

# RESOLUTION OF THE CITY COUNCIL

*No. 483*

*Approved August 15, 1994*

WHEREAS, Merit Oil of Rhode Island, Inc. (hereinafter "Merit Oil") is the owner of a gasoline station located at 386 Elmwood Avenue, Providence, Rhode Island; and

WHEREAS, Merit Oil seeks to replace certain underground storage tanks, enlarge storage capacity to 40,600 gallons, and undertake other construction in order to modernize the station and to meet federally mandated vapor recovery regulations,

NOW, THEREFORE, BE IT RESOLVED That Merit Oil is authorized to remove, replace and enlarge the underground gasoline storage and to undertake the construction of the required vapor recovery system and the improvements listed in its application of 29 June 1994, provided, however:

1. That all construction is undertaken consistently with the plans presented to the City Council Committee on Public Works and the Department of Inspection and Standards as those plans may be modified by the Department of Inspection and Standards.

2. Merit Oil shall perform any remediation of environmental damage at or originating at the situs of the station which is necessary so as to satisfy the legal requirements of any governmental body or agency.

3. In the event that the construction requires obstruction or displacement of the public way, Merit Oil shall execute an indemnification and hold harmless agreement satisfactory to the City Solicitor and shall provide insurance (or, if self-insured, certificate of financial responsibility) in an amount of not less than one hundred thousand dollars (\$100,000.00) listing the City of Providence, its agents, successors, employees, and assigns as additional named insureds. Such policy shall be acceptable to the City Solicitor.

4. Merit Oil does agree that by undertaking any construction pursuant to this Resolution, all statements or representation(s) are made a part of this Resolution and any authorization granted hereunder are specifically conditioned upon compliance with said statements and representation(s).

THE COMMITTEE ON  
PUBLIC WORKS

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Approves Passage of  
The Within Resolution

*Barbara A. Garrison*  
Chairman  
7/14/94 *Clut*

5. Such other conditions as His Honor, the Mayor; and the City Solicitor may impose thereon.

IN CITY COUNCIL  
AUG 4 1994  
READ AND PASSED  
*James H. Smith*  
PRES.  
*Michael L. Clement*  
CLERK

APPROVED  
AUG 15 1994  
*Vincent A. Cianci*  
MAYOR

# APPLICATION FOR FUEL DISPENSING PERMIT

Permit No. \_\_\_\_\_ By \_\_\_\_\_ Date 6/29/94

To the Director of the Department of Inspection & Standards:

1. \_\_\_\_\_ Building District \_\_\_\_\_ Ward \_\_\_\_\_
2. Street Location 396 FLEMWOOD AVE
3. Plat 49 Lot 568
4. Owner MERIT OIL OF RHODE ISLAND INC.
5. New \_\_\_\_\_ Existing GASOLINE STATION
6. Number of Buildings One (1) BUILDING
7. Number of Curb Cuts EXIST = 6 Width SAME AS SHOWN, PLAN
8. Drawings Accompanying Application YES
9. Number of Pumps Now on Premises TWELVE
10. Number of Additional Pumps REMOVE TWELVE (12) INSTALL TEN (10)
11. Total Pumps on Lot TEN (10) PUMPS
12. Capacity of Tanks (existing) 28,000 GALLONS
13. Capacity of Additional Tanks 12,600 GALLONS
14. Total Capacity on Lot 40,600 GALLONS
15. Is Fuel or Oil to Be Sold? YES KEROSENE & DIESEL
16. Zoning District C-2
17. Estimated Cost \_\_\_\_\_

Approved: John J. Parton <sup>70</sup>  
Commissioner of Public Safety

Approved: [Signature]  
Traffic Engineer

Approved: [Signature]  
Director of Public Works

Approved: Ramzi J. Logg  
Director of the Department of  
Inspection and Standards

Ref Res. # 7748/94

REMARKS

ZONE RES # 7748/94

Replace underground tanks & underground piping

Replace gas pumps & islands

Extend Canopy to rear of existing canopy Repair office <sup>not</sup>

Merit Oil of Mass Inc

Owner's Name

551 W LANCASTER AVE

Haverhill MA 01830

GARY R JEROME

Agent's Name

Merit Oil Corp 1148 MAIN ST Worcester

Agent's Address Ma 01603

508-797-0327

Telephone Number

SANDRA L. CARLSON  
CHAIRMAN



VINCENT A. CIANCI, JR.  
MAYOR

## ZONING BOARD OF REVIEW

June 22, 1994

### RESOLUTION NO. 7748

Merit Oil of Rhode Island, Inc.  
551 West Lancaster Avenue  
Haverford, PA 19041

Gentlemen:

