

RESOLUTION:ALGER1

# RESOLUTION OF THE CITY COUNCIL

No. 297

*Approved* May 27, 1999

## RESOLVED, DECREED AND ORDERED

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Providence, Rhode Island, Department of Public Works - Engineering Office, street line Section Plan No. 064633 dated May 19, 1999."

VIZ: Alger Avenue (a portion of) shown as a cross-hatched area on the accompanying plan and designated by the letters (A-B-C-D), having ceased to be useful to the public and is proposed to be abandoned as a public highway. Said abandonment is specifically conditioned precedent upon the following:

1. The Petitioner shall convey an easement acceptable to the Providence Gas Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the petitioner shall assume all costs of relocation;
2. Receipt by the City Clerk from the Providence Water Supply Board, in writing that the said Board has no objection to said abandonment or, in the alternative, the Petitioner shall undertake such action so as to remedy any such objection(s);
3. Receipt by the City Clerk from the Department of Planning and Development, in writing that the Department of Planning and Development has no objection to said abandonment or in the alternative the Petitioner shall remedy any such objection(s).
4. Receipt by the City Clerk from the City Plan Commission, in writing, that said Commission has no objection(s) to the abandonment, or, in the alternative, the Petitioner shall remedy any such objection(s) or shall

IN CITY COUNCIL  
*March 30, 1999*  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS  
*Michael R. Cleary* CLERK

THE COMMITTEE ON  
*Public Works P.H.*  
Recommends  
*Barbara A. Cairns*  
*5/3/99*  
*C. H. Held*

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Within Resolution  
*Barbara A. Cairns*  
Clerk  
*5/17/99*

*From the Clerk's Desk*

satisfy any such condition(s) as the City Plan Commission may impose thereon.

5. Any use of the abandoned realty by the Petitioner of the shall be operate as consent by the Petitioner that the within abandonment is also conditioned upon that any improvement of the situs shall be consistent with the proposal posited before the City Council Committee on Public Works as the same may be modified by the Director of Inspection and Standards and Public Works.

6. The customer fees are waived, and the charge for said realty is one dollar (\$1.00 U.S.)

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

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

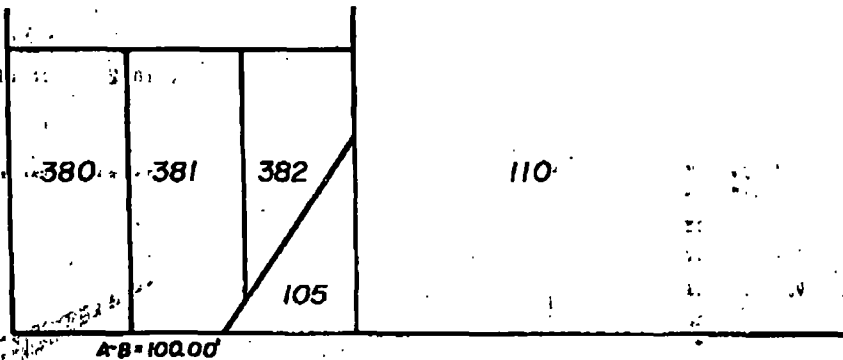
IN CITY COUNCIL  
MAY 20 1999  
READ AND PASSED  
*[Signature]*  
PRES.  
*[Signature]*  
CLERK

**APPROVED**  
MAY 27 1999  
*[Signature]*  
MAYOR

PROVIDENCE, R. I.  
 P. W. DEPT. - ENGINEERING OFFICE  
 STREET-LINE SECTION  
 Plan No. 064633  
 Date May 19, 1999

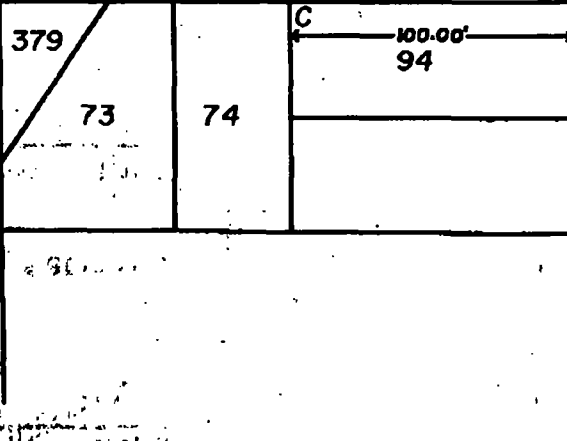
ST.

