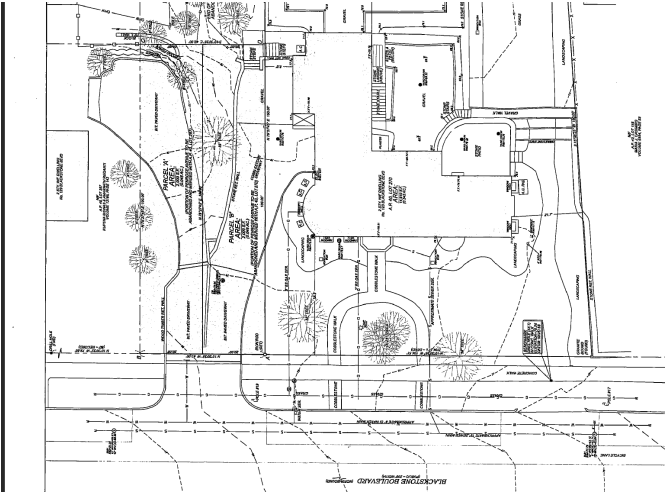


# Providence City Plan Commission February 15, 2022



## AGENDA ITEM 5 ■ ABANDONMENT OF PENROSE AVE



Proposed abandonment area



Aerial view of the site

## OVERVIEW

<b>PETITIONERS:</b>	Marie Jean Langlois, Trustee Amarnath Reganti and Rupsha Biswas	<b>PROJECT DESCRIPTION:</b>	Abandonment of a portion of Penrose Ave
<b>CASE NO./ PROJECT TYPE:</b>	<b>REFERRAL 3509</b> Right-of-way abandonment		
<b>PROJECT LOCATION:</b>	Penrose Ave located between 123 and 129 Blackstone Boulevard	<b>RECOMMENDATION:</b>	Recommendation of approval subject to the noted findings of fact
<b>NEIGHBORHOOD:</b>	Blackstone	<b>PROJECT PLANNER:</b>	Choyon Manjrekar

**OVERVIEW**

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

**FINDINGS OF FACT**

The *City Plan Commission Handbook* Policy No. 1: “Criteria and Guidelines for Approval of Street, Highway and Rights-of-way Abandonment,” states that six standards should be met before the Commission recommends approval of an abandonment request. Below are the standards, including staff comments for each:

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

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

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

It is not apparent that the abandonment will negatively affect future plans for development or existing land use as the abandonment area is already developed. No negative impact to the health and welfare of the surrounding community is expected as the street is not essential to provide access to other parts of the City.

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

The petitioners own the lots abutting the abandonment area.

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

No physical or legal access will be denied as the petitioners own all land surrounding the abandonment area.

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

It is unknown whether public services or facilities need to be protected, provided or maintained. The petitioners would need to 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 have been provided.

**RECOMMENDATION**

Based on the foregoing discussion, the City Plan Commission should advise the Committee on Public Works that the proposed abandonment be approved subject to the following conditions:

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

CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
**PETITION TO THE CITY COUNCIL**


TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:  
*The undersigned respectfully petitions your honorable body to abandon a portion of Penrose Avenue located on Assessor's Plat 40 between 123 Blackstone Boulevard (Lot 270) and 129 Blackstone Boulevard (Lot 297)*

*Be it ordained by the City of Providence*

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

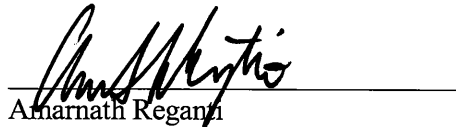
We are requesting this abandonment because no street or road has ever been constructed on this portion of Penrose Avenue and it is of no use to the public. Portions of driveways serving the homes at 123 and 129 are located on this portion of Penrose Avenue. If abandoned, each of the applicants intends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

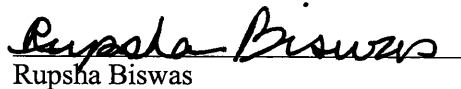
The attached plan depicts the area proposed for abandonment and surrounding property.

