

RESOLUTION OF THE CITY COUNCIL

No. 192

Approved May 17, 2004

WHEREAS, A portion of Dedham Street, presumptively following the previously-established grade, was constructed by or on behalf of the City of Providence some thirty to forty years ago; and

WHEREAS, The remaining portion of Dedham Street was laid out as a public way, but never constructed; and

WHEREAS, Since the time that the grade was established for the whole of Dedham Street, some settlement has occurred on the filled land which composed the remainder of the unconstructed portion; and

WHEREAS, The developer has graded the site and begun construction of a roadway that does not conform to the existing approach grading; and

WHEREAS, The existing grade established for Dedham Street would require the developer to construct the road some five to six feet in the air, creating drainage problems for the adjacent lots; and

WHEREAS, The Department of Public Works has made a significant effort to work with the developer to obtain a design that meets the City's standards; and

WHEREAS, The Department of Public Works would like to accommodate the developer and avoid prolonging the consideration of the matter, and recommends that approval be conditioned upon the submission of plans acceptable to the Department;

NOW, THEREFORE, IT IS RESOLVED:

That the petition to establish grade as proposed by the developer of the previously-unconstructed portion of Dedham Street, specifically that portion from AP 112, Lot 343 past AP 112, Lot 396, is hereby granted, subject to the following conditions:

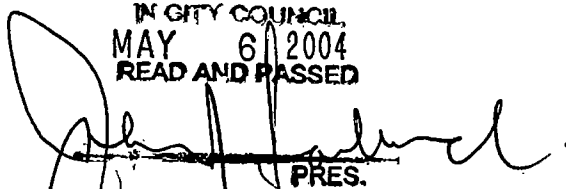
1. The developer submits plans acceptable to the Department of Public Works to accept as established the "at grade" roadway presently under construction.

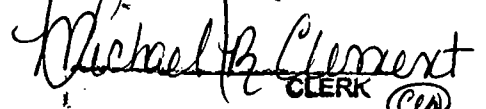
ED 3-4-2003
IN CITY COUNCIL
MAR 4 2003
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Michael R. Clement
CLERK
Clement

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution
Charm M. Stearn
Clerk
4-13-04

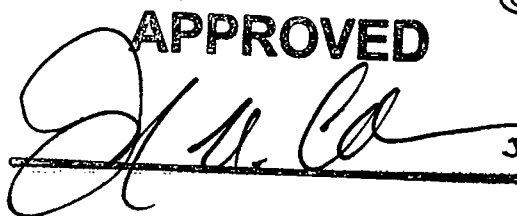
2. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Works and/or as may be deemed appropriate by the Mayor or the Department of Law.

IN CITY COUNCIL
MAY 6 2004
READ AND PASSED

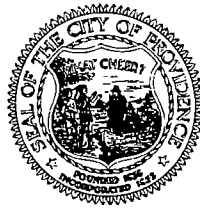

PRES.


CLERK (Clerk)

APPROVED

 5/17/04

MAYOR



Department of Public Works

"Building Pride in Providence"

April 12, 2004

Councilman Terrance M. Hassett, Chairman
Committee on Public Works
Department of City Clerks
City Hall
Providence, RI 02903

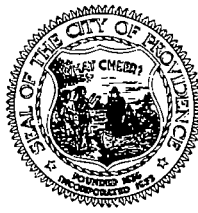
Attention: Anna M. Stetson, Second Deputy City Clerk

**RE: Petition Frank Gaglione and Richard A. Cardello
Requesting Permission for a Grade Change
Along A Portion of Dedham Street**

Dear Councilman Hassett:

In response to your referral of the above mentioned petition for study, report and recommendations, please note:

1. That portion of Dedham Street covered by this petition was laid out as a public way, but never constructed.
2. Grades have previously been established for the entire length of Dedham Street.
3. The northerly end of Dedham Street was never constructed and will not be due to a commercial development on Hartford Avenue.
4. The developer has graded the site and began construction of the roadway that does not conform to the existing approach grading.
5. The developer has submitted plans for the roadway construction, including grading, that does not conform to City standards.
6. The Department of Public Works has made a significant effort to work with the developer to obtain a design that meets the City's standards.



