

**C I T Y O F P R O V I D E N C E
R H O D E I S L A N D**



**C I T Y C O U N C I L
JOURNAL OF PROCEEDINGS**

No. 31 City Council Regular Meeting, Wednesday, March 16, 1988, 7:30 P.M. (E.S.T.)

IN CITY COUNCIL

APR 7 1988

PRESIDING

APPROVED:

R. M. Mendonça **CLERK**

COUNCIL PRESIDENT

NICHOLAS W. EASTON

ROLL CALL

**Present: Council President Easton,
Councilman Annaldo, Councilwoman Bras-
sil, Councilmen Cola, Dillon, Council-
women DiRuzzo, Fargnoli, Councilmen
Farmer, Glavin, Lombardi, Lopes, O'Con-
nor, Petrosinelli, Rollins and Stravato—15.**

Absent: None.

INVOCATION

The Invocation is given by COUNCILMAN DAVID G. DILLON.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

COUNCIL PRESIDENT PRO TEMPORE LOUIS R. STRAVATO leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF RECORD

The Journal of Proceedings No. 30 of the Regular Meeting of the City Council held March 3, 1988 and Posted March 11, 1988 on that Bulletin Board located on the Ground Floor Level of City Hall, is Approved as Printed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON and COUNCILWOMAN FARGNOLI.

SCHEDULE OF BILLS

FROM CITY CONTROLLER:

Street Lighting Bill from Narragansett Electric Company for February, 1988 in the Amount of One Hundred Eight Thousand, Sixty Dollars and Eighty-Two Cents (\$108,060.82).

Approved, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Council-

man Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwomen DiRuzzo, Fargnoli, Councilmen Farmer, Glavin, Lombardi, Lopes, O'Connor, Petrosinelli, Rollins and Stravato—15.

Noes: None.

Absent: None.

The motion for Approval, is Sustained.

ORDINANCE SECOND READING

The following Ordinance was in City Council March 3, 1988, Read and Passed the First Time, and is Returned for Passage the Second Time:

An ordinance Amending Chapter 1375 of the Ordinances of the City of Providence, approved December 2, 1960, Entitled: "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Mashapaug Pond Redevelopment Project" on Subdivision of Parcels of Land.

Be it Ordained by the City of Providence:

1. That Chapter 1375 of the Ordinances of the City of Providence, approved December 2, 1960, entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Mashapaug Pond Redevelopment Project" as

amended by Chapter 1434 of the Ordinances of the City of Providence, approved October 20, 1961, by Chapter 1728 of the Ordinances of the City of Providence, approved October 26, 1965, by Chapter 1979-33 of the Ordinances of the City of Providence, approved August 12, 1979, and by Chapter 1987-12 of the City of Providence, approved May 27, 1987 be and the same is hereby amended as follows: —

A. All paragraphs in b. (4) entitled, "Minimum Lot Area" under Section 1. entitled, "Industrial Uses" which is part of Chapter D. entitled, "Proposed Standards for Land Coverage and Building Intensities" in page D1 of the

Official Redevelopment Plan which is part of the aforementioned Ordinance as amended by Chapter 1728 of the City Ordinances is hereby deleted and the following substituted therefore:

(4) Minimum Lot Area — No lot shall be less than one (1) acre. Any and all subdivisions shall be approved by the Agency, provided that site plan and building plans including floor plan, sign plan and landscaping plan shall be submitted to the Agency and shall have adequate information in the plans for the Agency to review and evaluate. The Agency's decision shall be based on the following criteria in addition to all applicable controls of the Official Redevelopment Plan.

(a) On-site, parking and loading standards, including design, location, and number of each facility

(b) Architectural integrity of building in relation to its surrounding buildings

(c) Landscaping to enhance subdivision

(d) A well functional site plan for the entire parcel in relation to subdivision

(e) A coherent sign plan for each individual building or structure.

2. That said Ordinance, as adopted and as amended, be and the same is hereby ratified and confirmed in all other respects.

3. That said Ordinance shall take effect upon its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy of the same to the Providence Redevelopment Agency.

