

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 148

Approved March 23, 1988

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

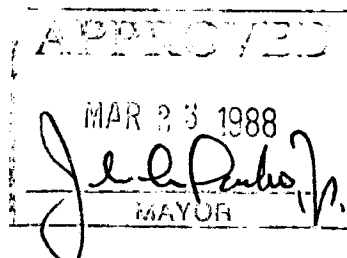
ORDERED, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

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 known to reside within the State.

IN CITY COUNCIL
MAR 16 1988
READ AND PASSED

Richard W. Ender
PRES.

Rose M. Mendonca
CLERK



THE COMMITTEE ON
PUBLIC WORKS

Approves Passage of
The Within Resolution

Rosen Mendon
Chairman

Clerk
March 9, 1988

PROVIDENCE R. I.

ENGINEERING OFFICE

SHEET LINE SECTION

064412

March 11, 1988

Franklin St.

Notes:

Cross-Hatched Area (A-B-C-D-E-F-G-H-A) Indicates Proposed Abandonment.

Full Sewer Easement Will be Required.

Jackson Walkway

Greene

St.

CITY OF PROVIDENCE, R. I.
Public Works Dept. - Engineering Office
Showing Proposed Abandonment

Drawn by J.T.M. Checked by J.A.M.
Scale No. Scale Date 3-11-88
Corrected James G. Munn, Associate Eng.
Approved Philip R. Munn, Chief Engineer

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

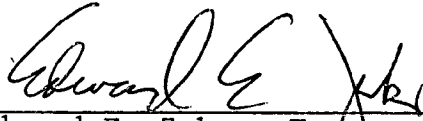
PETITION TO THE CITY COUNCIL

P.W. -
T.E. - ✓
W.S.B. - DENY
C.P.S. - ✓
C.P.C. - ✓
D.P.P. - ✓

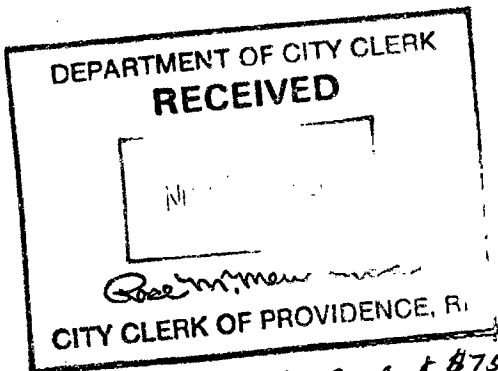
TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

to abandon the portion of Fountain Street as more specifically
described on the attached.



Edward E. Zuker, Trustee of the
Regency Plaza Nominee Trust



Pd by Ch # 13090 Amt \$75.00

FILED

Nov 23 8 57 AM '87

DEPT. OF CITY CLERK
PROVIDENCE, R.I.

IN CITY COUNCIL

DEC 3 1937

FIRST READING
REFERRED TO COMMITTEE ON

PUBLIC WORKS

Rose M. Mendonça CLERK

From the Clerk's Desk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: December 7, 1987

TO: B. James Suzman, Acting Director of Public Works

SUBJECT: *Various Street Abandonments

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject petitions for your study and report back in writing, to the above-named committee. It is also requested that you provide the committee with a list of abutting property owners and tracing of the area.

- * Jackson Walkway - Portion
- Franklin Street - Portion
- ✓ Fountain Street - Portion
- Devereux Avenue - Portion
- Unnamed Street - between Burns Street and Lubec Street

Michael R. Clement
First Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: December 7, 1987

TO: Domenic Mainelli, Chief - Water Supply Board

SUBJECT: *Various Street Abandonments

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject petitions, for your study and report back in writing to the above named committee.

*Jackson Walkway - Portion
Franklin Street - Portion
Fountain Street - Portion
Devereux Avenue - Portion
That Unnamed Street, between Burns and Lubec Streets

First Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: December 7, 1987

TO: B. James Suzman, Traffic Engineer

SUBJECT: *Various Street Abandonments

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject petitions, for your study and report back in writing to the above named committee.

*Jackson Walkway - Portion
Franklin Street - Portion
Fountain Street - Portion
Devereux Avenue - Portion
That Unnamed Street, between Burns and Lubec Streets

First Deputy

City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: December 7, 1987

TO: Charles A. Pisaturo, Commissioner of Public Safety

SUBJECT: *Various Street Abandonments

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject petitions, for your study and report back in writing to the above named committee.