At a meeting of the Zoning Board of Review held on Wednesday, June 8, 1994, the following Resolution was adopted:

WHEREAS, Merit Oil of Rhode Island, Inc., owner of Lot 568 on Assessor's Plat 49 (396 Elmwood Avenue) in a Commercial C-2 Zone; filed an application for permission to be relieved from Sections 200.2, 201.5, 303-use code 45, 409.4(A) and 409.5(B). Applicant proposes to increase underground gasoline storage. The existing underground tanks storing 28,000 gallons would be replaced with new tanks bringing total storage to 40,600 gallons. Relief is sought in order to install the tanks 9.5 feet from the existing building instead of the required 10 feet. Additionally, the applicant requests to construct pump islands 10 feet from the property line instead of the required 20 feet. Also proposed are new pump islands and the extension of the existing canopy. The lot in question contains approximately 25,281 sq. ft. of land area; and

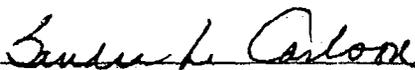
WHEREAS, the members of the Zoning Board of Review made an inspection of the above-described premises and also of the surrounding properties in the neighborhood; and

WHEREAS, on Wednesday, June 8, 1994, a public hearing was held on this application by the Zoning Board of Review after public notice as set forth by the Zoning Ordinance.

NOW, THEREFORE, after consideration of the application and testimony of the applicant and after having carefully weighed the same, the Zoning Board of Review grants the following.

RESOLVED: That the Zoning Board of Review does hereby grant a variance of Sections 200.2, 201.5, 303-use code 45, 409.4(A) and 409.5(B) under Section 904 of the Zoning Ordinance substantially in accordance with the plans and plot plans filed with said Board. A copy of said plans are hereby made a part of this Resolution and must be filed with the Department of Inspection and Standards by the owner or its representative.

By Order of the Zoning Board of Review.

  
SANDRA L. CARLSON, CHAIRMAN

SLC:bat  
cc: Gary R. Jerome

ATTENTION: SECTION 906 UNDER THE ZONING ORDINANCE REQUIRES THAT ANY VARIANCE OR SPECIAL EXCEPTION GRANTED BY THE BOARD SHALL EXPIRE SIX MONTHS AFTER THE DATE OF THE FILING OF THE RESOLUTION IN THE OFFICE OF THE BOARD UNLESS THE APPLICANT SHALL, WITHIN THE SIX MONTHS, OBTAIN A LEGAL BUILDING PERMIT AND PROCEED WITH CONSTRUCTION; OR OBTAIN A LEGAL BUILDING PERMIT AND A CERTIFICATE OF OCCUPANCY WHEN NO CONSTRUCTION IS REQUIRED.

MEMBERS VOTING: CARLSON, CATAURO, SCORPIO, STROTHER & CASTRO

Merit Oil Gasoline Station  
396 Elmwood Avenue  
Providence, RI 02907

Abutters List

LOT 3      OWNER & ADDRESS

- #366      International Institue of Providence  
425 Elmwood Ave. Providence, RI 02907
- #503      Allied Investments  
P.O. Box 38 Barrington, RI 02803
- #489      Allied Investments  
P. O. Box 38 Barrington, RI 02803
- #574      Church of the Epiphany In East Providence  
Box 290 Dallas, Texas 75221
- #439      Church of the Epiphany  
542 Potters Ave., Providence, RI 02907
- #110      Maurice J. & Blanch Salois  
125 Parade Street, Providence, RI 02909
- #112      Hy & Mauce Lay  
57 Briar Hill Drive, Cranston, RI 02921
- #572      John N. Calvino  
373 Elmwood Ave., Providence, RI 02907
- #582      Kim Mui & H. Y. Lay  
57 Briar Hill Driver, Cranston, RI 02921
- #115      Allied Investments  
P.O. Box 38 Barrington, RI 02803
- #116      D Amicano Michele  
513 Potters Avenue, Providence, RI 02907
- #117      Carman A. Jackson  
P.O. Box 2725 Providence, RI 02907
- #118      Harry & Betty J. Robinson  
505 Potters Ave., Providence, RI 02907
- #119      Agnes R. Spans  
501 Potters Ave., Providence, RI 02907

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#120 Harold Omisore  
2 B Sackett Street, Providence, RI 02907

#122 Veronica & Charles F. Burghardt Jr.  
P.O. Box 3253 Elmwood Ave., Providence, RI 02905

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#124 Alexander F. & Vitoria D. Lopes  
481 Potters Ave., Providence, RI 02907