Read and Passed the Second Time, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Farmer, Glavin, Lombardi, Lopes, O'Connor, Petrosinelli, Rollins and Stravato—15.

Noes: None.

Absent: None.

The motion for Passage the Second Time, is Sustained.

PRESENTATION OF ORDINANCES

COUNCILMAN GLAVIN, COUNCILMAN DILLON and COUNCILWOMAN FARGNOLI:

An Ordinance in Amendment of Sections 12-57(c), 12-58, 12-61, 12-63 and 12-75 of Article III of the Code of Ordinances of the City of Providence, entitled: "Garbage, Trash and Refuse."

An Ordinance in Amendment of and in Addition to Article III of the Code of Ordinances of the City of Providence, entitled; "Garbage, Trash and Refuse," by adding Sections 12-80 to 12-86.

Severally Referred to the Committee on Ordinances. on motion of COUNCILMAN

GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer, is Sustained.

An Ordinance in Amendment of Chapter 1987-31, approved October 20, 1987, entitled: "An Ordinance Establishing a Compensation Plan for the City of Providence and repealing Chapter 1986-32, approved June 26, 1986, as Amended.

An Ordinance in Amendment of Sections 35 of Chapter 1987-30 as approved October 20, 1987, entitled: "An Ordinance in Amendment of Chapter 1987-19, approved June 25, 1987 entitled: "An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the City Departments and repealing Ordinance Chapter 1986-31, approved June 26,

1986, as Amended" relative to the Department of Public Works.

Severally Referred to the Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer, is Sustained.

COUNCILMAN PETROSINELLI:

An Ordinance Requiring Zoning Certification in Real Estate Transactions.

Severally Referred to the Committee on Ordinances, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer, is Sustained.

PRESENTATION OF RESOLUTIONS

COUNCILWOMAN FARGNOLI, (By Request):

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Elmhurst Avenue, between Eaton Street and Fair Oaks Avenue, on Saturday, May 21, 1988 from 8:00 o'clock A.M. to 4:00 o'clock P.M. to accommodate Family Day at St. Pius School.

Resolved, That the Traffic Engineer is

requested to prohibit motor vehicle traffic along Elmhurst Avenue, between Eaton Street and Fair Oaks Avenue, on Saturday, May 21, 1988 from 8:00 o'clock A.M. to 4:00 o'clock P.M. to accommodate Family Day at St. Pius School. (Raindate, Sunday, May 22, 1988)

Resolution requesting the Director of Public Works to cause a survey to be undertaken of

the depression along the roadway of 146 Rankin Avenue, with a view towards correcting the problem.

Resolved, That the Director of Public Works is hereby requested to cause a survey to be undertaken of the depression along the roadway of 146 Rankin Avenue, with a view towards correcting the problem.

Resolution requesting the Director of the Department of Grounds Maintenance Services to cause the tree along 95 Walton Street, to be removed as it is causing sidewalk and sewer problems.

Resolved, That the Director of the Department of Grounds Maintenance Services is requested to cause the tree along 95 Walton Street, to be removed due to its causing sidewalk and sewer problems.

Resolution requesting the Traffic Engineer and the State Director of Transportation to cause a survey to be undertaken at the intersection of Smith Street and Academy Avenue.

Whereas, The "No Right Turn on Red" sign along Smith Street, at its intersection with Academy Avenue is missing, and

Whereas, There are no crosswalks painted along Academy Avenue, at its intersection with Smith Street which is unsafe for the students going to and from school, and

Whereas, It would be in the best interest of the City and safer for persons crossing the roadway to have a pedestrian crosswalk signal located at the intersection.

Now, Therefore, Be It Resolved, That the

Traffic Engineer and the State Director of Transportation are hereby requested to cause a survey to be undertaken of the existing problems with the pedestrians and traffic at the intersection of Smith Street and Academy Avenue, with a view towards correcting the situation to have safer conditions.

Resolution requesting the Traffic Engineer to undertake a survey of the traffic along Gentian Avenue and Admiral Street to create a safer intersection.

