River Registry of Deeds.

Lead Municipality: Fall River

MRRU: Market Rate Residential Unit(s) as defined at Section 3.B.1.

Property: 697 Davol Street - 713 Davol Street, Fall River Assessors Map 0-22, Lot 6,7 & 8 as shown in Exhibit 1, "Map of Property" and further described in Exhibit 2, "Legal Description of Property".

Regulations: 760 CMR 66.00.

New Construction or Rehabilitation Plans: The material submitted for Conditional Certification pursuant to 760 CMR 66.05(3) (a) and approved by DHCD.

Sponsor: BCBBK, LLC, a Massachusetts Limited Liability Corporation, with an address at 456 Rock Street, Fall River, MA, its successors and assigns.

**Section 3 – Sponsor’s Covenants**

A. New Construction or Substantial Rehabilitation of the Property. Sponsor will undertake the new construction or substantial rehabilitation of the Property in accordance with the work and schedule set forth in the New Construction or Rehabilitation Plans.

B. Market Rate Residential Units.

1) There shall be a total of 49 residential rental units created in the Project of which a minimum 80% (40 units) shall be MRRUs comprised of one and two bedroom units. The monthly rent for such units shall be priced- consistently with prevailing rents or sale prices in the Municipality as determined based on criteria established by the department., as set forth in Exhibit 3, "Market Rate Residential Units – Pricing Plan".

2) Sponsor shall use good faith efforts to maintain the units as MRRUs for a minimum of 10 years.

C. Marketing. Sponsor shall cause the MRRU to be marketed in a manner that is consistent with the strategies, implementation plan and affirmative fair housing efforts set out in the New Construction or Rehabilitation Plans.

D. HD Project Certification. Sponsor shall take all actions reasonably necessary to obtain Final Certification of the Property as an HD Project including but not limited to submitting applications to DHCD for Conditional Certification and Final Certification consistent with the requirements of the Act and the Regulations.

**Section 4 – Tax Increment Exemption**

Municipality agrees to grant Sponsor an exemption to the real property taxes due on the Property pursuant to G.L. c.59 according to the following terms.

A. Base Value. \$735,100.

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B. MRRU Percentage. Minimum 80 per cent. The MRRU Percentage shall be confirmed as required in paragraph F, below.

C. Exemption Percentage. Commencing on the Effective Date which shall be Fiscal Year 1: 80% for Fiscal Years 1-5 and 20% for Fiscal Years 6-10.

D. The Increment. As defined at 760 CMR 66.06(1)(b)(1).

E. Calculation. For each Fiscal Year during the term of this Agreement, the HD TIE shall be determined by applying the Exemption Percentage to the property tax on the Increment.

F. Confirmation or Amendment of Calculation. Upon Completion, and prior to applying for Final Certification of the Project, the Sponsor and Municipality shall file a "Tax Increment Exemption – Confirmation of Calculation" in the form attached as Exhibit 4 ("TIE Confirmation"). To the extent that the dates or figures in the TIE Confirmation differ from those set forth in this Agreement, the contents of the TIE Confirmation shall control and shall be deemed to have amended this Agreement.

#### Section 5 – Default

A. Event of Default. An "Event of Default" shall arise under this Agreement upon the occurrence of any one or more of the following events:

1) Breach of Covenant Prior to Final Certification. Subject to the limitations set forth in the Regulations at section 66.05(4)(b), Sponsor defaults in the observance or performance of any material covenant, condition or agreement to be observed or performed by Sponsor pursuant to the terms of this Agreement, and the continuance of such default for thirty (30) days after written notice thereof from the Municipality; provided, however, that if the curing of such default cannot be accomplished with due diligence within said period of thirty (30) days, then Sponsor shall have such additional reasonable period of time, not to exceed thirty (30) days, to cure such default provided the Sponsor shall have commenced to cure such default within the initial thirty (30) day period, such cure shall have been diligently prosecuted by the Sponsor thereafter to completion.

2) Breach of Covenant Subsequent to Final Certification. Sponsor's conduct is materially at variance with the representations made in its New Construction or Rehabilitation Plans; such variance is found to frustrate the public purposes that Final Certification was intended to advance, and the continuance of such default for thirty (30) days after written notice thereof from the Municipality; provided, however, that if the curing of such default cannot be accomplished with due diligence within said period of thirty (30) days, then Sponsor shall have such additional reasonable period of time, not to exceed thirty (30) days, to cure such default provided the Sponsor shall have commenced to cure such default within the initial thirty (30) day period, such cure shall have been diligently prosecuted by the Sponsor thereafter to completion.

3) Misrepresentation. Any representation made herein or in any report, certificate, financial statement or other instrument furnished in connection with this Agreement shall prove to be false in any material respect.

B. Rights on Default.

1) Prior to Final Certification. Upon the occurrence of an Event of Default prior to Final

2

Certification, then this Agreement shall become null and void.

2) Subsequent to Final Certification. Upon the occurrence of an Event of Default subsequent to Final Certification, then:

a. Revocation of Certification. Pursuant to the terms of the Act, the Municipality, may, at its sole discretion, request that DHCD revoke the Final Certification of the Project, such revocation to take effect on the first day of the fiscal year in which DHCD determines that a material variance commenced.

b. Termination of Agreement. Upon revocation of certification, this Agreement shall become null and void as of the effective date of such revocation.

c. Recoupment of Economic Benefit. Upon revocation of certification, the Municipality may bring a cause of action against Sponsor for the value of any economic benefit received by Sponsor prior to or subsequent to such revocation.

3) Other Remedies. The Municipality's rights upon the occurrence of an Event of Default are in addition to those granted to DHCD and the Massachusetts Commissioner of Revenue under the terms of the Act.

#### Section 6 – Miscellaneous

A. Effective Date. The effective date of the HD TIE shall be July 1st of the first Fiscal Year following DHCD's Final Certification of the HD Project pursuant to the requirements of the Act and the Regulations, which date is anticipated to be July 1, 2021. The Effective Date shall be confirmed as required in paragraph F, below.

B. Term of Agreement. This Agreement shall expire upon the Municipality's acceptance of the annual report, as required below, for the final Fiscal Year for which the Municipality is granting the TIE.

C. Reporting. Sponsor shall submit reports to the Municipality not later than thirty (30) days after June 30 of each Fiscal Year for the term of this Agreement. Each report shall contain the following information:

1) Until Completion, the status of construction in relation to the schedule contained in the New Construction or Rehabilitation Plan;

2) Until Completion, the status of marketing in relation to the New Construction or Rehabilitation Plans; and

3) For each MRRU, the number of bedrooms in the unit, whether it was leased as of the end of the most recent fiscal year and the monthly rent charged.

D. Assignment. The Sponsor shall not assign any interest in this Agreement, and shall not transfer any interest in the same, without the prior written consent of the Municipality, which approval shall not be unreasonably withheld. The foregoing notwithstanding, the rights and obligations of this Agreement shall inure to the benefit of any entity succeeding to the interests of the Sponsor by merger.

2

E. Notices. Any notice, request, instruction or other document to be given hereunder to either party by the other shall be in writing and delivered personally or sent by recognized overnight courier, receipt confirmed or sent by certified or registered mail, postage prepaid, as follows, and shall be conclusively deemed to have been received and be effective on the day on which personally delivered or, if sent by certified or registered mail, three (3) days after the day on which mailed or, if sent by overnight courier, on the day after delivered to such courier.

1) Municipality: City of Fall River, One Government Center, Fall River, MA 02722, Attention; Mayor's Office

2) Sponsor: BCBBK, LLC, 456 Rock Street, Fall River, MA 02720.

3) Copy to DHCD: All such notices shall be copied to DHCD at:

HDIP Program Coordinator  
Department of Housing & Community Development  
100 Cambridge Street, Suite 300  
Boston, MA 02124

4) Change of Address. Either party may change the address to which notices are to be sent to it by giving written notice of such change of address to the other party in the manner herein provided for giving notice.

F. Modifications. No modification or waiver of any provision of this Agreement, nor consent to any departure by the Sponsor therefrom shall in any event be effective unless the same shall be in writing, and then such waiver or consent shall be effective only in the specific instance and for the purpose for which given. No failure or delay on the part of Municipality in exercising any right, power or privilege hereunder shall operate as a waiver thereof, nor shall a single or partial exercise thereof preclude any other or further exercise thereof or the exercise of any other right, power or privilege.

IN WITNESS WHEREOF, the Sponsor has caused this Agreement to be duly executed in its name and behalf and its seal affixed by its duly authorized representative, and the Municipality has caused this Agreement to be executed in its name and behalf and its seal duly affixed by its Mayor and City Council of the day and year first above written.

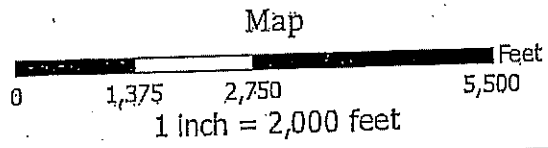
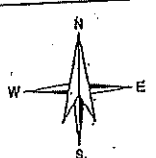
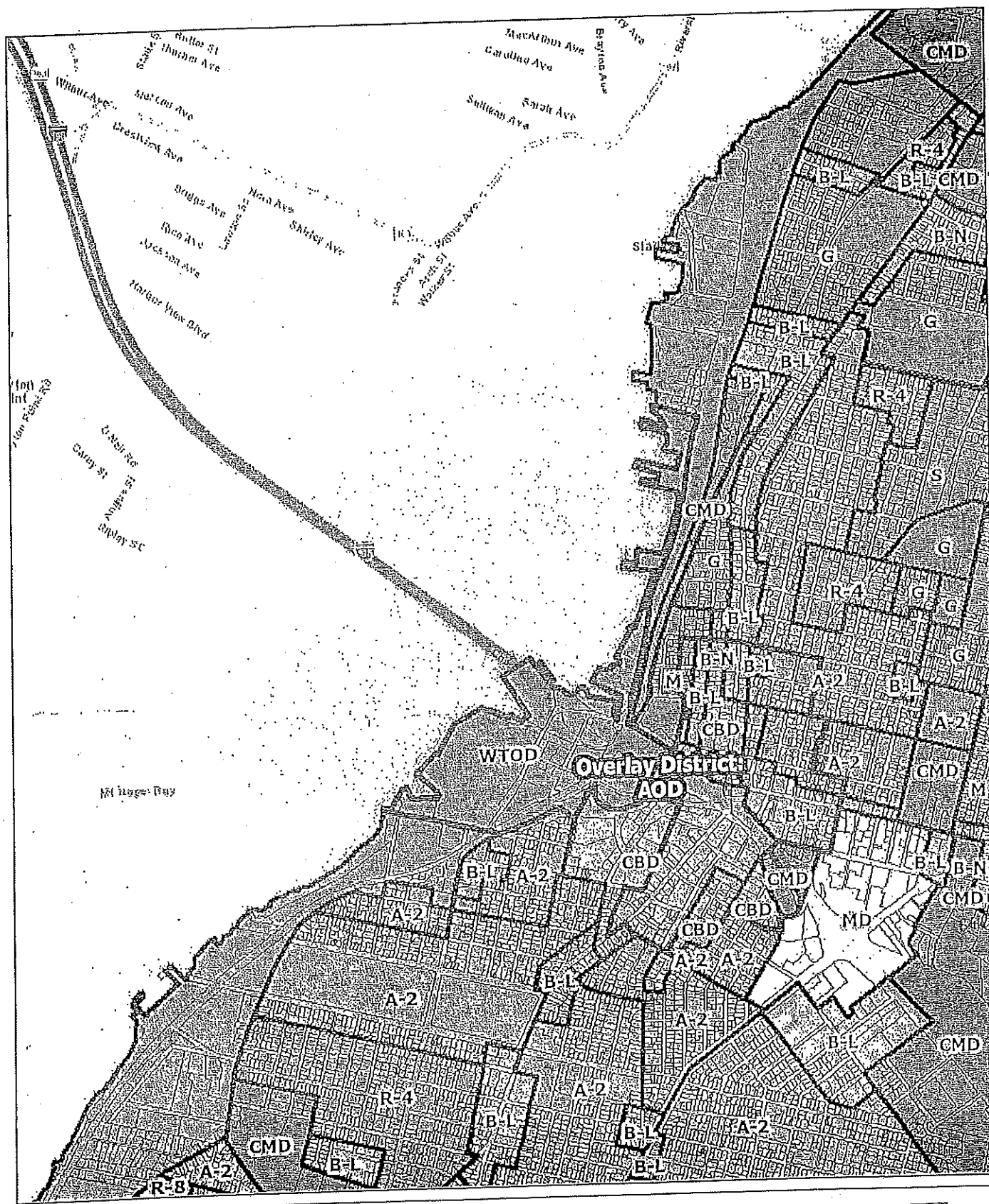
[SIGNATURES ON NEXT PAGE]

