

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROCEEDINGS AT:

Providence City Hall
City of Providence

IN RE: Public Works

DATE: February 25, 2003
TIME: 6:00 PM
PLACE: Providence City Hall
25 Dorrance Street
Providence, RI

MEMBERS:

Terry Hassett, Chair
Rita Williams, Chairwoman
David Segal, Chairperson

ALSO PRESENT:

Mr. D'Amico, Solicitor
Scott Mitchell
John Crabtree

ORIGINAL

ALLIED COURT REPORTERS, INC.
115 PHENIX AVENUE
CRANSTON, RI 02920
(401) 946-5500

(TUESDAY, FEBRUARY 25, 2003)

(HEARING COMMENCED AT 6:00 PM)

COUNCILMAN HASSETT: The public hearing of Public Works will begin. I'm Councilman Terry Hassett. I am Chair of Public Works. To my right is Councilwoman Rita Williams representing Ward 4. A quorum is not necessary for a public hearing. It's simply the availing of the request of the two petitions that are on the agenda for this evening. It is important to note that there are no votes taken tonight. It's going to be for people to enter comments on the record for or against or however comments are relevant to each of the items.

A sign-in sheet is available for you to sign. I know at least one person has, so we will go right to the first item. Item one is a petition to abandon a portion of Fales Street. Are there any members of the public that want to speak in favor of or against the petition to abandon a portion of Fales Street? If you would like to come up and just explain a little bit about it. Just identify yourself for the record.

MR. MITCHELL: Scott Mitchell. Fales

1 Street is a short side street that runs between
2 two other streets. I own the property on both
3 sides of the street. There's only one house that
4 also requires access to get to their driveway
5 which faces Bridgham Street. I have spoken with
6 the people that own the properties on both ends
7 of that street. They're both -- they have
8 written a letter which I submitted at the last
9 meeting that I had gone to saying that they were
10 in full favor of that.

11 One of the problems is it's a small side
12 street, and in order for me to operate my
13 business and unload and load trucks, I need to
14 park in the street. It makes it very difficult
15 for us to get in and out of the business. It's
16 also used as a pass-through for a lot of speeding
17 cars, and it's a neighborhood with a lot of small
18 children in there. So there was just -- there
19 was a whole lot of reasons why I thought it would
20 be advantageous for taking over the street for
21 the business.

22 COUNCILMAN HASSETT: Okay. Any
23 questions?

24 COUNCILWOMAN WILLIAMS: Yes. You own

1 451 and 454? I see. Who owns 451 and 452?

2 MR. MITCHELL: I don't know where
3 those are. There are two properties that face
4 Bridgham Street, yes. These are properties owned
5 by a corporation, Women's Development
6 Corporation, and they own about seven properties
7 in the neighborhood, and they're the people I
8 have the letter from, and that were in full favor
9 of this.

10 COUNCILWOMAN WILLIAMS: Do you have a
11 letter to submit for the record?

12 MR. MITCHELL: I have the original
13 copy. I don't have a copy for you, but I have
14 one to show you.

15 COUNCILMAN HASSETT: Could you make
16 that available to the clerk, so before you leave
17 she can make a copy of the original for our
18 records? We will attach it to the petition.

19 MR. MITCHELL: Absolutely.

20 COUNCILMAN HASSETT: The clerk, is
21 there any objections? I didn't see the entire
22 file.

23 (INAUDIBLE)

24 MR. D'AMICO: Neither Parks nor Water

1 Supply Board has any objection. Traffic
2 engineering has no objection. The City Planning
3 Commission indicates that there is -- the
4 abandonment would not be detrimental to public
5 interest, and traffic patterns would not be
6 adversely affected.

7 There are no anticipated negative impacts
8 from the abandonment, and that their access will
9 not be denied to surrounding areas. They do not
10 know about the impacts on utilities, but
11 hopefully we will get to that, and they vote to
12 recommend. There are, in fact, overhead
13 facilities, electrical lines there?

14 MR. MITCHELL: One, yes, one street
15 light.

16 MR. D'AMICO: Verizon has no
17 utilities. Narragansett Bay has no utilities,
18 and the Gas Company has no objection. If I may
19 note there is, however, noted on the Department
20 of Public Works map that I believe you members
21 have, there's a private sewer line in that
22 street.