*Jackson Walkway - Portion
Franklin Street - Portion
Fountain Street - Portion
Devereux Avenue - Portion
That Unnamed Street, between Burns and Lubec Streets

First Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: December 7, 1987

TO: Nancy Derrig, Superintendent of Parks

SUBJECT: *Various Street Abandonments

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject petitions, for your study and report back in writing to the above named committee.

*Jackson Walkway - Portion
Franklin Street - Portion
Fountain Street - Portion
Devereux Avenue - Portion
That Unnamed Street, between Burns and Lubec Streets

First Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: December 7, 1987

TO: Kathy D. Field, Associate Planner

SUBJECT: *Various Street Abandonments

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject petitions, for your study and report back in writing to the above named committee.

*Jackson Walkway - Portion
Franklin Street - Portion
Fountain Street - Portion
Devereux Avenue - Portion
That Unnamed Street, between Burns and Lubec Streets

First Deputy City Clerk

NANCY L. DERRIG
SUPERINTENDENT OF PARKS



JOSEPH R. PAOLINO, JR.
MAYOR

Department of Public Parks

"Building Pride In Providence"

December 10, 1987

Mr. Michael Clement
First Deputy City Clerk
City Clerks Office
City Hall
Providence, RI 02903

RE: Abandonment of portions of Jackson Walkway, Fountain St. and
Franklin St.

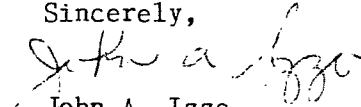
Dear Mr. Clement:

In researching the Department of Public Parks site maps and records, our conclusion is that the abandonment of portions of Fountain Street and Franklin Street will in no way conflict with any Parks Department facility.

In the matter of the abandonment of a portion of Jackson Walkway, there possibly could be a problem. It appears that this portion of Jackson Walkway was renovated as part of the Weybosset Hill Phase V construction work. Mr. John D'Amico, Special Council for the Law Department has asked the Parks Department for advice on these proposed abandonments (see enclosed letter to Mr. D'Amico).

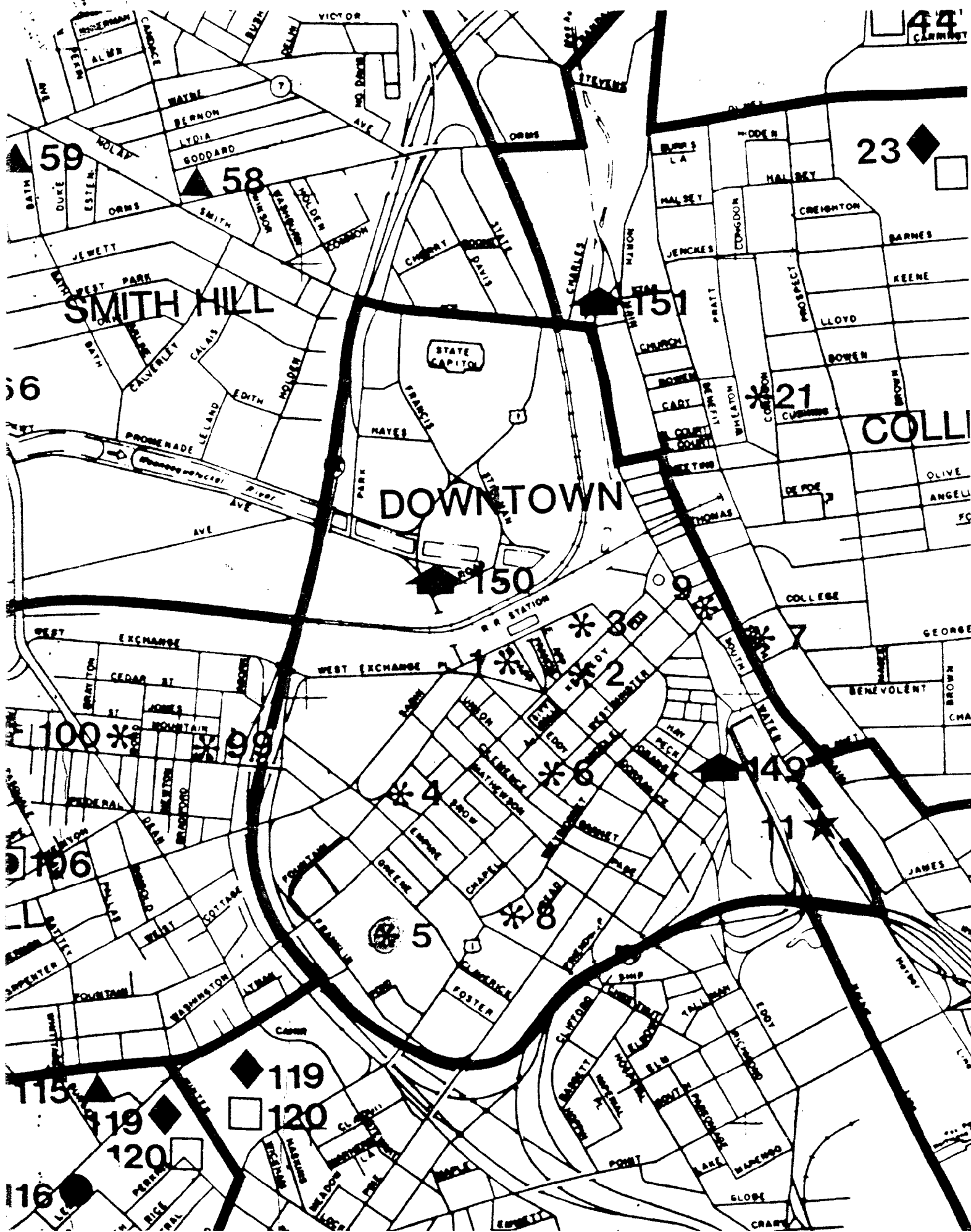
It is the opinion of the Department of Public Parks to reserve judgment on the abandonment of a portion of Jackson Walkway until all matters are cleared up. It is my recommendation that your department contact Mr. D'Amico as to the status of investigation into Jackson Walkway.

