

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body for

To amend the Zoning Map which is a part of the Zoning Ordinance of the City of Providence by changing from Commercial C-2 and Residence R-3 Lot 793 and Lots 792 and 791 all on Assessor's Flat 47 in a Residence R-3 Zone to an Industrial M-1 Zone. The lots in question are located on the northerly side of Briggs Street (97-105 Briggs Street).

*Augustus F. Marsella
950 Providence St.
West Warwick R.I.*

IN CITY COUNCIL

MAR 21 1957

READ: *and denied*
Deverett Whelan
CLERK

*Fronio Jozzono, atty
Industrial Bank Bldg.*

*Mr. O'Connor
by request*

**IN CITY
COUNCIL**

DEC 20 1956

**FIRST READING
REFERRED TO COMMITTEE ON
ORDINANCES
Dorothy W. Malone
Clerk**

**CITY CLERK'S OFFICE
RECEIVED ON FILE
DEC 5 1956
PROVIDENCE, R. I.
Dorothy W. Malone
CITY CLERK
1:44 p.m.**

CITY COUNCIL

DATE Dec 5 19 56

RECEIVED OF Augustus F. Marsella

TEN AND 00/100

DOLLARS

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

Lots 791, 792 and 793 Flat 47 (97-105 Briggs St.)

\$10.00

DEC--5-56 181 9-JC5E 10.00

Dr. Marcella.

Would like you to mail
any notice or any information to
his own address: 950 Providence St
West Warwick R.I. as well as to
his atty. Francis Jozzono

FILE

JEC 6 1 47 PM '56

GENERAL FEKIS OFFICE
CONFERENCE R 1

FILE

JEC 6 1 47 PM '56

GENERAL FEKIS OFFICE
CONFERENCE R 1

FILE

JEC 6 1 47 PM '56

GENERAL FEKIS OFFICE
CONFERENCE R 1

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

TO: City Plan Commission

Providence, R. I., December 21, 1956

SUBJECT: zoning petition - Augustus F. Marsella, 97-105 Briggs Street

CONSIDERED BY: Committee on Ordinances

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

City Clerk



City Plan Commission

EDWARD WINSOR, *Chairman*
JERRY LORENZO RALPH MATERA

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

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

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

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

January 9, 1957

Committee on Ordinances
City Hall
Providence, R. I.

SUBJECT: Referral No. 869 - ZONING CHANGE AT 97-105 BRIGGS STREET

Gentlemen:

The subject referral received consideration by the City Plan Commission at a meeting held on Tuesday, January 8, 1957.

This referral is a request for a change in zoning from an R-3 and a C-2 Zone to an M-1 Zone of Lots 793, 792 and 791 on Assessor's Plat 47 located on the north-erly side of Briggs Street and containing 10,560 square feet of land area.

Reference is made to Referral No. 616, from the Committee on Ordinances and dated June 9, 1954, which requested a change in zoning from an R-3 and C-2 Zone to an M-1 Zone. Both the City Plan Commission and the Committee on Ordinances denied the request.

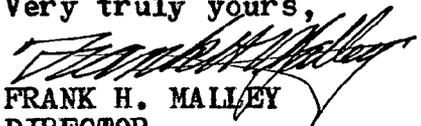
On the field trip it was found that the area in question is mostly vacant with the exception of some automobile parking on the premises. The surrounding area is predominantly residential, and the Eddy Street frontage is commercial.

An M-1 use in this area would be undesirable as it would cause serious injury to the surrounding residential properties and would tend to create a nuisance due to noise and increase in vehicles. It will also create a case of spot zoning. Therefore,

The Commission

VOTED: To recommend that this petition be denied.

Very truly yours,


FRANK H. MALLEY
DIRECTOR
CITY PLAN COMMISSION

FHM:MMH

c.c. Councilman James L. Cahill
Councilman Charles H. O'Connor

FILED

JUN 11 05 AM '57

CITY CLERK'S OFFICE
PROVIDENCE, R.I.

