

RESOLUTION OF THE CITY COUNCIL

No. 504

Approved October 23, 1990

RESOLVED, DECREED AND ORDERED

That the following named streets shown as shaded areas on the accompanying plans:

VIZ:

SOMERSET STREET (Portion of) shown as shaded area on the accompanying plan entitled: "Providence, Rhode Island, Department of Public Works - Engineering Office, Street Line Section Plan No. 064482 dated January 10, 1990,"

MYRTLE STREET, (Portion of) shown as shaded area on the accompany plan entitled: "Providence, Rhode Island, Department of Public Works - Engineering Office, Street Line Section Plan No. 064483 dated January 10, 1990", having ceased to be useful to the public and the same is proposed to be abandoned as a Public Highway, provided that an easement be granted to New England Telephone and Telegraph Company which will permit retention of their facilities in existing locations, together with the right to inspect, maintain, operate and replace the same and with twenty-four-hour access to facilities, if it is decided by the petitioner that telephone facilities are to be relocated, the petitioner will assume all costs of the re-location and an easement be granted to the Providence Gas Company for its mains and the damage to the abutters is appraised at nothing and so awarded, and it is further

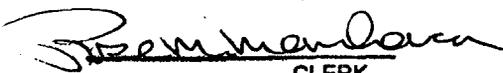
ORDERED, That the Traffic Engineer be, and he is hereby directed to cause a sign to be placed on the above-named highways abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

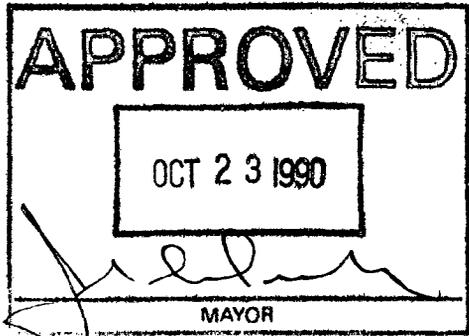
ORDERED, That after the entry of this order of decree, the City Clerk shall cause a notice, thereof, to be published in a newspaper published in the County of Providence at least once a week for three successive weeks, and a further and personal notice shall be served by the City Sergeant upon every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

IN CITY COUNCIL
OCT 18 1990

READ AND PASSED


PRES.


CLERK



THE COMMITTEE ON

PUBLIC WORKS

Approves Passage of
The Within Resolution

Edwin M. ...
Clerk ~~Chairman~~

October 3, 1990

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

D.P.W. - OK.
W.S.B. - OK.
C.G.S. - OK
T.E. - OK.
C.P. - OK
P.D. - OK.
TEL. - EASEMENT
GAS. - EASEMENT

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

1. Petitioner, INTER-TRIBAL INDIAN VILLAGE HOUSING DEVELOPMENT ASSOCIATES, L.P., a Rhode Island limited partnership, with offices at 861A Broad Street, Providence, Rhode Island 02907, is the owner in fee of twelve (12) parcels of land currently designated by the Tax Assessor of the City of Providence as Lots 82-84, 86-88, 126-129, and 775-776 on Plat 23. Attached hereto as Exhibit "A" is a legal description of the said real estate. The said real estate borders easterly on Somerset Street, northerly on Pine Street, southerly on Friendship Street, and westerly on Myrtle Street.

2. Petitioner is constructing a 36 unit town house-style low-income family residential development on the said real estate, with financing commitments from the City of Providence, State of Rhode Island, the United States Department of Housing and Urban Development, Rhode Island Housing and Mortgage Finance Corporation, the Rhode Island Foundation, and the Administration for Native Americans.

3. In order to provide parking to the residents of the said residential development, it is necessary for (a) that portion of Somerset Street identified on Exhibit "B", attached hereto, as Parcel "B", consisting of 1,322 square feet, and (b) that portion of Myrtle Street, identified on Exhibit "C", attached hereto, as Parcel "C", consisting of 627 square feet, to be abandoned by the City in order that they be used for the benefit of the residents of the development.

4. The abandonment of the aforesaid portions of Somerset Street and Myrtle Street will benefit the project being developed by Petitioner which will be in the public interest and will be of benefit to the City of Providence.

5. In view of the proposed use of those portions of the streets to be abandoned, said portions have ceased to be useful to the public as public highways.

WHEREFORE, in accordance with the provisions of R.I.G.L. §24-6-1, et. seq., Petitioner respectfully petitions this Honorable City Council to abandon (a) that portion of Somerset Street identified on Exhibit "B", attached hereto, as Parcel "B" and (b) that portion of Myrtle Street identified on Exhibit "C", attached hereto, as Parcel "C", thereby causing title to the land upon which such highway exists to revert to Petitioner and the City shall be no longer liable to repair the same.

Respectfully submitted,

INTER-TRIBAL INDIAN VILLAGE
DEVELOPMENT ASSOCIATES, L.P.
By its attorneys,

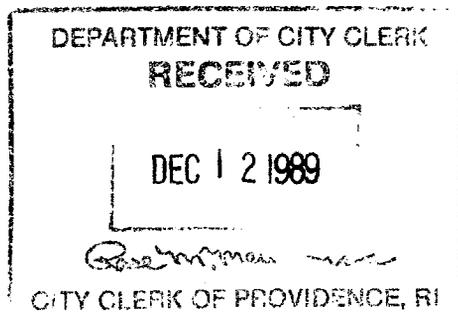
LICHT & SEMONOFF

By:


Carl I. Freedman, Esq.
One Park Row
Providence, RI 02903
(401) 421-8030

Dated:

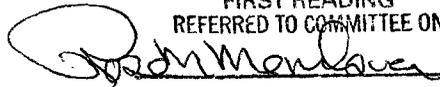
0787Z



*Pd by Clerk # 9786 amt \$75.00
Licht + Semonoff
1 Park Row Prov RI 02903*

IN CITY COUNCIL
DEC 21 1989
FIRST READING
REFERRED TO COMMITTEE ON

PUBLIC WORKS

 CLERK

THE COMMITTEE ON
PUBLIC WORKS

Recommends *be continued*
Michael R. Clement
April 25, 1990 Clerk
June 6, 1990

From the Clerk's Desk

DEC 12 10 45 AM '89
DEFINITION CLERK
PROVIDENCE, R.I.

F 11 12 13

Exhibit "A"

PARCEL ONE

That certain tract or parcel of land with all the buildings and improvements thereon, situated in the City and County of Providence, State of Rhode Island, bounded and described as follows:

Beginning at a point at the northwest corner of the parcel herein described at the southeast intersection of Myrtle Street and Pine Street, thence running in a general easterly direction a distance of fifty and 15/100 (50.15) feet to a point; thence turning an interior angle of 89°58'00" and running in a general southerly direction a distance of seventy and 21/100 (70.21) feet to a point; thence turning an interior angle of 270°02'00" and running in a general easterly direction a distance of fifty and 15/100 (50.15) feet to a point; thence turning an interior angle of 89°58'00" and running in a general southerly direction a distance of twenty-five and 75/1000 (25.075) feet to a point; thence turning an interior angle of 90°02'00" and running in a general westerly direction a distance of one hundred and 30/100 (100.30) feet to a point in the easterly line of Myrtle Street; thence turning an interior angle of 89°58'00" and running in a general northerly direction a distance of ninety-five and 285/1000 (95.285) feet along the easterly line of Myrtle Street to the point or place of beginning.

