

IRENE J. TESTA
Traffic Engineer

JOSEPH W. CAPRIO
Deputy Director



VINCENT A. CIANCI, JR.
Mayor

Department of Traffic Engineering
"Building Pride In Providence"

MEMORANDUM

TO: Councilman Robert Clarkin
Chairman, Committee on Public Works

FROM: Irene J. Testa
Director

DATE: May 28, 1997

RE: PROPOSED ABANDONMENTS

REQUEST: To abandon a portion of Hebron Street.

DISPOSITION: No objection.

REQUEST: To abandon a portion of Chalkstone Avenue.

DISPOSITION: No objection

REQUEST: To abandon a portion of Gainer Street.

DISPOSITION: No objection.

REQUEST: To abandon a portion of Cyril Court.

DISPOSITION: No objection.

Chalkstone



The Narragansett Electric Company
280 Melrose Street
P.O. Box 1438
Providence, Rhode Island 02901-1438

November 30, 1995

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

Re: Petitions to Abandon Portions of Chalkstone Avenue, Bay Street,
and Gangway between Commadore and Touro Street

Dear Barbara:

The Narragansett Electric Company (NECo) presently has overhead distribution facilities situated on the proposed abandoned portions of Chalkstone Avenue and Bay Street. Please understand that NECo has no objections to the abandonments provided that in the event the streets are abandoned, an easement acceptable to NECo will permit the retention of our facilities in their existing locations.

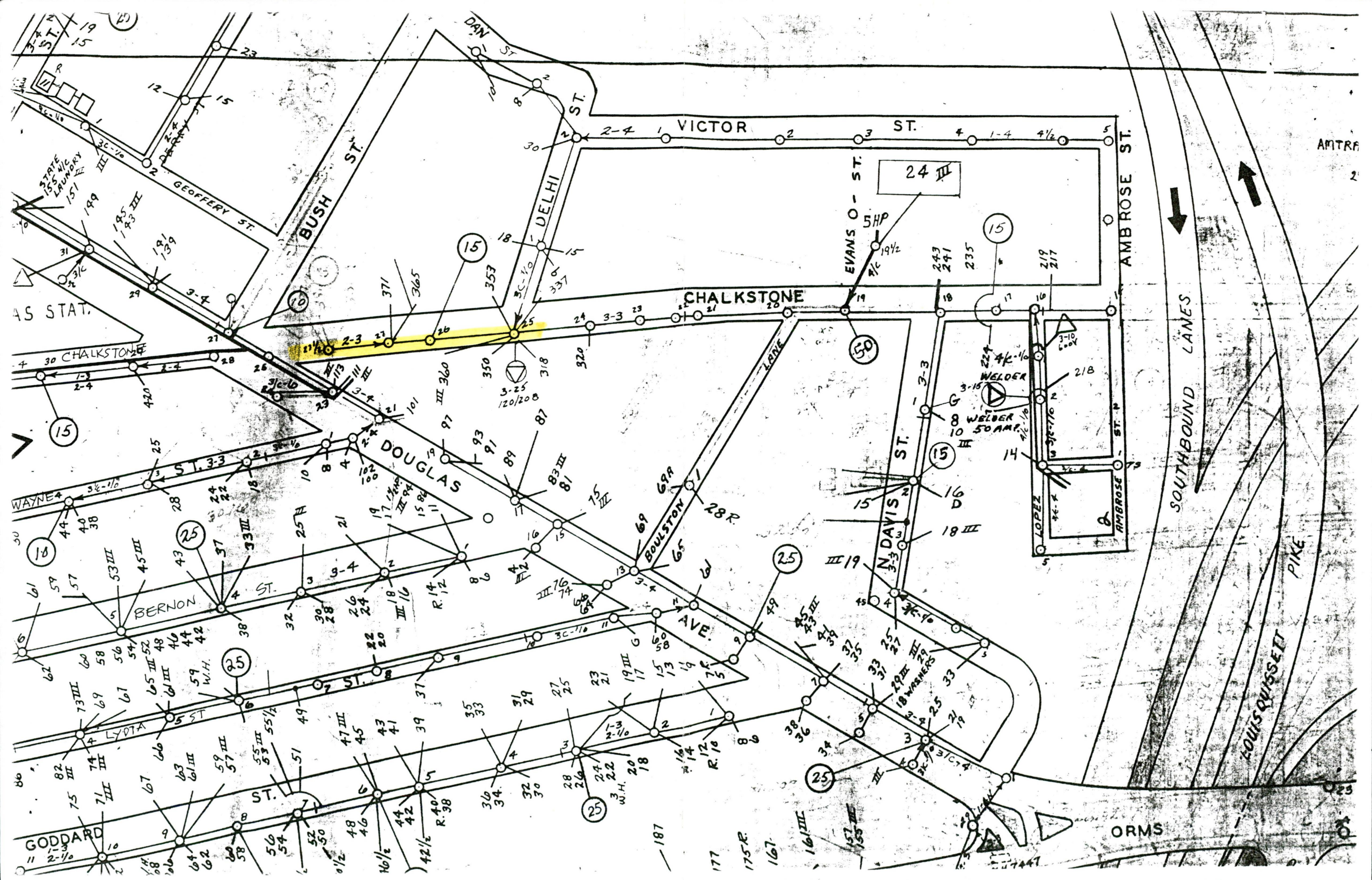
As for the gangway between Commadore Street and Touro Street, NECo has no overhead or underground facilities presently located there and has no objection to the abandonment.

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

Sincerely,

Michael D. DiNezza
Senior Real Estate Representative

Enclosures



NYNEX

85 High Street, Pawtucket, RI 02860

Tel 401 727 9555

Fax 401 725 4060

NYNEX

April 11, 1996

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

Attn: Mr. Robert Clarkin

RE: PETITION TO ABANDON A PORTION OF CHALKSTONE AVENUE

Dear Sir,

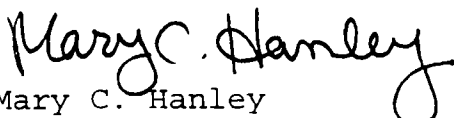
Upon investigation it has been determined that Nynex has facilities in the portion of Chalkstone Ave. to be abandoned.

These facilities include aerial cable, a pole and an anchor that provide service to residents and businesses in the area.

New England Telephone and Telegraph Company will not object to the granting of said petition, provided that in the event the petition is granted, the petitioner will convey an easement acceptable to New England Telephone, 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,



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



April 28, 1997

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

RE: CHALKSTONE AVENUE

Dear Councilman Clarkin:

Please be advised, Providence Gas Company will need an easement for our utilities located in that portion of Chalkstone Avenue described in your petition for abandonment.

Sincerely,

A handwritten signature in black ink, appearing to read "Cynthia M. Radican". The signature is fluid and cursive, with the first name being the most prominent.

Cynthia M. Radican
Engineering Clerk

cc: file

The Foundry Corporate Office Center
235 Promenade Street — Suite 500
Providence, RI
02908-5739
401 • 277 • 6680
401 • 277 • 2584 Fax
401 • 277 • 6680 TDD

Rep. Vincent J. Mesolella
Chairman

Paul Pinault
Executive Director



November 8, 1995

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

SUBJECT: Abandonment of City-Owned Property

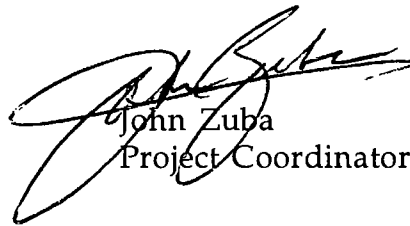
Dear Ms. Poirier:

We have reviewed your memoranda and documentation concerning the abandonment of a section of Chalkstone Avenue, Providence, RI.

The NBC does not own any facility in this street. Therefore, we do not have any objection to the abandonment of these properties.

We appreciate your notification of these abandonments and the opportunity to comment.

Sincerely,



John Zuba
Project Coordinator

JZ/amr
cc: Joe Filippone, NBC

BORDIERI & LOMBARDI

ATTORNEYS AT LAW

ONE THOUSAND SMITH STREET

PROVIDENCE, RHODE ISLAND 02908

PAUL J. BORDIERI
FRANK A. LOMBARDI*

*ALSO ADMITTED IN
MASSACHUSETTS

TELEPHONE
AREA CODE 401
751-1100
455-0420
FAX
(401) 521-7974

April 4, 1997

City Council, City of Providence
Committee on Public Works
City Hall
Providence, RI 02903

**Re: Abandonment of a portion of Chalkstone Avenue Adjacent to
111-113 Douglas Avenue (AP 68 Lot 476)**

Dear Committee Members:

The above-entitled matter was on the agenda for your April 1, 1997 meeting. Due to the great blizzard of 1997, it is my understanding from speaking with the Mayor's Office, that the City Council meetings were canceled for the April 1, 1997 agenda. I would appreciate your notifying me of the rescheduled hearing as I will be representing Carlos Rego in this matter.

The matter has already been considered by the City Planning Commission, which has recommended approval subject to certain conditions, among which are approval from the Zoning Board of review and the installation of fencing and shrubbery. We have been in the process of preparing the zoning petition.

In the meantime, my client has seen fit to erect a fence around the property sought to be abandoned (the site). We did not recommend this action and consider it to have been premature and inappropriate. The matter came to the attention of the Douglas Avenue Steering Committee, and we addressed their concerns as outlined in our letter to them of February 24, 1997, a copy of which is attached. At the time our client agreed to remove the offending fence.

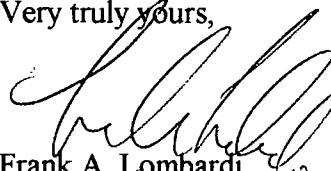
It now appears that there is some misunderstanding concerning what portion of the fence is offending. We were under the impression that the primary concern of the Steering Committee were aesthetic in nature and centered on the portion at the westerly end of the site. Later we saw that our client had removed the portion of the fence across the easterly end of the site. In response to our question, our client told us that Mr. Goines of the Planning Department had advised that the concerns of his department would be satisfied by removal of the easterly portion of the fence so that the roadway would continue to be

City Council, City of Providence
April 4, 1997
Page Two

accessible to emergency vehicles, etc., until abandonment. Thus, our client has gotten mixed messages as to what is actually required to be removed, one from the Planning Department and another from the Steering Committee.

As of now, our client has complied with the Planning Department requirements and submitted a screening plan calculated to address the aesthetic concerns of the Steering Committee in a practical and effective manner. If that plan is acceptable, as it should reasonably be, there would now seem to be no impediment to the completion of the abandonment process, and we urge your action consistent with that end.

Very truly yours,



Frank A. Lombardi

FAL/am

RESOLUTION OF THE CITY COUNCIL

No. 367

Approved June 30, 1997

RESOLVED, DECREED AND ORDERED:

That the following named highway shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064569 dated 30 October 1995.

VIZ:

CHALKSTONE AVENUE, (portions of) shown as cross-hatched area on accompanying plan (attached hereto as Exhibit "A") and designated by the letters (A-B-C-D-A) 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) Petitioner shall tender the amount of Two Thousand Three Hundred (\$2,300.00) in legal tender U.S. to the City of Providence.

(2) The Petitioner shall convey an easement acceptable to the Narragansett Electric Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain operate and replace the same with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need to be relocated in order to comply with an intended sue, the petitioner shall assume all costs of relocation.

(3) The Petitioner shall convey an easement acceptable to the Providence Gas Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need to be relocated in order to comply with an intended use, the petitioner shall assume all costs of relocation.

(4) The Petitioner shall convey an easement acceptable to NYNEX which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need to be relocated in order to comply with an intended use, the petitioner shall assume all costs of relocation.

IN CITY COUNCIL
Oct. 19, 1995
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Michael R. Plonert CLERK

THE COMMITTEE ON
Public Works
Recommends
Barbara A. Poirier
Clerk
5/13/97 P.H. Lee 5/13/97

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution
Barbara A. Poirier
Clerk
5/28/97

From the Clerk's Desk

(5) The Petitioner shall convey an easement acceptable to the Providence Water Supply Board which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need to be relocated in order to comply with an intended use, the petitioner shall assume all costs of relocation.

