

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

266-A

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petition your honorable body

to amend the Zoning Map which is part of the Zoning Ordinance of the City of Providence by changing those lots which are numbered twenty-one (21) and four hundred sixty-four (464) on Plat 123 of the Tax Assessors of the City of Providence, which said lots are presently zoned R-3 General Residence Zone to a C-4 Heavy Commercial Zone, said lots being located on the westerly side of Douglas Avenue in the said City of Providence.

Angelo D. Lapsato
680 - 684 Douglas Ave.

Anthony A Pate
700 Douglas Ave

Joseph De Rosa
676 Douglas Ave

Edith We Rosa

676 Douglas Ave

666 Antonio Ferraro
Douglas Ave

IN CITY COUNCIL

APR 16 1959

READ: and denied.

Everett Whelan
CLERK

65-02-034
FEB 20 1959

**IN CITY
COUNCIL**

FEB 19 1959

FIRST READING
REFERRED TO COMMITTEE ON
ORDINANCES

Attest: *W. J. Don* Clerk

Mr. Donley request!

FEB 19 3 41 PM '59
CITY CLERK'S OFFICE
PROVIDENCE, R.I.

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:

The undersigned respectfully petition your honorable body

To grant ANGELO LAPATI and EDITH LAPATI their petition to rezone to enable them to operate their business on Douglas Avenue, Providence, Rhode Island.

By our signatures hereto we represent that we have no objection to the amendment of the Ordinance and the Zoning Map in order to effect the rezoning.

NAMES:

ADDRESSES:

<i>Specs Liathouch</i>	<i>15 Messana St.</i>
<i>Mr John De Angelis</i>	<i>101 Veazie St</i>
<i>Mr Anthony Carbone</i>	<i>111 Veazie St.</i>
<i>Mr. Joseph De Rosa</i>	<i>676 Douglas Ave.</i>
<i>Edith De Rosa</i>	<i>676 Douglas Ave</i>
<i>Francesco Lammucci</i>	<i>87 end 73 Veazie St</i>
<i>Nora F. Raccigan</i>	<i>718 Douglas Ave</i>
<i>Anthony A Pate</i>	<i>700 Douglas Ave</i>
<i>Delucita Draughts</i>	<i>93 Veazie St.</i>
<i>Antonio Ferrero</i>	<i>666 Douglas Ave</i>

RECEIVED
FEB 19 1 54 PM '59

CITY CLERK'S OFFICE
PROVIDENCE, R.I.

CITY COUNCIL

DATE Feb. 19, 1959

Angelo D. Lapato et al

RECEIVED OF

TEN AND 00/100

DOLLARS

Fee for Petition to the City Council for a change in the Zoning of

Lot 21 & 464 Plat 123

\$10.00

PAID - City of Providence - James M. Gordon, City Collector

FEB-20-59

The City of Providence — Legislative Department
CITY CLERK'S OFFICE—OFFICIAL MEMORANDUM

Providence, R. I., February 20, 1959

TO: City Plan Commission

SUBJECT: ZONING CHANGE - West side of Douglas Avenue

CONSIDERED BY: Committee on Ordinances

ACTION TAKEN: VOTED: to refer for study, report and recommendation
attached petition.

City Clerk

Douglas Avenue

Plat 123

Lot

21	Angelo D. Lapati & wf. Edith M. 22 Beach Street, No. Prov., R.I.
464	same as above
20	Joseph DeRosa & wf. Edith 676 Douglas Avenue
17	same as above
16	Antonio Femmino & wf. Grazia estate 666 Douglas Avenue,
15	James Landi & wf. Teresa 662 Douglas Avenue
18	Francisco Iannucci 87 Veazie Street
19	same as above
22	same as above
23	Filicita DeAngelis 93 Veazie Street
35	John DeAngelis & wf. Rose M. 101 Veazie Street
24	Anthony Carbone & wf. Carmella 111 Veazie Street
25	Sebastiano Ferrara & wf. Serafina 8212 Duesler Street Downey, California
505	Anthony A. Pate & wf. Rose B. 2 7 Diamond Street

Plat 99

Douglas Avenue

(Columbus + Limestone St.)

Lot

217

Church of Our Lady of Charity of Providence

DET-2434.

UR 1-5111

218

same as above

219

Salvatore DiCecco & wf. Concetta
687 Douglas Avenue

220

same as above

221

James Spino & wf. Antonetta
677 Douglas Avenue,

222

same as above

117

Douglas Oil Company, Inc.
667 Douglas Avenue,



City Plan Commission

EDWARD WINSOR, *Chairman*
JERRY LORENZO RALPH MATERA

WALTER H. REYNOLDS, *Mayor*
LUCIO E. CARLONE, *Secretary*

PAUL A. SAN SOUZI, *Vice Chairman*
RAYMOND J. NOTTAGE HARRY PINKERSON

FRANK H. MALLEY, *Director*
DIETER HAMMERSCHLAG, *Senior Planner*
ANTHONY A. VERRECCHIA, *Senior Planner*

*Suite 103, City Hall,
Providence 3, Rhode Island*

March 25, 1959

Committee on Ordinances
City Hall
Providence, Rhode Island

SUBJECT: Referral No. 1069 - ZONING CHANGE ON THE WEST SIDE OF DOUGLAS AVENUE

Gentlemen:

The subject referral received consideration by the City Plan Commission at a meeting held on Tuesday, March 24, 1959.

This referral is a request to change Lots 21 and 464 on Assessor's Plat 123 from an R-3 Zone to a C-4 commercial use; said lots being located on the westerly side of Douglas Avenue. The area in question contains 15,266 square feet.

On the field trip it was found that the area in question is occupied by a three-family frame dwelling; also a tire sales and service shop.

Every effort has been made to prevent the extension or enlargement of commercial uses into residential areas. The granting of this petition would unreasonably increase the C-4 uses which are intensive in a nearby C-4 area. Continual penetration of commercial uses in this area would increase traffic congestion and further depreciate the residential properties. Therefore,

The Commission

VOTED: To recommend that this petition be denied.

Very truly yours,

FRANK H. MALLEY
DIRECTOR.

CITY PLAN COMMISSION

FHM:MMH

c.c. Councilman Ralph Matera
Councilman John P. Gallogly

MAR 26 1 50 PM '59

CITY CLERK'S OFFICE
PROVIDENCE, R.I.

