

RESOLUTION OF THE CITY COUNCIL

No. 619

EFFECTIVE ~~XXXXXXXX~~ *Approved* October 19, 1999

WHEREAS, Thurbers Avenue Realty, Inc is the owner of a gasoline station located at 1011-1029 Eddy Street, Providence, Rhode Island; and

WHEREAS, Thurbers Avenue Realty seeks to install certain underground fuel storage tanks with a total capacity of 40,000 gallons and to undertake ancillary construction to the gasoline station.

NOW THEREFORE BE IT RESOLVED, that Thurbers Avenue Realty, Inc. is authorized to install the underground gasoline storage tanks with a total capacity of 40,000 gallons and to undertake the construction of any required environmental protection system as such improvements are listed in its application (a copy of which is attached), provided, however:

1. That all construction is undertaken consistent 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 said Department of Inspection and Standards.
2. All construction shall be in accordance with state and federal law and regulation.
3. Thurbers Avenue Realty 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.
4. That in the event that the construction requires obstruction or displacement of the public way, Thurbers Avenue Realty, shall, inter alia, obtain the necessary permits, execute an indemnification and hold harmless agreement satisfactory to the City Solicitor and shall provide insurance (or, if self-insured, a 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, officers, servants, employees, and assigns as additional named insurer. Such policy shall be acceptable to the City Solicitor.

IN CITY COUNCIL
Sept. 2 1999
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Juan M. Angeles Clerk

THE COMMITTEE ON
Public Works
Recommends *P.H.*
Barbara L. Gavira
Clerk
9/23/99 *P.H. Lee*

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution
Barbara L. Gavira
Clerk
9/27/99

5. Thurbers Avenue Realty does agree that by undertaking any construction pursuant to this Resolution, all statements or representation(s) made to any municipal body or department are made a part of this Resolution and any authorization granted hereunder are specifically conditioned upon compliance with said statement(s) and representation(s).

6. Such other amendments or modifications as His Honor, the Mayor, or the City Solicitor may deem necessary to effect the purpose of this Resolution and to promote the health and safety of the citizenry

BY CITY COUNCIL
OCT 7 1999
READ AND PASSED
[Signature]
PRES
[Signature]
CLERK

Effective without the Mayor's Signature:

[Signature]
Michael R. Clement, City Clerk

APPLICATION FOR FUEL DISPENSING PERMIT

Permit No. _____ By _____ Date 3-15-99

To the Director of the Department of Inspection & Standards:

1. 2 Building District 10 Ward
2. Street Location 1011-1029 EDDY STREET PROV., RHODE ISLAND
3. Plat 54 Lot 361
4. Owner THURBERS AVENUE REALTY, INC.
5. New YES Existing NO
6. Number of Buildings 2
7. Number of Curb Cuts 4 Width 30 feet
8. Drawings Accompanying Application yes
9. Number of Pumps Now on Premises 0
10. Number of Additional Pumps 4 Multiple Product Dispensers 8 Pumps
11. Total Pumps on Lot 4 Pumps (8 Fueling locations)
12. Capacity of Tanks (existing) 0
13. Capacity of Additional Tanks (2) 15,000 gal (1) 10,000 gal
14. Total Capacity on Lot 40,000 gallons
15. Is Fuel or Oil to Be Sold? Fuel (vehicle gasoline)
16. Zoning District C-2
17. Estimated Cost \$ 275,000.

Approved: John J. Pastorek
Commissioner of Public Safety

Approved: Maria J. Iodice
Traffic Engineer

Approved: [Signature] - 3/10/99
Director of Public Works

Approved: Ramzi J. Jisy ⁸⁻¹⁷⁻⁹⁹
Director of the Department of
Inspection and Standards

REMARKS

Thurbers Ave. Realty, Inc.
Owner's Name

P O Box 27096 Prov., RI 02907-0596
Address

Richard E. Fuller
Agent's Name

P O Box 27096 Prov., RI 02907-0596
Agent's Address

(401) 461-2544
Telephone Number

401-460-9367 (PAGER)

FILED
AUG 18 11 23 AM '99
DEPT. OF PUBLIC WORKS
PROVIDENCE, R.I.

FILED
AUG 10 2 10 PM '99
DEPT. OF PUBLIC WORKS
PROVIDENCE, R.I.