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HDIP – Form of Tax Increment Exemption Agreement – RENTAL  
City of Fall River and BCBBK, LLC, Turner & Davol Street

**EXHIBIT 1**

**MAP OF PROPERTY**



2

**EXHIBIT 2**

**DESCRIPTION OF PROPERTY**

The property is located at 0 Turner Street, 697 Davol Street, and 713 Davol Street, which is currently a vacant lot located in a high traffic area in the City's waterfront district. The site formerly housed a restaurant and bar that was demolished to create an ideal site for a market rate housing project. The project will be a new construction and include many amenities sought by individuals interested in market rate residential units in Fall River.



2

HDIP – Form of Tax Increment Exemption Agreement – RENTAL  
City of Fall River and BCBBK, LLC, Turner & Davol Street

**EXHIBIT 3**

**MARKET RATE RESIDENTIAL UNITS – PRICING PLAN**

Pricing Area: QCT 6420

Proposed Minimum Initial  
Monthly Rent: \$1,400.00

FALL RIVER ZONING BOARD OF APPEALS  
DECISION

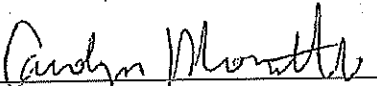
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2019 AUG 28 P 12: 01

**Petitioner:** BCBBK, LLC. c/o Arthur DeAscentis Esq.  
**Property Location:** 697 & 713 Davol St., Lot O-22-6, 7, 8  
**Owned By:** BCBBK LLC  
**Title Reference:** Book 9283, Page 20,  
Book 9252, Page 230,  
Book 9443, Page 208

CITY CLERK  
FALL RIVER, MA

I hereby certify that the following is a true and correct copy of the action taken by the Fall River Zoning Board of Appeals on August 15, 2019, and that copies of the same have been filed with the City Clerk on August 29, 2019.

  
Carolyn Morrissette, Vice-Chair

In the matter of BCBBK, LLC, c/o Arthur DeAscentis Esq., Special Permit request to combine Lots and to construct a six-story mixed use building, with commercial use on the first floor, and residential use on the remaining floors (35 1-bedroom and 14 2-bedroom market rate apartments per MGL c. 40V) providing 62 parking spaces waiving parking requirements in [CMD] District & [HD] Overlay District. Combined Lot size 1+/- acre

In consideration of the bifurcated hearing before the Board, pursuant to Section 40A, Section 9, in a motion made by Mr. Frank and seconded by Mr. Dupere, the Board unanimously voted 5-0 that such non-residentially zoned area would not be adversely affected by the proposed residential use of market rate apartment per MGL c.40V, and that permitted uses in such a zone are not noxious to a multi-family use.

Mr. Dupere, Mr. Frank, Ms. Morrissette, Mr. Saber and Mr. Calkins voted in favor of the motion.

In a motion amended with conditions, made by Mr. Frank and seconded by Mr. Dupere, the Board unanimously voted 5-0 to GRANT the Special Permit WITH CONDITIONS being:

1. No building permit shall be issued until the site plan has been approved by the Site Plan Review Committee and no site preparation work shall be commenced prior to approval of the site plan by the Site Plan Review Committee.
2. Lot consolidation required prior to permitting.

Mr. Frank, Mr. Dupere, Ms. Morrissette, Mr. Saber and Mr. Calkins voted in favor of the amended motion and the Special Permit was granted.

The Board found that pursuant to Sec 86-445; the proposed reduction of parking is not inconsistent with public health and safety due to several applicable factors including: the proposal of 35 1-bedroom units and 14 2-bedroom units, the type of retail bank being proposed, characteristics of

2

facility requiring parking which reduces auto usage, and the availability of on-street parking nearby.

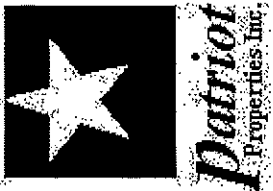
This decision must be recorded at the Registry of Deeds and Rights Authorized by this Decision shall be exercised **within two years of the grant**, otherwise said rights shall lapse.

This is to certify that twenty (20) days have elapsed since the filing on August 29, 2019, of the Decision of the Board of Appeals contained herein and no notice of any appeal against the same has been filed with the City Clerk.

Attest: *Isis da Silva Paulina Leite*

Date: SEP 18 2019

RECEIVED  
2019 AUG 28 P 12:01  
CITY CLERK  
FALL RIVER, MA



**IN PROCESS APPRAISAL SUMMARY**

No	Alt No	Direction/Street/City	Land Value	Land Size	Total Value
390		TURNER ST, FALL RIVER	147,900	42,708.000	147,900

**OWNERSHIP**

Owner 1:	BC8BK LLC
Owner 2:	
Owner 3:	
Street 1:	456 ROCK ST
Street 2:	

**PREVIOUS ASSESSMENT**

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Notes	Date
2019	337	FV	16900	30,935	121,400	138,300	138,300	138,300 YER	12/20/2018
2018	337	FV	17900	23,003	114,200	132,100	132,100	132,100 Year End Roll	12/5/2017
2017	337	FV	17900	23,003	114,200	132,100	132,100	132,100 Year End Roll	12/8/2016
2016	337	FV	17900	23,003	114,200	132,100	132,100	132,100 YEAR END	11/1/2015
2015	337	FV	18900	23,003	114,200	133,100	133,100	133,100 Year End Roll	1/5/2015
2014	337	FV	18900	23,003	114,200	133,100	133,100	133,100 year end	12/6/2013
2013	337	EX	18900	23,003	116,500	135,400	135,400	135,400 Year End Roll	12/4/2012
2013	337	FV	18900	23,003	116,500	135,400	135,400		2/13/2013

**SALES INFORMATION**

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value
WYCISLAK JAY T	9282-320	QC	5/28/2017	MLTPL	500,000	No	No	No	80LD-WITH-0-22-9867
WYCISLAK JAY T	6458-5	QC	10/28/2006	FAMILY	1	No	No	No	
WYCISLAK JAY T	2985-219		9/8/1995	FAMILY	1	No	No	No	
WYCISLAK STANLE	982-222		6/25/1970		17,500	No	No	No	

**PROPERTY FACTORS**

Item Code	Description	%	Item Code	Description
Z IND	Industrial	100	U	
o			t	
n			Exempt	
Census:				
Flood Haz:				
D	Topo			
S	Street			
T	Traffic			

**LAND SECTION (First 7 lines only)**

Use Code	Description	LUC	No of Units	Depth / Price/Units	Unit Type	Land Type	SQ FT	Site	Notes
390	LAND-C		42708				42708	SITE	147,900 C/I SITE

**PROPERTY LOCATION**

No	Alt No	Direction/Street/City	Land Value	Land Size	Total Value
390		TURNER ST, FALL RIVER	147,900	42,708.000	147,900

**OWNERSHIP**

Owner 1:	BC8BK LLC
Owner 2:	
Owner 3:	
Street 1:	456 ROCK ST
Street 2:	

**PREVIOUS ASSESSMENT**

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Notes	Date
2019	337	FV	16900	30,935	121,400	138,300	138,300	138,300 YER	12/20/2018
2018	337	FV	17900	23,003	114,200	132,100	132,100	132,100 Year End Roll	12/5/2017
2017	337	FV	17900	23,003	114,200	132,100	132,100	132,100 Year End Roll	12/8/2016
2016	337	FV	17900	23,003	114,200	132,100	132,100	132,100 YEAR END	11/1/2015
2015	337	FV	18900	23,003	114,200	133,100	133,100	133,100 Year End Roll	1/5/2015
2014	337	FV	18900	23,003	114,200	133,100	133,100	133,100 year end	12/6/2013
2013	337	EX	18900	23,003	116,500	135,400	135,400	135,400 Year End Roll	12/4/2012
2013	337	FV	18900	23,003	116,500	135,400	135,400		2/13/2013

**SALES INFORMATION**

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value
WYCISLAK JAY T	9282-320	QC	5/28/2017	MLTPL	500,000	No	No	No	80LD-WITH-0-22-9867
WYCISLAK JAY T	6458-5	QC	10/28/2006	FAMILY	1	No	No	No	
WYCISLAK JAY T	2985-219		9/8/1995	FAMILY	1	No	No	No	
WYCISLAK STANLE	982-222		6/25/1970		17,500	No	No	No	

**PROPERTY FACTORS**

Item Code	Description	%	Item Code	Description
Z IND	Industrial	100	U	
o			t	
n			Exempt	
Census:				
Flood Haz:				
D	Topo			
S	Street			
T	Traffic			

**PREVIOUS ASSESSMENT**

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Notes	Date
2019	337	FV	16900	30,935	121,400	138,300	138,300	138,300 YER	12/20/2018
2018	337	FV	17900	23,003	114,200	132,100	132,100	132,100 Year End Roll	12/5/2017
2017	337	FV	17900	23,003	114,200	132,100	132,100	132,100 Year End Roll	12/8/2016
2016	337	FV	17900	23,003	114,200	132,100	132,100	132,100 YEAR END	11/1/2015
2015	337	FV	18900	23,003	114,200	133,100	133,100	133,100 Year End Roll	1/5/2015
2014	337	FV	18900	23,003	114,200	133,100	133,100	133,100 year end	12/6/2013
2013	337	EX	18900	23,003	116,500	135,400	135,400	135,400 Year End Roll	12/4/2012
2013	337	FV	18900	23,003	116,500	135,400	135,400		2/13/2013

**SALES INFORMATION**

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value
WYCISLAK JAY T	9282-320	QC	5/28/2017	MLTPL	500,000	No	No	No	80LD-WITH-0-22-9867
WYCISLAK JAY T	6458-5	QC	10/28/2006	FAMILY	1	No	No	No	
WYCISLAK JAY T	2985-219		9/8/1995	FAMILY	1	No	No	No	
WYCISLAK STANLE	982-222		6/25/1970		17,500	No	No	No	