Department of Public Works

"Building Pride in Providence"

Page -2-
April 12, 2004
Councilman Hassett

7. To accommodate the developer and to avoid prolonging this matter before the Committee, it is suggested that any favorable vote be predicated on the submission of plans acceptable to the Department of Public Works.

If you desire further information, or have, questions or comments on this matter do not hesitate to contact this office.

Very truly yours,

A handwritten signature in black ink, appearing to read "William C. Bombard", with a long horizontal line extending from the end of the signature.

William C. Bombard, P.E.
City Engineer

WCB:om

cc: Makram H. Megalli, P.E., Director

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned owners of the adjoining land hereby request that a grade be defined for

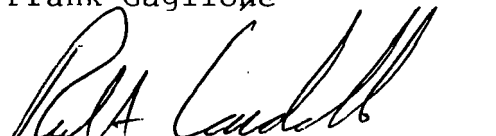
Dedham Street, as follows:

1. A portion of Dedham Street, presumptively following the previously-established grade, was constructed by or on behalf of the City of Providence some thirty to forty years ago. The remaining portion of Dedham Street is a "paper street".
2. Since the time that the grade was established for the whole of Dedham Street, some settlement has occurred on the filled land which composed the remainder of the "paper street".
3. The existing grade established for Dedham Street would require a road to be build some five to six feet in the air, creating drainage problems for the adjacent lots.
4. Your petitioner constructed a road for the balance of Dedham Street, under the erroneous impression that his engineering drawings and specifications met the Department of Public Works' requirements.
5. The Department of Public Works has subsequently refused to issue certificates of occupancy for the five new homes constructed adjacent to the new portion of Dedham Street.
6. The Department of Public Works has agreed to work with your petitioner in order to complete a compliant roadway. However, your petitioner is instructed that it is necessary to apply for a grade change so that the road will be within the City's specifications.
7. This grade change is necessary so that the presently-constructed roadway will be "at grade" rather than five to six feet below the established grade.
8. Specifically, your petitioner seeks to adjust the grade from AP112, Lot 343 past AP 112, Lot 396 (all of which presently have homes constructed on them), to the end of the "paper street".

Drawings of the proposed street grading layout have been submitted to The Department of Public Works Office.

Owners:


Frank Gagliore


Richard A. Cardello

Dated: February 11, 2004.

FILED

FEB 11 8 38 AM '03

DEPT. OF
PROVIDENCE, R.I.

IN CITY COUNCIL
FEB 19 2004
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

Michael X. Almont
CLERK

THE COMMITTEE ON

P. Works

Recommends

John M. Heston

4-13-04 CLERK

Approved

From The Clerk's Desk

2/5/04

DEDHAM AVE

FROM HOUSELOT #60 NORTHERLY TO END.

1) Street Cross-section

THIS PORTION (APPROXIMATELY 550 FT) OF UNBUILT DEDHAM AVE WAS CONSTRUCTED IN ACCORDANCE WITH THE ATTACHED PLAN. THIS ROAD IS A SECONDARY ROAD, DEAD END, SLIGHT SLOPE, AND SERVICES ONLY SINGLE FAMILY HOMES. THE TYPICAL ROADWAY SECTION FOR THE CITY OF PROVIDENCE INDICATES A NOTE Δ REVISED IN 1997 WHERE A 4"-6" PLANT MIX BASE COURSE WAS ADDED TO "MAJOR ARTERIAL ROADS. THIS ROADWAY WAS CONSTRUCTED AS A "SECONDARY ROAD", (AND BY DEFINITION IT CERTAINLY QUALIFIES AS THAT), AND THE SECTION IS 12" GRAVEL BASE (COMPACTED) WITH A 1½" ASPHALT BINDER COURSE AND A 1½" ASPHALT TOP COURSE (TO BE INSTALLED).

