

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 630

Approved September 23, 1983

RESOLVED, DECREED AND ORDERED, That the following named street shown as cross-hatched area on the accompanying plan entitled, "Providence, R.I., Public Works Dept.-Engineering Office, Street Line Section Plan No. 064250, Date July 6, 1983", viz:

Hay Street, (portion of) between its intersections with Weybosset Street and Pine Street, shown as cross-hatched area on accompanying plan and designated by the letters (A-B-C-D-A), having ceased to be useful to the public and is proposed to be abandoned as a public highway subject to Narragansett Electric Company being conveyed an easement to permit retention of their facilities in existing locations in said Hay Street, together with the right to inspect, maintain, operate and replace same and subject to the Department of Public Works being conveyed a full sewer easement, and the damage to the abutters is appraised at nothing and so awarded, and it is further

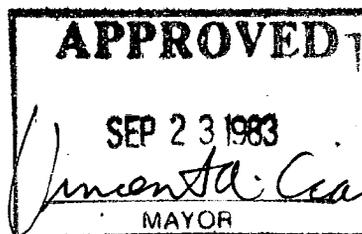
ORDERED, That the Director of Public Works be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

ORDERED, That after the entry of this order or decree, the City Clerk shall cause a notice thereof to be published in a newspaper published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which is known to reside within this State.

IN CITY COUNCIL

SEP 15 1983
READ AND PASSED

[Signature]
Jose M. Mendonca
C. CLERK



THE COMMITTEE ON
PUBLIC WORKS

Address: Parents of
The Victim Foundation

Robert M. Flowers
Dele

Sept 7, 1983

IN CIV COURT

1983

2010 0 072

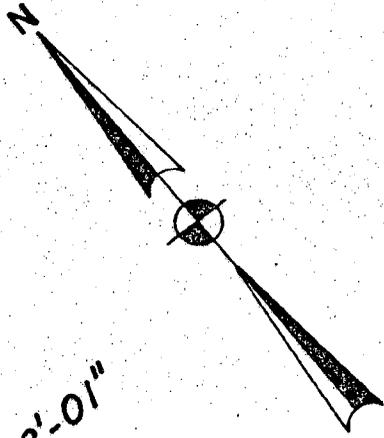
Weybosset St. (Public - Varied Width)

Old Line
New Line

20.06'
20.17'

P.K. Nail Set

This Strip Of Land Taken For
Public Highway By City August 5, 1926



JOSEPH A. MARRIER, JR.
No. 1584
REGISTERED
LAND SURVEYOR

Old Colony Co-Operative Bank

Hay Street
(Area = 5593 Sq. Ft.)
(Varied Width)

Weybosset Associates

Plan Of Land In
PROVIDENCE, RHODE ISLAND

Showing The
**ABANDONMENT OF HAY ST.
BETWEEN WEYBOSSET ST. & PINE ST.**

Drawn By
C.E. MAGUIRE, INC.

Scale: 1" = 20'

May 1983

96°-14'-19"

83°-45'-41"

86°-24'-20"

P.K. Nail Set

Pine St. (Public - 40.12' Width)
EXHIBIT "A"

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

FILED TO CO...
JUN 1 1983
CITY CLERK

The undersigned respectfully petitions your honorable body to adopt an order or decree pursuant to Rhode Island General Laws (1979 Reenactment), Section 24-6-1 et seq., as amended, abandoning that certain portion of Hay Street between its intersections with Weybosset Street and Pine Street, all as more particularly described on that plat entitled "Plan of Land in Providence, Rhode Island Showing the Abandonment of Hay St. Between Weybosset St. & Pine St." prepared by C. E. McGuire, Inc. and dated May, 1983, a copy of which is attached hereto as Exhibit "A" and incorporated herein as a part hereof, finding and declaring therein that said described portion of Hay Street has ceased to be useful to the public.

