

RESOLUTION OF THE CITY COUNCIL

No. 153

Approved April 14, 2023

RESOLVED, DECREED AND ORDERED:

That the cross-hatched portion of EASTWOOD AVENUE shown on the accompanying plan entitled "Providence, R.I., P.W. Dept.-Engineering Office, Street Line Section Plan No. D.B. #064876, dated March 22, 2023," bounded by letters the A-B-C-D-E-A on said plan, having ceased to be useful to the public, is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned upon the following:

1. Petitioner, PATRIOT STATE STORAGE LLC, shall tender the amount of Five Thousand Five Hundred Dollars (\$5,500.00) to the City of Providence.
2. Petitioner shall have a Class I survey prepared by a Professional Land Surveyor, properly licensed by the Board of Registration for Professional Land Surveyors, inasmuch as road abandonments constitute a boundary change pursuant to Informational Bulletin 2003.01 issued by said Board.
3. After payment, Petitioner shall record this resolution in the Land Evidence Records of the City of Providence.
4. Petitioner shall comply with all conditions contained herein within sixty (60) days from the date of passage.
5. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Works, and/or as may be deemed appropriate by the Mayor or the Department of Law.

ORDERED, That the Traffic Engineer be and 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 has been abandoned who is known to reside within the State.


IN CITY COUNCIL
APR 06 2023
READ AND PASSED



RACHEL M. MILLER, PRESIDENT


TINA L. MASTROSIMONE
CLERK

I HEREBY APPROVE.



Brett P. Smith
Mayor
Date: 4/14/2023

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:

THAT, the undersigned respectfully petitions your honorable body for the abandonment pursuant to R.I.G.L. 24-6-1 of that 9637.8 sq. foot portion of Eastwood Street located in the City that is identified on Exhibit A and attached hereto and incorporated herein ("Street"). Said Street abuts the following lots on Assessor's Plat 105: 419, 420, 421, 422, and 386.

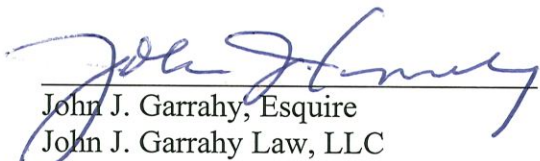
In support of this Petition, the undersigned respectfully represents to this Honorable City Council that the Street has ceased to be useful to the public as it has never been improved for travel and has its terminus on a non-accessible portion the Roberts Expressway -Route 6. In the event that there are any rights in the Street, other than those of the Petitioners herein, such rights shall be preserved by means of an easement on, over or across such Street,

In the event the undersigned acquires title to the Street as petitioned, the undersigned agrees to pay to the City as consideration for the abandonment the fair market value of the Street and agrees that the final calculation of the area of the Street from which said fair market value will be calculated shall be determined by means of a Class I survey that complies with the requirements of this honorable body and which shall be provided to this honorable body at the expense of the undersigned. However, if it is determined by this honorable body that fair market value of the Street exceeds an amount which, in the judgment of the Petitioners, exceeds the value of the Street that it is willing to pay, the undersigned reserves the right to withdraw this Petition prior to its final passage.

Respectfully Submitted,

Patriot State Storage, LLC

By:


John J. Garrahy, Esquire
John J. Garrahy Law, LLC
2088 Broad Street
Cranston, Rhode Island 02905

November 30, 2021

EASTWOOD STREET
(PAPER STREET - PUBLIC - 50' WIDTH)
9637.8 Sq. Feet
0.2 Acres

RE-BAR (TBS)

S 82°12'24" W 173.49'
(LOT LINE TO BE REMOVED)

50.00'
S 07°47'36" E
(NEW LOT LINE)

S 07°47'36" E
100.00'

RE-BAR (TBS)

A.P. 105 LOT 159
N/F
LYMAN GODLEY

A.P. 105 LOT 423
N/F
LYMAN GODLEY

A.P. 105 LOT 422

A.P. 105 LOT 376
N/F
BENJAMIN H. BARNETT

A.P. 105 LOT 377
N/F
MARIAM BAMBA

A.P. 105 LOT 378
N/F
FRANCESKA A. MENDEZ

A.P. 105 LOT 379
N/F
WILKIN D. ROQUEZ

A.P. 105 LOT 380
N/F
ESSLIN M. OZUNA

RE-BAR (TBS)

A.P. 105 LOT 421

200.00'
N 82°12'24" E

A.P. 105 LOT 420

A.P. 105 LOT 419

(LOT LINE TO BE REMOVED)

(LOT LINE TO BE REMOVED)

100.00'
S 07°47'36" E
(S.H.L.)