Resolved, That the Traffic Engineer is requested to undertake a survey of the traffic along Gentian Avenue and Admiral Street to create a safer intersection.

Resolution requesting the Electrical Inspector to cause the existing mercury vapor lights along Regent Avenue, from Lisbon Street to Academy Avenue, to be replaced with Sodium Vapor Lights.

Resolved, That the Electrical Inspector is requested to cause the existing mercury vapor lights along Regent Avenue, from Lisbon Street to Academy Avenue, to be replaced with Sodium Vapor Lights.

Resolution requesting the Chief Electrical Inspector to cause the existing mercury vapor lights along Douglas Avenue, from the intersection of Orms Street to Eaton Street, to be replaced with Sodium Vapor Lights.

Resolved, That the Chief Electrical Inspector is requested to cause the existing mercury vapor lights along Douglas Avenue, from the

intersection of Orms Street to Eaton Street, to be replaced with Sodium Vapor Lights.

COUNCILMAN GLAVIN AND COUNCILWOMAN BRASSIL, (By Request):

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Benefit Street, between College Street and Waterman Street, on Saturday, April 23, 1988, from 10:00 o'clock A.M. to 5:00 o'clock P.M. to accommodate the Rhode Island School of Design's Annual Awareness Day.

Resolved, That the Traffic Engineer is hereby requested to prohibit motor vehicle traffic along Benefit Street, between College Street and Waterman Street, on Saturday, April 23, 1988, from 10:00 A.M. to 5:00 o'clock P.M., to accommodate the Rhode Island School of Design's Annual Awareness Day.

Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion for Passage, is Sustained.

COUNCILMAN GLAVIN, COUNCILMAN DILLON and COUNCILWOMAN FARGNOLI:

Resolution requesting the City Council requesting the General Assembly to enact certain special legislation providing that the City Council of the City of Providence may adopt a system of classification of all ratable property subject to property taxation.

Whereas, The City of Providence is currently

undertaking a revaluation and reassessment of all ratable property subject to property taxation by the City which will be effective with the tax roll prepared as of December 31, 1987, and

Whereas, It appears that since the last city-wide revaluation and reassessment, there have been extraordinary increases in the full and fair cash value of residential real property in comparison with other ratable property, and

Whereas, Under the existing provisions of the General Laws with respect to the levy and assessment of property taxes, these extraordinary increases would result in major shifts of the property tax burden to residential real property as a class from other classes of ratable property, and

Whereas, It is desirable to ameliorate the shift of the property tax burden to residential property owners while at the same time treating the owners of other ratable property fairly and equitably by arranging that the tax burden on those classes will not be substantially increased from the tax burden sustained by those classes prior to the current city-wide revaluation and reassessment,

Now, Therefore, be it Resolved, That the City Council of the City of Providence requests that the General Assembly promptly enact that certain special legislation heretofore introduced into the General Assembly providing that the City Council of the City of Providence may adopt a system of classification pursuant to which: (a) all ratable property will be divided into two classes — one for real property and the other for tangible personal property (including motor vehicles); (b) the assessment of real property used for residential purposes will be reduced by not more than 35 per cent thereof to the extent of not more than six units in each residential building; (c) different rates of taxation may be prescribed for real property and for tangible personal property (including motor vehicles), subject to certain limitations more fully set out in said special legislation, and (d) future increases in tax

rates will be such that the tax burden on real property and on tangible personal property (including motor vehicles) will be substantially in proportion to the tax burdens imposed on those classes in the 1988-1989 tax year.

Read and Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN O'CONNOR and COUNCILWOMAN FARGNOLI.

The motion for Passage, is Sustained.

COUNCILMAN PETROSINELLI:

Resolution requesting the Traffic Engineer to cause the installation of Traffic Signal Lights at the intersection of Veazie Street and Branch Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of Traffic

Signal Lights at the intersection of Veazie Street and Branch Avenue.

COUNCILMAN ROLLINS, (By Request):

Resolution requesting the Director of Public Works to cause the sidewalks along 290 Ohio Avenue and 119 Massachusetts Avenue, to be repaired.