Such abandonment is requested by the undersigned to permit the use of the abandoned portion of Hay Street for the construction thereon of a portion of a nine level parking garage, all as more particularly shown on that plat entitled "Topographical And Utility Plan of Land in Providence, R.I., Gilbane/Fleet Bank Parking Garage" prepared by C. E. McGuire, Inc. and dated March, 1983 as revised on May 4, 1983, a copy of which is attached hereto as Exhibit "B" and incorporated herein as a part hereof.

Respectfully submitted,

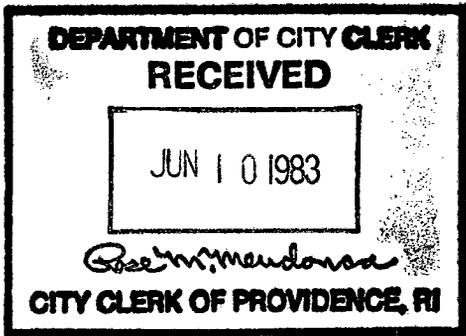
Weybosset Associates
by Fleet National Bank S.P.
BY H. J. Fuller EVP

Fleet Garage Associates
By Robert V. Gilbane
Exec. V. P. Gilbane Properties, Inc.
as General Partner

Old Colony Co-operative Bank
BY Paul E. Millson

BY Walter Puffer

Check # 11536
to 75.00



easements required
P. works
Norr. Electric
W. S. B. - 2,565.70

45-6-5800

FILED

JUN 10 11 33 AM '83

DEPT. CITY CLERK
PROVIDENCE, R.I.

CITY CLERK OF PROVIDENCE RI
DEPARTMENT OF CITY CLERK
RECEIVED

THE COMMITTEE ON *Aug. 24, 1983*
PUBLIC WORKS

Recommends *Be Continued*
Michael R. Clement
Clerk

IN CITY COUNCIL
JUN 16 1983
FIRST READING
REFERRED TO COMMITTEE ON PUBLIC WORKS

Przem Mendonca CLERK

From the Clerk's Desk

LIST OF ABUTTING OWNERS

1. Old Colony Co-Operative Bank (Applicant)
58 Weybosset Street
Providence, Rhode Island 02903

2. Weybosset Associates (Applicant)
c/o Fleet National Bank
111 Westminster Street
Providence, Rhode Island 02903

Attn: Bank Property Department



The Narragansett Electric Company
280 Melrose Street
Providence, Rhode Island 02901

August 19, 1983

Providence City Council
Committee on Public Works
City Hall
Providence, Rhode Island

Re: Petition of Weybosset Associates by Fleet National Bank, Fleet Garage Associates and Old Colony Co-Operative Bank to abandon a portion of Hay Street between its intersections with Weybosset Street and Pine Street

Gentlemen:

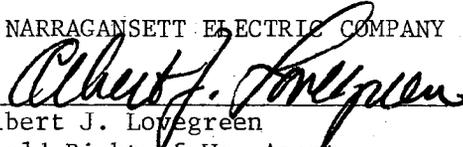
The Narragansett Electric Company presently has underground electrical cables installed in duct lines located in said portion of Hay Street. The facilities are of the utmost importance for the operation and reliability of the A.C. network system and any relocation of same would be both difficult and costly.

However, The Narragansett Electric Company will not object to the granting of said petition, provided that in the event that the petition is granted, an easement acceptable to The Narragansett Electric Company will be conveyed which will permit retention of our facilities in existing locations in said Hay Street, together with the right to inspect, maintain, operate and replace the same.