PARCEL TWO

That certain tract or parcel of land with all the buildings and improvements thereon, situated in the City and County of Providence, State of Rhode Island, bounded and described as follows:

Beginning at a point in the northerly line of Friendship Street at the southwest corner of the parcel herein described, said point is one hundred twenty-two and 36/100 (122.36) feet easterly from the northeast intersection of Myrtle Street and Friendship Street, thence running in a general northerly direction a distance of ninety-five and 285/1000 (95.285) feet to a point; thence turning an interior angle of 90°02'00" and running in a general easterly direction a distance of ninety-eight and 29/100 (98.29) feet to a point in the centerline of the former Linden Street abandoned by Resolution of the Providence City Council No. 283 approved April 21, 1987; thence turning an interior angle of 89°58'00" and running in a general southerly direction a distance of ninety-five and 285/1000 (95.285) feet along the centerline of said Linden Street to a point in the northerly line of Friendship Street; thence turning an interior angle of 90°02'00" and running in a general westerly direction a distance of ninety-eight and 29/100 (98.29) feet along the northerly line of Friendship Street to the point or place of beginning.

PARCEL THREE

That certain tract or parcel of land with all the buildings and improvements thereon, situated in the City and County of Providence, State of Rhode Island, bounded and described as follows:

Beginning at a point in the southerly line of Pine Street at the northwest corner of the parcel herein described, said point is fifty and 15/100 (50.15) feet easterly from the southeast intersection of Myrtle Street and Pine Street; thence running in a general easterly direction along the southerly line of Pine Street a distance of one hundred fifty and 45/100 (150.45) feet to a point at the southwesterly intersection of Pine Street and Linden Street; thence turning an interior angle of 89°58'00" and running in a general southerly direction along the westerly line of said Linden Street a distance of ninety-five and 285/1000 (95.285) feet to a point; thence turning an interior angle of 90°02'00" and running in a general westerly direction a distance of one hundred and 30/100 (100.30) feet to a point; thence turning an interior angle of 89°58'00" and running in a general northerly direction a distance of twenty-five and 75/1000 (25.075) feet to a point; thence turning an interior angle of 270°02'00" and running in a general westerly direction a distance of fifty and 15/100 (50.15) feet to a point; thence turning an interior angle of 89°58'00" and running in a general northerly direction a distance of seventy and 21/100 (70.21) feet to the point or place of beginning.

PARCEL FOUR

That certain tract or parcel of land with all the buildings and improvements thereon, situated in the City and County of Providence, State of Rhode Island, bounded and described as follows:

Beginning at a point in the southerly line of Pine Street, which said point of beginning is the northwesterly corner of the parcel herein described and is fifty (50) feet easterly from the southeasterly corner of Pine Street and the former Linden Street (now abandoned) as measured along the southerly line of Pine Street; thence running in a general easterly direction along the southerly line of Pine Street a distance of one hundred fifty and 45/100 (150.45) feet to the southwesterly intersection of Pine Street and Somerset Street; thence turning an interior angle of 89°58'00" and running in a general southerly direction along the westerly line of Somerset Street a distance of one hundred ninety and 57/100 (190.57) feet to the northwest intersection of Friendship Street and Somerset Street; thence turning an interior angle of 90°02'00" and running in a general westerly direction along the northerly line of Friendship Street a distance of two hundred and 60/100 (200.60) feet to the northeast intersection of Friendship Street and Linden Street (now abandoned); thence turning an interior angle of 89°58'00" and running in a general northerly direction along the easterly line of Linden Street (now abandoned) a distance of ninety-five and 285/1000 (95.285) feet to a point; thence turning an interior angle of 90°02'00" and running in a general easterly direction a distance of fifty and 15/100 (50.15) feet to a point; thence turning an interior angle of 269°58'00" and running in a general northerly direction a distance of ninety-five and 285/1000 (95.285) feet to the point or place of beginning.

PARCEL FIVE

That certain tract or parcel of land with all the buildings and improvements thereon, situated in the City and County of Providence, State of Rhode Island, bounded and described as follows:

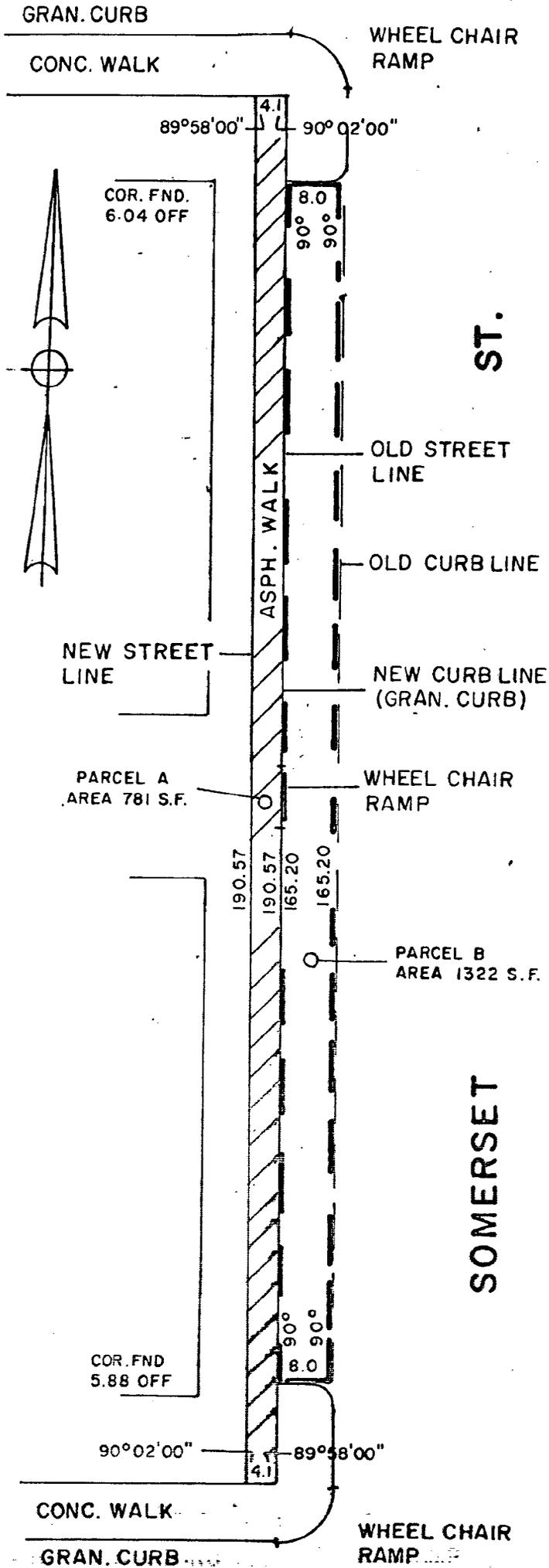
Beginning at a point at the intersection of the southerly line of Pine Street, the westerly side of Linden Street, which said Linden Street was abandoned by Resolution of the Providence City Council No. 283 approved April 21, 1987, said point being the northwest corner of the parcel herein described, thence running in a general easterly direction along the southerly line of Pine Street a distance of twenty and 6/100 (20.06) feet to a point; thence turning an interior angle of 89°58'00" and running in a general southerly direction a distance of ninety-five and 285/1000 (95.285) feet to a point; thence turning an interior angle of 90°02'00" and running in a general westerly direction a distance of twenty and 6/100 (20.06) feet to a point; thence turning an interior angle of 89°58'00" and running in a general northerly direction a distance of ninety-five and 285/1000 (95.285) feet to the point and place of beginning.

PARCEL SIX

That certain tract or parcel of land with all the buildings and improvements thereon, situated in the City and County of Providence, State of Rhode Island, bounded and described as follows:

Beginning at a point at the intersection of the northerly line of Friendship Street and the easterly line of Linden Street, which said Linden Street was abandoned by Resolution of the Providence City Council No. 283 approved April 21, 1987, said point being the southeast corner of the parcel herein described, thence running in a general westerly direction along the northerly line of said Friendship Street a distance of twenty and 6/100 (20.06) feet to a point; thence turning an interior angle of 89°58'00" and running in a general northerly direction a distance of ninety-five and 285/1000 (95.285) feet to a point; thence turning an interior angle of 90°02'00" and running in a general easterly direction a distance of twenty and 6/100 (20.06) feet to a point; thence turning an interior angle of 89°58'00" and running in a general southerly direction a distance of ninety-five and 285/100 (95.285) feet to the point and place of beginning.

