

RESOLUTION OF THE CITY COUNCIL

No. 169

Approved April 25, 2022

RESOLVED, DECREED AND ORDERED:

That the cross-hatched portion of MENDON STREET shown on the accompanying plan entitled "Providence, R.I., P.W. Dept & Engineering Office, Street Line Section Plan No. 064871, dated August 19, 2019," 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. Petitioner shall tender the amount of Fifteen Thousand Dollars (\$15,000.00) to the City of Providence, said amount having been determined by the Public Works Committee to reflect fair-market value.
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. If any utilities are discovered in the area to be abandoned as described above, Petitioner shall either grant as easement, satisfactory to the Petitioner, in favor of the utility, which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or, in the alternative, should it be determined by the Petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.
4. Petitioner shall comply with all conditions contained herein within sixty (60) days from the date of passage.
5. 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.

WHEREAS, On March 24, 2022, this Council approved Resolution #116, abandoning a portion of Mendon Street in favor of Petitioner Mario Capaldi; and

WHEREAS, That Resolution was recorded in the Providence Land Evidence Records at Book 13516, Page 3; and

WHEREAS, There was a scrivener's error therein;

IT IS RESOLVED, DECREED, AND ORDERED:

That the reference to the engineering plan in the introductory paragraph of Resolution #116 be amended to read "Providence, R.I., P.W. Dept & Engineering Office, Street Line Section Plan No. 064871, dated August 19, 2021," thus amending the year from 2019 to 2021.

IN CITY COUNCIL

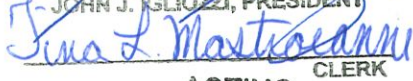
APR 21 2022

READ AND PASSED

As Amended

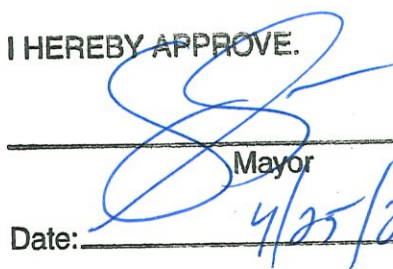


JOHN J. GLIOZZI, PRESIDENT



ACTING CLERK

I HEREBY APPROVE.



Mayor

Date:

4/25/22

RESOLUTION OF THE CITY COUNCIL

No. 116

Approved March 24, 2022

RESOLVED, DECREED AND ORDERED:

That the cross-hatched portion of MENDON STREET shown on the accompanying plan entitled "Providence, R.I., P.W. Dept & Engineering Office, Street Line Section Plan No. 064871, dated August 19, 2019," 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. Petitioner shall tender the amount of Fifteen Thousand Dollars (\$15,000.00) to the City of Providence, said amount having been determined by the Public Works Committee to reflect fair-market value.
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. If any utilities are discovered in the area to be abandoned as described above, Petitioner shall either grant as easement, satisfactory to the Petitioner, in favor of the utility, which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or, in the alternative, should it be determined by the Petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.
4. Petitioner shall comply with all conditions contained herein within sixty (60) days from the date of passage.
5. 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

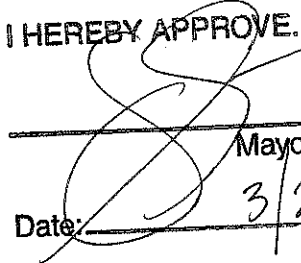
ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned who is known to reside within the State.

IN CITY COUNCIL

MAR 17 2022
READ AND PASSED


JOHN J. IGLIZZ, PRESIDENT

Tina L. Mastroianni
CLERK
ACTING

I HEREBY APPROVE.



