

# RESOLUTION OF THE CITY COUNCIL

No. 51

Approved January 29, 1993

RESOLVED, DECREED AND ORDERED:

That the following street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064538, dated June 18, 1992."

VIZ:

BURLEIGH STREET, shown as cross-hatched area on accompanying plan and designated by the letters (A-B-C-D-E-A) having ceased to be useful to the public and is abandoned as a Public Highway and the damages to abutters is appraised as nothing and is so awarded.

Said Abandonment is specifically conditioned upon the following:

A.) The Petitioner shall tender the sum of One Thousand Dollars (\$1,000.00) U.S. to the City Collector of the City of Providence not later than ninety (90) days subsequent to the effective date of this Resolution.

B.) The Petitioner shall upon request convey new or amend existing easements to public utility concerns, suitable for the continuation of any such existing rights-of-way. This provision shall not be interpreted to require Petitioner to grant such utility concerns rights-of-way to non-existing uses.

C.) The Petitioner expressly agrees - which agreement shall be evidenced by any use or assumption of the realty abandoned hereunder that:

1. All documents obtained in connection with Petitioner's petition including any minutes, voice recording or transcription of the same shall comprise the official record of Grantee's position;

2. The Grantee is presumed to assent to and comply with all recommendations, requests and the like - including but not limited to: modifications of Petitioner's original plan, landscaping alteration, set-back adjustments, rights of access to utility concerns and federal, state and municipal departments or agencies - which are contained in the official record presented to the City Council Committee on Public Works.

IT IS FURTHER

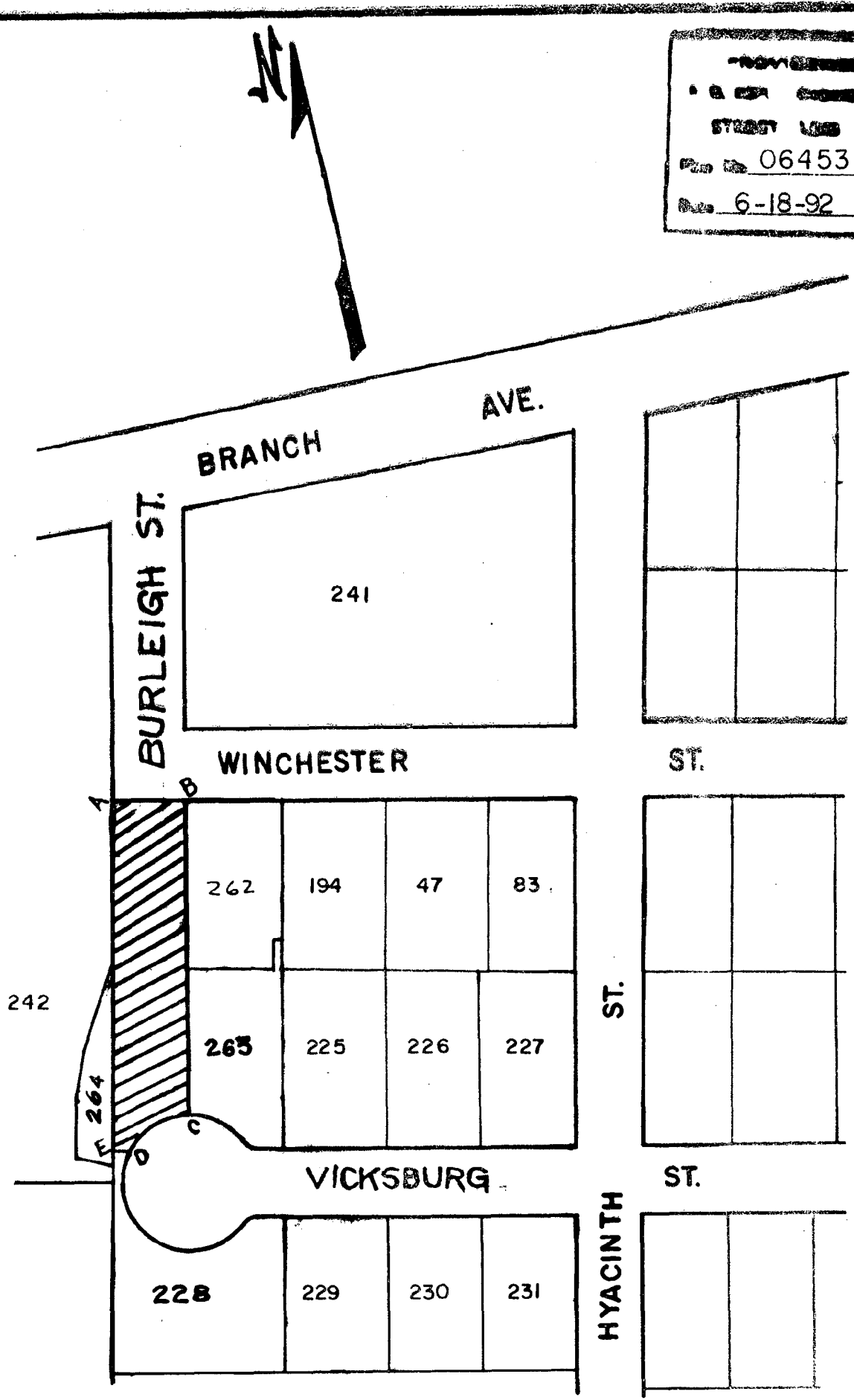
ORDERED, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highways abandoned as aforesaid, having thereon the words, "Not a Public Highway," and it is further

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

IN CITY COUNCIL  
JAN 21 1993  
READ AND PASSED  
*Michael V. Fargnoli*  
ACTING PRES.  
*Michael L. Clement*  
CLERK

APPROVED  
JAN 29 1993  
*Vincent A. Cianci*  
MAYOR

PROVIDENCE, R. I.  
 A. & C. ENGINEERING OFFICE  
 STREET LAYOUT SECTION  
 Plan No. 064538  
 Date 6-18-92



**NOTE:**  
 CROSS-HATCHED AREA  
 (A-B-C-D-E-A) INDICATES  
 PROPOSED ABANDONMENT.

CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 PROPOSED ABANDONMENT  
 BURLEIGH ST.  
 Drawn by B.P.O.R.-O.A. Checked by J.T.M.  
 Scale 1" = 80' Date 6-18-92  
 Corrected by J.T.M. - Approved by J.T.M. P.E.  
 Approved by J.T.M. P.E.

LOT NUMBERS TAKEN FROM A.P.102

SCHAEFFER BATES McDONOUGH  
INCORPORATED

**APPRAISAL REPORT**  
**PORTION OF A PAPER STREET**  
**55-59 VICKSBURG STREET**  
**PROVIDENCE, RHODE ISLAND**

**SCHAEFFER BATES McDONOUGH**  
INCORPORATED

CORPORATE OFFICES  
365 EDDY STREET  
PROVIDENCE, RI  
02903  
(401) 273-7710  
FAX (401) 274-7410

ROY C. SCHAEFFER, MAI  
MARK F. BATES, MAI  
GERARD H. McDONOUGH, MAI

September 18, 1992

Gregory D. Vickowski

1140 Reservoir Avenue  
Cranston, Rhode Island 02920

Dear Mr. Vickowski:

I have reviewed the documents you supplied to me regarding the question of the market value of approximately 3,240 square feet of land which, according to the City Of Providence Assessor's maps, is a portion of Lot 224 on Plat Map 102. The purpose of the review and an inspection of the property was to estimate the market value of the land in question. The principal assumption is that this land belongs to the City of Providence as a "paper street" which would be an extension of Burleigh Street. *However, I would stress that there is reason to believe that the land in question is no longer in the possession of the city.*

A second, unique characteristic of the land in question is that there apparently is no "fair market" for it, since it meets almost none of the zoning requirements for a buildable lot and is topographically unsuited for construction. This will be the first consideration in the following report.

Based upon the following analysis, it is my considered opinion that the market value of the subject land, as of September 17, 1992 is:

**ONE THOUSAND DOLLARS (\$1,000)**

Sincerely,

  
Roy C. Schaeffer, MAI

## INTRODUCTION

### The Purpose of the Report

The purposes of this report are two: (1) *to form an opinion as to the Market Value of the subject property and (2) to address relevant appraisal issues regarding the valuation of land for which there is virtually no market.* Consequently, the format of this report will differ somewhat from the standard, narrative report in that it will serve two purposes. On the other hand, the function of the report is to resolve a difference of opinion regarding the market value of the subject property. The function of the report has no influence on the final estimate of market value.

### Effective Date of the Appraisal

The effective date of the value estimate is September 17, 1992, the last date that the subject property was inspected.

Facts. The issues in this assignment arise from an alleged encroachment upon a "paper" street in Providence Rhode Island. A summary of the issues is as follows.

The City of Providence claims that the land in question has a market value of \$6,800, or \$2.10 per square foot.

The land in question appears to be a strip more or less 40' wide on Lot 224 and only 20' wide on the lot between the subject property and the end of Burleigh Street improvements.

Current assessor's maps have no indication that a paper street exists. Also, it is quite likely that the two lots through which the paper street passes have made open and notorious use of the land to the point where ownership of it by the city is debatable.

The three properties abutting the strip in question all have frontage on existing streets, which renders the extension of Burleigh Street irrelevant to traffic patterns.

Definition of Market Value. At the outset, a critical issue is the definition of market value. The city's basic assumption, that the land is worth \$6,800 to a real estate market that

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consists of only one buyer, is a fundamental flaw. The accepted definition of Market Value, according to The Appraisal of Real Estate 9th. edition. is:

*"The most probable price, as of a specific date, in cash, or in terms equivalent to cash, or in other precisely revealed terms for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably and for self-interest, and assuming the price is not affected by undue stimulus."*

Implicit in this definition is the consummation of a sale as of a specified date, and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed, or well advised, and each acting in what he considers his own best interest;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto;
5. financing, if any, is on terms generally available in the community at the specified date and typical for the property type in its locale.
6. The price represents a normal consideration for the property sold, unaffected by special or creative financing amounts or sales concessions granted by anyone associated with the sale.

The relevant passages are those referring to "a competitive market". Clearly, an estimate of market value based upon the needs of a single buyer fails to meet this definition.

Nor does the property meet the requirements of *Value In Use*. Real Estate Appraisal Terminology defines this as:

*A value concept which is based upon the productivity of an economic good to its owner-user. Value in use may be a valid substitute for market value when the current use is so specialized that it has no demonstrable market and when the use is economic and likely to continue.*

Note that Value in Use is to the "owner-user", in this case, the city, not the owner of lot 224, since the city claims to be the owner. Under this definition, the property must be "economic and likely to continue". Since the land had no demonstrable use, especially since the portion to the rear of the subject lot has been narrowed to 20', not only is the application of a "market value" of \$2.10 per square foot unsupportable, but the concept of Value In Use is not applicable.