IN RE PETITION OF ANGELO D. LAPATO ET AL

STATUTORY WRITTEN PROTEST

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE

Now come Salvatore DiCecco and his wife, Concetta DiCecco, and James Spino and his wife, Anna Spino, all residents of, and property owners in, the City of Providence, State of Rhode Island, and file this Written Protest under the provisions of 45-24-5 of the General Laws of Rhode Island of 1956, as amended, against the proposed ordinance now under consideration as a proposed amendment to the Zoning Ordinance of the City of Providence which would reclassify Lots 464 and 21 on the City of Providence Tax Assessor's Plat 123 from their present R-3 General Residence Zone to a C-4 Heavy Commercial Zone and, in support of this Written Protest say:

1: That Salvatore DiCecco and his wife, Concetta DiCecco, are the owners of those two certain parcels of land which are situated on the easterly side of Douglas Avenue directly opposite said Lot 464 on the City of Providence Tax Assessor's Plat 123 and which lots are set out and delineated on the City of Providence Tax Assessor's Plat 99 as Lots 219 and 220. That each of said Lots 219 and 220 has a street frontage of Thirty Nine and One Half (39.5) Feet and that Salvatore and Concetta DiCecco maintain their residence thereon.

2: That James Spino and his wife, Anna Spino, are the owners of those two certain parcels of land which are situated on the easterly side of Douglas Avenue immediately adjacent to the said DiCecco property and directly opposite the said Lot 21 and which Lots are set out and delineated on said Plat 99 as Lots 221 and 222. That each of said Lots 221 and 222 has a street frontage

2: of Thirty Nine and One Half (39.5) Feet and that James and Anna Spino maintain their residence thereon.

3: That by virtue of their respective ownership of said Lots 219,220,221 and 222 Salvatore and Concetta DiCecco and James and Anna Spino are the owners of more than Twenty Per (20%) Cent of the street frontage directly opposite the property proposed to be rezoned under the Petition of Angelo D. LaPato Et Al and therefore under the provisions of 45-24-5 of the General Laws of Rhode Island of 1956,as amended, they are legally entitled to file the instant Written Protest with this Honorable Body.

4: That on September 21,1951,the City of Providence, after careful consideration,enacted Chapter 544 of the Ordinances of the City of Providence as its new comprehensive zoning ordinance.That under the provisions thereof the westerly side of Douglas Avenue from a point at the corner of Veazie Street and Douglas Avenue on the south to a point just south of the southerly boundary line of Vandewater Street on the north and the easterly side of Douglas Avenue from the northerly boundary line of Messina Street on the south to the aforesaid boundary line on the north were classified in an R-3 General Residence Zone.That included within said R-3 Zone are the said Lots 21,464,219,220,221, and 222.That said Zoning Classification thereof has remained constant and unchanged since said September 21,1951.

5: That as of the date of the instant Petition there are a Multiple Dwelling house standing on each of said Lots 21, 219 and 222 and a small business building standing on said Lot 464. That said Lots 220 and 221 are vacant land.That said Lot 464 is now being use for purposes of a non-conforming use.

6: That the attention of this Honorable Body is specifically called to the fact that After Chapter 544 was enacted that the owner of said Lot 464 did on December 8,1953 apply to the Zoning Board of Review for permission to erect an addition to an

6: existing building and said permission was granted on January 25, 1954 and said building was then enlarged; that the owner of said Lot 464 at that time was Maria Cioci; that on June 13, 1956, the Estate of Maria Cioci applied for permission to erect an outdoor advertising sign 10' X 14' in dimensions on said Lot 464 and said application was denied on June 25, 1956; that on August 13, 1956, said Estate made another application to the Zoning Board of Review to erect a new addition to the existing building and also to replace the present sign with one measuring 10' X 11'6" and on November 13, 1956 the Zoning Board granted said application as to said addition to said building and denied the application as to said sign; that said Estate did not erect said new addition; that on July 30, 1957, new owners of said Lot 464 applied for permission to erect an outdoor advertising sign on said Lot 464 measuring 9' X 11'4" in dimensions and the Zoning Board of Review granted said application on September 24, 1957; that thereupon Salvatore DiCecco and his wife, Concetta DiCecco, James Spino and his wife, Anna Spino, and two other property owners petitioned the Supreme Court of this State to review said action of the Zoning Board of Review; that the said Supreme Court issued a Writ of Certiorari and reversed the Decision of said Board; That before said Petition was entered in Court said sign was erected on said Lot 464; and that after said Decision of the Supreme Court said sign was removed.

8: That, according to the Transcripts of the hearings held before the Zoning Board of Review in relationship to said Lot 464 and its beneficial use, the business which is being conducted thereon is not being impeded by the provisions of Chapter 544 of the Ordinances of the City of Providence as is indicated by the very nature of the Petition which is attached to the Petition of Angelo D. LaPato Et Al but on the contrary said business has been prospering, hence said Petition of Angelo D. LaPato Et Al is

8: misleading if not actually fraudulent.

9: That while said Supreme Court case was pending the owners of said Lot 464 sold their property to Angelo D. LaPati and Edith LaPati on November 15, 1957 and also conveyed said Lot 21 to said parties on said date by Deeds which are recorded in the Office of the Recorder of Deeds of the City of Providence in Deed Book 1072 at pages 190 and 192. That said deeds show that said property was purchased with full knowledge of the restrictions imposed thereon by virtue of the provisions of said Chapter 544 and said Deeds also show that the grantee therein have not signed their names to the Petition now under consideration as do the aforesaid records of the said Zoning Board of Review. That for said reason there is a question relating to the standing of the Petitioners to seek the intervention of this Honorable Body in relationship to said Lots 464 and 21 for it is fundamental Zoning Law that one must own or have some equity in the property they seek to have rezoned.

10: That the attention of this Honorable Body is called to the fact that nowhere in said Petition of Angelo D. LaPato Et Al do the Petitioners set forth any facts showing or tending to show that they have a right to file the instant Petition and to the fact that the Petition which accompanied and was attached to said Petition of Angelo D. LaPato does not refer to said Petition but to a Petition of Angelo LaPati and Edith LaPati neither of whom have a Petition pending before this Honorable Body. That attention is also called to the fact that only one filing fee of Ten(\$10.00) Dollars was paid for the aforesaid two Petitions although the provisions of Section 102 of said Chapter 544 definitely and specifically require that a filing fee of Ten (\$10.00) Dollars shall accompany each of said two Petitions. That the attention of this Honorable Body is also called to the Radius

10: Plan and the List of Property Owners which are on file with the Petition of Angelo D. LaPato Et Al in the Office of the Clerk of the City of Providence and which Plan and List clearly show that there is a Lot 15 on the City of Providence Tax Assessor's Plat 123 because the records of the Tax Assessor of the City of Providence clearly show that there is no Lot 15 on said Plat 123 and therefore said error would invalidate any action taken by this Honorable Body on said Petition.