Mayor
Date: 3/24/22

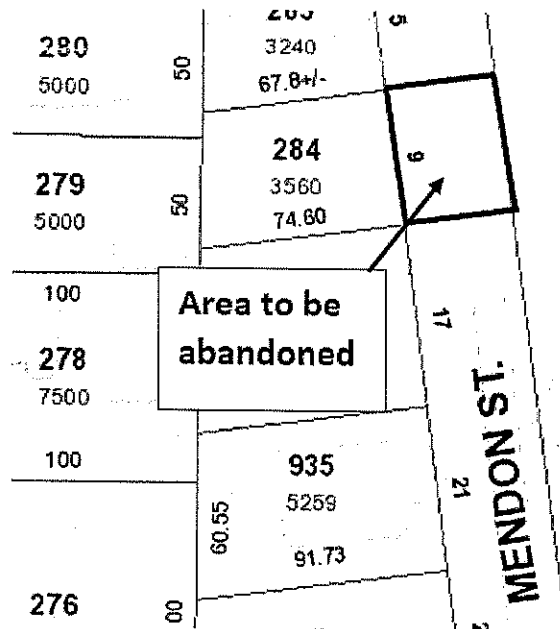
CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

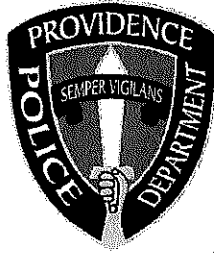
I, Mario Capaldi, owner of 9 Mendon Street in Providence, hereby request that the City of Providence abandon that portion of Mendon Street directly abutting my property, as shown on the attached map.



Sincerely,

Mario Capaldi

Mario Capaldi
9 Mendon Street
Providence, RI 02904



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

5/11/2011

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
Mendon Street

Sir,

After reviewing the petition for request of abandonment of portion of Mendon Street by Mr Mario Capaldi from 9 Mendon Street for Plat #97, Lot #304, dated April 5, 2021. 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"

April 21, 2021

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

RE: Petition Requesting to Abandon Portion of Mendon Street

Dear Councilman Correia:

I am in receipt of your memorandum regarding the petition that was filed by Mario Capaldi of 9 Mendon Street, Providence, Rhode Island who is requesting that the city abandon a portion of Mendon Street which directly abuts his property.

After review, it has been determined that this request would not have any impact on the Providence Fire Department and I do not have any public safety concerns at this time.

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

Respectfully,

A handwritten signature in black ink, reading "Steven M. Paré".

Steven M. Paré
Commissioner of Public Safety
Acting Chief of Department

cc: Sheri A. Petronio, First Deputy 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 25, 2021

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 Mendon St.

Dear Councilman Correia:

This department has no objection to the proposed abandonment of a portion of Mendon St. in conjunction with the attached plan, entitled "Prov., P.W. Dept.-Engineering Office, Street Line Section, Plan No. 064871. Area of abandonment is designated as cross-hatched area (A-B-C-D-A) on the accompanying plan.

Total square footage equals 1998+/- square feet.
See accompanying plan for plat and lot numbers.

According to Informational Bulletin 2003.1 issued by 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, property 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 "Leo J. Perrotta", written over a horizontal line.

Leo J. Perrotta

Director-D.P.W.

cc: Shawn Selleck-City Clerk
AZ-DPW, B. Nickerson-Planning Dept.
J. Dana, Esq.-Law Dept.
L. Garzone-Tax Assessors

700 Allens Avenue Providence, Rhode Island 02905
Phone 401-467-7950/Fax 401-941-2567
www.providenceri.com/dpw

Metes & Bound Description – A.P. 97 Lot 284 & a Portion of Mendon Street to be Abandoned

9 Mendon Street, Providence, Rhode Island

That certain lot or parcel of land located on the northerly terminus and paved end of Mendon Street, City of Providence, County of Providence, State of Rhode Island and being further described as follows.

Beginning at a northeasterly corner of the parcel herein described, said point being marked as "C" on a plan entitled "City of Providence, R.I., Public Works Dept. Engineering Office, Showing "Proposed Abandonment of Mendon Street, Drawn by jda, Scale 1" = 25 ft., Date: 08/16/2021, - Plan Number 768/Q-88". Said point also being (94.90) feet southerly from the intersection with the southerly line of Hagan Street.

