

PALUMBO LAW

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•Admitted RI *Admitted MA ∞Admitted CT ^Admitted US DC RI #Admitted US DC MA ◊Admitted Puerto Rico +Admitted Board of Veterans Appeal

April 24, 2023

Via Hand Delivery

Edward Pimentel, AICP
Zoning Officer
Zoning Division
East Providence City Hall- 2nd Floor
145 Taunton Avenue
East Providence, RI 02914

RE: Joseph Ruggiero and Orchid Montessori School- 877 Broadway, East Providence, Rhode Island
Dimensional Variance Requests

Mr. Pimentel:

As you know, this office represents Maria Dias, owner of the abutting property located at 182 Grove Avenue. Ms. Dias objects to the variance requests by the property owner and potential operator at 877 Broadway, East Providence, RI. The proposed variances are not in the best interest of Ms. Dias' tenants and of her property located at 182 Grove Street. The requested variances will create numerous safety issues for her tenants, and the persons and children accessing and exiting the property at 877 Broadway. In addition, the variance request will add to an already congested area and create dangerous situations for residents, motorists, and the general public. Ms. Dias also objects to the requested variances as they will result in an undue overburdening and expansion of the existing right of way on her property.

481 Atwood Avenue, Cranston, Rhode Island 02920

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Cranston, Rhode Island

Dedham, Massachusetts

New Haven, Connecticut

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Enclosed are this original and fourteen copies of the following:

1. A reduced copy of a Boundary Stake-Out Survey prepared by Richard T. Bzdyra, PLS, of the property located at 182 Grove Street, which shows the ROW on my client's property and the ROW dimensions; a larger version of this Boundary Stake-Out Survey will be available at the hearing;
2. Letter from Mr. James Breting, 182 Grove Avenue, Apartment 1, East Providence, RI 02914;
3. Letter from Dylan M. Burgess, 182 Grove Avenue, East Providence, RI 02914; and
4. Photographs taken by Ms. Dias with comments and notes.

At the meeting on April 5, 2023, Attorney Landry indicated that the traffic pattern and possibly other items of his client's plan and proposal may be changing. As we have not yet had a chance to review any changes, my client reserves the right to supplement their opposition based upon any changes made through testimony or supplementary documentation, if needed. Thank you.