#125 Peninsula Partners  
300 Centreville Road, Warwick, RI 02886

#126 Antonia & Patricia A. Rosario  
471 Pottes Ave., Providence, RI 02907

#160 Isadore & Dolores Belovitch  
168 Stanwood Street, Providence, RI 02907

#161 Margaret Boylan  
172 Stanwood Street, Providence, RI 02907

#162 Ronald B. Fawcett 7 Dan Tompkins  
50 Power Road, Pawtucket, RI 02860

#163 Evelyn P. Embree Fugate  
4C Quince Street, Providence, RI 02905

#164 Louis J. Iacchini  
184 Stanwood Street, Providence, RI 02907

#165 Santiago Rodriguez  
188 Stanwood Street, Providence, RI 02907

#369 Guillermo G. Gallo  
30 Hawthorne Street, Providence, RI 02907

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17. Estimated Cost \$ 230,000

Approved: John Partington  
Commissioner of Public Safety

Approved: [Signature]  
Traffic Engineer

Approved: [Signature]  
Director of Public Works

Approved: Ramzi J. Pops  
Director of the Department of  
Inspection and Standards

Ref Ros. # 7748/94

REMARKS

Zone Res # 7748/94  
Replace Tanks, <sup>underground</sup> underground piping  
Replace gas pumps + islands  
Extend canopy to rear of existing canopy, Repair office <sup>Roof</sup>

