

RESOLUTION OF THE CITY COUNCIL

No. 207

Approved June 13, 2022

IT IS HEREBY RESOLVED, That His Honor the Mayor is authorized to grant to Brown University a permanent underground easement below that portion of Brook Street shown on the accompanying plan (Entitled "Providence, R.I., P.W. Dept & Engineering Office, Street Line Section Plan No. 064872, dated February 28, 2022") bounded by letters the A-B-C-D-A. Said easement shall be granted specifically upon the following provisions:

1. Petitioner shall tender the amount of six thousand two hundred seventy-seven dollars (\$6,277.00) to the City of Providence.
2. Said easement shall not be to the exclusion of other existing easements. It shall also be deemed to run with the land and shall operate against any successors in title and the easement or a memorandum of same shall be recorded by Brown University in the Office of Land Records for the City of Providence.
3. Petitioner shall cooperate with and not impede the existing utilities running under Brook Street.
4. Petitioner shall execute an indemnification and hold-harmless agreement with the City of Providence, to be approved by the City Department of Law.
5. Petitioner shall comply with all conditions contained herein within ninety (90) days from the date of passage.
6. 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.

IN CITY COUNCIL
JUN 2 2022
READ AND PASSED

JOHN J. IGLIOZZI, PRESIDENT

CLERK
ACTING

I HEREBY APPROVE.

Mayor

Date:

6/13/22



Ursillo, Teitz & Ritch, Ltd.

Counsellors At Law

2 Williams Street
(at South Main Street)
Providence, Rhode Island 02903-2918

Michael A. Ursillo *
Andrew M. Teitz, AICP *†
Scott A. Ritch *†

Troy L. Costa †
Amy H. Goins *†
Peter F. Skwirz *†
Admitted in RI*, MA†

Tel (401) 331-2222
Fax (401) 751-5257
zoning@utr-law.com

December 6, 2021

Via Hand Delivery

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

Re: Petition to the City Council for Permanent Easement – Portion of Brook Street

Dear Ms. Mastroianni:

On behalf of my client, Brown University, enclosed please find a Petition to the City Council for a permanent easement over a portion of Brook Street. It is our understanding that there is no filing fee for such a petition.

Please advise us when this matter has been scheduled to be heard by the Public Works Committee. Thank you for your attention to this matter.

Sincerely,

URSILLO, TEITZ & RITCH, LTD.

/s/ Andy Teitz

Andrew M. Teitz, Esq., AICP

Enclosure

S:\ANDY\Brown University\Brook St Easement 2021\Ltr to City Clerk re Brown University Easement Petition 2021.docx

CITY OF PROVIDENCE
STATE OF RHODE ISLAND

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

The undersigned Brown University petitions for the grant of a permanent **underground** easement below a portion of Brook Street.

The easement will be for an **underground** concrete duct bank to provide electrical and telecommunication services to the new Brook Street Residence Halls, which are currently under construction.

See attached plan and associated documents, as indexed below:

Exhibit A – Locus Map

Exhibit B – Easement Plan

Exhibit C – Easement Cross-Section

Respectfully submitted December 6, 2021.

/s/ Andy Teitz

Brown University

By its Attorney,

Andrew M. Teitz, Esq., AICP (#3503)

Ursillo, Teitz & Ritch, Ltd.

