

# RESOLUTION OF THE CITY COUNCIL

No. 97

Approved February 22, 2023

RESOLVED, DECREED AND ORDERED:

That the cross-hatched portion of PENROSE AVENUE shown on the accompanying plan entitled "Providence, R.I., P.W. Dept.-Engineering Office, Street Line Section Plan No. 064875, dated August 1, 2022," bounded by letters the A-B-C-D-A on said plan, having ceased to be useful to the public, is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned upon the following:

1. Petitioners shall tender the amount of Thirty Thousand Dollars (\$30,000.00) to the City of Providence.
2. Petitioner shall have a Class I survey prepared by a Professional Land Surveyor, properly licensed by the Board of Registration for Professional Land Surveyors, inasmuch as road abandonments constitute a boundary change pursuant to Informational Bulletin 2003.01 issued by said Board.
3. Petitioner shall comply with all conditions contained herein within sixty (60) days from the date of passage.
4. 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.

ORDERED, That the Traffic Engineer be and 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.

IN CITY COUNCIL

JAN 16 2023

READ AND PASSED

  
RACHEL M. MILLER, PRESIDENT  
  
Tina L. Mastrosianni  
CLERK

I HEREBY APPROVE.

  
Mayor

Date: 2/22/2023

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 to abandon a portion of Penrose Avenue located on Assessor's Plat 40 between 123 Blackstone Boulevard (Lot 270) and 129 Blackstone Boulevard (Lot 297)*

*Be it ordained by the City of Providence*

We, Marie Jean Langlois, Trustee, and Amarnath Reganti and Rupsha Biswas, hereby respectfully request that the portion of Penrose Avenue between our respective properties located at 123 and 129 Blackstone Boulevard be abandoned.

We are requesting this abandonment because no street or road has ever been constructed on this portion of Penrose Avenue and it is of no use to the public. Portions of driveways serving the homes at 123 and 129 are located on this portion of Penrose Avenue. If abandoned, each of the applicants intends to construct a garage on their respective portions of the abandoned area, thereby increasing the taxable values of their properties.

The attached plan depicts the area proposed for abandonment and surrounding property.

  
Marie Jean Langlois, Trustee

123 Blackstone Boulevard  
Providence, Rhode Island 02906

December 10, 2021

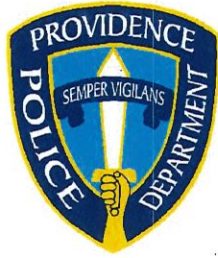
  
Amarnath Reganti

  
Rupsha Biswas

129 Blackstone Boulevard  
Providence, Rhode Island 02906

December 10, 2021





PROVIDENCE POLICE DEPARTMENT  
Patrol Bureau  
325 Washington St., Providence, RI 02903

2/20/2022

To: Sheri A. Petronio, City of Providence First Deputy City Clerk  
From: Cpt Luis F. San Lucas, Traffic Bureau Commanding Officer  
Subject: Petition to the City Council for granting of request for Abandonment of portion of  
Penrose Ave between 123 and 129 Blackstone Blvd

Sir,

After reviewing the petition for request of abandonment of portion of Penrose St (between 123  
129 Blackstone Blvd) by John Rizzini, Senior Paralegal, Locklorde LLP on behalf of Marie Jean  
Langlois, Trustee, Amarnath Reganti and Rupsha Biswas with the attached letter dated Jan 5, 2022. The  
Providence Police Department has no objection to the request.

Respectfully Submitted

Luis F. San Lucas  
/////original signed/////

**STEVEN M. PARÉ**  
Commissioner of Public Safety  
Acting Chief of Department



**JORGE O. ELORZA**  
Mayor

Department of Public Safety, Fire Department  
*"Building Pride in Providence"*

March 3, 2022

The Honorable Michael J. Correia  
Councilman  
Chairman, Committee on Public Works  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

**RE: Penrose Avenue**

Dear Councilman Correia:

I am in receipt of your memorandum regarding the petition that was filed by John Rizzini, Senior Paralegal, of LockLorde, LLP on behalf of Marie Jean Langlois, Trustee, Amarnath Reganti and Rupsha Biswas who are requesting to abandon a portion of Penrose Avenue between 123 and 129 Blackstone Boulevard.