**PROPERTY FACTORS**

Item Code	Description	%	Item Code	Description
Z IND	Industrial	100	U	
o			t	
n			Exempt	
Census:				
Flood Haz:				
D	Topo			
S	Street			
T	Traffic			

**LAND SECTION (First 7 lines only)**

Use Code	Description	LUC	No of Units	Depth / Price/Units	Unit Type	Land Type	SQ FT	Site	Notes
390	LAND-C		42708				42708	SITE	147,900 C/I SITE

**PREVIOUS ASSESSMENT**

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Notes	Date
2019	337	FV	16900	30,935	121,400	138,300	138,300	138,300 YER	12/20/2018
2018	337	FV	17900	23,003	114,200	132,100	132,100	132,100 Year End Roll	12/5/2017
2017	337	FV	17900	23,003	114,200	132,100	132,100	132,100 Year End Roll	12/8/2016
2016	337	FV	17900	23,003	114,200	132,100	132,100	132,100 YEAR END	11/1/2015
2015	337	FV	18900	23,003	114,200	133,100	133,100	133,100 Year End Roll	1/5/2015
2014	337	FV	18900	23,003	114,200	133,100	133,100	133,100 year end	12/6/2013
2013	337	EX	18900	23,003	116,500	135,400	135,400	135,400 Year End Roll	12/4/2012
2013	337	FV	18900	23,003	116,500	135,400	135,400		2/13/2013

**SALES INFORMATION**

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value
WYCISLAK JAY T	9282-320	QC	5/28/2017	MLTPL	500,000	No	No	No	80LD-WITH-0-22-9867
WYCISLAK JAY T	6458-5	QC	10/28/2006	FAMILY	1	No	No	No	
WYCISLAK JAY T	2985-219		9/8/1995	FAMILY	1	No	No	No	
WYCISLAK STANLE	982-222		6/25/1970		17,500	No	No	No	

**PROPERTY FACTORS**

Item Code	Description	%	Item Code	Description
Z IND	Industrial	100	U	
o			t	
n			Exempt	
Census:				
Flood Haz:				
D	Topo			
S	Street			
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**LAND SECTION (First 7 lines only)**

Use Code	Description	LUC	No of Units	Depth / Price/Units	Unit Type	Land Type	SQ FT	Site	Notes
390	LAND-C		42708				42708	SITE	147,900 C/I SITE

**PREVIOUS ASSESSMENT**

**SALES INFORMATION**

**PROPERTY FACTORS**

**LAND SECTION (First 7 lines only)**

**PREVIOUS ASSESSMENT**

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Notes	Date
2019	337	FV	16900	30,935	121,400	138,300	138,300	138,300 YER	12/20/2018
2018	337	FV	17900	23,003	114,200	132,100	132,100	132,100 Year End Roll	12/5/2017
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2013	337	EX	18900	23,003	116,500	135,400	135,400	135,400 Year End Roll	12/4/2012
2013	337	FV	18900	23,003	116,500	135,400	135,400		2/13/2013

**SALES INFORMATION**

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value
WYCISLAK JAY T	9282-320	QC	5/28/2017	MLTPL	500,000	No	No	No	80LD-WITH-0-22-9867
WYCISLAK JAY T	6458-5	QC	10/28/2006	FAMILY	1	No	No	No	
WYCISLAK JAY T	2985-219		9/8/1995	FAMILY	1	No	No	No	
WYCISLAK STANLE	982-222		6/25/1970		17,500	No	No	No	

**PROPERTY FACTORS**

Item Code	Description	%	Item Code	Description
Z IND	Industrial	100	U	
o			t	
n			Exempt	
Census:				
Flood Haz:				
D	Topo			
S	Street			
T	Traffic			

**LAND SECTION (First 7 lines only)**

Use Code	Description	LUC	No of Units	Depth / Price/Units	Unit Type	Land Type	SQ FT	Site	Notes
390	LAND-C		42708				42708	SITE	147,900 C/I SITE

**SKETCH**

**COMMENTS**

7932 SF FROM CITY OF FALL RIVER. PER DEED BK9443 PG 208 FOR FY19.. 1-14-19: CODE CHANGE TO (390)DR. FY2020 PER RECORDED PLAN BK 161 PG 26 & 27 COMBINED LOTS 8, 7 & 6 AND ADDED 10214 SF OF DISCONTINUED PORTION OF DAVOL ST TO

**EXTERIOR INFORMATION**

Type:		Rating:	
Sty Ht:		Rating:	
(Lx) Units:		Rating:	
Foundation:		Rating:	
Frame:		Rating:	
Prime Wall:		Rating:	
Sec Wall:		Rating:	
Roof Struct:		Rating:	
Roof Cover:		Rating:	
Color:		Rating:	
View / Desir:		Rating:	

**BATH FEATURES**

Full Bath:		Rating:	
3/4 Bath:		Rating:	
A 3QBth:		Rating:	
1/2 Bath:		Rating:	
A HBth:		Rating:	
ChnFix:		Rating:	

**RESIDENTIAL GRID**

1st Res Grid:		Desc:		# Units								
Level:	FY	LR	DR	D	K	FR	RR	BR	FB	HB	L	O
Other:												
Upper:												
Lvl 2:												
Lvl 1:												
Lower:												
Totals:												

**REMODELING**

Exterior:					
Interior:					
Additions:					
Kitchen:					
Baths:					
Plumbing:					
Electric:					
Heating:					
General:					
Totals:					

**RESIDENTIAL GRID**

1st Res Grid:		Desc:		# Units								
Level:	FY	LR	DR	D	K	FR	RR	BR	FB	HB	L	O
Other:												
Upper:												
Lvl 2:												
Lvl 1:												
Lower:												
Totals:												

**REMODELING**

Exterior:					
Interior:					
Additions:					
Kitchen:					
Baths:					
Plumbing:					
Electric:					
Heating:					
General:					
Totals:					

**REMODELING**

Exterior:					
Interior:					
Additions:					
Kitchen:					
Baths:					
Plumbing:					
Electric:					
Heating:					
General:					
Totals:					

**REMODELING**

Exterior:					
Interior:					
Additions:					
Kitchen:					
Baths:					
Plumbing:					
Electric:					
Heating:					
General:					
Totals:					

Year Bilt:		Eff Yr Bilt:	
Alt LUC:		Alt %:	
Jurisdct:		Fact:	
Const Mod:			
Lump Sum Add:			
Interior Information			
Avg HUFL:			
Prim Int Wall:			
Sec Int Wall:			
Partition:			
P/Im Floors:			
Sec Floors:			
Bsmnt Fir:			
Bsmnt Car:			
Electric:			
Insulation:			
Int vs Ext:			
Heat Fuel:			
Heat Type:			
# Heat Sys:			
% Heated:			
Solar HW:			
% Corn/Wal:			
Depreciation:			
Sprinkled:			

CONDO INFORMATION			
Location:			
Total Units:			
Floor:			
% Own:			
Name:			
Depreciation			
Phys Cond:			
Functional:			
Economic:			
Special:			
Override:			
Total:			

COMPARABLE SALES			
Rate			
Parcel ID			
Typ			
Date			
Sale Price			
74.8			
Z-03-0067			
3/11/2014			
229,000			
WVA\$/SQ:			
AvRate:			
74.80			
Ind.Val			
128600.0000			
Juris. Factor:			
Before Depr:			
0.00			
Special Features:			
0			
Final Total:			
0			

EXTERIOR INFORMATION			
Type:			
Sty Ht:			
(Lx) Units:			
Foundation:			
Frame:			
Prime Wall:			
Sec Wall:			
Roof Struct:			
Roof Cover:			
Color:			
View / Desir:			
GENERAL INFORMATION			
Grader:			
Year Bilt:			
Alt LUC:			
Jurisdct:			
Const Mod:			
Lump Sum Add:			
Interior Information			
Avg HUFL:			
Prim Int Wall:			
Sec Int Wall:			
Partition:			
P/Im Floors:			
Sec Floors:			
Bsmnt Fir:			
Bsmnt Car:			
Electric:			
Insulation:			
Int vs Ext:			
Heat Fuel:			
Heat Type:			
# Heat Sys:			
% Heated:			
Solar HW:			
% Corn/Wal:			
Depreciation:			
Sprinkled:			

REMODELING			
Exterior:			
Interior:			
Additions:			
Kitchen:			
Baths:			
Plumbing:			
Electric:			
Heating:			
General:			
Totals:			

RESIDENTIAL GRID			
1st Res Grid:			
Level:			
Other:			
Upper:			
Lvl 2:			
Lvl 1:			
Lower:			
Totals:			

COMPARABLE SALES			
Rate			
Parcel ID			
Typ			
Date			
Sale Price			
74.8			
Z-03-0067			
3/11/2014			
229,000			
WVA\$/SQ:			
AvRate:			
74.80			
Ind.Val			
128600.0000			
Juris. Factor:			
Before Depr:			
0.00			
Special Features:			
0			
Final Total:			
0			

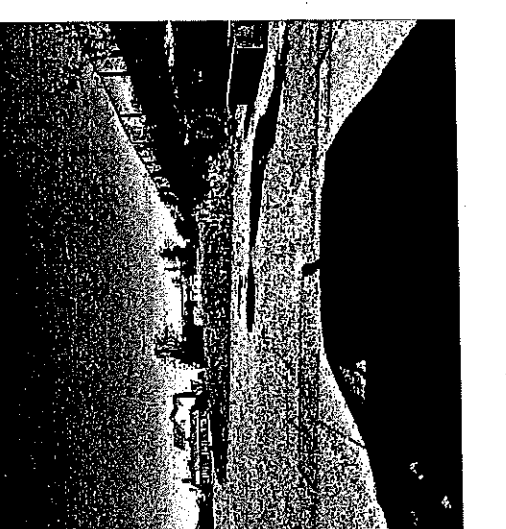
SUB AREA			
Code			
Description			
Area - SQ			
Rate - AV			
Undepr Value			
Sub Area			
% Usbl			
Descrip			
% Type			
# Ten			
Net Sketched Area:			
Gross Area			
Fin Area			

SPEC FEATURES/YARD ITEMS			
Code			
Description			
A			
Y/S			
Qty			
Size/Dim			
Qual			
Com			
Year			
Unit Price			
D/S			
Dep			
LUC			
Fact			
NB Fa			
Appr Value			
Parcel ID			
O-22-0008			
Juris. Value			
JCod			
JFact			
Total			

SUB AREA DETAIL			
Code			
Description			
Area - SQ			
Rate - AV			
Undepr Value			
Sub Area			
% Usbl			
Descrip			
% Type			
# Ten			
Net Sketched Area:			
Gross Area			
Fin Area			

REMODELING			
Exterior:			
Interior:			
Additions:			
Kitchen:			
Baths:			
Plumbing:			
Electric:			
Heating:			
General:			
Totals:			

RESIDENTIAL GRID			
1st Res Grid:			
Level:			
Other:			
Upper:			
Lvl 2:			
Lvl 1:			
Lower:			
Totals:			