  
Marie Jean Langlois, Trustee

123 Blackstone Boulevard  
Providence, Rhode Island 02906

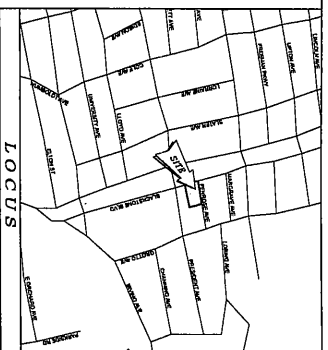
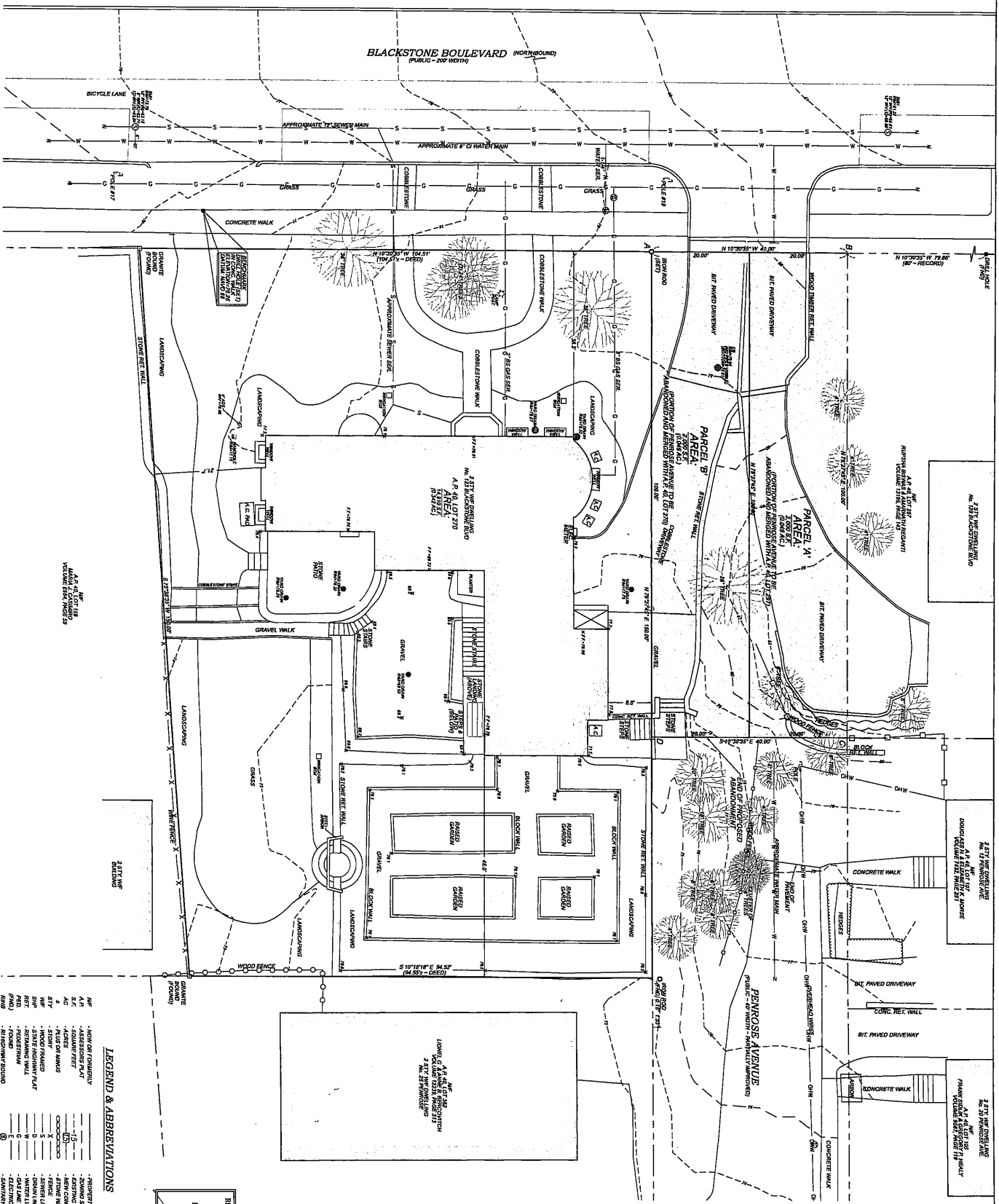
December 10, 2021