DIXON



A-B = 100.00'

A  
 D  
 A-L-G-E-R AVE.  
 B  
 C  
 C-D = 100.00'



ST.

HAMLIN

NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment.

No sewer easement required.

Total square footage = 2,500.00 feet.

379

CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 Showing Proposed abandonment of a  
 portion of Alger Ave.  
 Drawn by A. Zislinos Checked by J. T. M.  
 Scale 1" = 50' Date 5-19-99  
 Corrected by T. M. M. Approved by J. T. M.  
 Approved by J. T. M.

Lot numbers taken from A.P. 89.

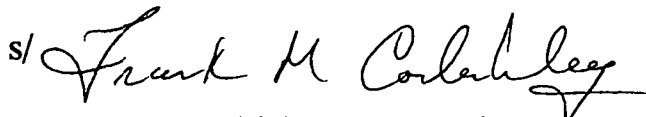
768  
 N-69

## PETITION TO THE CITY COUNCIL

**TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:**

*The undersigned respectfully petitions your honorable body*

to amend the amended petition submitted on April 21, 1999 from the Providence Community Action Program, Inc. that requests the abandonment of a portion of the public street, Alger Ave.; this second amendment herein requests that a portion of Alger Ave., from a point in the middle of Alger Ave. approximately 25 feet from lots 379,73 and 74 in Assessor's Plat 89 all owned by the Providence Community Action Program, Inc., and running in a northerly direction for 100 feet *abutting only the land owned by Providence Community Action Inc.*, as defined in the lots mentioned above and abutting no other land, be abandoned for the purpose of ceding that land to Providence Community Action, Inc. to be to be added to the agency's land so it can be made available for use by the Providence Community Action Program, Inc. for purposes of constructing affordable housing for low to moderate income families.

s/ 

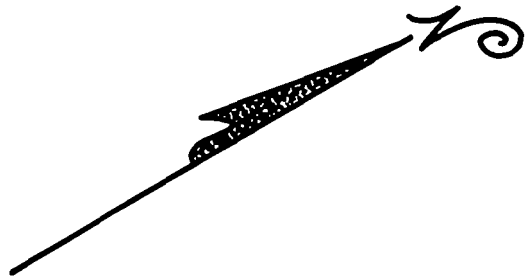
Frank M. Corbishley, Executive Director,  
Providence Community Action Program, Inc.