THE COMMITTEE ON
Public Works
Recommends *J. H.*
Barbara A. Caserio
Clerk
9/23/99 (P. H. Teld)

THE COMMITTEE ON
PUBLIC WORKS
Approves Passed
The Within Resolution
Barbara A. Caserio
Clerk
9/27/99

IN CITY COUNCIL
SEP 2 1999
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Jean M. Doyle
CLERK

Approval for Ad		
	Date to	Date From
Advertised		
Hearing Date		
Police		
Fire		
Building		
Health		
State Tax		
City Tax		
Council		
Approved	2/17	<i>[Signature]</i>
Denied		

Issued _____
 Expires _____

STORAGE OF PETROLEUM

Applicant: Thurbers Oil
Service Inc

D.B.A. Thurbers Queen
Food Market

Location: _____
1011-1025 Eddy St

Filed: 2/5/99
 Gallons: 40,000 gals
 Plat: 54 Lot: 361
 Fee: 100.00
 License # _____

Renewal New

From: RICK FULLER 461-2544
 Mike 460-9367 (ext)
 This is the info that
 you said you would need for
 application for FUEL DISPENSING
 PERMIT Please call
 if you need more documents
 Thanks R. Fuller

OWNERSHIP OF LOTS WITHIN A 200 FOOT RADIUS
OF PROPOSED PROJECT LOTS

PLAT 54 LOTS 358, 359, 360, 361, 801

LOT NO.	OWNER
169, 170, 171 172, 209, 210 211, 212, 213	J & H REALTY LLC P.O. BOX 9088 PROVIDENCE, RI 02940
220	CLAIRE E. & AMERICO SCHIANO 1002 EDDY STREET PROVIDENCE, RI 02905
292	JAN DEVELOPMENT CORP. 35 SOCKANOSSETT CROSSROAD CRANSTON, RI 02910
296	ERNESTINE TUCKER P.O. BOX 1593 PROVIDENCE, RI 02901
297 888, 898	SOUTH SPANISH CONGREGATION OF JEHOVAH'S WITNESSES, INC. 25 ASG AVENUE CRANSTON, RI 02910
351	DEDERIAN ASSOCIATES 54 DEDHAM ROAD WARWICK, RI 02888
352	JOSEPH J. BIERNACKI, SR. DAVID M. BIERNACKI 195 SHUN PIKE JOHNSTON, RI 02919
353, 832, 886	JOHN M. PERROTTA 14 SHERMAN AVENUE NORTH PROVIDENCE, RI 02911
358, 359, 360 361, 801	RICHARD E. FULLER P.O. BOX 27096 PROVIDENCE, RI 09097
363	FREDERICK L. CLAYTON 41 WHALEN AVENUE WARWICK, RI 02889
364, 759, 760 761	RUTH S. APPLGATE 20 APPLGATE LANE PROVIDENCE, RI 02905

