

**THE CITY OF PROVIDENCE**  
**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

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# **RESOLUTION OF THE CITY COUNCIL**

*No. 302*

*Approved June 27, 2013*

IT IS HEREBY RESOLVED, That His Honor, the Mayor, is authorized to grant an easement to the property located at 186 Fountain Street in the City of Providence (the "Premises") to Fran-Lyn Associates, LLC d/b/a Trinity Brewhouse. Said easement shall be granted specifically upon the following provisions:

1. The easement shall be utilized only for use of an outdoor deck, adjacent to and abutting the Fountain Street and Aborn Street portions of the Premises, consisting of a total of three hundred seventy two (372) square feet with five foot nine inches (5' 9") by thirty seven feet six inches (37' 6") of the deck to occupy the Fountain street side immediately adjacent to the Premises continuing with seven feet ten and one half inches (7' 10½") by twenty four feet eight inches (24' 8") of the deck to occupy the Aborn Street side immediately adjacent to the Premises with dimensions indicated as a shaded area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064845 dated June 5, 2013."

2. The easement shall be extinguished upon the sale of the building and/or the transfer of the business. Until such time as such sale or transfer occurs, the easement shall remain in full force and effect. The easement or a memorandum of same shall be recorded by Fran-Lyn Associates, LLC d/b/a Trinity Brewhouse in the Office of Land Records for the City of Providence.

3. Fran-Lyn Associates, LLC d/b/a Trinity Brewhouse shall tender to the City the sum of two thousand two hundred thirty two dollars (\$2,232.00) in legal tender of the United States of America.

4. Fran-Lyn Associates, LLC d/b/a Trinity Brewhouse shall execute an indemnification and hold-harmless agreement with the City of Providence, to be approved by the City's Department of Law.

5. Fran-Lyn Associates, LLC d/b/a Trinity Brewhouse shall supply the City of Providence with a comprehensive general liability insurance policy during the period of construction naming said City of Providence, its agents, officers, servants and employees as additional-named insureds in a sum not less than one hundred thousand dollars (\$100,000.00) which policy shall be approved by the City's Department of Law.

6. Fran-Lyn Associates, LLC d/b/a Trinity Brewhouse shall restore the portions of Fountain Street and Aborn Street affected by construction to substantially their previous condition.

7. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Works and/or as may be deemed appropriate by the Mayor or the Department of Law.

IN CITY  
COUNCIL

JUN 20 2013

FINAL READING  
READ AND PASSED, *As Amended*

*[Signature]*  
PRESIDENT  
*[Signature]*  
CLERK

I HEREBY APPROVE

*[Signature]*  
Mayor  
Date: *6/27/13*

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*

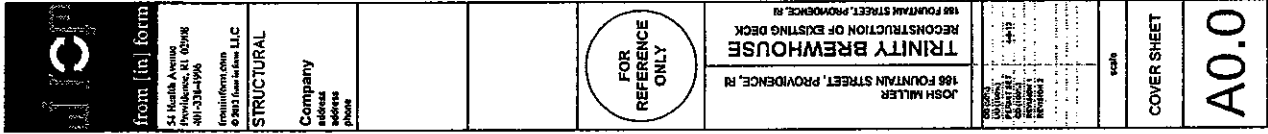
*to grant an easement from the City of Providence in favor of the undersigned and running to the benefit of the property located at 186 Fountain Street (the "Premises"), pursuant to which the undersigned and its assignees, tenants and successors will have the right to erect and use in perpetuity an outdoor deck on the Fountain Street and Aborn Street parts of the Premises as more particularly set forth on the Site Plan attached hereto as Exhibit A. For ease of reference the easement requested in favor of the undersigned and running to the benefit of the Premises will consist of a total of 372 square feet with 5' 9" by 37' 6" feet of the deck to occupy the Fountain Street side immediately adjacent to the Premises continuing with 7' 10 1/2" by 24' 8" feet of the deck to occupy the Aborn Street side immediately adjacent to the Premises.*