2 Williams St.

Providence, RI 02903

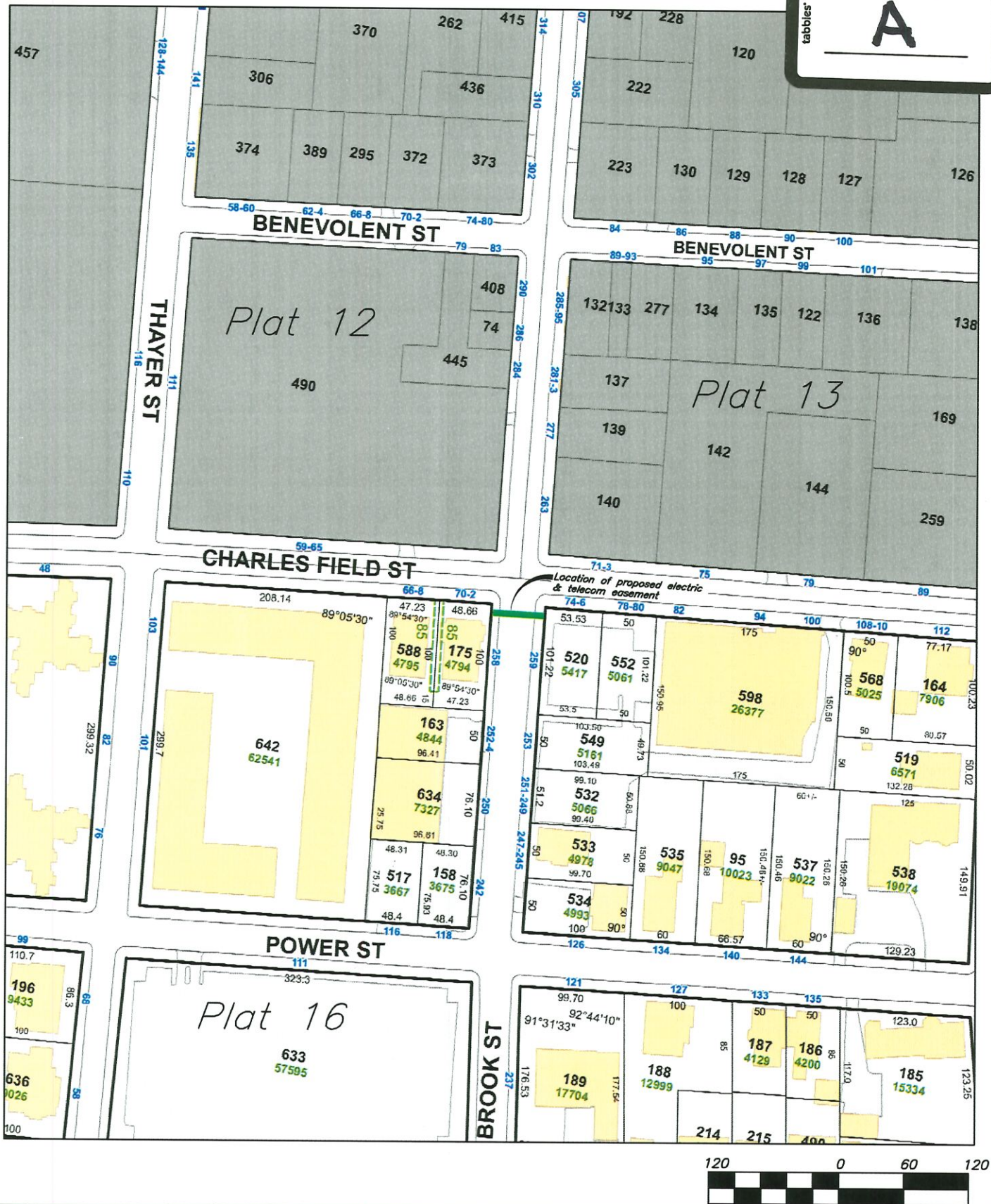
(401) 331-2222

zoning@utrlaw.com

EXHIBIT

A

tabbles



Crossman Engineering



151 Centerville Road
Warwick, RI 02886
(401) 738-5660
cei@crossmaneng.com

Project Location Area

Brook Street - Brown University Electric & Telecom Easement
Providence, RI

Map source: City of Providence Tax Assessor



Note: Cross hatched area indicates proposed 50.00' x 5.58' electrical and telecom easement. Total square footage = 279±.

PROVIDENCE, R.I.