365 DOROTHY GAGNON
EVELYN SIMONELLI
1049 EDDY STREET
PROVIDENCE, RI 02905

366 DOROTHY GAGNON
1049 EDDY STREET
PROVIDENCE, RI 02905

717 ARTHUR B. ROBINSON, SR.
DOROTHY F. ROBINSON
26 APPLGATE LANE
PROVIDENCE, RI 02905

742 RLS REALTY, INC.
201 WOODLAWN AVENUE
NORTH PROVIDENCE, RI

754, 875, 879 ✓ ST. MICHAELS HISTORICAL PRESERVATION
239 OXFORD STREET
PROVIDENCE, RI 02905

755 RLS REALTY, INC.
201 WOODLAWN AVENUE
NORTH PROVIDENCE, RI

756, 850, 877 GEORGE CASTRO
57 CAROLINA AVENUE
PROVIDENCE, RI 02905

849 HECTOR VALERIO
VALERIO VALERIO
72 RUGBY STREET
PROVIDENCE, RI 02905

851 GEORGE AJOOTIAN
200 SMITH STREET
PROVIDENCE, RI 20908

853 GLADYS SOUZA
CINDY LOUISE SOUZA
69 RUGBY STREET
PROVIDENCE, RI 02905

870 BEVERLY M. DEANDRE
24 RACHEL STREET
PROVIDENCE, RI 02905

881 KENNETH M. DESHONG
1000 EDDY STREET
PROVIDENCE, RI 02905

882

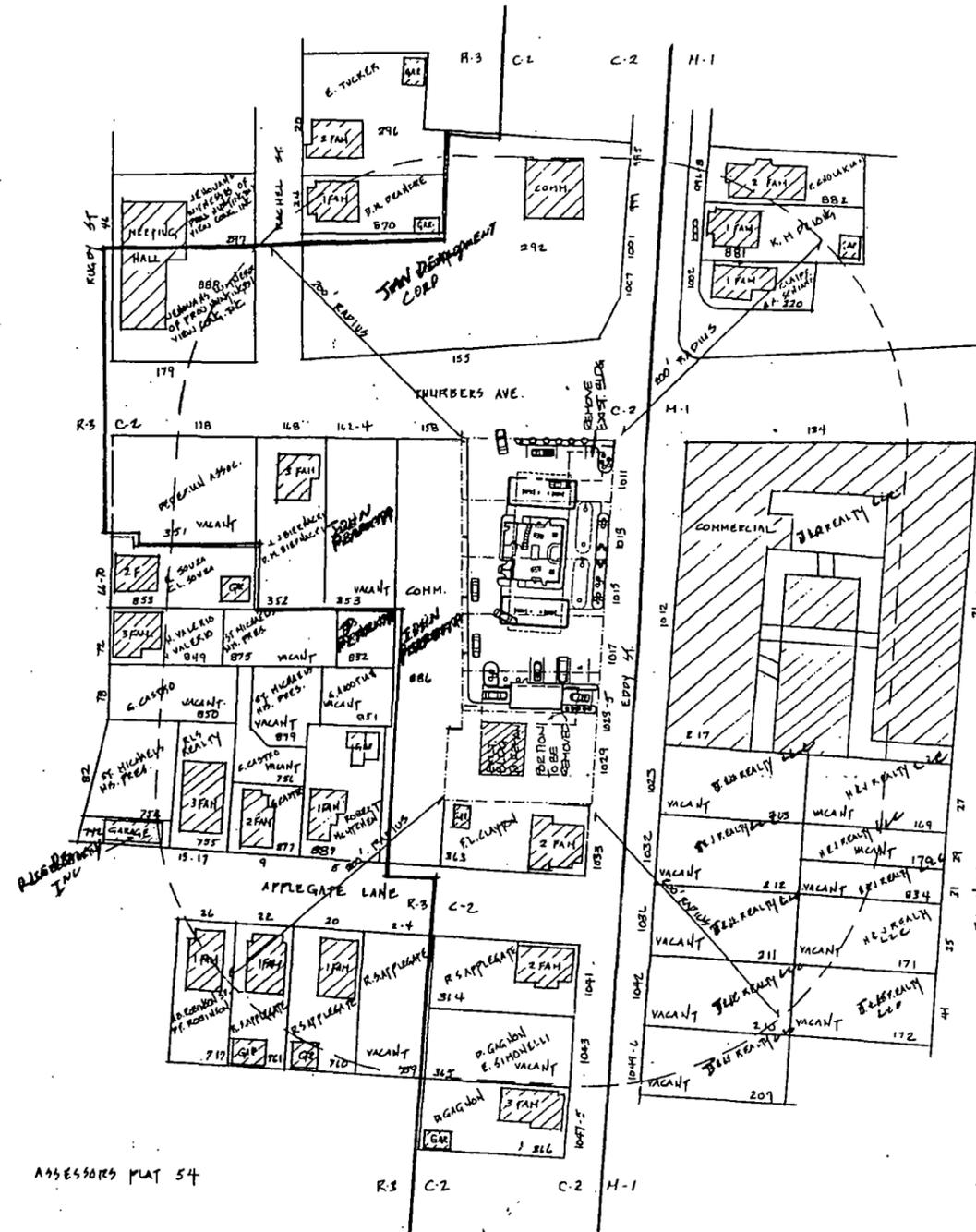
PAPKEN CHOLAKIAN
996 EDDY STREET
PROVIDENCE, RI 02905