[Faint, mostly illegible text, likely a document or letter body]

Augustus F. Marsella
97-105 Briggs Street

(76)(17)

Plat 47, Lots 791, 792, & 793

Plat 47

Lot

- 701 Charles H. Bennet & Sarah Capela
14 Ashmont Street
- 786 Ernestine & Charles E. Bennett
30 Ashmont Street
- 794 Corinne L. Chaffee
627 Taunton Avenue, East Providence
- 795 "
- 790 Florence M. Chappell
107 Briggs Street
- 789 ~~Stephen L. Davis~~ Alfred B. McAteer & wf. Mary Jt.Ten
~~440 Plain Street~~ 440 Plain St
- 787 James A. Feeley & wf. Martha L.
34 Ashmont Street
788
- 788 Leo E. Gorman & wf. Francis J.
444 Plain Street
- 784 Julia Heitlink & Edith Russell
20 Ashmont Street
- 791 Anthony Lombardi & wf. Helen, Jerry Morvillo & wf. Lydia, &
Augustus Marsella & wf. Joan
c/o Morvillo, 56 Wellsby Avenue, North Providence
- 792 "
- 793 "
- 780 ~~Frank J. Mastrobuono~~ Russell E. Simpson & wf. Gertrude E. Jt.Ten
~~54 Custom House Street~~ 953 Eddy St. "
- 781 "
- 785 Otto Oberg & wf. Edla & A. Madaline Collins
26 Ashomnt Street

Plat 54

Lot

- 35 Patrick J. Bannon & Leslie D. Bannon
35 Potters Avenue
- 34 Mary G. Daley
112 Briggs Street

- 37 Francis J. Deignan & wf. Elizabeth
102 Briggs Street
- 33 Augustine Lima & wf. Marion
116 Briggs Street
- 36 Delia T. & Syephen M. McNiff
291 Sayles Street
- 39 Russell E. Simpson & wf. Gertrude E.
160 Elmwood Avenue

Ward 10

Councilman Cahill & O'Connor

February 19, 1957.

Mr. Whelan:

As I am unable to be at the hearing I am sending you this letter. As I am the owner of property located at 108 Briggs St. I want to protest against the changing of zone R-3 to M-1 Industrial zone. Changing of the zone would create fire and parking hazards and would lower the value of the residential property, which is now occupied mostly by owners. South Providence has too many Industrial zones now.

Let the owner build some new houses.

Because of my injuries, I am now a Bill Distributor for the Providence Gas Co. I walk on most of the streets in every ward and I find that rezoning from residence to industrial is the reason for most of the slum area. Please present this protest at the hearing.

I remain

Patrick J. & Leslie D. Bannon
35 Rotters Ave.
Providence, R. I.

The City of Providence

PUBLIC HEARING

Relative to Amendments to the Zoning Ordinance and Zoning Map.

City Clerk's Office.
February 6, 1957

NOTICE is hereby given that a PUBLIC HEARING will be held in the City Council Chamber, City Hall, on THURSDAY, FEBRUARY 28, 1957, at 2:00 o'clock p.m. (EST), at which time the following Petitions in amendment of Chapter 544 of the Ordinances of the City of Providence, approved September 21, 1951, as heretofore amended, will be considered.

PETITION OF MARY MAGUIRE to change from an R-3 General Residence Zone to an M-1 General Industrial Zone, Lots 100, 101, 129, and 130 as set out and delineated on City Assessor's Plat 37; said lots being located on the northeasterly and southeasterly corners of Atwood Avenue and Dora Street and designated as 95-99 and 103-105 Atwood Avenue.

PETITION OF AUGUSTUS F. MARSELLA to change from an R-3 General Residence Zone and a C-2 General Commercial Zone to an M-1 General Industrial Zone, Lots 791, 792, and 793 as set out and delineated on City Assessor's Plat 47; said lots being located on the northerly side of Briggs Street and designated as 97-105 Briggs Street.

PETITION OF LEO M. CORBETT, ET UX, to change from an R-3 General Residence Zone to a C-2 General Commercial Zone, Lots 219 and 257 as set out and delineated on City Assessor's Plat 78; said lots being located along Branch Avenue.

PETITION OF CASALI BROTHERS, INC., BY JOSEPH A. BEVILACQUA, ATT., to change from an R-3 General Residence Zone to a C-1 Limited Commercial Zone, Lots 22, 23 and 24 as set out and delineated on City Assessor's Plat 108; said lots being designated as 3 and 11 Lowell Avenue and 187 Pocasset Avenue.