PINE ST.



ST.

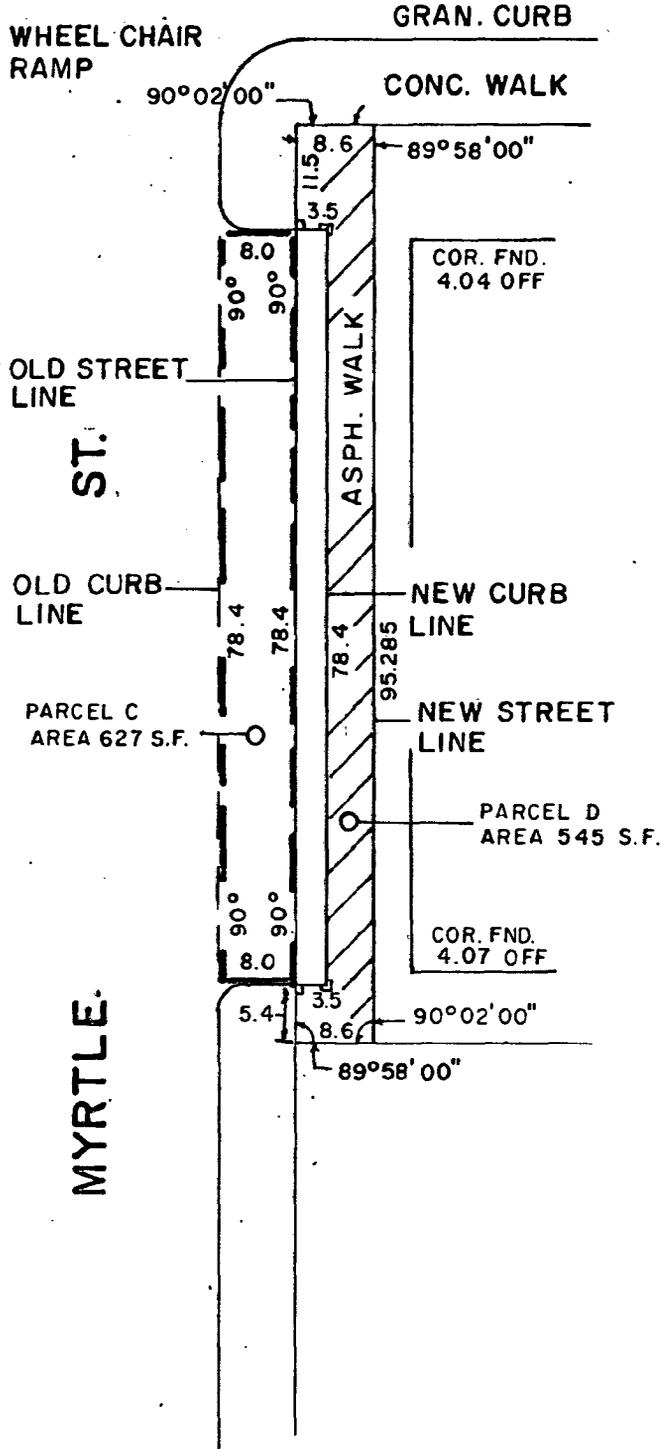
SOMERSET

FRIENDSHIP ST.

1" = 20'



PINE ST.



 INDICATES 90°
 INDICATES 270°

1" = 20'

Parcel B

That certain tract or parcel of land with all buildings and improvements thereon, situated on the westerly side of Somerset Street in the City of Providence, County of Providence, State of Rhode Island being bounded and described as follows;

Beginning at a point in the westerly line of Somerset Street; said point being the northeasterly corner of the herein described parcel;

Thence running southerly a distance of 165.20 feet to a corner;

Thence turning an interior angle of 90 00'00" and running westerly a distance of 8.0 feet to a corner;

Thence turning an interior angle of 90 00'00" and running northerly a distance of 165.20 feet to a corner;

Thence turning an interior angle of 90 00'00" and running easterly a distance of 8.0 feet to the point of beginning where it forms an interior angle of 90 00'00" with the first above described course.

The herein described parcel contains 1322 square feet of land.

Parcel C

That certain tract or parcel of land with all buildings and improvements thereon, situated on the easterly side of Myrtle Street in the City of Providence, County of Providence, State of Rhode Island being bounded and described as follows;

Beginning at a point in the easterly line of Myrtle Street; said point being the northwesterly corner of the herein described parcel;

Thence running easterly a distance of 8.0 feet to a corner;

Thence turning an interior angle of 90 00'00" and running southerly a distance of 78.4 feet to a corner;

Thence turning an interior angle of 90 00'00" and running westerly a distance of 8.0 feet to a corner;

Thence turning an interior angle of 90 00'00" and running northerly a distance of 78.4 feet to the point of beginning where it forms an interior angle of 90 00'00" with the first above described course.

The herein described parcel contains 627 square feet of land.

L I C H T & S E M O N O F F

A T T O R N E Y S A T L A W

One Park Row
Providence, Rhode Island 02903
(401) 421-8030
Cable: LEVGO PVD Telex: 927614
Telecopier: (401) 272-9408

December 11, 1989

Ms. Rose Mendonca
City Clerk
Providence City Hall
Providence, RI 02903

Dear Rose:

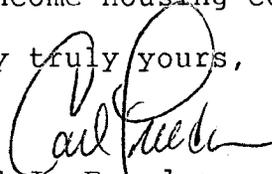
To follow our discussions, I have enclosed and am filing herewith two (2) petitions for consideration and resolution by the City Council in connection with the development of the 36 unit low-income housing community nearing completion in the area bounded by Pine, Friendship, Myrtle, and Somerset Streets. The first is an abandonment petition (filed in duplicate), together with a check drawn to the City Clerk for \$75.00 requesting that the City abandon two (2) small portions of Myrtle Street and Somerset Street. The second petition (filed with ten copies at your request) requests that the City (a) accept certain property serving the development for highway and sidewalk purposes and (b) assign the names Cornplanter Row and Netop Row to the accepted streets.

My understanding is that these petitions will be on the docket for the Council's next meeting and will be assigned at that time to the Public Works Committee (for the abandonment and acceptance aspects) and to the Committee on Urban Redevelopment, Renewal, and Planning (for the naming of the streets).

If your understanding is any different, please let me know.

I thank you in advance for your help on behalf of the developer and residents of this low-income housing community.

Very truly yours,



Carl I. Freedman

Enclosures
pc: Ms. Susan Aitcheson
Mr. John Palmieri
CIF:raf

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: December 28, 1989

TO: B. James Suzman, Director of Public Works

SUBJECT: ABANDONMENTS - MYRTLE AND SOMERSET STREETS (PORTIONS OF)

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject petition for your study and report back in writing to the above named Committee.

It is also requested that you provide the Committee with a list of abutting property owners and a tracing of the said areas.

Michael R. Clement
FIRST DEPUTY CITY CLERK

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: December 28, 1989

TO: *

SUBJECT: ABANDONMENTS - MYRTLE AND SOMERSET STREETS - PORTIONS OF

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject Petition for your study and report back in writing to the above named Committee, as soon as practical.

* Hans T. Bergey, Acting Chief Engineer/Water Supply Board
B. James Suzman, Traffic Engineer
Charles A. Pisaturo, Commissioner of Public Safety
Thomas E. Deller, Associate Director of Planning
Nancy L. Derrig, Superintendent of Parks

Richard R. Clement
First Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: December 28, 1989

TO: *

SUBJECT: ABANDONMENTS - MYRTLE AND SOMERSET STREETS - PORTIONS OF
CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject Petition for
your study and report back in writing to the above
named Committee, as soon as practical.

