



The Commonwealth of Massachusetts
Office of the Inspector General

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May 27, 2010

Peter. C. Bogle, Esq.
Bogle & DeAscentis, P.C.
57 North Main Street
Fall River. MA 02720

Dear Mr. Bogle:

This letter is to confirm the email opinion that this Office sent to you yesterday, which provided as follows:

This Office is responding to your email dated May 19, 2010, in which you requested a written opinion on the applicability of M.G.L. c.30B, § 16 to the Fall River Redevelopment Authority ("Authority"), pursuant to Chapter 266 of the Acts of 2002, An Act Authorizing Certain Conveyances of Land to Establish the Southeastern Massachusetts Bioreserve ("Act"). Pursuant to the Act, the Authority:

[M]ay develop said land for commercial, industrial and other economic development purposes, but expressly excluding any use of said land for landfill or casino/gaming related purposes **without the necessity of adopting or adhering to an urban renewal plan, as defined in section 1 of chapter 121B of the General Laws**, and with respect to said land the Fall River Redevelopment Authority shall enjoy the statutory authority it would possess for land and structures and other property within an urban renewal project as defined by section 1 of said chapter 121B. [Emphasis added.]

In the opinion of this Office, the Act prohibits the development of the land for casino/gaming and landfill related purposes. Also, in the opinion of this office, M.G.L. c.30B, §16 would apply to any disposition of real property or interest therein not in accordance with the purposes and intent of the Act.

Sincerely,

A handwritten signature in cursive script that reads "Gregory W. Sullivan".

Gregory W. Sullivan
Inspector General