887

ROBERT McCUTHEON
1061 NARRAGANSETT BLVD
CRANSTON, RI 029905

ASSESSORS PLAT 54

ASSESSORS PLAT 54



200' RADIUS PLAN
1"=50'-0"

A.P. 54, LOTS 358, 359, 360, 361, 801
1011, 1013, 1015, 1017, 1023-5, 1029 EDDY STREET
PROVIDENCE, RHODE ISLAND


 FRANK A. COLE
 ARCHITECT
 241 MILE ROAD
 COVENTRY, RI 02816
 (401) 397-5586

REVISIONS		
NUMBER	REMARKS	DATE

ZONING REVIEW

PROJECT TITLE
 PROPOSED SERVICE STATION
 EDDY STREET
 PROVIDENCE, RI

DRAWING TITLE
 RADIUS PLAN

DATE 7/22/99	SCALE 1"=50'
DRAWN BY JAA/FAC	CHECKED BY
PROJ. NO.	FILE

DRAWING NUMBER
A-1

NARRAGANSETT BAY COMMISSION STORMWATER SEWER CONNECTION PERMIT

issued to

Mr. Richard Fuller

Thurbers Avenue Realty Inc.

1025 Eddy Street

Providence

SEWER CONNECTION
8/10/99
EXPIRATION DATE*

SEWER CONNECTION
SC990004
PERMIT NUMBER

The above named property address may make sewer connection(s) to: Applegate Street	PLAT NUMBER(S) 54	LOT NUMBER(S): 358,359,360,361,801
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This(these) sewer connection(s) will be to the City/Town sewer system within the Field's Point wastewater treatment facility district.

The 2 building(s) to which the sewer connection will service is(are) classified as: Commercial

STORM WATER LINE INDIRECT CONNECTION: The Applicant is advised that the municipality in which the drainage system is to be constructed may impose additional requirements, and the appropriate officials should be contacted.

The Narragansett Bay Water Quality Management District Commission (NBC) approves this sewer connection provided that the person accepting this permit shall in every respect conform to the terms of the application on file in this office, and Article 4 of The Rules and Regulations For Use of Wastewater Facilities within The Narragansett Bay Water Quality Management District, as amended. Failure to comply with the terms of the application and/or terms of this permit may subject the permittee to civil and/or criminal penalties of up to \$25,000.00 per day per violation pursuant to R.I.G.L. § 46-25-25.2 and § 46-25-25.3. The NBC requires the use of low flow fixtures. Any changes to the information in the permit application and accompanying materials must be reported to the NBC. This permit is not transferable without the written consent of the NBC.

Acceptance of these plans by the NBC does not constitute any form of guarantee or insurance with respect to the performance of the equipment and process reviewed, nor does it relieve the permittee from the responsibility of modifying equipment as necessary in the future to produce an effluent which meets NBC discharge limitations. The NBC does not assume responsibility for means, methods or techniques used, or for the safety of construction works, the site, or for compliance by the users with any other applicable laws and regulations.

* If the sewer connection/tie-in will be delayed beyond this date, a written request for an extension must be submitted to the NBC at least two weeks prior to the expiration date for review. Approval may be withheld if field conditions at that time indicate that the proposed connection/tie-in may cause an adverse impact on the sewers/public health/safety.

PERMIT CONDITIONS

The Applicant MUST contact Mr. James T. Morris, Providence Department of Public Works at 467-7950 for possible additional conditions.
Prior to construction of this connection, the Applicant's drain layer MUST sign the sewer connection permit application on file at this office. Please contact Mr. John Zuba at 222-6680.
This sewer connection permit MUST be posted on the construction site.

Raymond Pinault
PAUL PINAULT EXECUTIVE DIRECTOR

February 8, 1999
DATE



Telecommunications Department

"Building Pride in Providence"

DATE: 2/8/99

MAILING ADDRESS: JIMCO REDEVELOPMENT
P.O. BOX 27096
ATTN: DICK FULLER
PROVIDENCE, RI 02907

CONTRACTOR: AMERICAN ALARM
NORTHLAND FIRE ALARM

OWNERS NAME: THURBERS AVENUE REALTY

BLDG NAME: THURBERS AVE SERVICE INC.
1011-1025 EDDY STREET

REGARDING PLAN REVIEW BOX; LOCAL

THE DEPARTMENT OF COMMUNICATIONS HAS REVIEWED THE FIRE ALARM PLANS FOR THE ABOVE MENTIONED PROPERTY. THE BOX NUMBER IF FILLED IN, IS THE NUMBER TO ORDER FOR YOUR MASTER BOX. QUARTER SECOND TIMING IS APPROPRIATE.