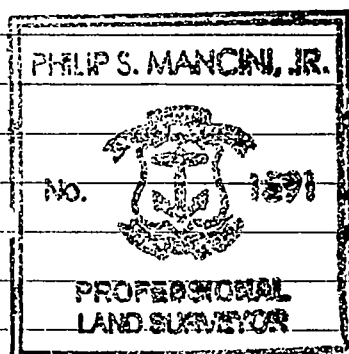
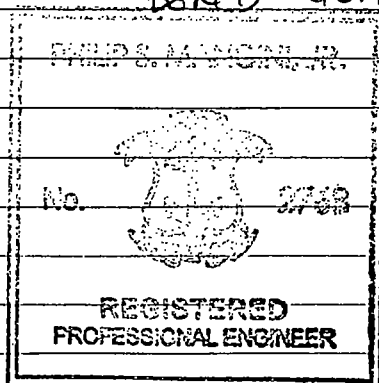
2.) THIS ROAD (DEDHAM AVENUE) ORIGINALLY PLATTED IN 1903 TRAVELLED FROM KILLINGLY STREET TO HARTFORD AVENUE. OVER THE YEARS, THE CITY CHOSE TO ALTER THAT AND CREATED LOT 382 ON ASSESSORS PLAT 112 WHICH DEAD ENDED THIS ROAD. THIS DEVELOPER IS SEEKING RELIEF ON THE INSTALLATION OF GRANITE CURBING IN THIS AREA, WHERE IN Δ 2 REVISED IN 2001 ASPHALT BEAM TYPE CURBING IS ALLOWED WHERE DEAD END ROADS OCCUR.

3.) UPON PREPARING ENGINEERING PLANS FOR THE CONSTRUCTION OF THIS PORTION OF DEDHAM AVENUE IN 2004 IT BECAME EVIDENT THAT THE EXISTING ELEVATION LEVELS OF THE SURROUNDING LOTS FRONTING ON THIS ROAD WOULD DICTATE THAT A FINAL GRADE PROFILE MUST BE REDESIGNED. ALSO DUE TO THE FACT THAT SANITARY SEWER WAS EXISTING FOR 340[±] FEET OF THE 550[±] FEET WHICH WERE PLANNED TO BE CONSTRUCTED, AND WATER LINE NEEDED TO BE EXTENDED, A REVISED PLAN WAS ABSOLUTELY NECESSARY. (100 YEARS HAVE ELAPSED SINCE THE ORIGINAL PLAN WAS FILED AND IT NO LONGER IS FEASIBLE)