AssessPro Patriot Properties, Inc





SHOPPING PLAZA

BAYLIES STREET

OLD COLONY STREET

OLD COLONY APTS

SEVENTEENION STREET

DUFFEE STREET

RAILROAD TRACKS

MEDICAL BUILDING

TEKNIKOR CONTRACTING

COTTER ELECTRIC

JIMMIE'S TIRE SERVICE

BUILDING DEMOLISHED

BUILDING DEMOLISHED

BUILDING DEMOLISHED

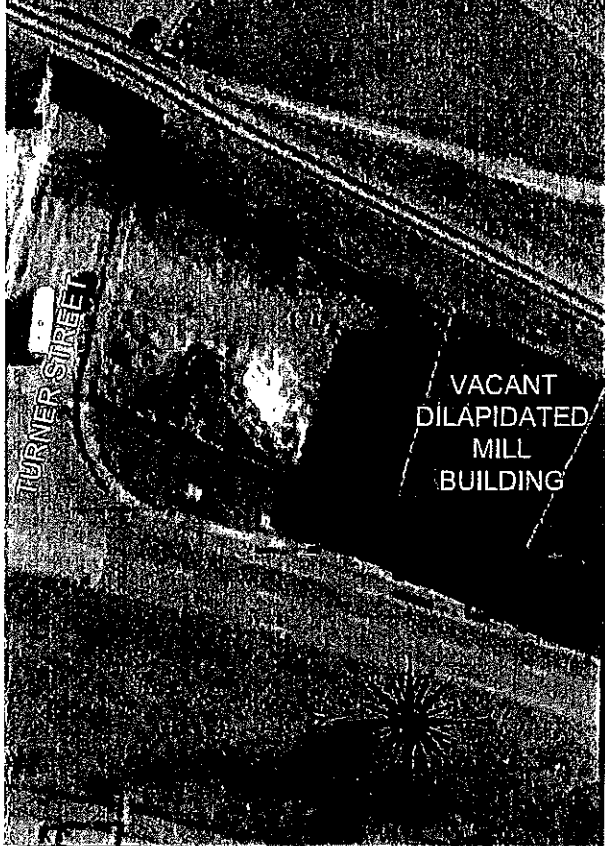
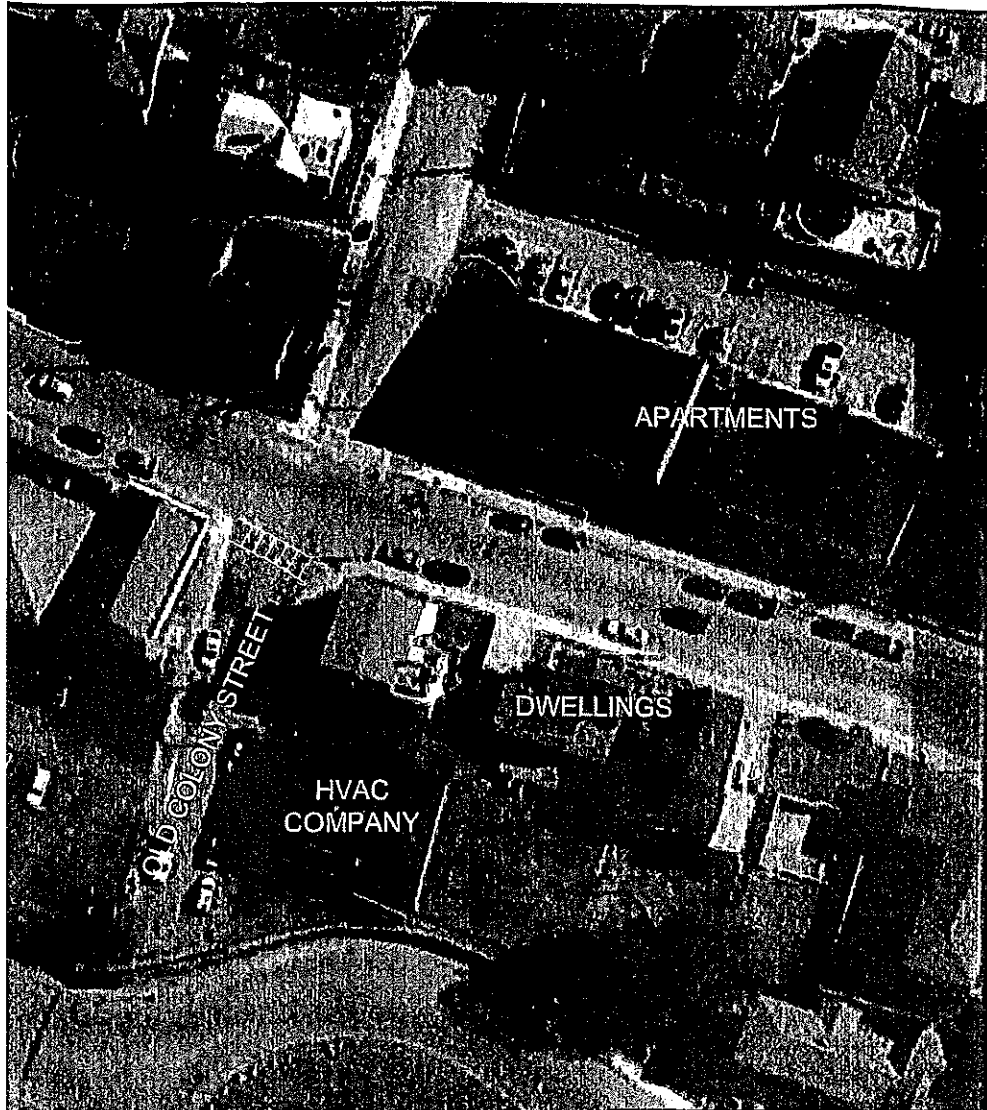
LOCUS 1/4 ACRE

DAVOL STREET

ONEWAY

WESTERN FALL RIVER EXPRESSWAY RT 79/138

2



SHEET 1 - SITE CONTEXT PLAN

PLAN TO ACCOMPANY PETITION  
REQUEST FOR

SPECIAL PERMIT FOR MULTIPLE DWELLING UNITS AND  
REDUCTION IN THE NUMBER OF REQUIRED PARKING SPACES

APPLICANT: BCBBK, LLC, 456 ROCK STREET, FALL RIVER MA 02720

LOCUS: 697-713 DAVOL STREET, FALL RIVER MA

ASSESSORS MAP: 0-22 LOT 6, 7 AND 8

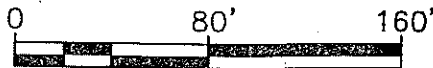
CURRENT OWNER: BCBBK, LLC

DATE OF PURCHASE: MAY 26, 2017 AND JULY 7, 2017

RECORDING INFORMATION: BOOK 9252 PAGE 230 AND BOOK 9283 PAGE 30

ZONING DISTRICT: COMMERCIAL MILL DISTRICT (CMD)

RELIEF REQUESTED: MULTIPLE RESIDENTIAL UNITS AND REDUCTION IN THE  
NUMBER OF REQUIRED PARKING SPACES



DATE: JULY 12, 2019

PREPARED BY:



CIVIL ENGINEERING - LAND SURVEYING - ENVIRONMENTAL ASSESSMENT  
P.O. BOX 1088, LAKEVILLE, MA 02347  
TEL: 508.947.0850 FAX: 508.947.2004 EMAIL: prime@primeengineering.org

2423-01-02





**IN PROCESS APPRAISAL SUMMARY**

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
112	1,624,675	1,200	0.000	361,800	1,987,675		
<b>Total Capital</b>							
<b>Total Parcel</b>							
Source: Market Adj Cost							
Total Value per SQ unit /Card:			75.43	Parcel: 75.43			
Total Land:							
Entered Lot Size							
Insp Date							12/02/13

**PREVIOUS ASSESSMENT**

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2019	326	FV	850,700	1200	9,213	132,200	984,100	984,100	984,100 YER	12/20/2018
2018	326	FV	742,900	1200	9,213	132,200	876,300	876,300	Year End Roll	12/5/2017
2017	326	FV	742,900	1200	9,213	132,200	876,300	876,300	Year End Roll	12/8/2016
2016	326	FV	972,200	1200	9,213	132,200	1,105,600	1,105,600	YEAR END	11/11/2016
2015	326	FV	972,200	1300	9,213	132,200	1,105,700	1,105,700	Year End Roll	1/5/2015
2014	326	FV	972,200	1300	9,213	132,200	1,105,700	1,105,700	Year End Roll	12/6/2013
2013	326	EX	972,200	1300	9,213	137,700	1,111,200	1,111,200	Year End Roll	12/14/2012
2013	326	FV	972,200	1300	9,213	137,700	1,111,200	1,111,200		2/13/2013

**SALES INFORMATION**

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
KAROUSOS, GEORG	6881-345	QC	1/31/2008	OTHER	850,000	No	No	No	1-08, \$850 (\$816,250M) / 1-08 \$1.3.	
KAROUSOS GEORGE	3449-276		7/23/1998		465,000	No	No	No		
STERNBERG RICH	1819-78		5/13/1987		265,000	No	No	No		

**BUILDING PERMITS**

Date	Number	Descr	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
10/1/2019	1814	REPAIRS	1,227,000	0				
5/1/2019	701	INT ALTE	51,500	0				
12/14/2018	328	RENOVATE	150,000	0				
7/24/2013	789	REPAIRS	1,000	C				
5/31/2013	1551	RE-ROOF	29,900	C				
3/17/2009		GUT-REN		C				
12/17/2008	1209	SIGNS	432	C				REPLACE EXISTING S
10/16/2008	1051	SIGNS	800	C	1/21/2009			
3/18/2008	199	WALLS&FE	36,000	C	1/21/2009			8' HIGH WALL COVERA

**PROPERTY FACTORS**

Code	Description	%	Item	Code	Descr
Z	B-L	100	U	C	ALL UTIL
o					
n					
Census:					
Flood Haz:					
D				1	LEVEL
s				7	SIDEWK
t					Traffic

**AND SECTION (First 7 lines only)**

Use Code	Depth / Price/Units	No of Units	Unit Type	Land Type	LT	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Int 1 %	Int 2 %	Int 3 %	Appraised Value	Alt Class	%	Spec Land	J Code	Use Value	Notes
112	APTS 8UP	18	Apartment	SITE		0	20,100	1,000	9603						361,800	CNTR				361,800	C/SITE
<b>Total</b>																361,800				361,800	

Disclaimer: This information is believed to be correct but is subject to change and is not warranted. Database: AssessPro





**IN PROCESS APPRAISAL SUMMARY**

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
326	567,200	1,200	9213.000	132,200	700,600		
<b>Total Credits</b> 567,200 <b>Total Parcel</b> 567,200							
Sources: Market Adj Cost							

**PREVIOUS ASSESSMENT**

Tax Yr	Use	Cat	Blg Value	Yrd Items	Land Size	Land Value	Total Value	Assesd Value	Notes	Date
2019	326	FV	850,700	1200	9,213	132,200	984,100	984,100	VER	12/20/2018
2018	326	FV	742,900	1200	9,213	132,200	876,300	876,300	Year End Roll	12/5/2017
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2016	326	FV	972,200	1200	9,213	132,200	1,105,600	1,105,600	YEAR END	1/11/2016
2015	326	FV	972,200	1300	9,213	132,200	1,105,700	1,105,700	Year End Roll	1/5/2015
2014	326	FV	972,200	1300	9,213	132,200	1,105,700	1,105,700	year end	12/6/2013
2013	326	EX	972,200	1300	9,213	137,700	1,111,200	1,111,200	Year End Roll	12/14/2012
2013	326	FV	972,200	1300	9,213	137,700	1,111,200	1,111,200		2/13/2013