A more likely category for this property is as a "Limited Market Property". This is defined in The Appraisal of Real Estate as ". . . a property for which, at a particular time, there are relatively few potential buyers". Obviously, if there are "few potential buyers", or as in this case one potential buyer, the buyer is in the stronger position, and surely would not pay the same price as he would if he were competing for the site in an active market. The Appraisal of Real Estate recognizes this by stating:

*"Due to the relatively small market and the lengthy market exposure needed to sell such properties, there may be little evidence to support a market value estimate based upon their current use. Nonetheless, if a market exists, an appraiser must search diligently for whatever evidence of market value is available."*

*Source. The Appraisal of Real Estate, ninth edition, p. 21.*

**Solution.** In order to simplify the issues, particularly the question of relevant comparable sales, I limited the collection of data to properties that had development problems, such as being undersized, shaped such that setbacks restricted development, etc. As implied in the text book definition, very few such sales exist since there is virtually no market for them.

Before addressing the market data, a brief description of the property is presented, along with photographs.



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**PROPERTY DESCRIPTION**

The subject land has no lot description, but is currently included in Lot 224 on Plat 102. It is a portion of an undeveloped stretch of Burleigh Street, which terminates one lot northerly of lot 224.

It is level, sloping slightly with the topography to the lot line of an industrial complex, which lies below grade and would have no use for the land in question.

The subject land segregated from the narrower portion of the paper street by a fence. There are two fences on the land serving the building on lot 224. Lot 224 fronts on a cul de sac at the westerly terminus of Vicksburg Street. These uses might constitute open and notorious use as far back as 1958.

The following pages contains a plat map excerpt, which is followed by a location map, drawing of the land in question, and photos of the subject land.

812

Map  
Dated 12-31-89

242  
06,563

BURLEIGH

241  
30,645

225

WINCHESTER

120-121 118-119 116-117 114-5

193  
5413

194  
5898

47  
5879

89  
4876

224  
7415

225  
5671

226  
5671

227  
6671

228  
7548

229  
5610

230  
5610

231  
5610

232  
6588

233  
6242

234  
6242

235  
6242

VICKSBURG

208  
5000

209  
5000

211  
7600

SHILOH

SHI

Subject

N

333815  
BUTLER

Anger  
Deed  
Dated  
July  
30  
1958


## 3. MAP

•

~ OCT. 13, 1960

RIES, INC

KEY

 = Area to be Abandoned

DETAIL 'B'  
(NOT TO SCALE)

N/F  
EMIL J. AUGER

N/F  
DOROTHY GRAY

CLAT LINE BY GEO. SMITH  
SEE REFERENCE # 2

EXISTING STOCKADE FENCE

116' RIGHT-OF-WAY

- SEE DETAIL 'B' ABOVE

**Subject**

EXISTING 3 UNIT  
DWELLING  
# 99-57-55

LOT 224  
4,713 S.F.

N/F  
JOSEPH CARDELLLO III

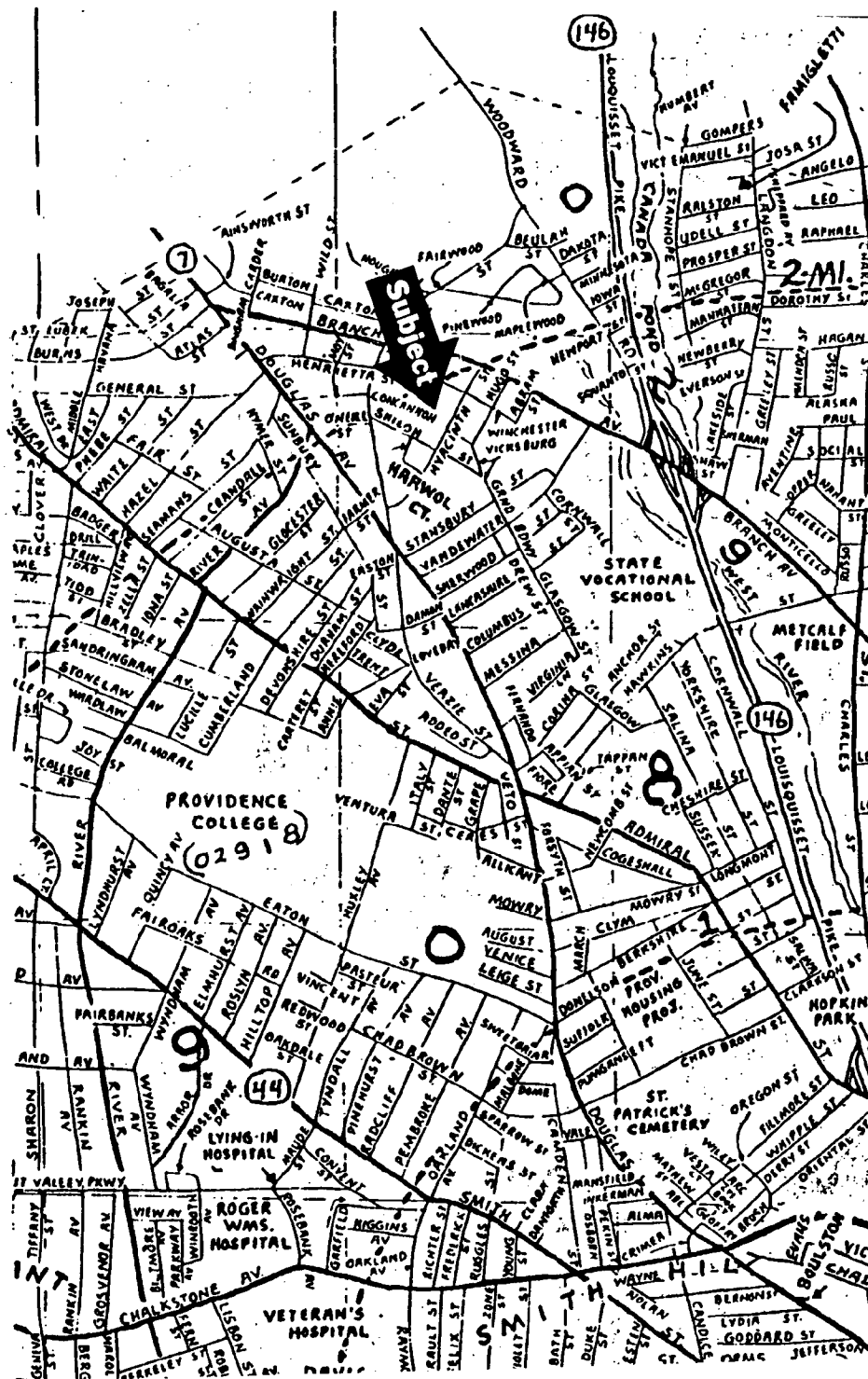
$$\begin{array}{r} 1713 \\ + 1908 \\ \hline 3621 \end{array}$$

SEE DETAIL 'A' BELOW

$\Delta: 89^{\circ}38'08''$   
 $E: 40.00'$   
 $L: 62.58'$   
 $T: 39.75'$   
 $C: 56.39'$

165.00'  
C STREET LINE

LOCATION MAP

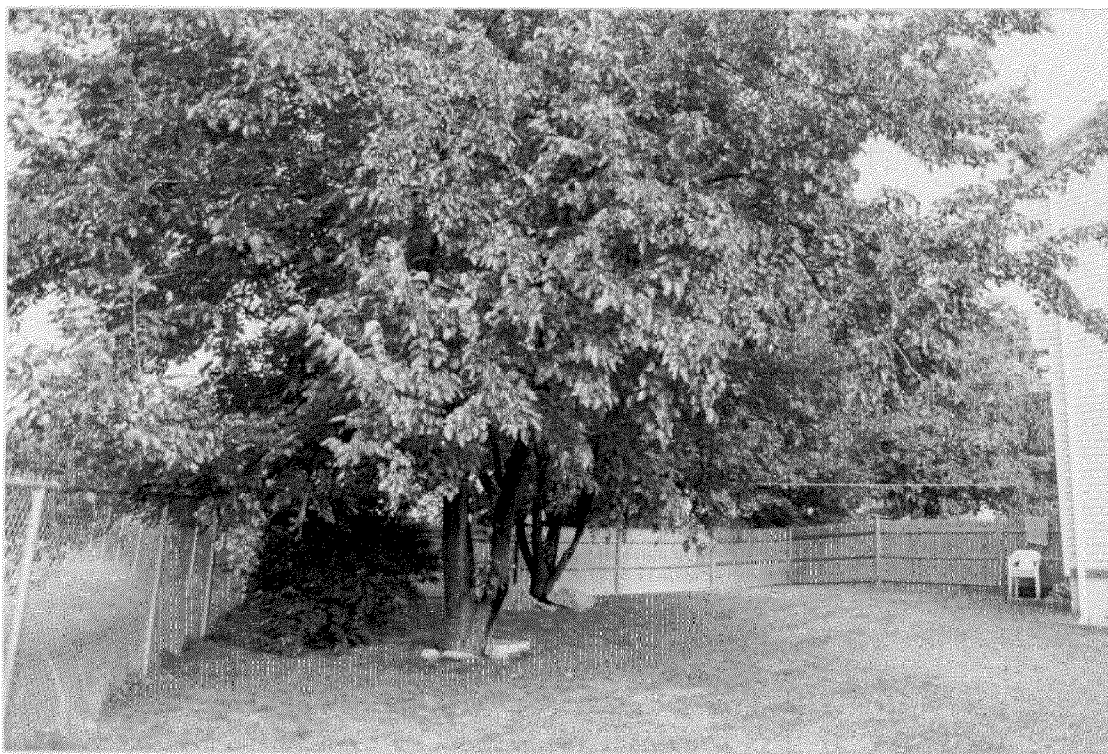


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INCORPORATED**

**TERMINATION OF IMPROVED PORTION OF BURLEIGH ST. (LOT 193)**



**SUBJECT PROPERTY**



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**ABUTTING INDUSTRIAL PROPERTY LOTS 218 AND 242**



**CUL DE SAC ON VICKSBURG STREET. SUBJECT ON RIGHT**





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**HIGHEST AND BEST USE**

The prerequisite to a meaningful valuation is the sound estimate of the most profitable and likely use of a property. Highest and Best Use is defined as *"that reasonable and profitable use that will support the highest present value as defined, as of the effective date of the appraisal; that is, from among reasonably probable and legal alternative uses, found to be physically possible, appropriately supported, financially feasible and which results in the highest land value"*.

The subject property apparently consists of approximately 3,240 square feet of land, approximately 40' wide and with varying length. As such, it is unimprovable to any meaningful extent. It is alleged to be a portion of an abandoned street.

I am persuaded that the ultimate use to which the land was put - as supplementary land for the existing, three family home on lot 224 - is the highest and best use of the land in question. It has no value for the land owner behind lot 224 and none for the industrial property westerly of Lot 224.

*It should be noted that the frontage of the land in question is directly on a cul de sac.* Obviously, no through traffic was intended.