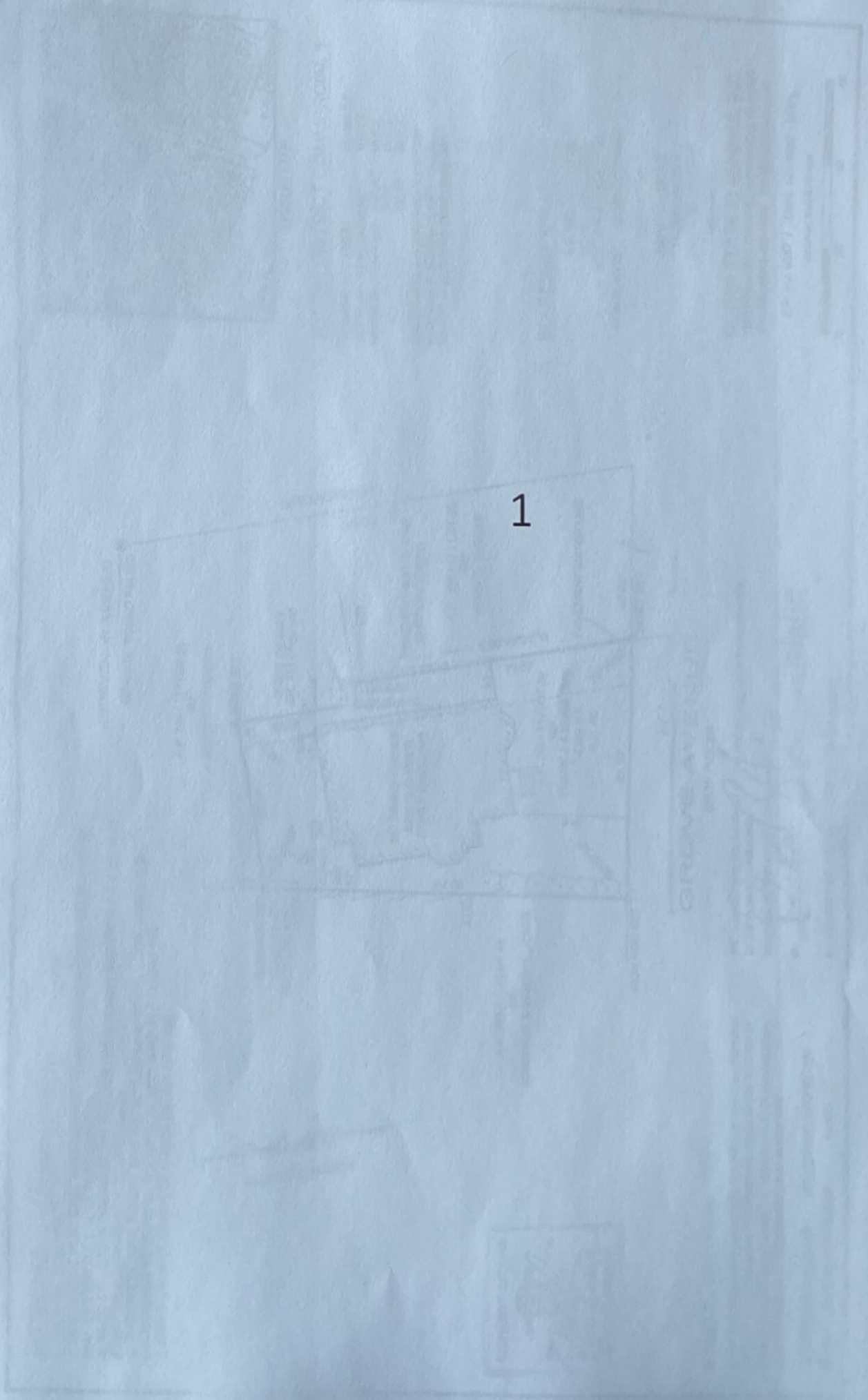
Very truly yours,

Richard J. Welch

Richard J. Welch, Esq.

Enclosures

1



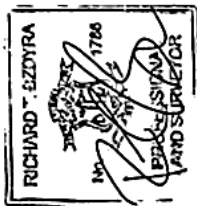
GROVE AVENUE

Scale 1" = 100'



REFERENCE:

1. DEED BK. 3820 / PG. 4
2. THE PIERCE PLAT EAST PROVIDENCE, R.I. ON GROVE AVENUE GALEN PIERCE W.M. DEXTER JULY 1888" PLAT CARD 88
3. "PLOT OF LOTS IN SEEKONK, DR. WILLIAM GROSVENOR AND WIFE JULY 28, 1848 ATWATER & SCHUBARTH" PLAT CARD 82
4. "PARTITION PLAT, EQUITY SUIT No. 5811 WILLIAM GROSVENOR, JAMES B.M. GROSVENOR BY MARK W. SCHOFIELD, DEC. 1902" PLAT CARD 242
5. RIGHT OF WAY OVER LOT / DEED BK. 451 / PG. 188



SURVEY CLASSIFICATION:

THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO SECTION 9 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON NOVEMBER 25, 2015, AS FOLLOWS:

TYPE OF BOUNDARY SURVEY: MEASUREMENT SPECIFICATION
 LIMITED CONTENT BOUNDARY SURVEY CLASS 1



LOCUS MAP

ZONING DISTRICT COMMERCIAL 1

MINIMUM LOT AREA 10,000 S.F.
 MINIMUM LOT FRONTAGE 100 FT.
 MINIMUM SETBACKS: FRONT 15 FT.
 SIDE 10 FT.
 REAR 20 FT.
 MAXIMUM BUILDING HEIGHT 3 STORY
 MAXIMUM BUILDING HEIGHT 40 FT.
 MAXIMUM BUILDING COVERAGE 35%