**SALES INFORMATION**

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
KAROUSOS GEORG	6861-345	QC	1/31/2008	OTHER	850,000	No	No	No	1-08 \$850 (\$816,250M)/1-08 \$1.3	
KAROUSOS GEORG	3449-275		7/23/1998		465,000	No	No	No		
STERNBERG RICH	1819-78		5/13/1987		265,000	No	No	No		

**BUILDING PERMITS**

Date	Number	Descrp	Amount	C/O	Last Visit	Fed Code	F. Descrp	Comment
10/1/2019	1814	REPAIRS	1,227,000	O				
5/1/2019	701	INT ALTE	51,500	O				
12/14/2018	328	RENOVATE	150,000	O				
7/24/2013	789	REPAIRS	1,000	C				
5/31/2013	551	RE-ROOF	29,900	C				
3/17/2009		GUT-REN	432	C				REPLACE EXISTING S
12/17/2008	1209	SIGNS	800	C	1/21/2009			
10/16/2008	1051	SIGNS	800	C	1/21/2009			
3/18/2008	199	WALLS&FE	30,000	C	1/21/2009			8' HIGH WALL OVERA

**LAND SECTION (First 7 lines only)**

Use Code	Description	LUC	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Adj	Neigh	Neigh Infl	Neigh Mod	Inf1 %	Inf2 %	Inf3 %	Appraised Value	Alt Class	% Land	Spec Code	Use Value	Notes
326	RST/BAR		9213		SQ FT	SITE		0	5.01	2,864,8207						132,196			CNTR	132,200	C/I SITE
VERIFICATION OF VISIT NOT DATA Sign: _____																					

Total AC/HA	0.21150	Total SF/SM	9213.00	Total SF/Bar	326	Prime NB Descr	C I 07 SF	Total	132,196	Spl Credit	Total	132,200
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Disclaimer: This information is believed to be correct but is subject to change and is not warranted. Database: AssessPro

2

**HOUSING DEVELOPMENT INCENTIVE PROGRAM  
TAX INCREMENT EXEMPTION (TIE) AGREEMENT**  
between  
**THE CITY OF FALL RIVER**  
and  
**DOWNTOWN DEVELOPMENT COMPANIES, LLC**

This AGREEMENT is made this \_\_\_\_ day of \_\_\_\_, 20\_\_\_\_ by and between the City of Fall River, ("Municipality") and Downtown Development Companies, LLC, a Massachusetts Limited Liability Corporation with an address at 171 Pleasant Street, Fall River.

**Section 1 – Agreement**

The Municipality and the Sponsor, for good and valuable consideration and in consideration of the covenants and agreements herein contained, hereby make this agreement regarding a tax increment exemption pursuant to the Housing Development (HD) Incentive Program, M.G.L. c. 40V and the regulations promulgated thereunder at 760 CMR 66.00 (HD TIE), with respect to the Property as herein defined.

**Section 2 – Definitions**

Each reference in this Agreement to the following terms shall be deemed to have the following meanings:

- Act: M.G.L. c. 40V as may be amended from time to time.
- Completion: Certificates of occupancy have been issued for the entire Project.
- DHCD: Department of Housing and Community Development
- Event of Default: An "Event of Default" as defined in Section 5 below.
- Final Certification: Determination by DHCD that the Sponsor has completed the new construction or substantial rehabilitation of the Property, consistent with the New Construction or Rehabilitation Plans, including the creation of MRRUs, as set forth in the Act and the Regulations.
- Fiscal Year: An annual period of July 1 through June 30.
- HD Project: A Certified Housing Development Project as defined in the Act and the Regulations.
- HD Zone: The Housing Development Zone adopted by the Fall River City Council on December 13, 2013, 2013 and approved by DHCD as evidenced by a Certificate of Approval dated January 10, 2014 and recorded with the Fall River Registry of Deeds.

2

Lead Municipality: Fall River

MRRU: Market Rate Residential Unit(s) as defined at Section 3.B.1.

Property: 30 Third Street, Fall River as shown in Exhibit 1, "Map of Property" and further described in Exhibit 2, "Legal Description of Property".

Regulations: 760 CMR 66.00.

New Construction or Rehabilitation Plans: The material submitted for Conditional Certification pursuant to 760 CMR 66.05(3) (a) and approved by DHCD.

Sponsor: Downtown Development Companies, LLC, a Massachusetts Limited Liability Corporation, with an address at 171 Pleasant Street, Fall River, its successors and assigns.

**Section 3 – Sponsor’s Covenants**

A. New Construction or Substantial Rehabilitation of the Property. Sponsor will undertake the new construction or substantial rehabilitation of the Property in accordance with the work and schedule set forth in the New Construction or Rehabilitation Plans.

B. Market Rate Residential Units.

- 1) There shall be a total of 18 residential rental units created in the Project of which 16 shall be MRRUs comprised of one bedroom units. Monthly rent for such units shall be priced- consistently with prevailing rents or sale prices in the Municipality as determined based on criteria established by the department., as set forth in Exhibit 3, "Market Rate Residential Units – Pricing Plan".
- 2) Sponsor shall use good faith efforts to maintain the units as MRRUs for a minimum of 10 years.

C. Marketing. Sponsor shall cause the MRRU to be marketed in a manner that is consistent with the strategies, implementation plan and affirmative fair housing efforts set out in the New Construction or Rehabilitation Plans.

D. HD Project Certification. Sponsor shall take all actions reasonably necessary to obtain Final Certification of the Property as an HD Project including but not limited to submitting applications to DHCD for Conditional Certification and Final Certification consistent with the requirements of the Act and the Regulations.

**Section 4 – Tax Increment Exemption**

Municipality agrees to grant Sponsor an exemption to the real property taxes due on the Property pursuant to G.L. c.59 according to the following terms.

A. Base Value. \$984,100.

B. MRRU Percentage. Minimum 88 per cent. The MRRU Percentage shall be confirmed as required in

2

paragraph F, below.

C. Exemption Percentage. Commencing on the Effective Date which shall be Fiscal Year 1: 80% for Fiscal Years 1-5 and 20% for Fiscal Years 6-10.

D. The Increment. As defined at 760 CMR 66.06(1)(b)(1).

E. Calculation. For each Fiscal Year during the term of this Agreement, the HD TIE shall be determined by applying the Exemption Percentage to the property tax on the Increment.

F. Confirmation or Amendment of Calculation. Upon Completion, and prior to applying for Final Certification of the Project, the Sponsor and Municipality shall file a "Tax Increment Exemption – Confirmation of Calculation" in the form attached as Exhibit 4 ("TIE Confirmation"). To the extent that the dates or figures in the TIE Confirmation differ from those set forth in this Agreement, the contents of the TIE Confirmation shall control and shall be deemed to have amended this Agreement.

#### Section 5 – Default

A. Event of Default. An "Event of Default" shall arise under this Agreement upon the occurrence of any one or more of the following events:

1) Breach of Covenant Prior to Final Certification. Subject to the limitations set forth in the Regulations at section 66.05(4)(b), Sponsor defaults in the observance or performance of any material covenant, condition or agreement to be observed or performed by Sponsor pursuant to the terms of this Agreement, and the continuance of such default for thirty (30) days after written notice thereof from the Municipality; provided, however, that if the curing of such default cannot be accomplished with due diligence within said period of thirty (30) days, then Sponsor shall have such additional reasonable period of time, not to exceed thirty (30) days, to cure such default provided the Sponsor shall have commenced to cure such default within the initial thirty (30) day period, such cure shall have been diligently prosecuted by the Sponsor thereafter to completion.

2) Breach of Covenant Subsequent to Final Certification. Sponsor's conduct is materially at variance with the representations made in its New Construction or Rehabilitation Plans; such variance is found to frustrate the public purposes that Final Certification was intended to advance, and the continuance of such default for thirty (30) days after written notice thereof from the Municipality; provided, however, that if the curing of such default cannot be accomplished with due diligence within said period of thirty (30) days, then Sponsor shall have such additional reasonable period of time, not to exceed thirty (30) days, to cure such default provided the Sponsor shall have commenced to cure such default within the initial thirty (30) day period, such cure shall have been diligently prosecuted by the Sponsor thereafter to completion.

3) Misrepresentation. Any representation made herein or in any report, certificate, financial statement or other instrument furnished in connection with this Agreement shall prove to be false in any material respect.

B. Rights on Default.

1) Prior to Final Certification. Upon the occurrence of an Event of Default prior to Final

2

Certification, then this Agreement shall become null and void.

2) Subsequent to Final Certification. Upon the occurrence of an Event of Default subsequent to Final Certification, then:

a. Revocation of Certification. Pursuant to the terms of the Act, the Municipality, may, at its sole discretion, request that DHCD revoke the Final Certification of the Project, such revocation to take effect on the first day of the fiscal year in which DHCD determines that a material variance commenced.

b. Termination of Agreement. Upon revocation of certification, this Agreement shall become null and void as of the effective date of such revocation.

c. Recoupment of Economic Benefit. Upon revocation of certification, the Municipality may bring a cause of action against Sponsor for the value of any economic benefit received by Sponsor prior to or subsequent to such revocation.

3) Other Remedies. The Municipality's rights upon the occurrence of an Event of Default are in addition to those granted to DHCD and the Massachusetts Commissioner of Revenue under the terms of the Act.

### Section 6 – Miscellaneous

A. Effective Date. The effective date of the HD TIE shall be July 1st of the first Fiscal Year following DHCD's Final Certification of the HD Project pursuant to the requirements of the Act and the Regulations, which date is anticipated to be 2020 .The Effective Date shall be confirmed as required in paragraph F, below.

B. Term of Agreement. This Agreement shall expire upon the Municipality's acceptance of the annual report, as required below, for the final Fiscal Year for which the Municipality is granting the TIE.

C. Reporting. Sponsor shall submit reports to the Municipality not later than thirty (30) days after June 30 of each Fiscal Year for the term of this Agreement. Each report shall contain the following information:

1) Until Completion, the status of construction in relation to the schedule contained in the New Construction or Rehabilitation Plan;

2) Until Completion, the status of marketing in relation to the New Construction or Rehabilitation Plans; and

3) For each MRRU, the number of bedrooms in the unit, whether it was leased as of the end of the most recent fiscal year and the monthly rent charged.

D. Assignment. The Sponsor shall not assign any interest in this Agreement, and shall not transfer any interest in the same, without the prior written consent of the Municipality, which approval shall not be unreasonably withheld. The foregoing notwithstanding, the rights and obligations of this Agreement shall inure to the benefit of any entity succeeding to the interests of the Sponsor by merger.

2

E. Notices. Any notice, request, instruction or other document to be given hereunder to either party by the other shall be in writing and delivered personally or sent by recognized overnight courier, receipt confirmed or sent by certified or registered mail, postage prepaid, as follows, and shall be conclusively deemed to have been received and be effective on the day on which personally delivered or, if sent by certified or registered mail, three (3) days after the day on which mailed or, if sent by overnight courier, on the day after delivered to such courier.