May 5, 1999

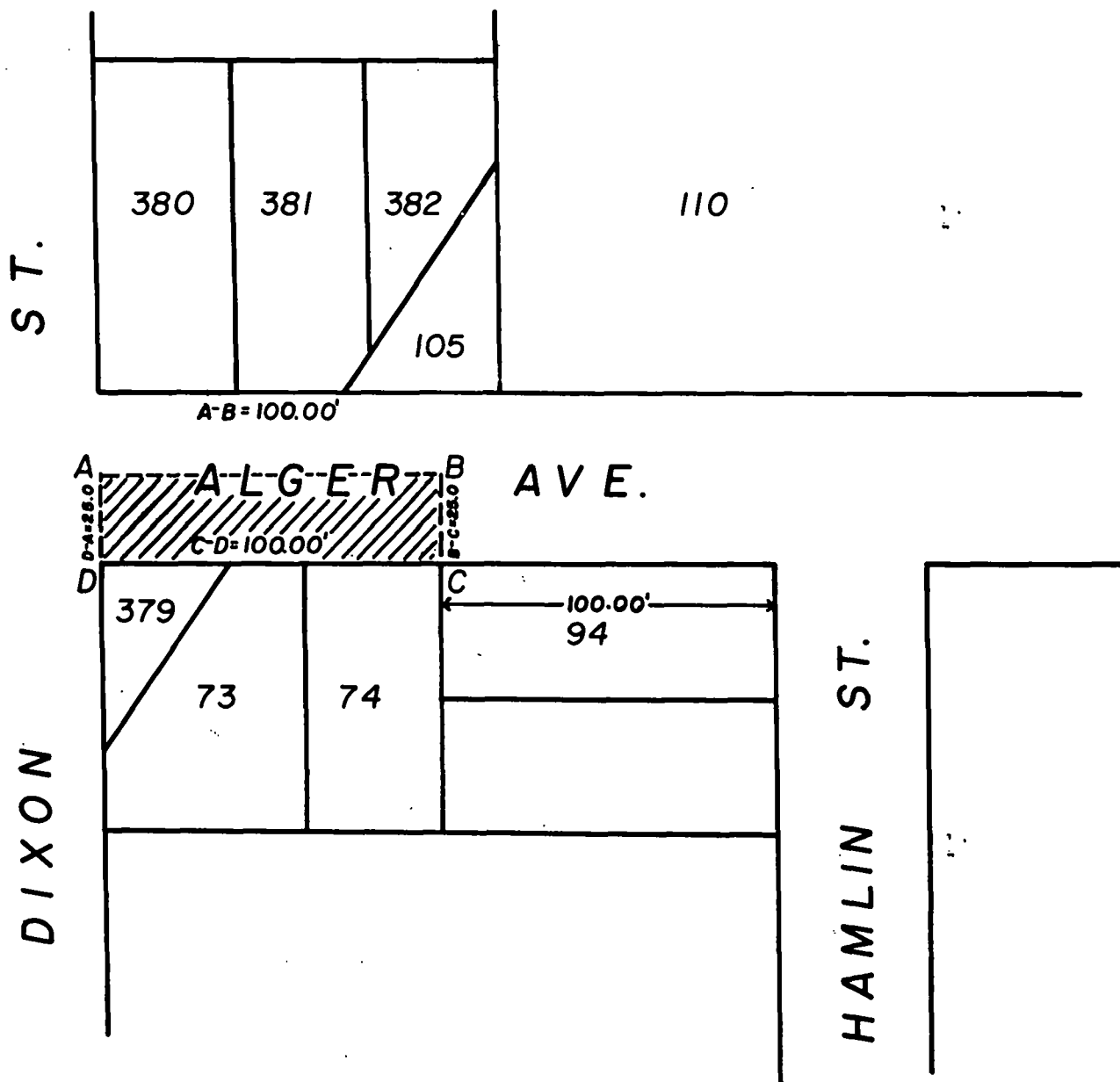
FILED

MAY 5 3 37 PM '99

DEPT. OF CLERK  
PROVIDENCE, R.I.



PROVIDENCE, R. I.  
P. W. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064633  
Date May 19, 1999



NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment.  
No sewer easement required.  
Total square footage = 2,500.00 feet.

CITY OF PROVIDENCE, R. I.  
Public Works Dept. - Engineering Office  
Showing Proposed abandonment of a  
portion of Alger Ave.  
Drawn by A. Zislades Checked by J. T. M.  
Scale 1" = 50' Date 5-19-99  
Corrected \_\_\_\_\_ Approved \_\_\_\_\_  
CITY ENGINEER

Lot numbers taken from A.P. 89.

Ferdinand C. Ithenacho, P.E.

Director



VINCENT A. CIANCI, JR.

Mayor

## Department of Public Works

*"Building Pride In Providence"*

May 19, 1999

Councilman Robert M. Clarkin  
Chairman of the Public Works Committee  
Providence City Council -- City Hall  
Providence, R.I. 02903

Re: Proposed Abandonment (Second Revision)  
Alger Avenue (Portion)  
(for Procap)

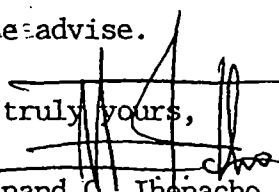
Dear councilman Clarkin:

This department has no objection to the second amendment of proposed portion abandonment of Alger Ave., designated on the enclosed plan entitled, "Providence, R.I., P.W. Dept. - Engineering Office, Street Line Section, Plan No.064633 (Revision of Plan No.064628 and Plan No. 064626), Date: 5/19/99."

Area to be abandoned is shown as cross-hatched area, designated as "A-B-C-D-A" on the accompanying plan. There is no sewer easement required relative to this proposed abandonment. Total square footage is 2500 Square Feet. Lot numbers relative to this proposed abandonment were taken from City of Prov. A.P. 89. A list of abutting property owners is enclosed herewith pertinent to this proposed abandonment.

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

Very truly yours,

  
Ferdinand C. Ithenacho, P.E.  
Director

CC: FCI-Dir/DPW  
G.F.-Ass't.Dir/DPW  
M.Clement-City Clerk  
J.D'Amico, Esq.  
JTM  
JLC  
SZ

700 Allens Avenue • Providence, Rhode Island 02905

(401) 467-7950 (Voice) • 751-0203 (TDD) • 941-2567 (Facsimile)



PROPOSED ABANDONMENT OF A PORTION OF  
ALGER AVE.

A.P. 89 ✓ LOT 73 - 128 ALGER AVE.

