

THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 147

Approved March 23, 1988

RESOLVED, DECREED AND ORDERED:

That the following name Street shown as cross-hatched area on the accompanying plan entitled, "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064418, 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 areas; 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 has been abandoned, who is known to reside within the State.

IN CITY COUNCIL  
MAR 16 1988

READ AND PASSED

*William W. Eaton*  
PRES.

*Rose M. Menchona*  
CLERK

APPROVED  
MAR 23 1988  
*John F. [Signature]*

THE COMMITTEE ON  
PUBLIC WORKS

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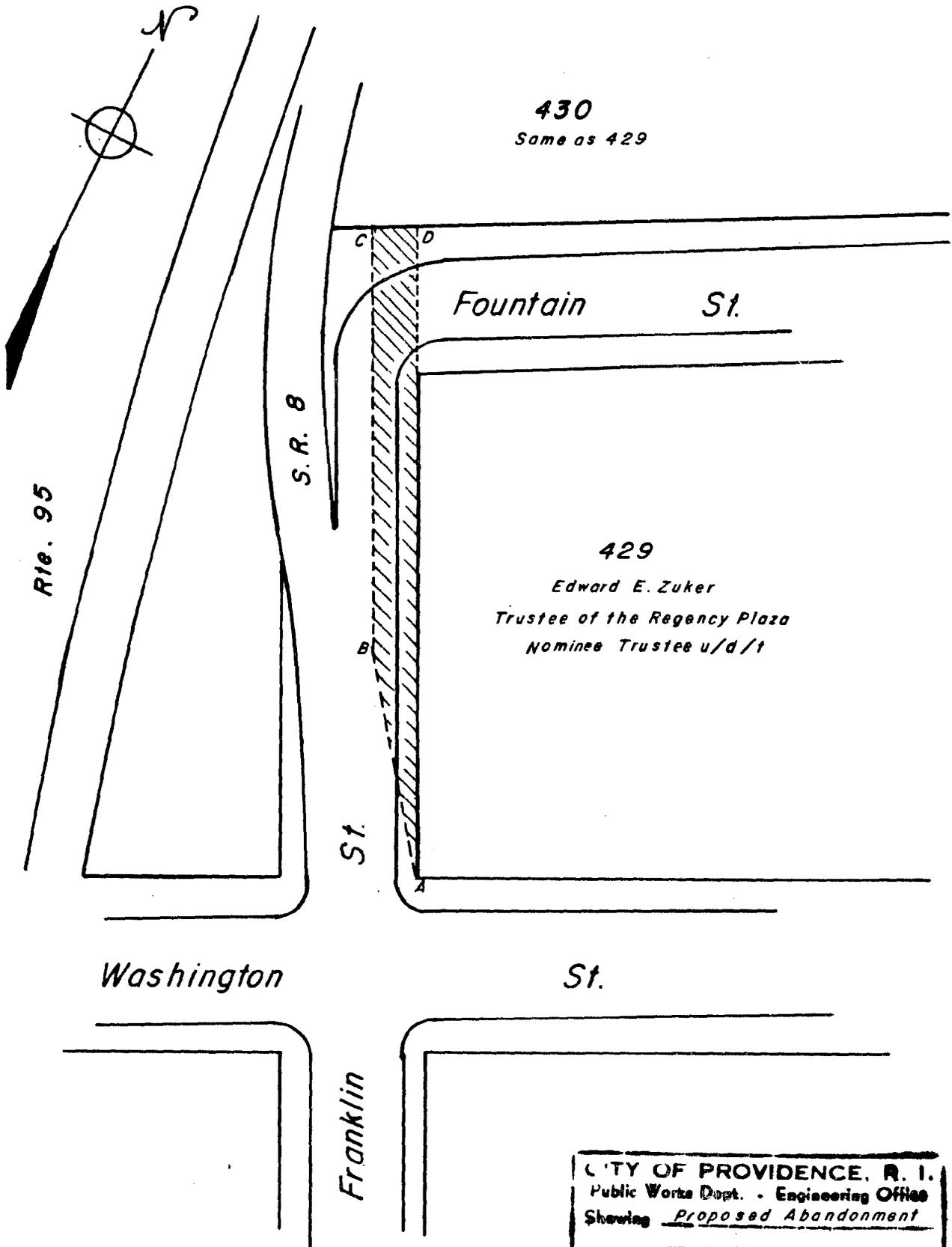
Approves Passage of  
The Within Resolution

*Robert M. Mendenhall*  
Chairman  
*Clair*  
March 9, 1955

Note:

Cross-Hatched Area (A-B-C-D-A)  
Indicates Proposed Abandonment.