BOUNDARY STAKE-OUT SURVEY

A.P. 206 / 11 / LOT 29
 182 GROVE AVENUE
 EAST PROVIDENCE, R.I.
 SCALE: 1" = 20' DATE: DECEMBER 11, 2019

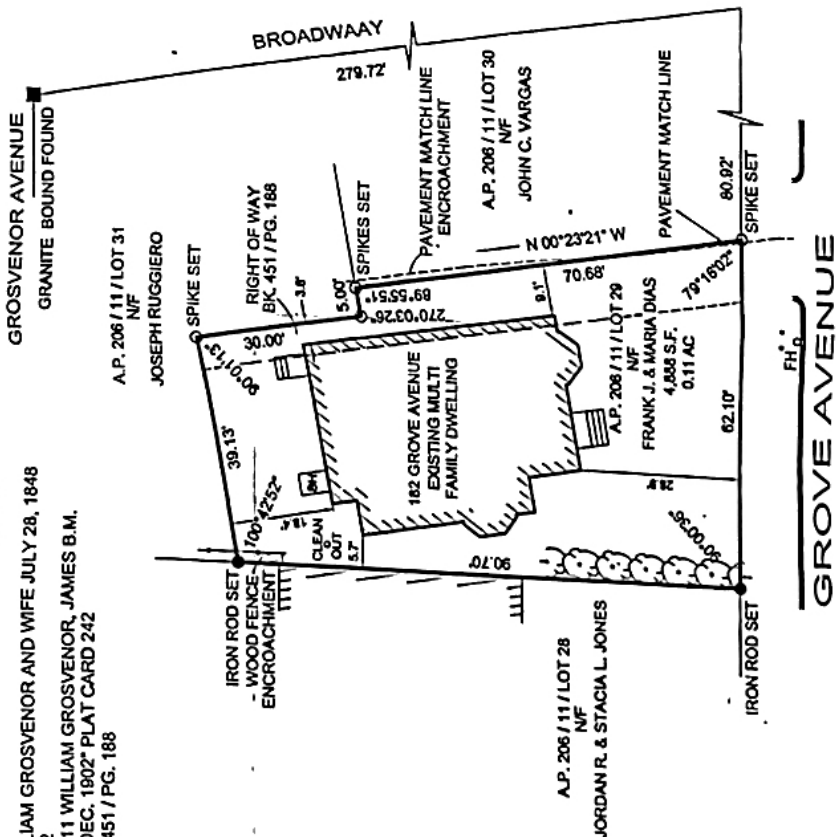
PREPARED FOR:
MARIA DIAS
 11 EVELYN WAY
 SEEKONK, MA 02771

PREPARED BY:

OCEAN STATE PLANNERS, INC.
 1255 OAKLAWN AVENUE, CRANSTON, RI 02920
 PHONE: (401) 453-0006 info@osplanners.com

JOB NO. 0557 / DWG. NO. 0557 - (JNP)

GRAPHIC SCALE 1" = 20'



THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THE PLAN IS AS FOLLOWS:
 TO ESTABLISH EXACTLY THE BOUNDARY LINES.

BY: *[Signature]* DATE: 12/11/19

BY: RICHARD T. SZDYRA, PLS.; LICENSE #1786; COA # LS-680

James O'Connell
1234 Main Street
New York, NY 10001

City of New York
Department of
Transportation
1234 Main Street
New York, NY 10001

March 21, 2023

Re: Easement at 123 Grove Ave

2

Dear Sir,

My designated parking area at the above address is the southeast corner of the premises. I park my vehicle on the west side of the easement and have been parking there for the past 20 years.

On several occasions, other vehicles have used through the easement area and caused damage. It is my understanding that this easement is only supposed to be used by emergency vehicles.