11: That there has been no substantial change of conditions within said R-3 Zone on Douglas Avenue which would justify this Honorable Body in rezoning said Lots 464 and 21 therefrom to a C-4 Zone; that he who buys with knowledge of Zoning Restrictions cannot complain thereof; that Zoning seeks to gradually eliminate nonconforming uses; that for this Honorable Body to rezone said Lots 464 and 21 as prayed for would cause said Lots 219, 220, 221 and 222 to greatly depreciate in value and would be an arbitrary, capricious, discriminatory and unreasonable exercise of the Zoning Power and would constitute 'Spot Zoning' and would be directly contrary to the spirit, letter and purpose of our Enabling Act.

Wherefore, we, the undersigned, respectfully file this Written Protest and respectfully request that the Petition of Angelo D. LaPato Et Al. be denied forthwith.

Respectfully submitted by

Salvatore Di Cecco

Concetta Di Cecco

Anna Spino

James Spino

STATE OF RHODE ISLAND

COUNTY OF PROVIDENCE

In Providence on the 24th day of March, 1959
before me personally appeared Salvatore DiCecco and his wife,
Concetta DiCecco, and James Spino and his wife Anna Spino, to me
known and known by me to be the parties executing the foregoing
instrument, and they acknowledged said instrument, by them
executed, to be their free act and deed.

Richard V. Lefkowitz
Notary Public

RECEIVED
JAN 10 1964
U.S. DEPT. OF JUSTICE

IN RE PETITION OF ANGELO D. LAPATO ET AL.	STATUTORY WRITTEN PROTEST	LAW OFFICE OF FRANCIS D. FOX 157 SMITH STREET PROVIDENCE R. I.
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THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 267

Approved April 17, 1959

Resolved, DECREEED AND ORDERED

That the portion of Diaz Street from Foch Avenue to its northerly termination, shown as shaded area on the accompanying plan entitled, "Providence, R.I., P. W. Dept. - Engineering Office, City Property Section, Plan No. 061844, Date March 12, 1959", has ceased to be useful to the public and the same is abandoned as a public highway and the damage to the abutters is appraised at nothing and so awarded, and it is further

ORDERED, That the Superintendent of Street Signs and Numbers be and he is hereby directed to cause a sign to be placed on the portion of Diaz Street from Foch Avenue to its northerly termination, 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 each 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 portion of Diaz Street from Foch Avenue to its northerly termination, which has been abandoned, who is known to reside within this State.

IN CITY COUNCIL

APR 16 1959

READ and PASSED

Edward P. Hughes
President
Everett H. Shaw
Clerk

APPROVED

APR 17 1959

Walter H. Reynolds
MAYOR

RESOLUTION
OF THE
CITY COUNCIL

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

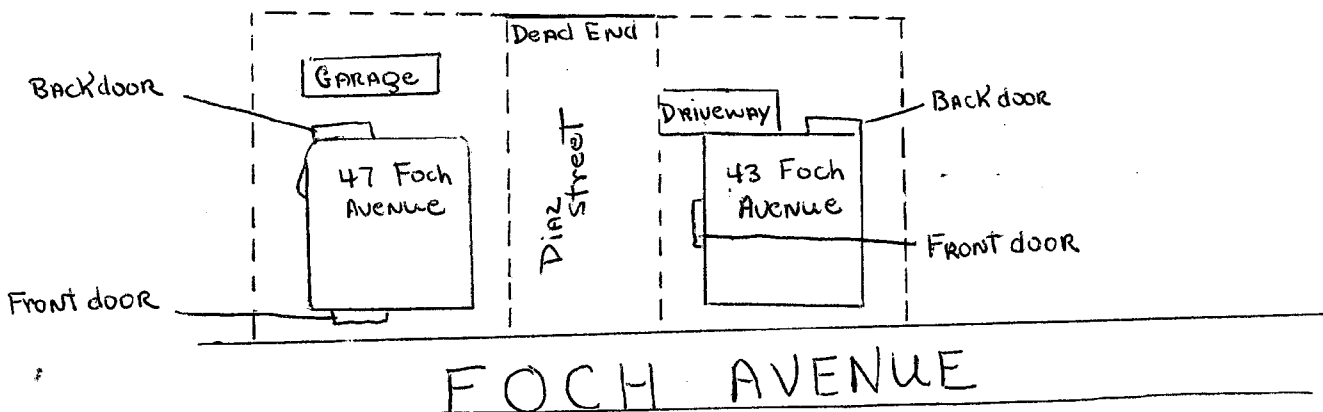
TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petition your honorable body

We, the undersigned, petition that the City of Providence relinquish ownership of a small parcel of land (30 ft. wide and 80 ft. deep) situated between the dwellings at 43 Foch Avenue and 47 Foch Avenue called Diaz Street, a deadend street. This land is used by the undersigneds as an approach to enter our respective driveways. This land is unpaved; therefore, heavy mud accumulates after a rainfall and during the winter months after the snow thaws making it almost impossible to enter our driveways. The front and side doors of the dwelling at 43 Foch Avenue and the back door of the dwelling at 47 Foch Avenue face this muddy tract of land also making it inconvenient, and we might add quite messy, for anyone approaching the houses on foot. The City of Providence does not accept this land as a street and therefore will not plow this land after a snowstorm. We, the undersigned, must shovel this land by hand so that we may get out. Furthermore, the problem is aggravated during the winter when the City plow trucks come up Foch Avenue and push all the snow from Foch Avenue onto this tract of land leaving huge snow banks that we must shovel if we wish to move our automobiles. We, the undersigned, are paying considerable high property taxes for an unjustifiable, unexplainable annoyance that could be overcome if the ownership of the land be turned over to us, the undersigned, for a small consideration so that we could make the necessary improvements on the land. Presently this land does not produce a source of income in the way of property taxes; but if the land was turned over to us, the undersigned, it would produce a source of income for the City of Providence. We, the undersigned, agree that should the City of Providence relinquish ownership of this land the land will be divided equally between us.

Michael Carrera
Michael Carrera
47 Foch Avenue

Ernest J. Masi
Ernest J. Masi
43 Foch Avenue



5211 H. 10. 7

MAR 2 1 41 PM '59

CITY CLERK'S OFFICE
PROVIDENCE, R. I.