Sincerely,


John A. Izzo,
Supervisor of Engineering
and Planning

Enclosures

CC: Nancy L. Derrig,
Superintendent of Parks



GEORGE A. CALCAGNI
CHAIRMAN
ARMANDO PARILLO
VICE CHAIRMAN
JAMES A. LOMBARDI
Secretary
JOHN E. MARTINELLI
Legal Advisor
JEROME I. BARON
Ex-Officio



Water Supply Board
"Building Pride In Providence"

JOSEPH R. PAOLINO, JR.
MAYOR
~~WILEY ARCHER, P.E.~~
CHIEF ENGR./GENERAL MANAGER
RAYMOND COLA
City Councilman
ANDREW J. ANNALDO
City Councilman
MARY A. NOCERA
Member
LOUIS ORABONA
MEMBER

December 15, 1987

Councilman James Petrosinelli, Chairman
Committee on Public Works
City Clerk's Office
City Hall
Providence, Rhode Island 02903

Re. Petition to abandon portions of Fountain Street, Jackson Walkway and Franklin Street.

Dear Councilman Petrosinelli:

We are in receipt of your request to abandon portions of Fountain Street, Jackson Walkway, and Franklin Street.

The abandonment as requested would destroy our service grid, take many buildings out of service, and seriously affect fire protection in the area. The integrity of the water system in that area would be jeopardized.

We cannot allow the abandonments and insist that these roadways be maintained.

Thank you for your cooperation.

Very truly yours,

Domenic J. Mainelli, P.E.
Chief Engineer/General Manager

DJM/mtd

cc: Edward Bondarevskis
Steven Santaniello

B. JAMES SUZMAN
TRAFFIC ENGINEER



JOSEPH R. PAOLINO, JR.
MAYOR

Department of Traffic Engineering

"Building Pride In Providence"

M E M O R A N D U M

TO: Edward Clifton, City Solicitor
FROM: B. James Suzman, Traffic Engineer
DATE: September 29, 1987
RE: Abandonment of Fountain Street, from I-95 northbound
Service Road (Franklin Street) to Greene Street

Mr. Vincent Pallozzi, Chief of Staff, has suggested that I notify you as follows:

Be advised that the above captioned proposed abandonment by Richard Scherr and Richard Lappin, owners of the Regency, will be conditional that the developers at their cost provide new traffic signal equipment at the intersection of Atwells Avenue, Broadway and Greene Street.