1. A FIRE ALARM SYSTEM 23-28.25-4A OF THE RI STATE FIRE CODE IS REQUIRED FOR THIS FACILITY
2. DUCT DETECTORS SHALL BE INSTALLED IN ACCORDANCE WITH N.F.P.A. 90A FOR ALL FANS OVER 2000 CFM. FAN SHUT DOWN WITH OVERRIDE SWITCH AT F.A.C.P. IS REQUIRED
3. SPACING FOR HEAT DETECTORS IS 900 SQ. FEET
4. ADA STROBES WITH APPROPRIATE MOUNTING HEIGHT ARE REQUIRED IN HANDICAP ACCESSIBLE BATHROOMS
5. FIRE ALARM CONTROL PANEL SHALL BE LOCATED IN PROXIMITY TO MAIN ENTRANCE
6. A KNOX BOX IS REQUIRED
7. MANUAL PULL STATION FOR SUPPRESSION SYSTEM SHALL BE CLEARLY LABELED AS SUCH

ANY OVERLOOKED VIOLATIONS ARE STILL SUBJECT TO COMPLIANCE.

SINCERELY,

APPROVED:


DEPUTY/DIRECTOR OF COMMUNICATIONS
ASSISTANT DEPUTY STATE FIRE MARSHALL


ASSISTANT DEPUTY STATE FIRE MARSHALL

James F. Rattigan
Chief of Department
David D. Costa
Fire Marshal

Vincent A. Cianci Jr.
Mayor
John J. Partington
Commissioner



PROVIDENCE FIRE DEPARTMENT
FIRE PREVENTION DIVISION
"Smoke Detectors Save Lives"

March 19, 1999

Mr. Richard Fuller
Jimco Redevelopment Co.
P.O. Box # 27096
Providence, R.I. 02907

Reference: Thurbers Avenue Service Inc. -- 1011-1025 Eddy Street -- 249-98

Dear Mr. Fuller:

Plans were submitted to this office for the above referenced property. The plans were reviewed under Rhode Island State Fire Code and referenced chapters of NFPA.

Attached is a list of deficiencies discovered in the course of the plan review. the plans are disapproved as submitted. Revised plans or addenda must be submitted to this office indicating compliance with the Rhode Island Fire Safety Code and/or variances must be obtained from the Rhode Island Fire Safety Board of Appeal and Review (67 Cedar Street, Providence, R.I. 02903-3189).

Please respond to each item indicating your intention to either fully comply or to seek variation. If it is your intention to comply, please be specific in explaining how you intend to comply. If you intend to seek variation or interpretation, it should be understood that your failure to obtain variation or favorable interpretation shall mandate full compliance with the cited provision(s) of the R.I. Fire Safety Code. Your response to this plan review letter of disapproval may then be accepted as an addendum to the plan, which would allow me to tentatively approve the plans pending the outcome of the Fire Safety Board hearing. All construction performed prior to the Board hearing is done so at the risk of the applicant and building owner.

This plan review letter of disapproval is informational only and shall not be used for the purpose of obtaining a building permit; only plans which have been stamped "APPROVED" and have been signed by the plan reviewer may be used for such a purpose.

Any deficiency which may have been overlooked in the course of this plan review, is subject to correction under the provisions of the Rhode Island Fire Safety Code.

Yours truly,

W. B. Maddox
Inspector W.B. Maddox

Enclosure- Variance Application

Building Description: There three (3) new structure's on this site. One being a one (1) story masonry building (40' x 50' = 2000 square feet) of 3B construction (III(200)). This building is to house a Self-Service Gas Station and a Food Mart. Also there is a one (1) story masonry building of 3B construction (III(200)), 50' x 18' = 900 square feet. this facility is to house a Car Wash. The third is a steel frame canopy of 2C construction. This 48' x 60' is to cover the gas pumps.

