

RESOLUTION OF THE CITY COUNCIL

No. 416

Approved July 8, 2002

RESOLVED, DECREED, AND ORDERED:

That the following-named street shown on a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan No. 064704 dated January 8, 2002."

VIZ: Normal Court, as described in Attachment "A" and 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 agrees to tender the amount of Six Thousand Seven Hundred Twenty-Three and 00/100 Dollars (\$6,723.00) in legal tender U.S. currency to the City of Providence.

2. The Petitioner shall convey an easement acceptable to Verizon 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 need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

3. The Petitioner shall convey an easement acceptable to users of the existing private sewer line along Normal Court which will permit the retention of 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 need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation. Alternatively, in the event that said sewer is no longer in operation, Petitioner shall accept and assume ownership and operation of said facility and, at its sole cost, shall maintain or remove the

IN CITY COUNCIL
Dec 20, 2001
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Michael R. Clement
CLERK *am*

THE COMMITTEE ON
Public Works
Recommends - Set up Public Hearing
Clair E. Bestwick
CLERK *am*
Feb 6, 2002
BAP March 6, 2002. Public Hearing Held

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution
John M. Stilson
June 26, Clerk
2002

From The Clerk's Desk

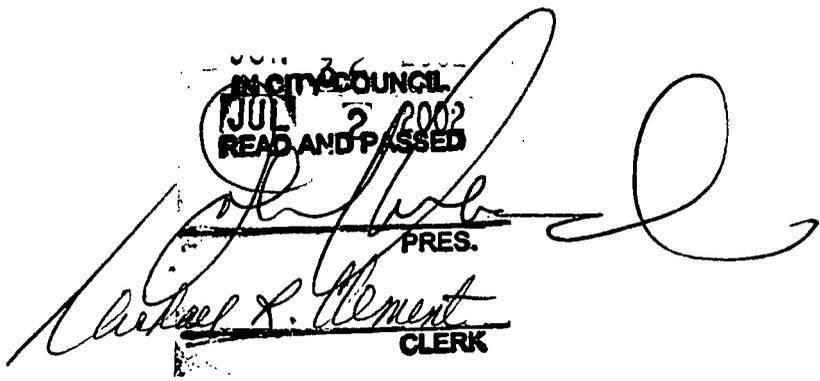
same in accordance with applicable federal state and local law and so as to avoid any endangerment to the public safety.

4. The Petitioner shall meet each of the conditions to which reference is made in that communication from the Providence Fire Prevention Bureau dated 30 April 2002 which generally indicates that no permanent barrier shall be constructed that may prevent access for fire department personnel using ground ladders and other firefighting equipment along Normal Court. Such access is required so that firefighters can raise ladders for rescue or ventilation operations in the event of emergency circumstances in the buildings that border Normal Court.

5. Petitioner shall comply with all conditions contained herein not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

ORDERED, That the Traffic Engineer be and he is hereby directed to cause a sign to be place 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 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 highway which has been abandoned, who is known to reside within the State.


 MICHAEL S. CLEMENT
 PRES.
 CLERK

APPROVED
 JUL 08 2002

 Mayor

FERDINAND C. IHENACHO, P.E., PTOE.

Director



M. Clement

VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

January 17, 2001

Hon. Robert M. Clarkin
Chairman of the Public Works Committee
Providence City Council -- City Hall
Providence, RI 02903

RE: Proposed Abandonments of Normal Ct. & Wamsutta Place

Dear Councilman Clarkin:

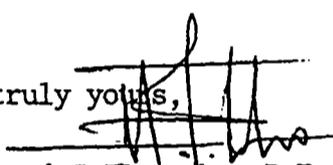
This Department has no objection to the proposed abandonment of Normal Ct. & Wamsutta Pl. in conjunction with the accompanying plan, entitled "Providence, RI, P.W. Dept. Engineering Office, Street Line Section, Plan No. 064704, Date: Jan. 8, 2002".

Proposed abandonment of Normal Ct. is shown as cross-hatched area on the accompanying plan, noted as A-B-C-D-A. Proposed abandonment of Wamsutta Pl. is shown as cross-hatched area on the accompanying plan, noted as E-F-G-H-A. THERE ARE NO SEWER EASEMENTS REQUIRED FOR THESE TWO PROPOSED ABANDONMENTS.