PETITION OF POND REALTY, INC., to change from an R-3 General Residence Zone to an M-1 General Industrial Zone, Lot 505 as set out and delineated on City Assessor's Plat 76; said lot being located on the westerly side of Charles Street and designated as 470 Charles Street.

All persons interested in the above Petitions are hereby invited to be present at that time and place to be heard thereon.

The Petitions may be seen and information obtained relative to the above, prior to said Hearing, in the Office of the City Clerk, City Hall.

By Order of the Committee on Ordinances.

PROVIDENCE, R.I.
CITY CLERK'S OFFICE
FEB 10 1957
JOHN F. BROCK, Chairman,
D. EVERETT WHELAN, City Clerk.



D. Everett Whelan, City Clerk,
City Hall,
Providence, R. I.



Patrick C. Bannon
35-17 Potters Ave.
Providence, R.I.



To whom it may concern:

In regard to the enclosed paragraph on the reverse side of this letter, I have spent money and time improving my Property at # 440 Plain St. And the rezoning of the lots designated as 97-105 Brigg St. will certainly devalue my Property. I whole heartedly object to the proposed change in zoning. As it is now the parking situation in this area is acute. And if the zone is changed it certainly will get worse. So as I stated before I object to any change in the present zoning of lots 97-105

Brigg St.

Mr. Alfred B McAtee

440 Plain St.

Prov. R. I.

The City of Providence

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All persons interested in the above Petitions are hereby invited to be present at that time and place to be heard thereon.

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By Order of the Committee on Ordinances.

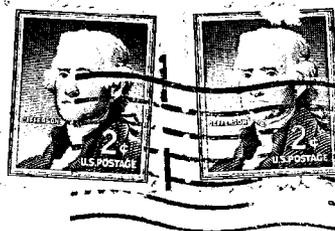
JOHN F. BROCK, Chairman,
D. EVERETT WHELAN, City Clerk.

D. Everett Whelan

City Clerk

City Hall

Provd. R. I.



LAW OFFICES
WILLIAM T. KANELOS
INDUSTRIAL BANK BUILDING
PROVIDENCE, R. I.

March 1, 1957

Chairman of the Ordinance Committee
City Hall
Providence, Rhode Island

Attention: City Clerk

Dear Sir:

This office had been retained to represent Augustus F. Marcella with reference to his petition to the City Council for a change of zoning for Lots 791, 792 and 793, on Page 47. This matter was heard February 28, 1957, and because of a misunderstanding and a mix-up in dates, Mr. Marcella was not represented at that time. Being under the mistaken impression that the matter was scheduled for hearing on Friday, March 1st, at 2:00 P. M. a representative from this office appeared at that time and was informed that the hearing had been held the day previous.

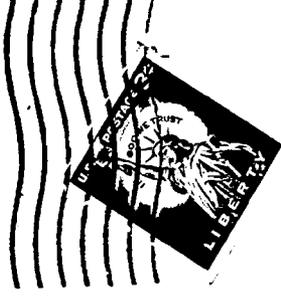
In view of these circumstances, and particularly in view of the fact that Mr. Marcella was not represented at the hearing, it is respectfully requested that we be given leave to withdraw said petition without prejudice.

Very truly yours,

William T. Kanelos

WTK:B

LAW OFFICES
WILLIAM T. KANELOS
INDUSTRIAL BANK BUILDING
PROVIDENCE, R. I.



Chairman of the Ordinance Committee
City Hall
Providence, Rhode Island

Attention: City Clerk

RESOLUTION OF THE CITY COUNCIL

No. 239

Approved MAR 22 1957

Resolved,

That

His Honor, the Mayor, be and he hereby is authorized to execute a lease to The Mall Parking Terrace, Inc., or its nominee, of aerial rights over that portion of Francis Street, as is included within an area bounded northerly by property of New York, New Haven & Hartford Railroad Company extending southerly a distance of approximately two hundred seventy (270) feet and bounding easterly and westerly on lots 32 and 31 on Assessor's Plat 19 and also over said lots 32 and 31 for the purpose of building and maintaining a parking structure over said area. The lease shall be for a period of twenty-five (25) years on an annual rental basis as follows:

8% of gross annual receipts up to \$60,000

22.5% of gross annual receipts in excess of \$60,000 up to \$125,000

37.5% of gross annual receipts in excess of \$125,000 up to \$150,000

52% of all gross annual receipts in excess of \$150,000.