I have been informed that the building at 577 Broadway will be converted into a school. The plan is to use the land on a specific lot for the local neighborhood children to use as a school. There's been talk about the use and it's not suitable for use of a lot. With the building being used and school is going to be constructed and parking is the easement at 123 Grove Ave, currently there is a public easement for use as a parking area in the area. I feel this would cause an unsafe environment.

Please consider everyone's safety in this matter.

Thank You,

Sincerely,



James Breting
182 Grove Ave Apt 1
East Providence RI 02914

City of East Providence
Zoning Board
145 Taunton Ave
East Providence RI 02914

March 25, 2023

Re: Easement at 182 Grove Ave

Dear Sir:

My designated parking area at the above address is the southeast corner of this residence. I park my vehicle on the west side of the easement and have been parking there for the past six years.

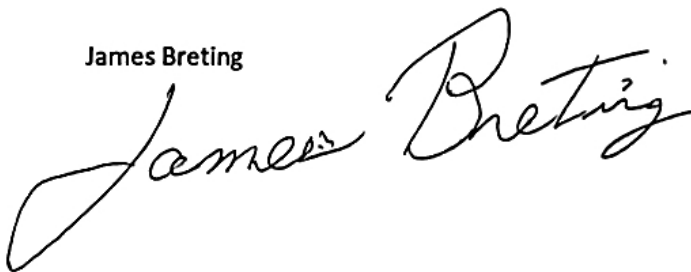
On several occasions some vehicles have sped through the easement area and nearly struck me. It is my understanding that this easement is only supposed to be used by emergency vehicles.

I have been informed that the building at 877 Broadway will be converted into a school. I feel that this location is unsafe for the special needs children to use as a school. There is heavy traffic and the rear exit is not suitable in case of a fire. With this building being used as a school it would cause interference with parking to the residents at 182 Grove Ave, currently there is parking available in front and only one parking spot in the rear. I feel this would cause an unsafe environment for all.

Please consider everyone's safety in this matter.

Thank You,

James Breting

A handwritten signature in black ink that reads "James Breting". The signature is written in a cursive style with a large, sweeping initial "J" and a distinct "Breting" ending.

181 Grove Ave

East Providence RI 02914

Doris M Burgess

It is my great concern at the proposed third third turn lane at 181 Grove Ave for the last 4-5 years. When this lane, I have seen a couple of small businesses across the building behind my window. I have seen business that have moved down the road and some conversations happen to the extent where there were people going out they would "use" my car for being back street. Some would say "who would live there?" and other people. Another concern is the use of the easement running between the properties. Those drops at the driveway drive down the pure fall and actually almost block my neighbor's house and I, we were standing at the end of the in the front, and people fly in and out of the easement. It is not safe. I have come out to go to work some morning and they have had cars and trash cans blocking the way in my apartment that would use. There has been some major inconveniences and safety issues. A "business" house which projects out to use, but they go out on the inside between the house to avoid the traffic. I would like this place was going to be a school. I think that is a terrible idea, especially there is traffic on all sides of the property, not to mention almost getting stuck down. I can't imagine a child in that situation. There is absolutely no more room for additional vehicles, never mind any added traffic from dropoffs and pickups, then add the vehicles. When I finally look at the location of the address, this looks like a major fire disaster. My landlord (Mena Lee) had gotten the property surveyed a few years ago. Recently, we have noticed that two owners' easements have been moved and pushed back. These are just some of the concerns that have been happening. I appreciate the opportunity to be heard.