1) Municipality: City of Fall River, One Government Center, Fall River, MA 02722, Attention: Mayor's Office

2) Sponsor: Downtown Development Companies, LLC, 171 Pleasant Street, Fall River, MA 02721

3) Copy to DHCD: All such notices shall be copied to DHCD at:

HDIP Program Coordinator  
Department of Housing & Community Development  
100 Cambridge Street, Suite 300  
Boston, MA 02124

4) Change of Address. Either party may change the address to which notices are to be sent to it by giving written notice of such change of address to the other party in the manner herein provided for giving notice.

F. Modifications. No modification or waiver of any provision of this Agreement, nor consent to any departure by the Sponsor therefrom shall in any event be effective unless the same shall be in writing, and then such waiver or consent shall be effective only in the specific instance and for the purpose for which given. No failure or delay on the part of Municipality in exercising any right, power or privilege hereunder shall operate as a waiver thereof, nor shall a single or partial exercise thereof preclude any other or further exercise thereof or the exercise of any other right, power or privilege.

**IN WITNESS WHEREOF**, the Sponsor has caused this Agreement to be duly executed in its name and behalf and its seal affixed by its duly authorized representative, and the Municipality has caused this Agreement to be executed in its name and behalf and its seal duly affixed by its Mayor and City Council of the day and year first above written.

[SIGNATURES ON NEXT PAGE]



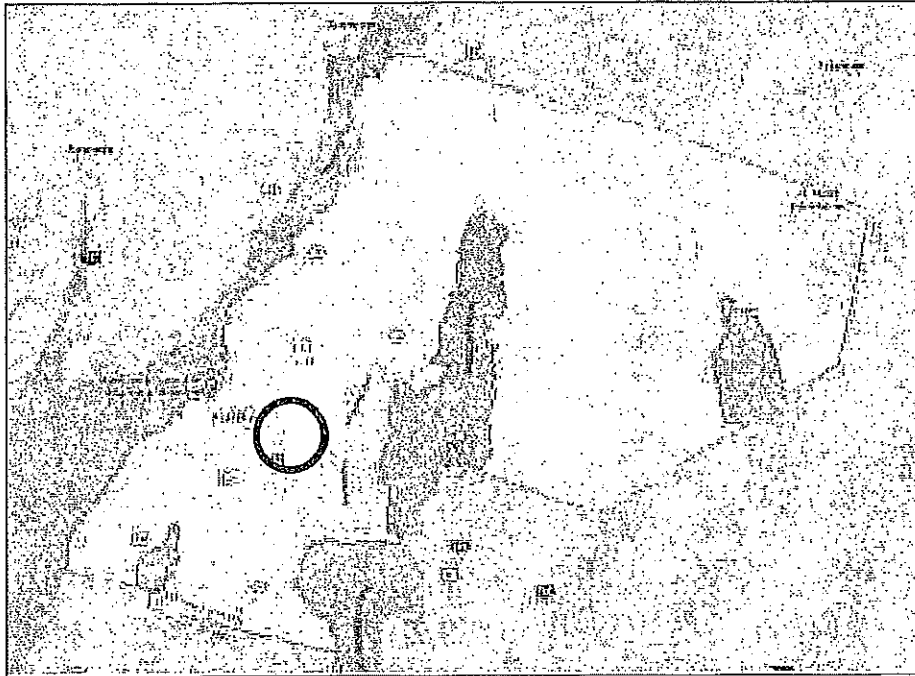
2

HDIP – Form of Tax Increment Exemption Agreement – RENTAL  
City of Fall River and Trolley Building, 30 Third Street

**EXHIBIT 1**

**MAP OF PROPERTY**

Area Map



Neighborhood Map



4/15/2019

Unofficial Property Record Card

Unofficial Property Record Card - Fall River, MA

General Property Data

Parcel ID N-08-0021  
 Prior Parcel ID -  
 Property Owner MKM MANAGEMENT LLC  
 Mailing Address 171 PLEASANT ST  
 City FALL RIVER  
 Mailing State MA Zip 02721  
 Parcel Zoning B-L

Account Number  
 Property Location 18 30 THIRD ST  
 Property Use RST/BAR  
 Most Recent Sale Date 1/31/2008  
 Legal Reference 0881-345  
 Grantor KAROUSOS ,GEORGE  
 Sale Price 850,000  
 Land Area 0.212 acres

Current Property Assessment

Card 1 Value Building Value 850,700 Xtra Features Value 1,200 Land Value 132,200 Total Value 984,100

Building Description

Building Style OFFICE  
 # of Living Units 4  
 Year Built 1908  
 Building Grade AVERAGE  
 Building Condition Average  
 Finished Area (SF) 26352  
 Number Rooms 0  
 # of 3/4 Baths 0  
 Fireplaces 0

Foundation Type CONCRETE  
 Frame Type WOOD  
 Roof Structure FLAT  
 Roof Cover MEMBRANE  
 Siding BRICK  
 Interior Walls PLASTER  
 # of Bedrooms 0  
 # of 1/2 Baths 9

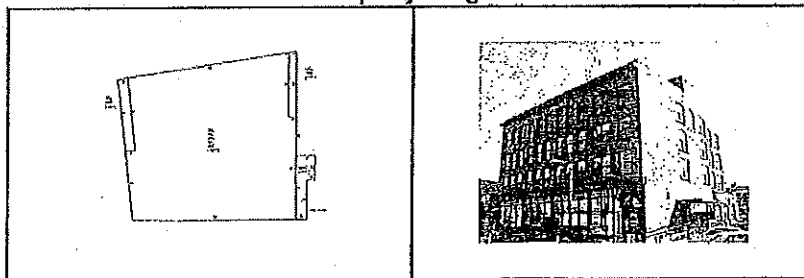
Flooring Type CARPET  
 Basement Floor CONCRETE  
 Heating Type FORCED H/A  
 Heating Fuel GAS  
 Air Conditioning 25%  
 # of Bsmt Garages 0  
 # of Full Baths 0  
 # of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 0.212 acres of land mainly classfied as RST/BAR with a(n) OFFICE style building, built about 1908, having BRICK exterior and MEMBRANE roof cover, with 4 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 8 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

2

4/29/2019 Unofficial Property Record Card

**Unofficial Property Record Card - Fall River, MA**

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**General Property Data**

Parcel ID N-06-0021	Account Number
Prior Parcel ID "	Property Location 55 BEDFORD ST
Property Owner MKM MANAGEMENT LLC	Property Use PARKLOT
Mailing Address 171 PLEASANT ST	Most Recent Sale Date 1/31/2009
City FALL RIVER	Legal Reference 6884-174
Mailing State MA Zip 02721	Grantor CITIZENS UNION SAVINGS BANK
Parcel/Zoning B-L	Sale Price 110,000
	Land Area 0.283 acres

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**Current Property Assessment**

Card 1 Value	Building Value 0	Extra Features Value 13,200	Land Value 164,300	Total Value 177,500
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**Building Description**

Building Style	Foundation Type	Flooring Type N/A
# of Living Units 0	Frame Type	Basement Floor N/A
Year Built N/A	Roof Structure	Heating Type N/A
Building Grade	Roof Cover	Heating Fuel N/A
Building Condition N/A	Sliding	Air Conditioning 0%
Finished Area (SF) N/A	Interior Walls N/A	# of Basement Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0
Fireplaces 0		

---

**Legal Description**

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**Narrative Description of Property**

This property contains 0.283 acres of land mainly classified as PARKLOT with a(n) style building, built about N/A, having exterior and roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

CITY OF FALL RIVER, MA OFFICE OF THE ASSESSOR TAX PAYER COPY

THE BOARD OF ASSESSORS VOTED ON 02/14/19 TO ALLOW A  
 REAL ESTATE ABATEMENT CERTIFICATE # 246427 DATED 02/20/19

LEVY YEAR: 2019 BILL NUMBER: 13858

PARCEL: N06-0021	LOC: 18 THIRD ST
ORIGINAL LEVY 31,145.10	ABATE 8,887.42
ADJUSTED LEVY 462.92	ADJUSTED LEVY 22,257.68
	329.61
	CPA

Applicant: MKM MANAGEMENT LLC

MKM MANAGEMENT LLC  
 171 PLEASANT ST  
 FALL RIVER, MA 02721

Assessed Owner if Different:  
 MKM MANAGEMENT, LLC

*[Signature]*  
 BOARD OF ASSESSORS

THIS FORM APPROVED BY COMMISSIONER OF REVENUE STATE TAX FORM 147

Abatement for FY 2019

2

**EXHIBIT 2**

**DESCRIPTION OF PROPERTY**

The property, located at 30 Third Street, was constructed in 1909 under the name of Chase, Allen & Slade and utilized as a whole grocery business. The store carried general and fancy lines of groceries, flour, canned goods, fine teas and coffees, spices and cigars. After 1940, the building saw varied uses including cafes and restaurants, professional offices, small garment shops and a textile company named "Kent Textiles, Inc." The project will consist of full redevelopment of the third and fourth floors of the building to create 12 residential units with commercial uses remaining on the first and second floors. The building's exterior and facade will be cleaned and rehabilitated in accordance with historic preservation standards.

2

HDIP -- Form of Tax Increment Exemption Agreement -- RENTAL  
City of Fall River and Trolley Building, 30 Third Street

**EXHIBIT 3**

**MARKET RATE RESIDENTIAL UNITS -- PRICING PLAN**

Pricing Area: QCT 641100

Proposed Minimum Initial  
Monthly Rent: \$1500

3

**City of Fall River  
Massachusetts**

*Office of Traffic and Parking*

RECEIVED

2019 OCT -9 P 5:44

**Jasiel F. Correia II  
Mayor**

**Laura Ferreira  
Parking Clerk**  
CITY CLERK  
FALL RIVER, MA

September 25, 2019

The Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02722

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, September 25, 2019, the following request met all guidelines and requirements. Approved in a motion made by the Traffic Board Commission.

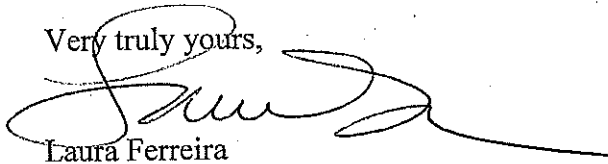
That Chapter 70, Section 281, of the Revised Ordinances be amended in the following section.

**Article: 70 One-Way Street**  
**Section: 281**

By Inserting in a proper alphabetical order the following:

**Bulter Street: Northerly From Dwelly Street to Slade Street**

Very truly yours,



Laura Ferreira  
Director of Traffic & Parking





**City of Fall River  
Massachusetts**

*Traffic & Parking Division*

3

**Jassiel F. Correia II**  
*Mayor*

**Laura Ferreira**  
*Parking Clerk*

RECEIVED  
2019 OCT 10 P 4: 24  
CITY CLERK  
FALL RIVER, MA

October 10, 2019

The Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02722

Honorable Council Members:

At a meeting of the Traffic Commission held on Wednesday, September 25, 2019, the following request met all the guidelines, requirements and was approved by the Traffic Board.

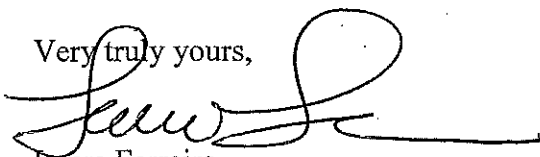
So therefore, Chapter 70 of the Revised Ordinances be amended in the following section.