PROVIDENCE R. I.
P. W. DEPT. ENGINEERING OFFICE
STREET LINE SECTION
Plan No 064418
Date March 11, 1988



CITY OF PROVIDENCE, R. I.
Public Works Dept. - Engineering Office
Showing Proposed Abandonment
Drawn by J.A.M. Checked by J.T.M.
Scale No Scale Date 3-11-88
Corrected by James T. Higgins Associate Engr.
Approved by [Signature] Chief Engin.

Lot Numbers From Assessor's Plat 25

**CITY OF PROVIDENCE**  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

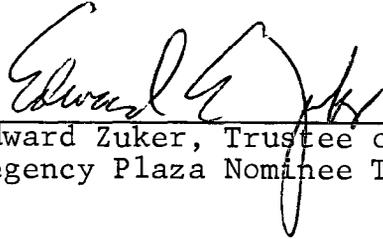
**PETITION TO THE CITY COUNCIL**

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

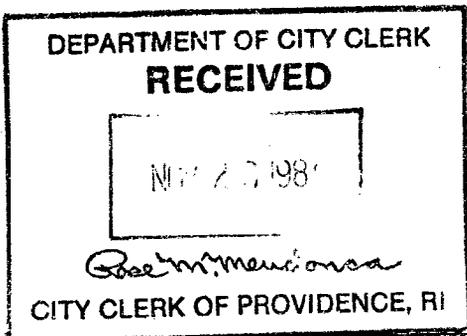
TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

*The undersigned respectfully petitions your honorable body*

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



Edward Zuker, Trustee of the  
Regency Plaza Nominee Trust



*Pd by Ch # 13090 ant # 75.00*

**FILED**

Nov 23 8 53 AM '87

DEPT. OF CITY CLERK  
PROVIDENCE, R.I.

IN CITY COUNCIL

EC 7

FIRST READING  
REFERRED TO COMMITTEE ON

PUBLIC WORKS

*Rozmenden* CLERK

*From the Clerk's Desk*

ROBERTS, CARROLL, FELDSTEIN & TUCKER  
INCORPORATED  
ATTORNEYS AT LAW

ONE OLD STONE SQUARE, PROVIDENCE, RHODE ISLAND 02903-7196

TELEPHONE 401-521-7000  
TELECOPIER 401-521-1328

DENNIS J. ROBERTS  
DENNIS J. ROBERTS II  
DAVID W. CARROLL  
EDWARD D. FELDSTEIN  
BRUCE G. TUCKER  
RICHARD M. PEIRCE  
BERNDT W. ANDERSON  
R. KELLY SHERIDAN

ROBERT A. MIGLIACCIO  
ROBERT P. LANDAU  
ROSEMARY HEALEY  
DENNIS E. GARLEY  
STEVEN D. MURRAY  
R. JEFFREY KNISLEY  
ROBERT L. VITALE  
JAMES M. GREEN

November 20, 1987

Ms. Rose Mendonca  
City Clerk  
City Hall  
Providence, RI 02903

Re: Regency Plaza Abandonment  
Our File No. 1021-1

Dear Ms. Mendonca:

Following up on our telephone conversation of this past Wednesday, I have prepared and am enclosing with this letter three new petitions for abandonment, each signed in behalf of the Regency Plaza owner, one for Jackson Walkway, one for Fountain Street and one for Franklin Street. Also enclosed is our check for \$150.

Per our earlier conversation, it is my understanding that you will attach to the petitions the respective plans forwarded with the earlier petition showing the portions of the streets and walkway to be abandoned, and that you will apply the \$75 check forwarded earlier toward the balance of the filing fee.

I would appreciate it if you would confirm that these petitions will be on the agenda for the next Council meeting on December 3. Thank you.