2

IN CITY COUNCIL

MAR 5 - 1959

FROM: MEMBERS
REFERRED TO COMMITTEE ON
PUBLIC WORKS
RECORDED & INDEXED

Mr. Bell (by request)

The City of Providence — Legislative Department

CITY CLERK'S OFFICE—OFFICIAL MEMORANDUM

Providence, R. I., March 6, 1959

TO: City Plan Commission

SUBJECT: Diaz Street - City of Providence relinquish ownership

CONSIDERED BY: Committee on Public Works.

ACTION TAKEN: VOTED: To refer attached petition for study, report
and recommendation.

Everett Shelton

City Clerk

The City of Providence — Legislative Department

CITY CLERK'S OFFICE—OFFICIAL MEMORANDUM

Providence, R. I., March 6, 1959

TO: Deputy Director of Public Works

SUBJECT: Diaz Street - City of Providence relinquish ownership.

CONSIDERED BY: Committee on Public Works.

ACTION TAKEN: VOTED: To refer attached petition for study, report
and recommendation.

Everett Whelan

City Clerk

THE CITY OF PROVIDENCE

WATER SUPPLY BOARD

JOHN A. DOHERTY, CHAIRMAN

EARL H. ASHLEY

UGO RICCIO

JOHN J. TIERNEY

MICHAEL N. CARDARELLI, EX-OFFICIO

552 ACADEMY AVENUE
PROVIDENCE 8, R. I.

PHILIP J. HOLTON, JR.

CHIEF ENGINEER

JOHN T. WALSH

LEGAL ADVISOR

March 6, 1959

Councilman Ralph Matera, Chairman
Public Works Committee
City Clerk's Office, City Hall
Providence, Rhode Island

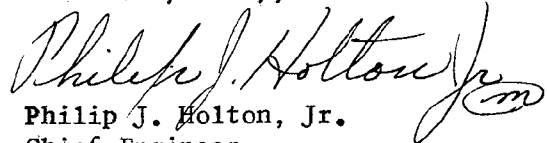
Dear Councilman Matera:

In the docket of the City Council for March 5, 1959, there are the following two petitions to abandon as public highways;

- 1 A portion of Diaz Street from Foch Avenue to its termination
- 2 A triangular portion of Westcott Avenue from a point 123.01 feet north of Manton Avenue, northerly

As there are no water facilities in the above mentioned portions of the streets proposed to be abandoned, there is no objection to the abandonments as far as the Water Supply Board is concerned.

Yours very truly,


Philip J. Holton, Jr.
Chief Engineer

PJH/M

CC: W. P. Ingham, Div. Engr.



CITY OF PROVIDENCE • RHODE ISLAND • Walter H. Reynolds • Mayor

DEPARTMENT OF PUBLIC WORKS

Charles F. McElroy

Director

John E. Meade

Deputy Director

March 10, 1959.

CITY HALL

Re: Proposed abandonment of a
portion of Diaz Street.

Mr. Ralph Matera,
Chairman,
Public Works Committee,
City Hall, Providence, R. I.

Dear Sir:

The portion of Diaz Street proposed for
abandonment extends from Foch Avenue northerly a
distance of eighty feet to a dead end.

We recommend the abandonment of this
portion of Diaz Street.

Very truly yours,

John E. Meade

Dep. Director of Public Works.

JEM:MC.

FILED

MAR 10 11 52 AM '59

CITY CLERK'S OFFICE
PROVIDENCE, R.I.

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: DIAZ STREET, from Foch Avenue to its northerly termination.

Abandonment as a public highway

Plat 77

Lot

779	Ernest J. Masi & wf. Gwendolyn M., Jt. Ten.	43 Foch Avenue,
780	Michael Correra & wf. Josephine A. Jt. Ten.	47 Foch Avenue,
357	Christine Caramente	36 Nellie Street,

Harry Corman
Dep City Sergeant

This is to certify that I have caused a true copy of the attached Resolution to be served upon the above named persons, firms and/or corporations, as the case may be, by handing to each said person, firm and/or corporation, as the case may be, or by leaving at their last and usual place of abode in this state, a true copy of said notice, to wit:

Harry Corman



City Plan Commission

EDWARD WINSOR, *Chairman*
JERRY LORENZO RALPH MATERA

WALTER H. REYNOLDS, *Mayor*
LUCIO E. CARLONE, *Secretary*

PAUL A. SAN SOUZI, *Vice Chairman*
RAYMOND J. NOTTAGE HARRY PINKERSON

FRANK H. MALLEY, *Director*
DIETER HAMMERSCHLAG, *Senior Planner*
ANTHONY A. VERRECCHIA, *Senior Planner*

*Suite 103, City Hall,
Providence 3, Rhode Island*

March 25, 1959

Committee on Public Works
City Hall
Providence, Rhode Island

SUBJECT: Referral No. 1074 - ABANDONMENT OF A PORTION OF DIAZ STREET

Gentlemen:

The subject referral received consideration by the City Plan Commission at a meeting held on Tuesday, March 24, 1959.

This referral is a request to abandon a portion of Diaz Street.

On the field trip it was found that the area in question is unpaved and uncurbed.

Due to the nature of the terrain in the area, it is unlikely that this street will be paved; also, the abandonment of this street does not conflict with any present or contemplated city plans. Therefore,

The Commission

VOTED: To offer no objection to the granting of this petition.