Fran-Lyn Associates, LLC

By: Mark S. Aron

Name: Mark S. Aron

Title: Manager



## Symbol Legend

1	DRAWING TITLE	DRAWING TITLE MARKER
	INTERIOR ELEVATION	
	BUILDING ELEVATION	
	SUILLING SECTION	
	SECTION DETAIL	
	DETAIL / ENLARGEMENT	
	ELEVATION / LEVEL MARK	
	WALL TYPE MARKER	
	WINDOW TYPE	
	DOOR NUMBER MARKER	
	DETAIL KEY	
	REVISION TAG	
	KEY NOTE	
	CUTLINE	
	EXISTING WALL	
	WALL TO BE DEMOLISHED	
	NEW WALL	

**Project Information:**  
**Project Address:** Trinity Brewhouse  
 186 Fountain Street  
 Providence, RI 02903


**Project Owner:** Joshua Miller  
 186 Fountain Street  
 Providence, RI 02903

**Plot/Lot:** P12 025 Lot 0165

**Zone:** D1-300

**Distinction:** Down City

**Code References:**  
 International Building Code 2009  
 Rhode Island State Building Code 2009,  
 SB02



from [in] form

51 North Avenue  
Providence, RI 02908  
401-338-4996  
frominfirm.com  
© 2013 from in firm, LLC

**STRUCTURAL**

Company  
address  
phone

FOR  
REFERENCE  
ONLY

N

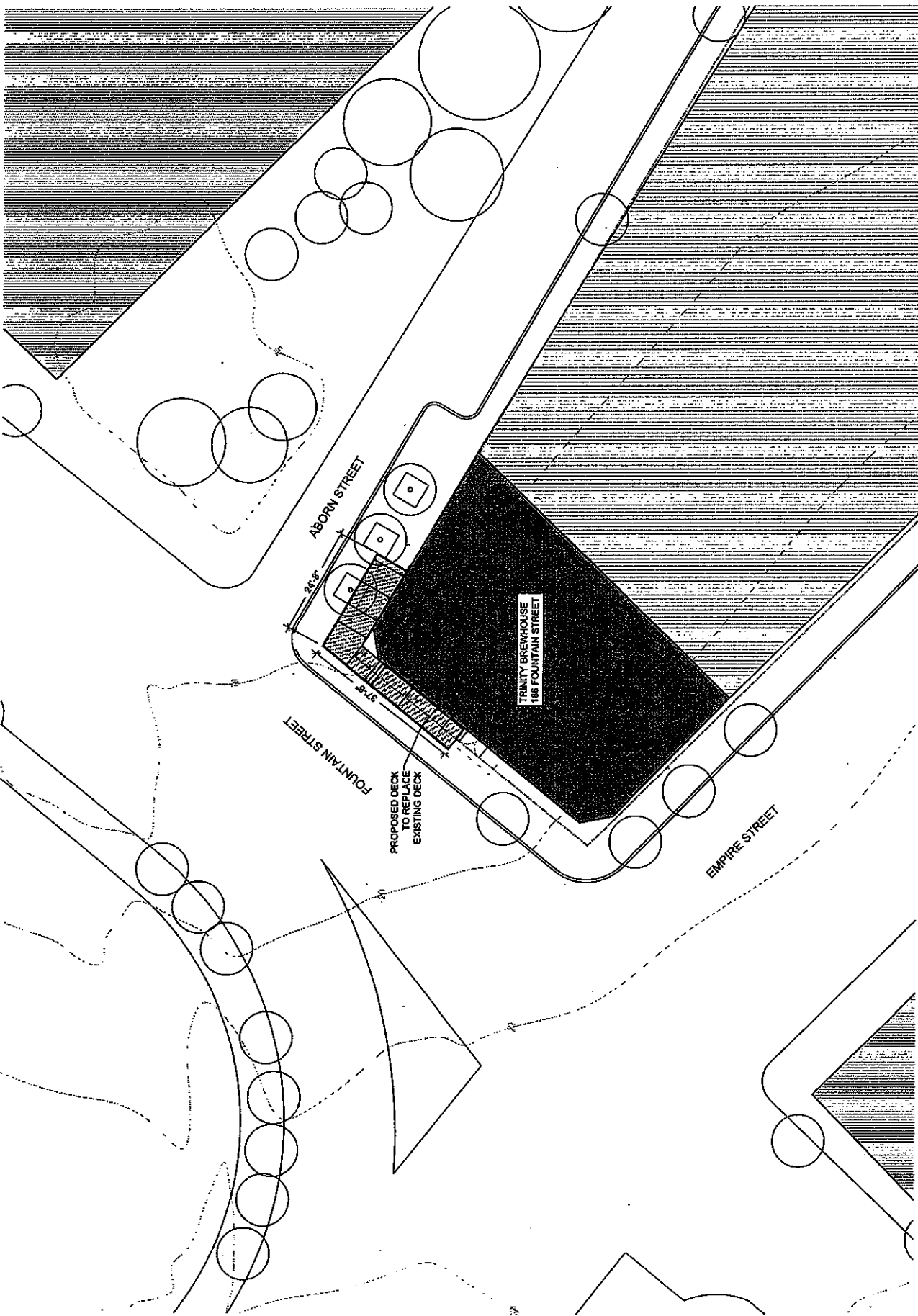
JOSH MILLER  
186 FOUNTAIN STREET, PROVIDENCE, RI  
RECONSTRUCTION OF EXISTING DECK  
**TRINITY BREWHOUSE**  
186 FOUNTAIN STREET, PROVIDENCE, RI