The petitioner shall:

(a) provide a landscape strip of evergreen plantings at least four (4) feet high and stockade fencing along Douglas Avenue and the State right-of-way line so as to screen the expanded lot as is required under Section 705.7 of the Zoning Ordinance (See attached map marked as Exhibit "B");

(b) seek an appropriate variance from the Zoning Board of Review and until such application is completed and granted, engage in no non-conforming act; and

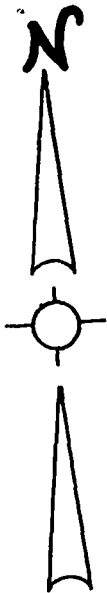
(c) provide required easements for existing public utility companies.

Petitioner acknowledges that the State of Rhode Island and Solid Gold Productions, Inc. are abutters to the abandoned portion of the highway and may make some claim thereto.

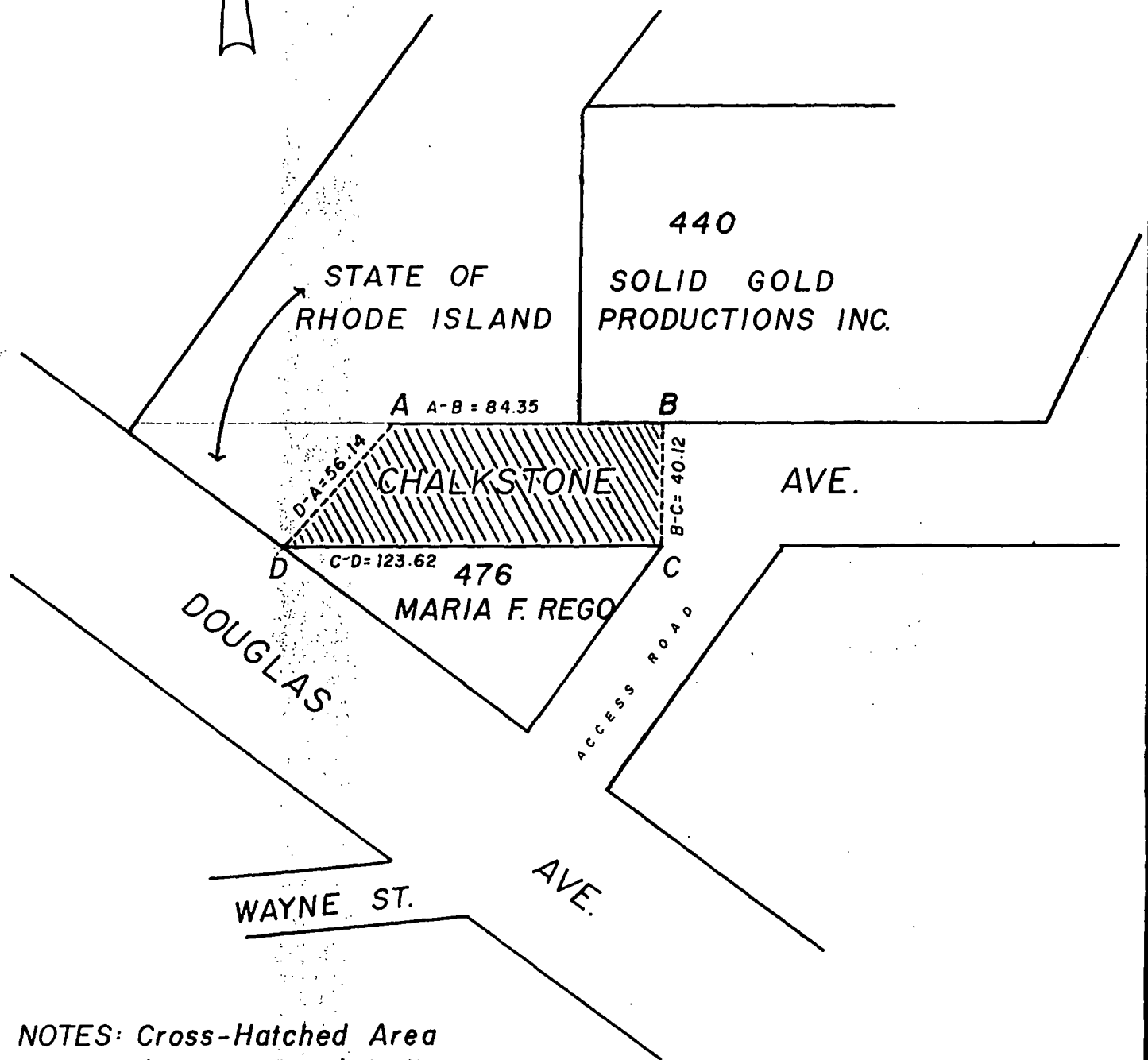
ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner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

IN CITY COUNCIL
JUN 19 1997
READ AND PASSED
Evelyn V. Fargnoli
PRES.
Michael R. Clement
CLERK

APPROVED
JUN 30 1997
Vincent A. Lianini
MAYOR



PROVIDENCE, R. I.
P.W. DEPT. — ENGINEERING OFFICE
STREET LINE SECTION
Plan No. 064569
Date Oct. 30, 1995

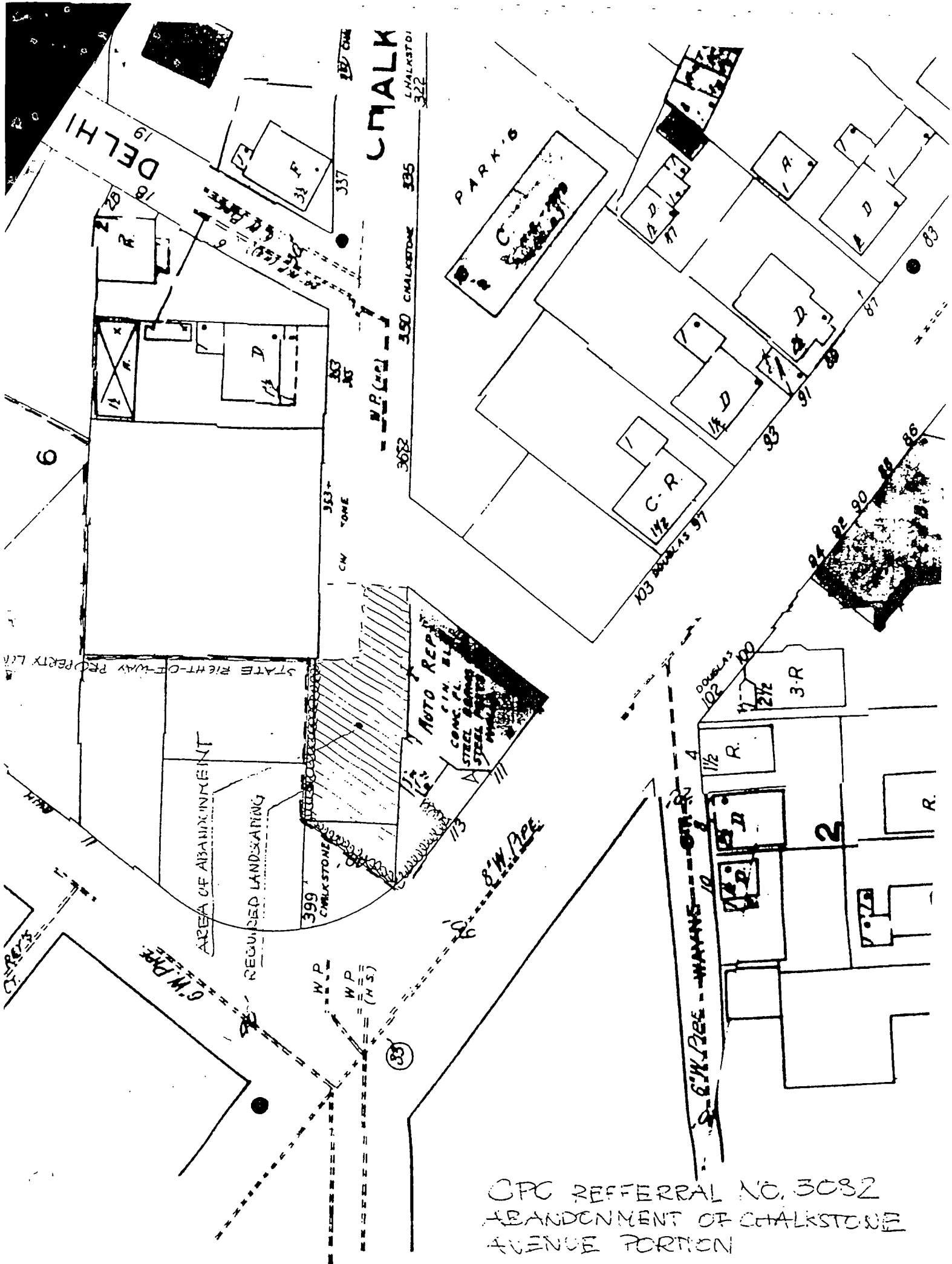


NOTES: Cross-Hatched Area
(A-B-C-D-A) Indicates
Proposed Abandonment of a
Portion of Chalkstone Ave.

Total Square Footage = 4171.80

Lot Numbers Taken From A.P. 68

CITY OF PROVIDENCE, R. I.
Public Works Dept. Engineering Office
Showing Proposed Abandonment of a
Portion of Chalkstone Ave.
Drawn by Steve Z. Checked by J.T.M.
Scale 1" = 50' Date 10-30-95
Correct James T. W. Associate Engr.
Approved R. James Sullivan DIR.
FOR CHIEF ENGINEER



CPC REFERRAL NO. 3082
 ABANDONMENT OF CHALKSTONE
 AVENUE PORTION

EXHIBIT "B"

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

Pursuant to R.I.G.L. 24-6-1 et seq, an order of abandonment of the highway designated as a portion of Chalkstone Avenue, which has ceased to be useful to the Public, as outlined on the shaded portion of the attached map. That portion of Chalkstone Avenue which abuts the petitioners property and the property of the State of Rhode Island. This portion of the roadway which abuts the petitioners property is frequented by vandals and persons littering the area, causing a private nuisance to your petitioner. An order of abandonment of the above described highway would serve to abate this nuisance.

Wherefore, your petitioner requests that this petition be granted.

Petitioner "Maria F. Rego"

Maria Rego

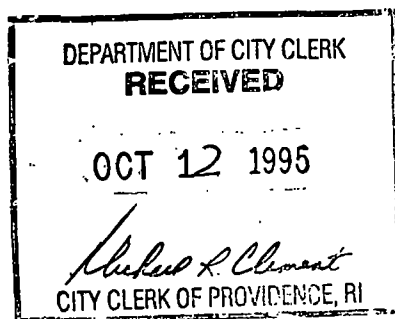
PROVIDENCE
CITY CLERK

10/12/95

ABANDON 75.00
CHECK 75.00

1 #ITEMS

0666B1 11:00
THANK YOU



Hospital Trust

cl. # 0550

Maria F. Rego

Joao C. Rego

41 Sherwood St.

Prov. R.I. 02908

12 19 95
OCT 12 10 57 AM '95
DEPT. OF
PROVIDENCE, R.I.