This appraiser has therefore taken an approach that would be acceptable both to the Uniform Standards of Professional Appraisal Practice and to the courts. The land is valued as buildable land zoned for residential uses, with the specific Highest and Best Use as supplementary parking and or site amenities. In that regard, *all* sales of buildable lots are irrelevant, a fact that severely limits the sales data.

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**VALUATION METHODOLOGY**

There are three basic approaches to value that may be used by appraisers. These approaches provide data from three different sources when all are available. These three approaches are: the Sales Comparison Approach (Market Data Approach), the Income Approach, and the Cost Approach.

The Sales Comparison Approach has as its premise a comparison of the subject property with other properties of a similar design, utility, use and location and that have sold in the recent past. Adjustments are made to the sale prices of the comparable properties in order to arrive at an indication of value for the subject property.

The Income and Cost Approaches are generally not applicable to the valuation of small, vacant parcels of land.

The first step is to survey the market for comparable sales. As has been stated throughout this report, disputes regarding the ownership of the land in question will be set aside. The data are as follow.

**Sale #1**

<b>Address:</b>	2 Wayne Street, Providence, RI
<b>Tax Assessor's Desc.:</b>	Plat 68 lot 419
<b>Grantor:</b>	Donald Keegan
<b>Grantee:</b>	Violet Kirkorian
<b>Land Area:</b>	1,742 square feet
<b>Date of Sale:</b>	1/90
<b>Sale Price:</b>	\$2,000

**Comments:** This site is undersized and unbuildable.



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**Sale #2**

<b>Address:</b>	93 Linden Street, Providence, RI
<b>Tax Assessor's Desc.:</b>	Plat 23 lot 60
<b>Grantor:</b>	Dennis Cote
<b>Grantee:</b>	Patrick Conley
<b>Land Area:</b>	1,612 square feet
<b>Date of Sale:</b>	April, 1988
<b>Sale Price:</b>	\$3,500

**Comments:** This site is square in shape and provided additional frontage and land area for an existing, abutting lot.

**Sale #3**

<b>Address:</b>	113 Raphael Street, Providence, RI
<b>Tax Assessor's Desc.:</b>	Plat 97 lot 603
<b>Grantor:</b>	Linda Ajootian
<b>Grantee:</b>	Peter Madden
<b>Land Area:</b>	4,008 square feet
<b>Date of Sale:</b>	1/90
<b>Sale Price:</b>	\$1,000

**Comments:** This site had the remains of improvements on it, which had to be removed for marketing. It sold recently, after being prepared for market, for \$5,000.

**Analysis.** To repeat, the definition of market value is stretched to the breaking point by applying these or any other sales. The subject land is a narrow strip, uneven in shape, and unbuildable. As such, it is virtually without value to the "open market". However, consistent with techniques used in condemnation cases, and generally accepted by the courts, the application of these sales is practical. In that regard, considering all the inhibitions to the marketing of the subject parcel, to the point of being virtually unmarketable, I conclude that the lowest indicator represents the market value of the subject land. Therefore, it is my considered opinion that the market value of the subject property as of September 17, 1992 was:

**ONE THOUSAND DOLLARS (\$1,000)**

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CERTIFICATION

I certify that, to the best of my knowledge and belief, ...

- the statements of fact contained in this report are true and correct.
- the reported analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analysis, opinions and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
- my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event. The appraisal assignment was not based upon a requested minimum valuation, a specific valuation, or the approval of a loan.
- I have made a personal inspection of the property that is the subject of this report.
- no one provided significant professional assistance to the person signing this report.
- my analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Practice. The departure Provision of USPAP has been invoked in the development or reporting of this appraisal to the extent that a "limited report" is permitted.
- any personal property, fixtures or intangible items that are not real property but are included in the appraisal have been identified and separately analyzed, and in impact of their inclusion or exclusion on the estimate of market value has been discussed in this report.
- If any information required or deemed pertinent to the completion of an appraisal was unavailable, that fact and the effort to obtain the information have been disclosed and explained in this report.

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INCORPORATED

- I am currently a Rhode Certified General Appraiser - Certificate number A00129G.
- I am currently certified under the Appraisal Institute's program of voluntary certification.

In my opinion the market value of the subject property "as-is" and as of September 17, 1992 is:

**ONE THOUSAND (\$1,000) DOLLARS**

DATE: September 18, 1992.

FOR SCHAEFFER, BATES, McDONOUGH  
Incorporated

Roy C. Schaeffer, MAI



SCHAEFFER BATES McDONOUGH  
INCORPORATED

**CONTINGENT AND LIMITING CONDITIONS**

This appraisal report, the letter of transmittal and the certification of value are made expressly subject to the following assumptions and limiting conditions as well as those expressly stated in the report.

1. No responsibility is assumed for matters legal in nature. Nor is any opinion rendered as to title, which is assumed to be marketable. The property is assumed to be under responsible management for the purposes of this appraisal.

2. Sketches in this report are included to assist the reader and no responsibility is assumed for accuracy. No survey has been made specifically for this report.

3. Unless arrangements have been previously made, appearances in court or requirements to give testimony are not included in the fee.

4. The distribution of value in this appraisal between land and improvements applies only to the stated program of utilization and are invalid if used with any other appraisal.

5. It is assumed that there are no hidden or unapparent conditions of the property, including subsoil, which would render it more or less valuable. No responsibility is assumed for such conditions or for research which might be required to discover such factors.

6. Information, estimates and opinions furnished to this office and relied upon for this appraisal assignment were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy can be assumed.

7. *Neither all nor any part of the contents of this report, or copy thereof, shall be used for any purpose by any other than the client without the written consent of the appraiser and/or the client. Nor shall it be conveyed by any other than the client to the public through advertising, public relations, news, sales or other media without the written consent and approval by the author(s), particularly as to valuation conclusions, the identity of the appraisers or a firm.*

**SCHAEFFER BATES McDONOUGH  
INCORPORATED**

**QUALIFICATIONS OF ROY C. SCHAEFFER, MAI  
REAL ESTATE APPRAISER AND CONSULTANT**

**Professional Affiliations:**

Appraisal Institute - MAI  
American Arbitration Association

**Professional Achievements:**

President, Chapter 93, SREA 1982-1984  
Former Instructor - University of Rhode Island

**Expert Witness Qualifications:**

State of Rhode Island, Superior Court  
State of Rhode Island, Family Court  
State of Rhode Island, P.U.C.

**Completed the following courses and examinations:**

SREA: Course 101, Introduction to Appraising  
SREA: Examination R-2, Residential Case Studies  
AIREA: Capitalization Theories and Techniques  
AIREA: Urban Properties and Case Studies  
AIREA: Industrial Valuation

**SREA Seminars:**

Narrative Report Writing  
Tax Considerations in Real Estate  
Mathematics, Statistics and Finance  
Errors and Omissions  
Cash Equivalency and Creative Financing

**AIREA Seminars:**

Standards of Professional Practice  
Hotel and Motel Valuation  
Conservation Easements  
Valuation of Historic Properties  
Components of Industrial Construction

**AMERICAN ARBITRATION ASSOCIATION:**

Resolution of Real Estate Conflicts

**SCHAEFFER BATES McDONOUGH**  
**INCORPORATED**

**SIGNIFICANT CLIENTS:**

**United States Government:**

General Services Administration  
 Bureau of the Interior  
 Department of Commerce  
 Small Business Administration

**State of Rhode Island**

Department of Community Affairs  
 Department of Environmental Management  
 Department of Transportation  
 Rhode Island Properties Commission

**Appraisals in the following states:**

Rhode Island	Massachusetts	Maine
Connecticut	New Hampshire	Missouri
Michigan	Pennsylvania	Arkansas
New Jersey	Virginia	Florida

**Miscellaneous:**

National Partnership Investments Corp.  
 Gaudreau & Co.  
 Boston Equities  
 Reynolds Metals Development Corp.  
 Mobil Oil Corporation  
 Providence and Worcester Railroad  
 Walter E. Heller  
 Sheraton Corp.  
 Volkswagon of America  
 Rhode Island Solid Waste Management Corp.  
 Fleet National Bank  
 Hospital Trust National Bank  
 Old Stone Bank  
 Citizens Bank  
 Old Colony Cooperative Bank  
 Peoples Savings Bank  
 Miscellaneous developers, attorneys, and private citizens

**Publications:**

Appraisal Journal  
 Real Estate Appraiser and Analyst  
 New England Real Estate Journal  
 New England Real Estate Directory

Note: I am certified under the American Institute of Real Estate Appraisers' voluntary program of certification.

**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 approve the abandonment of a portion of Burleigh Street in the City of Providence. The area requested to be abandoned begins at the northern most property line of adjacent Lot 224 (Plat 102) and continues to the southern most end of Burleigh Street.

The portion of Burleigh Street described above has never been paved and/or used by the public. It is a paper street completely unaccessible to the public and in my belief, has been of no value to the public in the past. It is of no value to the public or the City of Providence in the future as all lots in that area have been developed and are accessible by established city streets.

I have enclosed an enlarged section of plat map 102 dated 12-31-91, with the section of Burleigh Street I am requesting to be abandoned highlighted. I believe that the dimensions of that section are 40 feet wide by 87 feet long, with an adjustment for the curve of the cul-de-sac at the end of Vicksburg Street. It is my belief that the street is 40 feet wide.

The purpose of the request for abandonment is twofold; first, a prior owner of Lot 224 took many liberties and used the end of Burleigh Street for parking for the tenants of 55 Vicksburg Street. As the new owner, I do not feel comfortable using land I do not formally own and wish to purchase it so that I may use it for parking. Second, I have requested the street abandonment to meet zoning requirements for Plat 102, Lot 224 to be a conventional three-family lot. Today, there sits a three-family house on the lot. However, the lot size is substandard by 1,300 square feet and therefore only two units can be occupied. By adding at least 1,300 square feet to Lot 224, it will conform to the R-3 zoning requirements and can be used as a three-family dwelling.

As I mentioned there is a three family struture on Lot 224, however, due to survey problem, it can only be used as a two-family. One unit is vacant today. It is my feeling that an apartment unit that is vacant for an extended period of time is dangerous, unsightly and completely wasted housing. It is highly susceptible to arson or vandalism. The house was originally used as a three-family from the time it was built until sometime in 1991. The use of the third apartment unit provides additional clean, modern housing to the City of Providence in a nice neighborhood. I believe that the City of Providence has a shortage of modern, clean and desirable housing in that area. I also believe that enhancement of that area is important to Providence as it used to be so closely tied to the Wanskuk mill, which no longer is used for manufacturing.

I assert that the abandonment serves a couple of purposes to the City of Providence. First, being able to use the house at 55 Vicksburg Street as a three-family dwelling increases the assessed value and real estate tax revenue to the City of Providence. It relieves the City of any current or future responsibility with respect to municipal services. Lastly, it clears up years of confusion.