3

Doris M Burgess

182 Grove Ave

East Providence RI, 02914

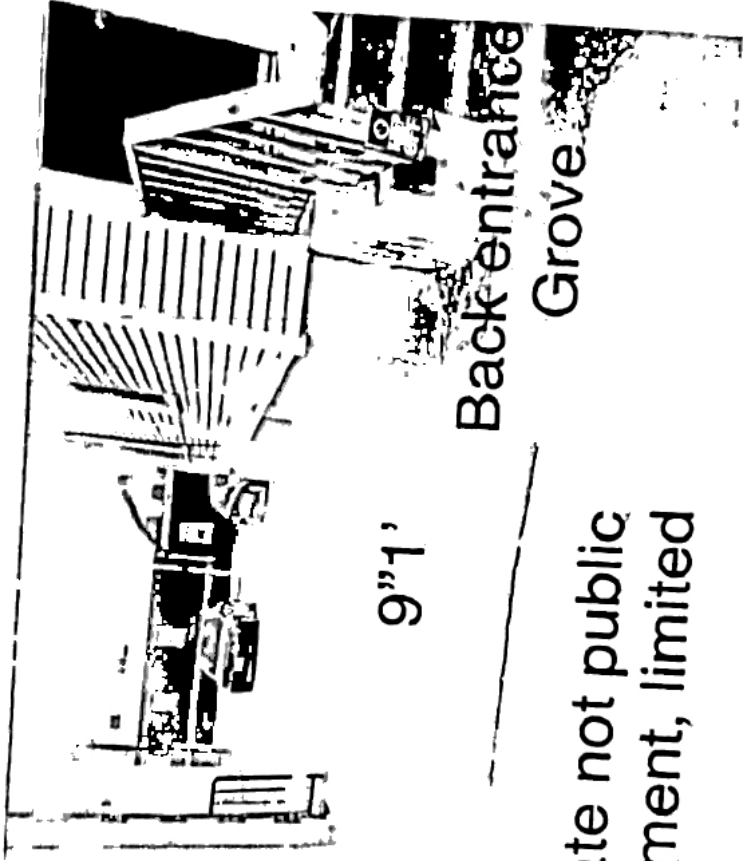
Dylan M Burgess

To whom it may concern at the zoning board, I have been living at 182 Grove Ave for the last 4.5 years. During this time, I have seen a couple different businesses occupy the building behind my address. I have never had issues that I am having now. I have heard several conversations happen, to the extent where there were people joking that they should "tow" my car for being back there. Comments such as "who would live there?" and other comments. A major concern is the use of the easement running between the properties. These people at the property drive down this quite fast, and actually almost struck my neighbor James and I. We were standing at 182 Grove Ave in the front, and people fly in and out of the easement. It is not safe. I have come out to go to work some mornings, and they have had cars and trash cans blocking the exit from my apartment that I would use. There has been some major inconveniences and safety issues. This "business" has a whole separate exit to use, but they go out on the space between the house to avoid the traffic. I heard this place was going to be a school. I think that is a terrible idea, considering there is traffic on all sides of the property, not to mention almost getting stuck down. I can't imagine a child in that situation. There is absolutely no more room for additional vehicles, never mind the added traffic from drop offs and pickups, then add the children. With a simple look at the location of the address, this looks like a recipe for disaster. My landlord (Maria Dias) had gotten the property surveyed some time ago. Recently, we have noticed that they barriers in place have been moved and pushed back. These are just some of the occurrences that have been happening. I appreciate the opportunity to be read/heard.

Thanks, Dylan M Burgess.

Handwritten text, possibly a signature or date, located in the bottom left corner of the page.

10' Across, I measured it
from my building 182
Grove to 877 Broadway.
My survey shows 9'1"



Private not public
easement, limited

9'1"

Back entrance
Grove

Back entrance 182 Gme
Ave, Fire Escape
Some area residents
inches from driveway
(easement) Safety concerns