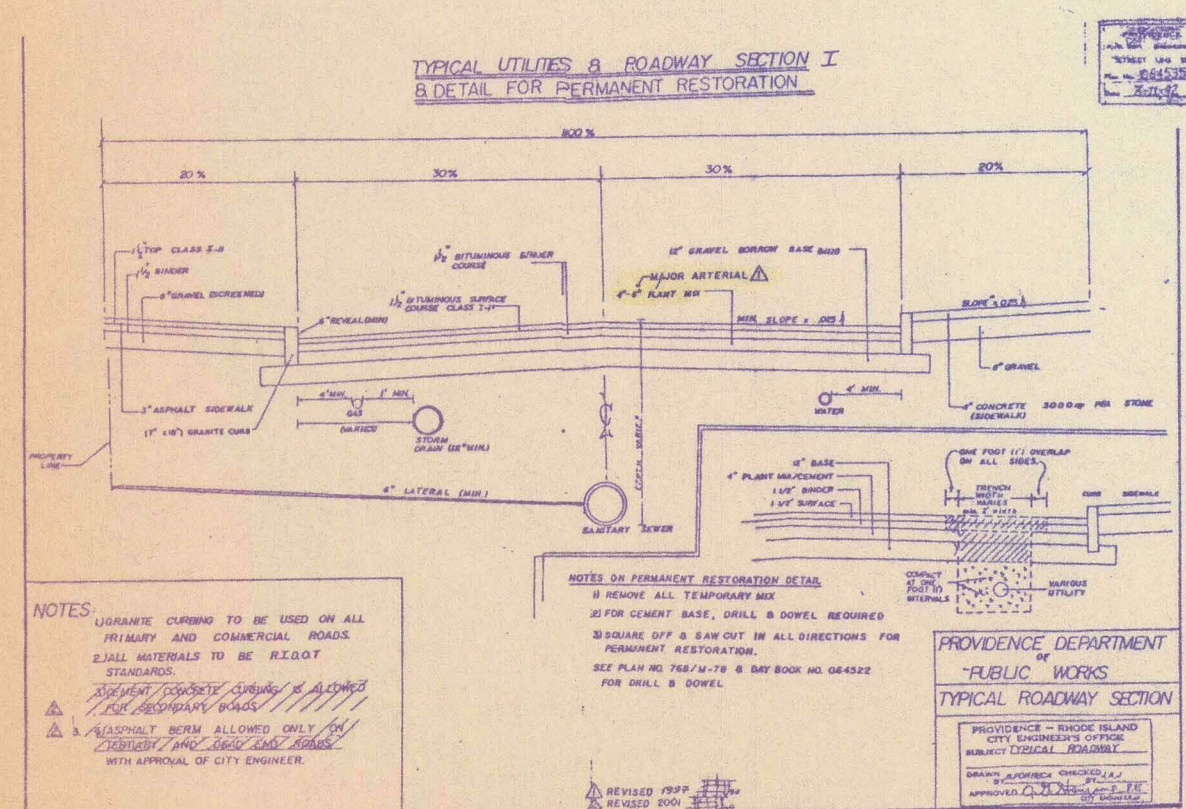
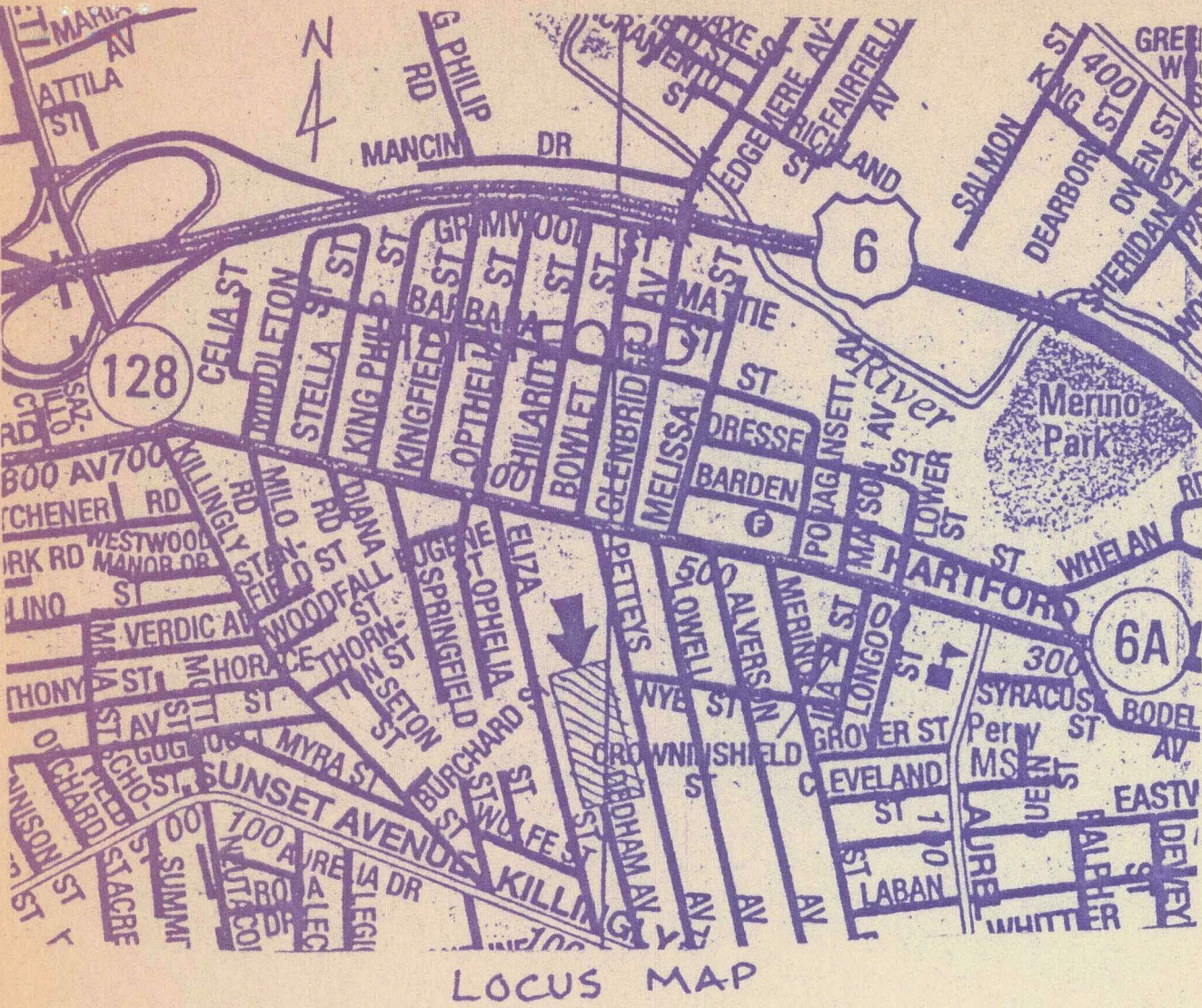
DEDHAM AVENUE