I currently own several rental properties in Providence, one property less than two blocks away, take pride in ownership of my properties and pay a substantial amount of taxes to the City of Providence.

Dated: January 29, 1992

Signed:

*Gregory D. Vickowski*  
Gregory D. Vickowski  
125 Beamis Avenue  
Cumberland, RI 02864

DEPARTMENT OF CITY CLERK  
**RECEIVED**

FEB 5 1992

*Michael R. Clement*  
CITY CLERK OF PROVIDENCE, RI

*Paid by ck #2332  
Gregory & Deborah Vickowski  
125 Beamis Ave  
Cumberland, RI*

*Met Bank*

FEB 10 1992  
 FEB 5 10 55 AM '92  
 DEPT. OF PUBLIC WORKS  
 PROVIDENCE, R.I.

IN CITY COUNCIL  
 MAR 5 1992  
 FIRST READING  
 REFERRED TO COMMITTEE ON  
Michael R. Clement CLERK  
 PUBLIC WORKS

THE COMMITTEE ON  
 PUBLIC WORKS  
 Recommends *Continued*  
Barbara A. Pereira  
 8/27/92 Clerk  
 9/23/92  
 11/18/92 P.H.

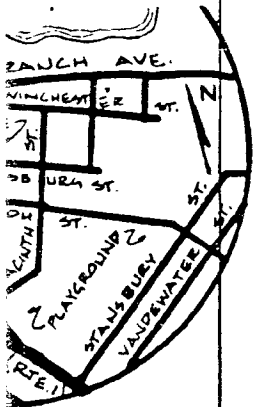
THE COMMITTEE ON  
 PUBLIC WORKS  
 Approves Passage of  
 The Within Resolution *Petition*  
Barbara A. Pereira  
 1/5/93 Clerk





Plat Map


dated 12/31/91

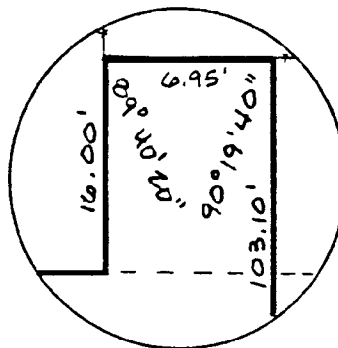


MAP

BURLEIGH STREET

KEY

 = Area to be Abandoned



DETAIL 'B'  
(NOT TO SCALE)

N/F  
EMIL J. AUGER

N/F  
DOROTHY GRAY

PLAT LINE BY GEO. SMITH  
SEE REFERENCE #2

EXISTING STOCKADE FENCE

16' RIGHT-OF-WAY

SEE DETAIL 'B' ABOVE

EXISTING 3 UNIT  
DWELLING  
#59-57-55

N/F  
JOSEPH CARDELLO III

LOT 224  
4,713 S.F.

$\Delta = 89^{\circ}38'08''$   
 $R = 40.00'$   
 $L = 62.58'$   
 $T = 39.75'$   
 $C = 56.39'$

SEE DETAIL 'A' BELOW

165.00'  
STREET LINE

VICKSBURG STREET  
(40' WIDE PUBLIC)

November 11, 1992

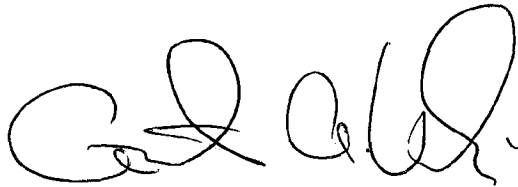
City of Providence  
25 Dorrance Street  
Providence, Rhode Island 02903  
Attn: Mr. Michael Clements, City Clerk

Dear Mr. Clements:

It is my understanding that there is to be a public meeting relative to the condemnation of a section of Burleigh Street. Although I have not received any notice as an abutter, I am considering myself to be officially notified.

I have no objection other than the proposal that this property be sold back to the individuals, who were under the impression that it was theirs to begin with. Due to the poor records and designs dating back to the early part of this century; the exact location of the once proposed road unknown; the fact the city wasn't altogether aware it even existed; and the apparent fact that the city isn't even aware of who the abutters are (in this case, yours truly) I feel it quite inappropriate that any sum be requested for an imaginary street that has been used as people's yards etc. for years.

In any event my participation has only been from my investigating my tax bill and subsequently assisting the homeowner who has requested the abandonment.



Plot 102 / Lot 264

July 17, 1992

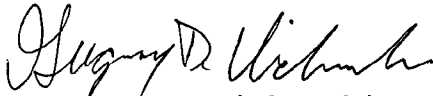
Ms. Barbara Pourier  
City of Providence  
City Clerk's Office  
City Hall  
Providence, RI 02903

Dear Ms. Pourier:

I just wanted to write you a brief letter thanking you for your assistance thus far on the Burleigh Street abandonment petition. I filed the petition in February and since that time, you are the first person in the City that has helped me understand the process and status of my request.

Once again, thank you for your courtesy and assistance. Please keep me informed of the progress. I can be reached during the day at 946-4600.

Sincerely,



Gregory D. Vickowski  
125 Beamis Ave.  
Cumberland, RI 02864

September 18, 1992

Mr. Robert Clarkin, Chairman  
Committee on Public Works  
City Clerks Office  
Providence, RI 02903

RE: Burleigh Street Abandonment

Dear Mr. Clarkin:

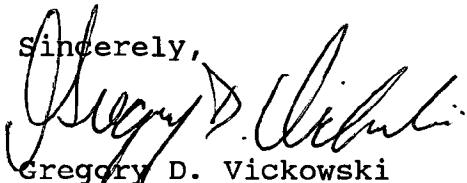
I respectfully submit herewith, an appraisal from an MAI certified appraiser for the Burleigh Street parcel I have requested for abandonment.

As you know, at the Public Works meeting in which my request was heard, I raised several concerns I had about the estimated value of the property. In so much as there was uncertainty as to its true value, I had an appraisal prepared to support my position.

I hope this will assist the Public Works Department in arriving at a decision shortly, as I am anxious to finalize this process.

I sincerely appreciate your cooperation with this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Gregory D. Vickowski', written over the typed name.

Gregory D. Vickowski  
125 Beams Avenue  
Cumberland, RI 02864

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 Burleigh Street.

Plat	Lot	Name and Address
102	193	Emil J. Auger 940 Wellington Avenue Cranston, R. I. 02910  American Industrial 940 Wellington Avenue Cranston, R. I. 02910
	224	Fairlawn Credit Union 571 Smithfield Avenue Pawtucket, R. I. 02860
	242	Theta Realty Co. 812 Branch Avenue Providence, R. I. 02904

COUNCILMAN PETER S. MANCINI  
WARD 14

CITY SERGEANT

DATE

*Ralph Auger*

*10/6/92*

Burleigh St.

Plot 102 Emil J. Auger

Lot 193 940 Wellington Ave., Cranston 02910

American Industrial

940 Wellington Ave., Cranston 02910

Lot 224

Fairlawn Credit Union

571 Smithfield Ave., Pawtucket 02860

Lot 242

Theta Realty Co

812 Branch Ave., Prov. 02904

Councilman Peter S. Mancini

B. JAMES SUZMAN

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

*"Building Pride In Providence"*

June 18, 1992

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

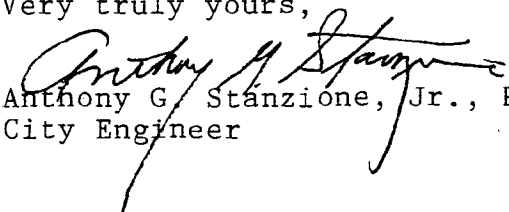
Re: Proposed Abandonment  
Burleigh Street

Dear Councilman Clarkin:

Please be advised that this department has no objections to the proposed abandonment of Burleigh Street as noted on plan entitled, Prov., R.I., P.W. Dept. - Engineering Office, Street Line Section, Plan No. 064538, Dated 6/18/92.

If this department can further assist you in this regard, please contact this office. It is noted that there are no easements connected with this proposed abandonment.

Very truly yours,

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

AGS

CC: M. Clement - City Clerk  
B.J. Suzman - Director/DPW  
JTM  
JLC



CITY OF PROVIDENCE  
RHODE ISLAND

COMMITTEE ON PUBLIC WORKS  
OF THE  
CITY COUNCIL

PUBLIC HEARING

RELATIVE TO ABANDONMENT OF PUBLIC HIGHWAYS

ORDERED:

That all those owners of land abutting along the following streets are hereby notified to appear before the Committee on Public Works of the City Council Wednesday, November 18, 1992 at 5:00 o'clock P.M. (EST) in the Chamber of the City Council, City Hall, Providence, Rhode Island to be heard for or against the following proposition:

ABANDONMENT

Petition to abandon a portion of Burleigh Street.

Individuals requesting interpreter services for the hearing-impaired must notify the office of the Mayor at 751-0203, 48 hours in advance of hearing date.

PER ORDER OF THE COMMITTEE ON PUBLIC  
WORKS.

Councilman Robert M. Clarkin, Chairman  
Councilman Joseph DeLuca, Vice-Chairman  
Councilwoman Rita M. Williams  
Councilwoman Patricia K. Nolan  
Councilman Joshua N. Fenton

Michael R. Clement  
City Clerk

*Legal Ad: 2 Columns by whatever depth  
necessary  
October 21, and 28, 1992 and November  
4, 1992*

CITY OF PROVIDENCE  
RHODE ISLAND

COMMITTEE ON PUBLIC WORKS  
OF THE  
CITY COUNCIL

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Councilwoman Patricia K. Nolan  
Councilman Joshua N. Fenton

Michael R. Clement  
City Clerk

CITY OF PROVIDENCE  
RHODE ISLAND  
COMMITTEE ON PUBLIC WORKS  
OF THE  
CITY COUNCIL  
PUBLIC HEARING

RELATIVE TO ABANDONMENT OF PUBLIC HIGHWAYS

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ABANDONMENT

Petition to abandon a portion of Burling Street.

Individuals requesting interpreter services for the hearing-impaired must notify the office of the Mayor at 751-4203, 48 hours in advance of hearing date.

PER ORDER OF THE COMMITTEE ON PUBLIC WORKS

Councilman Robert M. Clerkin, Chairman  
Councilman Joseph DeLuca, Vice-Chairman  
Councilwoman Rita M. Williams  
Councilwoman Patricia K. Nolan  
Councilman Joshua N. Fanson

Michael R. Clement  
City Clerk

MICHAEL S. VAN LEESTEN  
DIRECTOR



VINCENT A. CIANCI, JR.  
MAYOR

## Department of Planning and Development

*"Building Pride In Providence"*

March 31, 1992

Committee on Public Works  
c/o City Clerk  
City Clerk's Office  
City Hall  
Providence, Rhode Island 02903

Attention: Michael R. Clement, City Clerk

Re: Referral No. 3052 - Abandonment of a portion of  
Burleigh Street

Gentlemen:

The City Plan Commission at its January 15, 1992 regular monthly meeting reviewed and evaluated the proposed abandonment of a portion of Burleigh Street from the northern property line of the adjacent lot 224 (Plat 102) to the southern end of Burleigh Street.