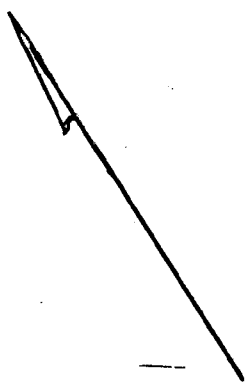
Very truly yours,

FRANK H. MALLEY
DIRECTOR
CITY PLAN COMMISSION

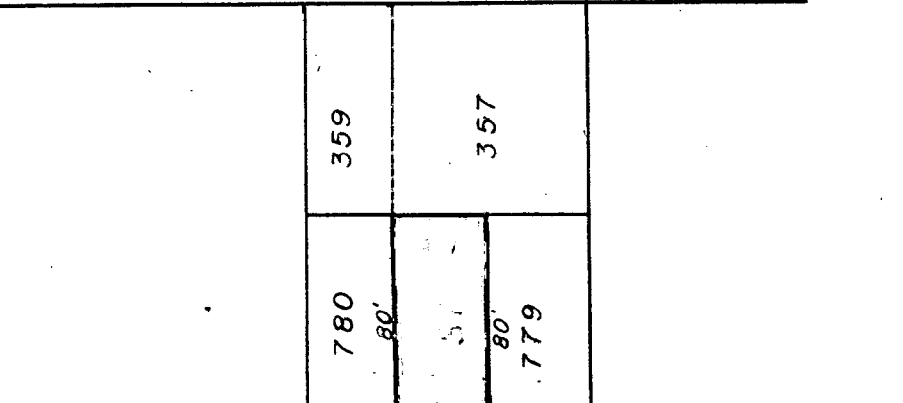
FHM:MMH

c.c. Councilman Angelo Aiello
Councilman Joseph F. Prete

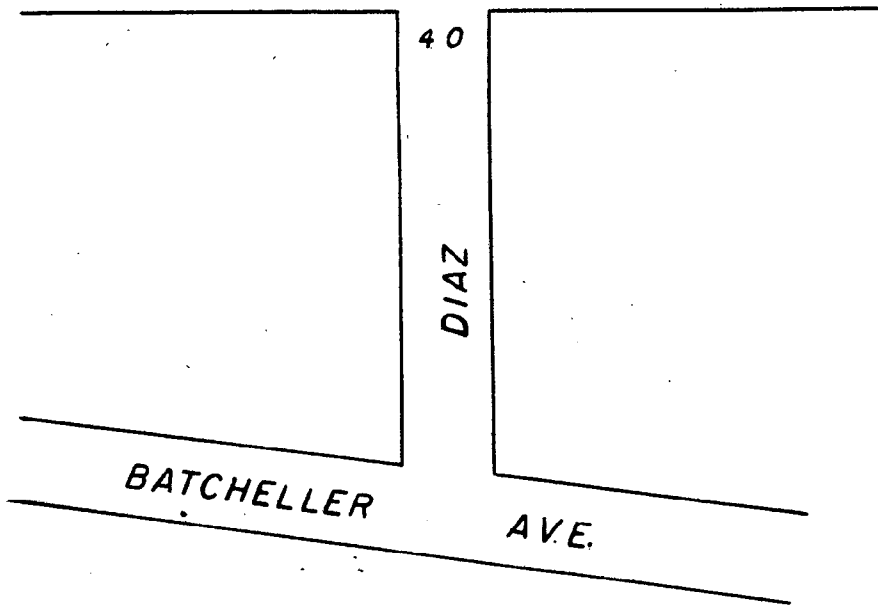
PROVIDENCE, R. I.
 P. U. DEPT. - ENGINEERING OFFICE
 CITY PROPERTY SECTION
 Plan No. 061844
 Date March 12 1959



NELLIE ST.



FOCH AVE



BATCHELLER AVE.

PLT	LOT	OWNER
77	780	Michael Corra & Wf. Josephine A.
77	779	Ernest J. Masi & Wf. Gwendolyn M.
77	359	Christine Caramante, wife Daniel
77	357	" " " "

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing Diaz St.
 Proposed Abandonment
 Drawn by J.O.B.
 Scale 1" = 80'
 Corrected 3-12-59
 Approved [Signature]
 CHIEF ENGINEER

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petition your honorable body

To amend the Zoning Map which is part of the Zoning Ordinance of the City of Providence by changing from an R-3 General Residence Zone to an M-1 General Industrial Zone, Lots 409, 410 and 508 at set out and delineated on City Assessor's Plat 43; said Lots being located on the corner of Huntington Avenue and Calhoun Street.

Husband

Walter Howell Jr

Wife

Annie E. Crowell

Address

51 Humes St Prov RI

Husband

Jerry Noble

Wife

Augusta Noble

Address

10 Salem St Prov,

Husband

Garabed Hagopian

Wife

Garabed Hagopian

Address

36 Calhoun ave.

Witness of Signatures

IN CITY COUNCIL

APR 16 1959

READ: and denied.

Devereaux Clerk

FEB 19 59 036 PM1

000

**IN CITY
COUNCIL**

FEB 19 1959

FROM NEWING
REFERRED TO COMMITTEE ON
ORDINANCES

ALSO REFERRED TO CLERK

from the Clerk's Desk

FEB 19 1 18 PM '59
CITY CLERK'S OFFICE
PROVIDENCE, R.I.

CITY COUNCIL

DATE February 19, 19 59

RECEIVED OF Walter F. Crowell Jr. et al

TEN AND 00/100

DOLLARS

Fee for Petition to the City Council for a change in the Zoning of

Lot 409-410 and 508

Plat

43

(Corner of Huntington Ave
(and Calhoun Street)

\$10.00

PAID City of Providence - James M. Gordon, City Clerk

10.00

CLP-1

012

FEB-19-59

The City of Providence — Legislative Department
CITY CLERK'S OFFICE—OFFICIAL MEMORANDUM

Providence, R. I., February 20, 1959

TO: City Plan Commission

SUBJECT: Zoning Change - Huntington and Calhoun Street

CONSIDERED BY: Committee on Ordinances

ACTION TAKEN: VOTED: To refer for study, report and recommendation
attached petition.

City Clerk



City Plan Commission

EDWARD WINSOR, *Chairman*

JERRY LORENZO

RALPH MATERA

WALTER H. REYNOLDS, *Mayor*

LUCIO E. CARLONE, *Secretary*

PAUL A. SAN SOUZI, *Vice Chairman*

RAYMOND J. NOTTAGE

HARRY PINKERSON

FRANK H. MALLEY, *Director*

DIETER HAMMERSCHLAG, *Senior Planner*

ANTHONY A. VERRECCHIA, *Senior Planner*

*Suite 103, City Hall,
Providence 3, Rhode Island*

March 25, 1959

Committee on Ordinances
City Hall
Providence, Rhode Island

SUBJECT: Referral No. 1068 - ZONING CHANGE AT HUNTINGTON AVENUE AND
CALHOUN STREET

Gentlemen:

The subject referral received consideration by the City Plan Commission at a meeting held on Tuesday, March 24, 1959.

This referral is a request for a change in zoning from an R-3 Zone to an M-1 Zone, Lots 409, 410 and 508 on Assessor's Plat 43; said lots being located at the corner of Huntington Avenue and Calhoun Street. The area in question contains 9,800 square feet.

On the field trip it was found that the area in question contained an advertising billboard; also, the area had irregular wooded terrain.

There is more than ample M-1 Zoning in this area. In an area which has several nonconforming uses, the proposed change would further adversely affect the surrounding properties which, in spite of the nonconforming uses, are predominantly residential. Therefore,

The Commission

VOTED: To recommend that this petition be denied.

Very truly yours,

FRANK H. MALLEY
DIRECTOR
CITY PLAN COMMISSION

FHM:MMH

c.c. Councilman Henry E. Laliberte
Councilman Thomas L. Payne

FILED

MAR 26 1 51 PM '59

CITY CLERK'S OFFICE
PROVIDENCE, R. I.