IN CITY COUNCIL
OCT, 19 1995
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

Michael L. Clement CLERK

THE COMMITTEE ON
Cathie Stark
Recommends P.H.
Barbara A. Coicou
5/13/97 Clerk

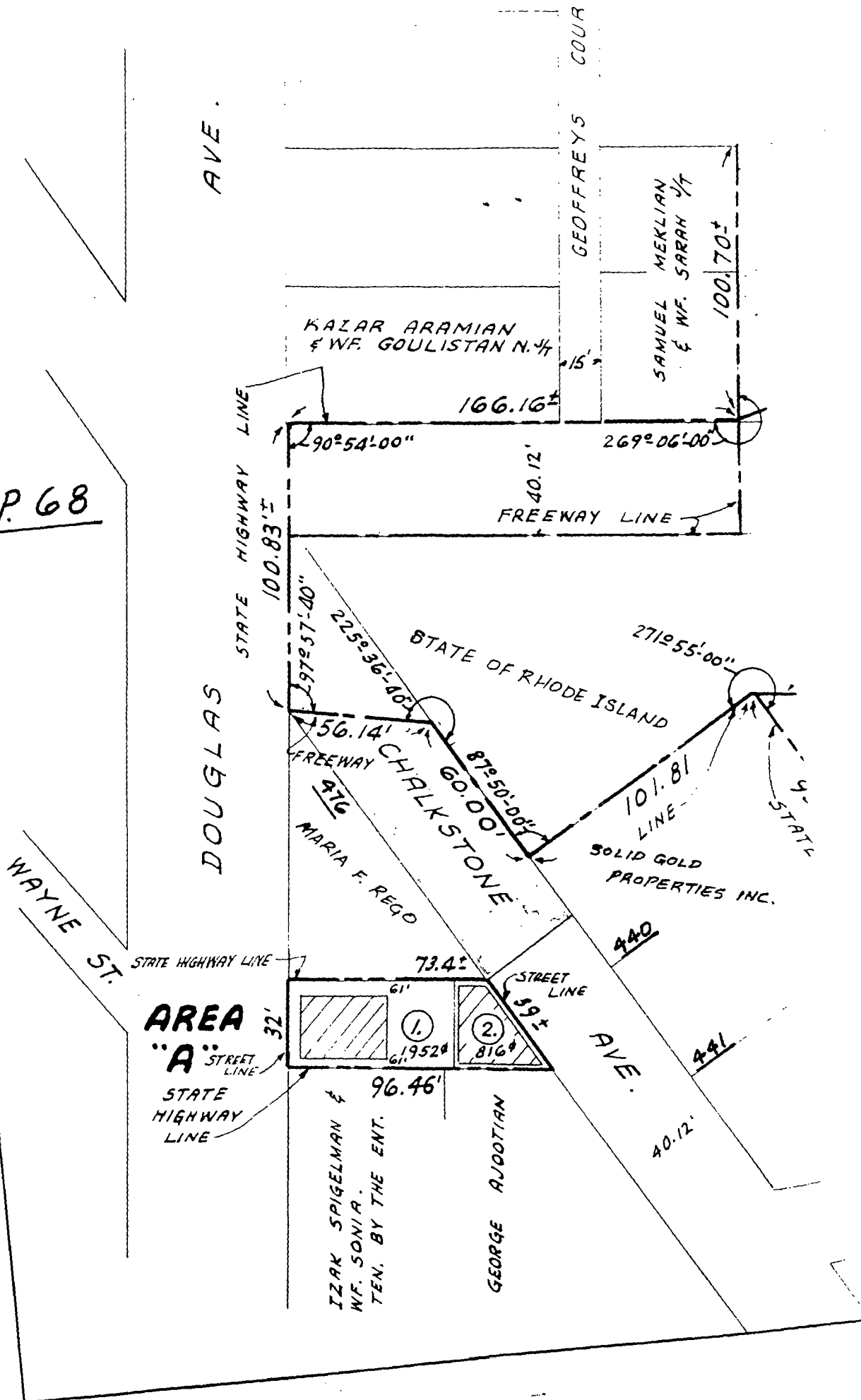
B.H. Leda 5/13/97

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution

Barbara A. Coicou
5/28/97 Clerk

From The Clerk Desk

A.P. 68



COUNCILMAN
THOMAS M. GLAVIN
45 CANTON STREET
PROVIDENCE, RI 02908



COMMITTEES

City Property

Claims and
Pending Suits

City of Providence, Rhode Island

March 31, 1997

Councilman Robert M. Clarkin
Chairman
Committee on Public Works
City Clerk's Department
Providence, RI 02903

Re: Petition to abandon a portion of Chalkstone Avenue

Dear Chairman Clarkin and Members of the Committee:

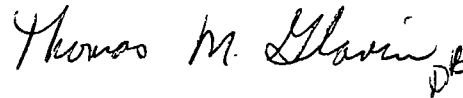
The purpose of this letter is to express my opposition to the granting of the above referenced petition by Maria F. Rego to abandon a portion of Chalkstone Avenue located in the twelfth ward.

A similar petition was submitted for your consideration approximately one year ago and, at that time, a number of stipulations were offered by myself, the Department of Planning and Development as well as the City Plan Commission in order for that petition to be granted. Unfortunately, the petitioner chose not to adhere to those stipulations and, without receiving approval from the City Council, erected a fence around this city street and has been using this portion of Chalkstone Avenue to store vehicles from its auto body repair business.

I am enclosing for the committee's review a copy of a letter from Ferdinand Ihenacho, Director of Public Works, whereby he informs Maria F. Rego of the illegal installation of this fence and directing her to remove the fence immediately. To the best of my knowledge, as of this letter, this illegally erected fence has not been removed.

Because of this petitioner's disregard of the requested stipulations to grant a legal abandonment, I therefore request this petition be denied. Unfortunately, I will be unable to attend the public hearing on Tuesday, April 1, 1997, but, I would be pleased to speak with the chairman or committee members regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Thomas M. Glavin". The signature is written in dark ink and includes a small flourish at the end.

Thomas M. Glavin
Councilman

TMG/db

Enc.

cc: Committee on Public Works Members

Mr. Sam Shamoon

Mr. Arnold Hahn

Ferdinand C. Ihenacho, P.E.

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

March 17, 1997

Maria F. Rego
c/o Rego Autobody
111 Douglas Avenue
Providence, RI 02908

RE: Illegal Installation of Chain-link Fence
(Assessors Plat 68, Lot 476, 111 Douglas Avenue)

Dear Ms. Rego:

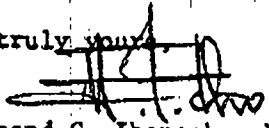
It has come to my attention that your firm has constructed a fence around a City owned roadway (Chalkstone Avenue) and is actively using this portion as a parking lot.

Though this Department's records show that the Department has no objection to the abandonment of this portion of Chalkstone Avenue (copy attached), this abandonment has not been adopted by the Providence City Council and as such is still a City property.

Therefore, this Department requests that you remove all fences and fenceposts on the westerly and easterly portions of Chalkstone Avenue (shown on the attached drawings as lines AD and BC, within thirty (30) days of the date of this correspondence. Failure to do so will result in the City (Public Works Department) removing said fences and submitting an invoice for your payment of all expenses incurred by the City during this process.

Thank you for your cooperation in this matter and please feel free to contact me if you have any questions.

Very truly yours,

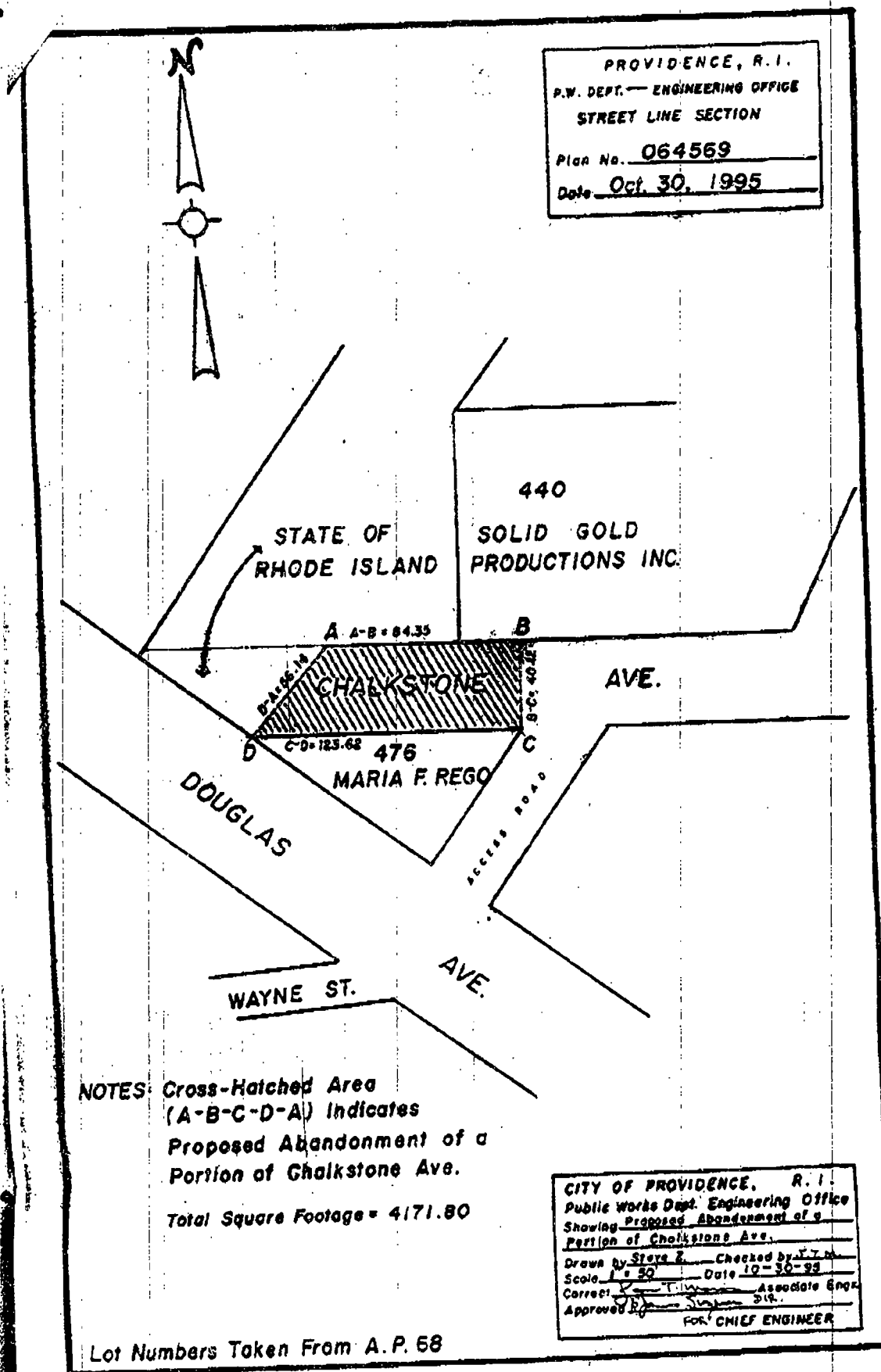

Ferdinand C. Ihenacho, P.E.
Director

FCI:cs

cc: John Palmieri; John D'Amico, City Solicitor; Gerry Florio; Louis Ricci;
Robert Clarkin, Public Works Committee; Thomas Glavin, Ward 12

700 Allens Avenue • Providence, Rhode Island 02905

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



768
 N-20

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:

PROPOSED ABANDONMENT FOR PORTION OF CHALKSTONE AVENUE.

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
68	440	Solid Gold Productions, Inc. 371 Chalkstone Avenue (377) Providence, RI 02908

68	476	Maria F. Rego 111 Douglas Avenue Providence, RI 02908
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State of Rhode Island
(CONDEMNATION)
Department of Transportation
Division of Right of Way
William D. Ankner
2 Capitol Hill
Providence, RI 02903

PETITIONER

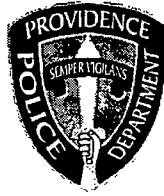
Maria F. Rego & Joao C. Rego
41 Sherwood Street
Providence, RI 02908

Ralph P. Sylvestre
City Sergeant
Date: 3/11/97

Councilman Thomas M. Glavin
Ward 12

COLONEL URBANO
PRIGNANO Jr.

Chief of Police



VINCENT A. CIANCI, JR.

Mayor

**PROVIDENCE POLICE DEPARTMENT
TRFFIC BUREAU**

Lieutenant Kenneth M. Cohen, Commanding

March 31, 1997

TO: Colonel Urbano Prignano, Jr., Chief of Police
FROM: Lieutenant Kenneth M. Cohen, Traffic Bureau
SUBJECT: Street Abandonments, Chalkstone Avenue and Cyrel Court

Sir:

I received correspondence regarding the abandonment of certain portions of two streets in the City of Providence. The first, is area of Chalkstone Avenue, behind Rego Auto Body, and the second is on Cyrel Court off of Manotn Avenue.

The area of Chalkstone Avenue is a dead end that terminates at the on-ramp to Route 95 south. The only other property that is affected is a small portion of the parking lot to the Foxy Lady on the Northwest side of the street. There is no driveway at that location, and abandonment of the property will cause no adverse affects to any other property owner. Therefore it is my recommendation that the Police Department agree with whatever the City Council decides on this matter. I see no objection to the request.

In regards to Cyrel Court, all of the properties that are on the street belong to the petitioner, and therefore do not cause any adverse affects to any other property owner. The street dead-ends on the backside of property of Capron Street, which has no access. Therefore it is my recommendation that the Police Department agree with whatever the City Council decides on this matter. I see no objection to the request.

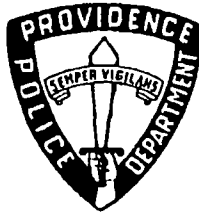
Respectfully,

A handwritten signature in black ink, appearing to read "K. Cohen", is written over a horizontal line.