The developer shall prepare all engineering plans, bid documents, and be responsible for complete purchase and installation of traffic signal control equipment pursuant to our departmental specifications.

Once passed through the Council, the abandonment shall not be effective until the new traffic control equipment is installed and accepted by this department as to be in proper working condition.

cc: Mr. Vincent Pallozzi, Chief of Staff
Ms. Rose Mendonca, City Clerk

B. JAMES SUZMAN
TRAFFIC ENGINEER



JOSEPH R. PAOLINO, JR.
MAYOR

Department of Traffic Engineering

"Building Pride In Providence"

M E M O R A N D U M

TO: Committee on Public Works
FROM: B. James Suzman, Traffic Engineer/Public Works Director
DATE: March 5, 1988
RE: Pending Matters

ABANDONMENTS:

To abandon portions of Jackson Walkway, Franklin Street and Fountain Street.

Disposition: This department offers a conditional approval for the above abandonments. This approval is based upon previously agreed improvements to Service Road No. 8 (street is to be widened) and a new traffic signal system is to be designed and installed at the intersection of Broadway and Service Road No. 8. All costs incurred for design and installation of these improvements shall be the responsibility of the developer (The Regency). Final approval will be given when the developer has provided all design plans that meet with our approval and a signed contract is provided to perform these improvements.



The City Plan Commission

44 WASHINGTON STREET

PROVIDENCE, RHODE ISLAND 02903

March 9, 1988

Committee on Public Works
c/o City Clerk
City Hall
Providence, Rhode Island 02903

Attention: Rose M. Mendonca, City Clerk

RE: Referral No. 2247 - Abandonment of Jackson Walkway (portion
between Fountain Street and Washington Street)

Referral No. 2248 - Abandonment of Franklin Street (portion
adjacent to the on-ramp to Rte. 95)

Referral No. 2249 - Abandonment of Fountain Street (portion
between Franklin Street and Greenman Lane)

Gentlemen:

The City Plan Commission at its March 8, 1988 regular monthly meeting, reviewed and evaluated the above cited referrals.

The petitioner is Mr. Edward Zuker, Trustee of the Regency Plaza Nominee Trust.

The Regency Plaza Associates, new owners of three residential buildings, known collectively as Regency Plaza are the owners of the abutting lots 435, 429 and 430 on Assessor's Plat 25.

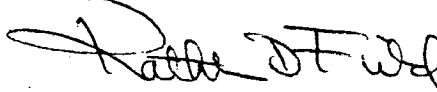
The three Regency buildings with 444 apartments are being recently renovated and upgraded to a first class residential complex. The petitioner seeks this abandonment for the purpose of creating a residential campus atmosphere by eliminating any transient vehicular or pedestrian traffic and by adding tennis courts and visitor's parking. The number of apartments or residential parking would remain unchanged.

The Commission voted to advise the Committee on Public Works that no objection is offered to these petitions subject to: 1) an appropriate donation by the owners be made to the City Treasurer (based upon the fair market value of this land); and 2) mutual approval by the City Traffic Engineer and the R.I. Department of Transportation of the

Committee on Public Works
Page 2
March 9, 1988

petitioner's proposal to construct at his own expense an additional traffic lane along the I-95 service road.

Sincerely yours,

A handwritten signature in dark ink, appearing to read 'Kathleen D. Field', written in a cursive style.

Kathleen D. Field
Associate Director of Planning

KDF/jp

cc: Thomas V. Moses



New England Telephone

A ~~NYNEX~~ Company

85 High Street
Pawtucket, Rhode Island 02860

February 22, 1988

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

RE: PETITION TO ABANDON A PORTION OF FOUNTAIN STREET
BETWEEN FRANKLIN AND GREENMAN LANE.

Dear Sirs,

New England Telephone and Telegraph Company presently has underground facilities consisting of conduits and cables located in said Fountain Street.

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 our facilities in existing locations, together with the right to inspect, maintain, operate and replace the same and with twenty four hour access to said facilities.