PARCELA
TOTAL AREA: 20,000.0 SQ.FT.
(VACANT LAND)

PROVIDENCE REDEVELOPMENT AGENCY
N/F

N 82°12'24" E 200.00'

(LOT LINE TO BE REMOVED)

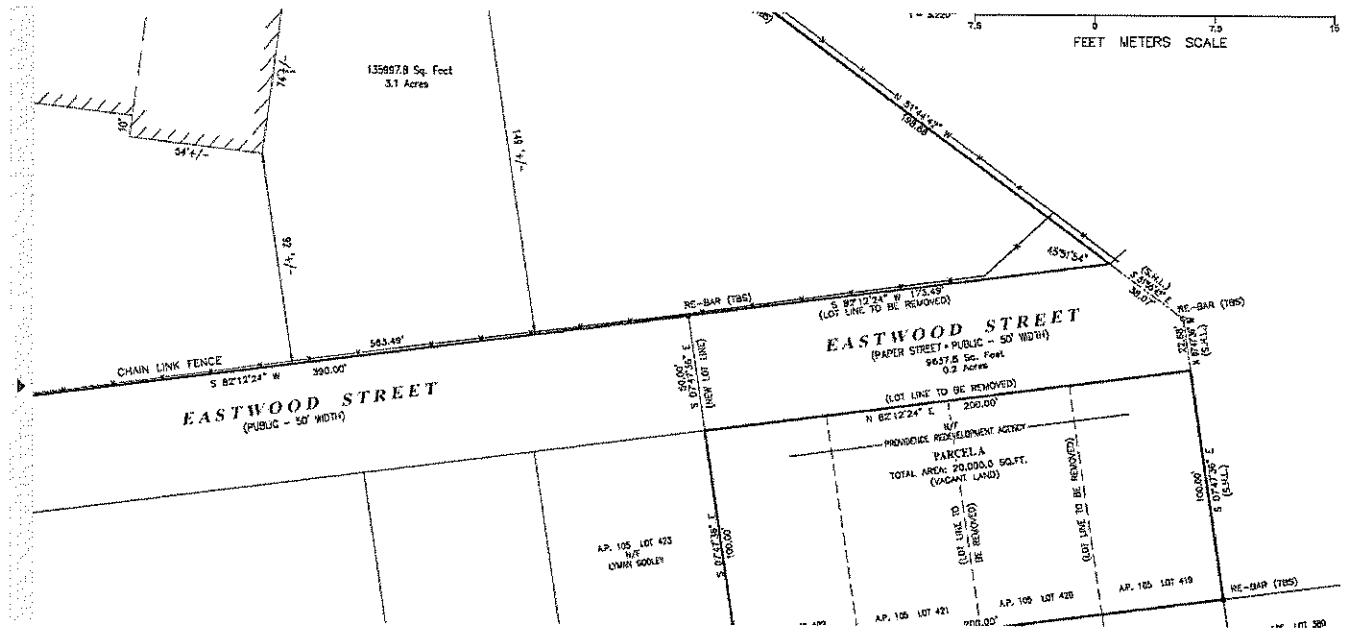
45°51'54"

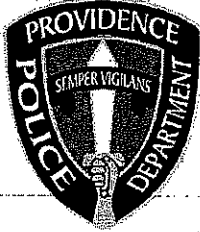
S 51°38'42" E
38.07'

22.68'
N 07°47'36" E
(S.H.L.)

RE-BAR (TBS)

Exhibit A





PROVIDENCE POLICE DEPARTMENT
Patrol Bureau
325 Washington St., Providence, RI 02903

1/15/22

To: Sheri A. Petronio, City of Providence First Deputy City Clerk
From: Cpt Luis F. San Lucas, Traffic Bureau Commanding Officer
Subject: Petition to the City Council for request of abandonment of portion of Eastwood St
(assessors Plat 105, lots 419, 420, 421, 422, and 386)

Sir,

After reviewing the petition for request of a abandonment of a portion of Eastwood St
(Assessor's Plat 105, lots 419, 420, 421, 422, and 386) by John J Garrahy Law LLC as indicated on or
before January 10, 2022, the Providence Police Department has no objection to the request.