Lieutenant Kenneth M. Cohen
Commander, Traffic Bureau

JOHN J. PARTINGTON
COMMISSIONER

COLONEL URBANO PRIGNANO, JR.
CHIEF OF POLICE



VINCENT A. CIANCI, JR.
MAYOR

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

December 8, 1995

*Bay
Chalkstone*

Councilman Robert M. Clarkin
Department of City Clerk
City Hall
25 Dorrance Street
Providence, RI 02903

Dear Councilman Clarkin:

Attached you will find correspondence from Lieutenant Guido Laorenza, Commanding Officer, Traffic Division, with regards to petitions of abandonment of Bay Street, a portion of Manilla Street and a portion of Chalkstone Avenue.

Lieutenant Laorenza finds that after conducting on-site studies of each location there is no reason not to grant petition of abandonment.

If you have any further questions regarding the aforementioned information, please contact Lieutenant Laorenza at 272-3121 ext. 2133.

Sincerely,

A handwritten signature in black ink, appearing to read "Urbano Prignano, Jr.", written over the typed name.

URBANO PRIGNANO, JR.
Colonel
Chief of Police

UP/kks

Attachments


PROVIDENCE POLICE DEPARTMENT
TRAFFIC BUREAU
LT. GUIDO LAORENZA

Nov. 29, 1995

TO: COLONEL URBANO PRIGNANO, CHIEF OF POLICE
FROM: LT. GUIDO LAORENZA, DIRECTOR, TRAFFIC BUREAU
SUBJECT: ABANDONMENT OF PORTION OF CHALKSTONE AVE.

SIR:

After conducting an on-site study of the Chalkstone Ave. area our Office found no reason not to grant the petition of abandonment.



Respectfully Submitted,

Lt. Guido Laorenza
Director Traffic Bureau

Providence Fire Department
Division of Fire Prevention
209 Fountain Street
Providence, Rhode Island 02903-3255
(401) 421-8290

3 Nov 95

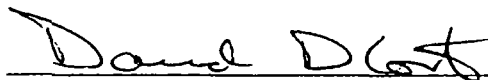
Councilman Robert M. Clarkin
Committee on Public Works
City Hall
Providence, R.I. 02903

Councilman Clarkin,

I have reviewed the petitions for abandonment of the following streets:

- 1) Unnamed gangway that runs between Commadore and Touro Streets
- ✓ 2) Chalkstone Avenue, at rear of property owned by Maria F. Rego
- 3) Manila Street, from lot 436 on plat 79 to North Providence town line.
- 4) Portions of Treasea Street and right of way- from Middletown Street to King Phillip Street.
- 5) Gilbert Street from Bridgham Street to Hammond Street.

After inspecting the areas involved for each of these petitions, the Fire Department has no objections to granting all of the requests.



Act. Fire Marshal David D. Costa

B. JAMES SUZMAN

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

October 31, 1995

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

Re: Proposed Abandonment
Portion of Chalkstone Avenue

Dear Councilman Clarkin:

This department has no objection to the portion abandonment of Chalkstone Avenue, as shown on the accompanying plan entitled, "Providence, R.I., P.W. Dept. - Engineering Office, Street Line Section, Plan No. 064569, Date: Oct.30, 1995".

Proposed abandonment is noted as "A", "B", "C", "D", "A", which is the cross-hatched area on the accompanying plan. Note that there are no easements relative this abandonment. A list of the abutting property owners is attached hereto and lot numbers were taken from City Assessor's Plat # 68. There is 4,171.80 square feet contained in this proposed abandonment.

If DPW can further assist you in this regard, please advise.

Very truly yours,

A handwritten signature in black ink, appearing to read "B. James Suzman", is written over a horizontal line.

B. James Suzman
Director of Public Works

CC: M. Clement - City Clerk
J. D'Amico, Esq.

G.F.
JTM
JLC
SZ

B. JAMES SUZMAN

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

October 31, 1995

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

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Portion of Chalkstone Avenue

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If DPW can further assist you in this regard, please advise.

Very truly yours,

A handwritten signature in black ink, appearing to read "B. James Suzman".

B. James Suzman
Director of Public Works

CC: M. Clement - City Clerk
J. D'Amico, Esq.

G.F.
JTM
JLC
SZ

PROPOSED ABANDONMENT FOR
PORTION OF CHALKSTONE AVE.

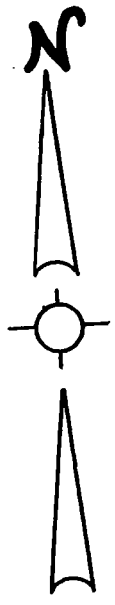
LOT 440 SOLID GOLD PRODUCTIONS INC.

LOT 476 MARIA F. REGO

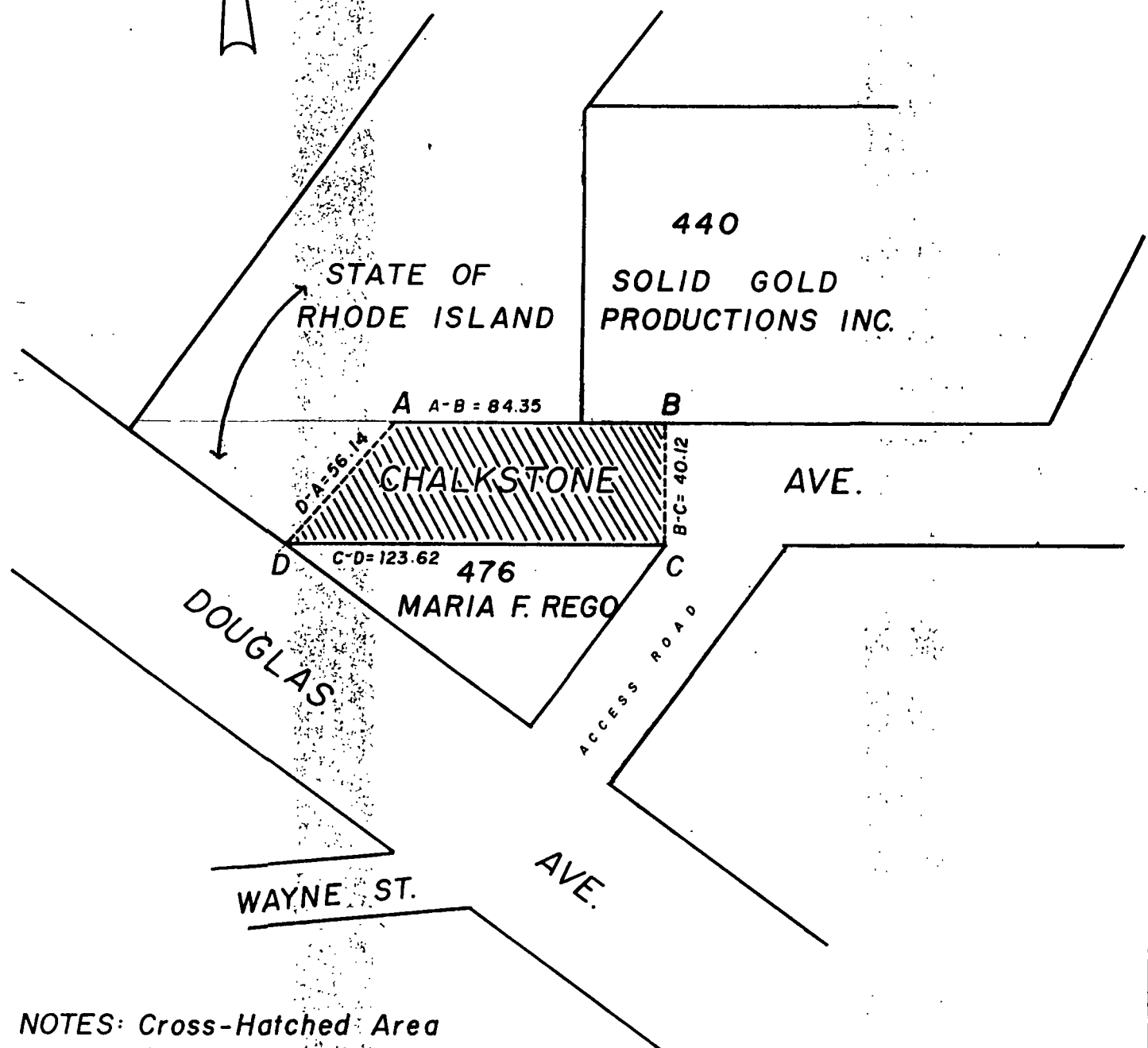
CONDEMNATION
PLAT NO. 1305

STATE OF RHODE ISLAND

See #367- Appl: 6/30/97



PROVIDENCE, R. I.
P.W. DEPT. — ENGINEERING OFFICE
STREET LINE SECTION
Plan No. 064569
Date Oct. 30, 1995



NOTES: Cross-Hatched Area
(A-B-C-D-A) Indicates
Proposed Abandonment of a
Portion of Chalkstone Ave.

Total Square Footage = 4171.80

Lot Numbers Taken From A.P. 68

CITY OF PROVIDENCE, R. I.
Public Works Dept. Engineering Office
Showing Proposed Abandonment of a
Portion of Chalkstone Ave.
Drawn by Steve Z. Checked by J.T.M.
Scale 1" = 50' Date 10-30-95
Correct James T. W. Associate Engr.
Approved James T. W. DIR.
FOR CHIEF ENGINEER

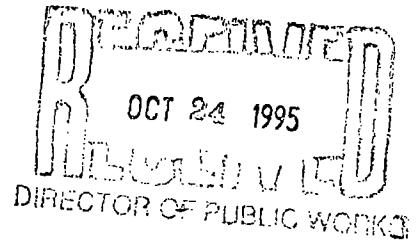
City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM



DATE: October 23, 1995

TO: B. James Suzman - Director of Public Works

SUBJECT: THE ATTACHED PETITION

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

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

Barbara A. Fairman
Sene Deputy City Clerk

PETITION TO THE CITY COUNCIL

OCT 24 1995
RECEIVED
DIRECTOR OF PUBLIC WORKS

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

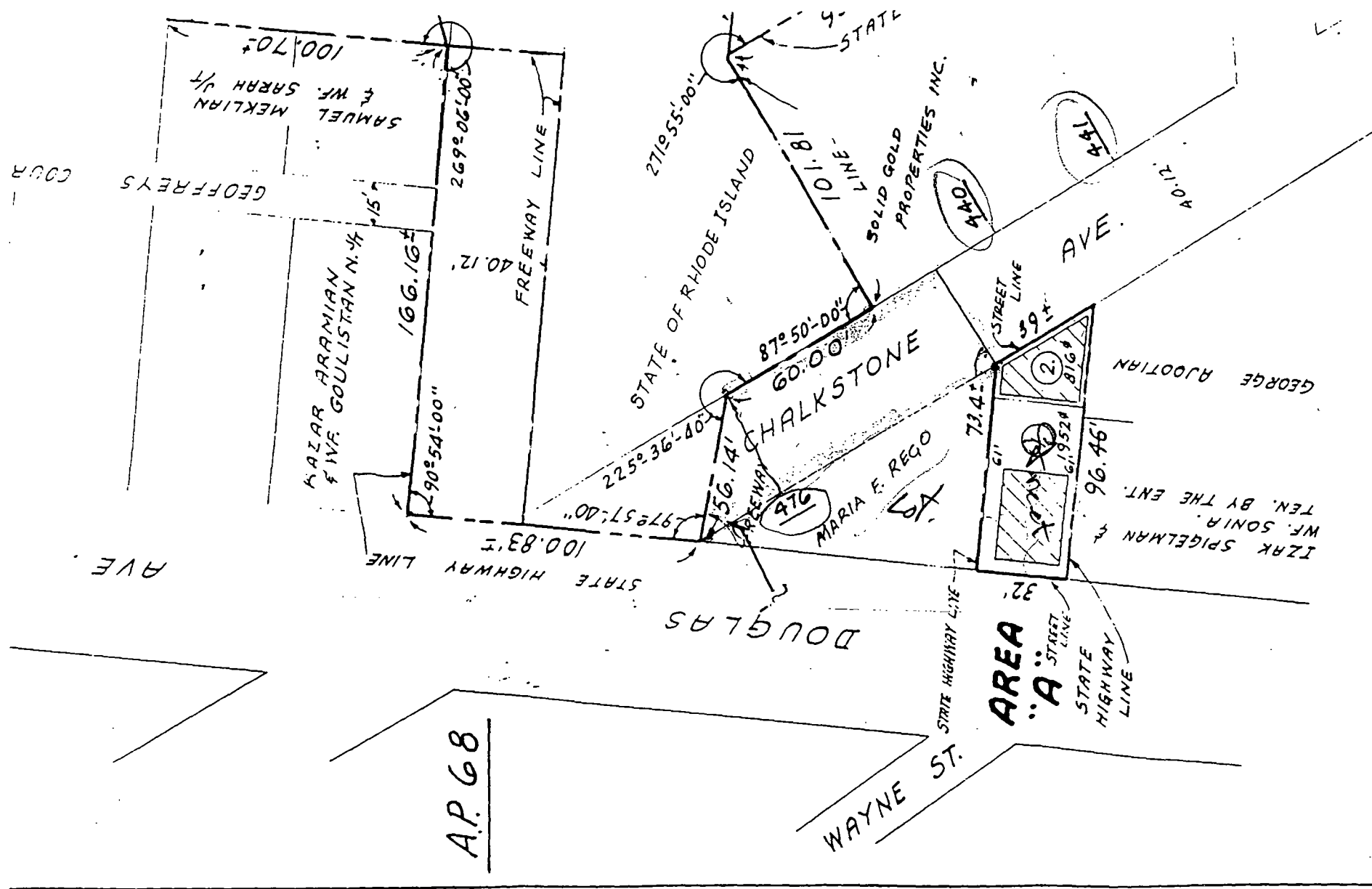
Pursuant to R.I.G.L. 24-6-1 et seq, an order of abandonment of the highway designated as a portion of Chalkstone Avenue, which has ceased to be useful to the Public, as outlined on the shaded portion of the attached map. That portion of Chalkstone Avenue which abuts the petitioners property and the property of the State of Rhode Island. This portion of the roadway which abuts the petitioners property is frequented by vandals and persons littering the area, causing a private nuisance to your petitioner. An order of abandonment of the above described highway would serve to abate this nuisance.