PROCAP 46 ABORN ST. PROV.

✓ LOT 74 - 132 ALGER AVE.

PROCAP 46 ABORN ST. PROV.

LOT 105 - 133 ALGER AVE.

WINDWARD PROP. INC. 38 ELM ST. S. KINGSTON 02879

✓ LOT 379 - 124 ALGER AVE.

D.E.P.C.O. 95 JEFFERSON BLVD. WARWICK 02886

LOT 380 - 125 ALGER AVE.

PETER MARINUCCI 178 WALLACE ST. PROV. 02909

LOT 381 - 129 ALGER AVE.

PETER MARINUCCI 178 WALLACE ST. PROV. 02909

LOT 382 - 133 ALGER AVE. (REAR)

WINDWARD PROP. INC. 38 ELM ST. S. KINGSTON 02879

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 A PORTION OF ALGER AVENUE.**

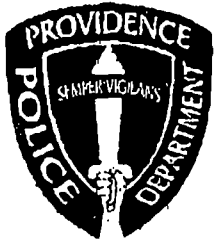
<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
89	73	ProCap 46 Aborn Street Providence, RI 02903
89	74	ProCap 46 Aborn Street Providence, RI 02903
89	94	Sujira C. Lem 100 Hamlin Street Providence, RI 02907
89	105	Windward Properties, Inc. 38 Elm Street South Kingstown, RI 02879
89	110	T & C Associates 915 Smith Street Providence, RI 02908
89	379	D.E.P.C.O. 95 Jefferson Blvd. Warwick, RI 02886
89	380	Peter Marinucci 178 Wallace Street Providence, RI 02909
89	381	Peter Marinucci 178 Wallace Street Providence, RI 02909
89	382	Windward Properties, Inc. 38 Elm Street South Kingston, RI 02879

**PETITIONER**

Frank M. Corbishley, Executive Dir.  
ProCap  
46 Aborn Street  
Providence, RI 02903

  
\_\_\_\_\_  
Ralph Gugliemino, City Sergeant

\_\_\_\_\_  
Councilman Ronald W. Allen  
Ward 8



**PROVIDENCE POLICE DEPARTMENT**  
**TRAFFIC BUREAU**  
209 Fountain Street, Providence, RI 02903  
**LIEUTENANT JOHN F. GLANCY**

8 May 99

**To:** Colonel Urbano Prignano Jr. Chief of Police  
**From:** Lieutenant John F. Glancy, Commanding  
**Subject:** Abandonment of Alger Ave

Sir:

Regarding a petition from the City Council, concerning the proposed abandonment of a portion of Alger Ave, I have studied this matter and found the following.

This proposed abandonment, involves a paper street, one that has never been used for traffic and is currently overgrown with brush. Therefore I feel that this abandonment would not have a negative impact on the traffic flow in the area and should be approved,

421-6492 AH. R. D.

James F. Rattigan  
Chief of Department

David D. Costa  
Fire Marshal



Vincent A. Cianci Jr.  
Mayor

John J. Partington  
Commissioner

**PROVIDENCE FIRE PREVENTION DIVISION**  
*"Smoke Detectors Save Lives"*

April 27, 1999

Chairman Robert M. Clarkin  
Committee on Public Works  
City Hall  
Providence, RI 02903

Re: Abandonment of Alger Avenue

Dear Chairman Clarkin,

After review of the proposal to abandon a portion of Alger Avenue (see attached), the Fire Department has no objection.

A handwritten signature in black ink, appearing to read "David D. Costa".

David D. Costa  
Fire Marshal

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: March 31, 1999

TO: Chief James Rattigan, Chief of Fire

SUBJECT: **ABANDONMENT OF ALGER AVENUE**

CONSIDERED BY: Councilman Robert M. Clarkin, Chairman, Committee on Public Works

DISPOSITION: The accompanying resolution is referred to you for study, report and recommendation and report back in writing to the above-named committee as soon as practical.