* Hans T. Bergey, Acting Chief Engineer/Water Supply Board
B. James Suzman, Traffic Engineer
Charles A. Pisaturo, Commissioner of Public Safety
Thomas E. Deller, Associate Director of Planning
Nancy L. Derrig, Superintendent of Parks

Michael R. Clement
FIRST DEPUTY CITY CLERK

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 29, 1990

TO: John J. Partington, Commissioner of Public Safety

SUBJECT: ABANDONMENTS - MYRTLE AND SOMERSET STREETS - PORTION OF

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject petition for your study and report back in writing to the above named Committee, as soon as practical.

Michael R. Clement
First Deputy City Clerk

L I C H T & S E M O N O F F

A T T O R N E Y S A T L A W

One Park Row
Providence, Rhode Island 02903
(401) 421-8030
Cable: LEVGO PVD Telex: 927614
Telecopier: (401) 272-9408

February 6, 1990

Ms. Rose Mendonca
City Clerk's Office
Providence City Hall
Providence, RI 02903

Re: Inter-Tribal Indian Village Development
Associates, L.P.

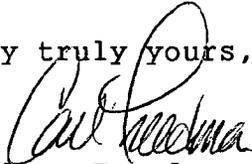
Dear Rose:

Enclosed with my letter to you dated December 11, 1989, were an abandonment petition and a petition requesting that the City accept certain property and assign names to proposed City streets.

As a result of discussions which my client has had with the Department of Public Works, certain minor refinements have been made to certain of the exhibits that accompanied the acceptance petition. I have enclosed the revised exhibits and would appreciate your forwarding the enclosed revisions to the committee or committees which are considering the acceptance and naming petition.

Let me know if you have any questions or require any further materials.

Very truly yours,



Carl I. Freedman

Enclosures

pc: Ms. Susan Aitcheson
Mr. James Morris
Mr. John Palmieri

CIF:raf

Exhibit "B" (REVISED)

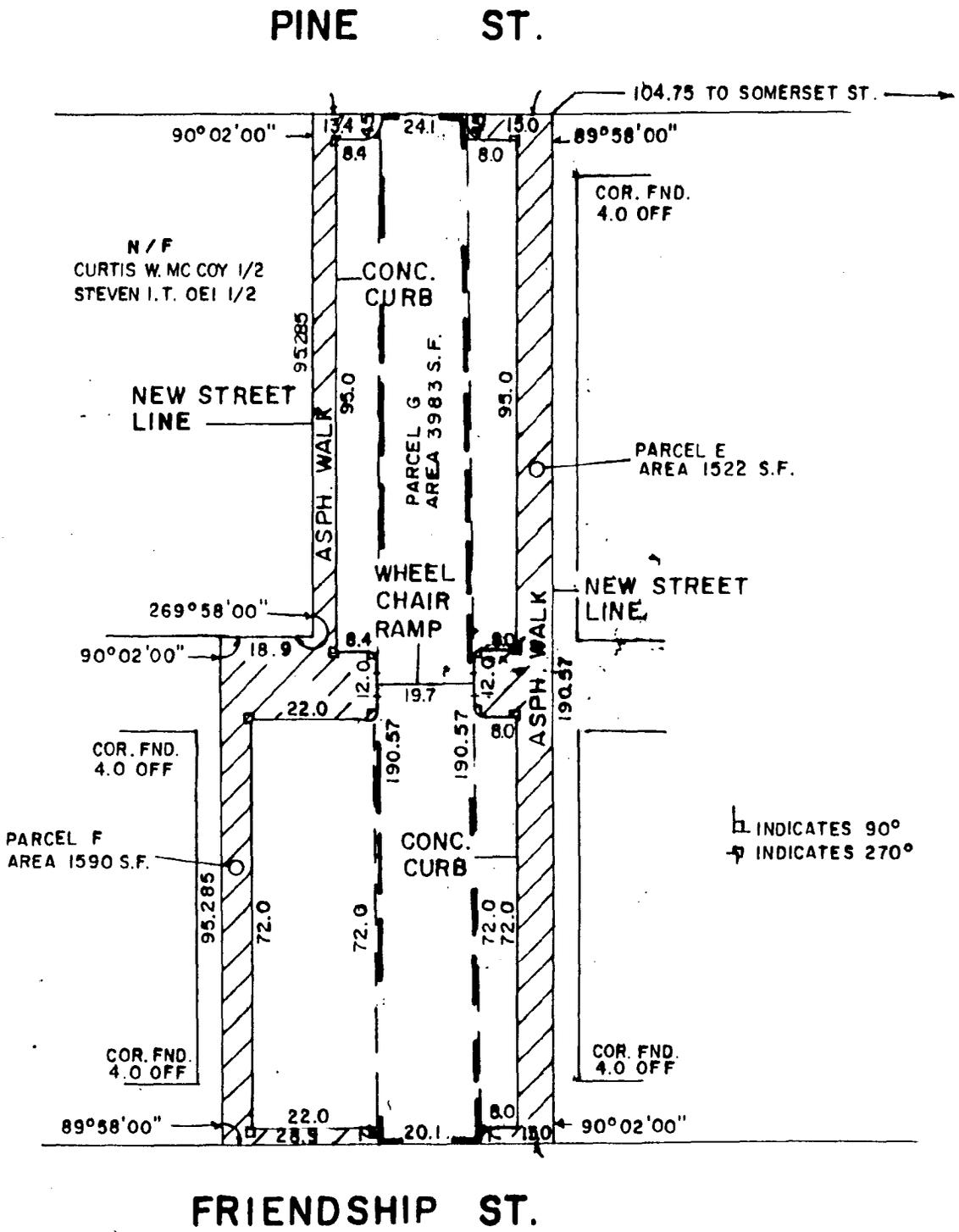
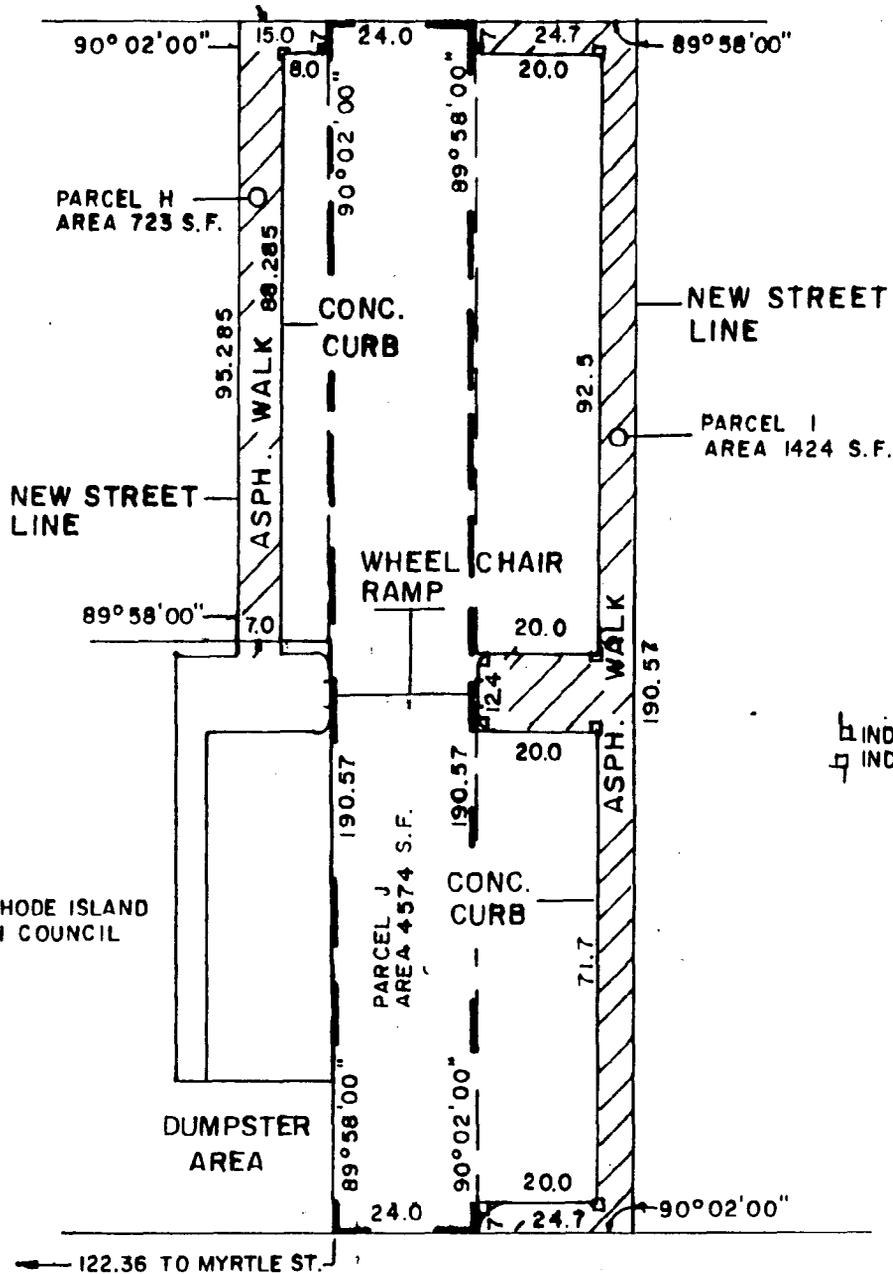