  
Amarnath Reganti

  
Rupsha Biswas

129 Blackstone Boulevard  
Providence, Rhode Island 02906

December 10, 2021



NOTES / REFERENCES

1. REFERENCES MADE TO THE FOLLOWING MAPS AND PLANS BY RECORD:
  - A. A PLAN DATED 1970 TO RESERVE EASEMENTS, PLATTED MAP, 1889 BY CHARLES E. BUNT, WHICH IS RECORDED WITH THE LAND RECORDS OF THE CITY OF PROVIDENCE, RHODE ISLAND.
  - B. A PLAN DATED 1970 TO RESERVE EASEMENTS, PLATTED MAP, 1889 BY CHARLES E. BUNT, WHICH IS RECORDED WITH THE LAND RECORDS OF THE CITY OF PROVIDENCE, RHODE ISLAND.
  - C. A PLAN DATED 1970 TO RESERVE EASEMENTS, PLATTED MAP, 1889 BY CHARLES E. BUNT, WHICH IS RECORDED WITH THE LAND RECORDS OF THE CITY OF PROVIDENCE, RHODE ISLAND.
2. REFERENCE IS MADE TO THE FOLLOWING CITY OF PROVIDENCE RECORDS:
  - A. A PLAN DATED 1970 TO RESERVE EASEMENTS, PLATTED MAP, 1889 BY CHARLES E. BUNT, WHICH IS RECORDED WITH THE LAND RECORDS OF THE CITY OF PROVIDENCE, RHODE ISLAND.
  - B. A PLAN DATED 1970 TO RESERVE EASEMENTS, PLATTED MAP, 1889 BY CHARLES E. BUNT, WHICH IS RECORDED WITH THE LAND RECORDS OF THE CITY OF PROVIDENCE, RHODE ISLAND.
  - C. A PLAN DATED 1970 TO RESERVE EASEMENTS, PLATTED MAP, 1889 BY CHARLES E. BUNT, WHICH IS RECORDED WITH THE LAND RECORDS OF THE CITY OF PROVIDENCE, RHODE ISLAND.
3. REFERENCE IS MADE TO THE FOLLOWING CITY OF PROVIDENCE RECORDS:
  - A. A PLAN DATED 1970 TO RESERVE EASEMENTS, PLATTED MAP, 1889 BY CHARLES E. BUNT, WHICH IS RECORDED WITH THE LAND RECORDS OF THE CITY OF PROVIDENCE, RHODE ISLAND.
  - B. A PLAN DATED 1970 TO RESERVE EASEMENTS, PLATTED MAP, 1889 BY CHARLES E. BUNT, WHICH IS RECORDED WITH THE LAND RECORDS OF THE CITY OF PROVIDENCE, RHODE ISLAND.
  - C. A PLAN DATED 1970 TO RESERVE EASEMENTS, PLATTED MAP, 1889 BY CHARLES E. BUNT, WHICH IS RECORDED WITH THE LAND RECORDS OF THE CITY OF PROVIDENCE, RHODE ISLAND.
4. THESE MEASURES ARE SUBMITTED IN ACCORDANCE WITH THE FOLLOWING:
  - A. A PLAN DATED 1970 TO RESERVE EASEMENTS, PLATTED MAP, 1889 BY CHARLES E. BUNT, WHICH IS RECORDED WITH THE LAND RECORDS OF THE CITY OF PROVIDENCE, RHODE ISLAND.
  - B. A PLAN DATED 1970 TO RESERVE EASEMENTS, PLATTED MAP, 1889 BY CHARLES E. BUNT, WHICH IS RECORDED WITH THE LAND RECORDS OF THE CITY OF PROVIDENCE, RHODE ISLAND.
  - C. A PLAN DATED 1970 TO RESERVE EASEMENTS, PLATTED MAP, 1889 BY CHARLES E. BUNT, WHICH IS RECORDED WITH THE LAND RECORDS OF THE CITY OF PROVIDENCE, RHODE ISLAND.

CERTIFICATION

I, **ROBERT S. LITVITZ**, a duly licensed Professional Engineer in the State of Rhode Island, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the property, and that the same is in accordance with the provisions of the laws of the State of Rhode Island relating to the practice of the profession of Engineering.

BY: **ROBERT S. LITVITZ**, P.E.  
DATE: **11/09/2021**

LEGEND & ABBREVIATIONS

- PROPERTY LINE
- EASEMENT
- STREET
- WATER LINE
- SEWER LINE
- UTILITY
- CONCRETE
- GRAVEL
- LANDSCAPING
- WOOD
- STONE
- IRON
- STEEL
- ALUMINUM
- COPPER
- BRASS
- GLASS
- PLASTIC
- CEMENT
- ASPHALT
- PAVEMENT
- CONCRETE
- GRAVEL
- LANDSCAPING
- WOOD
- STONE
- IRON
- STEEL
- ALUMINUM
- COPPER
- BRASS
- GLASS
- PLASTIC
- CEMENT
- ASPHALT
- PAVEMENT

**Waterman**  
ENGINEERING COMPANY

40 Shattuck Avenue  
Providence, Rhode Island 02903  
Phone: (401) 272-2777  
Fax: (401) 272-2778  
www.watermaneng.com

NO.	DATE	DESCRIPTION	BY	DATE
1	07/20/21	QUANTITY OF MATERIALS REQUIRED FOR CONSTRUCTION OF THE PROJECT	RL	
2	11/09/21	APPROVAL OF THE PROJECT PLAN FOR CONSTRUCTION	RL	