The petitioner is Mr. Gregory D. Vickowski of 125 Beamis Avenue, Cumberland, Rhode Island owner of the adjacent lot 224.

A field inspection revealed that on Lot 224 there is a three family structure, which due to the undersized lot area 4,713 sq. ft. cannot be used as a three-family dwelling in an R-3 zone. This matter was the subject of the Zoning Board of Review and our Department review where relief from zoning regulations was denied.

The petitioner is trying to conform to the R-3 zoning requirements by petitioning for the abandonment of the aforesaid portion of Burleigh Street which will provide the necessary 1,300 sq. ft. addition to this lot.

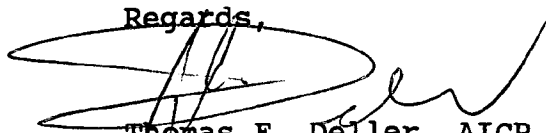
The aforesaid portion of Burleigh Street is a paper street of no value to the public. All lots in that area have been developed and are accessible by the established city street.

Committee on Public Works  
March 31, 1992  
Page 2

REFERRAL NO. 3052

The Commission voted to advise the Committee on Public Works that no objection is offered to the proposed abandonment.

Regards,

A handwritten signature in black ink, appearing to read 'T. Deller', is written over the typed name.

Thomas E. Deller, AICP  
Associate Director of Planning

TED/jp  
GJT

# CITY PLAN COMMISSION PROVIDENCE, R. I.

Ref. No. 3052 Subject: Abandonment of portion of BURLEIGH STREET

Plat No. 102 Lot No. \_\_\_\_\_

Lot Area: \_\_\_\_\_

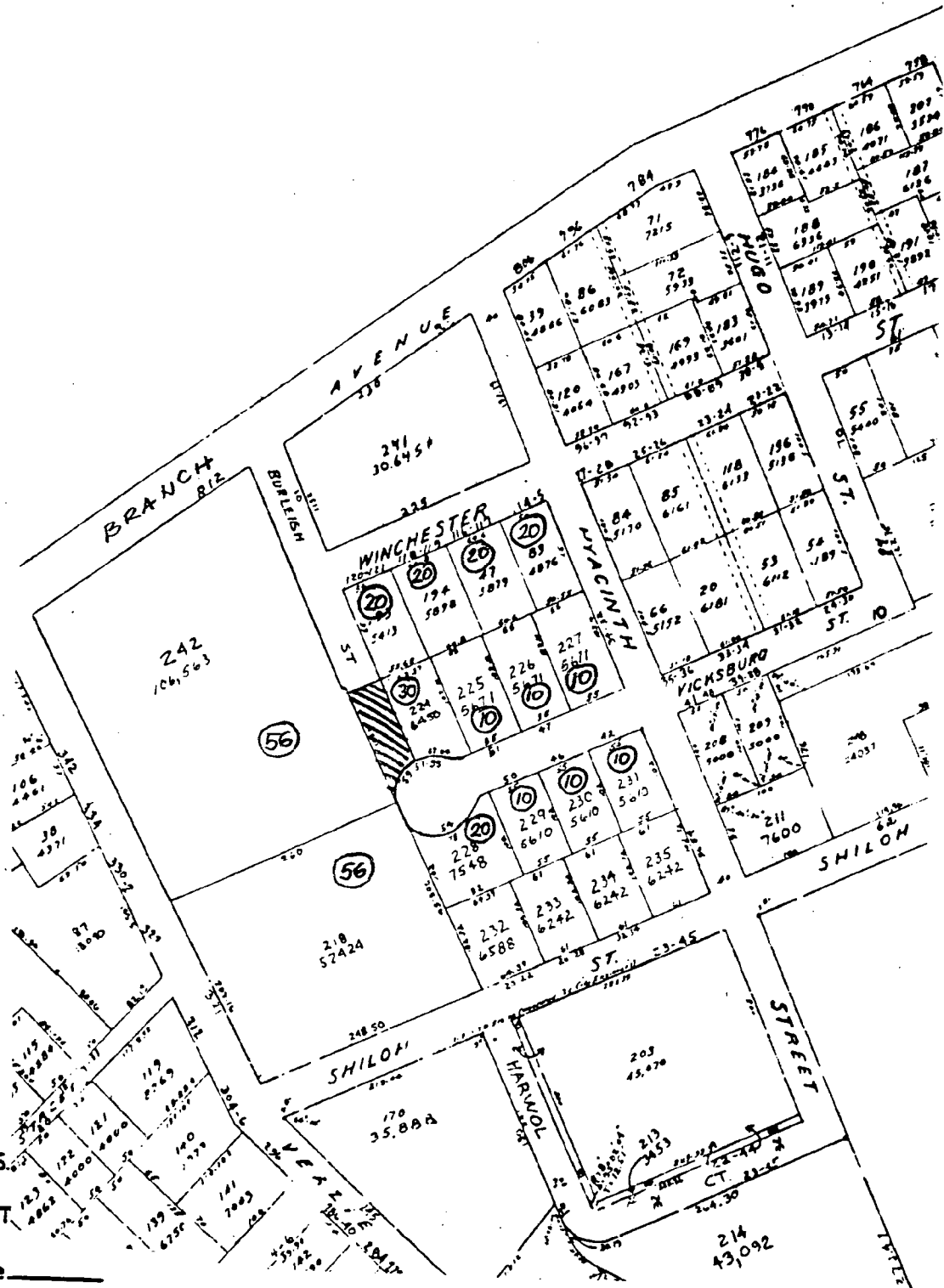
## LAND USE LEGEND

- 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.
- 36 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
- 83 Church
- 84 Private School or Coll.
- 85 Cemetery
- 91 Park, Golf Course
- 92 Playground & Playfield
- 95 Public Bldg. (exc. schools)
- 96 Public School (E.S., J.H., H.S.)



AREA IN QUEST.

Date 3/13/92 By GT Scale \_\_\_\_\_

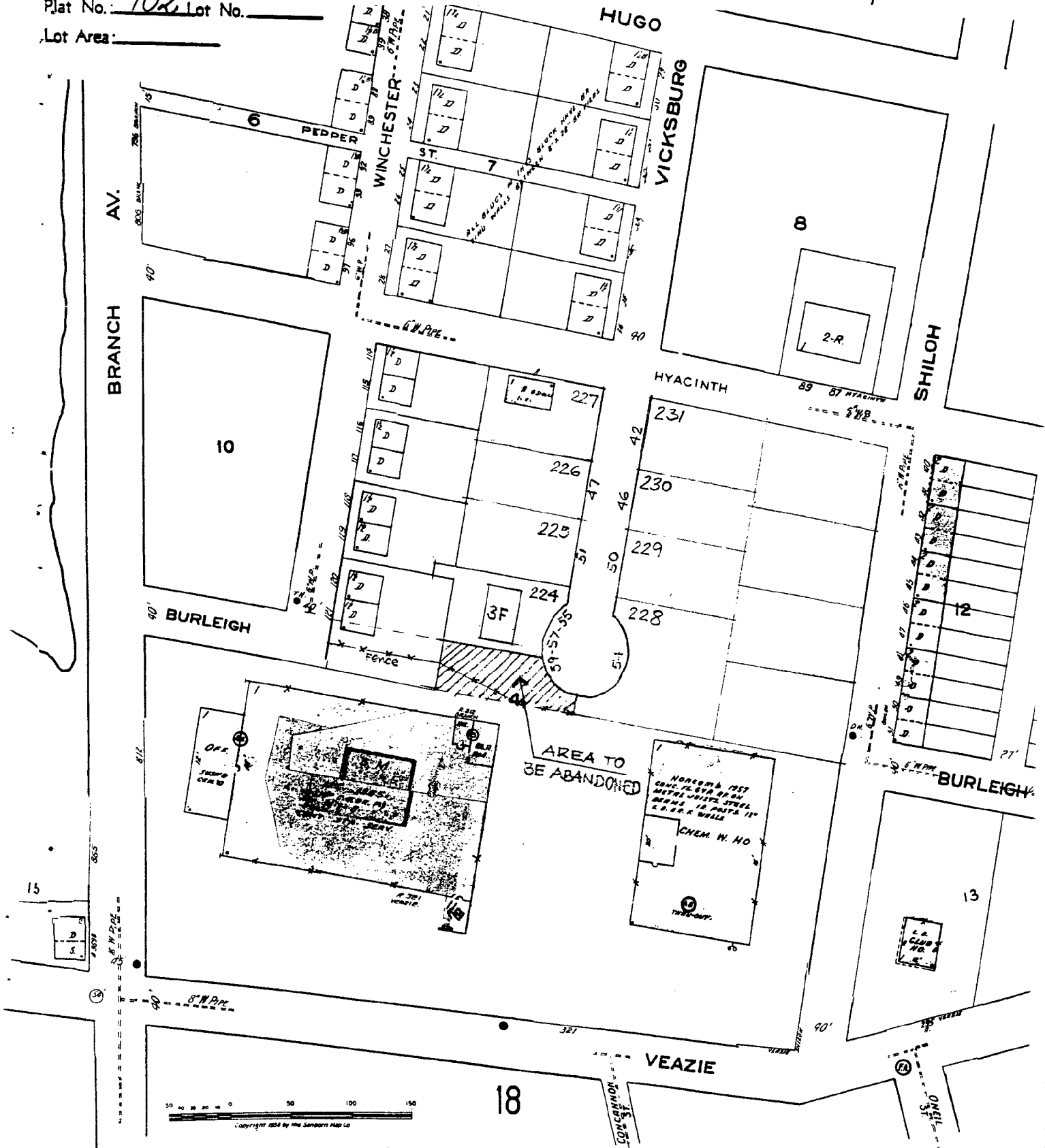


PROVIDENCE, R.I.

Ref. No. 3052 Subject: Abandonment of portion of BURLEIGH STREET  
 Plat No: 102 Lot No: 1

Plat No.: 102 Lot No. \_\_\_\_\_

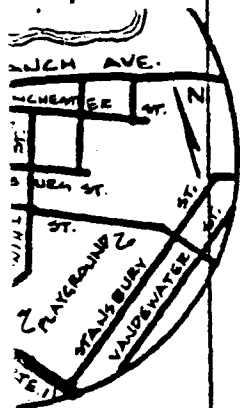
Lot Area: \_\_\_\_\_



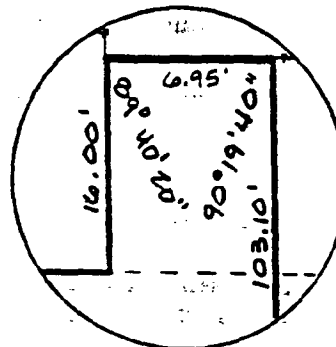
CPC Referral No. 3052  
Abandonment of portion  
of BURLEIGH STREET



Area to  
be Abandoned



## MAP



DETAIL 'B'  
(NOT TO SCALE)

N/F  
EMIL J. AUGER

N/F  
DOROTHY GRAY

PLAT LINE BY GEO. SMITH  
SEE REFERENCE #2

EXISTING STOLKADE FENCE

-16' RIGHT-OF-WAY

- SEE DETAIL 'B' ABOVE

N/F  
JOSEPH CARDELLO III

EXISTING 3 UNIT  
DWELLING  
# 59-57-55

LOT 224  
4,713 S.F.