NO SCALE  
DATE  
PROJECT  
DRAWN BY  
CHECKED BY  
APPROVED BY

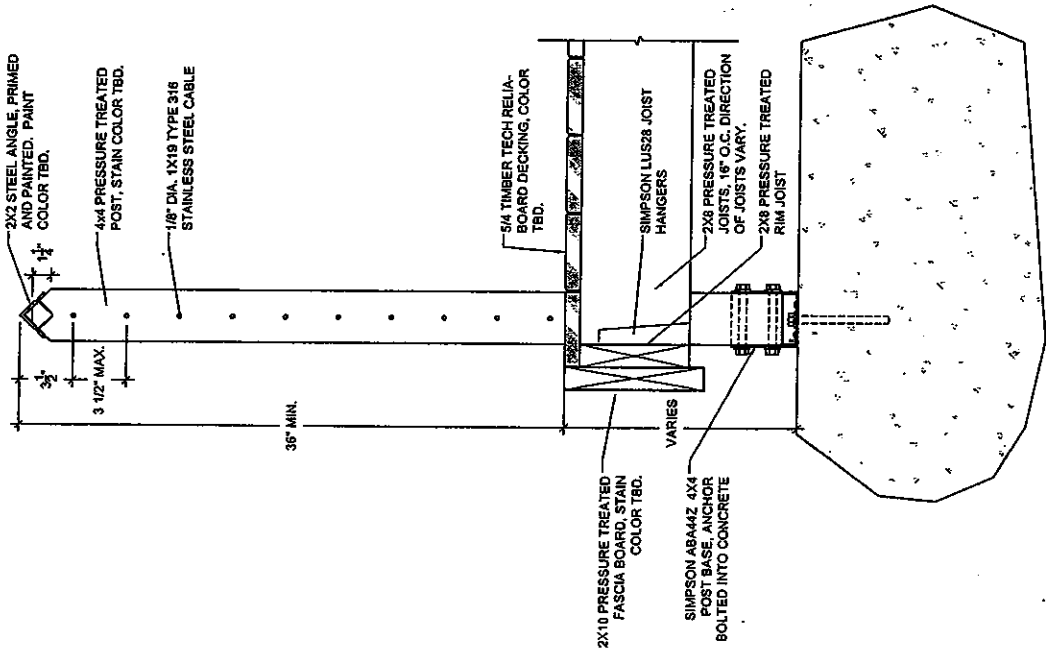
SCALE: 1" = 20'-0"