The lease shall provide for tax exemption on said structure for the first twelve years with a reduction thereafter in said rental equal to 50% of any real estate taxes assessed against said structure; shall provide for vesting of the title to said structure in the city at the termination of the twenty-five year lease period, and shall contain such other terms and conditions as may be approved by His Honor, the Mayor.

IN CITY COUNCIL

MAR 21 1957

READ and PASSED

William A. Bay
President
Overett Whelan
Clerk

APPROVED

MAR 22 1957

Walter H. Reynolds
MAYOR

RESOLUTION
OF THE

CITY COUNCIL

AUTHORIZING LEASE TO
THE MALL PARKING TERRACE,
INC. OF AERIAL RIGHTS OVER
FRANCIS STREET.

061572

March 20, 1957

.....Railroad Property Line.....

...100...

ST.

FRANCIS

.....270.00.....

...100...

(West Approach)

Lot 31

Street Line Francis St.

Lot 32

Street Line Francis St.

(East Approach)

Exchange Place

Proposed Lease Of Aerial Rights Over Shaded Area.

L.R. E.A.K.
1" = 40' 3-20-57

Albert Small

Lot Numbers From Assessors Plat 19.

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 Zoning Map which is part of the Zoning Ordinance of the City of Providence by changing from an R-2 General Residence Zone to an M-1 General Industrial Zone Lot 505 as set out and delineated on City Assessors' Plat 76, containing an area of 332,050⁺ square feet. Said lot being situated on the westerly side of Charles Street (470 Charles Street) in the vicinity opposite Loreto and Lombardi Streets.

RECORDED
CITY COUNCIL
NOV 14 1956

000

114

058

NOV-14-56

Paul Reilly Sec
Edward Dunn Pres.

IN CITY COUNCIL
MAR 21 1957

READ: *and denied*
D. Everett Whelan
CLERK

**IN CITY
COUNCIL**

DEC 6 - 1956

**FIRST READING
REFERRED TO COMMITTEE ON
ORDINANCES
New Providence, Conn.**

*From the Clerk's Desk
1956*

**FILED
NOV 14 10 25 AM
CITY CLERK'S OFFICE
PROVIDENCE, R.I.**

10.0

9-PL4

050

NOV-14-56

CITY COUNCIL

DATE November 14, 1956

RECEIVED OF Pond Realty Inc.

TEN AND 00/100

DOLLARS

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

Lot 505 Plat 76 (470 Charles St.) in the vicinity
opposite Loreto and Lombardi Streets.

\$10.00

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

Providence, R. I., December 7, 1956

TO: City Plan Commission

SUBJECT: Zoning Petition - Pond Realty *Inc.*, 470 Charles Street

CONSIDERED BY: Committee on Ordinances

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

City Clerk

GPAMERCY 7-5286

DELIVERY RECEIPT

Manieri Trucking Co.
59 WILLET STREET

All Merchandise
Insured in Transit

New York, 195

Received from _____

For _____

Address _____

in good order the following:

..... Cases

Collect

..... Cartons

Prepaid

..... Pkgs.

..... Bales

NOTE: This Company's liability is limited
to \$50.00 per shipment, unless a greater
value is declared and extra charges paid.