Discrepancies:

- 1). 23-28.22-8 Attendant's control and supervision. At self-service stations, the attendant shall be required to remain within the control console area at all times while Class #1 liquids are being dispensed. A "post-payment Operation" is advocated to insure the attendants compliance with the foregoing provision.

- 2). 23-28.22-12 Unobstructed Observation. The dispensing operation shall at all times be in unobstructed view of the attendant, and the placing or allowing of any obstacle to come between the dispensing operation, and the attendant, so as to obstruct the attendants view is prohibited.

Note: The attendant must have an unobstructed view of the pumps at all times. The parking spots labeled number 5 and 6 would be in violation of this code. Any vehicle parking in these two (2) spots would obstruct the view of the pumps.

B. JAMES SUZMAN
Director



VINCENT A. CIANCI, JR.
Mayor

Department of Public Works

"Building Pride In Providence"

DATE: 3/2/99

Dept. of Inspection and Standards
190 Dyer Street
Providence, RI 02903

Please be advised that the new construction at 1025 Eddy St.
Plat No. 54 Lot No. 358-359-360-361-801

- () SANITARY SEWER AVAILABILITY 15" combination sewer Eddy St.
- () STORM SEWER AVAILABILITY None
- () ROADWAY STATUS curbed + built
- () GRADE STATUS defined
- () SITE PLAN on record City Eng. Ofc.
- () CURB OPENINGS 25 noted on Site Plan
- () TRAFFIC ENGINEER stamp of approval
- () FIELD INSPECTION James T. Morris
- () INTERFERENCE WITH EASEMENT None showing
- () ADDITIONAL COMMENTS None

NOTE: The City of Providence, Dept. of Public Works does not accept responsibility for any errors in survey, site plan, layout of proposed building and will be held "harmless" for any damages to abutting properties caused by changes in topography or runoff. This does not constitute a permit, nor is it an approval of the site plan.

Respectfully submitted, for Dir.

James T. Morris

Owner/Contractor
(Name, Address, Telephone)

Thurston Ave Realty
P.O. Box 27096
Providence, RI 02907-0596
Tel. #461-2544
Engineering's Copy _____

Engineer/Land Surveyor/Architect
(Name, Address, Telephone)

David Oberlander
P.E. #8417



ZONING BOARD OF REVIEW

May 22, 1996

RESOLUTION NO. 7843

SIX-MONTH EXTENSION

Richard E. Fuller and Jarrod B. Fuller
d/b/a JIMCO Redevelopment Co., Inc.
P.O. Box 27096
Providence, RI 02907

Gentlemen:

At a meeting of the Zoning Board of Review held on Tuesday, December 12, 1995, the following Resolution was adopted:

WHEREAS, Richard E. Fuller and Jarrod B. Fuller d/b/a JIMCO Redevelopment Co., Inc., owner of Lots 358, 359, 360, 361 & 801 on Assessor's Plat 54 in a Commercial C-2 Zone; to be relieved from Sections 303-use code 45, 305, 305.1.1, 409.1(B), 409.2(A), 409.3(A) and 607.3 in the proposed construction of a gasoline service station with food mart and car wash. The existing bar would be relocated to 1029 Eddy Street, a proposed new lot. Applicant seeks relief from regulations governing permitted uses, whereby, gasoline service stations are not included under C-2 regulations. Further relief is sought from regulations governing minimum lot depth, minimum setback from street line, minimum distance between driveways and property lines, regulations governing signs - area, height and number of freestanding signs, internal illumination of signage and maximum total area of signage. The lots in question contain approximately 19,052 sq. ft. of land area; and

- WHEREAS, on June 7, 1995, the Zoning Board of Review granted said request with conditions; and

WHEREAS, Richard E. Fuller, owner, filed a letter with the Zoning Board of Review requesting an extension of Resolution No. 7843 for a period of six (6) months in accordance with Section 906 of the Zoning Ordinance.

RESOLVED: That the Zoning Board of Review does hereby grant Richard E. fuller an extension of Resolution No. 7843 for a period of six (6) months from the expiration date of Resolution No. 7843.

By Order of the Zoning Board of Review.