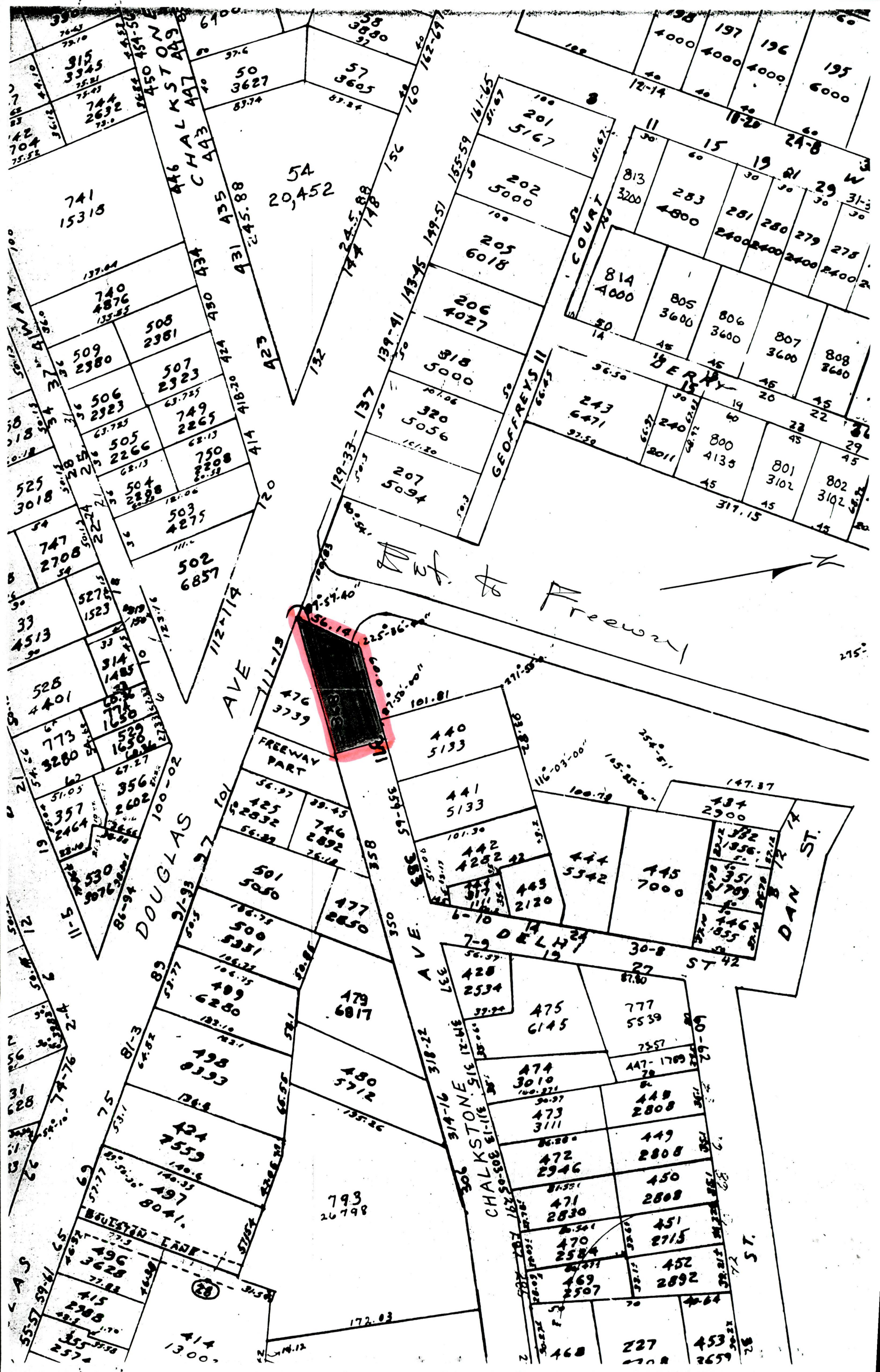
Wherefore, your petitioner requests that this petition be granted.

Petitioner "Maria F. Rego"

Maria F. Rego

50 SCALE





ARMANDO PARILLO
Chairman

JOEL D. LANDRY, II, ESQ.
Vice Chairman

JAMES LOMBARDI
Secretary

FERNANDO S. CUNHA, ESQ.
Legal Advisor

BOYCE SPINELLI
Ex-Officio



VINCENT A. CIANCI, JR.
Mayor

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

JOSEPHINE DI RUZZO
City Councilwoman

EVELYN V. FARGNOLI
City Councilwoman

MARY A. NOCERA
Member

JOYCE TESSERIS
Member

October 30, 1995

Ms. Maria F. Rego
41 Sherwood Street
Providence, Rhode Island

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

Dear Ms. Rego:

We have received a copy of a Petition to the City Council for the Abandonment of a portion of the referenced street—abutting the north boundary of Lot No. 476 on A.P. 68—from the Providence City Clerk. It is the Policy of the Providence Water Supply Board to collect a fee, as authorized by the R.I. Public Utilities Commission, to review this type of request. Please forward your check in the amount of \$75.00, made payable to the "CITY COLLECTOR, PROVIDENCE WATER SUPPLY BOARD", at your earliest convenience. **Our review will commence as soon as we receive your payment.**

If you have any questions, please do not hesitate to contact me at (401) 521-6300 EXT 170.

Very truly yours,

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

By: Syl Pauley, Jr., P.E.
Entitlement & Records Sections

SP/s

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

FEECOL44.SAM

ARMANDO PARILLO
Chairman

JOEL D. LANDRY, II, ESQ.
Vice Chairman

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

FERNANDO S. CUNHA, ESQ.
Legal Advisor

BOYCE SPINELLI
Ex-Officio



VINCENT A. CIANCI, JR.
Mayor

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

JOSEPHINE DI RUZZO
City Councilwoman

EVELYN V. FARGNOLI
Council President

MARY A. NOCERA
Member

JOSEPH D. CATALDI
Member

May 28, 1997

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

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

Dear Councilman Clarkin:

We have reviewed the referenced Petition for impact on the Providence Water Supply Board (PWSB) system. Our records indicate that PWSB owns and maintains 8 and 24-inch diameters within the limits of the proposed abandonment.

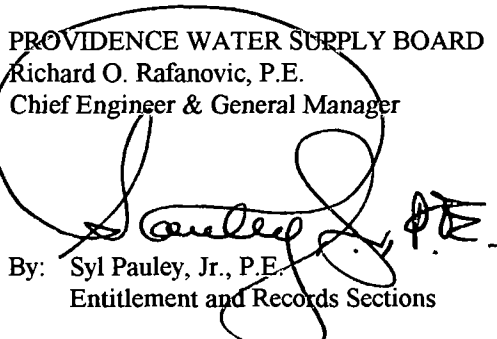
The PWSB has no objection to the proposed street abandonment, provided that the Petitioner grants a full utility easement to the PWSB to maintain, construct, repair, etc. the existing water main, and that no permanent construction, whatsoever, be allowed within the easement. Dimensions and wording of the easement shall be subject to review by the PWSB as to form and content.

It is important to note that other abutters who will receive portions of the abandoned right-of-way, wherein the water main lies, are also required to grant the same type of easement to Providence Water. According to our records, the other abutters are the State of Rhode Island and Solid Gold Properties, Inc.

If you have any questions, please feel free to contact me at 521-6300 EXT 170.

Respectfully,

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

By:  P.E.
Entitlement and Records Sections

SP/s

cc: P. Gadoury, P.E.
R. Kilduff, P.E., Esq.
File

ABNLTR26.SAM

PROPOSED ABANDONMENT FOR
PORTION OF CHALKSTONE AVE.

LOT 440 SOLID GOLD PRODUCTIONS INC.

LOT 476 MARIA F. REGO

CONDEMNATION
PLAT NO. 1305

STATE OF RHODE ISLAND

Ferdinand C. Ihenacho, P.E.

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

March 17, 1997

Maria F. Rego
c/o Rego Autobody
111 Douglas Avenue
Providence, RI 02908

RE: Illegal Installation of Chain-link Fence
(Assessors Plat 68, Lot 476, 111 Douglas Avenue)

Dear Ms. Rego:

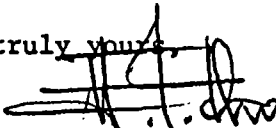
It has come to my attention that your firm has constructed a fence around a City owned roadway (Chalkstone Avenue) and is actively using this portion as a parking lot.

Though this Department's records show that the Department has no objection to the abandonment of this portion of Chalkstone Avenue (copy attached), this abandonment has not been adopted by the Providence City Council and as such is still a City property.

Therefore, this Department requests that you remove all fences and fenceposts on the westerly and easterly portions of Chalkstone Avenue (shown on the attached drawings as lines AD and BC, within thirty (30) days of the date of this correspondence. Failure to do so will result in the City (Public Works Department) removing said fences and submitting an invoice for your payment of all expenses incurred by the City during this process.

Thank you for your cooperation in this matter and please feel free to contact me if you have any questions.

Very truly yours,


Ferdinand C. Ihenacho, P.E.
Director

FCI:cs

cc: John Palmieri; John D'Amico, City Solicitor; Gerry Florio; Louis Ricci;
Robert Clarkin, Public Works Committee; Thomas Glavin, Ward 12

700 Allens Avenue • Providence, Rhode Island 02905

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

NANCY L. DERRIG

SUPERINTENDENT OF PARKS



VINCENT A. CIANCI, JR.

MAYOR

Department of Public Parks

"Building Pride In Providence"

October 30, 1995

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

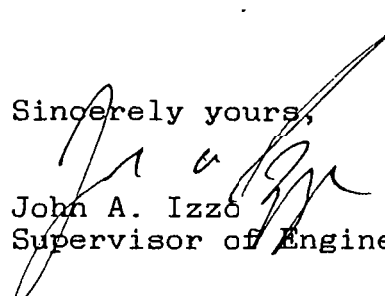
RE: Abandonment of a portion of Chalkstone Ave.,
& a portion of Manilla St.

Dear Mr. Clement:

Upon review of all Department of Public Parks Plans, and records. It is the conclusion of the Parks Department that the abandonment of a portion of the above mentioned streets, 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

GEORGE CALCAGNI

Chair



VINCENT A. CIANCI, JR.