Very truly yours,

THE NARRAGANSETT ELECTRIC COMPANY

By


Albert J. Lovegreen
Field Right of Way Agent

AJL:1

cc: Robert Heslin - The Narragansett Electric Company
Frank Dowiot - The Narragansett Electric Company

TOBIN & SILVERSTEIN

Incorporated

COUNSELORS AT LAW

1122 FLEET NATIONAL BANK BUILDING

PROVIDENCE, RHODE ISLAND

02903

401 274-6300

BENTLEY TOBIN
MICHAEL A. SILVERSTEIN
CHARLES S. SOKOLOFF
MATTHEW T. MARCELLO III
GORDON A. CARPENTER*
WILLIAM J. O'BRIEN, JR.
MERRILL W. SHERMAN
MICHAEL B. NULMAN
EILEEN G. COONEY
MELANIE WILK SPENCER
SCOTT E. COOPER
JOSEPH M. DIORIO
SUSAN MANNING
DAVID H. FERRARA
LLOYD R. GARIEPY

*MEMBER MASSACHUSETTS BAR ONLY

THOMAS J. PAOLINO
PASCO GASBARRO JR.
COUNSEL
—
WOONSOCKET OFFICE
401 769-1100

June 10, 1983

Ms. Rose M. Mendonca
City Clerk
PROVIDENCE CITY HALL
Providence, R. I. 02903

Re: Fleet Parking Garage

Dear Ms. Mendonca:

Please find enclosed a Petition for Street Abandonment for the above-referenced parking garage for consideration by the City Council. Also, enclosed as attachments to the aforesaid Petition are:

- (1) Plat showing portion of Hay Street requested to be abandoned (Exhibit "A").
- (2) Topographical and Unit Plan showing outline of the proposed garage (Exhibit "B").
- (3) List of Abutting Owners.

Also, included herewith is the filing fee of \$75.00.

If you have any further questions, do not hesitate to call me.

Very truly yours,


William J. O'Brien, Jr.

/ks

Enclosure

cc: Robert V. Gilbane - ENCLOSURE - BY MESSENGER
#8758-00-01

BY MESSENGER

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: June 20, 1983

TO: ***

SUBJECT: Michigan Avenue (Portion) Hay Street (Eniter) Harkness Street (Eniter)

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject petitions for your study and report back in writing to the said committee, as soon as practical.

*** Stanley Berstein, Director of Planning and Urban Development.
Frank Tibaldi, Traffic Engineer ✓
Wiley Archer, Chief Engineer-WSB. ?
Sanford H. Gorodetsky, Commissioner of Public Safety.

Michael R. Clement
First Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

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Wiley Archer, Chief Engineer-WSB.
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Michael R. Clement
First Deputy City Clerk

RICHARD A. CARROLL
Chairman
JOSEPH G. FORMICOLA
Vice Chairman
MARY A. NOCERA
Member
ARMANDO PARILLO
Member
EVELYN V. FARGNOLI
Councilwoman
ANDREW J. ANNALDO
Councilman
JEROME I. BARON
Ex-Officio

WATER SUPPLY BOARD



CITY OF PROVIDENCE

WILEY J. ARCHER, P.E.
Chief Engineer/General Manager
WILLIAM J. MCGAIR
Legal Advisor
JAMES A. LOMBARDI
Secretary

June 27, 1983

Councilman James Petrosinelli, Chairman
Committee on Public Works
City Clerk's Office, City Hall
Providence, Rhode Island

Dear Councilman Petrosinelli:

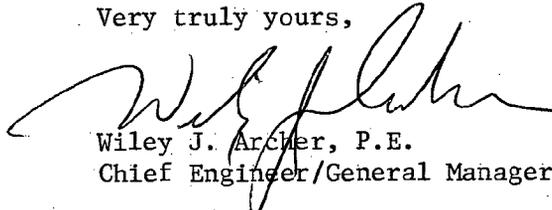
On June 21, 1983 this department received from the City Clerk a memorandum and a copy of a petition for the abandonment of a portion of Hay Street between Weybosset and Pine Street.