Exhibit "C" (REVISED)



PINE ST.



⊥ INDICATES 90°
⊞ INDICATES 270°

N/F RHODE ISLAND
INDIAN COUNCIL

FRIENDSHIP ST.

1" = 30'

Parcel G (REVISED)

That certain tract or parcel of land with all buildings and improvements thereon, situated on the southerly side of Pine Street in the City of Providence, County of Providence, State of Rhode Island being bounded and described as follows;

Beginning at a point in the southerly lin of Pine Street; said point being the northeasterly corner of the herein described parcel;

Thence running southerly a distance of 190.57 feet to a corner;

Thence turning an interior angle of 90 02'00" and running westerly bounded southerly by Friendship Street a distance of 20.1 feet to a corner;

Thence turning an interior angle of 89 58'00" and running northerly a distance of 190.57 feet to a corner;

Thence turning an interior angle of 90 02'00" and running easterly a distance of 24.1 feet to the point of beginning where it forms a interior angle of 89 53'00" with the first above described course.

The herein described parcel contains 3983 square feet of land.

Parcel J (REVISED)

That certain tract or parcel of land with all buildings and improvements thereon, situated on the southerly side of Pine Street in the City of Providence, County of Providence, State of Rhode Island, being bounded and described as follows;

Beginning at a point in the southerly line of Pine Street said point being the northwesterly corner of the herein described parcel;

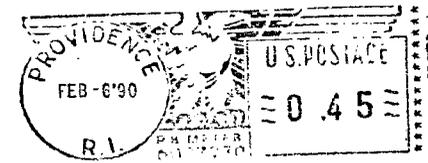
Thence running easterly a distance of 24.0 feet to a corner;

Thence turning an interior angle of 89 58'00" and running southerly a distance of 190.57 feet to a corner;

Thence turning an interior angle of 90 02'00" and running westerly a distance of 24.0 feet to a corner;

Thence turning an interior angle of 89 58'00" and running northerly a distance of 190.57 feet to the point of beginning where it forms an interior angle of 90 02'00" with the first above described course.

The herein described parcel contains 4574 square feet of land.



L I C H T & S E M O N O F F

A T T O R N E Y S A T L A W

One Park Row
Providence, Rhode Island 02903

TO:

Mr. Rose Mendonca
City Clerk's Office
Providence City Hall
Providence, RI 02903

NANCY L DERRIG
SUPERINTENDENT OF PARKS



JOSEPH R. PAOLINO, JR.
MAYOR

Department of Public Parks
"Building Pride In Providence"

January 8, 1990

Mr. Michael Clement
First Deputy City Clerk
Office of the City Clerk
City Hall
Prov., R.I.

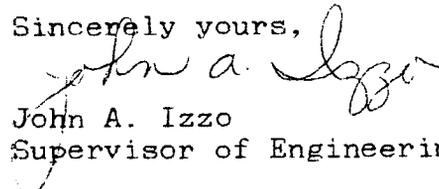
RE: Abandonments of Gangway & Lake St., Portions of Myrtle & Somerset Sts.

Dear Mr. Clement:

Upon review of all Department of Public Parks Plans, and records. It is the conclusion of the Parks Department that the abandonment of a portion of Myrtle & Somerset Sts., and a so called Gangway and Lake St., will in no way effect any Park Department existing facility, and or future plans for that area.

Enclosed is a map indicating the street in question marked in RED, and the nearest Park Department facility marked in GREEN.

Sincerely yours,


John A. Izzo
Supervisor of Engineering & Planning



EDWARD F. BURKE
CHAIRMAN
ARMANDO PARILLO
VICE CHAIRMAN
JAMES A. LOMBARDI
SECRETARY
JOHN E. MARTINELLI
LEGAL ADVISOR
JEROME I. BARON
EX-OFFICIO

JOSEPH R. PAOLINO, JR.
MAYOR
HANS T. BERGEY
ACTING GENERAL MANAGER
RAYMOND COLA
CITY COUNCILMAN
ANDREW J. ANNALDO
CITY COUNCILMAN
MARY A. NOCERA
MEMBER
LOUIS ORABONA
MEMBER

Water Supply Board

"Building Pride In Providence"

January 10, 1990

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

Re: Abandonment of Portions of Myrtle and Somerset Streets

Dear Councilman Petrosinelli:

Reference is made to a petition dated December 28, 1989 to abandon portions of Myrtle and Somerset Streets in the City of Providence.

The Water Supply Board has no objection to the abandonment. Existing old lead water services in the areas to be abandoned are not in use and will not be considered for use in the future.

Very truly yours,

Hans T. Bergey
Acting General Manager

HTB/mtd

B. JAMES SUZMAN
TRAFFIC ENGINEER

IRENE J. TESTA
DIRECTOR



JOSEPH R. PAOLINO, JR.
MAYOR

Department of Traffic Engineering
"Building Pride In Providence"

M E M O R A N D U M

TO: Committee on Public Works
FROM: Irene J. Testa *IJT*
DATE: January 9, 1990
RE: ABANDONMENTS - MYRTLE AND SOMERSET STREETS - PORTIONS OF

Request: To abandon portions of Myrtle Street and Somerset Street.

Disposition: No objection to said abandonments

ROGCO A. DeLUCA
DIRECTOR



JOSEPH R. PAOLINO, JR.
MAYOR

Department of Public Works

"Building Pride In Providence"

January 17, 1990

Councilman James Petrosinelli
Chairman of the Public Works Committee
Providence City Council
City Clerk's Office
City Hall - Prov., R.I. 02903

Dear Councilman Petrosinelli:

Re: Abandonments - Myrtle And Somerset Streets
(Portions Of)

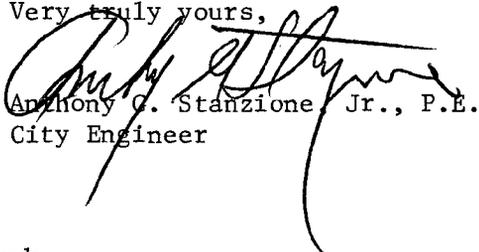
This Department has no objections to the following abandonments:

Proposed abandonment of Myrtle Street, shown as shaded area on Plan Entitled, Providence, R.I. - P.W. Dept. - Engineering Office, Street Line Section, Plan No. 064483, Date: 1/10/90.