Merit Oil of Mass Inc  
Owner's Name

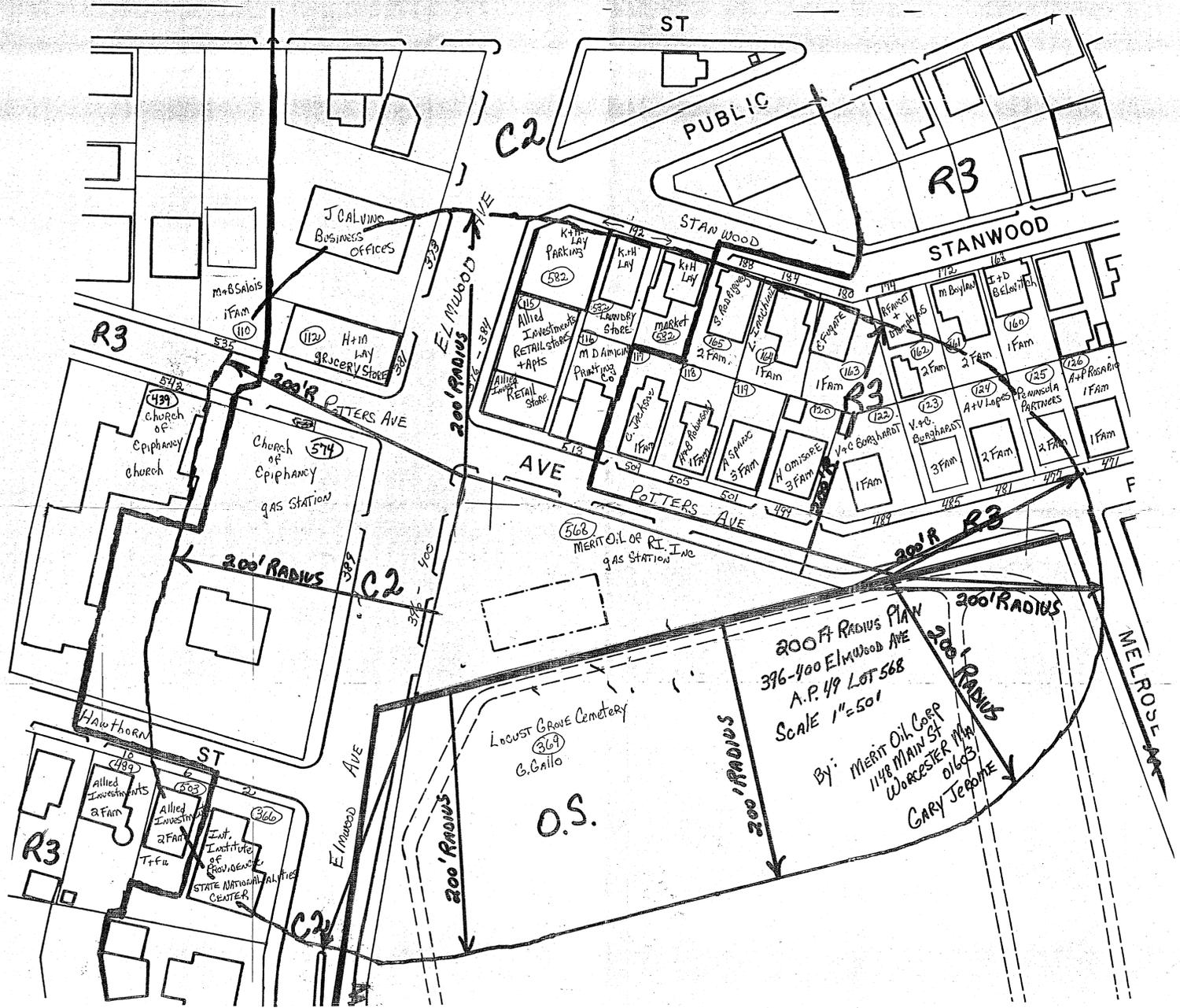
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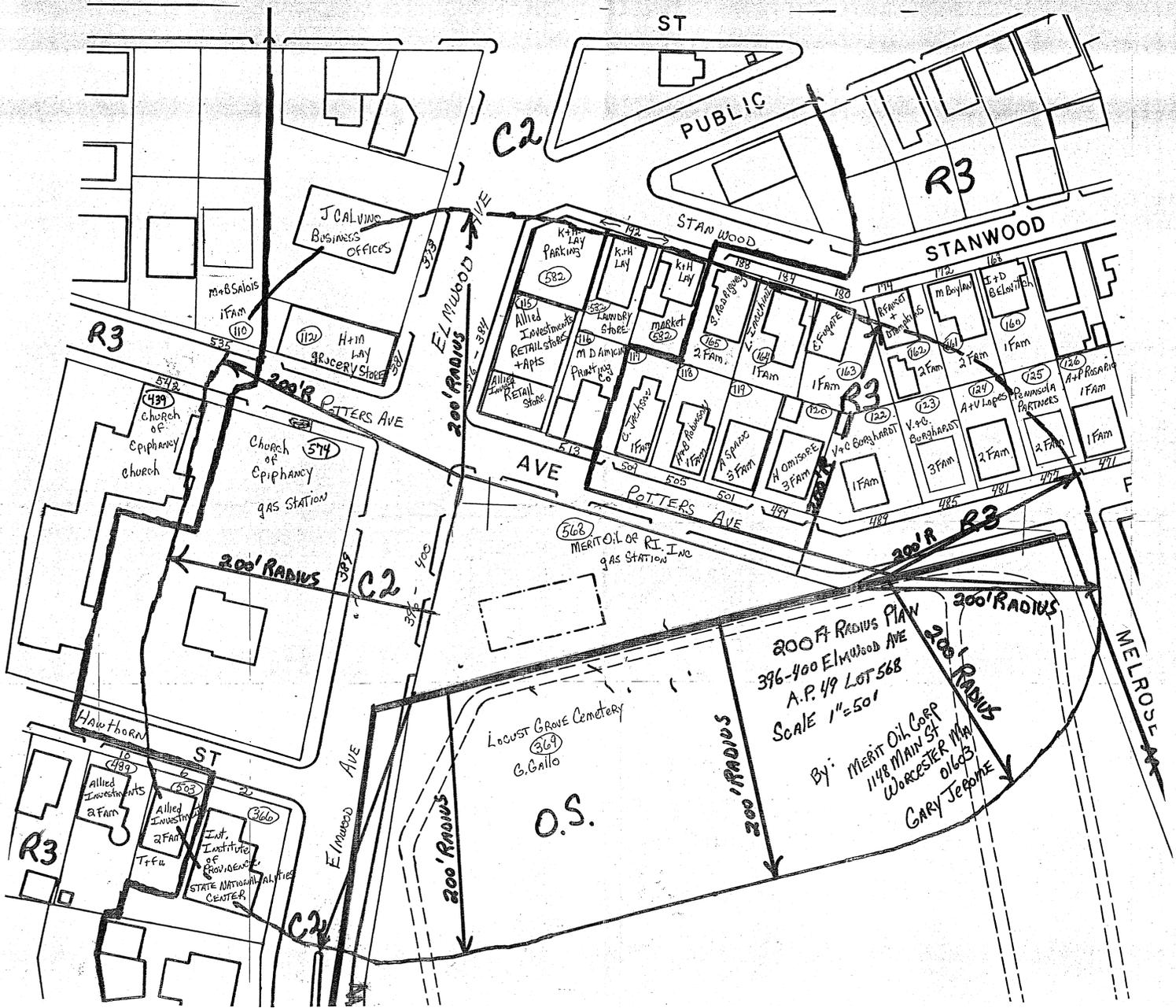




200ft Radius MAP  
 396/400 Elmwood Ave  
 A.P. 49 Lot 568  
 Scale 1"=50'

200 FT RADIUS PLAN  
 396-400 ELMWOOD AVE  
 A.P. 49 LOT 568  
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