Signed _____

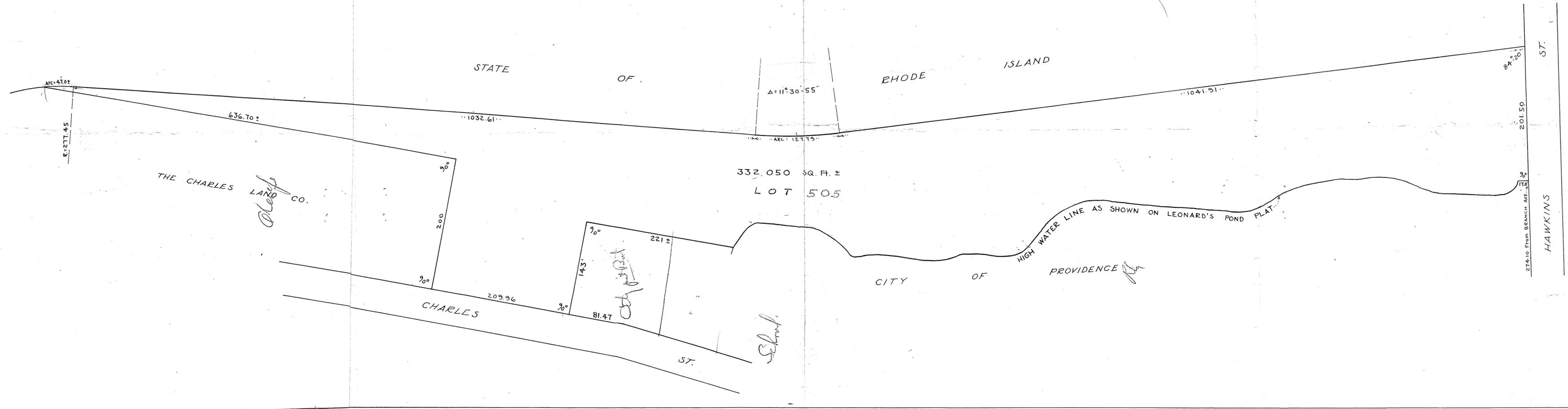
Per _____

Jim: -
Have V. Vespa review this
petition + if O.K. get signature of
owner + file same with Vespa
accompanied with a filing fee of
\$10.00

V. P. Morrison

Your plan is attached.

PLAN OF LAND IN
 PROVIDENCE, RHODE ISLAND
 SURVEYED FOR
POND REALTY INC.
 BY WATERMAN ENG. CO., OCT., 1956
 SCALE: 1" = 80'
 ASSESSORS PLAT 76 LOT 505



525
H. B. ...

John



City Plan Commission

EDWARD WINSOR, *Chairman*
JERRY LORENZO RALPH MATERA

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

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

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

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

January 9, 1957

**Committee on Ordinances
City Hall
Providence, R. I.**

SUBJECT: Referral No. 863 - ZONING CHANGE AT 470 CHARLES STREET

Gentlemen:

The subject referral received consideration by the City Plan Commission at a meeting held on Tuesday, January 8, 1957.

This referral is a request for a change in zoning from an R-3 Zone to an M-1 Zone of Lot 505 on Assessor's Plat 76 and containing 332,050 square feet of land area. The area in question is located on the westerly side of Charles Street.

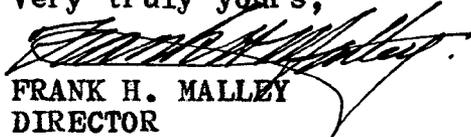
On the field trip it was found that this area was once the bed of Leonard's Pond which is no longer used for this water bed due to new channel that is being constructed.

The granting of this petition will affect the proposed plans for the enlargement and development of Metcalf Field, which lies adjacent to the Esek Hopkins Junior High School which is in need of a play area. Since the Louisquisset Expressway is taking a portion of Hopkins Park play area the enlargement of Metcalf Field becomes an important factor in having this area in an R-3 Zone. If this area were to be zoned M-1 it would put a heavy traffic movement on Hawkins Street and Charles Street. This will also increase a hazardous condition for children of all ages in the Metcalf Field play area. Therefore,

The Commission

VOTED: To recommend that this petition be denied.

Very truly yours,


**FRANK H. MALLEY
DIRECTOR
CITY PLAN COMMISSION**

FHM:MMH

**c.c. Councilman Angelo Aiello
Councilman Joseph Prete**

SEARCHED INDEXED

1957-1958

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CITY CLERK'S OFFICE
PROVIDENCE, R.I.

JAN 10 11 04 AM '57

FILED

...

Pond Realty Inc.
470 Charles Street

(13)

Plat 76, Lot 505

Plat 76

Lot

504 The Charles Land Co.
69 Exchange Street, Pawtucket

445 Decoroso DeGregorio & Martella Boulet
2 47 Hawkins Street

505 Pond Realty ~~Co~~ Inc.
c/o Swift McNutt Company
75 Parsonage Street

506 "

29 Wanskuck Company
725 Branch Avenue

- D.B. 1060/127 recorded. 1-28-57.