23 MR. MITCHELL: Do you know which
24 property?

1 COUNCILWOMAN WILLIAMS: I suspect,
2 but I don't know that it's from lot 154. You can
3 certainly look at that map.

4 COUNCILMAN HASSETT: Fales Street,
5 Arch Street to Bridgham Street?

6 MR. MITCHELL: Yes.

7 COUNCILMAN HASSETT: So it's the full
8 length of that?

9 MR. MITCHELL: If that's the property
10 for the sewer line, that's my property.

11 COUNCILWOMAN WILLIAMS: Finally,
12 Mr. Floreano's estimated cost is \$6,000. I
13 believe the committee has -- why don't I just
14 give that to the committee so they may review
15 that.

16 COUNCILMAN HASSETT: Mr. Solicitor,
17 there are no objections, is that accurate?

18 MR. D'AMICO: I believe that's
19 accurate. The only thing we noted is that one of
20 the utilities, the Electric Company, has overhead
21 lines in the area. There's a private sewer line
22 apparently on that property. We do not have a
23 response, I believe, from either the fire
24 department or the police department.

1 COUNCILWOMAN WILLIAMS: I am just
2 curious about whether there was a development
3 corporation and whether, like, a portion that
4 their two properties abut it and what you
5 discussed with them regarding that.

6 MR. MITCHELL: Right, what we had
7 talked about after this process was complete is
8 that I would meet with them and deed that end of
9 the street to them so that they would be able to
10 have access to their driveway.

11 One of the buildings has a parking lot, the
12 other one does not. So it actually would become
13 a huge advantage for them because they would have
14 additional off-street parking which is a problem
15 in that area.

16 COUNCILMAN HASSETT: So basically
17 they would get one half, you get the other?

18 MR. MITCHELL: They would get, like,
19 one third, and I would get two thirds of the
20 other end of it, and I have spoken to the local
21 police in the area, so I am pretty sure they will
22 be supportive.

23 The lot across the street from my house that
24 I also own at one time was being used for --

1 there was when I first bought the property, there
2 was a lot of stolen and abandoned cars that
3 continued until I had been there about six
4 months.

5 Since I lived in the neighborhood all the
6 activity has stopped. The neighborhood has
7 improved, and so the police have actually been
8 favorable to me and my business being there.

9 COUNCILMAN HASSETT: So we don't have
10 any of the records. Police and fire have no
11 objection.

12 MR. D'AMICO: We have a notation in
13 the file that the fire responded. I didn't see
14 the letter.

15 COUNCILMAN HASSETT: What's fire's
16 response?

17 MR. D'AMICO: Fire's response
18 provided there's no permanent barriers on the
19 street, that they would have no objection.
20 They're looking for 24-hour access. They're
21 saying that a locked gate that would swing open
22 would be acceptable, and I don't know this to be
23 the case, but there's something thrashing around
24 in my head that we have done that previously.

1 COUNCILMAN HASSETT: Similar to
2 what's on Fulton Street?

3 MR. D'AMICO: I believe so. The one
4 that comes to mind is the one near the hurricane
5 barrier for the Electric Company.

6 COUNCILWOMAN WILLIAMS: Collier Park.

7 COUNCILMAN HASSETT: That's
8 absolutely correct.

9 MR. D'AMICO: So it would be, what we
10 have done in the past is, what I believe we have
11 done in the past is that there would be
12 essentially the petitioner would talk with the
13 chief fire marshall to arrive at a gate that
14 would be acceptable to the two of them.

15 MR. MITCHELL: Again, my property is
16 the only property on that street that the fire
17 would need access to. There's a local alarm
18 system within my building with a lock box on the
19 outside so the fire department already has keys
20 in access to my building. So it would be easy to
21 supply them with a key to the street.

22 COUNCILMAN HASSETT: Just for the
23 health and safety of it.

24 MR. MITCHELL: Yes, absolutely.

1 COUNCILMAN HASSETT: That's squared
2 away.

3 MR. MITCHELL: Yes.

4 COUNCILMAN HASSETT: William Flores,
5 Director of Property Management Construction, I
6 will read into the record, "Pursuant to your
7 request, I have visited the site referenced above
8 which is Fales Street. The purpose of this visit
9 was to determine fair market value, contains
10 4,000 square feet zoned residential. The site
11 will require easement for private drainage line
12 as depicted."

13 The Department of Public Works easement would
14 approve any restrictions of the site, therefore,
15 it would reduce the actual value by 50 percent,
16 therefore the equation is 4,000 square feet at
17 \$1.50 per square feet, total of \$6,000.00. You
18 said something about \$6500.00?