Total Square footage is as follows: 1,494.00' - Norman Ct. (Sq.Ft. +)
1,544.75' - Wamsutta Pl. " " "

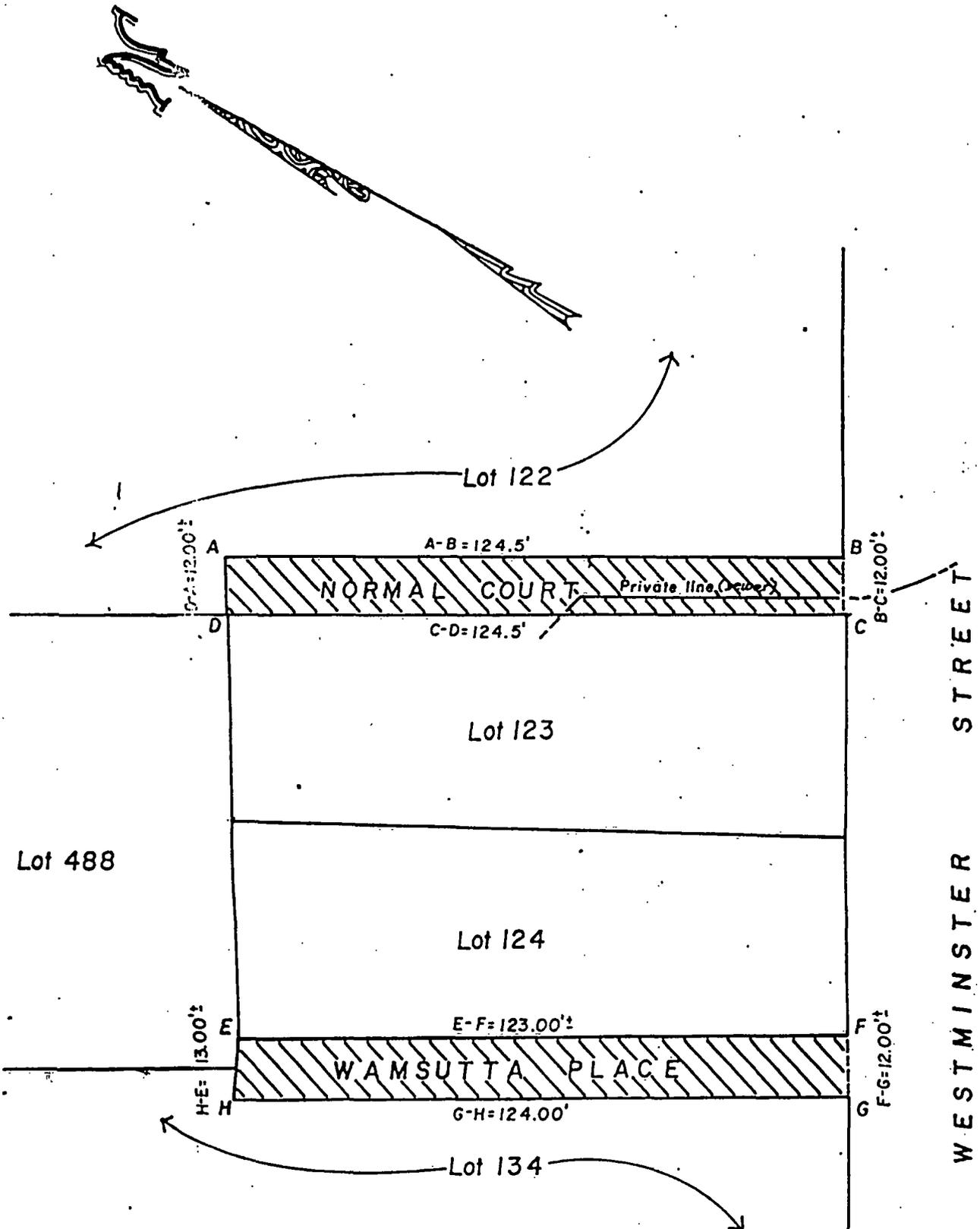
Lot numbers for this plan were taken from City of Prov. Assessor's Plat 29. Note that abutters are noted within the Petition paperwork. If we can further assist in this regard, please advise.