The depreciated value of the Water Department facilities to be abandoned, plus the necessary work involved, is as follows:

6" C.I. Main	\$ 14.44
1½" Service	12.32
Cut Main @ Hay St. & Weybosset St. (cut, plug, strap & thrust block, saw cut pavement, replace pavement, and police detail - wk end job)	951.17
Cut Main at Hay St. & Pine Street (Cut, plug, strap & thrust block, saw cut pavement, replace pavement, and police detail - wk end job)	<u>951.17</u> \$1,929.10
33% Overhead & Engineering Fee	<u>636.60</u>
Total Cost	\$2,565.70

We respectfully request that the petitioner be notified and that he agree to pay the Water Supply Board the sum of \$2,565.70 before final action is taken by your Committee. Please advise us in writing regarding the final decision.

Very truly yours,


Wiley J. Archer, P.E.
Chief Engineer/General Manager

cc: Mr. James Lombardi, Controller, WSB
Mr. Edward Bondarevskis, WSB

FRANK A. TIBALDI
TRAFFIC ENGINEER



VINCENT A. CIANCI, JR.
MAYOR

DEPARTMENT OF TRAFFIC ENGINEERING

July 5, 1983

Committee on Public Works
City Hall
Providence, Rhode Island 02903

Gentlemen:

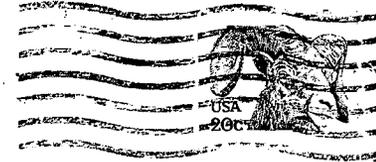
The Traffic Engineering Department has received the following proposed abandonments and offer no objection to those listed below:

- 1) A portion of Michigan Avenue
- 2) To abandon Hay Street between Pine Street and Weybosset Street
- 3) To abandon Harkness Street between Pine Street and Weybosset Street

Very truly yours,

Frank A. Tibaldi
Traffic Engineer

FAT/it



Councilman James A. Petrosinelli, Chairman
City Council Committee on Public Works
City Clerk's Office, City Hall
Providence, Rhode Island 02903

FILED

AUG 23 9 42 AM '83

DEPT. OF CITY CLERK
PROVIDENCE, R. I.

V.83



The City Plan Commission

40 FOUNTAIN STREET

PROVIDENCE, RHODE ISLAND 02903

July 19, 1983

Committee on Public Works
c/o City Clerk
City Hall
Providence, Rhode Island 02903

Attention: Rose M. Mendonca, City Clerk

Subject: Referral No. 2100 - Street Abandonment - Portion of Hay St.

Gentlemen:

The City Plan Commission, at its July 6, 1983 regular monthly meeting, reviewed and evaluated the subject referral. The Commission's comments and recommendations are as follows:

A field inspection revealed that Hay Street is a paved public right-of-way with sidewalks. The street width at Weybosset Street is 20 feet and at Pine Street is 30 feet. The subject portion of Hay Street has a length of approximately 25 feet and services mainly for its adjoining parking lots. A nine level parking garage is proposed to be constructed on the existing parking lot between Peck Street and the Old Colony Co-Operative Bank Building including a portion of the subject street.

The subject street has no important value as a public street, and its major usefulness as a service road to the adjoining parking lots is superceded by the planned construction of a new garage.

Therefore, the Commission

Voted: To recommend that Hay Street be abandoned in accordance with the request of the petitioner.

Sincerely,


Stanley Bernstein
Director

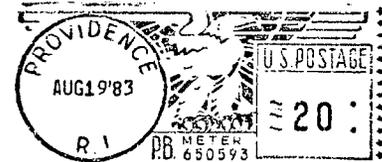
SB/cd

c: Councilwoman Carolyn F. Brassil



Narragansett Electric

P.O. Box 1438
Providence, Rhode Island 02901



Providence City Council
Committee on Public Works
City Hall
Providence, Rhode Island

City Hall

FILED

AUG 23 9 30 AM '83

DEPT. OF CITY CLERK
PROVIDENCE, R. I.