Thence running southerly, bounding easterly by land now or formerly Hagan Apartments LP. - Lot 304 as found on Assessors Plat 97, a distance of forty nine and ninety four hundredths (49.94) feet to a point for a corner as marked with a "D" on said plan. Said point also being the northeasterly corner and terminus of Mendon Street;

Thence turning an interior angle of $90^{\circ}00'00''$, and running westerly, in part along the said northerly terminus of Mendon Street and in part along the northerly property line of land now or formerly Joanne & Raymond Francis, a distance of one hundred fourteen and sixty hundredths (114.60) feet to a point for a corner;

Thence turning an interior angle of $82^{\circ}15'17''$, and running northerly, bounded westerly in part by land now or formerly Mario Capaldi, and in part by land now or formerly Md Mostafigur, a distance of fifty and forty hundredths (50.40) feet to a point for a corner and land now or formerly Michael S. & Carrol Rodecker;

Thence turning an interior angle of $97^{\circ}44'43''$, and running easterly in part by said Rodecker land and in part by the southerly terminus of said Mendon Street, a distance of one hundred seven and eighty one hundredths (107.81) feet to the point and place of beginning.

The last described course forming an interior angle of $90^{\circ}00'00''$ with the intersection of the first described course,

Area of said lot or parcel of land equals 5553.6 Square Feet.



PROVIDENCE, R.I.