<b>Article:</b>	<b>70</b>	<b>Parking Prohibited</b>
<b>Section:</b>	<b>371</b>	<b>at all times</b>

By inserting in proper alphabetical order the following:

<b>Bay Street :</b>	<b>EAST</b>	<b>From Prince Street southerly for a distance of 110 feet</b> <b>From Prince Street to Flynn Street for a distance of 140 feet northerly</b>
	<b>WEST</b>	<b>From Prince Street southerly for a distance of 150 feet southerly</b> <b>From Prince Street northerly for a distance of 150 feet northerly</b>

Very truly yours,



Laura Ferreira  
Director of Traffic & Parking

Resolution – To discuss the development of a cultural district

**CITY OF FALL RIVER**

---

4

To the City Council

Councillors:

The Committee on Economic Development and Tourism at a meeting held on October 8, 2019 voted unanimously to recommend that the accompanying resolution be granted leave to withdraw.



Assistant Clerk of Committees

City of Fall River, In City Council

4

(Vice President Pam Laliberte-Lebeau)

WHEREAS, Fall River wishes to pursue a state-authorized cultural district through the enabling legislation, M.G.L., Chapter 10, Section 58A, and

WHEREAS, Fall River has a mixed-use geographical area that has a concentration of cultural facilities and assets, and

WHEREAS, Fall River has held the public hearing required to establish a state-designated cultural district, and

WHEREAS, Fall River created a broad and diverse partnership of stakeholders committed to cultural, community and economic development to provide oversight of the district, and

WHEREAS, the Massachusetts Cultural Council will be petitioned in accordance with its guidelines and criteria to designate said cultural district, now therefore

BE IT RESOLVED, that the Committee on Economic Development and Tourism convene with the Administration, Corporation Counsel, Sandy Dennis and/or a designee from the Creative Arts Network and a representative from the Massachusetts Cultural Commission to discuss the proposed geographical boundaries and agreement necessary to create said cultural district and in doing so agrees to: foster the development of a cultural district, endorses the state-sponsored cultural district goals (attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving and reusing historic buildings, enhancing property values and fostering local cultural development), will appoint a city official to represent the city within the district partnership of said cultural district, will encourage all who own property or businesses within the cultural district to involve themselves and participate in the full development of the district, and will direct city agencies to identify programs and services that could support and enhance the development of the cultural district and ensure that those programs and services are accessible to the cultural district.

In City Council, July 15, 2019  
Adopted

A true copy. Attest:

*Alison M. Bouchard*  
City Clerk

*Handwritten initials and date*

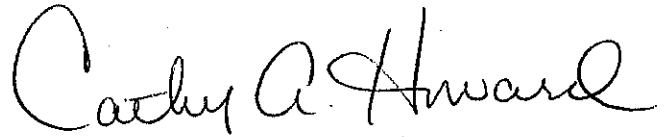
## CITY OF FALL RIVER

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To the City Council

Councillors:

The Committee on Regulations, at a meeting held on October 7, 2019 voted unanimously to recommend that the accompanying resolution be granted leave to withdraw, with Councilor Pam Laliberte-Lebeau absent and not voting.



Assistant Clerk of Committees

City of Fall River, In City Council

5

(Councilor Leo O. Pelletier)

WHEREAS, licenses to operate an auto body shop and an auto repair shop were granted to Souhad Saliba, doing business as JZ Express, Inc., in October of 2017, and

WHEREAS, during the license renewal process, neighbors expressed concerns regarding odors emanating from the business, and

WHEREAS, neighbors recently expressed similar concerns regarding odors and hours of operation, now therefore

BE IT RESOLVED, that the Committee on Regulations meet to review the licenses held by Souhad Saliba, operating at 969 South Main Street, to address these concerns.

In City Council, April 10, 2018  
Adopted.

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

*Tabled*

*5-15-18*

# City of Fall River, *In City Council*

6

(Vice President Pam Laliberte-Lebeau)

WHEREAS, Fall River wishes to pursue a state-authorized cultural district through the enabling legislation MGL Chapter 10, Section 58A, and

WHEREAS, Fall River has a mixed-use geographical area that has a concentration of cultural facilities and assets, and

WHEREAS, Fall River has held the public hearing required to establish a state-designated cultural district, and

WHEREAS, Fall River created a broad and diverse partnership of stakeholders committed to cultural, community and economic development to provide oversight of the district, and

WHEREAS, the Massachusetts Cultural Council will be petitioned in accordance with its guidelines and criteria to designate said cultural district, now therefore

BE IT RESOLVED, that the City create a state-authorized cultural district for at least (5) years to be named the Fall River Waterfront Cultural District, and in doing so agrees to: foster the development of a cultural district, endorses the state-sponsored cultural district goals (attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving and reusing historic buildings, enhancing property values and fostering local cultural development), will appoint a city official to represent the city within the district partnership of said cultural district, will encourage all who own property or businesses within the cultural district to involve themselves and participate in the full development of the district, and will direct city agencies to identify programs and services that could support and enhance the development of the cultural district and ensure that those programs and services are accessible to the cultural district.

City of Fall River, *In City Council*

(Vice President Pam Laliberte-Lebeau)  
(Councilor Shawn E. Cadime)

WHEREAS, the Purchase Street Streetscape project has gone over budget, and payments are currently in dispute, and

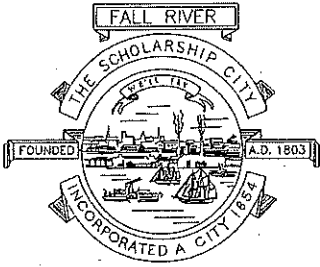
WHEREAS, the East Main Street Streetscape project has resulted in an inferior quality product, which is currently in dispute, and

WHEREAS, the Streetscapes projects have utilized both Chapter 90 funds as well as Highway Improvement funds, which were not intended to be utilized, and

WHEREAS, the finished product of Streetscapes has not lived up to its hype considering the money that was spent, now therefore

BE IT RESOLVED, that the Administration rescind all remaining Streetscape bond authorizations that have not been short-term or long-term borrowed, including North Main Street at \$1.4 million, South Main Street at \$1.6 million, and Rock Street at \$775,000.00, as well as immediately halt any further spending and/or work authorizations on the \$2.4 million Bedford Street project, and provide an accounting of expenses to date, and

BE IT FURTHER RESOLVED, that the City Council and Administration work collaboratively to authorize bonding in the amount of the above rescinded bond authorizations for roadway infrastructure improvements throughout the city, which will be mutually agreed upon by the Administration and City Council.



**City of Fall River Massachusetts**  
Office of the City Clerk

7

**ALISON M. BOUCHARD**  
CITY CLERK

**INÊS LEITE**  
ASSISTANT CITY CLERK

September 18, 2019

Honorable Jasiel F. Correia II  
Mayor  
One Government Center  
Fall River, MA 02722

Dear Mr. Mayor,

At a meeting of the City Council held on Tuesday, September 10, 2019 a discussion was held regarding the Quarter 4 Budget Report, and more specifically, capital projects relating to streetscapes. The Director of Financial Services, as confirmed through Bond Counsel, advised that any variation from the original intent of these loan orders would need to be re-submitted to the City Council by the Mayor.

On a motion made and seconded, it was voted to withdraw authorization for streetscapes projects and apply funding for specific road repairs. Councilor Steven A. Camara voted in opposition.

The City Council respectfully requests that authorization for streetscapes projects be rescinded and that new loan orders be introduced for the funding of specific road repairs.

I am available for any additional questions that you may have.

Sincerely,

Alison M. Bouchard  
City Clerk



City of Fall River, *In City Council*

8

(Vice President Pam Laliberte-Lebeau)

WHEREAS, there are many historic buildings throughout the City, and

WHEREAS, several of these buildings are city owned, and

WHEREAS, there should be careful thought and consideration into the use, reuse and/or sale of these properties, and

WHEREAS, the Historical Commission and Preservation Society have provided input on appropriate guidelines to consider, now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation, convene with Corporation Counsel, the City Administrator, along with the Chairs or representatives from the Historical Commission and the Preservation Society to review our current ordinances and discuss any possible amendments.

ORDERED, that permission be and the same is hereby granted to:

Roger Poisson, 293 Driftwood Street, Fall River, MA, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
293 Driftwood Street	16'	10'	0'	26'

The petitioner has an existing 16 foot driveway and would like to add a separate 10 foot driveway for additional access.

The proposed work improves access to the property and does not cause a significant adverse effect to on-street parking in the area.



16

RECEIVED

City of Fall River  
Notice of Claim

2019 OCT -7 A 9:08

CITY CLERK 19-96  
FALL RIVER, MA

- 1. Claimant's name: Jessica Ortiz
- 2. Claimant's complete address: 1488 Pleasant St Apt 2 E
- 3. Telephone number: Home: 508-406-1254 Work: \_\_\_\_\_
- 4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
auto accident

- 5. Date and time of accident: 09/07/19 Amount of damages claimed: \$ 2,104.35  
18:25
- 6. Exact location of the incident: (include as much detail as possible):  
1508 Pleasant St. Fall River, MA 02723

- 7. Circumstances of the incident: (attach additional pages if necessary):  
My car (Nissan Maxima 04, white) was parked and unoccupied. Police car (plate #375J) had rolled back and hit my car (Left rear side). Police officers in the scene stated damages will be paid due to their responsibility.
- 8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company:  Yes  No  
Amica Insurance → won't pursue it since I don't have full coverage

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.

Date: 9/23/19 Claimant's signature: Jessica Ortiz

WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

Return this from to : City Clerk, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722

You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

For official use only:	
Copies forwarded to: <input checked="" type="checkbox"/> City Clerk <input checked="" type="checkbox"/> Law <input type="checkbox"/> City Council <input type="checkbox"/> City Administrator <input checked="" type="checkbox"/> Police	Date: <u>10/7/19</u>



16

RECEIVED

City of Fall River  
Notice of Claim

2019 OCT 17 A 11:50

- 1. Claimant's name: MARIE I ALVES CITY CLERK 19-97  
FALL RIVER, MA
- 2. Claimant's complete address: 181 SOUTH MAIN ST UNIT 212
- 3. Telephone number: Home: 508-837-1216 Work: Retired
- 4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):

5. Date and time of accident: Oct 2 2019 Amount of damages claimed: \$ 844.78

6. Exact location of the incident: (include as much detail as possible):  
South Main St NEAR ALLEN'S POND SHOP AT THE LIGHT

7. Circumstances of the incident: (attach additional pages if necessary):  
they were street repair workers with green vests telling me to go I was driving my car 10 miles and home, I was going to complete stop but was being told to go

8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company:  Yes  No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.

Date: Oct 17 2019 Claimant's signature: Marie I-Alves

WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

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For official use only:	
Copies forwarded to: <input checked="" type="checkbox"/> City Clerk <input checked="" type="checkbox"/> Law <input checked="" type="checkbox"/> City Council <input type="checkbox"/> City Administrator <input checked="" type="checkbox"/> DCM	Date: <u>10/17/19</u>

19



# Fall River Holiday Parade Committee, Inc.

CITY CLERK  
FALL RIVER, MA

2019 OCT 17 P 1:04

RECEIVED

October 17, 2019

Honorable Members of the City Council  
City of Fall River  
One Government Center  
Fall River, MA 02722

Dear Honorable Council Members:

This year's 35<sup>th</sup> Annual Children's Holiday Parade will step off at 1:00 p.m. from Kennedy Park on Saturday, December 7, 2019 and will march down to Government Center.