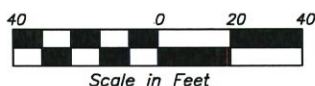
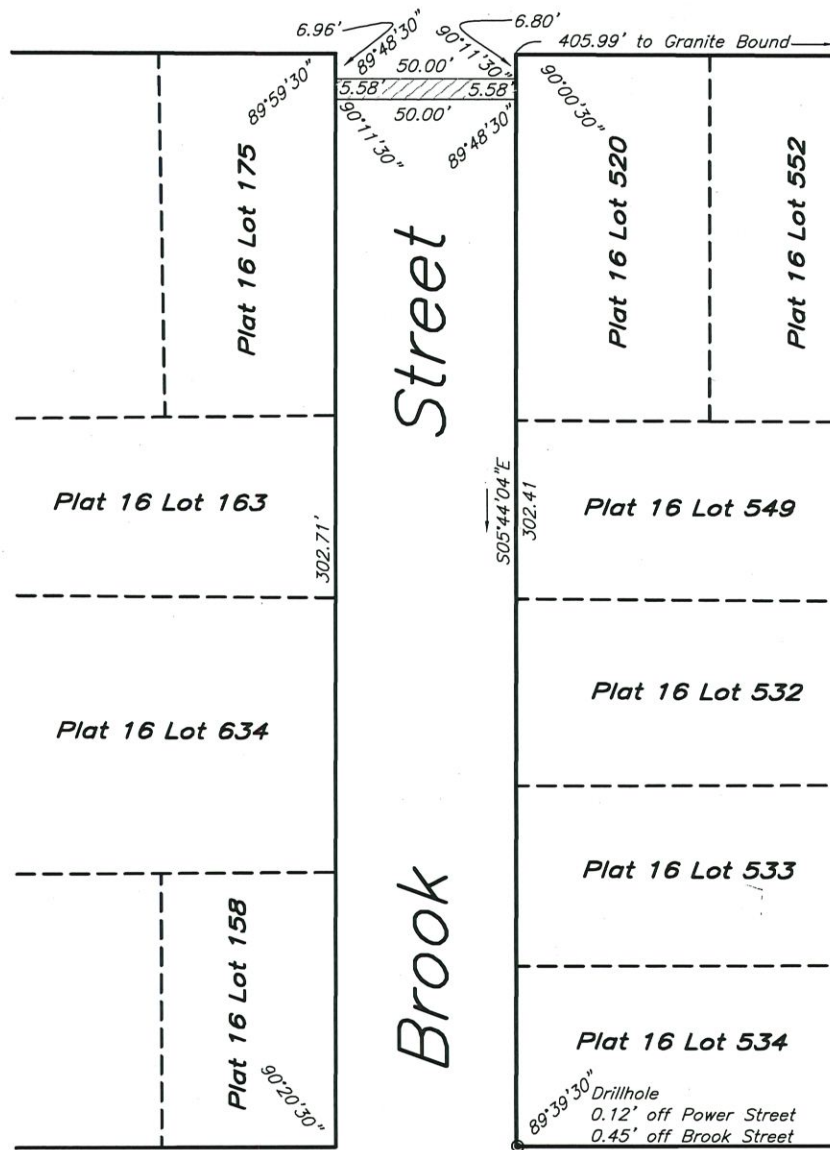
P. W. DEPT. - ENGINEERING OFFICE

STREET LINE SECTION

Plan No. _____

Date November 18, 2021

Charlesfield Street



Power Street

CITY OF PROVIDENCE, R.I.

Public Works Dept. - Engineering Office

Showing proposed easement for a portion of Brook Street

Drawn by CEI

Checked By _____

Scale 1"=40'

Date 11/18/2021

Correct _____ Associate Engr.