P.W.DEPT. ENGINEERING OFFICE

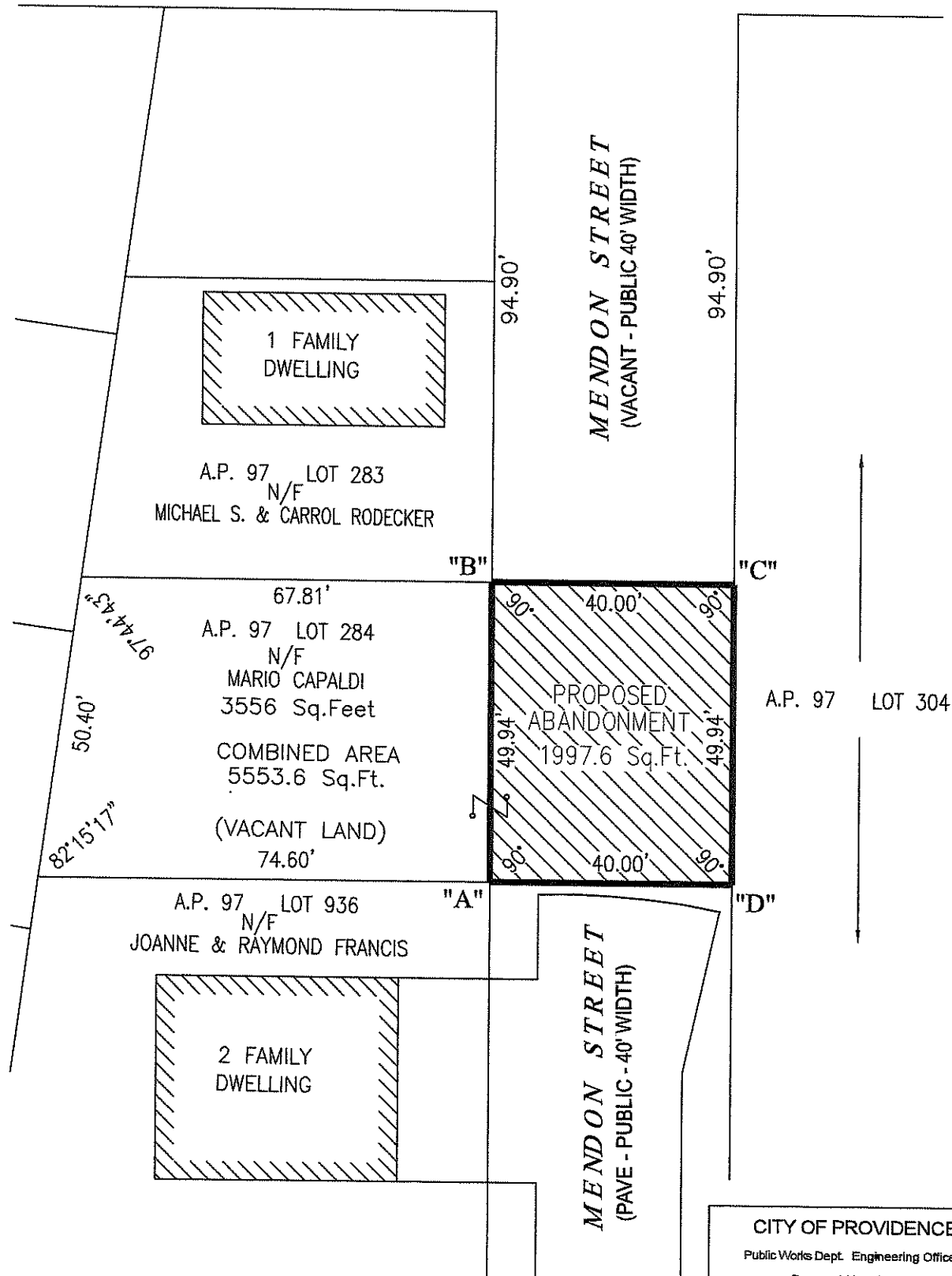
STREET LINE SECTION

Plan No. 064871

Date August 19, 2021

HAGAN STREET

(PUBLIC - 40.12' WIDTH)



NOTES: Cross-Hatched Area (A-B-C-D-A)
indicates proposed abandonment

No sewer easement required

1998+/- S.F..

Lot numbers taken from A.P. 97

CITY OF PROVIDENCE, R.I.

Public Works Dept. Engineering Office

Showing Proposed Abandonment of

Mendon Street

Drawn by jda Checked by bsa

Scale 1"= 25' Date 08-16-2021

Correct Associate Engr.

Approved

CHIEF ENGINEER



Tap Water Delivers

April 15, 2021

Ms. Sheri Petronio
First Deputy City Clerk
Providence City Hall
25 Dorrance Street
Providence, RI 02903

The Hon. Jorge O. Elorza
Mayor

Ricky Caruolo
General Manager

BOARD OF DIRECTORS

Xaykham Khamsyvoravong
Chairperson

Joseph D. Cataldi
Vice Chairperson

Michael J. Correia
Councilperson

Jo-Ann Ryan
Councilperson

Sara Silveria
Ex-Officio

Cristen L. Raucci, Esq.
Member

Dr. Alma M. Guerrero Bready
Member

Carissa R. Richard
Secretary

William E. O’Gara, Esq.
Legal Advisor

Subject: Petition to Abandon a Portion of Mendon St Plat 97, Lot 284 (9 Mendon St.)

Dear Ms. Petronio:

The above referenced portion of 9 Mendon St. Plat 97, Lot 284 has been reviewed for any impact this action might have on the Providence Water (PW) distribution system. Our records do not indicate any water system related infrastructure on that lot. Accordingly, Providence Water does not oppose this abandonment.

If you have any further questions, please feel free to contact me at (401) 521-6300, extension 7282.

Respectfully,
PROVIDENCE WATER

Chuck Brennan
Manager - Records

cc: P. LePage
A. Pion
File

MEMBER

Rhode Island Water Works Assn.
New England Water Works Assn.
American Water Works Assn.
Water Research Foundation

An EPA WaterSense Partner

(401) 521-6300

125 Dupont Drive
Providence, RI 02907

www.provwater.com

Follow us @provwater

Like us at:
facebook.com/Providencewater

Pelagian, Donna

From: Nilsson, Wendy
Sent: Monday, September 13, 2021 3:05 PM
To: Pelagian, Donna
Subject: Re: Mendon Street abandonment

✓
Sorry, not sure how I missed this, but I have no concerns regarding this abandonment.
Thanks,
Wendy