FROM HOUSELOT #60 NORTHERLY TO END.

- 4.) UPON OBSERVING THE SANITARY SEWER DESIGN PLAN/PROFILE FOR THIS ROADWAY, IT SHOWS THAT THIS SYSTEM IS A "COMBINED" SYSTEM IN THAT BOTH STORM WATER DRAINAGE AND SEWAGE EFFLUENT ARE DISCHARGED INTO THIS LINE. ALSO UPON TELEPHONE CONTACT WITH ENGINEERS AT NARRAGANSETT BAY COMMISSION, IT WAS DETERMINED THAT THERE WAS NO JURISDICTION OR RESPONSIBILITY FOR THIS LINE BY NBC. THEREFORE CONTOURING WAS DONE TO DETERMINE THE EFFECT THIS CONSTRUCTION OF $550 \pm$ FEET OF DEDHAM AVENUE WOULD HAVE ON THE SURROUNDING AREA. SINCE THE EXISTING PORTION OF DEDHAM AVENUE FROM KILLINGLY STREET TO HOUSE #60 GRADES TOWARD KILLINGLY STREET, IT HAS NO CONTRIBUTION WITH RESPECT TO STORM DRAINAGE UPON THE PROJECT SUBMITTED HEREIN. THE DRAINAGE PLAN AND DESIGN COMPUTATIONS SHOWING THE SIZE AND TYPE OF CATCH BASINS AND PIPING NECESSARY TO SUCCESSFULLY DRAIN THE SITE IN QUESTION ARE CURRENTLY BEING PREPARED FOR YOUR REVIEW AND/OR APPROVAL.
- 5.) SINCE THE ENTIRE SITE IS COMPLETED (WITH THE EXCEPTION OF THE $1\frac{1}{2}$ " ASPHALT FINAL TOP COAT) AND ALL HOMES ARE CONSTRUCTED AND FINAL GRADED, WITH ALL SERVICES INSTALLED AS SHOWN ON THE ACCOMPANING PLAN, WE RESPECTFULLY SUBMIT THAT THESE PLANS BE ACCEPTED AS SUBMITTED WITH THE DEVELOPER POSTING A STANDARD BOND GUARANTEEING THE $1\frac{1}{2}$ " ASPHALT TOP COAT BE CONSTRUCTED.