Approved _____ CHIEF ENGINEER

\\wp\shared\Projects\0232979.00 DEP - Brook Street Housing\wp\Drawings\Figures\0232979.00-Brook St Cross Section & Figures.dwg, Nov 11, 2021 - 1:08pm KCARPENTER

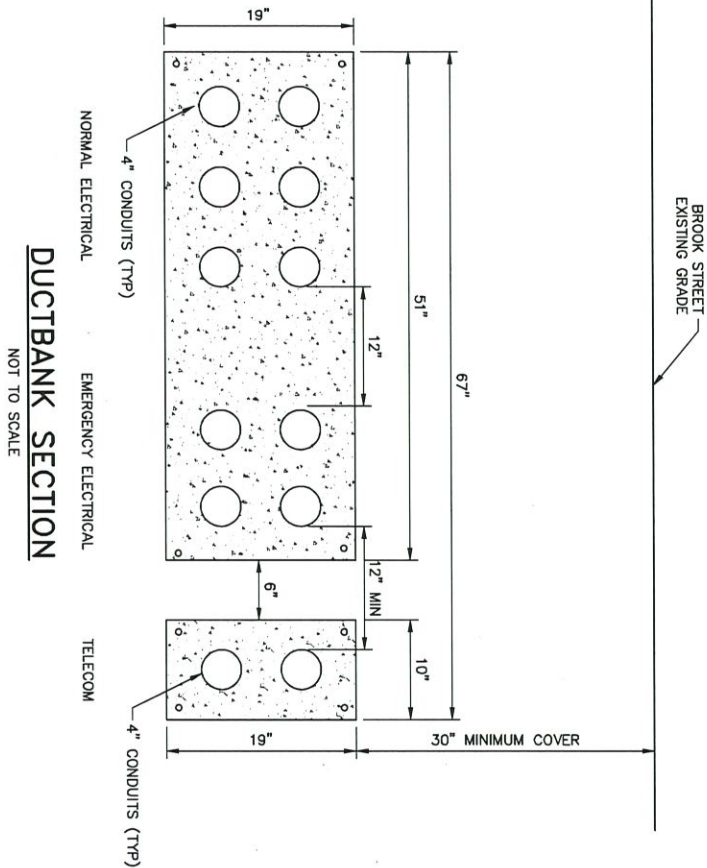


FIGURE 1	JOB NO: 0232979.00 DATE: 11/20/21 SCALE: NOT TO SCALE	BROWN UNIVERSITY DEPARTMENT OF FACILITIES MANAGEMENT PROVIDENCE, RI 02912	DUCTBANK SECTION		 33 Broad Street Floor 7 Providence, Rhode Island 02903 800.985.7857 www.woodardcurran.com COMMITMENT & INTEGRITY DRIVE RESULTS
		BROOK STREET HOUSING	DESIGNED BY: JG	CHECKED BY: JG	
			DRAWN BY: KCC	0232979.00-BROOK ST CRO*.dwg	



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 a permanent easement of portion of Brook St

Sir,

After reviewing the petition for request of a permanent easement of portion of Brook St (underground) by Ursillo, Teitz & Ritch Lytd on behalf of Brown University 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: Brook Street

Dear Councilman Correia:

I am in receipt of your memorandum regarding the petition that was filed by Andrew Teitz, Esquire of Ursillo, Teitz & Ritch, Ltd. who is requesting a permanent easement over a portion of Brook Street.

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

Leo J. Perrotta
Director



Jorge O. Elorza
Mayor

DEPARTMENT OF PUBLIC WORKS

"Building Pride in Providence"

March 3, 2022

Honorable Michael J. Correia
Chairman of the Public Works Committee
Providence City Council-City Hall
Providence, R.I. 02903

RE: Proposed Easement on a Portion of Brook St.

Dear Councilman Correia:

This department has no objection to the proposed easement on a portion of Brook St. in conjunction with the attached plan, entitled "Prov., P.W. Dept.-Engineering Office, Street Line Section, Plan No. 064872. Area of easement is designated as cross-hatched area (A-B-C-D-A) on the accompanying plan.

The easement will be for an underground concrete duct bank to provide electrical and telecommunication services to the new Brook St. Residence Halls.

Total square footage equals 279 square feet.
See accompanying plan for plat and lot numbers.

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

Very truly yours,


Leo J. Perrotta

Director-D.P.W.