$\Delta = 89^{\circ} 38' 08''$   
 $R = 40.00'$   
 $L = 62.58'$   
 $T = 39.75'$   
 $C = 56.39'$

SEE DETAIL 'A' BELOW

165.00  
STREET LINE

VICKSBRID



S. Van Leesten  
Director



Vincent A. Cianci, Jr.  
Mayor

## Department of Planning and Development

*"Building Pride In Providence"*

April 2, 1991

Zoning Board of Review  
60 Eddy Street  
Providence, Rhode Island 02903

**SUBJECT:** REFERRAL NO. 5730 FROM FAIRLAWN CREDIT UNION,  
OWNER AND APPLICANT, FOR PROPERTY LOCATED AT  
55-57 VICKSBURG STREET, PROVIDENCE, RHODE  
ISLAND, LOT 224 ON ASSESSOR'S PLAT 102 IN AN  
R-3 ZONE; to be relieved from Sections:  
24-C-1, 26-A-1, 43-C-1, 43-C-2 and 43-C-4  
under Sections 91 and 92 of the Zoning  
Ordinance.

**MEMBERS OF THE BOARD:**

**PETITION:** The petitioner requests relief from those  
sections of the Zoning Ordinance affecting the  
proposed reduction of lot area from 7,415 to  
4,713 sq.ft.

The subject lot is located within an R-3  
General Residence Zone.

**INSPECTION:** A field inspection revealed Lot 224 contains a  
new 2 1/2 story residential structure with  
vinyl siding in excellent condition. It is  
located at the terminus of Vicksburg Street.

The surrounding properties consist of one and  
two family dwellings and industrial uses all  
ranging from good to excellent condition.

**ANALYSIS:** The petitioner is seeking relief from Sections  
24-C-1 (parking), 26-A-1 (reduction of lot  
area), 43-C-1 (lot area per dwelling unit),  
43-C-2 (lot area) and 43-C-4 (side yards).

PAGE 2  
ZONING REFERRAL NO.5730  
APRIL 2,1991

ANALYSIS:  
(CONT'D)

Although the subject lot was recorded as a legal conforming lot consisting of 7,415 sq.ft. for a three family dwelling, the actual size of this lot is an under size lot having 4,713 sq.ft. It is only 287 sq.ft. or 5.7% less than the standard size lot. Therefore, the size of the subject lot is acceptable. However, this lot has insufficient lot area to support a three family dwelling (requires a 6,000 sq.ft. lot) plus parking violation. Due to the reduction of lot area, it is recommended that the existing structure also be reduced from a three family dwelling to a two family dwelling. The subject lot is surrounded by one and two family dwellings. There is no other three family dwelling located within the 100' radius.

PLANNING  
IMPLICATION:

This proposal conflicts with the proposed zoning ordinance and the overall dwelling density pattern of this area.

RECOMMEN-  
DATION:

Granting of this petition is inconsistent with the long term planning for this area and would violate the provisions of the proposed Zoning Ordinance.

Regards,

  
Thomas E. Deller, AICP  
Associate Director of Planning

TED/bms  
SDC

cc: Sandra L. Carlson, Chair  
Anthony M. Catauro  
Bruce A. Leach  
Thomas Scorpio, Jr.  
Arthur Strother  
Margaret Castro  
Alison Holm  
Michael S. Van Leesten  
Peter Carnevale, Zoning Secretary

City of Providence



Rhode Island

Department of City Clerk

**MEMORANDUM**

**DATE:** March 10, 1992

**TO:** \*

**SUBJECT:** STREET ABANDONMENTS - BURLEIGH AND SHIPYARD STREETS

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

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

\* B. James Suzman, Traffic Engineer  
Thomas E. Deller, Associate Director of Planning  
Commissioner of Public Safety, John J. Partington  
Nancy L. Derrig, Superintendent of Parks  
Richard O. Rafanovic, Chief Engineer/Water Supply Board

City of Providence



Rhode Island

Department of City Clerk

**MEMORANDUM**

DATE: March 10, 1992

TO: \*

SUBJECT: STREET ABANDONMENTS - BURLEIGH AND SHIPYARD STREETS

CONSIDERED BY: Councilman Robert M. Clarkin, Chairman/Committee on  
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Thomas E. Deller, Associate Director of Planning  
Commissioner of Public Safety, John J. Partington  
Nancy L. Derrig, Superintendent of Parks  
Richard O. Rafanovic, Chief Engineer/Water Supply Board

*Rec'd  
3/12/92*

*Michael R. Clement*  
City Clerk

EDWARD F. BURKE, ESQ.  
CHAIRMAN

ARMANDO PARILLO  
VICE CHAIRMAN

JAMES LOMBARDI  
SECRETARY

WILLIAM J. MCGAIR, ESQ.  
LEGAL ADVISOR

JEROME I. BARON  
Ex-Officio



## Water Supply Board

*"Building Pride In Providence"*

VINCENT A. CIANCI, JR.  
Mayor

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

PETER S. MANCINI  
City Councilman

EVELYN V. FARGNOLI  
City Councilwoman

MARY A. NOCERA  
Member

DANIEL J. SCHATZ, ESQ.  
Member

June 16, 1992

Michael R. Clement  
City Clerk  
Department of City Clerk  
City Hall  
Providence, RI 02903

Re: Street Abandonment - Burleigh Street

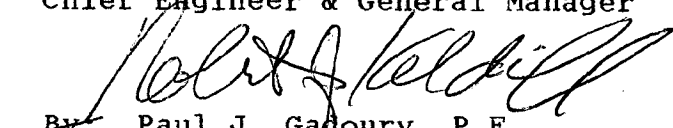
Dear Mr. Clement:

The Providence Water Supply Board (PWSB) reviewed the above request for abandonment of a portion of Burleigh Street. The area of abandonment begins at the northern most property line of adjacent Lot 224 (Plat 102) and continues to the mid-point of curvature of cul-de-sac intersecting with Vicksburg Street. Approximate area is 40 feet wide and 87 feet long.

The PWSB does not oppose the abandonment as described.

Respectfully,

Providence Water Supply Board  
Richard O. Rafanovic, P.E.  
Chief Engineer & General Manager

  
By: Paul J. Gadoury, P.E.  
for Director of Engineering

PG/jd

cc: R. Kilduff, P.E. PWSB  
S. Pauley, P.E. PWSB  
V. La Greca, PWSB  
G. Vukic, Mayor's Office



Water Supply Board  
552 Academy Avenue  
Providence, Rhode Island 02908-2792



Mr. Michael R. Clement  
City Clerk  
Department of City Clerk  
City Hall  
Providence, RI 02903



DEPT. OF  
PROVIDENCE  
JUN 10 9 51 AM '92

145

MICHAEL S. VAN LEESTEN  
DIRECTOR



VINCENT A. CIANCHI, JR.  
MAYOR

## Department of Planning and Development

*"Building Pride In Providence"*

March 31, 1992

Committee on Public Works  
c/o City Clerk  
City Clerk's Office  
City Hall  
Providence, Rhode Island 02903

Attention: Michael R. Clement, City Clerk

Re: Referral No. 3052 - Abandonment of a portion of  
Burleigh Street

Gentlemen:

The City Plan Commission at its January 15, 1992 regular monthly meeting reviewed and evaluated the proposed abandonment of a portion of Burleigh Street from the northern property line of the adjacent lot 224 (Plat 102) to the southern end of Burleigh Street.

The petitioner is Mr. Gregory D. Vickowski of 125 Beamis Avenue, Cumberland, Rhode Island owner of the adjacent lot 224.

A field inspection revealed that on Lot 224 there is a three family structure, which due to the undersized lot area 4,713 sq. ft. cannot be used as a three-family dwelling in an R-3 zone. This matter was the subject of the Zoning Board of Review and our Department review where relief from zoning regulations was denied.

The petitioner is trying to conform to the R-3 zoning requirements by petitioning for the abandonment of the aforesaid portion of Burleigh Street which will provide the necessary 1,300 sq. ft. addition to this lot.

The aforesaid portion of Burleigh Street is a paper street of no value to the public. All lots in that area have been developed and are accessible by the established city street.



Committee on Public Works  
March 31, 1992  
Page 2

REFERRAL NO. 3052

The Commission voted to advise the Committee on Public Works that no objection is offered to the proposed abandonment.

Respectfully,

A handwritten signature in dark ink, appearing to read 'T. Deller', is written over a circular stamp or seal.

Thomas E. Deller, AICP  
Associate Director of Planning

TED/jp  
GJT

6-15-92  
JUN 15 4 16 PM '92  
DEF. PROVIDENCE, R.I.

NANCY L. DERRIG  
SUPERINTENDENT OF PARKS



VINCENT A. CIANCI  
MAYOR

Department of Public Parks  
*"Building Pride In Providence"*

March 17, 1992

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

RE: Abandonment of portions of Shipyard St. & Bureigh St.