Proposed abandonment Somerset Street, shown as shaded area on Plan Entitled: Providence, R.I., P.W. Dept. - Engineering Office - Street Line Section, Plan No. 064482, Date : 1/10/90.

It is noted that both of these abandonments represent portions of said streets as noted above. If we can further assist you regarding these abandonments, please contact this office.

Very truly yours,


Anthony G. Stanzione, Jr., P.E.
City Engineer

AGS

CC: M. Clement - 1st. Deputy City Clerk

BJS
JTM
JLC



The City Plan Commission

44 WASHINGTON STREET

PROVIDENCE, RHODE ISLAND 02903

February 7, 1990

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

Attention: Rose M. Mendonca, City Clerk

Subject: Referral No. 3011 - Abandonment of portions of Myrtle
and Somerset Street

Gentlemen:

The City Plan Commission at its January 16, 1990 regular monthly meeting reviewed and evaluated the proposed abandonment of a portion of Myrtle Street and Somerset Street located between Pine and Friendship Streets and described as Parcels B and C on attached Exhibits.

The petitioner is the Inter-Tribal Indian Village Housing Development Associates, L.P., at 861A Broad Street, Providence, Rhode Island represented by its attorney: Carl I. Freedman, Esq. of Licht & Semonoff, One Park Row, Providence, Rhode Island.

A field inspection revealed that subject streets: Myrtle and Somerset are fully developed paved public streets with curbstones and concrete sidewalks. The subject portion of Myrtle and Somerset Street were developed as outlined on attached EXHIBITS. The Indian Village Housing Project is almost completed and already partially occupied.

According to the original development plan and according to the petition submitted to the Zoning Board of Review for variance in 1986, the proposed fifty five (55) parking spaces were to be located on the lots owned by the petitioner. The required number of parking spaces for thirty six (36) housing units was established at that time as fifty one (51) spaces.

The parking developed within the public right-of-way on Myrtle and Somerset Street was indicated on development plans approved by the Providence Redevelopment Agency.

COMMITTEE ON PUBLIC WORKS
CPC REFERRAL NO. 3011
PAGE 2
FEBRUARY 7, 1990

The proposed abandonment of portions of Myrtle and Somerset Streets for the purpose of convenience parking serving private property does not meet the Commission's criteria for street abandonment and should be discouraged.

All required necessary parking should be developed within the property boundaries especially where new construction is concerned. It would have been preferable for the petitioner to enter into an appropriate agreement with the Department of Public Works and the Police Department instead of requesting a street abandonment. However, arrangements were made for this parking arrangement several years ago; it is too late at this time to change the approach. The staff recommends that the Commission advise the Committee on Public Works that the petition be approved.

The present Commission members agree to advise the Committee on Public Works that the petition be approved.

Regards,



Thomas E. Deller, AICP
Associate Director of Planning

TED/bms
GJT

cc: Councilwoman Balbina Young
Thomas V. Moses, Esq., Director

CITY PLAN COMMISSION
PROVIDENCE, R. I.

Ref. No. 3011 Subject: ABANDONMENT OF PORTIONS OF MYRTLE AND SOMERSET STREETS

Plat No. _____ Lot No. _____

Lot Area: _____

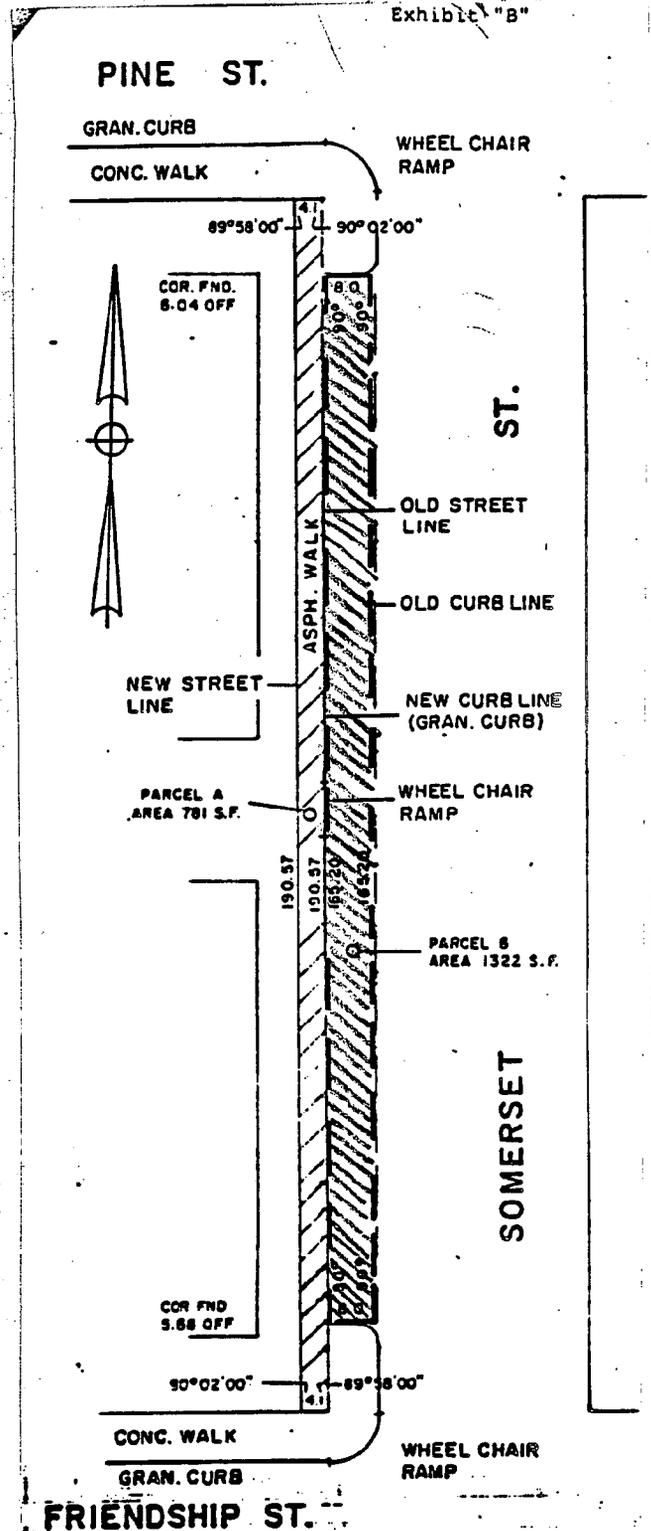
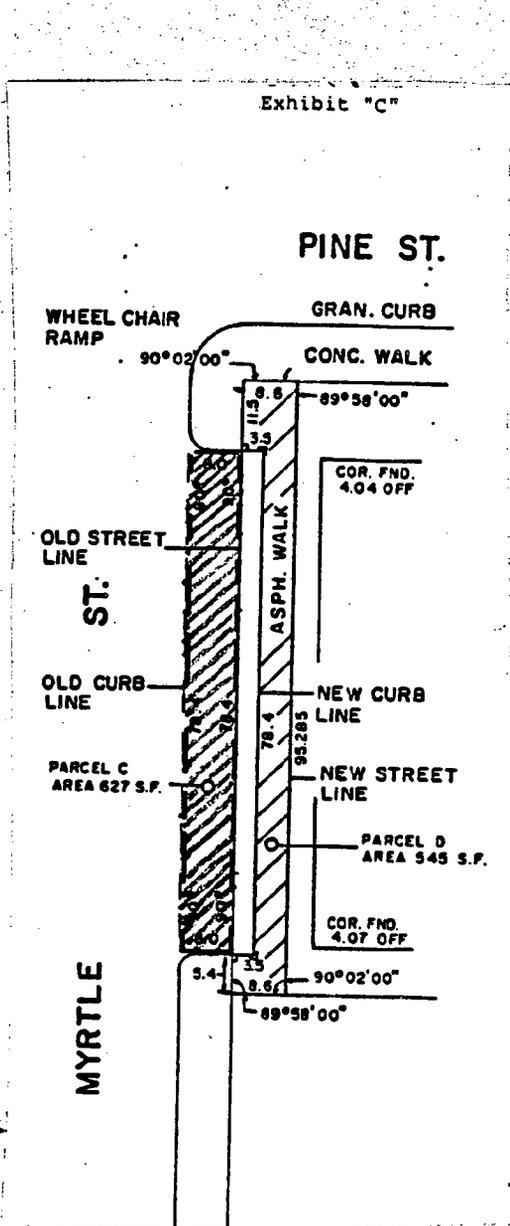
LAND USE LEGEND