Very truly yours,


Ferdinand C. Ihenacho, P.E.
Director

CC: Patricia McLaughlin, Esq.
John D'Amico, Esq.
M. Clement - City Clerk
J. Florio
JLC
SZ

PROVIDENCE, R. I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No 064704
 Date Jan. 8, 2002



Lot 488

NOTES: Cross-hatched areas (A-B-C-D-A) & (E-F-G-H-E) indicates proposed abandonments.

No sewer casement required.

Total square footage = 1,494.00' (Normal Ct.)

1,544.75'± (Wamsutta Pl.)

Lot numbers taken from A.P. 29.

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing proposed abandonments of Normal Ct. & Wamsutta Pl.
 Drawn by A. Zislades Checked by J.L.C.
 Scale 1" = 30' Date 1-8-2002
 Correct James P. M... Associate Engr.
 Approved [Signature] CHIEF ENGINEER

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

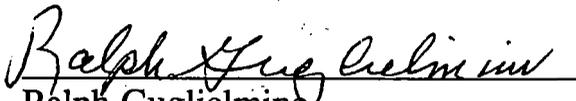
THIS IS TO CERTIFY, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

PETITION TO ABANDON A PORTION NORMAL COURT

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
29	122	Mark Van Noppen c/o The Armory Revival Company 1570 Westminster Street Providence, RI 02909
29	123	JALI Realty Company 765 Westminster Street Providence, RI 02903
29	488	JALI Realty Company 765 Westminster Street Providence, RI 02903

PETITIONER

Mark Van Noppen
c/o The Armory Revival Company
1570 Westminster Street
Providence, RI 02909


Ralph Guglielmino
City Sergeant

Council President John J. Lombardi
Ward 13

JOHN J. PARTINGTON
COMMISSIONER

COLONEL RICHARD T. SULLIVAN
CHIEF OF POLICE



VINCENT A. CIANCI, JR.
MAYOR

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

January 7, 2002

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

Dear Councilman Clarkin:

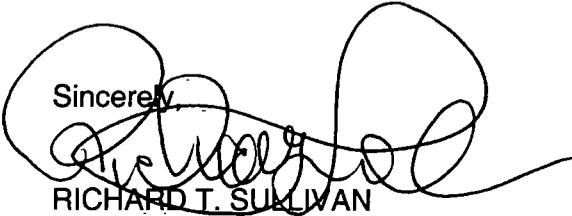
Enclosed are several responses regarding abandonments, etc. within the City of Providence.

They have been responded to by Lieutenant Timothy Lee, Commanding Officer, Traffic Bureau.

If you have any further questions, or require assistance, please do not hesitate to contact Lieutenant Lee at 272-3121, ext. 2133.

Thank you.

Sincerely,



RICHARD T. SULLIVAN
Colonel
Chief of Police

RTS:Imd

Enclosure

ARMANDO PARILLO
Chairman

JOEL D. LANDRY, II, ESQ.
Vice Chairman

CARISSA R. RICHARD
Secretary

FERNANDO S. CUNHA, ESQ.
Legal Advisor

ALEXANDER D. PRIGNANO
Ex-Officio



VINCENT A. CIANCI, JR.
Mayor

ROBERT J. KILDUFF, ESQ., P.E.
General Manager and Chief Engineer

JOSEPH DE LUCA
City Councilman

RITA M. WILLIAMS
City Councilwoman

MARY A. NOCERA
Member

JOSEPH D. CATALDI
Member

January 25, 2002

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

SUBJECT: Petition for Street Abandonment
Normal Court
Providence, Rhode Island

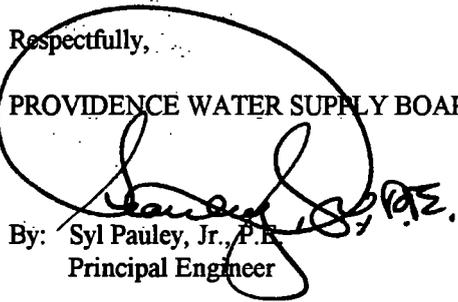
Dear Councilman Clarkin:

The referenced Petition to the City Council, which relates to the abandonment of Normal Court from its intersection with Westminster Street to its northerly terminus, has been reviewed for any impact on the Providence Water (PW) water distribution system. Our records do not indicate any water system related infrastructure within the limits of the subject street. Accordingly, PW does not oppose this abandonment.