10/

Huntington Ave., & Calhoun St.

Plat 43

Lot

409	Walter F. Crowell & wf. Annie E. 51 Humes Street,
410	Jerry Noble & wf. Augusta 10 Salem Street,
508	Garabed Hagopian & wf. Mary 36 Calhoun Avenue
509	same as above
534	same as above
535	Herman P. Diggs & wf. Ostena L. 30 Calhoun Avenue
352	Ostena L. Diggs 30 Calhoun Avenue
353	Garabed Hagopian & wf. Mary
354	Thomas E. Baskins & wf. Elvira H. 63 Van Zandt Street
357	same as above
404	Edward J. Short & Margaret R. Short 58 Halton Street,
406	Edward J. Short & Margaret R. Short
234	William R. Walsh 107 Norfolk Street, Cranston,
289	Anna M. Zammarelli 4 Mowry Street,
290	Anna M. Zammarelli

Huntington Avenue & Calhoun

291 Anthony F. Polseno & wf. Marie M.
41 Calhoun Avenue

292 same as above

307 Kunzmann Chain Company
25 Calhoun Avenue

306 Kunzmann Chain Company

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 268

Approved April 17, 1959

Resolved, DECREEED AND ORDERED

That the portions of Carolina Avenue, Georgia Avenue and Toronto Avenue, each from a point 320 feet east of the easterly line of Tennessee Avenue to the westerly line of Fort Avenue, and the portion of Chapman Street from a point 240 feet east of the easterly line of Tennessee Avenue to the westerly line of Fort Avenue, shown as shaded areas on the accompanying plan entitled, "Providence, R.I., P.W. Dept. - Engineering Office, City Property Section, Plan No. 061794, Date January 8, 1959", have ceased to be useful to the public and the same are abandoned as public highways and the damage to the abutters is appraised at nothing and so awarded, and it is further

ORDERED, That the Superintendent of Street Signs and Numbers be and he is hereby directed to cause a sign to be placed on the portions of Carolina Avenue, Georgia Avenue and Toronto Avenue, each from a point 320 feet east of the easterly line of Tennessee Avenue to the westerly line of Fort Avenue, and the portion of Chapman Street from a point 240 feet east of the easterly line of Tennessee Avenue to the westerly line of Fort Avenue, 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 each 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 portions of Carolina Avenue, Georgia Avenue and Toronto Avenue, each from a point 320 feet east of the easterly line of Tennessee Avenue to the westerly line of Fort Avenue, and the portion of Chapman Street from a point 240 feet east of the easterly line of Tennessee Avenue to the westerly line of Fort Avenue, which have been abandoned, who is known to reside within this State.

IN CITY COUNCIL

APR 16 1959

READ and PASSED

Richard P. Dwyer
James E. Whitman
President
Clerk

APPROVED

APR 17 1959

Walter H. Reynolds
MAYOR

RESOLUTION
OF THE
CITY COUNCIL

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:

The undersigned respectfully petition your honorable body

to abandon as public highways portions of Carolina Avenue, Georgia Avenue and Toronto Avenue, each from a point 320 feet east of the easterly line of Tennessee Avenue to the westerly line of Fort Avenue and the portion of Chapman Street from a point 240 feet east of the easterly line of Tennessee Avenue to the westerly line of Fort Avenue.

BERRY-HILL CORPORATION

By: John A. Cunningham h

1/8/1959.

IN CITY
COUNCIL

JAN 15 1959

FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

.....
Theresa Wilson CLERK

Mr. Mc Baker
(by request)

JAN 9 1 05 PM '59
CITY CLERK'S OFFICE
PROVIDENCE, R. I.

711 50

COONEY, JAFFE AND COONEY

ATTORNEYS AT LAW

2011-2015 INDUSTRIAL BANK BUILDING

PROVIDENCE 3, RHODE ISLAND

GASPEE 1-4855

JOHN P. COONEY, JR.
THEODORE JAFFE
LEO M. COONEY
MARGARET M. COONEY

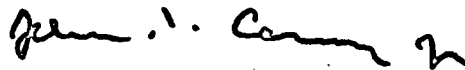
January 8, 1959

Mr. Vincent Vespia
City Hall
Providence, R. I.

Dear Vinnie:

Enclosed you will find the
Petition which you left at my office, which
I have signed.

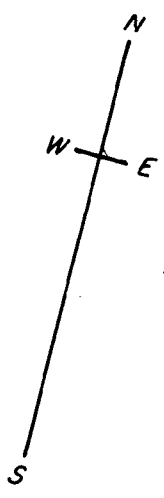
Very truly yours,



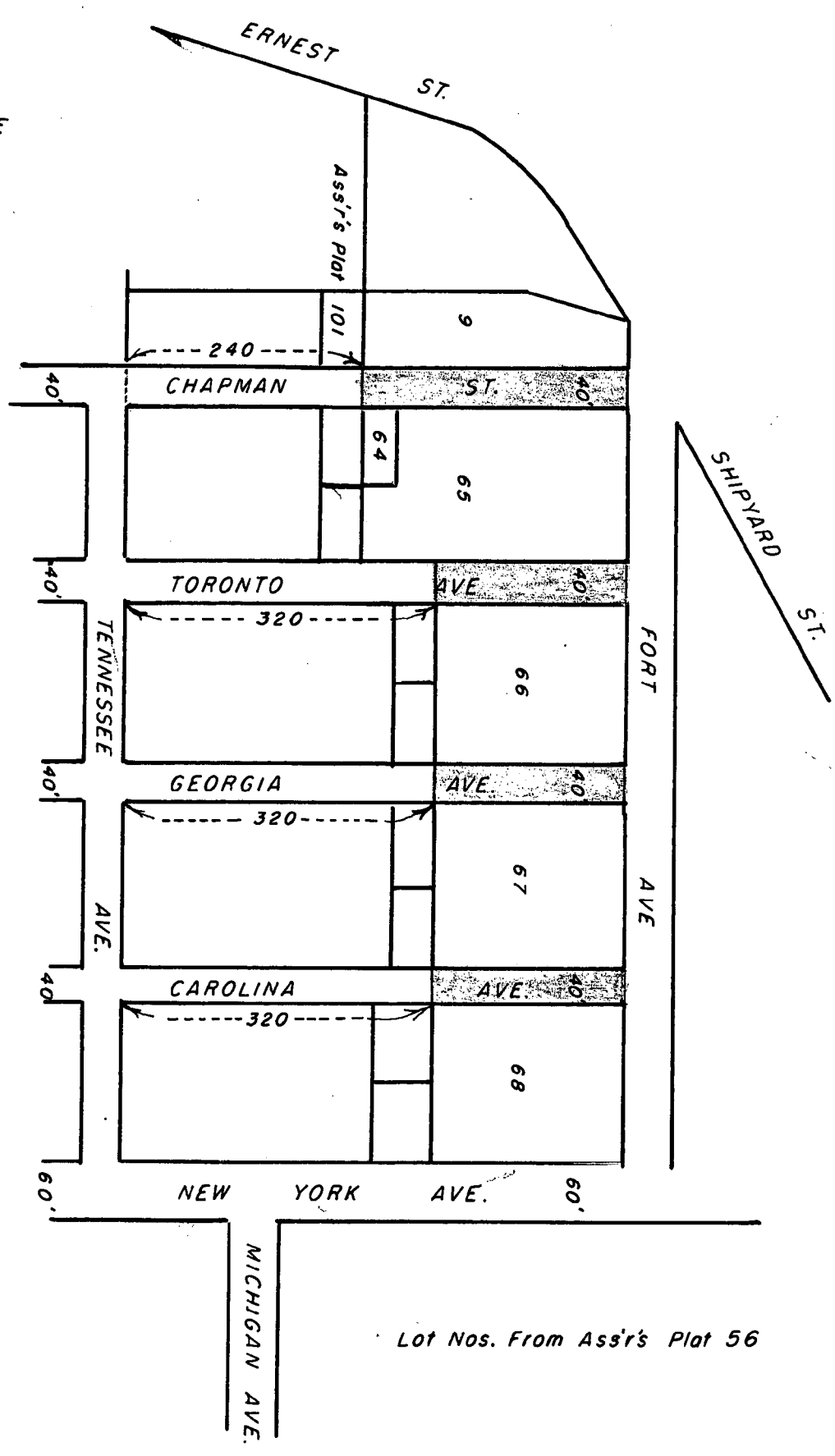
John P. Cooney, Jr.