Sincerely yours,



Edward D. Feldstein

EDF/ljd  
Enclosures  
cc: Richard Scherr

FILED

Nov 23 8 53 AM '87

DEPT. OF CLERK  
PROVIDENCE, R.I.

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

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.

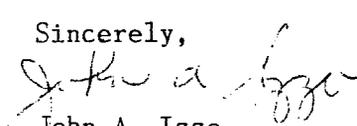
Dear Mr. Clement:

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).

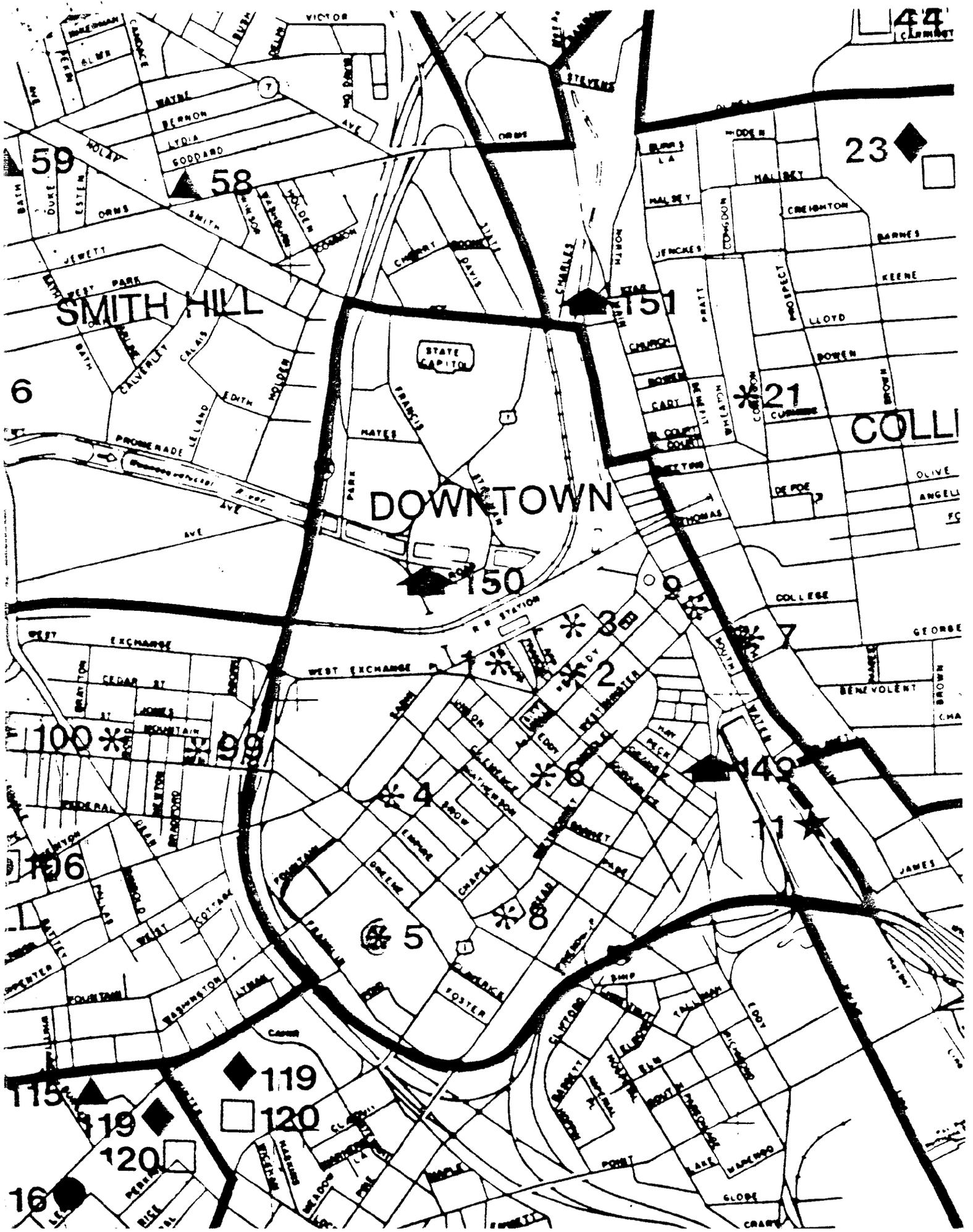
It is the opinion of the Department of Public Parks to reserve judgment on the abandonment of a portion of Jackson Walkway until all matters are cleared up. It is my recommendation that your department contact Mr. D'Amico as to the status of investigation into Jackson Walkway.