After review, it does not appear that this request will have any impact on fire safety, therefore, this office does not have any public safety concerns at this time.

If you have any questions, please feel free to contact my office.

Respectfully,

Steven M. Paré  
Commissioner of Public Safety

cc: Tina Mastroianni, Acting City Clerk

Public Safety Complex | 325 Washington Street | Providence, RI 02903  
401-243-6060 phone | 401-243-6487 fax

Leo J. Perrotta  
Director



Jorge O. Elorza  
Mayor

**DEPARTMENT OF PUBLIC WORKS**

*"Building Pride in Providence"*

August 16, 2022

Honorable Michael J. Correia  
Chairman of the Public Works Committee  
Providence City Council-City Hall  
Providence, R.I. 02903

**RE: Proposed Abandonment of a Portion of Penrose Ave.**

Dear Councilman Correia:

This department has no objection to the proposed abandonment of a portion of Penrose Ave. in conjunction with the attached plan, entitled "Prov., P.W. Dept.-Engineering Office, Street Line Section, Plan No. 064875. Area of abandonment is designated as cross-hatched area (A-B-C-D-A) on the accompanying plan.

Total square footage equals 4,000 square feet.  
See accompanying plan for plat and lot numbers.  
No sewer easement is required.  
See additional notes on plan for maintenance and responsibility.

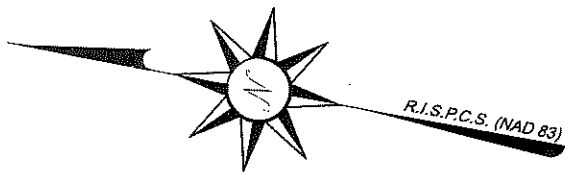
According to Informational Bulletin 2003.1 issued by the Rhode Island Board of Registration for Professional Land Surveyors, road abandonments constitute a boundary change, and as such, requires a Class 1 survey prepared by a professional Land Surveyor, properly licensed by said board.  
If we can further assist you in this regard, please advise.  
Very truly yours,

A handwritten signature in black ink, appearing to be "LJ Perrotta", with a long horizontal flourish extending to the right.

Leo J. Perrotta  
Director-D.P.W.

cc: T. Mastroianni-Acting City Clerk  
AZ-DPW, B. Nickerson-Planning Dept.  
W. Brown, Esq.-Law Dept.  
J. Muscatelli-Tax Assessors

700 Allens Avenue Providence, Rhode Island 02905  
Phone 401-467-7950/Fax 401-941-2567  
[www.providenceri.com/dpw](http://www.providenceri.com/dpw)



PROVIDENCE, R.I.  
P. W. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064875  
Date AUGUST 1, 2022