19 MR. D'AMICO: If the letter says
20 6,000, that's what I read originally.

21 COUNCILMAN HASSETT: Okay. Thank
22 you, Mr. Mitchell.

23 MR. MITCHELL: Thank you.

24 COUNCILMAN HASSETT: Make sure you

1 give it to her, and she will make a copy.

2 COUNCILMAN HASSETT: Any objectors?
3 No opponents. Okay, item 2, petition to abandon
4 a portion of Stanhope Street. I will just read a
5 letter from Councilwoman Carol Romano,
6 Councilwoman from Ward 4, regarding the petition
7 to abandon a portion of Stanhope Street. "Dear
8 Chairman and Members of the Public Works
9 Committee, please accept this letter and my
10 support in the abandonment of a portion of
11 Stanhope Street. I respectfully request the
12 committee approve this. Thank you for your
13 consideration. If you have any questions please
14 give me a call. Councilwoman Romano."

15 There are two proponents. John Crabtree,
16 MacGregor Street.

17 MR. CRABTREE: Correct. That sums it
18 up right there. I was just wondering if I could
19 obtain -- I have photographs, obtain half of the
20 street that's adjacent that's right next to my
21 residence.

22 COUNCILMAN HASSETT: Stanhope. Okay.
23 Note for the record Councilman David Segal is
24 also present.

1 COUNCILWOMAN WILLIAMS: Is
2 Stanhope -- what street is Stanhope? On the
3 other side? On the north side? What is here?

4 MR. CRABTREE: There, I believe.

5 COUNCILWOMAN WILLIAMS: It's a dead
6 end. So where does it continue in the southerly
7 direction to?

8 MR. CRABTREE: It continues three
9 streets down to another dead end.

10 COUNCILWOMAN WILLIAMS: Thank you.

11 COUNCILMAN HASSETT: Prospect street,
12 is that near the hill?

13 MR. CRABTREE: No, it's near Branch
14 Avenue and Charles Street.

15 COUNCILWOMAN WILLIAMS: So it's one
16 of those streets that kind of people build houses
17 and it just progresses along. There's no rhyme
18 or reason with regard to the layout of the
19 street. So there's a dead end on either end of
20 Stanhope Street, is that what you're telling us?

21 MR. CRABTREE: Correct.

22 COUNCILMAN HASSETT: Mr. Solicitor,
23 what do you have? Thank you, Mr. Crabtree.

24 There are no opponents to this petition so that

1 area is completed. We're waiting for
2 Mr. Solicitor for utilities?

3 MR. D'AMICO: I am sorry. If I may,
4 we do not have responses from police or fire.
5 Public Works has no objection, parks, traffic
6 engineer. City Planning Commission has no
7 objection and recommends approval. The utilities
8 have no objection except that Narragansett
9 Electric indicates that it's unable to determine
10 whether or not it has facilities in the area. So
11 I think that you would be able to -- you may wish
12 to give them, make it conditional upon an
13 easement if they require one, and I do not.

14 COUNCILMAN HASSETT: Did they
15 respond?

16 MR. D'AMICO: Yes, they responded.
17 They indicated that they were unable to determine
18 whether or not there were facilities. "Please be
19 advised that after a review we are unable to
20 determine whether Narragansett Electric Company
21 has any facility situated in the area of
22 MacGregor Street proposed for abandonment.
23 Please provide me with a sketch of the proposed
24 abandonment area."

1 COUNCILMAN HASSETT: I would say they
2 don't know if they have utilities if you start
3 the process.

4 MR. D'AMICO: And the Water Supply
5 Board requires a right of way for a 6-inch water
6 main, and that can be in the usual form. If I
7 may, Mr. Chair? Do you anticipate building on
8 any portion of the proposed abandonment?

9 MR. CRABTREE: I did want to put a
10 one or two-car garage towards the back of
11 Stanhope, almost in the picture right where it
12 ends. That's all I wanted to build.

13 COUNCILMAN HASSETT: Is that your
14 house there in the picture?

15 MR. CRABTREE: That's my house.

16 COUNCILMAN HASSETT: Where the
17 trailer is?

18 MR. CRABTREE: A little further away
19 back from the trailer.

20 COUNCILMAN HASSETT: We have two
21 outstanding issues, Narragansett Electric to
22 determine whether there are lines. They're not
23 making the request in the beginning but --

24 MR. D'AMICO: Actually, if I may,

1 Mr. Chair, I believe that you do not have a
2 response from the fire department. We do not
3 have a response from Mr. Floreano, and the issue
4 that he raises is correct with respect to the
5 water to the Narragansett Electric.