Resolved, That the Director of Public Works is requested to cause the sidewalks along 290 Ohio Avenue and 119 Massachusetts Avenue, to be repaired.

Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion for Passage, is Sustained.

REPORTS FROM COMMITTEE

COUNCILMAN JAMES A. PETROSINELLI, Chairman COMMITTEE ON PUBLIC WORKS

Transmits the following with Recommendation the Same be Severally Adopted:

Resolution that Forestry Circle, from the westerly line of Netop Drive to its westerly termination be received as a Public Highway.

Resolved, That the newly created Right-of-Way, Forestry Circle, from the westerly line of Netop

Drive to its westerly termination is hereby received as a Public Highway.

Resolution requesting the Traffic Engineer to cause the installation of "Four-Way Stop" signs at the intersection of John and Thayer Streets.

Resolved, That the Traffic Engineer is requested to cause the installation of "Four-Way Stop" signs at the intersection of John and Thayer Streets.

Resolution requesting the Traffic Engineer to cause Gordon Avenue from Sayles Street to Oxford Street to be closed to traffic between 2:15 P.M. and 3:00 P.M. during school days.

Whereas, The Principal of the Bishop McViney Regional School has requested a portion of Gordon Avenue be closed to traffic for a certain time period during school days.

Now, therefore, be it resolved, That the Traffic Engineer is hereby requested to cause the installation of the appropriate signs to prohibit motor vehicle traffic along Gordon Avenue, from Sayles Street to Oxford Street, between 2:15 P.M. and 3:00 P.M., during school days.

Resolution granting permission to Kenneth A. LaFazia, Ken Fed Realty, for an easement to the existing loading dock along Oak Street extending 2'6" by 10'6" onto sidewalk and for the existing stairway 4' by 6' onto the sidewalk along Agnes Street.

Resolved, That an easement is granted to Ken Fed Realty for the existing loading dock along Oak Street extending 2'6" by 10'6" onto sidewalk and for the existing stairway 4' by 6' onto the sidewalk along Agnes Street.

Resolution ordering the Abandonment of a portion of East Drive, between Middle and General Streets.

Resolved, Decreed and ordered:

That the following named street shown as cross-hatched area on the accompanying plan entitled, Providence, RI Department of Public Works — Engineering Office, Street Line Section Plan No. 064371, dated January 16, 1987, viz:

East Drive (portion of), shown as cross-hatched area on accompanying plan 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, provided that the Department of Public Works has a full-sewer easement therein; and Water Supply Board be granted access to the water main, services and hydrants; the New England Telephone and Telegraph Company be granted 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 decided by the petitioner that telephone facilities are to be relocated, the petitioner will assume all costs of the relocation; and the Providence Gas Company be granted an easement to their gas mains; and the damage to the abutters is appraised at nothing, and so awarded, and it is further

Ordered, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named 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.

Resolution ordering the Abandonment of a portion of Jackson Walkway.

Resolved, Decreed, and Ordered:

That the following named Street shown as cross-hatched area on the accompanying plan entitled, "Providence, RI Department of Public Works — Engineering Office, Street Line Section Plan No. 064417, dated March 11, 1988, viz:

Jackson Walkway, (portion of) shown as cross-hatched area on accompanying plan 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, provided that the Department of Public Works is provided a full-sewer easement therein; Water Supply Board be granted an easement for all active water mains and appurtenances within the abandoned areas; the New England Telephone and Telegraph Company be granted 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 decided by the petitioner that telephone facilities are to be relocated, the petitioner will assume all costs of the relocation; Narragansett Electric Company be conveyed an easement acceptable which will permit the retention of their facilities in existing locations in said Jackson Walkway, together with the right inspect, maintain, operate and replace same, and the damage to the abutters is appraised at nothing, and so awarded, and it is further

Ordered, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named 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.

Resolution ordering the Abandonment of a portion of Franklin Street.