Mayor

PROVIDENCE CITY PLAN COMMISSION

"Planning the Future of Providence"

June 25, 1996

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

Attention: Michael R. Clement, City Clerk ✓

Subject: CPC Referral No. 3082-Abandonment of a portion of Chalkstone Avenue:

Gentlemen:

The City Plan Commission, at its June 19, 1996, regular monthly meeting, reviewed and evaluated the proposed abandonment of a portion of Chalkstone Avenue, abutting the State of Rhode Island property at Douglas Avenue. This referral was also considered at the November, 20, 1995 and January 18, 1996 meetings. In the absence of any representation from the petitioner, the Commission declined to render its advisory opinion.

The petitioner is Maria F. Rego who is the owner of Lot 476 on Assessor's Plat 68, an adjacent property.

Field inspection revealed, the subject portion of Chalkstone Avenue is a paved public right-of-way (which has ceased to be useful to the public) and is used as a parking area for the auto-body shop/automobile sales establishment located on lot 476. At the time of inspection several cars were parked within the subject area and few cars were parked on the sidewalk along Douglas Avenue.

The surrounding area is used as improved and unimproved parking, serving patrons of the "Foxy Lady", an adult entertainment establishment. The proposed abandonment would increase substantially the land area of lot 476 that contains a nonconforming use in a (R-3) - Three Family District.

The expansion of a nonconforming use would require a variance from the Zoning Board of Review. The Commission voted to recommend that the subject portion of Chalkstone Avenue be abandoned subject to the following conditions:

- a. Petitioner must provide a landscape strip of evergreen plantings at least four (4) feet high. Together with stockade fencing along Douglas Avenue and the State right - of - way line, and screen the expanded lot according to Section 705.7 of the Zoning Ordinance (see attached sketch),
- b. Petitioner must seek an appropriate variance from the Zoning Board of Review, and
- c. Petitioner must provide all required easements for the public utilities companies.

Regards,

A handwritten signature in black ink, appearing to read 'T. Deller', with a long, sweeping horizontal stroke extending to the right.

Thomas E. Deller, AICP
Deputy Director

cc: R. Clarkin, Chairman, Committee on Public Works
T. Glavin, Councilman
Douglas Avenue Steering Committee
Ms. Maria Rego w/ Attachments
F. Lombardi, attorney for petitioner

CITY PLAN COMMISSION PROVIDENCE, R. I.

Ref. No. 3081 Subject: ABANDONMENT OF PORTION OF CHALKSTONE AVE

Plat No. 68 Lot No. _____

Lot Area: 12,471.80 sq. ft.

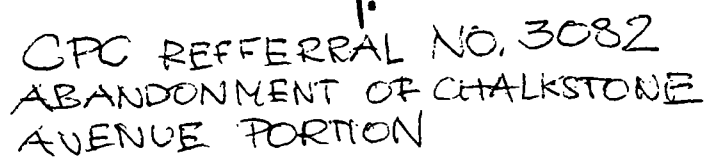
LAND USE LEGEND

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



AREA IN QUESTION

Date: 11/15/95 By: GT Scale: _____



JOHN F. PALMIERI
Director



VINCENT A. CIANCI, JR.
Mayor

DEPARTMENT OF PLANNING AND DEVELOPMENT

"Building Pride in Providence"

February 19, 1997

Mr. Ferdinand Ihenacho, P.E., Director
Department of Public Works
700 Allens Avenue
Providence, Rhode Island 02905

Re: Installation of Chainlink Fence at Rego Autobody

Dear Mr. Ihenacho:

This letter is to alert you that a chainlink fence has been installed on a public right-of-way at A.P. 68, Lot 476, on Chalkstone Avenue. That portion of the right-of-way was petitioned to be abandoned, but, as of this date, the City Council has not abandoned the right-of-way and therefore any fencing is illegal and must be removed at once.

The owner of the property is Maria F. Rego who had submitted a request for abandonment to the City Council, who then referred the matter to the City Plan Commission for an advisory opinion. On June 19, 1996, the City Plan Commission voted to recommend that the property may be abandoned subject to conditions that are contained in the attached letter to the Public Works Committee and staff recommendations.

At the City Plan Commission meeting, the petitioner agreed to cooperate with these conditions. Inasmuch as the abandonment has not yet concluded, the petitioner illegally closed off a public right-of-way, which must be immediately rectified. If the abandonment were to pass by the City Council, it is our expectation that the Council will adopt the CPC conditions and require the necessary landscaping as provided for in the attachments.

Therefore, we request that you through your department you take the appropriate action to correct the matter. For any further discussion or assistance please call my office at 351-4300 or speak with Thomas Deller, Deputy Director. Thank you for your anticipated cooperation.

Sincerely,
A handwritten signature in dark ink, appearing to read "John F. Palmieri".
John F. Palmieri, Director

cc: T. Glavin, Councilman Ward 12
R. Clarkin, Chairman, Public Works Committee and Councilman, Ward 1 ✓

3082.lterDPW

GEORGE CALCAGNI

Chair



VINCENT A. CIANCI, JR.

Mayor

PROVIDENCE CITY PLAN COMMISSION

"Planning the Future of Providence"

June 25, 1996

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

Attention: Michael R. Clement, City Clerk

Subject: CPC Referral No. 3082-Abandonment of a portion of Chalkstone Avenue:

Gentlemen:

The City Plan Commission, at its June 19, 1996, regular monthly meeting, reviewed and evaluated the proposed abandonment of a portion of Chalkstone Avenue, abutting the State of Rhode Island property at Douglas Avenue. This referral was also considered at the November, 20, 1995 and January 18, 1996 meetings. In the absence of any representation from the petitioner, the Commission declined to render its advisory opinion.

The petitioner is Maria F. Rego who is the owner of Lot 476 on Assessor's Plat 68, an adjacent property.

Field inspection revealed, the subject portion of Chalkstone Avenue is a paved public right-of-way (which has ceased to be useful to the public) and is used as a parking area for the auto-body shop/automobile sales establishment located on lot 476. At the time of inspection several cars were parked within the subject area and few cars were parked on the sidewalk along Douglas Avenue.

The surrounding area is used as improved and unimproved parking, serving patrons of the "Foxy Lady", an adult entertainment establishment. The proposed abandonment would increase substantially the land area of lot 476 that contains a nonconforming use in a (R-3) - Three Family District.

The expansion of a nonconforming use would require a variance from the Zoning Board of Review. The Commission voted to recommend that the subject portion of Chalkstone Avenue be abandoned subject to the following conditions:

- a. Petitioner must provide a landscape strip of evergreen plantings at least four (4) feet high. Together with stockade fencing along Douglas Avenue and the State right - of - way line, and screen the expanded lot according to Section 705.7 of the Zoning Ordinance (see attached sketch),
- b. Petitioner must seek an appropriate variance from the Zoning Board of Review, and
- c. Petitioner must provide all required easements for the public utilities companies.

Regards,



Thomas E. Deller, AICP
Deputy Director

cc: R. Clarkin, Chairman, Committee on Public Works
T. Glavin, Councilman
Douglas Avenue Steering Committee
Ms. Maria Rego w/ Attachments
F. Lombardi, attorney for petitioner

CPC REFERRAL NO. 3082 - ABANDONMENT OF A PORTION OF
CHALKSTONE AVENUE

A communication was received from the Committee on Public Works dated November 8, 1995 requesting the City Plan Commission's recommendation on the proposed abandonment of a portion of Chalkstone Avenue abutting the State of Rhode Island property at Douglas Avenue.

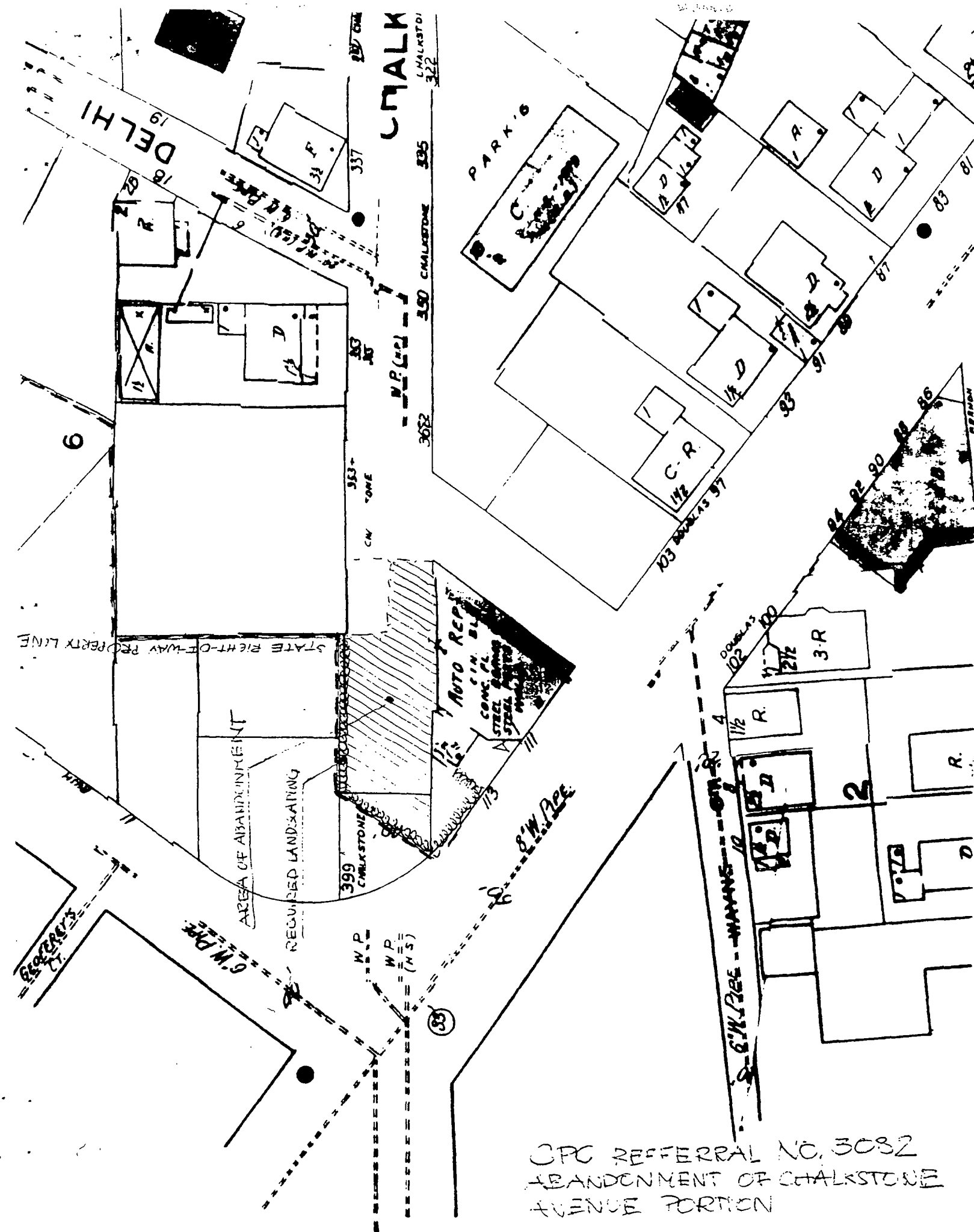
The petitioner is Maria F. Rego, owner of an adjacent property described as lot 476 on Assessor's Plat 68.

A field inspection revealed that the subject portion of Chalkstone Avenue is a paved public right of way which ceased to be useful to the public and is used as a parking area for the auto-body shop / automobile sales establishment located on lot 476. At the time of inspection several cars were parked within the subject area and few cars were parked on the sidewalk along Douglas Avenue. The surrounding area is used as improved and unimproved parking serving patrons of Foxy Lady - adult entertainment establishment.

The proposed abandonment would increase substantially the land area of lot 476 which contains a nonconforming use in a residential R-3 Zone. This expansion of nonconforming use would require a variance from the Zoning Board of Review.

The staff recommends that the Commission advise the Committee on Public Works that no objection is offered to this abandonment under condition that the petitioner:

- a. provide a landscape strip of evergreen plantings at least four (4) feet high together with stockade fence along Douglas Avenue and the State right-of-way line, screening the expanded lot according to the Section 705.7 of the Zoning Ordinance (see attached sketch)
- b. obtain an appropriate variance from the Zoning Board of Review
- c. provide all required easements for the public utilities companies.





PROVIDENCE CITY PLAN COMMISSION

"Planning Providence's Future"

January 25, 1996

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

Attention: Michael R. Clement, City Clerk

Subject: CPC Referral No. 3082-Abandonment of a portion of Chalkstone Avenue

Gentlemen:

The City Plan Commission at its November 20, 1995 regular monthly meeting reviewed and evaluated the proposed abandonment of a portion of Chalkstone Avenue abutting the State of Rhode Island property at Douglas Avenue.