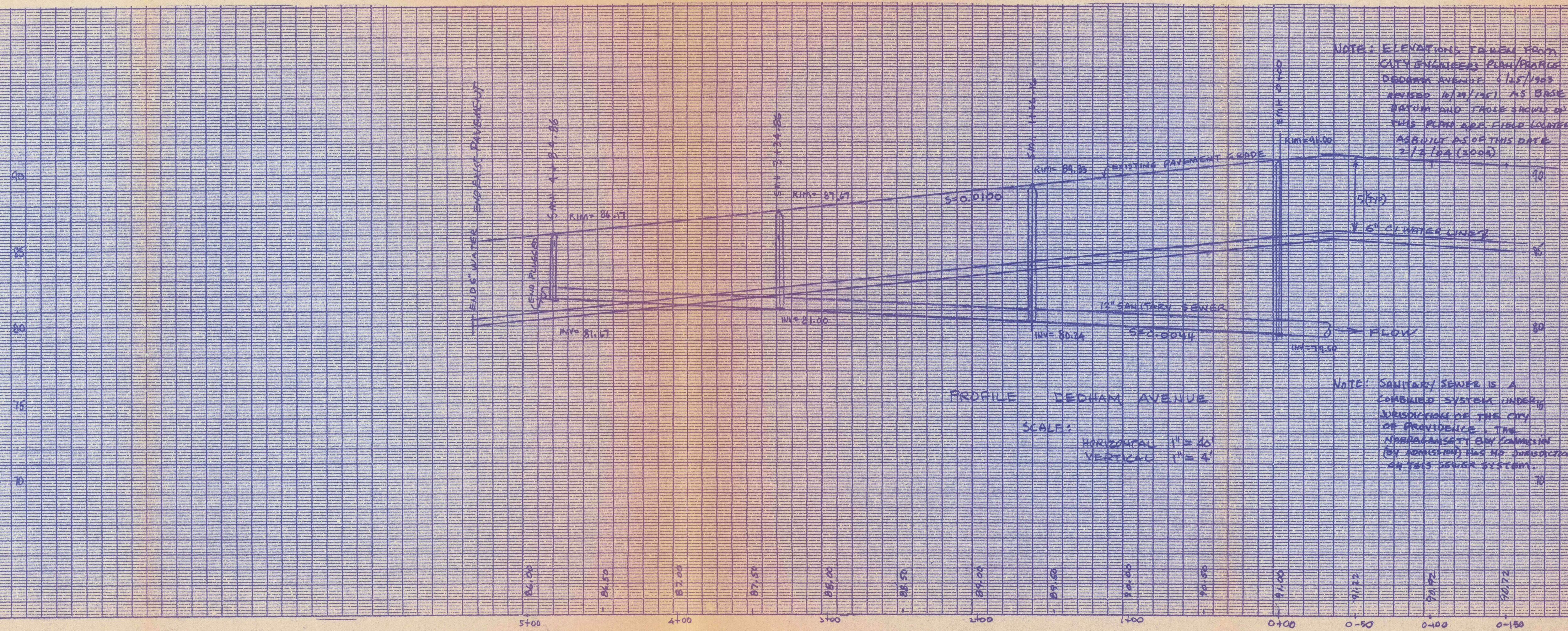
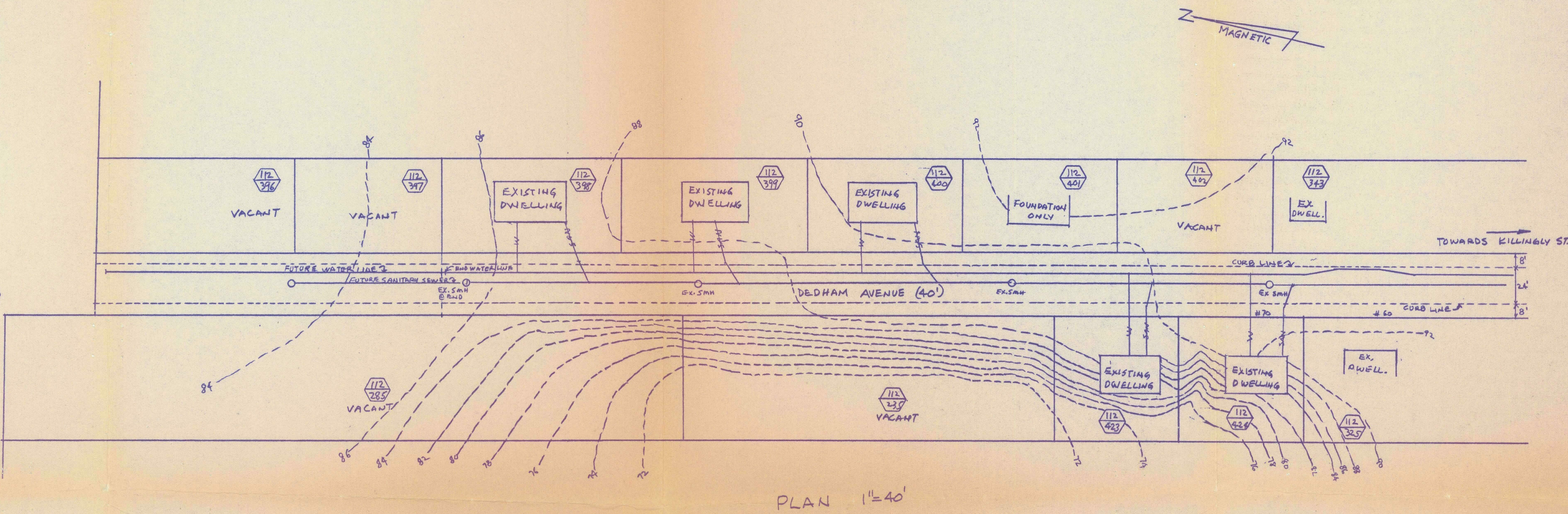
Philip S. Mancini, Jr.
PHILIP S. MANCINI, JR.