65 Bowen Street
Providence, Rhode Island 02906
August 20, 1983

Councilman James A. Petrosinelli, Chairman
City Council Committee on Public Works
City Clerk's Office, City Hall
Providence, Rhode Island 02903

Dear Councilman Petrosinelli,

I do not expect to be able to attend the public hearing on Wednesday, August 24, so I am writing to oppose the abandonment of Hay Street.

I enclose an article from the Providence Preservation Society Newsletter; the arguments against abandoning Amos and Drowne Streets apply even more strongly to Hay Street.

Hay Street is a heavily used pedestrian route. Its pedestrian use far outweighs its automobile use, and by this standard clearly has not ceased to be of use to the public.

Hay Street is part of a system of gangways laid out in 1717 which are a great historical and visual asset to the downtown. It is by now clear to everyone that historical and visual quality are one of downtown Providence's greatest economic assets.

Most important, building this parking garage does not require abandoning Hay Street. It requires only a sliver of land to square the footprint of the garage; your committee could abandon this sliver and retain the remainder of the street as a much-needed public passage for its heavy pedestrian traffic. Alternately, the City could abandon the street while reserving a permanent pedestrian easement. The public interest demands that you take one of these courses; there is no reason at all to give up the whole street.

Sincerely yours,



Michael Holleran

enc.

cc: Councilman Louis R. Stravato
Thomas F. O'Connor, Jr.
Andrew J. Annaldo
Raymond Cola
Providence Preservation Society
Rhode Island Historical Preservation Commission

In Defense of Gangways: Memories of the Waterfront

By Michael Holleran

On September 2, 1982, the Rhode Island School of Design petitioned the Providence City Council to abandon Amos and Drown Streets, two gangways between North Main Street and Canal Street just north of Market Square. The Public Works Committee tabled the request after some opposition and a recommendation by the City Plan Commission that the petition be denied.

Forty-six tiny gangways once linked Main Street with Canal and Water Street along the mile of former waterfront from Smith Street to Point Street. The few that remain are older than all but a few of Providence's buildings. Most of the gangways (including Amos and Drown) were laid out before Towne Street was platted in 1746.

Gangways started out as passages to the wharves. They were built as narrow as possible to allow the greatest warehouse space on a limited shoreline. The first wharf in Providence was built in 1680 by Pardon Tillinghast near the present foot of Transit Street. By 1700 wharves stretched up toward Market Square, so the gangways along this stretch of the river were of seventeenth-century origin.

Only two short stretches of this waterfront landscape still exist. One runs from Steeple Street north to the Roger Williams National Monument, and the other from Market House to Waterman Street. It is this latter district that RISD proposes be entirely abandoned.

Most of the arguments for preservation of historic buildings apply equally well to gangways. They are a durable and valuable cultural record—in Providence, they are one of the last and most evocative traces of the maritime commerce out of which the city grew. Gangways are an important visual asset to the city. They allow glimpses of the downtown as one passes, and give the streetscape a human scale. They are an extensive pedestrian network, which in the center of the city is as important as

automobile circulation.

RISD's petition was not specific about what the college intended to do with these blocks. After inquiries by the city's Planning and Urban Development staff, the school listed several general uses. One was the protection of pedestrians by closing the two gangways to automobile traffic. When RISD's lawyer mentioned this at the hearing, Councilman William Moise noted a conflict with the school's claim that the streets are not used. Councilman Thomas Glavin pointed out that streets need not be abandoned in order to close them to traffic.

Another alternative mentioned by RISD was a possible new structure using the streets as part of its site.

Cheapside and the Hope Block, two of the buildings between Amos and Drown Streets, are listed on the National Register of Historic Places. This whole area, as well as the gangway landscape north of Steeple Street, lies within the C-3 Downtown Commercial district. C-3 zoning permits 300-foot tall buildings, as the public has lately been reminded by the Old Stone project. With gangways intact, historic restoration is probably the most economically feasible use of the property. If these streets are abandoned, RISD will hold an assembled parcel zoned for a 30-story tower, and the city may see the Old Stone battle replayed next to Market Square and the First Baptist Church.