*Barbara A. Cairns*  
*Deputy* City Clerk

**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 petitions your honorable body*

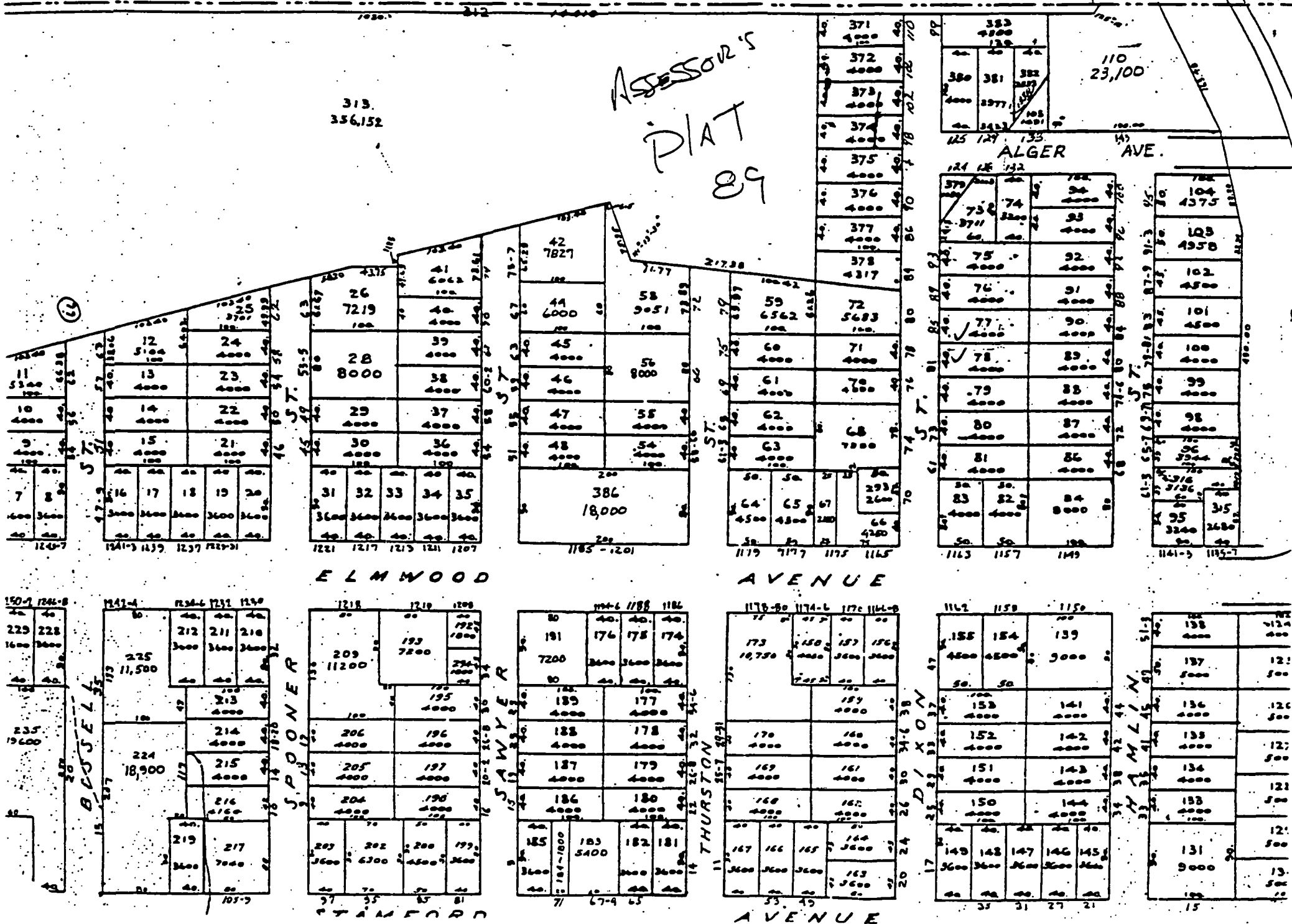
to grant to the Providence Community Action Program, Inc., known as PROCAP, a non-profit agency serving the City's low income families, that portion of the public street, Alger Ave., that lies between Hamlin Street and Dixon Street. as depicted on the attached Assessor's map in Plat 89 of the City of Providence. PROCAP owns the land and buildings abutting and near Alger Ave. on lots 379,732,74,75,76,77, & 78, and desires to add the portion of Alger Ave which is requested to be granted, approximately 50 feet in width and 200 feet in length, to its land for the purpose of meeting zoning requirements necessary for constructing ten or more new housing living units (apartments) in five or more new duplex buildings, that will house families of modest income. The housing will be built, under a Capital Reservation Award, a grant, that PROCAP is requesting from the U. S. Department of Housing and Urban Development



Frank M. Corbishley, Executive Director  
Providence Community Action Program, Inc.