Respectfully Submitted

Cpt LFS

STEVEN M. PARÉ
Commissioner of Public Safety
Acting Chief of Department



JORGE O. ELORZA
Mayor

Department of Public Safety, Fire Department
"Building Pride in Providence"

March 2, 2022

The Honorable Michael J. Correia
Councilman
Chairman, Committee on Public Works
Providence City Hall
25 Dorrance Street
Providence, RI 02903

RE: Eastwood Street

Dear Councilman Correia:

I am in receipt of your memorandum regarding the petition that was filed by John Garrahy, Esquire of John Garrahy Law who is requesting to abandon a portion of Eastwood Street located on Assessor's Plat 105, Lots 419, 420, 421, 422 and 386.

After review, it does not appear that this request will have any impact on fire safety, therefore, this office does not have any public safety concerns at this time.

If you have any questions, please feel free to contact my office.

Respectfully,

Steven M. Paré
Commissioner of Public Safety

cc: Tina Mastroianni, Acting City Clerk

Patricia A. Coyne-Fague, Esq.
Director



Brett P. Smiley
Mayor

DEPARTMENT OF PUBLIC WORKS

"Building Pride in Providence"

March 22, 2023

Honorable Oscar Vargas
Chairman of the Public Works Committee
Providence City Council-City Hall
Providence, R.I. 02903

RE: Proposed Abandonment of a Portion of Eastwood Ave.

Dear Councilman Vargas:

This department has no objection to the proposed abandonment of a portion of Eastwood Ave. in conjunction with the attached plan, entitled "Prov., P.W. Dept.-Engineering Office, Street Line Section, Plan No. 064876. Area of abandonment is designated as cross-hatched area (A-B-C-D-E-A) on the accompanying plan.

Total square footage equals 9,637.8 square feet.
See accompanying plan for plat and lot numbers.
No sewer easement is required.

According to Informational Bulletin 2003.1 issued by the Rhode Island Board of Registration for Professional Land Surveyors, road abandonments constitute a boundary change, and as such, requires a Class 1 survey prepared by a professional Land Surveyor, properly licensed by said board.

If we can further assist you in this regard, please advise.

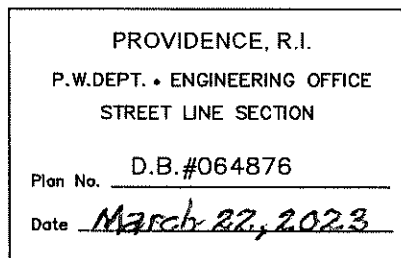
Very truly yours,



Patricia A. Coyne-Fague, Esq.
Director-D.P.W.

cc: T. Mastroianni-Acting City Clerk
AZ-DPW, J. Mulligan-Planning Dept.
W. Brown, Esq.-Law Dept.
J. Muscatelli-Tax Assessors

700 Allens Avenue Providence, Rhode Island 02905
Phone 401-467-7950/Fax 401-941-2567
www.providenceri.com/dpw



PLANS:

CITY STREET LINE PLANS, FOUND AT THE CITY
OF PROVIDENCE ENGINEERING DEPARTMENT -
HARTFORD AVENUE, HEATH STREET & EASTWOOD
AVENUE.

STATE PLANNING: ROBERTS EXPRESSWAY ROUTE 6
STATE ENGINEERING DEPARTMENT - PROVIDENCE

NOTES: Cross-Hatched Area (A-B-C-D-E-A)
indicates proposed abandonment
No sewer easement required
9637.8 S.F..

Lot numbers taken from A.P. 105

CITY OF PROVIDENCE, R.I.
Public Works Dept. • Engineering Office

Showing Proposed Abandonment of a
Portion of Eastwood Avenue

Drawn by jda Checked by bsa
Scale 1" = 40' Date 12-02-2022

Correct _____ Associate Engineer
Approved _____
CHIEF ENGINEER

Petronio, Sheri

From: Khun, Phirom
Sent: Thursday, January 20, 2022 1:15 PM
To: Petronio, Sheri
Cc: Nilsson, Wendy
Subject: Neighboring parks impact from projects

Hi Sheri,

Neither Brook Street nor Eastwood Street project has any impact on the neighboring parks. Please let me know if you have any questions. Thank you!