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

Luther E. Smith, Jr.
District Manager-Customer Services

CHARLES A. PISATURO, ESQ.
COMMISSIONER
CHIEF MICHAEL F. MOISE
FIRE CHIEF



JOSEPH R. PAOLINO, JR.
MAYOR

Department of Public Safety, Fire Department

"Building Pride In Providence"

September 14, 1987

Judge Edward J. Clifton
City Solicitor
Law Department
City Hall

Dear Judge Clifton:

Concerning the Regency Project, kindly be advised of the following, which were concerns of the Fire Department:


Access ways to the Regency, Regency East and Regency West are adequate for the Fire Department.

The hydrant relocation to be done will be in accordance with Fire Department recommendations.

Overhead obstructions caused by trees planned to be planted which may be obstacles for Fire Department Aerial Equipment will be discussed with the landscaping architect before the types of trees are selected.

These matters have been discussed with the planners at several meetings.

Sincerely,


Michael F. Moise
Chief of Department

MFM:lra



Department of Public Safety

"Building Pride In Providence"

TO: MICHAEL R. CLEMENTS, FIRST DEPUTY CITY CLERK
FROM: CHARLES A. PISATURO, COMMISSIONER OF PUBLIC SAFETY
RE: STREET ABANDONMENTS FOR: JACKSON WALKWAY, FRANKLIN STREET
AND FOUNTAIN STREET
DATE: MARCH 9, 1988

In response to your memo, I submit herewith reports from the Fire Department and the Police Department indicating that neither department has any objection to the abandonment of the above-named streets. I concur in their conclusions and therefore the Department of Public Safety has no objection. - *noting*

restrictions of fire dept.

Charles A. Pisaturo
Charles A. Pisaturo
Commissioner of Public Safety

dn
Enc.

PROVIDENCE POLICE DEPARTMENT

Headquarters

March 9, 1988

To: The Honorable Charles A. Pisaturo, Public Safety Commissioner

From: Colonel Anthony J. Mancuso, Chief of Police

Subject: Street Abandonment


Sir:

Please be advised that I sat on a committee that reviewed the proposed abandonment of Jackson Walkway, Franklin Street and Fountain Street.

Sergeant Norman Zahlany reviewed the request and indicated that a problem may arise from the closure of Fountain Street and parking in the area may be reduced. Please be further advised that this matter was addressed by the architects and management of the Regency and Sergeant Zahlany is not privy to plans which will rectify this concern.

After a complete review of the proposal and discussions with the architects and management of the Regency Complex, I have no objections to the abandonment of the proposed streets.

Respectfully submitted,



ANTHONY J. MANCUSO
Colonel
Chief of Police

PROVIDENCE POLICE DEPARTMENT

January 11, 1988

To: Captain Bernard E. Gannon

From: Sergeant Norman C. Zahlany

Subject: Proposed street abandonments: Portions of Fountain St., Jackson Walkway And Franklin

Sir:

I don't foresee any either traffic flow or safety problems being created by the proposed abandonment of Jackson Walkway or the section of Franklin Street. I do foresee a problem arising from the closure of Fountain Street with the traffic flow and also yet another parking problem being created for the people employed in this building.

Respectfully submitted,


Sergeant Norman C. Zahlany

CHARLES A. PISATURO, ESQ.
COMMISSIONER
CHIEF MICHAEL F. MOISE
FIRE CHIEF



JOSEPH R. PAOLINO, JR.
MAYOR

Department of Public Safety, Fire Department

"Building Pride In Providence"

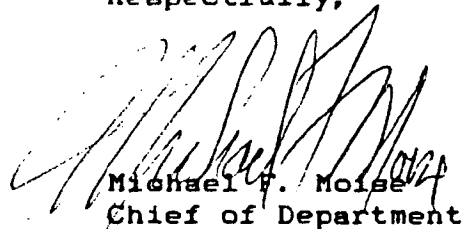
December 30, 1987

TO: Charles A. Pisaturo, Commissioner of Public Safety
FROM: Michael F. Moise, Chief of Department
SUBJECT: Street Abandonments - A portion of Fountain Street;
A portion of Jackson Walkway and Franklin Street

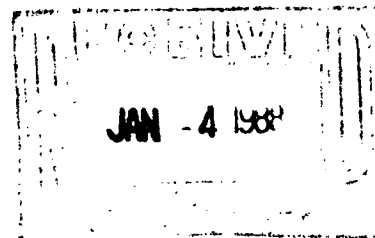
Dear Sir:

The request of the abandonments of a portion of Fountain Street; a portion of Jackson Walkway and Franklin Street as described in the petitions to the City Council, is approved, provided the previous discussions with architects and management personnel of the Regency Complex concerning the restrictions prescribed by the Fire Department are complied with.