## NOTES / REFERENCES

1. REFERENCE IS MADE TO THE FOLLOWING MAPS AND PLANS OF RECORD;

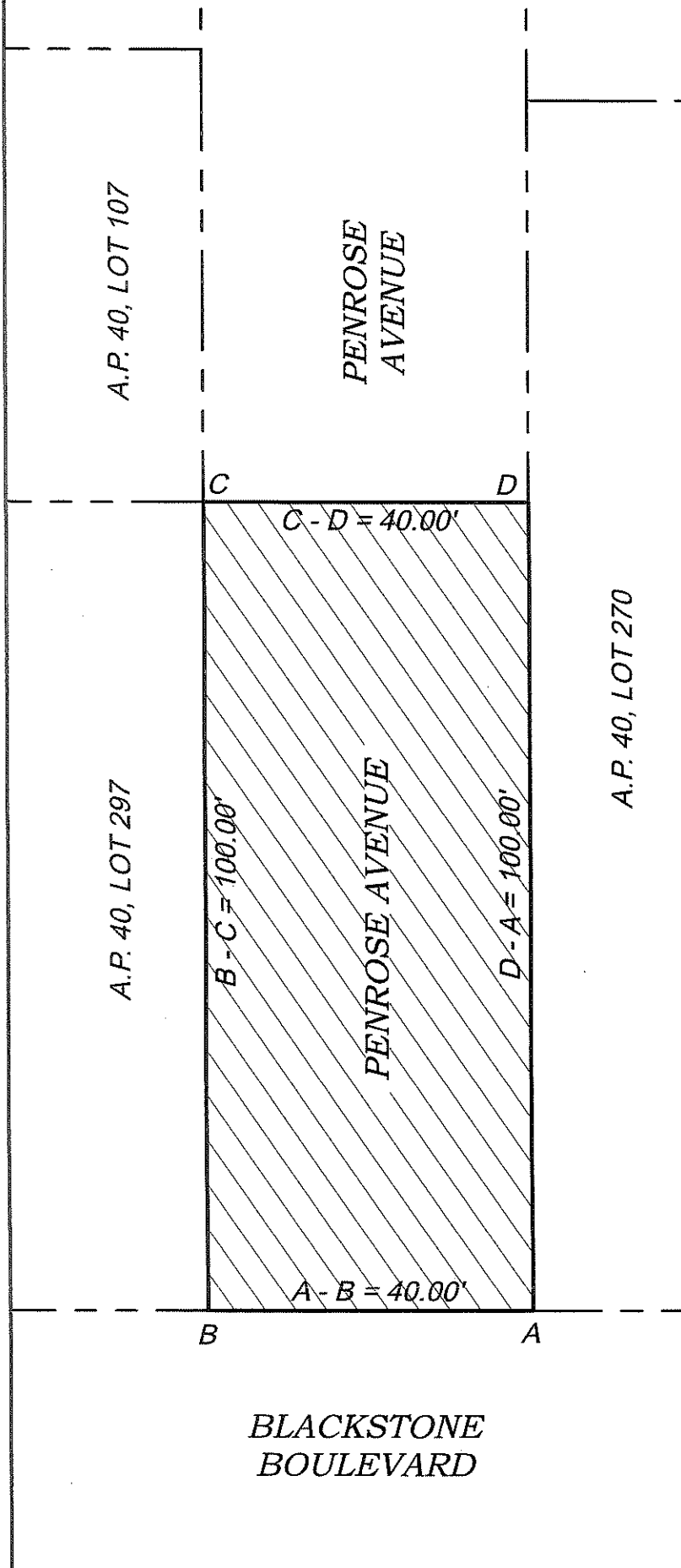
PLAN ENTITLED "BOUNDARY & TOPOGRAPHIC SURVEY PLAN, A.P. 40, LOT 270, BLACKSTONE BOULEVARD & PENROSE AVENUE, PROVIDENCE, RHODE ISLAND, MARIE JEAN LANGLOIS, 123 BLACKSTONE BOULEVARD, PROVIDENCE, RHODE ISLAND 02906, PROJECT No. 16-085, SCALE: 1"=10', DATE: 10/12/16, REV: 11/07/16 & 07/22/21 BY WATERMAN ENGINEERING COMPANY."

2. AN EXISTING RETAINING WALL AND FENCE IS PRESENT BETWEEN A.P. 40, LOTS 297 & 107, A PORTION OF WHICH CROSSES ONTO THE PROPOSED ABANDONMENT. A.P. 40, LOT 297 WILL ASSUME RESPONSIBILITY AND MAINTENANCE FOR ANY PORTION OF THE RETAINING WALL AND FENCE THAT EXISTS WITHIN THE LIMITS OF THE ABANDONED PORTION OF PENROSE AVENUE AS SHOWN HEREON.

NOTES: CROSS-HATCHED AREA (A-B-C-D-A) INDICATES PROPOSED ABANDONMENT.

TOTAL SQUARE FOOTAGE  
= 4,000 S.F. (0.092 AC.) +/-

NO SEWER EASEMENT REQUIRED



CITY OF PROVIDENCE, R.I.  
Public Works Dept. - Engineering Office  
Showing PROPOSED ABANDONMENT OF A PORTION OF PENROSE AVE.  
Drawn by BJT Checked by BJT  
Scale 1" = 20' Date 08/01/2022  
Correct [Signature] Associate Engr.  
Approved [Signature] CHIEF ENGINEER

**Petronio, Sheri**

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**From:** Khun, Phirom  
**Sent:** Thursday, February 10, 2022 11:29 AM  
**To:** Petronio, Sheri  
**Cc:** Nilsson, Wendy  
**Subject:** No neighboring parks impact from abandon a portion of Penrose Avenue

Hi Sheri,

The abandonment of a portion of Penrose Avenue between 123 & 129 Blackstone Boulevard has no impact on neighboring parks. Please let me know if you have any questions. Thank you!