Phirom Khun
Supervisor of Project Planning
Parks Department
Dalrymple Boathouse
Roger Williams Park
1000 Elmwood Avenue
Providence, RI 02905
pkhun@providenceri.gov
(401) 680-7225 - Office
(401) 996-4219 - Mobile
Call to Connect | [PVD311](#)



PROVIDENCE A CITY THAT WORKS

**Finance Department
Office of Tax Assessment**

Department of the City Clerk
Sheri A. Petronio, First Deputy City Clerk
25 Dorracne St.
Providence, RI 02903

January 14, 2022

Re: Proposed abandonment of a portion of Eastwood Ave

Dear Ms. Petronio

Per your memorandum we have reviewed the proposed abandonment of Eastwood Avenue containing 9,638 ft.² located between lots 419, 420, 421, 422 and 386 on plat 105.

The property currently borders two separate zoning areas, and the topography of the land in question is quite severe. we have made the appropriate adjustments for the topography issue and for the various zones. Base on this observation, and allowing consideration to each element it is our opinion that a fair valuation would be Five Thousand Five Hundred (\$5,500) Dollars

I hope this information is useful if we may be of any further assistance please do not hesitate to contact us

Respectfully submitted,

A handwritten signature in black ink that reads "Janesse Muscatelli".

Janesse Muscatelli
Interim Tax Assessor



City Plan Commission
Jorge O. Elorza, Mayor

February 16, 2022

Councilman Michael Correia
Chair, Committee on Public Works
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Tina Mastroianni, Acting City Clerk

Re: Referral 3505 – Abandonment of Eastwood Ave
Petitioner: Patriot State Storage LLC

Dear Councilman Correia:

At a meeting of the City Plan Commission (CPC) held on February 15, 2022, the CPC considered the request of the petitioner, Patriot State Storage LLC, abandon a portion of Eastwood Ave that is located between AP 105 lot 386 and lots 419, 420, 421 and 422. Eastwood Ave runs west to east from Heath Street and is mostly undeveloped, terminating in a dead end adjacent to state route 6.

FINDINGS OF FACT

The Commission made the following findings of fact as required by the City Plan Commission Handbook Policy No. 1: "Criteria and Guidelines for Approval of Street, Highway and Rights-of-way Abandonment":

- 1. A public interest has to be clearly demonstrated. A public interest is defined as one or more of the following: public health and safety, adequate provision of transportation, general improvement of traffic patterns and/or circulation, convenient access to properties, avoidance of a nuisance, significant economic development, preservation of a historical or cultural feature, and improvement of the general welfare of the community.*

The portion of Eastwood Ave proposed for abandonment is undeveloped, terminates in a dead end, and all lots abutting it are owned by the petitioner. The CPC does not object to the abandonment as it would not have an adverse impact on the public interest and appears to only be useful for accessing property owned by the petitioner.

- 2. No negative impact is evident on existing land uses, future plans, zoning, safety, health or welfare of the community by the proposed abandonment.*

The CPC found that the abandonment will not negatively affect future plans for development or existing land use. No negative impact to the health and welfare of the surrounding community is expected as the street is not essential to providing access to other parts of the City.

DEPARTMENT OF PLANNING AND DEVELOPMENT
444 Westminster Street, Providence, Rhode Island 02903
401 680 8400 ph | 401 680 8492 fax
www.providenceri.com

3. *All abutting landowners agree to the proposed abandonment.*

The petitioner owns all the lots abutting the abandonment area.

4. *No physical or legal access will be denied to any land or property in surrounding areas by the proposed abandonment.*

The CPC found that no physical or legal access will be denied as the petitioner owns all land surrounding the abandonment area.

5. *No existing or future public services or facilities need to be protected, provided, or maintained within the right-of-way. An easement retention may be necessary to provide access to, maintain, or provide existing or future service or utility needs.*

It is unknown if any utilities need to be provided or maintained within the public right of way. The CPC required that the applicant grant any necessary easements.

6. *The proposed or intended use of the street and/or adjacent properties must be shown on a petition or plan, and such use shall be in conformance with existing zoning and Comprehensive Plan Objectives.*

A petition and plan were provided. The CPC found the proposal to be consistent with the Comprehensive Plan and purposes of Zoning.