SITE PLAN

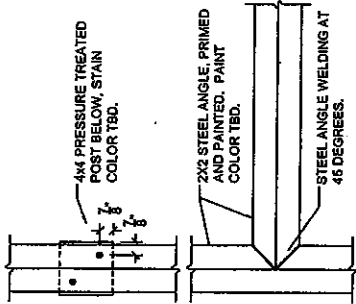
**A1.0**







1 TYP. SECTION DETAIL  
1/8\"/>



2 HANDRAIL PLAN DETAIL  
1/8\"/>



from [in] form

Josh Miller  
Trinity Brewhouse  
186 Fountain Street  
Providence, RI 02903

RE: Trinity Brewhouse Bid

April 10, 2013

Dear Josh,

Enclosed is our bid for the rebuilding of the existing deck in front of Trinity Brewhouse, located at 186 Fountain Street in Providence. This bid reflects the changes as discussed in our meeting last week, and the as-built measurements of the existing conditions of the building and deck. Our attached bid sets a maximum dollar amount for the building of the deck. If we dedicate less time and materials to complete the scope work than we have estimated, you will not be billed for those hours or materials. If you decide to change the scope of work as listed on the attached bid, you will be given a new bid to agree to. Please sign below and return if you agree to the terms presented and the attached bid. We look forward to working with you.

Best,

A handwritten signature in black ink, appearing to be 'J. Wood', with a long, sweeping horizontal line extending to the right.

Jason Wood  
from[in]form LLC

encl. Bid 1305-01, dated 4/10/13

---

Josh Miller

date

from [in] form LLC • 54 Health Avenue • Providence, RI 02908 • [www.frominform.com](http://www.frominform.com)





from [in] form  
from [in] form, LLC  
c/o Jason and Adrienne Wood  
54 Health Ave  
Providence, RI 02908

Date	Bid
4/10/13	1305-01

PROJECT:  
Trinity Brewhouse  
Attn: Josh Miller  
186 Fountain Street  
Providence, RI 02903

DECK - WOOD COMPOSITE

DESIGN

1	FEES		AMOUNTS		NOTES
	BID	BILLED			
DESIGN FEE	DESIGN		\$ 560.00	\$ -	FLAT FEE
DRAWING SET	UNFORSEEN DRAWING SET NEEDED FOR PERMISSION-SITE PLAN, DETAILED PLANS, SECTIONS		\$ 600.00	\$ -	FLAT FEE-EASEMENT PETITION PACKAGE, INTRO TO CITY COUNCIL
BUILDING PERMIT	DRAWING REVIEW AND PERMIT FEE		\$ 200.00	\$ -	FLAT FEE
Fee Totals:				BID \$ 1,360.00	BILLED \$ -

CONTRACTING BUILD-OUT

2	LAYOUT		AMOUNTS		NOTES
	BID	BILLED			
SHOP: MASS PRODUCE CUTS ON CHOP SAW	\$ 80.00	\$ -			
SITE: LEVEL AND MEASURE FOR PREFAB	\$ 160.00	\$ -			
Layout Totals:				BID \$ 240.00	BILLED \$ -

3	DELIVERY		AMOUNTS		NOTES
	BID	BILLED			
MATERIAL AND HANDLING	\$ 80.00	\$ -			
PREFAB FRAMES - 2 TRUCKS	\$ 456.00	\$ -			
Temporary Shoring Totals:				BID \$ 536.00	BILLED \$ -

4	ROUGH FRAMING		AMOUNTS		NOTES
	BID	BILLED			
MATERIALS - STRUCTURAL	\$ 1,080.89	\$ -			
MATERIALS - HARDWARE	\$ 1,053.38	\$ -			
MISC HARDWARE	\$ 300.00	\$ -			
SHOP:					
ASSEMBLE DOCK FRAMES	\$ 480.00	\$ -			
CUT AND ATTACH POSTS	\$ 200.00	\$ -			
CUT AND ASSEMBLE BENCH SEAT AND UPRIGHT CLADDING, DENSE LIKE DECKING-NO LATTICE (COMPOSITE WOOD)	\$ 780.00	\$ -			64 SF ADDITIONAL DECKING (12 @16')
SITE:					
DRILL AND SET ANCHOR BOLTS	\$ 200.00	\$ -			
CUT POSTS ON PREFAB DOCKS-SET IN PLACE	\$ 400.00	\$ -			
INSTALL JOISTS AND HANGERS B/W PREFAB DOCKS	\$ 320.00	\$ -			
INSTALL FASCIA/LEDGER TRIM AROUND VISIBLE STREET SIDES, 2X10 PT (-90LF)	\$ 490.00	\$ -			
Rough Framing Totals:				BID \$ 5,304.27	BILLED \$ -