Plat 99

Lot

462 Valente H. Mariani
593 Charles Street

147 Wanskuck Company
725 Branch Avenue

Plat 71

Lot

527 Antonio Bucci & wf. Antonetta
5 Gary Street, Norwood

510 Gino Coletta & wf. Elvira
9 Grove Street

528 Antonio Costanzo
447 Charles Street

128 John & Anna D'Agostino
252 Jastram Street

509 "

511 Rose Martinelli
5 Lombardi Street

512 Carmine Nardelli
429 Charles Street

525 Joseph Ricci & wf. Elvira
435 Charles Street

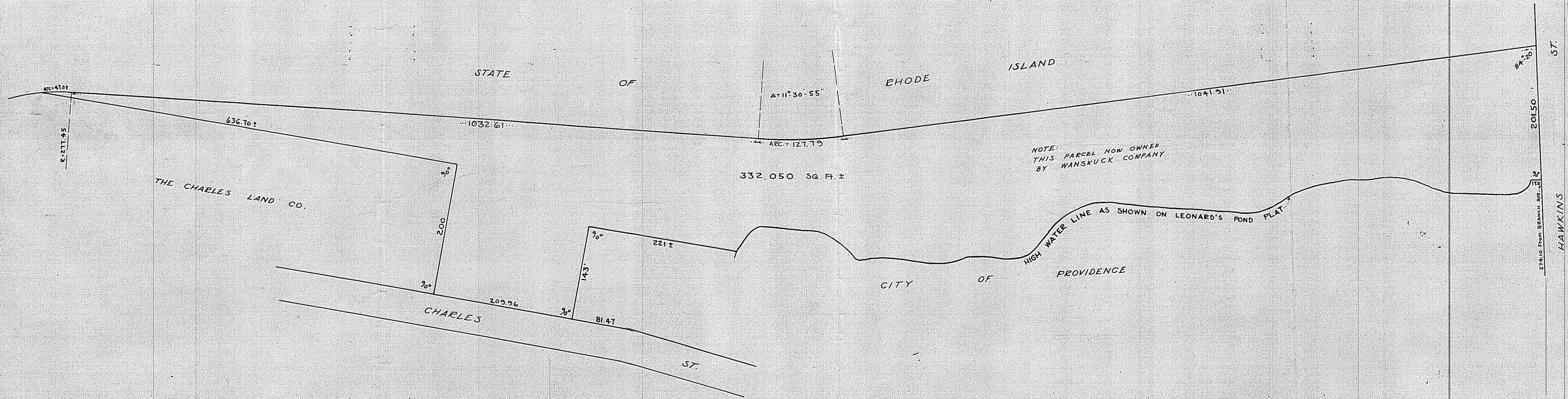
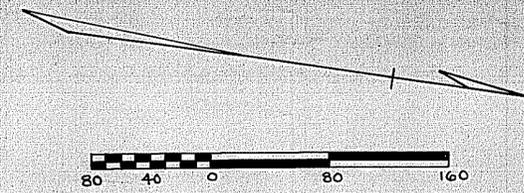
526 Joseph Rosa & wf. Jennie C., & Livio F. Lupoli & wr. Anita
437 Charles Street

Ward 4

Councilmen Aiello & Prete

Send notice to School Dept.

PLAN OF LAND IN
 PROVIDENCE, RHODE ISLAND
 SURVEYED FOR
POND REALTY INC.
 BY WATERMAN ENG. CO., OCT., 1956
 SCALE: 1" = 80'





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

OFFICE OF THE CITY CLERK

D. Everett Whelan
City Clerk

CITY HALL

Vincent Vespia
First Deputy
William E. McWilliams
Second Deputy

February 27, 1957

Chairman John F. Brock
Committee on Ordinances
City Hall
Providence, Rhode Island

Dear Mr. Chairman:

Please be informed that I have been requested by several owners of property abutting that area as below noted to object to proposed change.

PETITION OF POND REALTY, INC., to change from an R-3 General Residence Zone to an M-1 General Industrial Zone, Lot 505 as set out and delineated on City Assessor's Plat 76; said lot being located on the westerly side of Charles Street and designated as 470 Charles Street.

You will, therefore, accordingly note my objection as a member of the council delegation, Ward 4.

Very sincerely yours,

Angelo Aiello
President of City Council.