Sincerely,

  
John A. Izzo,  
Supervisor of Engineering  
and Planning

Enclosures

CC: Nancy L. Derrig,  
Superintendent of Parks



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CLARK

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SMITH HILL

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DOWNTOWN

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COLLIERVILLE

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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:

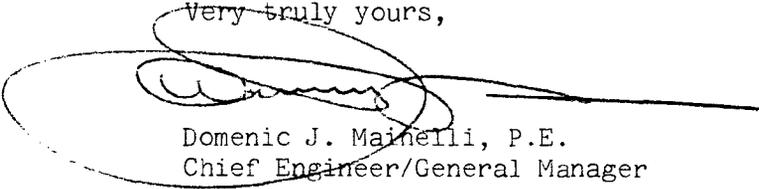
We are in receipt of your request to abandon portions of Fountain Street, Jackson Walkway, and Franklin Street.

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: Committee on Public Works

FROM: B. James Suzman, Traffic Engineer/Public Works Director

DATE: March 5, 1988

RE: Pending Matters

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#### 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

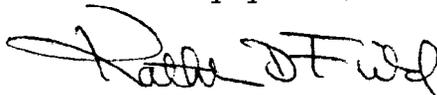
Committee on Public Works

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 cursive script, appearing to read 'Kathleen D. Field', written in dark ink.

Kathleen D. Field  
Associate Director of Planning

KDF/jp

cc: Thomas V. Moses



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

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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"

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:

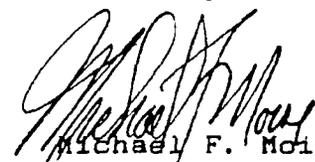
Access ways to the Regency, Regency East and Regency West are adequate for the Fire Department.

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

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"*

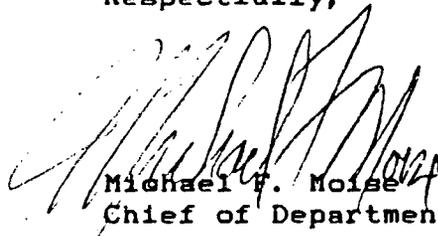
December 30, 1987

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

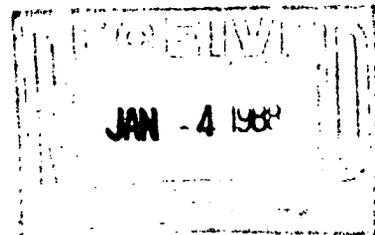
Dear Sir:

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





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 a portion of Franklin Street as  
more specifically described on the attached plan.

Gentlemen:

The Narragansett Electric Company presently has underground electric facilities located in Franklin Street consisting of a duct line together with distribution supply cables, 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 Franklin Street, together with the right to inspect, maintain, operate and replace the same.