March 24, 1999

ASSESSOR'S  
PLAT  
EG





ARMANDO PARILLO  
Chairman

JOEL D. LANDRY, II, ESQ.  
Vice Chairman

ROBERT J. KILDUFF, ESQ., P.E.  
Secretary

FERNANDO S. CUNHA, ESQ.  
Legal Advisor

BOYCE SPINELLI  
Ex-Officio



VINCENT A. CIANCI, JR.  
Mayor

RICHARD O. RAFANOVIC, P.E.  
General Mgr./Chief Engr.

JOSEPH DE LUCA  
City Councilman

RITA M. WILLIAMS  
City Councilwoman

MARY A. NOCERA  
Member

JOSEPH D. CATALDI  
Member

May 20, 1999

Councilman Robert M. Clarkin, Chairman  
Committee on Public Works  
25 Dorrance Street  
Providence, Rhode Island 02903

SUBJECT: Petition for Street Abandonment  
Alger Avenue (P/O)  
Providence, Rhode Island

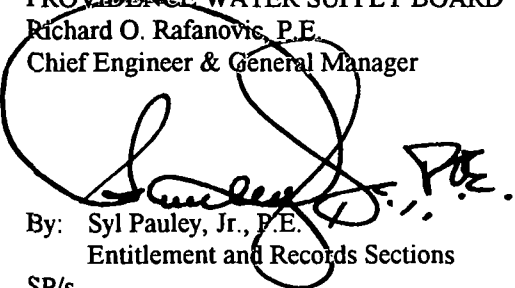
Dear Councilman Clarkin:

We have reviewed the referenced Petition for impact on the Providence Water distribution system. Our records indicate that there is an existing public water main in Alger Avenue from the intersection of Hamlin Street to a point approximately one hundred twenty (120) feet southerly. This places the end of the main near the northern boundary of the proposed street abandonment. It is difficult to tell without seeing the boundary of the proposed abandonment marked in the field whether or not a portion of this main would end up on private property. The Petitioner is responsible for accurately marking the boundary in question. If the main crosses the line onto private property it will have to be removed by Providence Water forces at the expense of the Petitioner. The Petitioner shall also be responsible for reimbursing Providence Water for any remaining economic value of the removed asset.

It is our understanding that the Petitioner will be creating several building lots along the north side of Dixon Street and westerly toward the intersection of the Alger Avenue right-of-way. In order to connect the future buildings to the public water supply a main extension of approximately one hundred seventy-five (175) feet will be required. The owner of the property will be responsible for doing this with the approval of Providence Water. Mr Raymond Goins should be contacted at (401) 521-6300 EXT 7202 for information pertaining to this and new water service applications.

Respectfully,

PROVIDENCE WATER SUPPLY BOARD  
Richard O. Rafanovic, P.E.  
Chief Engineer & General Manager

By:  P.E.  
Entitlement and Records Sections

SP/s

cc: P. Gadoury, P.E.  
R. Kilduff, P.E., Esq.  
M. Clement, City Clerk  
File

ABNLTR31.SAM

AVE.  
6' C.I.

CRANSTON  
PROVIDENCE

AVE.