Resolved, Decreed and Ordered: That the following named Street shown as cross-hatched area on the accompanying plan entitled, "Providence, RI Department of Public Works — Engineering Office, Street Line Section Plan No. 0264418, dated March 11, 1988, viz:

Franklin Street, (portion of) shown as cross-hatched area on accompanying plan 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, provided the Water Supply Board be granted an easement for all active water mains and appurtenances within the abandoned area; Narragansett Electric Company be conveyed an easement acceptable which will permit the retention of their facilities in existing locations in said Franklin Street, together with the right to inspect, maintain, operate, and replace the same; and the damage to the abutters is appraised at nothing, and so awarded, and it is further

Ordered, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named 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 had been abandoned, who is known to reside within the State.

Resolution ordering the Abandonment of a portion of Fountain Street.

Resolved, Decreed and Ordered: That the following named Street shown as cross-hatched area on the accompanying plan entitled, "Providence, RI Department of Public Works — Engineering Office, Street Line Section Plan No. 064419, dated March 11, 1988, viz:

Fountain Street, (portion of) shown as cross-hatched area on accompanying plan and designated by the letters (A-B-C-D-E-F-G-H-A) having ceased to be useful to the public and is proposed to be abandoned as a Public Highway, provided that the Department of Public Works is provided a full-sewer easement therein; Water Supply Board be granted an easement for all active water mains and appurtenances within the abandoned areas; the New England Telephone and Telegraph Company be granted 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 decided by

the petitioner that telephone facilities are to be relocated, the petitioner will assume all costs of the relocation; Narragansett Electric Company be conveyed an easement acceptable which will permit the retention of their facilities in existing locations in said Fountain Street, together with the right to inspect, maintain, operate and replace same, and the damage to the abutters is appraised at nothing, and so awarded, and it is further

Ordered, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named 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 shown to reside within the State.

Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion for Passage, is Sustained.

The following is transmitted with recommendation the Same be Denied:

Resolution requesting the Traffic Engineer to cause the installation of "Four-Way Stop" signs at the Intersection of Whitmarsh Street and Updike Street.

Denied, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

COUNCILMAN O'CONNOR desires to be recorded as Voting "No" on the foregoing Resolution.

The motion to Deny, is Sustained.

COMMUNICATIONS

Certificates from the City Assessor (6-R, 19-R through 24-R, Inclusive) recommending the Same be Severally Cancelled, Pursuant to the Provisions of Sections 14 and 15, Title 44, Chapter 7 of the General Laws of Rhode Island 1956, as Amended.

Severally Referred to the Committee on Claims and Pending Suits, on motion of **COUNCILMAN GLAVIN**, seconded by **COUNCILWOMAN FARGNOLI**.

The motion to Refer, is Sustained.

PETITION

COUNCIL PRESIDENT EASTON (By Request):

Petition of Rose M. McNamee requesting portions of Rodman Street and Emerson Street a triangular shaped portion of approximately 30 feet by 30 feet by 42 feet, be Abandoned.

Referred to the Committee on Public Works, on motion of **COUNCILMAN GLAVIN**, seconded by **COUNCILWOMAN FARGNOLI**.

The motion to Refer, is Sustained.

FROM THE CLERK'S DESK

**Petitions for Compensation for Injuries
and Damages, viz:**

Silvio Curtis

Costantino Giusti

Cheryl Graham

Jimmy's on Union

Doreen G. Kayajanian

Angela K. Minet

Gina Murphy and Vartan Aroyan

Manuel Nunes, Barbara Anne Mix, Manuel,
Jennifer, David and Linda Burdick

Earl E. Rastella

Luis L. Tomar

Andy B. Woodworth

James Worden

**Severally Read and Collectively Passed,
on motion of COUNCILMAN GLAVIN,
seconded by COUNCILWOMAN FARG-
NOLI.**

The motion for Passage, is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

**COUNCIL PRESIDENT EASTON and the
MEMBERS of the CITY COUNCIL:**

Resolutions extending Sympathy.

*Resolved, That the Sympathy of the Members
of the City Council is hereby expressed to the
families of the following:*

Mildred Zefaro

Frank Mazzeo

Raymond F. Dolan

Isadore Landes

Lucy Vales

Stella F. Mulvihill

Henry M. Cipriano

Michael R. Gornostai

Arthur J. Beauchemin

Adela Petrarca

Anna E. Duby

William F. Reilly, Sr.