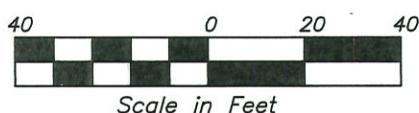
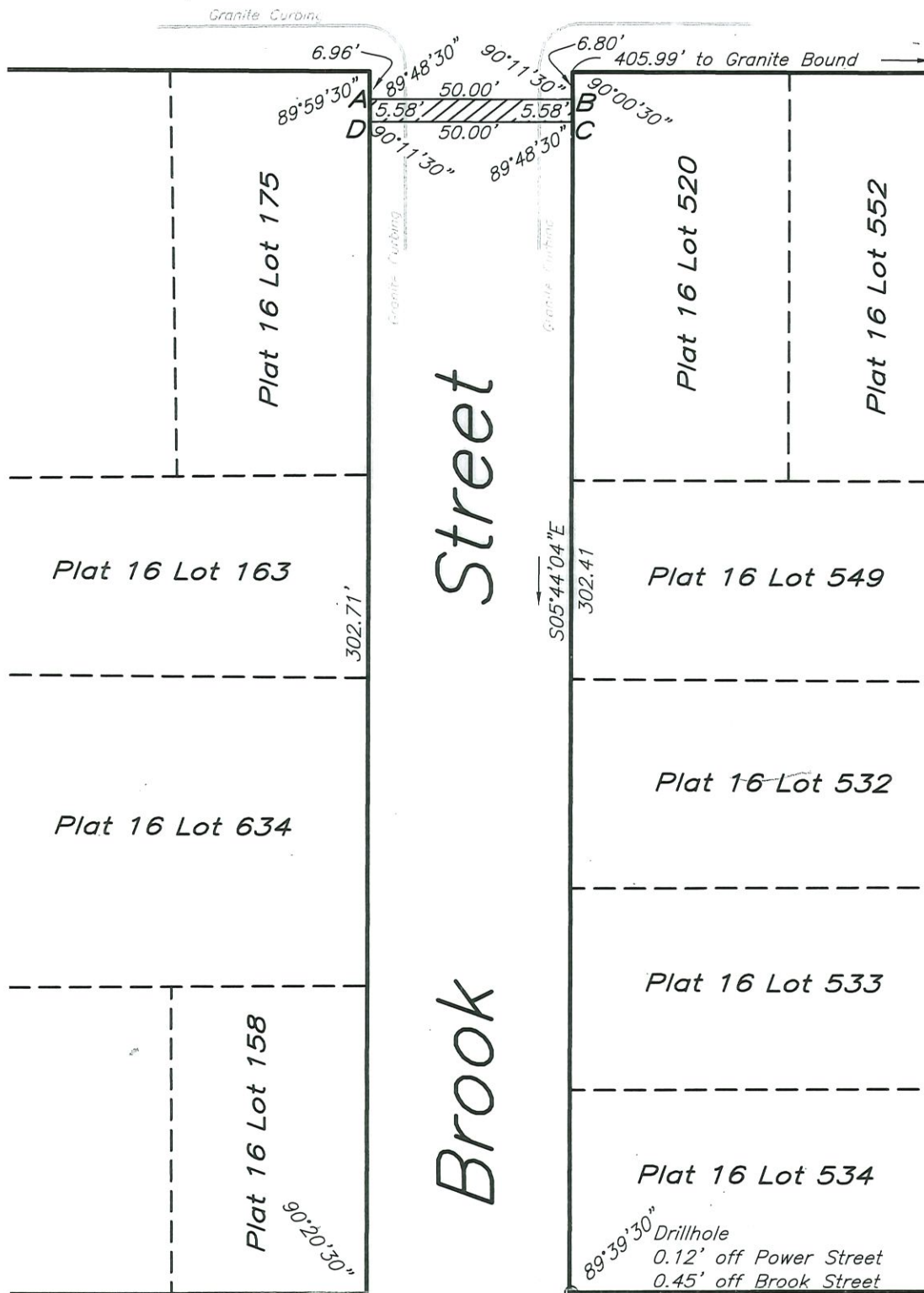
cc: T. Mastroianni-Acting City Clerk
AZ-DPW, B. Nickerson-Planning Dept.
A. Southgate, Esq.-Law Dept.
J. Muscatelli-Tax Assessors

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

Note: (A-B-C-D-A) indicates proposed easement for electric and communications. Total square footage = 279±.