**Phirom Khun**  
Supervisor of Project Planning  
Parks Department  
Dalrymple Boathouse  
Roger Williams Park  
1000 Elmwood Avenue  
Providence, RI 02905  
[pkhun@providenceri.gov](mailto:pkhun@providenceri.gov)  
(401) 680-7225 - Office  
(401) 996-4219 - Mobile  
Call to Connect | [PVD311](#)

Janesse Muscatelli  
Interim Assessor



Jorge O. Elorza  
Mayor

PROVIDENCE A CITY THAT WORKS

**Finance Department  
Office of Tax Assessment**

January 31, 2022

Department of the City Clerk  
Sheri A. Petronio, First Deputy City Clerk  
25 Dorracne St.  
Providence, RI 02903

Re: Proposed abandonment of a portion Penrose Ave

Dear Ms. Petronio:

At your request, we have reviewed the information provided regarding an abandonment of a portion of Penrose Avenue. The proposed abandonment is located at Plat 40 Lots 270 and 297, on Blackstone Blvd.

Based on the plans and specifications provided, the abandonment will consist of approximately 4,000 ft.<sup>2</sup>±. The land in the subject locus for excess land is approximately \$7.50 per square foot. Therefore, the valuation would be 4,000 ft.<sup>2</sup> times \$7.50 per square foot would equal \$30,000. The land is to be split evenly between the two lots or \$15,000 each.

If we may be of any further assistance, please do not hesitate to contact us.

Respectfully submitted,

A handwritten signature in cursive script that reads "Janesse Muscatelli".

Janesse Muscatelli  
Interim Tax Assessor

City of Providence Assessor's Office • City Hall, Room 208  
25 Dorrance St • Providence RI 02903 • (401) 680-5229  
[providenceri.com/assessor](http://providenceri.com/assessor)



City Plan Commission  
Jorge O. Elorza, Mayor

February 16, 2022

Councilman Michael Correia  
Chair, Committee on Public Works  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

Attn: Tina Mastroianni, Acting City Clerk

**Re: Referral 3509 – Abandonment of Penrose Ave**

**Petitioners: Marie Jean Langlois, Trustee; Amarnath Reganti and Rupsha Biswas**

Dear Councilman Correia:

The petitioners are requesting that the City abandon a portion of Penrose Ave that is located between 123 and 129 Blackstone Boulevard (AP 40 Lots 240 and 297). Penrose Ave runs west to east from Blackstone Boulevard. The portion requested for abandonment is already developed and occupied by driveways for abutting properties owned by the petitioners.

**FINDINGS OF FACT**

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

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

The portion of Penrose Ave proposed for abandonment is already developed and used by the abutting properties. The abandonment area is only useful for accessing property owned by the petitioners. The CPC does not object to the abandonment as it would not have an adverse impact on the public interest.

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

The CPC found that the abandonment will not negatively affect future plans for development or existing land use. No negative impact to the health and welfare of the surrounding community is expected as the street is not essential to providing access to other parts of the City.

DEPARTMENT OF PLANNING AND DEVELOPMENT  
444 Westminster Street, Providence, Rhode Island 02903  
401 680 8400 ph | 401 680 8492 fax  
[www.providenceri.com](http://www.providenceri.com)

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

The petitioners own the lots abutting the abandonment area.

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

The CPC found that no physical or legal access will be denied as the petitioners own the land surrounding the abandonment area.

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

It is unknown if any utilities need to be provided or maintained within the public right of way. The CPC required that the applicant grant any necessary easements.

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

A petition and plan were provided. The CPC found the proposal to be consistent with the Comprehensive Plan and purposes of Zoning.

#### **RECOMMENDATION**

Upon a motion by Commissioner Verdi seconded by Commissioner Bilodeau, the CPC unanimously voted to advise the Committee on Public Works that the petition for abandonment be approved based on their findings.

In accordance with the CPC's action, the CPC recommends that this portion of Eastwood Ave be abandoned subject to the following conditions:

- i. The petitioners shall apply for an administrative subdivision to merge the abandoned street with their respective property should the abandonment be approved.
- ii. The petitioner shall grant any necessary easements for access to property, utility access and maintenance.