Anthony Belcastro

Aida P. Mairorani

James H. Moran

Edward J. LaBelle

John J. O'Haire

George Goulart, Sr.

Louise M. Zampini

Phyllis C. Pascale

Emilio Scorio

Anthony M. Guy

Marie D'Ambra

Earl B. Houlihan

Mary Papandrea

Francesca Solitro

Grace M. Lyons

John Santaniello, Jr.

Severally Read and Collectively Passed,
by a Unanimous Rising vote on motion of
COUNCILMAN GLAVIN, seconded by
COUNCILWOMAN FARGNOLI.

The motion for Passage, is Sustained.

MATTERS NOT APPEARING ON THE PRINTED DOCKET

On motion of COUNCILMAN GLAVIN,
Seconded by COUNCILMAN DILLON, It is
Voted to Suspend Rule 16 of the Rules of the
City Council in order to allow the intro-
duction of the following matter not
appearing on the Printed Docket.

REPORTS FROM COMMITTEE

COUNCILMAN THOMAS M. GLAVIN, Chairman COMMITTEE ON ORDINANCES

The following Ordinance was in City Council February 4, 1988, Read and Passed the First Time, Referred Back to Committee on Ordinances, and is Transmitted with Recommendation of Passage the Second Time, as Amended:

An Ordinance in Amendment of Chapter 544 of the Ordinances of the City of Providence, Entitled "An Ordinance Zoning the City of Providence and Establishing Use, Height and Area Regulations" Approved September 21, 1951, as Amended, by Deleting the R-2 and R-3 Zone Provisions for 2 Dwelling Units on Undersized Lots, as Amended.

Section 1. Chapter 544 of the ordinances of the City of Providence, entitled, "An Ordinance Zoning the City of Providence and Establishing Use, Height and Area Regulations" Approved September 21, 1951, as Amended, is hereby further amended as follows:

Section 26A2 (a), (b) and (c) shall be deleted and replaced with the following:

26A2 Recorded Lots Less Than Minimum Area. Lots of record at the time of the enactment of this Ordinance, which have less than the minimum area requirements for R. Zones, may nevertheless be used for the following purposes, subject to the following conditions (a) A single family dwelling may be erected on any lot separately owned at the time of the passage of this Ordinance and shown on any plat duly recorded at the time of the passage of this Ordinance.

(b) In any R3 Zone, a building on such a lot may contain two (2) dwelling units, provided that the lot shall have a width of at least 40 feet and an area of at least 4,000 square feet.

(c) The Zoning Board of Review may grant a special exception as Provided for in Sections 91 and 92 and permit any lot in an R3 Zone to contain two (2) dwelling units, provided that the lot shall have a width of at least 35 feet and an area of at least 3,200 feet, and further provided that the board finds that such a use is in conformity with the surrounding neighborhood and not contrary to the public convenience and welfare.

(d) In any R4 Zone, a building on such a lot may contain two (2) dwelling units, provided that the lot shall have a width of at least 35 feet and an area of at least 3,200 square feet, and may contain additional dwelling units if the lot area per dwelling unit requirements are met.

(e) Lots of record at the time this Ordinance becomes effective may be changed by adding additional land to such lots of record without prejudice to the right of the owner of such lots to obtain a permit pursuant to the provisions of this section.

Section 2. This Ordinance shall take effect upon its Passage.

Read and Passed, the Second Line, as amended, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Councilman Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Glavin, Lombardi, Lopes, Petrosinelli, and Stravato—11.

Councilmen Farmer, O'Connor and Rollins—4.

Absent: None.

Noes: Council President Easton, The motion for Passage the Second Time, as Amended, is Sustained.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI and COUNCILMAN STRAVATO, the City Council adjourns at 8:25 o'clock P.M. (E.S.T.) to meet again on THURSDAY, April 7, 1988 at 7:30 o'clock P.M. (E.S.T.).

Rose M. Mandonca

City Clerk