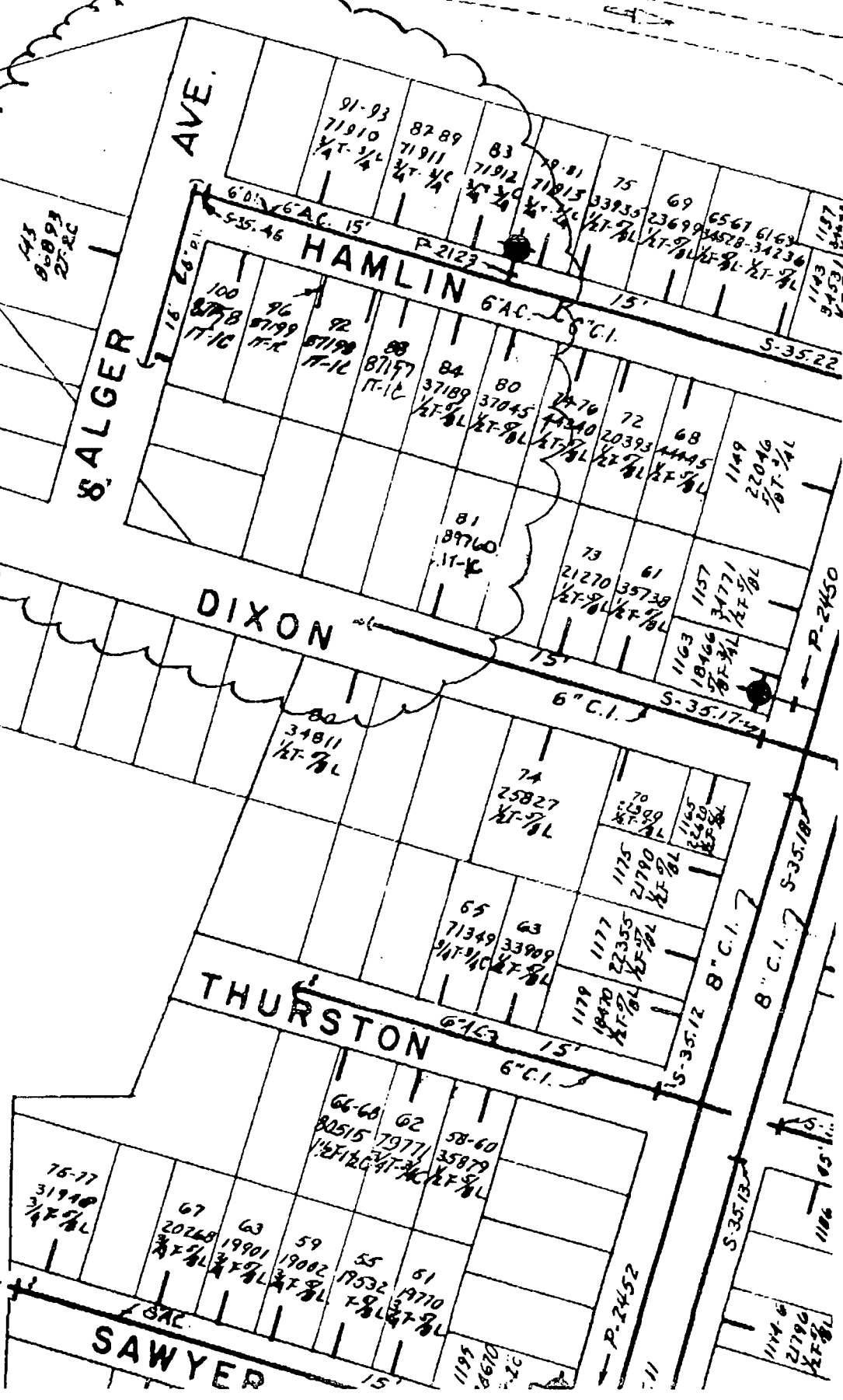
SALGER

DIXON

THURSTON

SAWYER

HAMLIN



P-2450

S-35.18

S-35.13

114.6  
21790  
1/4 T. 1/4

NANCY L. DERRIG  
Superintendent of Parks



VINCENT A. CIANCI, JR.  
Mayor

## Department of Public Parks

*"Building Pride In Providence"*

April 2, 1999

Mr. Michael Clement  
City Clerk  
City Hall  
Providence, RI 02903

RE: Abandonment of a portion of Alger Avenue

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 Alger Avenue will in no way effect any Parks Department facilities, and or future plans for the area.

Sincerely yours,

A handwritten signature in cursive script that reads "John A. Izzo".

John A. Izzo  
Supervisor of Engineering & Planning

City of Providence



Rhode Island

## Department of City Clerk

### MEMORANDUM

DATE: March 31, 1999

TO: Nancy Derrig, Superintendent of Parks

SUBJECT: **ABANDONMENT OF ALGER AVENUE**

CONSIDERED BY: Councilman Robert M. Clarkin, Chairman, Committee on Public Works

DISPOSITION: The accompanying resolution is referred to you for study, report and recommendation and report back in writing to the above-named committee as soon as practical.

**IRENE J. TESTA**  
Traffic Engineer

**JOSEPH W. CAPRIO**  
Deputy Director




**VINCENT A. CIANCI, JR.**  
Mayor

Department of Traffic Engineering  
*"Building Pride In Providence"*

## MEMORANDUM

**TO:** Councilman Robert Clarkin, Chairman  
Committee on Public Works

**FROM:** Irene J. Testa, Director

**DATE:** April 14, 1999 

**RE:** PENDING MATTER

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**REQUEST:** To abandon a portion of Alger Avenue.

**DISPOSITION:** No objection.

GEORGE CALCAGNI

Chair



VINCENT A. CIANCI, JR.