Respectfully,


Michael F. Moise
Chief of Department

MFM:lra





Narragansett Electric

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

March 9, 1988

Committee on Public Works
Honorable City Council
Providence City Hall
Providence, Rhode Island

Re: Petition to abandon that portion of Fountain Street as
more specifically described on the attached plan.

Gentlemen:

The Narragansett Electric Company presently has underground electric facilities located in Fountain Street consisting of duct lines together with distribution supply cables. The lines supply electric service to customers which adjoins said Fountain Street and the relocation of these facilities would be difficult and extremely costly.

However, The Narragansett Electric Company will not object to the granting of said petition, provided that in the event that the petition is granted, the petitioners and other adjoining property owners will convey an easement acceptable to, and at no cost to, The Narragansett Electric Company which will permit the retention of our facilities in existing locations in said Fountain Street, together with the right to inspect, maintain, operate and replace the same.

Very truly yours,

Albert J. Lovegreen
Senior Field Right of Way Agent

AJL:mac

Enclosure

FRANKLIN STREET

$\Delta = 88^\circ 38' 30''$
 $R = 35.00$
 $L = 54.15$
 $T = 34.18$
 $C = 48.91$

242.01

AREA = 26,550 S.F.

236.70

80.09

301

50.00

N.O. 57
AC. NETWORK VAULT



171° 08' 13"

2499

125.44

$\Delta = 102^\circ 48' 36''$
 $R = 40.00$
 $L = 71.77$
 $T = 50.12$
 $C = 62.53$

GREENMAN LANE

103.71

86° 13' 12"

182.95

REGENCY
EAST

Fountain St.
(Proposed Abandonment)
Abutting Owners

AP. 25

lot # 430 Edward E. Zuker, Trustee of the Regency Plaza
Nominee Trust u/d/t.

429

"

"

"

"

"

"

"

"

"

"

"

"

435

"

"

"

"

"

"

"

"

"

"

"

"

GEORGE A. CALCAGNI
CHAIRMAN
ARMANDO PARILLO
VICE CHAIRMAN
JAMES A. LOMBARDI
Secretary
JOHN E. MARTINELLI
Legal Advisor
JEROME I. BARON
Ex-Officio



JOSEPH R. PAOLINO, JR.
MAYOR
~~XXXXXXXXXXXX~~
CHIEF ENGR./GENERAL MANAGER
RAYMOND COLA
City Councilman
ANDREW J. ANNALDO
City Councilman
MARY A. NOCERA
Member
LOUIS ORABONA
MEMBER

Water Supply Board
"Building Pride In Providence"

March 11, 1988

Councilman James Petrosinelli, Chairman
Committee on Public Works
City Clerk's Office
City Hall
Providence, Rhode Island 02903

Re: Petition to abandon portions of Fountain Street, Jackson Walkway,
and Franklin Street - Regency Plaza.

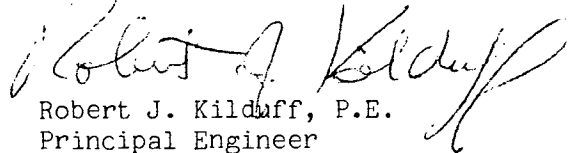
Dear Councilman Petrosinelli:

The Providence Water Supply Board has reviewed the proposed abandonment of the above mentioned streets and approves the abandonment of said streets.

Approval is contingent upon the granting of an acceptable easement for all active water mains and appurtenances within the abandoned areas.

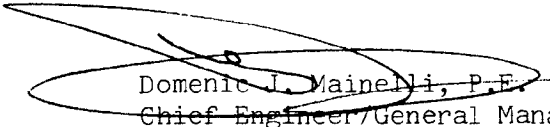
The Providence Water Supply Board reserves the right to approve final plans of the Regency Plaza regarding water mains and appurtenances.