6 COUNCILMAN HASSETT: Make a note we
7 can contact Narragansett Electric so they can
8 find if they have lines. There's a pole there.
9 Usually when you ask they send a letter saying we
10 do have certain but that hasn't been determined
11 and who else, Mr. Floreano as far as the value.

12 MR. D'AMICO: That's correct.

13 COUNCILMAN HASSETT: And who else?

14 MR. D'AMICO: The fire, police,
15 public safety department.

16 COUNCILMAN HASSETT: So police, fire,
17 water board does have easement.

18 MR. D'AMICO: Board needs an
19 easement.

20 COUNCILMAN HASSETT: So that's the
21 list of things we have to get before we take it
22 upstairs. Actually, ordinarily you would have a
23 meeting at the rise of public hearing so we can
24 take action. Actually this is working out in

1 favor for us to collect those letters to make a
2 determination as to what easements may be
3 necessary for people to sign which makes your
4 life easier. Also, the value of the property is
5 based on Mr. Floreano's evaluation.

6 COUNCILWOMAN WILLIAMS: One other
7 question, the abutter on the other side, do we
8 know who that is? Have you communicated with
9 that person?

10 MR. CRABTREE: The other side of
11 what?

12 COUNCILWOMAN WILLIAMS: The other
13 side of Stanhope. Your house is on one side.
14 You need to determine who owns the abutting
15 property.

16 MR. CRABTREE: On the opposite side,
17 that's Narragansett Electric.

18 COUNCILWOMAN WILLIAMS: Narragansett
19 Electric owns that portion?

20 MR. CRABTREE: I'm pretty sure they
21 do.

22 COUNCILMAN HASSETT: You think they
23 would know if they have utilities if they own the
24 property.

1 MR. CRABTREE: The only thing I can
2 tell you is, the pole is -- that's the only pole
3 that's there.

4 COUNCILMAN HASSETT: You're the only
5 house there?

6 MR. CRABTREE: Yes, that is on the
7 other side of me.

8 COUNCILWOMAN WILLIAMS: My question
9 is usually you need to know what the abutters,
10 what their opinion is, and they need to sign off.

11 MR. CRABTREE: Right after that pole,
12 there's a cliff that goes down towards Candle
13 Park.

14 COUNCILMAN HASSETT: Technically, I
15 think the right of way is to the middle of the
16 street. I think that's why both sides of the
17 street have to have participation with sharing.
18 That's the reason the question was asked. We
19 have our list. We will notify you.

20 MR. CRABTREE: Thank you.

21 COUNCILMAN HASSETT: We will notify
22 both parties when the meeting is so that we can
23 actually take formal action. It actually worked
24 in our favor by not having a meeting at the rise

1 because we have issues on the second petition.

2 All right. Is there anything else?

3 MR. D'AMICO: Not that I am aware of,
4 Mr. Chairman.

5 COUNCILMAN HASSETT: Then the public
6 hearing on Public Works is now adjourned. Thank
7 you very much for coming. The public hearing is
8 closed.

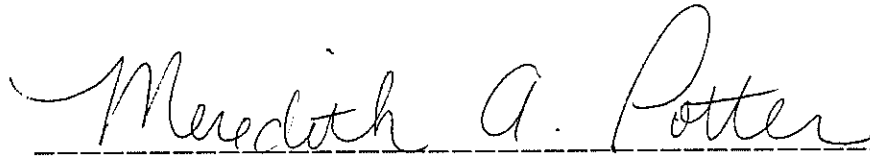
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10 (MATTER ADJOURNED AT 6:20 PM)

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C E R T I F I C A T E

I, Meredith A. Potter, do hereby
certify that the foregoing is a true, accurate,
and complete transcript of my notes taken at the
above-entitled hearing.

IN WITNESS WHEREOF, I hereunto set my
hand this 28th day of February 2003.



MEREDITH A. POTTER, RPR, NOTARY PUBLIC
MY COMMISSION EXPIRES 3/31/04

DATE: February 25, 2003

IN RE: City of Providence, Public Hearing
HEARING OF: Committee on Public Works

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