- 00 Vac. Land
- 10 One Fam.
- 11 One Fam. & Nonres.
- 12 One Fam. & Home Occ.
- 13 One Fam. & Prof. Off.
- 15 Auxiliary to Res.
- 20 Two Fam.
- 21 Two Fam. & Nonres.
- 22 Two Fam. & Home Occ.
- 23 Two Fam. & Prof. Off.
- 25 Two Fam. & One Fam.
- 30 Three Fam.
- 31 Three Fam. & Nonres.
- 32 Three Fam. & Home Occ.
- 33 Three Fam. & Prof. Off.
- 35 Three Fam. & One Fam.
- 35 Three Fam. & Two Fam.
- 40 Apt. 4 Fam. or More
- 41 Apt. & Nonres.
- 42 Apt. & Home Occ.
- 43 Apt. & Prof. Off.
- 45 Apt. & One Fam.
- 46 Apt. & Two Fam.
- 47 Apt. & Three Fam.
- 48 Lodging House
- 49 Fraternity
- 51 Limited Comm.
- 52 Parking Lot
- 53 Gen. Comm.
- 54 Nonstruct. Gen. Comm.
- 55 Parking Gar.
- 56 Heavy Comm.
- 57 Nonstruct. Heavy Comm.
- 58 Auto. Service Sta.
- 59 Stor. Gar. for Comm. Veh.
- 64 Gen. Ind.
- 65 Nonstruct. Gen. Ind.
- 67 Heavy Ind.
- 68 Nonstruct. Heavy Ind.
- 71 Utility
- 75 Railroad
- 81 Instit. (not elsewhere class.)
- 82 Parochial School
- 93 Church
- 94 Private School or Coll.
- 95 Cemetery
- 97 Park, Golf Course
- 98 Playground & Playfield
- 99 Public Bldg. (exc. schools)
- 99 Public School (E.S., J.H., H.S.)



AREA IN QUESTION

Date 01/08/90 By: GT Scale _____



FRIENDSHIP ST.



New England Telephone

A **NYNEX** Company

85 High Street
Pawtucket, Rhode Island 02860
401-727-9514

Paula A. Parquette
Manager - Right of Way

April 24, 1990

Committee on Public Works
Providence City Council
City Hall
Providence, Rhode Island 02903

RE: PETITION FOR THE ABANDONMENT OF A PORTION OF SOMERSET STREET

Dear Sirs,

New England Telephone and Telegraph Company presently has pole, cable and service wires in said Somerset Street. These facilities serve this area.

New England Telephone and Telegraph Company will not object to the granting of said petition, provided that in the event the petition is granted, the petitioner will convey an easement acceptable to New England Telephone and Telegraph Company which will permit retention of our facilities in existing location, together 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.

David A. Graham
Director of Operations/C.S.

FILED

APR 24 1 50 PM '90

DEPT. OF C. & C. CLERK
PROVIDENCE, R. I.



New England Telephone

A **NYNEX** Company

85 High Street
Pawtucket, Rhode Island 02860
401-727-9514

Paula A. Parquette
Manager - Right of Way

April 24, 1990

Committee on Public Works
Providence City Council
City Hall
Providence, Rhode Island 02903

RE: PETITION FOR THE ABANDONMENT OF A PORTION OF MYRTLE STREET

Dear Sirs,

New England Telephone and Telegraph Company presently has pole, cable and service wires in said Myrtle Street. These facilities serve this area.

New England Telephone and Telegraph Company will not object to the granting of said petition, provided that in the event the petition is granted, the petitioner will convey an easement acceptable to New England Telephone and Telegraph Company which will permit retention of our facilities in existing location, together 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.

David A. Graham
Director of Operations/C.S.

FILED

APR 24 1 50 PM '90

DEPT. OF CITY CLERK
PROVIDENCE, R.I.



April 27, 1990

Councilman James Petrosinelli
City of Providence
Providence City Hall
Providence, RI 02903
Attn: Rose M. Mendonca

Dear Sir;

The Providence Gas Company requests easements for its mains in the following proposed abandonments:

- Lake Street, westerly from Parsonage approximately 60'
- Oakwood Avenue
- Fricker Street
- Garnet Street, between Weybosset and Pine Streets
- Myrtle Street
- Somerset Street

Should you have any questions concerning these streets, please feel free to contact me.

Very truly yours,

Robert C. Barker, Jr.
Manager of Engineering

RCB/cr

PROVIDENCE POLICE DEPARTMENT

Headquarters

February 7, 1990

To: The Honorable John J. Partington, Public Safety Commissioner

From: Colonel Walter J. Clark, Chief of Police

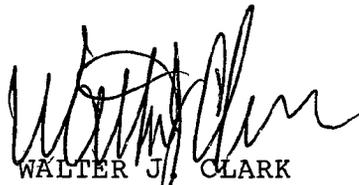
Subject: Street Abandonment: Portion of Myrtle and Somerset Streets

Sir:

In accordance with a memorandum dated February 1st from your office, I directed Captain William V. Devine, Commanding Officer of the Traffic Bureau, to evaluate the aforementioned abandonment.

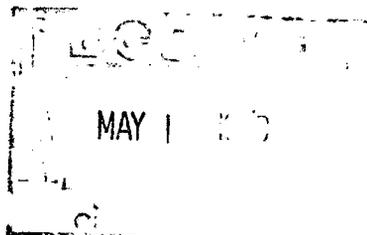
Attached is the information that was required. If additional information is needed, please advise accordingly.

Respectfully submitted,



WALTER J. CLARK
Colonel
Chief of Police

Attachment



PROVIDENCE POLICE DEPARTMENT

February 6, 1990

To: Colonel Walter J. Clark, Chief of Police

From: Captain William V. Devine, Director of Traffic

Subject: Street Abandonment - Portions of Myrtle Street and Somerset Street

Sir: Attached is a copy of the Petition for Street Abandonment - Portions of Myrtle Street and Somerset Street.

Per you order, I instructed Lieutenant Richard Sullivan to respond to the location and evaluate the situation. Lieutenant Sullivan informed me that the proposed changes as shown in Exhibit "C" and Exhibit "B" (attached) have already been done. The roadway indents as shown in the exhibits, and there are already vehicles parking in these areas.

The first thing to mention, is that the vehicles parking this way is very unsightly and over crowded looking. I feel that this is a trend that could get way out of hand and fill the city with asphalt/cement front yards, similar in type to the duplex housing that sprung up in the neighborhoods, where no ample parking exists for the amount of family units. The past grass/tree/shrub front yards are now cluttered with dozens of cars.

Another area where I see a problem is during snow plowing and street sweeping. The snow and dirt will be pushed against these parked vehicles, and the residents will push the snow and dirt back into the street. These areas will be considered "private property," but the average citizen will see it as "on street" parking and drive into the spot.

Another area where I see a problem is in "overnight" parking. People in the area will see these vehicles parked in such a manner so that it looks like they are parking on the street overnight, and they will do the same, not knowing that it is a private parking area.

For the reasons stated above, I do not feel that it would be a good idea for the city to allow such parking. The overall indication is that the builder should have planned for the amount of parking that such a large building complex would accommodate.