If you have any questions, please feel free to contact me at (401) 521-6300 EXT 7241.

Respectfully,

PROVIDENCE WATER SUPPLY BOARD

By:  P.E.
Principal Engineer

SP/s

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

ABNLTR54.WPD

www.provwater.com

552 ACADEMY AVENUE • PROVIDENCE, RHODE ISLAND • 02908 • (401) 521-6300 • FAX (401) 331-5081 • TDD (401) 751-0203

NANCY L. DERRIG
Superintendent of Parks



VINCENT A. CIANCI, JR.
Mayor

Department of Public Parks

"Building Pride In Providence"

January 3, 2002

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

RE: Abandonment of a Portion of Wamsutta Place & Normal Court:

The Department of Public Parks has reviewed the proposed abandonment of the above mentioned street, and has no objection to the proposed abandonment.

Sincerely yours,

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

John A. Izzo
Supervisor of Engineering & Planning

HENRY E. KATES
Chairman

LESLIE A. GARDNER
Vice Chairwoman

ROBERT H. MONTECALVO
JOSE V. MONTEIRO
MICHAEL A. SOLOMON
Members

RONALD W. ALLEN
LUIS A. APONTE
Councilmen

JOHN F. PALMIERI
Executive Director

SAMUEL J. SHAMOON
Secretary



PROVIDENCE REDEVELOPMENT AGENCY

"Building Pride in Providence"

VINCENT A. CIANCI, JR.
Mayor

MEMORANDUM

DATE: February 12, 2002

TO : Michael Clement, City Clerk

FROM: William G. Floriani, Assistant Director
Project Management and Construction

RE : ABANDONMENT Normal Court and Wamsutta Place

Pursuant to your request I have visited the site referenced above to determine Fair Market Value of the parcels. The parcels contain 1,494 sq. ft. and 1,544.75 sq. ft. and are zoned C-2. There are no sewer easements required by the City. This would allow full use of the parcel for commercial use. The value is as follows:

Normal Court:

1,494sq. ft. @ \$13.00 per. Ft. = \$19,400.00 (rounded)

6,723.00

Wamsutta Place:

1,544.75 sq. ft. @ \$13.00 per. Ft. = \$20,000.00 (rounded)

Right of Way



85 High Street
Pawtucket, RI 02860

Phone 401 727-9555
Fax 401 725-7680

January 15, 2002

Claire Bestwick
2nd Deputy/City Clerk
25 Dorrance Street
Providence, Rhode Island 02903

Attn: Ms. Claire Bestwick

RE: PETITION TO ABANDON A PORTION OF NORMAL COURT.

Upon investigation it has been determined that Verizon has facilities in the portion of Normal Court to be abandoned.

These facilities include aerial wires crossing the portion of Normal Court to be abandoned that provides service to residents and businesses in the area.

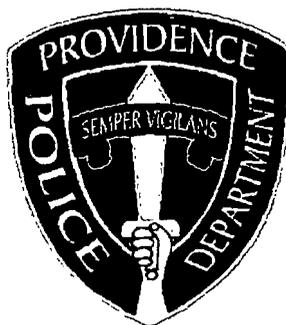
Verizon will not object to the granting of said petition, provided that in the event the petition is granted, the petitioner will convey an easement to Verizon, which will permit retention of its facilities in existing locations with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities.

If it is decided by the petitioner that telephone facilities are to be relocated, the petitioner will assume all costs of the relocation.

Very truly yours,

A handwritten signature in cursive script that reads "Pam Jarvela".

Pam Jarvela
Right of Way



**PROVIDENCE POLICE DEPARTMENT
TRAFFIC BUREAU**

Lieutenant Timothy Lee, Commanding

January 7, 2002

TO: Colonel Richard Sullivan, Chief of Police

FROM: Lieutenant Timothy M. Lee, Commanding Traffic Bureau

SUBJECT: Street abandonment request

Dear Sir,

I find no reason that the police department should object to the abandonment of this area. It is a small area and only serves the occupants of the two buildings.

Respectfully Submitted:

LT. Timothy M. Lee
Lt. Timothy Lee

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 *Irene J. Testa*

DATE: 1/2/02

RE: PENDING MATTER

REQUEST: To abandon a portion of Normal Court.