The petitioner is Maria F. Rego who is not the owner of Lot 476. The owner of an adjacent property described as Lot 476 on Assessor's Plat 68 is Mr. Vito DeLuca. Mr. DeLuca's signature is not found on the petition to abandon the subject street.

A field inspection revealed that the subject portion of Chalkstone Avenue is a paved public right-of-way which ceased to be useful to the public and is used as a parking area for the auto-body shop/automobile sales establishment located on lot 476. At the time of inspection several cars were parked within the subject area and few cars were parked on the sidewalk along Douglas Avenue. The surrounding area is used as improved and unimproved parking, serving patrons of the "Foxy Lady", an adult entertainment establishment.

The proposed abandonment would increase substantially the land area of lot 476 which contains a nonconforming use in a (R-3) - Three Family District. The expansion of a nonconforming use would require a variance from the Zoning Board of Review.


At its November 18, 1995 meeting, the Commission member felt that they could not vote on the matter without understanding the petitioner's reasons for the abandonment. It was noted that at the staff recommended the following conditions:

- a. Petitioner must provide a landscape strip of evergreen plantings at least four (4) feet high together with stockade fencing along Douglas Avenue and the State right-of-way line, and screen the expanded lot according to Section 705.7 of the Zoning Ordinance (see attached sketch),
- b. Petitioner must seek an appropriate variance from the Zoning Board of Review, and

c. Petitioner must provide all required easements for the public utilities companies.

At its January 18, 1996 meeting, the Commission noted that the petitioner did not appear as requested in writing. Therefore, upon hearing no response from the petitioner, the Commission voted to advise the Committee on Public Works to deny this petition on the grounds that there is no justifiable reason to approve an abandonment that would expand a nonconforming use.

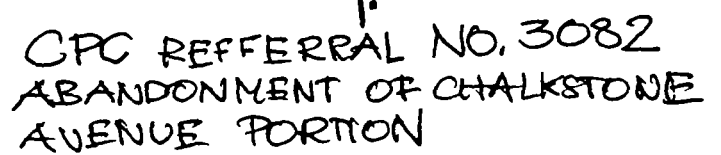
Regards,



Thomas E. Deller, AICP
Deputy Director
Planning and Development

cc: R. Clarkin, Chairman, Committee on Public Works
T. Glavin, Councilman
Douglas Avenue Steering Committee
Mr. Vito Deluca
w/ Attachments

cpcrefer.15



CITY PLAN COMMISSION PROVIDENCE, R. I.

Ref. No. 3081 Subject: ABANDONMENT OF PORTION OF CHALKSTONE AVE

Plat No. 68 Lot No. _____

Lot Area: Abandonment area = 4171.80 sq. ft.

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.
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- 53 Gen. Comm.
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- 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.)
- 92 Parochial School
- 93 Church
- 94 Private School or Coll.
- 95 Cemetery
- 96 Park, Golf Course
- 97 Playground & Playfield
- 98 Public Bldg. (exc. schools)
- 99 Public School (E.S., J.H., H.S.)



AREA IN QUESTION

Date: 11/15/95 By: GT Scale: _____

CPC REFERRAL NO. 3082 - ABANDONMENT OF A PORTION OF
CHALKSTONE AVENUE

A communication was received from the Committee on Public Works dated November 8, 1995 requesting the City Plan Commission's recommendation on the proposed abandonment of a portion of Chalkstone Avenue abutting the State of Rhode Island property at Douglas Avenue.

The petitioner is Maria F. Rego, owner of an adjacent property described as lot 476 on Assessor's Plat 68.

A field inspection revealed that the subject portion of Chalkstone Avenue is a paved public right of way which ceased to be useful to the public and is used as a parking area for the auto-body shop / automobile sales establishment located on lot 476. At the time of inspection several cars were parked within the subject area and few cars were parked on the sidewalk along Douglas Avenue. The surrounding area is used as improved and unimproved parking serving patrons of Foxy Lady - adult entertainment establishment.

The proposed abandonment would increase substantially the land area of lot 476 which contains a nonconforming use in a residential R-3 Zone. This expansion of nonconforming use would require a variance from the Zoning Board of Review.

The staff recommends that the Commission advise the Committee on Public Works that no objection is offered to this abandonment under condition that the petitioner:

- a. provide a landscape strip of evergreen plantings at least four (4) feet high together with stockade fence along Douglas Avenue and the State right-of-way line, screening the expanded lot according to the Section 705.7 of the Zoning Ordinance (see attached sketch)
- b. obtain an appropriate variance from the Zoning Board of Review
- c. provide all required easements for the public utilities companies.

file CPC No. 3082

December 19, 1995

Vito DeLuca
402 County Street
Seekonk, MA 02771

Re: CPC Referral No. 3082-Abandonment of portion of
Chalkstone Avenue.

Dear Mr. DeLuca:

Due to the inclement weather the December 19, 1995 regular meeting of the City Plan Commission was cancelled. At this meeting, the Commission was to hear your petition to abandon a portion of Chalkstone Avenue that is adjacent to 111 Douglas Avenue (Assessors Plat 68, Lot 476).

The Commission's next regular meeting is on Thursday, January 18, 1996 at 4 p.m. to be held in the fourth floor conference room, the Department of Planning and Development, 400 Westminister Street. The Commission will consider your petition at that time. If there are any questions please call Sam Shamoon at 351-4300, extension 530.

Regards,

Thomas E. Deller, AICP
Deputy Director
Planning and Development

TED:DP

cc: Councilman Robert Clarkin
Councilman Thomas Glavin
George Calcagni, City Plan Commission

cpcletter.62

GEORGE CALCAGNI
CHAIR



VINCENT A. CIANCI, JR.
MAYOR

PROVIDENCE CITY PLAN COMMISSION

"Planning Providence's Future"

December 1, 1995

Vito DeLuca
402 County Street
Seekonk, MA 02771

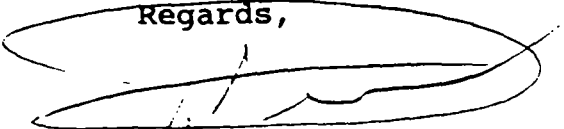
Dear Mr. DeLuca:

We have received a petition signed by Ms. Maria Rego dated October 24, 1995 to consider the abandonment of a portion of Chalkstone Avenue. This matter was brought before the City Plan Commission at its November 20, 1995 regular monthly meeting. The City Plan Commission has agreed to refrain from a decision until a response is heard from you the owner of Assessors Plat 68, lot 476.

In this meeting results of a staff field inspection were reviewed and discussed by the Commissioners. However, the Commission will not have an affirmative position until they have an understanding of why you want to abandon this parcel when in fact the autobody repair shop has full use of the land.

The City Plan Commission requests that you attend the next regular meeting to be held on December 19, 5 p.m. at 400 Westminster Street in the 4th floor conference room to hear your reasons to abandon the parcel. If there are any questions regarding this matter please call Sam Shamoon at 351-4300, extension 530.

Regards,



Thomas E. Deller, AICP
Deputy Director
Planning and Development

TED:DP

cc: Councilman Robert Clarkin
Councilman Thomas Glavin
George Calcagni, City Plan Commission

cpcletter.59



DEPARTMENT OF PLANNING AND DEVELOPMENT

"Building Pride in Providence"

MEMORANDUM

DATE: April 4, 1997

TO : Michael Clement, City Clerk

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

RE : ABANDONMENT PORTION OF CHALKSTONE AVENUE

Pursuant to your request I have completed an appraisal of the above referenced property. The subject property contains approximately 4,171. sq. ft. of land and is zoned R-3. This parcel is to be fenced off and used to park cars for the adjoining business. The value is as follows and assumes all easements for sewer, water etc.... will remain in place.


The value of the site is as follows:

4,171.80 sq. ft. @ \$0.55 per ft. = \$2,300.00

MEMORANDUM

DATE : November 28, 1995

TO : Thomas E. Deller, AICP, Deputy Director/Planning and Policy
Thomas F. O'Connor, Associate Director/Project
Management and Construction
Barbara Poirier, Second Deputy Clerk

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

RE : APPRAISAL VALUE
PORTION CHALKSTONE AVENUE
(ABANDONMENT)

I have completed an appraisal of a portion of Chalkstone Avenue for the purpose of abandonment. The subject site is presently zoned R-3 and contains 4,171 s.f. and has all utilities in the street and easements must be granted. The value of this site is as follows:

4,171 s.f. @ \$.75 per ft = \$3,100.00

PETITION TO THE CITY COUNCIL

OCT 11 1995
CITY OF PROVIDENCE
DIRECTOR OF PLANNING

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

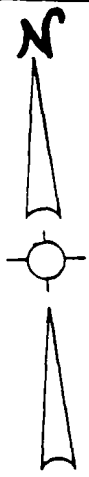
The undersigned respectfully petitions your honorable body

Pursuant to R.I.G.L. 24-6-1 et seq., an order of abandonment of the highway designated as a portion of Chalkstone Avenue, which has ceased to be useful to the Public, as outlined on the shaded portion of the attached map. That portion of Chalkstone Avenue which abuts the petitioners property and the property of the State of Rhode Island. This portion of the roadway which abuts the petitioners property is frequented by vandals and persons littering the area, causing a private nuisance to your petitioner. An order of abandonment of the above described highway would serve to abate this nuisance.

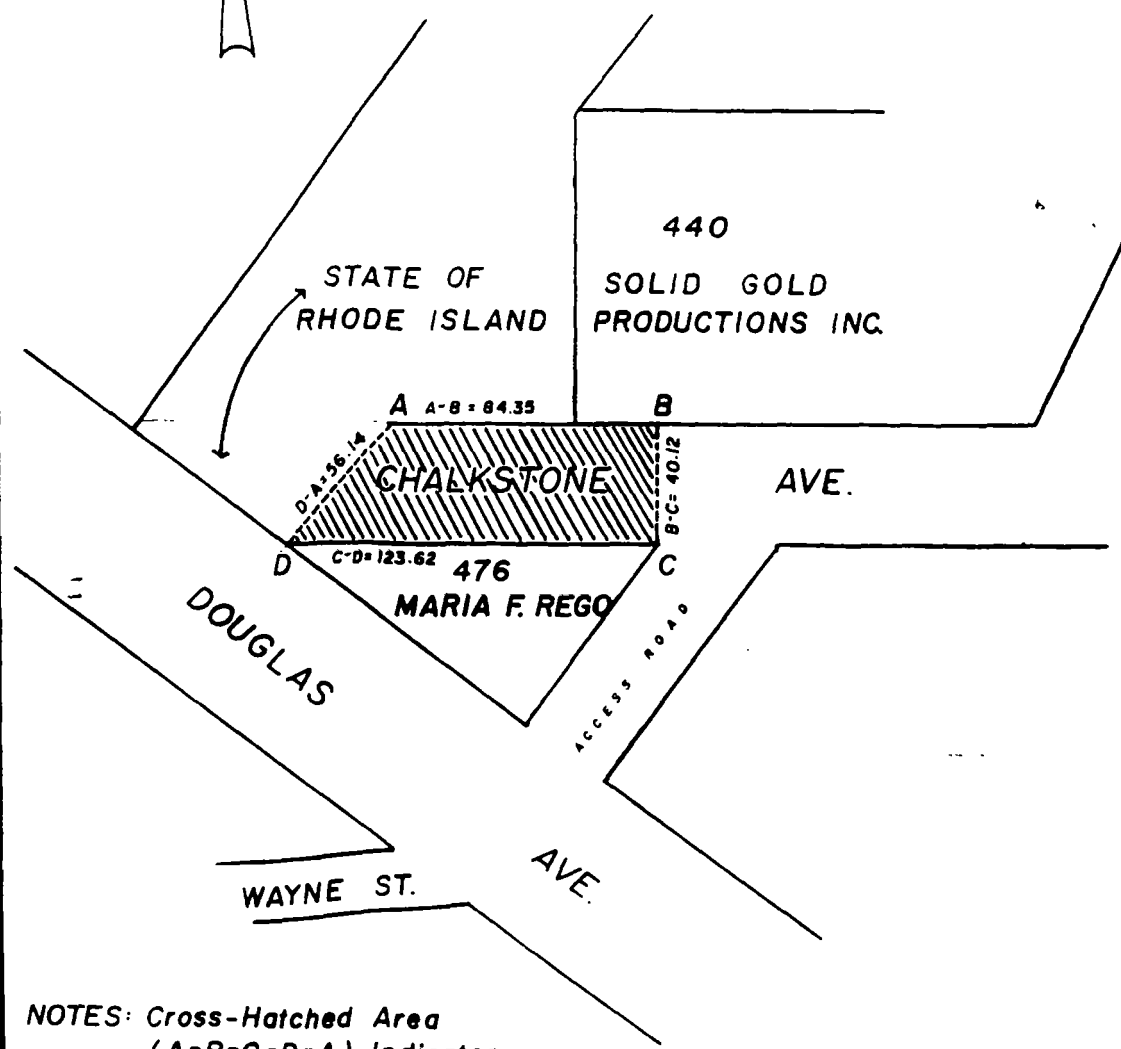
Wherefore, your petitioner requests that this petition be granted.