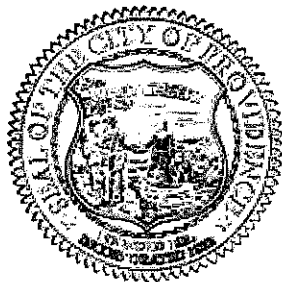
Sent from my iPhone

On Sep 13, 2021, at 3:00 PM, Pelagian, Donna <Dpelagian@providenceri.gov> wrote:

Hi Wendy,

Last week Jennifer Emidy sent you an email in regard to the abandonment of Sayles and Swan Street, which you had no objection to. I cannot find your response for the abandonment of a portion of Mendon Street. We need this for tomorrow night’s Public Works meeting in order to pass the item.

Regards,
Donna



Donna Pelagian
Stenographic Reporter to the City Council
City Clerk's Department
Providence City Hall
25 Dorrance Street
Providence, RI 02903
dpelagian@providenceri.gov
(401) 680-5571 | Ext: 5571
Call to Connect | [PVD311](#)

Elyse Paré
Tax Assessor

Janesse Muscatelli
Deputy City Assessor



PROVIDENCE A CITY THAT WORKS

Jorge O. Elorza
Mayor

**Finance Department
Office of Tax Assessment**

Department of the City Clerk
Shawn Selleck, City Clerk
25 Dorrance Street
Providence, RI 02903

6/30/2021

Dear Mr. Selleck,

We are currently in possession of a memorandum which requests an abandonment of a portion of Mendon Street located at Map 97 Lot 304, 30 Hagen Street. On the attached plan, the petition would be for a portion of Mendon Street to be abandoned. No survey of the square footage was provided. It appears the intent is to combine the abandonment with Lot 284. The letter states that it is part of Lot 304. Therefore, confusion exists. We were unable to determine whether or not this is a sale of a portion of City owned land at Lot 304, or an abandonment of an existing roadway.

Please provide us with a survey of the land to be sold or abandoned, and indicate where the parcel will be assembled once abandoned. We will be able to provide you with a value for this portion. If there is any additional information that we may be able to provide, please do not hesitate to contact us.

Respectfully submitted,

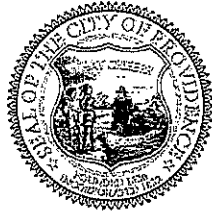
A handwritten signature in cursive script that reads "Elyse M. Paré".

Elyse M. Paré
Tax Assessor

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

Elyse Paré
Tax Assessor

Janesse Muscatelli
Deputy City Assessor



PROVIDENCE A CITY THAT WORKS

Jorge O. Elorza
Mayor

**Finance Department
Office of Tax Assessment**

October 21, 2021

Department of the City Clerk
Shawn Selleck, City Clerk
25 Dorrance Street
Providence, RI 02903

Dear Mr. Selleck,

We are currently in possession of a memorandum which basically requests an abandonment of a portion of Mendon Street located at Map 97 Lot 284, Mendon Street. On the new attached plan it would seem that the petition would be for a portion of Mendon Street containing 1998 sqft to be abandoned. It would also seem that the intent is to combine that abandonment of 1998 sqft with Lot 284. It is noted that currently lot 284 is not buildable and assessed for \$15,200 following the addition of the street the combined lot will be buildable. The new proposed lot would therefor contain 5554 sqft. Based on current Valuation Models the valuation difference between the existing and proposed lot would be \$50,100.

If there is any additional information that we may be able to provide, please do not hesitate to contact us.

Respectfully submitted,

A handwritten signature in black ink that reads "Janesse Muscatelli".

Janesse Muscatelli
Deputy Tax Assessor

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



City Plan Commission
Jorge O. Elorza, Mayor

April 28, 2021

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

Attn: Shawn Selleck, City Clerk

Re: Referral 3490 – Abandonment of Mendon Street
Petitioner: Mario Capaldi

Dear Councilman Correia:

At a meeting of the City Plan Commission (CPC) held on April 21, 2021, the CPC considered the request of the petitioner, Mario Capaldi, to abandon a portion of Mendon Street adjacent to 9 Mendon Street (AP 97 Lot 284), which is a vacant lot owned by the petitioner.