Back entrance
182 Grove

Car is parked belongs
182 Grove Ave, as
you can see NO
buffer between properties

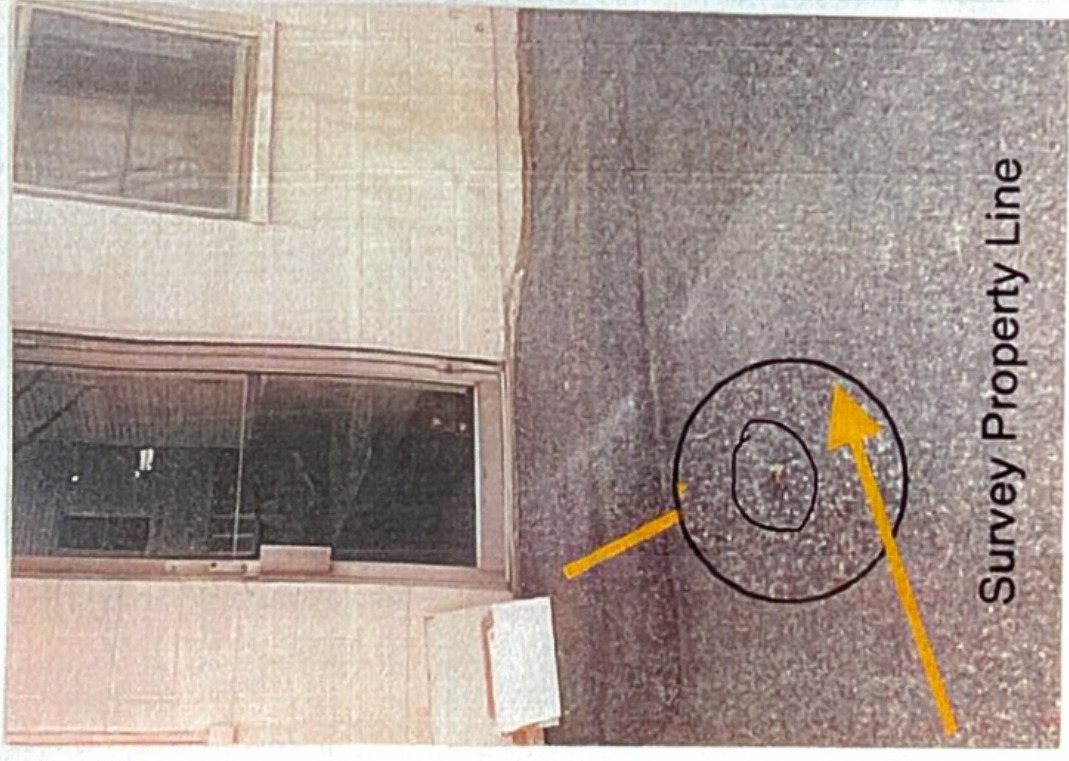


No property buffer exists

Survey markers done
182 Grove Ave, doorway
877 Broadway

Car traffic 182 Grove
travel opposite direction
site design since traveling
other direction would
mean trespassing 877
Broadway.

1 way IN - flawed since
no way mandate such flow
police & patrol mandate
flow such business



Survey Property Line

Survey markers done
182 Grove Ave, doorway
877 Broadway

car traffic 182 Grove
travel opposite direction
site design since traveling
other direction would
mean trespassing 877
Broadway.