JPC/W
Enc.

Lot 64 on Assessor's Plat 56 on Chapman Street, a lot directly affected by the proposed abandonment of Chapman Street, is carried as a tax delinquent lot listed in the name of the City of Providence and H. O. Walster. It has an area of 3200 square feet and a tax valuation of \$260.00. The back taxes amount to approximately \$20.00.



Lots 9, 65, 66, 67, & 68 Berry - Hill Corp
Lot 64 City of Prov (Tax Lot)



Lot Nos. From Ass's Plat 56

The City of Providence — Legislative Department

CITY CLERK'S OFFICE—OFFICIAL MEMORANDUM

TO: City Plan Commission
Providence, R. I., January 16, 1959

SUBJECT: Abandonments - portions of Carolina Avenue, Georgia Avenue, Toronto Avenue and Chapman Street.
CONSIDERED BY: Committee on Public Works

ACTION TAKEN: VOTED: To refer attached petition for study, report and recommendation.

D. Everett Whelan

City Clerk

The City of Providence — Legislative Department

CITY CLERK'S OFFICE—OFFICIAL MEMORANDUM

Providence, R. I., ~~January 16,~~ 1959

TO: Deputy Director of Public Works

SUBJECT: Avandorments - portions of Carolina Avenue, Georgia Avenue, Toronto Avenue and Chapman Street.

CONSIDERED BY: Committee on Public Works.

ACTION TAKEN: VOTED: To refer attached petition for study, report and recommendation.

Devereux Whelan

City Clerk

THE CITY OF PROVIDENCE

WATER SUPPLY BOARD

JOHN A. D'HERTY, CHAIRMAN

EARL H. ASHLEY

UGO RICCIO

JOHN J. TIERNEY

MICHAEL N. CARDARELLI, EX-OFFICIO

552 ACADEMY AVENUE

PROVIDENCE 8, R. I.

PHILIP J. HOLTON, JR.

CHIEF ENGINEER

JOHN T. WALSH

LEGAL ADVISOR

January 19, 1959

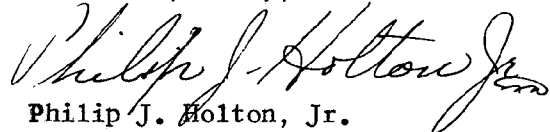
Councilman Ralph Matera, Chairman
Public Works Committee
City Clerk's Office, City Hall
Providence, Rhode Island

Dear Councilman Matera:

In the docket of the City Council for January 15, 1959, there is a petition to abandon as public highways portions of Carolina Ave., Georgia Ave. and Toronto Ave., each from a point 320 feet east of the easterly line of Tennessee Ave. to the westerly line of Fort Ave., and the portion of Chapman St. from a point 240 feet east of the easterly line of Tennessee Ave. to the westerly line of Fort Ave.

As we have no facilities in the portions of the above streets proposed to be abandoned, there is no objection to the abandonments as far as the Water Supply Board is concerned.

Yours very truly,



Philip J. Holton, Jr.
Chief Engineer

PJH/M

CC: W. P. Ingham, Div. Engr.

FILED

JAN 19 4 41 PM '59

CITY CLERK'S OFFICE
PROVIDENCE, R.I.



City Plan Commission

EDWARD WINSOR, *Chairman*
JERRY LORENZO RALPH MATERA

WALTER H. REYNOLDS, *Mayor*
LUCIO E. CARLONE, *Secretary*

PAUL A. SAN SOUZI, *Vice Chairman*
RAYMOND J. NOTTAGE HARRY PINKERSON

FRANK H. MALLEY, *Director*
DIETER HAMMERSCHLAG, *Senior Planner*
ANTHONY A. VERRECCHIA, *Senior Planner*

*Suite 103, City Hall,
Providence 3, Rhode Island*

February 12, 1959

Committee on Public Works
City Hall
Providence, Rhode Island

SUBJECT: Referral No. 1059 - ABANDONMENT OF PORTIONS OF CAROLINA
AVENUE, GEORGIA AVENUE, TORONTO AVENUE
AND CHAPMAN STREET

Gentlemen:

The subject referral received consideration by the City Plan Commission at a meeting held on Tuesday, February 10, 1959.

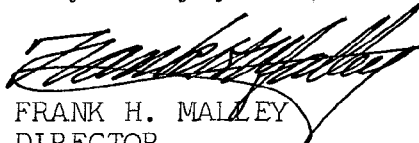
This referral is a request to abandon portions of Carolina Avenue, Georgia Avenue, Toronto Avenue and Chapman Street.

On the field trip it was found that the streets in question are dead ends due to the topographical conditions.