Very truly yours,


Robert J. Kilduff, P.E.
Principal Engineer

RJK/mtd

Approved:


Domenic J. Mainelli, P.E.
Chief Engineer/General Manager

~~10000-1-1110A~~
DIRECTOR



JOSEPH R. PAOLINO, JR.
MAYOR

Department of Public Works

"Building Pride In Providence"

March 11, 1988

The Honorable James Petrosinelli
Chairman, Committee on Public Works
City Hall
Providence, RI 02903

Re: Abandonment of Fountain Street

Dear Councilman Petrosinelli:

The Department of Public Works has no objection to the abandonment of Fountain Street as noted on Providence, R.I., Public Works Department - Engineering Office, Street Line Section, Plan No. 064419, dated March 11, 1988, provided there is a full sewer easement therein.

If this Department can be of further assistance to you regarding this matter, please advise.

Very truly yours,

B. James Suzman
Director

BJS:cs

PROVIDENCE R. I.

ENGINEERING OFFICE

STREET LINE SECTION

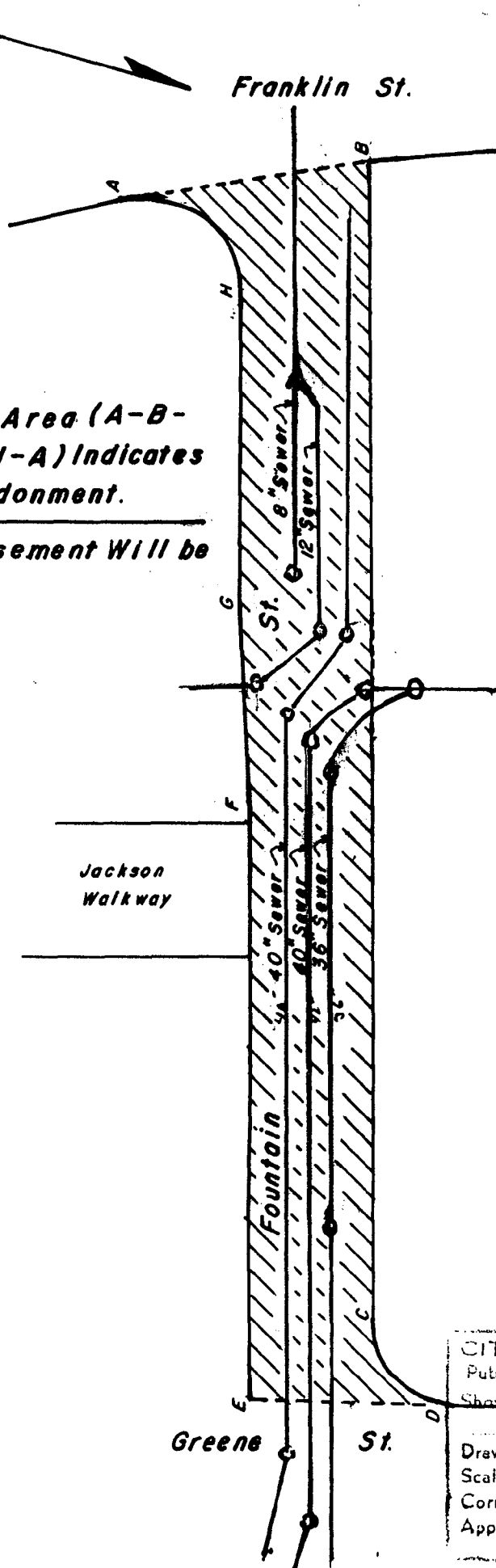
064419

March 11, 1988

Notes:

Cross-Hatched Area (A-B-C-D-E-F-G-H-A) Indicates Proposed Abandonment.