RECOMMENDATION

Upon a motion by Commissioner Verdi seconded by Commissioner Quezada, the CPC unanimously voted to advise the Committee on Public Works that the petition for abandonment be approved based on their findings.

In accordance with the CPC's action, the CPC recommends that this portion of Eastwood Ave be abandoned subject to the following conditions:

- i. The petitioner shall apply for an administrative subdivision to merge the abandoned street with their respective property should the abandonment be approved.
- ii. The petitioner shall grant any necessary easements for access to property, utility access and maintenance.

The CPC voted as follows:

Aye: N. Verdi, M. Quezada, H. Bilodeau, M. Cordero, M. Gazdacko

Sincerely,



Choyon Manjrekar
Administrative Officer



CITY OF PROVIDENCE
MAYOR BRETT P. SMILEY

April 3, 2023

Tina Mastroianni
City Clerk
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Re: Referral 3505 – Abandonment of Eastwood Ave

Dear Ms. Mastroianni:

The Department of Planning and Development has received an administrative subdivision application from the petitioners of the above-referenced abandonment, to incorporate the abandoned portion of Eastwood Ave into their property, upon approval by the City Council.

The undersigned administrative officer has reviewed the survey and determined that it conforms to the requirements of section 304 of the City Plan Commission's Development Review regulations. The petition may be brought to a vote before the City Council.

Sincerely,

A handwritten signature in black ink, appearing to read "Choyon Manjrekar".

Choyon Manjrekar
Administrative Officer

DEPARTMENT OF PLANNING & DEVELOPMENT
JOSEPH A. DOORLEY JR. MUNICIPAL BUILDING, 444 WESTMINSTER ST, PROVIDENCE RI 02903
PHONE 401.680.8400 | WWW.PROVIDENCERI.GOV/PLANNING



June 29, 2022

Sheri A. Petronio, First Deputy City Clerk
City of Providence
25 Dorrance Street
Providence, RI 02903

VIA EMAIL c/o S.Petronio (spetronio@providenceri.gov) and US Mail

Re: Petition to Abandon a portion of Eastwood Avenue, dated January 10, 2022

Dear Ms. Petronio:

Please be advised that after review, it has been determined that The Narragansett Electric Company has no electrical or gas equipment in the area proposed for abandonment.

Therefore, The Narragansett Electric Company has no objection to the abandonment.

Please call me if you have any questions.

Sincerely,


Joyce Xifaras
Right of Way Agent | RI Property Services
280 Melrose Street, Providence, RI 02907
(O): 401.784.7513 | (M): 774.991.9603
JXifaras@RIEnergy.com



February 1, 2022

City of Providence
Office of the First Deputy City Clerk
Attn: Sheri A. Petronio
25 Dorrance Street
Providence, Rhode Island 02903

ATTN: Sheri A. Petronio, First Deputy City Clerk

RE: PETITION TO ABANDON A PORTION OF EASTWOOD ST

Dear Ms. Petronio,

Upon investigation it has been determined that Verizon presently has no facilities at the section identified to be abandoned.

Verizon will not object to the granting of said petition.

Sincerely,



Verizon New England Inc.
Attn: Daryl Crossman - ROW
44 Old Townhouse Rd
South Yarmouth, MA 02664

(508) 398-5754 – South Yarmouth Office
daryl.crossman@verizon.com - Email

verizon✓

The Narragansett Bay Commission
Interceptor Maintenance
One Service Road
Providence, Rhode Island 02905

401 • 461 • 8848
401 • 461 • 6551 FAX

<http://www.narrabay.com>



Vincent J. Mesolella
Chairman

Laurie A. Horridge
Executive Director

MEMORANDUM
from the Interceptor Maintenance Section

DATE: 1/26/22

TO: Sheri A Petronio, First Deputy City Clerk

FROM: Patricia Chiellini

RE: Easements in the City of Providence

The Narragansett Bay Commission does not have any objections to the 9637.8 square foot section abandonment of Eastwood St in the City of Providence. The Narragansett Bay Commission does not have any facilities on this street.

Patricia Chiellini Asset Management Specialist
Narragansett Bay Commission
1 Service Road
Providence, RI 02905
pchiellini@narrabay.com
401-461-8848 ext. 304
401-461-6551 fax