The CPC voted as follows:

Aye: N. Verdi, H. Bilodeau, M. Quezada, M. Cordero, M. Gazdacko

Sincerely,



Choyon Manjrekar  
Administrative Officer



CITY OF PROVIDENCE  
MAYOR BRETT P. SMILEY

January 31, 2023

Tina Mastroianni  
City Clerk  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

Re: Referral 3509 – Abandonment of Penrose Ave

Dear Ms. Mastroianni:

The Department of Planning and Development has received an administrative subdivision application from the petitioners of the above-referenced abandonment, to incorporate the abandoned portion of Penrose Ave into their property, upon approval by the City Council.

The undersigned administrative officer has reviewed the survey and determined that it conforms to the requirements of section 304 of the City Plan Commission's Development Review regulations. The petition may be brought to a vote before the City Council.

Sincerely,

A handwritten signature in black ink, appearing to be "Choyon Manjrekar".

Choyon Manjrekar  
Administrative Officer

**DEPARTMENT OF PLANNING & DEVELOPMENT**

JOSEPH A. DOORLEY JR. MUNICIPAL BUILDING, 444 WESTMINSTER ST, PROVIDENCE RI 02903  
PHONE 401.680.8400 | [WWW.PROVIDENCERI.GOV/PLANNING](http://WWW.PROVIDENCERI.GOV/PLANNING)

June 29, 2022



Sheri A. Petronio, First Deputy City Clerk  
City of Providence  
25 Dorrance Street  
Providence, RI 02903

VIA EMAIL c/o S.Petronio ([spetronio@providenceri.gov](mailto:spetronio@providenceri.gov)) and US Mail

Re: Petition to Abandon a portion of Penrose Avenue, dated January 21, 2022

Dear Ms. Petronio:

Please be advised that after review, it has been determined that The Narragansett Electric Company has no electrical or gas equipment in the area proposed for abandonment.

Therefore, The Narragansett Electric Company has no objection to the abandonment.

Please call me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joyce Xifaras".

**Joyce Xifaras**  
Right of Way Agent | RI Property Services  
280 Melrose Street, Providence, RI 02907  
(O): 401.784.7513 | (M): 774.991.9603  
[JXifaras@RIEnergy.com](mailto:JXifaras@RIEnergy.com)



January 31, 2022

City of Providence  
Office of the First Deputy City Clerk  
Attn: Sheri A. Petronio  
25 Dorrance Street  
Providence, Rhode Island 02903

ATTN: Sheri A. Petronio, First Deputy City Clerk

RE: PETITION TO ABANDON A PORTION OF PENROSE AVENUE (off BLACKSTONE BLVD)

Dear Ms. Petronio,

Upon investigation it has been determined that Verizon presently has no facilities On this section of Penrose Avenue at the intersection of Blackstone Blvd, the section identified to be abandoned.

Verizon will not object to the granting of said petition.

Sincerely,



Verizon New England Inc.  
Attn: Daryl Crossman - ROW  
44 Old Townhouse Rd  
South Yarmouth, MA 02664

(508) 398-5754 – South Yarmouth Office  
daryl.crossman@verizon.com - Email

**verizon**✓

The Narragansett Bay Commission  
Interceptor Maintenance  
One Service Road  
Providence, Rhode Island 02905

401 • 461 • 8848  
401 • 461 • 6551 FAX

<http://www.narrabay.com>



Vincent J. Mesolella  
Chairman

Laurie A. Horridge  
Executive Director

***MEMORANDUM***  
*from the Interceptor Maintenance Section*

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DATE: 2/2/2022

TO: City of Providence Clerks Office

FROM: Patricia Chiellini Asset Management Specialist

RE: Penrose Ave Plat 40 between 123 and 129 Blackstone Blvd.

To Sherri A. Petronio,

The Narragansett Bay Commission does not have any facilities on the above address. The Narragansett Bay Commission does not object to the abandonment of this section of Penrose St in Providence.

Sincerely,

Patricia Chiellini Asset Management Specialist  
Narragansett Bay Commission  
1 Service Rd  
Providence, RI 02905  
[pchiellini@narrabay.com](mailto:pchiellini@narrabay.com)  
401-461-8848 ext. 304  
401-461-6551 fax