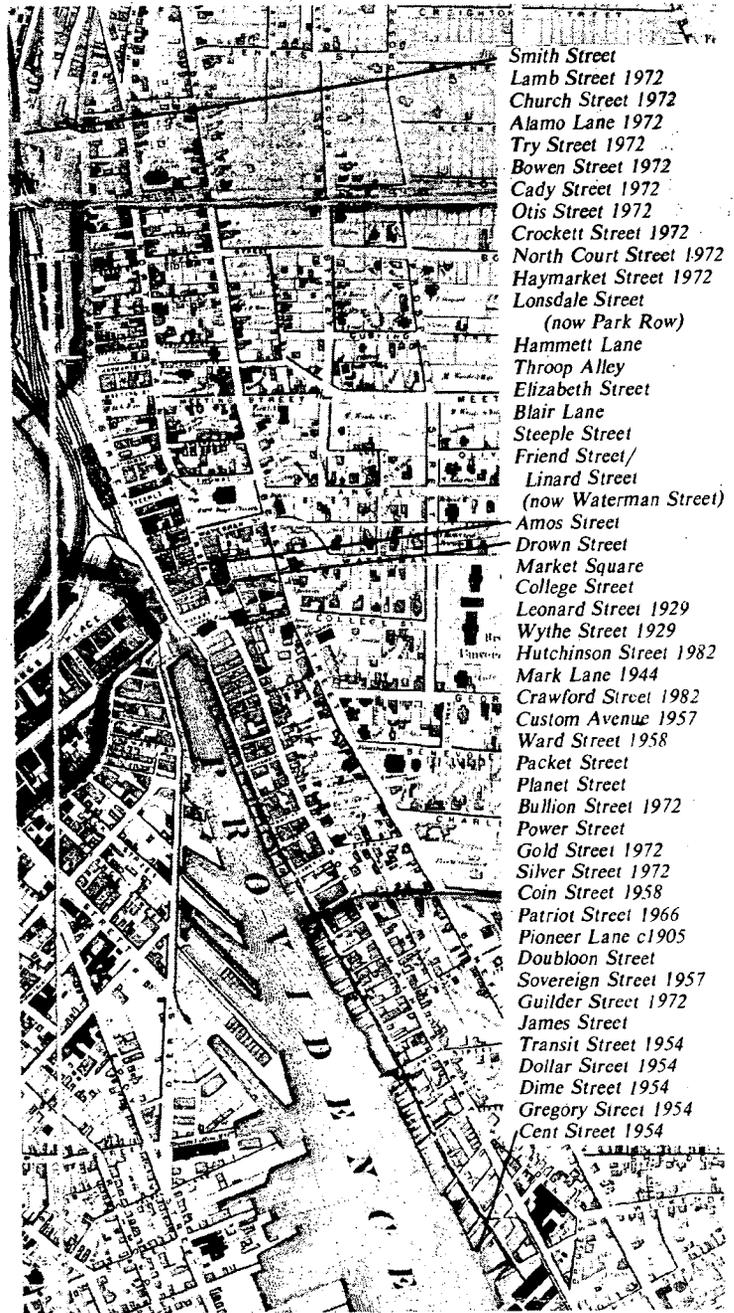
Rhode Island laws are biased toward street abandonment in one important way. Public hearings on each case are advertised only by a legal notice in the newspaper (and by letters to abutters, who are normally the petitioners). The first notice placed on the street itself is a "Not a Public Highway" sign after it is abandoned. All the passers-by who are a street's real users are never really consulted.

While the fate of Amos and Drown Streets remains tabled before the City Council Public Works Committee, the citizens of Providence have an unusual opportunity to speak up for the disappearing waterfront landscape, and ask that RISD's petition be denied.