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 Mendon Street proposed for abandonment is undeveloped. The developed portion of Mendon Street runs north from Alaska Street and terminates before the subject lot. Lots adjacent to the subject lot are accessed from Hagan Street to the north. The proposed abandonment area is not used to access land and is not essential to providing access to other parts of the City. The CPC found that the abandonment would not have an adverse effect 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 no negative impacts are anticipated as the abandonment is not expected to 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 provide

DEPARTMENT OF PLANNING AND DEVELOPMENT
444 Westminster Street, Providence, Rhode Island 02903
401 680 8400 ph | 401 680 8492 fax
www.providenceri.com

access to other parts of the City. Upon completion of the abandonment, the portion of Mendon Street north of the abandonment area will remain vacant. The CPC recommended that the City Council explore options for the development, maintenance or abandonment of the remainder of the street.

3. All abutting landowners agree to the proposed abandonment.

The CPC is not aware of any objections from abutting landowners.

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 access to properties in the surrounding area will not be denied as a result of the abandonment.

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 Gazdacko seconded by Commissioner Bilodeau, the CPC unanimously voted to advise the Committee on Public Works that the petition for abandonment be approved.


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

- i. The petitioner shall grant any necessary easements for utility access and maintenance.
- ii. The petitioner shall apply for an administrative subdivision to merge the street with their property.
- iii. The CPC recommends that the City Council explore options for the development, maintenance or abandonment of the remainder of the street.

The CPC voted as follows:

Aye: M. Gazdacko, H. Bilodeau, L. Torrado, M. Quezada, C. Potter, C. West

Sincerely,


Choyon Manjrekar
Administrative Officer



August 31, 2021

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

Re: Petition to Abandon a portion of Mendon Street
Sent via email 8/31/21

Dear Ms. Petronio:

Please be advised that after review, it has been determined that National Grid has no electrical or gas equipment in the area proposed for abandonment.

Therefore, National Grid has no objection to the abandonment.

Please call me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Joyce-Ann Xifaras".

Joyce-Ann Xifaras
Real Estate Representative, Capital RI
Right of Way and Survey Engineering
nationalgrid | Operations Support

1-401-784-7513
Joyce-Ann.Xifaras@nationalgrid.com

280 Melrose Street, Providence, RI 02907



385 Myles Standish Blvd
Taunton, MA 02780

April 22, 2021

City of Providence
Office of the First Deputy City Clerk
25 Dorrance Street
Providence, Rhode Island 02903

ATTN: Sheri A. Petronio, First Deputy City Clerk

RE: PETITION TO ABANDON A PORTION OF MENDON STREET

Dear Ms. Petronio,

Upon investigation it has been determined that Verizon presently has no facilities on said portions of - Mendon Street near #30 Hagen Street, as presented in said Petition to be abandoned.

Verizon will not object to the granting of said Petition.

Sincerely,

A handwritten signature in black ink that reads "Daryl Crossman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Verizon New England Inc.
Attn: Daryl Crossman - ROW
385 Myles Standish Blvd
Taunton, MA 02780

(508) 398-5754 – South Yarmouth Office
(774) 409-3191 – Taunton Office
daryl.crossman@verizon.com - Email

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

DATE: April 20, 2021

TO: Sheri A Petronio
First Deputy City Clerk

FROM: Michael Caruolo, PE
Interceptor Maintenance Manager

RE: Abandonment of Property
9 Mendon St, Providence RI

I have received the petition dated April 5, 2021 along with attachments pertaining to the request to abandon a portion of Mendon St in Providence RI (running through Plat 97, Lot 304).

The Narragansett Bay Commission has no facilities within in this area designated. Therefore, we have no objections to the abandonment of the requested portion of Mendon St, Providence as depicted in the request.

A handwritten signature in black ink, appearing to be "M. Caruolo", is written over the text of the memorandum.