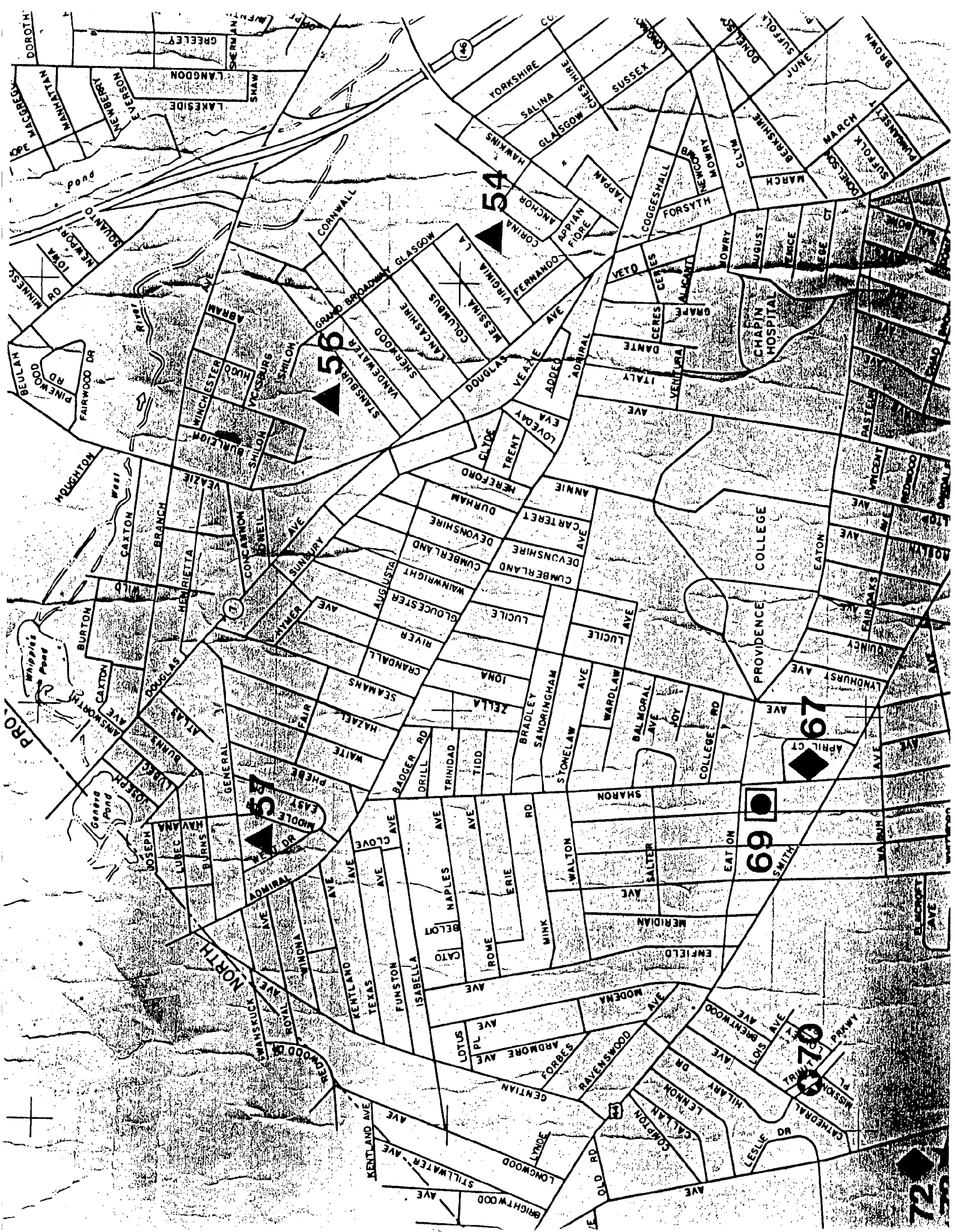
Dear Mr. Clement:

Upon review of all Department of Public Parks Plans, and records. It is the conclusion of the Parks Department that the abandonments of portions of Shipyard St. & Bureigh 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



54

55

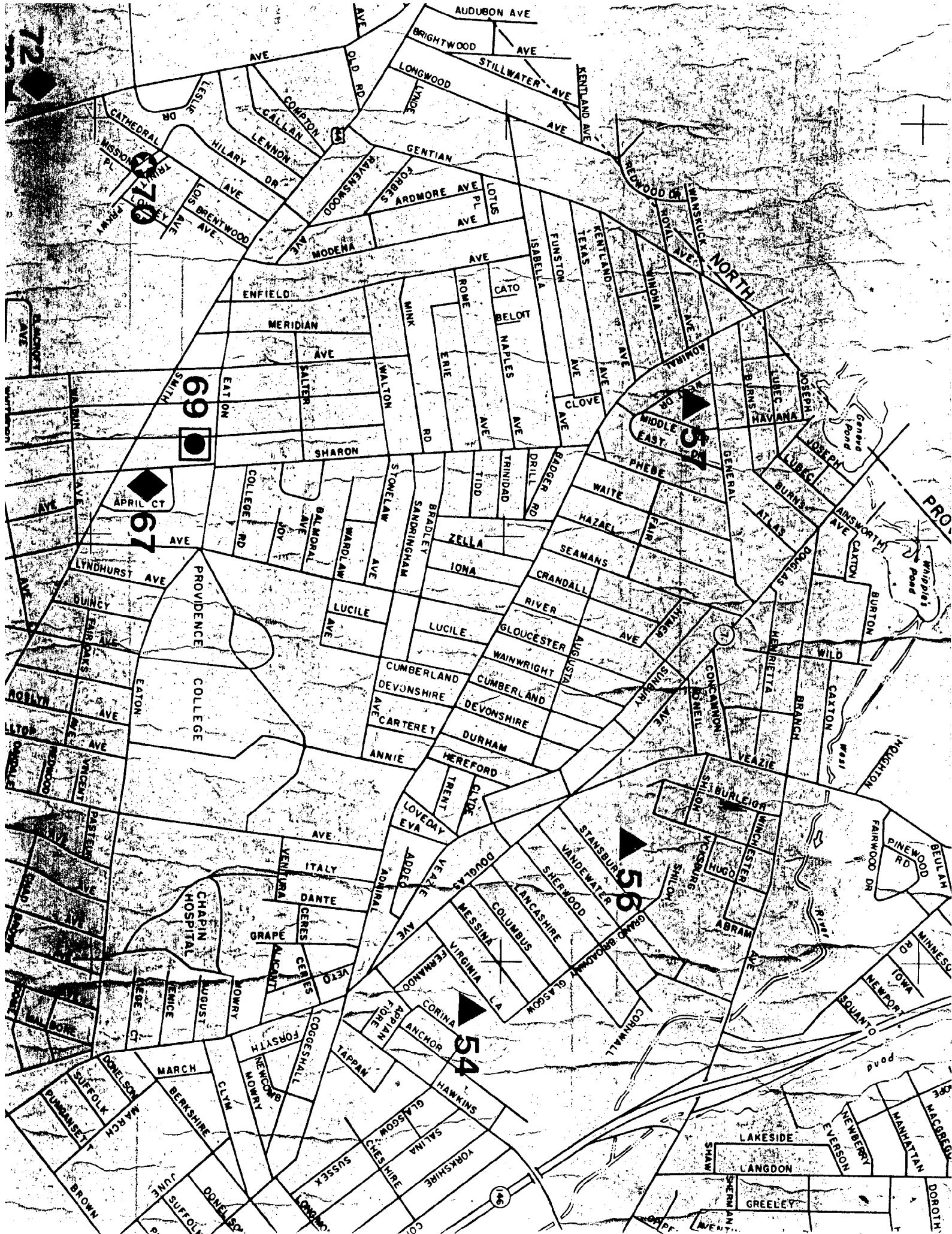
57

67

69

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72



JOHN J. PARTINGTON  
COMMISSIONER

COLONEL BERNARD E. GANNON  
CHIEF OF POLICE

VINCENT A. CIANCI, JR.  
MAYOR



Department of Public Safety, Police Department

*"Building Pride In Providence"*

March 26, 1992

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

ATTN: Councilman Robert M. Clarkin

Dear Mr. Clement:

Please be advised that pursuant to the proposed City Clerk memorandum, (Street Abandonments - Burleigh and Shipyard Streets), I am enclosing my findings in regards to a request forward to you from Mr. Gregory D. Vickowski.

Please be further advised, that an extensive examination into this matter has been accomplished by Captain Richard Sullivan, Director, Traffic Bureau. I fully concur with the findings of Captain Sullivan and propose the approval of this petition.

If I may be of further assistance to you or if you develop any additional information which may be of assistance to us in this regard, please do not hesitate to contact me.

Sincerely,

BERNARD E. GANNON  
Colonel  
Chief of Police

Attachments

BEG/gt

PROVIDENCE POLICE DEPARTMENT

March 24, 1992

To: Colonel Bernard E. Gannon, Chief of Police

From: Captain Richard T. Sullivan, Director of Traffic

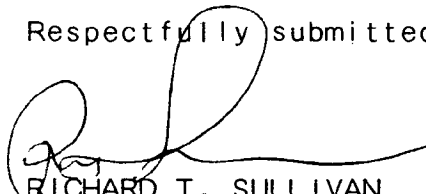
Subject: Street Abandonments - Burleigh and Shipyard Street

Attached is a request for abandonments of the above listed streets, namely Burleigh Street and Shipyard Street.

Burleigh Street at the present time stops at the location as indicated on map shows and is a vacant, cleared lot. I would not see any police problem with the abandonment of the rest of the street, which is located at the South side of Vicksburg Street.

Shipyard Street at present is directed Southeast towards the port, and the proposed change would have Shipyard Street travel South to North. After checking the location, it does not appear to cause any problem with the proposed new street, however, sufficient traffic controls should be placed at each intersection to make sure motorists stop and or yield properly. It also should be noted that at present Road C does not appear to connect to Road D as shown in the map, and this might cause traffic to flow South and then East and then be forced to travel South again in a "Z" fashion.

Respectfully submitted;



RICHARD T. SULLIVAN  
Captain  
Director of Traffic

B. JAMES SUZMAN

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

*"Building Pride In Providence"*

June 18, 1992

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

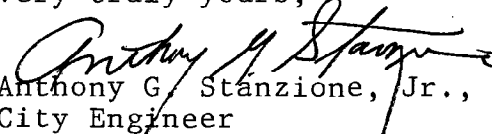
Re: Proposed Abandonment  
Burleigh Street

Dear Councilman Clarkin:

Please be advised that this department has no objections to the proposed abandonment of Burleigh Street as noted on plan entitled, Prov., R.I., P.W. Dept. - Engineering Office, Street Line Section, Plan No. 064538, Dated 6/18/92.

If this department can further assist you in this regard, please contact this office. It is noted that there are no easements connected with this proposed abandonment.

Very truly yours,

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

AGS

CC: M. Clement - City Clerk  
B.J. Suzman - Director/DPW  
JTM  
JLC



B. JAMES SUZMAN  
Traffic Engineer  
IRENE J. TESTA  
Director



VINCENT A. CIANCI, 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 *IR*  
DATE: March 12, 1992  
RE: PROPOSED ABANDONMENTS

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1) ~~To abandon a portion of Burleigh Street.~~

Disposition: No objection to said abandonment.

2) To abandon a portion of Shipyard Street.

Disposition: No objection to said abandonment provided  
that the proposed new roadway is accepted by the City  
of Providence.

MICHAEL S. VAN LEESTEN  
DIRECTOR



VINCENT A. CIANCI, JR.  
MAYOR

## Department of Planning and Development

*"Building Pride In Providence"*

TO: The Honorable Michael R. Clement  
City Clerk

FROM: William G. Floriani, Assistant Director Project  
Management/Construction  
State Certified Residential Appraiser

RE: Burleigh Street Abandonment

Pursuant to your request I have completed an appraisal of a portion of Burleigh Street. The Parcel contains approximately 3200 square feet of land and is zoned R-3 and is located on Plat 102. It is also my understanding that the Parcel will be used for parking only. My appraisal is based on the property being transferred with that restriction.