FLOOD: This parcel lies in a Zone C, as shown on FEMA, FIRM, Community Panel #445406-0004-E, April 15, 1986, Panel 4 of 10.

ZONING: R-1
Min Area.....6,000 s.f.
Min Width.....60 ft.

Setbacks:
Front.....15% of the depth.
Side.....30% width aggregate (6' min)
Rear.....25% of the depth



LEGEND

- STAKE
- CONCRETE
- IRON ROD OR NAIL
- DRILL HOLE
- FENCE
- EDGE OF PAVEMENT
- N/F
- AP NUMBER
- LOT

PHILIP S. MANCINI, JR.

PROFESSIONAL LAND SURVEYOR

401-861-7712

PLAN PREPARED FOR: FRANK GAGLIONE
35 FREEHOLD AVENUE
CRANSTON, RHODE ISLAND, 02920
401-946-3939

THIS SURVEY AND PLAN CONFORM TO A CLASS STANDARD AS ADOPTED BY THE RHODE ISLAND BOARD OF PROFESSIONAL LAND SURVEYORS.

AS SHOWN

SEVEN TWENTY ONE ASSOCIATES

37 VALLETTE STREET, CRANSTON, R.I. 02920

CONSTRUCTION OF UNBUILT PORTION OF DEDHAM AVENUE
PLAN AND PROFILE
ASSESSORS PLAT 112 LOTS 398, 399, 400, 423, 424
PROVIDENCE, RHODE ISLAND

REVISIONS

REVISIONS

REVISIONS

DRAWN BY PSM JR

CHECKED BY EC

APPROVED BY PM

DATE 2-2-04

SCALE AS SHOWN

SHEET NO. 1 OF 1

DRWG. NO. 02-240