PROVIDENCE, R.I.
P. W. DEPT. - ENGINEERING OFFICE
STREET LINE SECTION
Plan No. 064872
Date February 28, 2022

Charlesfield Street



Power Street

CITY OF PROVIDENCE, R.I.
Public Works Dept. - Engineering Office
Showing proposed easement for a portion of Brook Street
Drawn by CEI Checked By _____
Scale 1"=40' Date 02/28/2022
Correct A. J. J. J. Associate Engr.
Approved C. J. J. J. CHIEF ENGINEER



12 April 2022

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

The Hon. Jorge O. Elorza
Mayor

Ricky Caruolo
General Manager

Subject: Petition for Permanent Easement Below a portion of Brook St., Providence

Dear Ms. Mastroianni:

The referenced Brook Street Easement Petition to the City Council has been reviewed for any impact this action might have on the Providence Water (PW) water distribution system. Our records indicate that we have two active water mains with in this section of Brook St, a 6-inch water main and a 12" water main. There are active services on both mains. Accordingly, this main and services must remain active.

PW has no objection to this utility easement provided that the Petitioners utility easement does not impede PW's ability to maintain, construct, repair, etc. the existing water mains and their appurtenances.

Actual dimensions and wording of the easement shall be subject to review by PW as to form and content. All construction must be coordinated with PW inspections division.

If you have any further questions, please feel free to contact me at (401) 521-6300, extension 7250.

Respectfully,
PROVIDENCE WATER SUPPLY BOARD

BOARD OF DIRECTORS

Xaykham Khamsyvoravong
Chairperson

Joseph D. Cataldi
Vice Chairperson

Michael J. Correia
Council President Pro Tempore

Jo-Ann Ryan
Councilperson

Sara Silveria
Ex-Officio

Cristen L. Raucci, Esq.
Member

Dr. Alma M. Guerrero Bready
Member

Carissa R. Richard
Secretary

William E. O'Gara, Esq.
Legal Advisor

MEMBER

Rhode Island Water Works Assn.
New England Water Works Assn.
American Water Works Assn.
Water Research Foundation

An EPA WaterSense Partner

(401) 521-6300

125 Dupont Drive
Providence, RI 02907

www.provwater.com

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 Like us at:
facebook.com/Providencewater

Andrew Pion
Manager of Constriction Services

cc: P. LePage
File



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](#)

Janesse Muscatelli
Interim Assessor



Jorge O. Elorza
Mayor

PROVIDENCE A CITY THAT WORKS

**Finance Department
Office of Tax Assessment**

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

January 14, 2022

Re: Proposed easement portion of Brook Street

Dear Ms. Petronio;

At your request we have reviewed the information for the proposed underground easement requested by Brown University.

The proposed easement is subterranean and would run under Brook Street between plat 116 lots 175 and 520. There has been no information presented to indicate any surface easements. Therefore, based on the plans and specifications provided the easement will consist of approximately 279 ft.²±. The land in the subject locus is approximately \$45 per square foot, but after applying an appropriate adjustment of 50% for the proposed, our opinion of value would be \$6,277.

We hope this information is useful for your consideration if we may be of any further assistance please do not hesitate to contact us.

Respectfully submitted

A handwritten signature in cursive script that reads "Janesse Muscatelli".

Janesse Muscatelli
Interim Tax Assessor

City of Providence Assessor's Office • City Hall, Room 208
25 Dorrance St • Providence RI 02903 • (401) 680-5229
providenceri.com/assessor



City Plan Commission
Jorge O. Elorza, Mayor

April 11, 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: Underground easement on a portion of Brook Street

Petitioner: Brown University

Dear Councilman Correia:

This letter is in response to a request from the Committee on Public Works for the Department of Planning and Development's (DPD) opinion on the above-referenced matter.