SANDRA L. CARLSON, CHAIRMAN

SLC:bat

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



ZONING BOARD OF REVIEW

RESOLUTION NO. 7843

June 7, 1995

Richard E. Fuller and Jarrod B. Fuller
d/b/a JIMCO Redevelopment Co., Inc.
P.O. Box 27096
Providence, RI 02907

Gentlemen:

At a meeting of the Zoning Board of Review held on Tuesday, April 25, 1995, the following Resolution was adopted:

WHEREAS, Richard E. Fuller and Jarrod B. Fuller d/b/a JIMCO Redevelopment Co., Inc., owner of Lots 358, 359, 360, 361 801 on Assessor's Plat 54 in a Commercial C-2 Zone; to be relieved from Sections 303-use code 45, 305, 305.1.1, 409.1(B), 409.2(A), 409.3(A) and 607.3 in the proposed construction of a gasoline service station with food mart and car wash. The existing bar would be relocated to 1029 Eddy Street, a proposed new lot. Applicant seeks relief from regulations governing permitted uses, whereby, gasoline service stations are not included under C-2 regulations. Further relief is sought from regulations governing minimum lot depth, minimum setback from street line, minimum distance between driveways and property lines, regulations governing signs - area, height and number of freestanding signs, internal illumination of signage and maximum total area of signage. The lots in question contain approximately 19,052 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 Tuesday, December 13, 1994 and on Tuesday, January 24, 1995, a public hearing was held on the application by the Zoning Board of Review, after public notice each time as provided by the Zoning Ordinance; and

WHEREAS, at such hearing, expert testimony was given in favor of the application by Thomas O. Sweeney, a recognized real estate expert; by James Salem, a recognized traffic expert, by John Christopher, a recognized expert on service station design and layout; and by Frank Cole, a recognized expert in architecture; and lay testimony was also presented both in favor of and in opposition to the application by neighbors and area residents; and

WHEREAS, a recommendation was received from the Department of Planning and Development indicating no opposition to the application other than as to one sign:

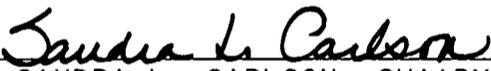
NOW, THEREFORE, after consideration of the application, the testimony of the witnesses and expert witnesses, and of the entire record presented to the Board, including the inspection of the area made by the Board; and after carefully considering such information, the Board makes the following findings of fact:

- 1.) The Board finds that the owner will suffer an undue hardship if the relief sought is not granted, due to its location on a busy corner, and due to the manner in which it is abutted along its entire west side by the brick wall of an adjoining heavy commercial use.
- 2.) The Board finds that the proposed variance is the least relief possible to alleviate the hardship as it will entail only the single expansion of use allowed, that being a service station, which is itself only a C-4 use which is the next more intensive zone in the Ordinance. All other uses on site are already permitted as of right.

- 3.) The Board finds that this hardship is not caused by any prior action of the owner, but rather by the unique size and shape of the subject property and the existing character of the neighborhood which is primarily composed of heavy commercial and industrial uses along Eddy Street.
- 4.) The Board finds that the granting of the relief will not cause substantial or permanent injury to the appropriate use of neighboring property. The traffic study indicated that there will be no harm from a traffic perspective, and the site is well buffered from any residential neighborhood, it being essentially a highway commercial type location already.
- 5.) The Board finds that the public convenience and welfare will be served by providing these necessary retail and commercial services in this area of the City.

RESOLVED: That the Zoning Board of Review, based upon the above findings of fact, does hereby grant a variance of Sections 303-use code 45, 305, 305.1.1, 409.1(B), 409.2(A), 409.3(A) and 607.3 under Section 902 of the Zoning Ordinance substantially in accordance with the amended plans filed with the Board on January 24, 1995 and made a part of the record at that time, provided that the new structure housing the bar be limited to the same size as the existing bar and the seating capacity be restricted to 13 seats. 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 owners or their representative.

By Order of the Zoning Board of Review.



SANDRA L. CARLSON, CHAIRMAN

SLC:bat

ATTENTION: SECTION 906 UNDER THE ZONING ORDINANCE REQUIRES THAT ANY VARIANCE OR SPECIAL USE PERMIT 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, LENNON & CASTRO

NOTE: THE ORIGINAL RESOLUTION MUST BE RECORDED IN THE LAND EVIDENCE RECORDS OF THE CITY OF PROVIDENCE BEFORE THE ISSUANCE OF A BUILDING PERMIT.