Respectfully submitted;

Capt William V. Devine

WILLIAM V. DEVINE
Captain
Director of Traffic

CHARLES A. PISATURO, ESQ.
COMMISSIONER
CHIEF MICHAEL F. MOISE
FIRE CHIEF



JOSEPH R. PAOLINO, JR.
MAYOR

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

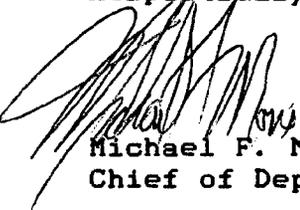
March 7, 1990

To: John J. Partington, Commissioner of Public Safety
From: Michael F. Moise, Chief of Department
Subject: Street Abandonment - Myrtle & Somerset Streets

Dear Sir:

The request for the abandonment of portions of Myrtle & Somerset Streets as described in the petition to the City Council, will pose no operational problems to the Providence Fire Department provided clear access is maintained for public safety vehicles.

Respectfully,


Michael F. Moise
Chief of Department

MFM/ds

3-9-90

Somerset ST. (Proposed Abandon.)

A.P. 23

Lot # 88

Inter-Tribal Indian Village
Housing Assoc.

Lot # 126

Inter-Tribal Indian Village
Housing Assoc.

~~ANN:~~ Mike Clements

PROPOSED ABANDONMENT: MYRTLE ST.

Lot 775

INTER-TRIBAL INDIAN VILLAGE
HOUSING DEVEL. ASSOC.

Lot 88

SAME AS LOT 775

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: Petition to abandon portion of Somerset and Myrtle Streets.

| <u>Plat</u> | <u>Lot</u> | <u>Name and Address</u> |
|-------------|------------|---|
| 23 | 88 | Inter-Tribal Indian Village Housing Association 861A Broad Street Providence, Rhode Island 02907 |
| " | 126 | Same |
| " | 775 | Same |

Councilwoman Balbina A. Young
Ward 11

City Sergeant

Date

Ralph P. Gygelmian

3/21/90



WHEEL CHAIR RAMP

PINE ST.

GRAN. CURB

CONC. WALK

PROVIDENCE R. I.
 C. E. USA ENGINEERING OFFICE
 STREET LANE SECTION
 Plan No. 064483
 Date 1-10-90

OLD STREET LINE

ST.

OLD CURB LINE

ASPH. WALK

LOT# 775

NEW CURB LINE

NEW STREET LINE

INDIAN VILLAGE HOUSING

LOT# 82

INDIAN VILLAGE HOUSING

MYRTLE

NOTE: SHADED AREA INDICATES PROPOSED ABANDONMENT.

NOTE: CROSS-HATCHED AREA INDICATES PROPOSED SIDEWALK.

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing **PROPOSED ABANDONMENT**
 MYRTLE ST.
 Drawn by B. FORRECA Checked by *[Signature]*
 Scale 1" = 20' Date 1-10-90
 Corrected *[Signature]* Associate Eng.
 Approved *[Signature]* P.E.
 CHIEF ENGINEER

PINE

ST.

GRAN. CURB.
CONC. WALK

WHEEL CHAIR
RAMP

INDIAN VILLAGE HOUSING



NEW STREET
LINE

ASPH. WALK

OLD STREET
LINE

OLD CURB LINE

NEW CURB LINE

WHEEL CHAIR
RAMP

ST.

NOTE: SHADED AREA  INDICATES PROPOSED ABANDONMENT.

NOTE: CROSS-HATCHED AREA INDICATES PROPOSED SIDEWALK.

INDIAN VILLAGE HOUSING

LOT # 126

CONC. WALK

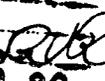
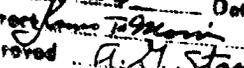
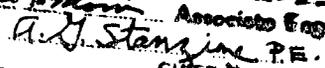
GRAN. CURB.

FRIENDSHIP

WHEEL CHAIR
RAMP

ST.

SOMERSET

CITY OF PROVIDENCE, R. I.
Public Works Dept. - Engineering Office
Showing PROPOSED ABANDON
SOMERSET ST.
Drawn by B. PORRECA checked by 
Scale 1" = 20' Date 1-10-90
Corrected by  Associate Eng.
Approved  P.E.
CHIEF ENGINEER

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: May 30, 1990

TO: Mr. John A. D'Amico, Special Counsel

SUBJECT: MYRTLE & SOMERSET STREETS - ABANDONMENTS PORTION OF

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached please find a communication from Captain William V. Devine, Director of Traffic. Please review the attached and report your evaluation of the subject matter to the committee on or before the committee's next meeting scheduled for Wednesday, June 6, 1990 at 1:30 o'clock P.M.

Michael R. Clement
First Deputy City Clerk

COUNCILWOMAN
BALBINA A. YOUNG
489 PUBLIC STREET
PROVIDENCE, RI 02907
Bus. 941-1830



COMMITTEES

Ordinances
Vice-Chairwoman

Urban Redevelopment
Renewal and Planning

City of Providence, Rhode Island

June 5, 1990

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

Dear Chairman Petrosinelli:

I am writing in regard to the request to have the abandonment of Myrtle and Somerset Streets.

I would respectfully ask if this request could be tabled indefinitely until I have an opportunity to review it, due to both Police Department and Public Works objections.

Thank you for your consideration and co-operation in this matter, it is greatly appreciated.

Sincerely,

Balbina A. Young

Balbina A. Young
Councilman
Ward 11

BAY:ps

Councilwoman
Balbina A. Young
489 Public Street
Prov., RI 02907

Councilman
James A. Petrosinelli
Chairman
Committee on Public Works
c/o City Clerk's Office
Prov., RI 02903



Department of Planning and Development

"Building Pride In Providence"

April 20, 1990

Mr. Michael Clement
Deputy City Clerk
Office of the Clerk
City Hall
Providence, RI 02903

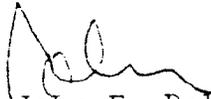
Dear ~~Mr.~~ Clement:

I am forwarding to your attention a copy of a memorandum sent to me by William Floriani of my office, listing the appraised value for the following proposed street abandonments:

Myrtle Street
Somerset Street
Gangway off Hospital Street
Lake Street
Oakwood Street
Fricker Street

Please be aware that it is not common practice to charge non-profit corporations for street abandonments when those abandonments are integral to a housing development. Also, no appraisal value is forwarded for Garnet Street, as this Department can in no way support abandoning such a vital street. If you have any questions please do not hesitate to contact me at the Department.

Sincerely,


John F. Palmieri
Deputy Director

JFP/dmd

MEMORANDUM

DATE : April 17, 1990
TO : Thomas V. Moses, Director
FROM : William G. Floriani, Assistant Director *WGF*
THRU : Thomas F. O'Connor, Jr., Associate Director *TF*
RE : Street Abandonment (Appraisals)

Pursuant to Mr. Michael Clement and Planning's request I have completed appraisals on the following street abandonments:

Loc: Myrtle St. (portion) AP 23
Petitioner: R.I. Indian Council
Zone: R-4
Area: 627 sq.ft.
Value: Not Applicable

Loc: Somerset St. (portion) AP 23
Petitioner: R.I. Indian Council
Zone: R-4
Area: 1,322 sq.ft.
Value: Not Applicable

Loc.: Gangway off Hospital St. AP 22
Petitioner: Diversified Products, Inc.
Zone: M-1
Area: 288 sq.ft.
Value: \$4,000.

Loc: Lake St. AP 22
Petitioner: Diversified Products, Inc.
Zone: M-1
Area: 6,200 sq. ft.
Value: \$34,000.

Loc.: Oakwood St. (portion) AP 94
Petitioner: William Piacitelli
Zone: R-2
Area: 12,640 sq. ft.
Value: \$25,300.

Loc: Fricker St. AP 29
Petitioner: City of Prov.
Zone: R-4
Area: 36,450 sq. ft.
Value: \$164,000.