DISPOSITION: No objection.



PROVIDENCE CITY PLAN COMMISSION

"Planning The Future of Providence"

January 16, 2002

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

Attn: Claire E. Bestwick, Second Deputy City Clerk

Re: CPC REFERRAL NO. 3190: Proposed Abandonment of Normal Court

Dear Councilman Clarkin:

The City Plan Commission at its regular meeting on Tuesday, January 15, 2002 reviewed and evaluated the request of the Committee on Public Works that the Commission review and make a recommendation regarding the proposed abandonment of Normal Court.

The Commission made the following findings of fact as required by the *City Plan Commission Handbook* Policy No. 1: "Criteria and Guidelines for Approval of Street, Highway and Rights-of-way Abandonment":

1. *A public interest has to be clearly demonstrated. A public interest is defined as one or more of the following: public health and safety, adequate provision of transportation, general improvement of traffic patterns and/or circulation, convenient access to properties, avoidance of a nuisance, significant economic development, preservation of a historical or cultural feature, and improvement of the general welfare of the community.*

This street abandonment is not inconsistent with the public interest. It will provide convenient access to properties, economic development, and, as this street is a dead-end, there will be no adverse impact on traffic patterns.

2. *No negative impact is evident on existing land uses, future plans, zoning, safety, health or welfare of the community by the proposed abandonment.*

No negative impacts from this abandonment are anticipated.

3. *All abutting landowners agree to the proposed abandonment.*

The petitioners about both sides of this right-of-way.

4. *No physical or legal access will be denied to any land or property in surrounding areas by the proposed abandonment.*

No access will be denied to surrounding areas.

5. *No existing or future public services or facilities need to be protected, provided, or maintained within the right-of-way. An easement retention may be necessary to provide access to, maintain, or provide existing or future service or utility needs.*

It is not known whether public services or facilities need to be protected, provided, or maintained within the rights-of-way. The petitioners would need to grant easements if necessary.

6. *The proposed or intended use of the street and/or adjacent properties must be shown on a petition or plan, and such use shall be in conformance with existing zoning and Comprehensive Plan Objectives.*

A petition and plan have been provided. This proposal is consistent with the Zoning Ordinance and Comprehensive Plan.

The Commission voted to recommend to the Committee on Public Works that it approve the subject abandonment with the condition that any necessary easements be granted.

Sincerely,



Samuel J. Shamoon
Associate Director of Planning

cc: Gary Licht and Mark Van Noppen for the Petitioner

Narragansett Electric

A National Grid Company

May 23, 2002

Anna M. Stetson
Department of City Clerk
City Hall
25 Dorrance Street
Providence, RI 02903

Re: Petition to Abandon Normal Court

Dear Ms. Stetson:

Narragansett Electric Company does not have any facilities at the site of the proposed abandonment referenced above. Therefore, we will not require a utility easement from the petitioner.

Sincerely,



Sheree Storey
Paralegal/Consultant
(401) 784-7512

280 Melrose Street
PO Box 1438
Providence, RI 02901-1438
401.784.7400



New England Gas Company

1/8/02

Ms. Claire E. Bestwick
Second Deputy City Clerk
Department of City Clerk
City of Providence
Providence, RI 02903

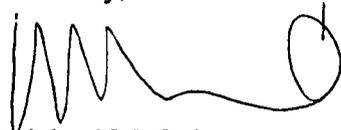
Re: Petition to Abandon a Portion of Normal Court, Providence

Dear Ms. Bestwick:

Providence Gas does not own nor maintain gas facilities within above-mentioned petition therefore, we have no objections to this petition. Please be sure to contact DIGSAFE® prior to any excavation activities at 1-888-DIGSAFE.

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

Sincerely,



Michael McGuire
Manager of Engineering Design & Facility Locating

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 30, 2002

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

Re: Petition to Abandon a Portion of Normal Court

Dear Chairman Clarkin,

After review of the proposal to abandon a portion of Normal Court (see attached), the Fire Department has no objection provided permanent barriers are not constructed that would prevent access for fire department personnel using ground ladders and other firefighting equipment along Normal Court. This access is required so that firefighters can raise ladders for rescue or ventilation operations should there be a fire incident in the buildings that border Normal Court.

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

David D. Costa
Fire Marshal