It is my opinion based on the aforesated reasons that the fair market value for this property is as follows:

3200 sq. feet at 2.10 per ft.=\$6700.00(rounded)

MICHAEL S. VAN LEESTEN  
DIRECTOR



VINCENT A. CIANCI JR.  
MAYOR

R-3 3,200 S.F.±

## Department of Planning and Development

"Building Pride In Providence"

March 31, 1992

Committee on Public Works  
c/o City Clerk  
City Clerk's Office  
City Hall  
Providence, Rhode Island 02903

Attention: Michael R. Clement, City Clerk

Re: Referral No. 3052 - Abandonment of a portion of  
Burleigh Street

Gentlemen:

The City Plan Commission at its January 15, 1992 regular monthly meeting reviewed and evaluated the proposed abandonment of a portion of Burleigh Street from the northern property line of the adjacent lot 224 (Plat 102) to the southern end of Burleigh Street.

The petitioner is Mr. Gregory D. Vickowski of 125 Beamis Avenue, Cumberland, Rhode Island owner of the adjacent lot 224.

A field inspection revealed that on Lot 224 there is a three family structure, which due to the undersized lot area 4,713 sq. ft. cannot be used as a three-family dwelling in an R-3 zone. This matter was the subject of the Zoning Board of Review and our Department review where relief from zoning regulations was denied.

The petitioner is trying to conform to the R-3 zoning requirements by petitioning for the abandonment of the aforesaid portion of Burleigh Street which will provide the necessary 1,300 sq. ft. addition to this lot.

The aforesaid portion of Burleigh Street is a paper street of no value to the public. All lots in that area have been developed and are accessible by the established city street.

Committee on Public Works  
March 31, 1992  
Page 2

REFERRAL NO. 3052

The Commission voted to advise the Committee on Public Works that no objection is offered to the proposed abandonment.

Regards,

A handwritten signature in black ink, appearing to read 'T. Deller', is written over the typed name.

Thomas E. Deller, AICP  
Associate Director of Planning

TED/jp  
GJT

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 approve the abandonment of a portion of Burleigh Street in the City of Providence. The area requested to be abandoned begins at the northern most property line of adjacent Lot 224 (Plat 102) and continues to the southern most end of Burleigh Street.

The portion of Burleigh Street described above has never been paved and/or used by the public. It is a paper street completely unaccessable to the public and in my belief, has been of no value to the public in the past. It is of no value to the public or the City of Providence in the future as all lots in that area have been developed and are accessible by established city streets.

I have enclosed an enlarged section of plat map 102 dated 12-31-91, with the section of Burleigh Street I am requesting to be abandoned highlighted. I believe that the dimensions of that section are 40 feet wide by 87 feet long, with an adjustment for the curve of the cul-de-sac at the end of Vicksburg Street. It is my belief that the street is 40 feet wide.

The purpose of the request for abandonment is twofold; first, a prior owner of Lot 224 took many liberties and used the end of Burleigh Street for parking for the tenants of 55 Vicksburg Street. As the new owner, I do not feel comfortable using land I do not formally own and wish to purchase it so that I may use it for parking. Second, I have requested the street abandonment to meet zoning requirements for Plat 102, Lot 224 to be a conventional three-family lot. Today, there sits a three-family house on the lot. However, the lot size is substandard by 1,300 square feet and therefore only two units can be occupied. By adding at least 1,300 square feet to Lot 224, it will conform to the R-3 zoning requirements and can be used as a three-family dwelling.

As I mentioned there is a three family struture on Lot 224, however, due to survey problem, it can only be used as a two-family. One unit is vacant today. It is my feeling that an apartment unit that is vacant for an extended period of time is dangerous, unsightly and completely wasted housing. It is highly susceptible to arson or vandalism. The house was originally used as a three-family from the time it was built until sometime in 1991. The use of the third apartment unit provides additional clean, modern housing to the City of Providence in a nice neighborhood. I believe that the City of Providence has a shortage of modern, clean and desirable housing in that area. I also believe that enhancement of that area is important to Providence as it used to be so closely tied to the Wanskuk mill, which no longer is used for manufacturing.

I assert that the abandonment serves a couple of purposes to the City of Providence. First, being able to use the house at 55 Vicksburg Street as a three-family dwelling increases the assessed value and real estate tax revenue to the City of Providence. It relieves the City of any current or future responsibility with respect to municipal services. Lastly, it clears up years of confusion.

I currently own several rental properties in Providence, one property less than two blocks away, take pride in ownership of my properties and pay a substantial amount of taxes to the City of Providence.

Dated: January 29, 1992

Signed:

*Gregory D. Vickowski*  
Gregory D. Vickowski  
125 Beamis Avenue  
Cumberland, RI 02864

DEPARTMENT OF CITY CLERK  
RECEIVED

FEB 5 1992

*Hand by ck #2832*  
*Gregory D. Vickowski*  
*125 Beamis Ave*  
*Cumberland, RI*

# CITY PLAN COMMISSION PROVIDENCE, R. I.

Ref. No. 3052 Subject: Abandonment of portion of BURLEIGH STREET

Plat No: 102 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.
- 36 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
- 83 Church
- 84 Private School or Coll.
- 85 Cemetery
- 91 Park, Golf Course
- 92 Playground & Playfield
- 95 Public Bldg. (exc. schools)
- 96 Public School (E.S., J.H., H.S.)



AREA IN QUEST.

Date: 3/13/92 By: GT Scale: \_\_\_\_\_

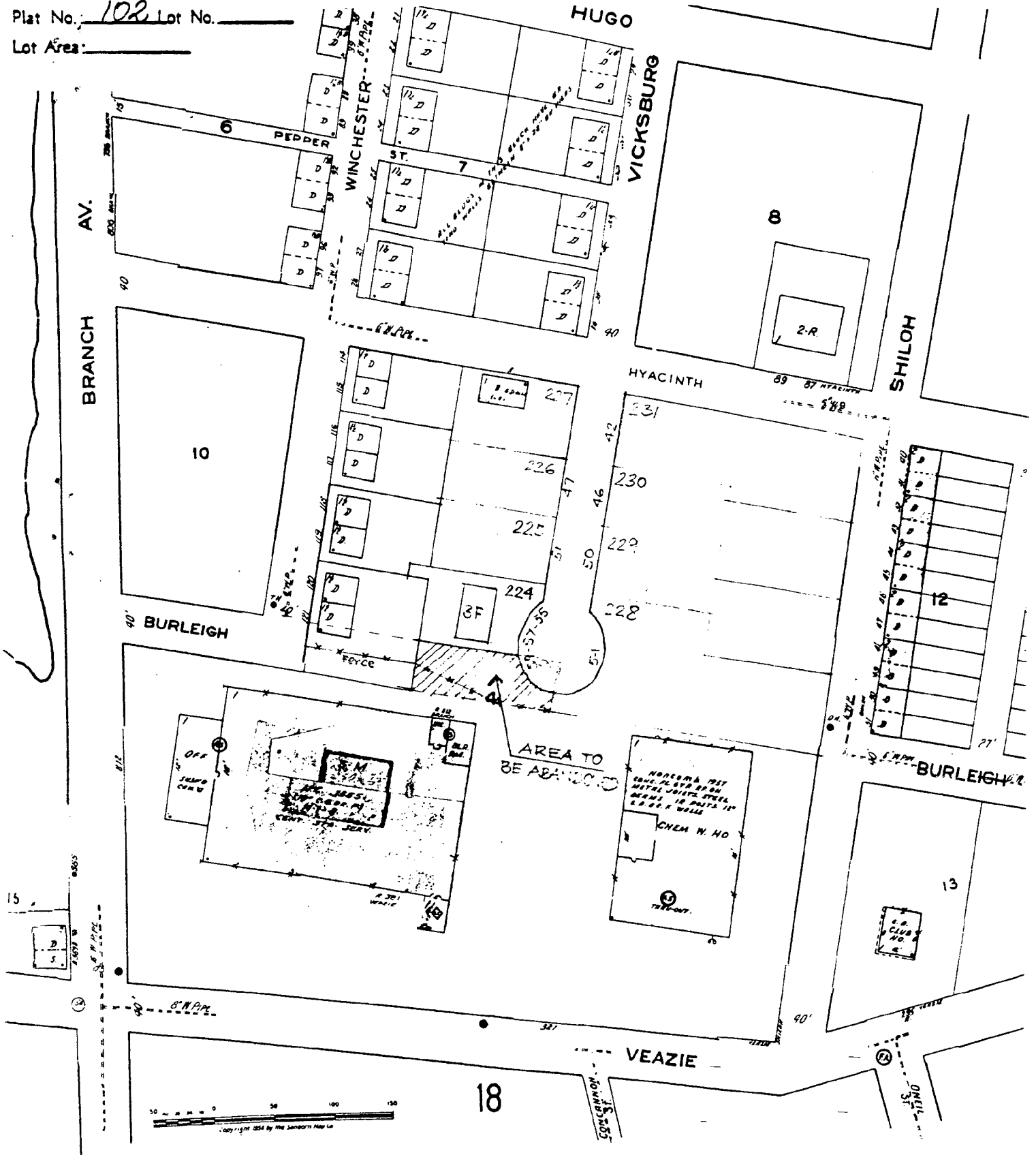


CITY PLAN COMMISSION  
PROVIDENCE, R. I.

Ref. No. 3052 Subject: Abandonment of portion of BURLEIGH STREET

Plat No. 102 Lot No. \_\_\_\_\_

Lot Area: \_\_\_\_\_



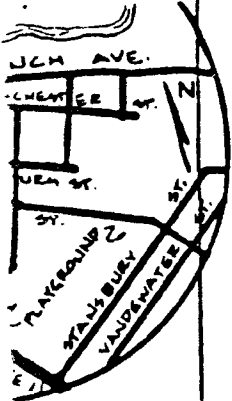
dated 12/31/91

# CPC Referral No. 3052 Abandonment of portion OF BURLEIGH STREET

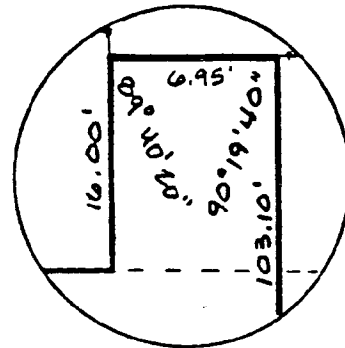
KEY



= Area to  
be Abandoned



MAP



DETAIL 'B'  
(NOT TO SCALE)

N/F  
EMIL J. AUGER

N/F  
DOROTHY GRAY

PLAT LINE BY GEO. SMITH  
SEE REFERENCE #2

EXISTING STOCKADE FENCE

16' RIGHT-OF-WAY

SEE DETAIL 'B' ABOVE

EXISTING 3 UNIT  
DWELLING  
# 59 - 57 - 55

N/F  
JOSEPH CARDELLO III

LOT 224  
4,713 S.F.

A: 89°30'08"  
B: 40.00'  
L: 62.58'  
T: 39.75'  
C: 56.39'

SEE DETAIL 'A' BELOW

165.00'  
C STREET LINE

89°40'20"

ES, INC