Petitioner "Maria F. Rego"

Maria F. Rego



PROVIDENCE, R. I.
P.W. DEPT. — ENGINEERING OFFICE
STREET LINE SECTION
Plan No. 064569
Date Oct. 30, 1995



NOTES: Cross-Hatched Area
(A-B-C-D-A) Indicates
Proposed Abandonment of a
Portion of Chalkstone Ave.

Total Square Footage = 4171.80

Lot Numbers Taken From A.P. 68

CITY OF PROVIDENCE, R. I.
Public Works Dept. Engineering Office
Showing Proposed Abandonment of a
Portion of Chalkstone Ave.
Drawn by Steve Z. Checked by T. W.
Scale 1" = 50' Date 10-30-95
Corrected by T. W. Associate Eng.
Approved by [Signature] Eng.
FOR CHIEF ENGINEER

CPC REFERRAL NO. 3082 - ABANDONMENT OF A PORTION OF
CHALKSTONE AVENUE

A communication was received from the Committee on Public Works dated November 8, 1995 requesting the City Plan Commission's recommendation on the proposed abandonment of a portion of Chalkstone Avenue abutting the State of Rhode Island property at Douglas Avenue.

The petitioner is Maria F. Rego, owner of an adjacent property described as lot 476 on Assessor's Plat 68.

A field inspection revealed that the subject portion of Chalkstone Avenue is a paved public right of way which ceased to be useful to the public and is used as a parking area for the auto-body shop / automobile sales establishment located on lot 476. At the time of inspection several cars were parked within the subject area and few cars were parked on the sidewalk along Douglas Avenue. The surrounding area is used as improved and unimproved parking serving patrons of Foxy Lady - adult entertainment establishment.

The proposed abandonment would increase substantially the land area of lot 476 which contains a nonconforming use in a residential R-3 Zone. This expansion of nonconforming use would require a variance from the Zoning Board of Review.

The staff recommends that the Commission advise the Committee on Public Works that no objection is offered to this abandonment under condition that the petitioner:

- a. provide a landscape strip of evergreen plantings at least four (4) feet high together with stockade fence along Douglas Avenue and the State right-of-way line, screening the expanded lot according to the Section 705.7 of the Zoning Ordinance (see attached sketch)
- b. obtain an appropriate variance from the Zoning Board of Review
- c. provide all required easements for the public utilities companies.

CITY PLAN COMMISSION PROVIDENCE, R. I.

Ref. No. 3081 Subject: ABANDONMENT OF PORTION OF CHALKSTONE AVE

Plat No. 68 Lot No. _____

Lot Area: Abandonment area = 4171.80 sq. ft.

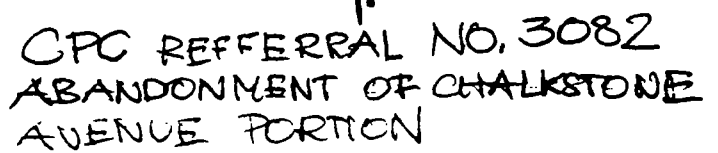
LAND USE LEGEND

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



AREA IN QUESTION

Date: 11/15/95 By: GT Scale: _____



RESOLUTION OF THE CITY COUNCIL

No. 367

Approved June 30, 1997

RESOLVED, DECREED AND ORDERED:

That the following named highway shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064569 dated 30 October 1995.

VIZ:

CHALKSTONE AVENUE, (portions of) shown as cross-hatched area on accompanying plan (attached hereto as Exhibit "A") and designated by the letters (A-B-C-D-A) 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) Petitioner shall tender the amount of Two Thousand Three Hundred (\$2,300.00) in legal tender U.S. to the City of Providence.

(2) The Petitioner shall convey an easement acceptable to the Narragansett Electric Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain operate and replace the same with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need to be relocated in order to comply with an intended sue, the petitioner shall assume all costs of relocation.

(3) The Petitioner shall convey an easement acceptable to the Providence Gas Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need to be relocated in order to comply with an intended use, the petitioner shall assume all costs of relocation.

(4) The Petitioner shall convey an easement acceptable to NYNEX which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need to be relocated in order to comply with an intended use, the petitioner shall assume all costs of relocation.

(5) The Petitioner shall convey an easement acceptable to the Providence Water Supply Board which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need to be relocated in order to comply with an intended use, the petitioner shall assume all costs of relocation.

The petitioner shall:

(a) provide a landscape strip of evergreen plantings at least four (4) feet high and stockade fencing along Douglas Avenue and the State right-of-way line so as to screen the expanded lot as is required under Section 705.7 of the Zoning Ordinance (See attached map marked as Exhibit "B");

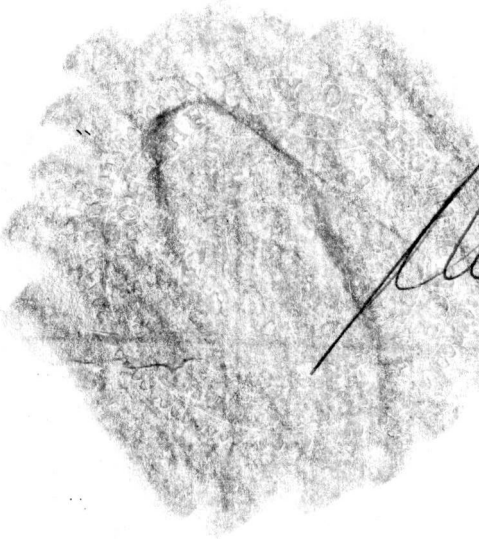
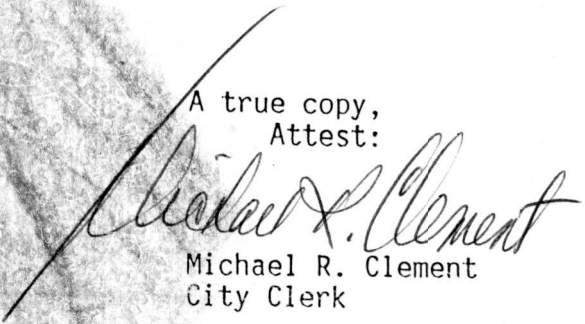
(b) seek an appropriate variance from the Zoning Board of Review and until such application is completed and granted, engage in no non-conforming act; and

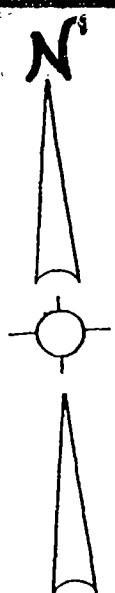
(c) provide required easements for existing public utility companies.

Petitioner acknowledges that the State of Rhode Island and Solid Gold Productions, Inc. are abutters to the abandoned portion of the highway and may make some claim thereto.

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.

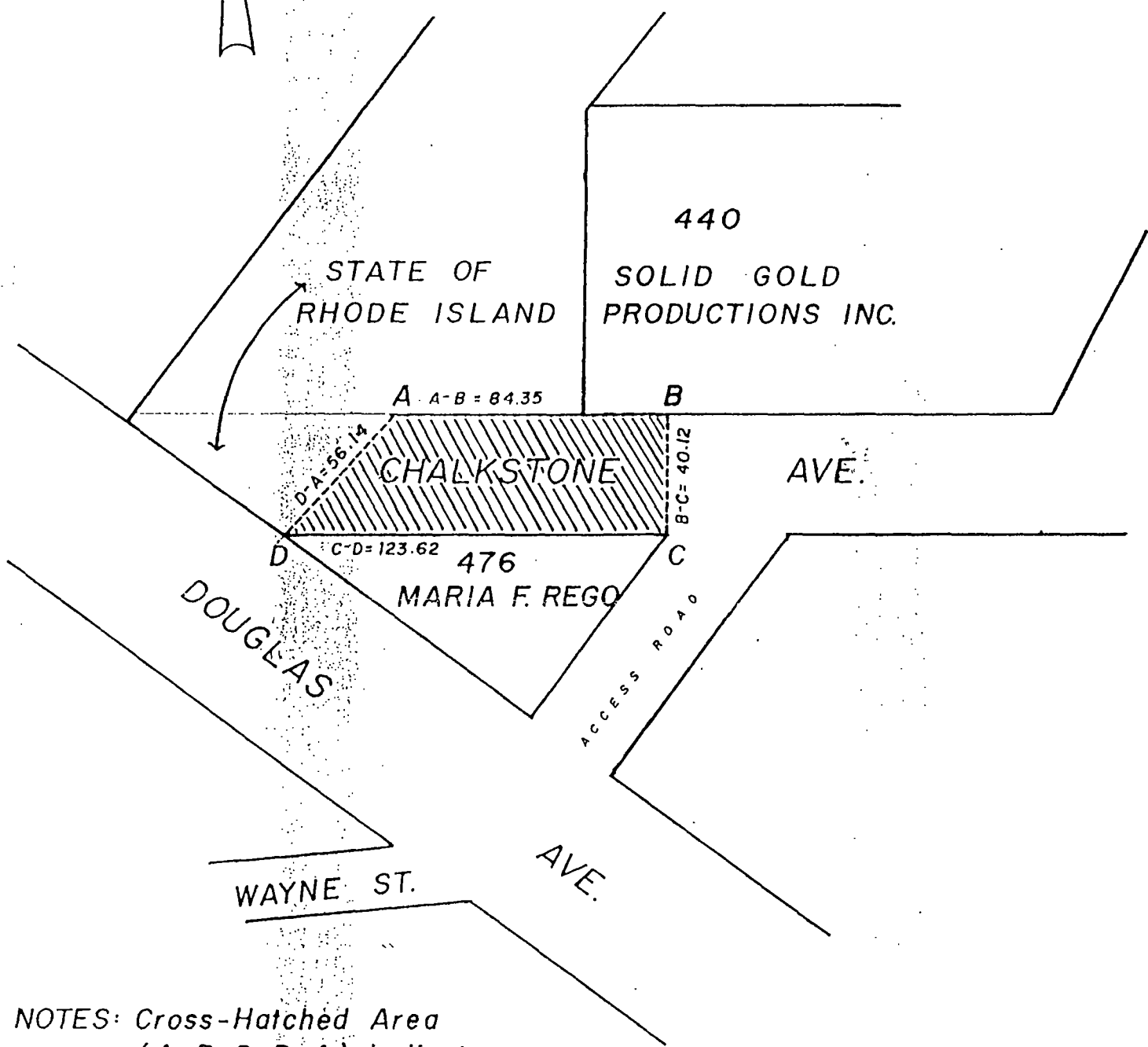
A true copy,
Attest:



Michael R. Clement
City Clerk



BK 3588 PG 0249

PROVIDENCE, R. I.	
P.W. DEPT. — ENGINEERING OFFICE	
STREET LINE SECTION	
Plan No.	064569
Date	Oct. 30, 1995



NOTES: Cross-Hatched Area
(A-B-C-D-A) Indicates
Proposed Abandonment of a
Portion of Chalkstone Ave.

Total Square Footage = 4171.80

CITY OF PROVIDENCE, R. I.	
Public Works Dept. Engineering Office	
Showing Proposed Abandonment of a	
Portion of Chalkstone Ave.	
Drawn by	Steve Z.
Checked by	J.T.M.
Scale	1" = 50'
Date	10-30-95
Correct	John T. Moran Associate Engr.
Approved	James J. Sullivan DIR.
FOR CHIEF ENGINEER	

Lot Numbers Taken From A.P. 68

C

3588/247-250

23577

NOTED AND RECORDED
at 10:00 a.m. 32 minutes of
and recorded in book page
of record at

JUL 03 1997

Providence, R.I.
Robert L. Ricci
Recorder of Deeds