As part of our fundraising efforts, we usually display the banners of businesses that donate to our parade on the Government Center railing facing Sullivan Drive and South Main Street during the parade.

As such, we are requesting your permission to place such banners on the Government Center railing from Friday, December 6, 2019 to Sunday, December 8, 2019. As we have done in the past, we can work with the custodial staff to ensure the banners are placed in such a manner as not to scratch or deface the railings.

Thank you in advance for your continued support.

Sincerely,  
*Carol A. Valcourt, Co-Chair*

*Kenneth C. Pacheco, Co-Chair*

20

RECEIVED

2019 OCT -4 A 11: 55

CITY CLERK  
FALL RIVER, MA



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### NOTICE OF FILING, PUBLIC HEARING AND PROCEDURAL CONFERENCE

D.P.U. 19-98

September 13, 2019

Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval of their 2016-2018 Energy Efficiency Three-Year Term Report.

On August 1, 2019, Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid ("Companies"), filed with the Department of Public Utilities ("Department") their 2016-2018 Three-Year Energy Efficiency Term Report ("Term Report"). The filing documents actual energy savings, benefits, and expenditures resulting from the implementation of the Companies' 2016-2018 three-year energy efficiency plan approved by the Department in Massachusetts Electric Company and Nantucket Electric Company, D.P.U. 15-168 (2016). The Department has docketed this matter as D.P.U. 19-98.

The Department will review the Term Report to determine, among other things, whether the Companies: (1) reported their program savings, benefits, and costs accurately and reliably; and (2) implemented their energy efficiency programs in a manner that was consistent with statutory requirements and the Department-approved three-year plan. See G.L. c. 25, § 19(d)(2); G.L. c. 25, § 21(b)(3); G.L. c. 25, §§ 19(a) and (c). Based on the results of the investigation, the Department will approve final recovery of costs incurred during the three-year term, including performance incentive payments. G.L. c. 25, § 19.

The Department will conduct a public hearing to receive comments on the Companies' filing. The hearing will take place on **Wednesday, October 30, 2019, at 2:00 p.m.** at the Department's offices, One South Station, 5<sup>th</sup> Floor, Boston, Massachusetts 02110. A procedural conference will immediately follow the public hearing. Any person who desires to comment may do so at the time and place noted above or submit written comments to the Department not later than the close of business (5:00 p.m.) on **October 30, 2019**.

Any person who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department no later than the close of business on **October 21, 2019**. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 CMR 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed

*2:10-4-19 emailed all by hand cases to the Public Utilities*

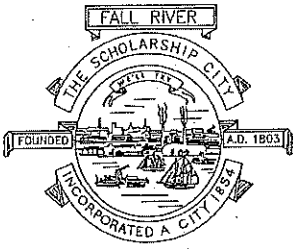
late may be disallowed as untimely, unless good cause is shown for waiver under 220 CMR 1.01(4). To be allowed, a petition under 220 CMR 1.03(1) must satisfy the standing requirements of G.L. c. 30A § 10. All responses to petitions to intervene must be filed by the close of business (5:00 p.m.) on **October 28, 2019**.

An original hard copy and one copy of all written comments or petitions to intervene must be filed with Mark D. Marini, Secretary, Department of Public Utilities, One South Station, 5<sup>th</sup> Floor, Boston, Massachusetts 02110. One copy of all written comments or petitions to intervene should also be sent to the Companies' attorney, Stacey M. Donnelly, Esq., National Grid, 40 Sylvan Road, Waltham, Massachusetts 02451, and by e-mail, [Stacey.Donnelly@nationalgrid.com](mailto:Stacey.Donnelly@nationalgrid.com).

All written comments or petitions to intervene should also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dpu.efiling@mass.gov](mailto:dpu.efiling@mass.gov) and to the Hearing Officer, Krista Hawley, [Krista.Hawley@mass.gov](mailto:Krista.Hawley@mass.gov), or (2) on a CD-ROM or USB drive. The text of the e-mail or CD-ROM/USB must specify: (1) the docket numbers of the proceeding (D.P.U. 19-98); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. The electronic file name should identify the document, but should not exceed 50 characters in length. All documents submitted in electronic format will be posted on the Department's website: <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber> (enter "19-98").

Reasonable accommodations at public or evidentiary hearings for people with disabilities are available upon request. Contact the Department's ADA Coordinator at [DPUADACoordinator@mass.gov](mailto:DPUADACoordinator@mass.gov) or (617) 305-3500. Include a description of the accommodation you will need, including as much detail as you can. Also include a way the Department can contact you if we need more information. Please provide as much advance notice as possible. Last minute requests will be accepted, but may not be able to be accommodated. In addition, to request materials in accessible formats (Braille, large print, electronic files, audio format), contact the Department's ADA Coordinator at [DPUADACoordinator@mass.gov](mailto:DPUADACoordinator@mass.gov) or (617) 305-3500.

Any person desiring further information regarding the Companies' filing should contact Stacey M. Donnelly, Esq. at (781) 907-1833. Any person desiring further information regarding this notice should contact Krista Hawley, Hearing Officer, Department of Public Utilities, at (617) 305-3500.



**CLIFF A. PONTE**  
*Acting Mayor*

**City of Fall River**  
**Massachusetts**  
Office of the Mayor

2a

RECEIVED  
2019 OCT 18 P 12: 27  
CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

October 18, 2019

Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02722

RE: Piano Donation

Honorable Members of the City Council:

Ms. Nancy Dempsey would like to donate a piano to the Flint Senior Center, located at 69 Alden Street Fall River, MA. Based on prices listed on the internet, it would appear to have a value between \$1,000.00 and \$1,500.00.

Attached for your review is the letter of acceptance from the Council on Aging.

Your acceptance of this donation is respectfully requested.

Very truly yours,

Cliff A. Ponte  
Acting Mayor

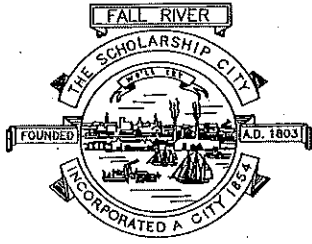


*City of Fall River, In City Council*

2a

ORDERED, that under the provisions of M.G.L. Chapter 44, Section 53A 1/2 , the Fall River Council on Aging be, and the same is hereby authorized to accept a gift of a piano valued between \$1,000 and \$1,500, for the Flint Senior Center, located at 69 Alden Street, from Ms. Nancy Dempsey.

2a



**City of Fall River  
Massachusetts**

*Health & Human Services Division  
Council on Aging*

**JASIEL F. CORREIA II**  
*Mayor*

**Tess Curran, MPH**  
*Director of Health & Human Services*

**LAUREL L. JONAS, MA**  
*Associate Director of Council on Aging*

City of Fall River  
Mayor Jasiel F. Correia II  
1 Government Center  
Fall River, MA 02722

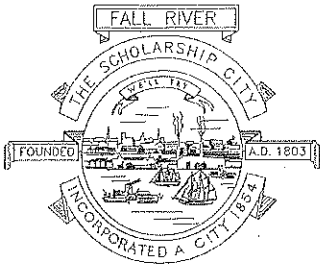
Mayor Correia:

The Fall River Senior Centers are extremely fortunate to have a very giving community. The new Flint Senior Center, located at 69 Alden St., has been asked to accept the donation of a piano – all delivery costs to be paid by the donor, Ms Nancy Dempsey.

The Council on Aging would be pleased to accept this gracious donation with your approval. Thank you for your consideration of this matter.

Respectfully,

Laurel L. Jonas  
Associate Director  
Fall River Council on Aging



**City of Fall River Massachusetts**  
**Office of the City Clerk**

**ALISON M. BOUCHARD**  
CITY CLERK

**PUBLIC HEARING**

**INÊS LEITE**  
ASSISTANT CITY CLERK

Notice is hereby given that a public hearing will be held by the City Council on Tuesday, October 22, 2019 at 5:55 p.m. in the Council Chamber, Government Center, to hear all persons interested and wishing to be heard on the following:

**Curb Removal**

1. Roger Poisson, 293 Driftwood Street, Fall River, MA, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
293 Driftwood Street	16'	10'	0'	26'

The petitioner has an existing 16 foot driveway and would like to add a separate 10 foot driveway for additional access.

The proposed work improves access to the property and does not cause a significant adverse effect to on-street parking in the area.

**Alison M. Bouchard**  
City Clerk

3a



# City of Fall River Massachusetts

## Department of Community Maintenance

CEMETERIES • MUNICIPAL BUILDINGS • ENGINEERING • SANITATION •  
PARKS • STREETS & HIGHWAYS • TRAFFIC & PARKING • VEHICLES

### Engineering Division

RECEIVED

2019 OCT 18 P 1:32

CITY CLERK  
~~JOHN A. PERRY JR.~~  
FALL RIVER, MA  
Director

JASIEL F. CORREIA II  
Mayor

JR FREY, P.E.  
City Engineer

**To:** Fall River City Council

**From:** J R Frey, P.E., City Engineer *JR*

**Date:** October 17, 2019

**Subject:** Street Opening Request for Pavement Less Than Five Years Old

The Engineering Division has received a request for a road opening to install water and sewer utilities at 56 Frederick Street. Frederick Street was paved in 2018. The improvements are one year old.

The Engineering Division recommends approval of the request subject to the following conditions for pavement restoration in streets less than five years old:

- 1) All work shall meet or exceed the "Standards Employed by the Public Utility Operators When Restoring Municipal Streets" (the Standards) as published by the Commonwealth of Massachusetts Division of Telecommunications and Industry and with the requirements of the Fall River City Council;
- 2) All excavated material shall be removed from the site and appropriately disposed of;
- 3) Backfill shall consist of Controlled Density Fill (CDF) in conformance with City Ordinance;
- 4) Binder material meeting Superpave 12.5mm MassDOT specification shall be placed in two (2) lifts to match existing pavement thickness, with tack applied along the edges, the subgrade, and between lifts;
- 5) A settlement period of six (6) weeks shall occur, and within three (3) weeks of the conclusion of the settlement period, the contractor shall return to complete the final patch;
- 6) The final patch shall be constructed by milling the pavement by 1-1/2", one-foot (1') outside of the utility trenches;
- 7) Tack shall be applied to the entire exposed surface and a surface course meeting the Superpave 9.5mm MassDOT specification shall be placed with a minimum compacted thickness of one and one-half inches (1 1/2");
- 8) The three (3) seams shall be heated using infrared to a surface temperature sufficient to allow remixing asphalt without oxidation or burning, but in no case shall the surface temperature exceed 350 degrees F;

- 9) The surface shall be compacted using a steel drum roller, resulting in a smooth, tight, pavement surface which matches the grade of the existing pavement;
- 10) Sand should be evenly distributed over the surface to fill small voids and absorb excess sealant if surface sealant is applied;
- 11) The repaired area shall be allowed to cool to 175 degrees F before opening to traffic.

Prior to opening the street, the applicant shall provide to the City Engineer a copy of the contract for any subcontractor providing work covered by this application. A minimum of 24-hours in advance of excavation, the contractor must call the Engineering Division at 508-324-2512 to request inspection services. Material specifications shall be provided to the City Engineer for all materials brought to the site for use as backfill, base course, and surface course.