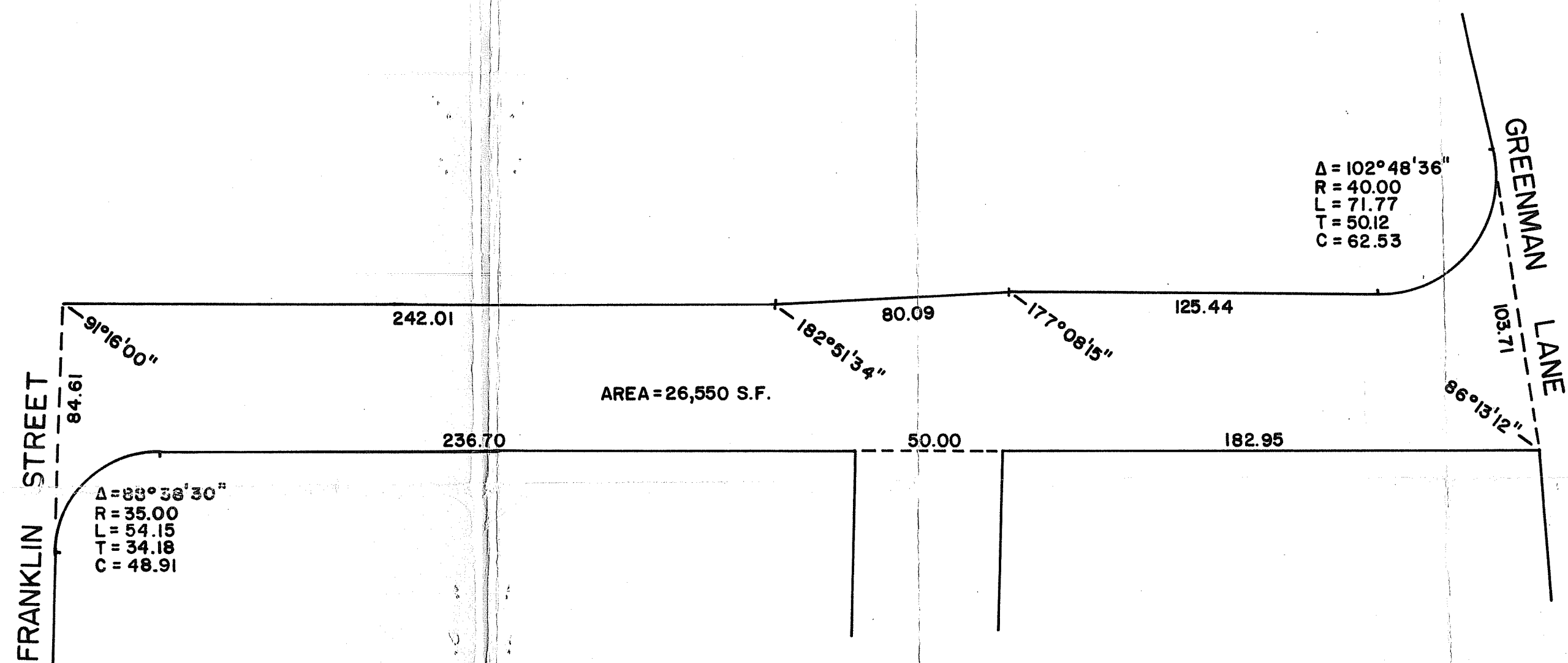
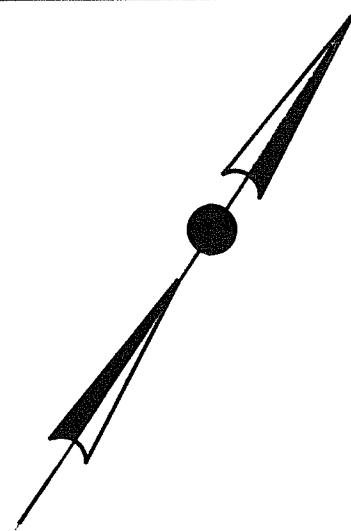
Full Sewer Easement Will be Required.



CITY OF PROVIDENCE, R. I.
Public Works Dept. - Engineering Office
Showing **Proposed Abandonment**

Drawn by **J.T.M.** Checked by **J.A.M.**
Scale **No. Scale** Date **3-11-88**
Correct **James G. Turner** Associate Eng.
Approved **Philip H. Smaragdakis** Chief Engineer

768
M-10



NO.		DATE		REVISION		BY	
PROJECT TITLE							
PLAN OF LAND IN PROVIDENCE, R.I. SHOWING A PORTION OF FOUNTAIN STREET BY BOARDMAN ASSOCIATES							
PROJECT NO.							
SCALE 1"=40'							
DATE 10/87							
DRAWN BY R.COOPER							
CHECKED BY							
DRAWING NO.							
BOARDMAN ASSOCIATES 1028 East Main Road PORTSMOUTH, RI 02871 (401) 683-2614							
OF SHTS							