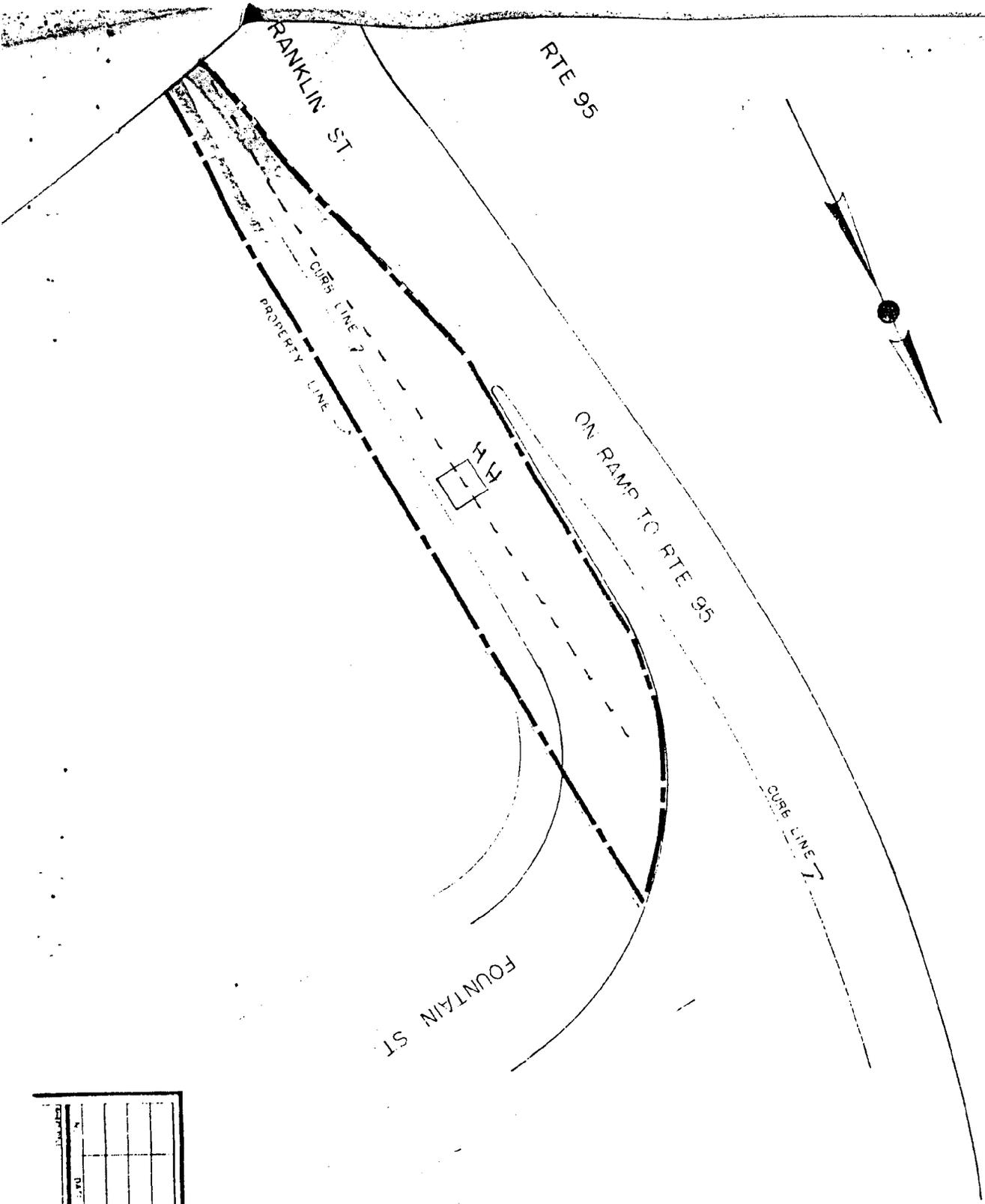
Very truly yours,

A handwritten signature in cursive script that reads "Albert J. Lovegreen".

Albert J. Lovegreen  
Senior Field Right of Way Agent

AJL:mac

Enclosure



NO.	DATE	REVISIONS

PLAN OF LANC  
 IN

Franklin St.  
(Proposed Abandonment)  
Abutting Owners.

AP 25

lot #430 Edward E. Zuker, Trustee of the Regency Plaza  
Nominnee 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.

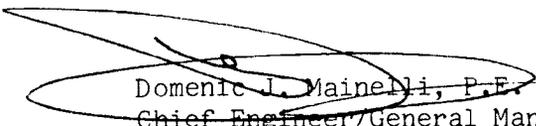
The Providence Water Supply Board reserves the right to approve final plans of the Regency Plaza regarding water mains and appurtenances.

Very truly yours,

  
Robert J. Kilduff, P.E.  
Principal Engineer

RJK/mtd

Approved:

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

~~JOSEPH R. PAOLINO, JR.~~  
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 Franklin Street

Dear Councilman Petrosinelli:

The Department of Public Works has no objection to the abandonment of Franklin Street as noted on Providence, R.I., Public Works Department - Engineering Office, Street Line Section, Plan No. 064418, dated March 11, 1988.

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

Very truly yours,

B. James Suzman  
Director

BJS:cs