June 23, 1972 was a bad night for gangways. Of the twenty-nine then remaining, the City Council abandoned fifteen as part of the East Side Renewal project (including a stretch of Power Street which was inadvertently included. It was restored as a street two weeks later). Ten of those gangways are now the site of the Roger Williams National Monument.

The first wholesale assault on the historic waterfront came in April 1929, when four blocks were given over to a park in front of the new Superior Court. Interstate 95 obliterated an even larger district in 1954. A number of other South Main Street gangways were lost piecemeal, including two given over last year for the Old Stone project.

Michael Holleran is an urban planner with Everett Associates



- Smith Street
- Lamb Street 1972
- Church Street 1972
- Alamo Lane 1972
- Try Street 1972
- Bowen Street 1972
- Cady Street 1972
- Otis Street 1972
- Crockett Street 1972
- North Court Street 1972
- Haymarket Street 1972
- Lonsdale Street (now Park Row)
- Hammett Lane
- Throop Alley
- Elizabeth Street
- Blair Lane
- Steeple Street
- Friend Street/ Linard Street (now Waterman Street)
- Amos Street
- Drown Street
- Market Square
- College Street
- Leonard Street 1929
- Wythe Street 1929
- Hutchinson Street 1982
- Mark Lane 1944
- Crawford Street 1982
- Custom Avenue 1957
- Ward Street 1958
- Packet Street
- Planet Street
- Bullion Street 1972
- Power Street
- Gold Street 1972
- Silver Street 1972
- Coin Street 1958
- Patriot Street 1966
- Pioneer Lane c1905
- Doubloon Street
- Sovereign Street 1957
- Guilder Street 1972
- James Street
- Transit Street 1954
- Dollar Street 1954
- Dime Street 1954
- Gregory Street 1954
- Cent Street 1954

Rhode Island Historical Society
Providence's gangways in 1857. Dates show when each was abandoned.



Michael Holleran

Drown Street, one of the gangways RISD has petitioned the city to abandon.



Rhode Island Historical Society

Warehouses and gangways along South Water Street circa 1865. On the left is Wythe Street, on the right Hutchinson

Street. South Water Street has since been widened; when the gangways were laid out it was not there at all.

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

THIS IS TO CERTIFY, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit: ABANDONMENT OF HAY STREET BETWEEN ITS INTERSECTIONS WITH WEYBOSSET STREET AND PINE STREET.

<u>PLAT</u>	<u>LOT</u>	<u>NAME</u>	<u>ADDRESS</u>
20	59	Weybosset Associate	111 Westminster St. Providence, R.I. 02903
	120	"	"

COUNCILWOMAN CAROLYN F. BRASSIL

CITY SERGEANT
GIACOMO MARTONE

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

THIS IS TO CERTIFY, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit: ABANDONMENT OF HAY STREET BETWEEN ITS INTERSECTIONS WITH WEYBOSSET STREET AND PINE STREET.

<u>PLAT</u>	<u>LOT</u>	<u>NAME</u>	<u>ADDRESS</u>
20	59	Weybosset Associate	111 Westminster St. Providence, R.I. 02903
	120	"	"

COUNCILWOMAN CAROLYN F. BRASSIL

CITY SERGEANT
GIACOMO MARTONE

Giacomo Martone
5/11/23



Gilbane Properties, Inc.
INVESTMENT BUILDERS

7 JACKSON WALKWAY, PROVIDENCE, R.I. 02940 • (401) 456-5393

September 8, 1983

Providence Water Supply Board
552 Academy Avenue
Providence, Rhode Island 02908

Re: Fleet Garage
Weybosset Street, Providence

Gentlemen:

Enclosed herewith is a check in the amount of \$2,565.70 which represents payment for your work in relationship to the abandonment of a portion of Hay Street.

Sincerely,

Robert V. Gilbane
President

RVG:cac

cc: Rose Mendonca