The Commission

VOTED: To offer no objection to the granting of this petition as the abandonment does not conflict with any present or contemplated city plans.

Very truly yours,


FRANK H. MALLEY
DIRECTOR
CITY PLAN COMMISSION

FHM:MMH

c.c. Councilman Robert J. McOsker
Councilman Peter K. Rosedale

1 5 13 1959

FEB 13 12 14 PM '59

CITY CLERK'S OFFICE
PROVIDENCE R I



CITY OF PROVIDENCE • RHODE ISLAND • Walter H. Reynolds • Mayor

DEPARTMENT OF PUBLIC WORKS

Charles F. McElroy

Director

John E. Meade

Deputy Director

March 10, 1959.

CITY HALL

Re: Proposed abandonment of portions of
Chapman Street and Carolina, Georgia
and Toronto Avenues.

Mr. Ralph Matera,
Chairman,
Public Works Committee,
City Hall, Providence, R. I.

Dear Sir:

The easterly ends of the portions of streets
proposed for abandonment are approximately forty feet
lower than the westerly ends and it would be impractical
to construct highways in these portions of streets
between Tennessee Avenue and Fort Avenue.

We have no objection to the abandonments.

Very truly yours,

John E. Meade

Dep. Director of Public Works.

JEM:MC.

FBI

MAR 10 11 52 AM '59

CITIZEN'S OFFICE
PROVIDENCE, R.I.

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: PORTIONS OF CAROLINA AVENUE, GEORGIA AVENUE AND TORONTO AVENUE, from a point 320 feet east of the easterly line of Tennessee Avenue to the westerly line of Fort Avenue and,

PORTIONS OF CHAPMAN STREET, from a point 240 feet east of the easterly line of Tennessee Avenue to the westerly line of Fort Avenue.

Abandonment as public highways

Plat 56

Lot

9	Berry-Hill Corporation	1 Washington Avenue,
65	" "	" "
66	" "	" "
67	" "	" "
68	" "	" "
69	City of Providence	" "

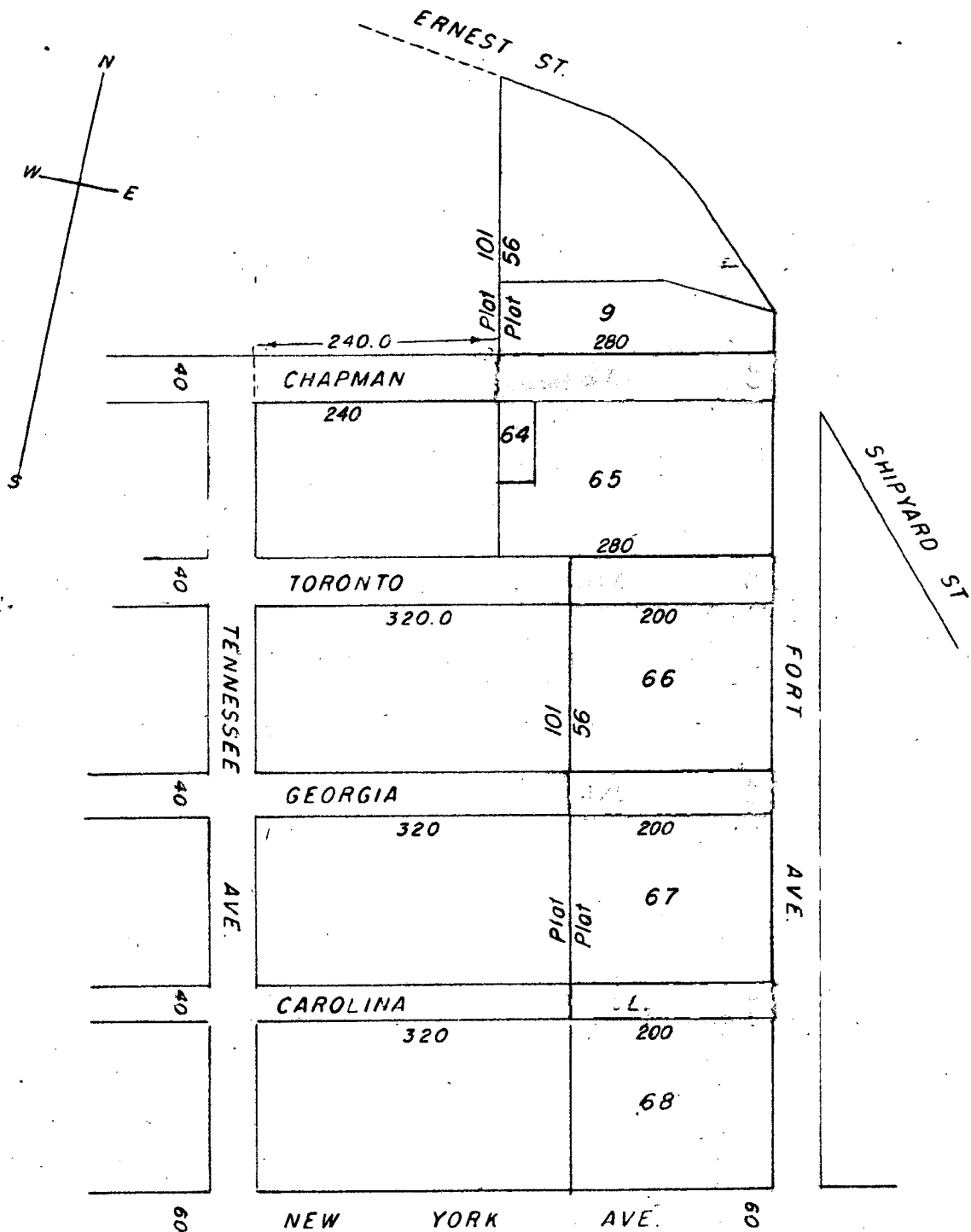
Harry Coleman
Dep City Sergeant

This is to certify that I have caused a true copy of the attached Resolution to be served upon the above named persons, firms and/or corporations, as the case may be, by handing to each said person, firm and/or corporation, as the case may be, or by leaving at their last and usual place of abode in this state, a true copy of said notice, to wit:

Harry Coleman

061794

January 8, 1959



Note:-

Lot Nos. From Assr's Plot 56
Lots 9, 65, 66, 67 & 68
(Berry-Hill Corp)
Lot 64 City of Prov. (Tax Lot)

E. R. I.
ing Office
Proposed abandonment of port
of Chapman St. & Toronto, Georgia, Carolina Av.
Toppi by E.A.K.
1" = 160' 1-9-59
L.P. Reid
Albert Small
CHIEF ENGINEER