Mayor

## PROVIDENCE CITY PLAN COMMISSION

*"Planning the Future of Providence"*

April 23, 1999

Councilman Robert M. Clarkin, Chairman  
Committee on Public Works  
City Hall  
Providence, Rhode Island 02903

ATTENTION: Mr. Michael R. Clement, Jr., City Clerk

**CPC Referral No. 3147.** Petition by ProCAP to abandon a portion of Alger Avenue on Plat 89 between Hamlin and Dixon Streets.

Dear Councilman Clarkin:

The City Plan Commission at its regular meeting on Tuesday, April 20, 1999, reviewed and evaluated the request from the Committee on Public Works on the petition to abandon that portion of Alger Avenue between Hamlin and Dixon Streets.

The petitioner is the Providence Community Action Program, Inc., (ProCAP) an agency of the City of Providence that develops affordable housing in the city's neighborhoods. ProCAP owns Assessor's Plat 89, Lots 379, 732, 74, 75, 76, 77 and 78, all lots are vacant except for Lot 78, that has a single family structure. The agency will construct five or more new duplex-type homes and offer for sale to families of modest income. The area and street to be abandoned are zoned R-2, however, Lots 380 and 381 are in the M-1 zone.

The Commission has reviewed and evaluated the request for consistency with the City's Comprehensive Plan. The Commission found the proposed abandonment of said right-of-way is consistent with *Providence 2000: The Comprehensive Plan*.

The City Plan Commission voted to recommend that the Committee on Public Works approve the petition to abandon the aforesaid public right-of-way and at the agreement of ProCAP to amend its original petition, the Commission would include the following as conditions of approval. That petitioner, ProCAP must accomplish the following:

1. ProCAP must obtain a written agreement from the abutter/ owner of Lots 380 and 381.
2. Secure an agreement to abandon Alger Avenue from the owner of Lot 105 in order to extend the new lot line to the terminus of Lot 105.
3. ProCAP and the abutter must agree to re-configure said lots and the abandoned right-of-way as an Administrative Subdivision.

Regards,

A handwritten signature in black ink, consisting of a large, stylized 'T' followed by a horizontal line and a long, sweeping flourish that extends to the right.

Thomas E. Deller, AICP, Deputy Director

cc: Frank Corbishley, Executive Director, ProCAP  
George Calcagni, Chair



Narragansett Electric  
A NEES company

May 12, 1999

**BY FAX AND U.S. MAIL**

Ms. Barbara A. Poirier  
Department of City Clerk  
Providence City Hall  
25 Dorrance Street  
Providence, Rhode Island 02903

Re: **Petition to Abandon a Portion of Alger Avenue**

Dear Ms. Poirier:

The Narragansett Electric Company (NEC) has no facilities within the portion of Alger Avenue proposed for abandonment, therefore, we have no objection to this petition.

If you have any questions feel free to call me at 401-784-7209.

Sincerely,

Michael D. DiNezza  
Senior Real Estate Representative



280 Melrose Street  
P.O. Box 1438  
Providence, RI 02901-1438  
Telephone: 401-784-7000



**Bell Atlantic**  
Right of Way Department  
85 High Street  
Pawtucket, RI 02860  
401-727-9555



May 6, 1999

Providence City Council  
Providence City Hall  
25 Dorrance Street  
Providence, Rhode Island 02903

Attn: Mr. Robert Clarkin

RE: PETITION TO ABANDON A PORTION OF ALGER AVENUE

Dear Sir:

Upon investigation by our Engineering Department, it has been determined that Bell Atlantic currently has no facilities on the proposed site to be abandoned.

Very truly yours,

A handwritten signature in cursive script that reads "Mary C. Hanley".

Mary C. Hanley  
E/P Manager - Right of Way



4/2/99

Ms. Barbara A. Poirier  
Second Deputy City Clerk  
Department of City Clerk  
City of Providence  
Providence, RI 02903

Re: Abandonment of Alger Avenue  
Providence

Dear Ms. Poirier:

Providence Gas Company does not own or maintain any gas facilities within the proposed abandonment within the frontage of lots 379, 732 and 74. Therefore, we have no objections to the abandonment of this street in this area. We do own and maintain a 4" gas main within the intersection of Alger Ave. and Hamlin St. If this proposed abandonment contains this intersection, we would object to the petition unless an easement was granted.

If you have any further questions please feel free to call me at 401 272-5040 ext. 573.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael McGuire".

Michael McGuire  
Manager of Engineering Design & Drafting

Paul Pinault, P.E.  
Executive Director