The petitioner has requested that a permanent underground easement be granted on Brook Street, south of Charlesfield Street between AP 16 lots 175 and 520 in an area approximately 50' x 5.58'. Per the applicant, the easement is necessary to provide electrical and telecommunication services to new residence halls. The DPD has reviewed a draft of plans showing the extent of the requested easement area.

The DPD does not review underground easements, and has no objection to the proposed easement as depicted on the plan.

Sincerely,

Choyon Manjrekar
Administrative Officer

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

May 5, 2022

City of Providence
Office of the City Clerk
Tina L. Mastroianni, Acting City Clerk
25 Dorrance St
Providence, RI 02903

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

Re: Petition for a Permanent Underground Easement below a portion of Brook Street in Providence, Rhode Island

Dear City Clerk:

Please be advised that after review of plan "C-400 Utility Plan, Scale: 1"=20'; Project: Brown University Brook Street Residence Halls, 250 259 Brook Street Providence RI 02906; Brown Planning No. 2019-0084, DBP Project No. 4000, Date: 25 February 2022"; it has been determined that The Narragansett Electric Company, d/b/a National Grid (the "Company"), has underground electrical and gas equipment within the portions of Brook Street where the Permanent Underground Easement area is proposed.

The Company has **no objection** to the granting of the Permanent Underground Easement, below Brook Street, provided the following conditions are met, all of which have been communicated to the Petitioner via email, along with a copy of this letter on this date. The conditions are as follows:

1. The Company has an existing duct bank section containing energized primary voltage lines, in addition to a gas main (collectively, "Facilities") in the proposed Easement areas to which access must always be provided for both emergency and planned work, which work may include excavation to repair damaged Facilities as required, for the safe and reliable operation of our Facilities.
2. In regard to the energized electric lines, the separation distances shown on the plan are acceptable, and must be maintained as shown.
3. Construction methods used must prevent damage to our Facilities. Specifically, whenever an excavation is in the vicinity of a cast iron gas main the Petitioner must contact National Grid Damage Prevention (contact information has been provided to the Petitioner) for monitoring personnel to be on site. When excavating parallel to or crossing a 12-inch diameter cast iron gas pipe, National Grid does not allow more than 10 feet of gas main to be exposed and only allows (1) bell & spigot joint to be exposed. If a bell & spigot joint is exposed said joint must be leak clamped by National Grid before backfill unless a clamp is already in place. Petitioner

must provide backfill materials and compact the backfill materials in accordance with National Grid requirements. Minimum 95% compaction of the soil below a cast iron gas main is required.

Please feel free to contact me with any questions or concerns.

Very truly yours,



Joyce-Ann Xifaras

Real Estate Representative, Capital RI
Right of Way and Survey Engineering

nationalgrid | Business Services

1-401-784-7513

Joyce-Ann.Xifaras@nationalgrid.com

280 Melrose Street, Providence, RI 02907

Enclosures: letter

Cc (via email): M.Zhen (National Grid); P. Dietel (Brown U.); L.Gail (National Grid)

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: CITY TO GRANT AN EASEMENT ON A PORTION OF BROOK STREET
BETWEEN CHARLESFIELD STREET AND POWER STREET

Dear Ms. Petronio,

Upon investigation it has been determined that Verizon presently has numerous facilities throughout this part of Brook Street between Charlesfield Street and Power Street, and in the vicinity of where Brown University is requesting an Easement for a conduit bank.

These facilities include a multiple underground conduits, manholes, hand-holes with associated cables and wires that provides service to the surrounding area.

Verizon will not object to the granting of said Easement, provided that in the event the petition is granted, the petitioner will be considerate of all Verizon facilities in the area and will permit retention of its facilities in existing locations with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities.

If it is decided by the petitioner that telephone facilities are to be relocated, the petitioner will assume all costs of the relocation.

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 permanent underground easement on Brook St in the City of Providence.

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