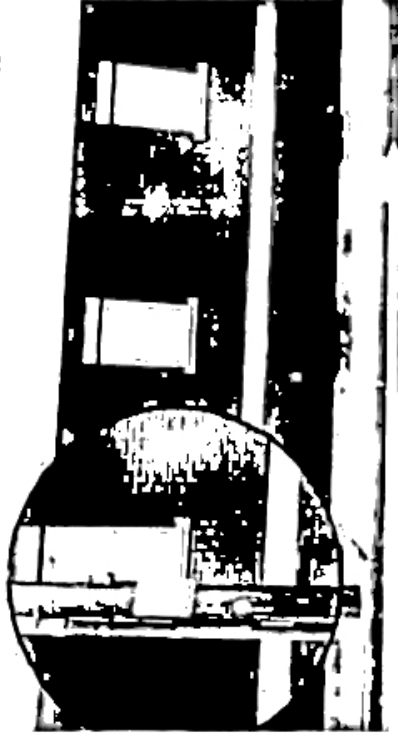
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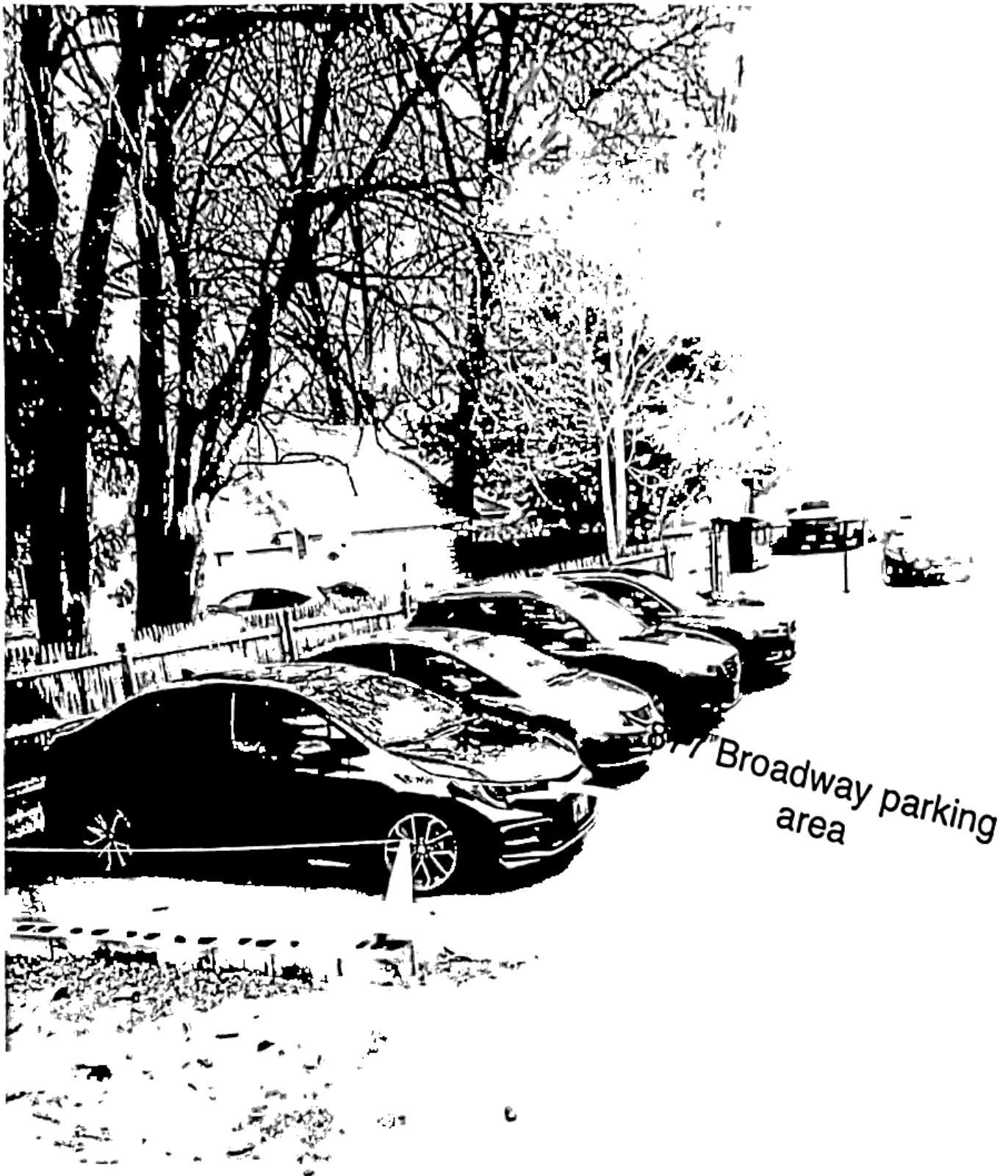




No parking areas
Grave marked

No parking across
Street Grave in areas
~~marked~~ marked





Traffic path for Grove, follows property markers not to trespass 877 Broadway



Garbage bins overloaded, no
dumpster