5	DECKING		AMOUNTS		NOTES
	BID	BILLED			
INSTALL DECKING - NONCONCEALED SCREW WOOD COMPOSITE LUMBER- FOR 375 SF W/ WASTE =450SF	\$ 3,769.36	\$ -			
Decking Totals:				BID \$ 3,769.36	BILLED \$ -

6	STAIRS & RAILING	POSTS - PREP	\$	656.00	\$	-	NOTES  4X4 WOOD POSTS WITH CABLE  INCL DECKING, (1) 2X12X16 FOR STRINGERS  (5) PRICE BASED ON 3X3X1/4" ANGLE
		STAIRS (2)	\$	218.00	\$	-	
		WELDER ON SITE	\$	225.00	\$	-	
		STEEL HANDRAIL - PREP (77LF+MISC VERTICALS)	\$	650.00	\$	-	
		INSTALL STEEL HANDRAIL	\$	580.00	\$	-	
		HANDRAIL HARWARE - 2 BOLTS/POST (15)	\$	72.00	\$	-	
		PREFABRICATE AND INSTALL 2 GUARDS AT STEP UP AND 2 STEPS DOWN	\$	208.00	\$	-	
		CABLE (77 LF TOTAL X 11 RUNS @3.5" O.C.)	\$	2,710.00	\$	-	

		BID	BILLED
Stairs Totals:		\$ 5,319.00	\$ -

		AMOUNTS		NOTES
		BID	BILLED	
7	FINISHING	STEEL HANDRAIL - PAINT	\$ 310.00	\$ -
		PAINT OR STAIN PT UPRIGHTS, FASCIA BOARD TRIM, OTHER EXPOSED VISIBLE PT, COLOR TBD	\$ 530.00	\$ -

Finishing Totals:		\$ 310.00	\$ -
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		AMOUNTS		NOTES
		BID	BILLED	
8	ELECTRICAL	LIGHTING DETAIL AT STAIRS DOWN (UNDERNEATH BULLNOSE TREAD DETAIL)		
		\$ 555.00	\$ -	

Finishing Totals:		\$ 555.00	\$ -
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DECK Totals:	\$ 16,563.63	\$ -
FEE Totals:	\$ 1,360.00	\$ -
TOTALS	\$ 17,923.63	\$ -

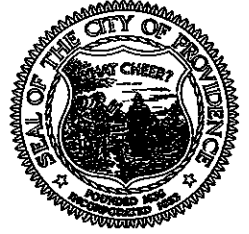


# ***PROVIDENCE POLICE DEPARTMENT***

**Colonel Hugh T. Clements  
Chief of Police**

## **Traffic Bureau**

*Sergeant Paul F. Zienowicz, Commanding*



5-29-13

To: Anna Stetson, City Clerk  
From: Sgt. Paul Zienowicz, Traffic Bureau  
Subject: Trinity Brewhouse Deck/ Fountain St Easement

Dear Ms. Stetson,

I have responded to Fountain/Aborn Sts. in reference to the Trinity Brewhouse request for permanent easement. The area in question will not be adversely affected by this easement.

At this time, the Providence Police Department has no objections to the proposed easement as it is represented on the plans provided for review.

Respectfully,

Sgt. Paul Zienowicz

## Petronio, Sheri

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**From:** Stetson, Anna  
**Sent:** Wednesday, June 12, 2013 9:41 AM  
**To:** Petronio, Sheri  
**Subject:** FW: Public Works Committee Meeting

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**From:** Dillon, Michael  
**Sent:** Monday, June 10, 2013 5:20 PM  
**To:** Farrell, William  
**Subject:** RE: Public Works Committee Meeting

The Fire department has no objections to this easement

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**From:** Farrell, William  
**Sent:** Monday, June 10, 2013 5:03 PM  
**To:** Bombard, William; Azar, Robert; Dillon, Michael; Clements, Hugh  
**Subject:** FW: Public Works Committee Meeting

Good Afternoon,  
The following item will be heard at Wednesday's Public Works Committee hearing:

1. Petition from Mark S. Aron, Manger, Fran-Lyn Associates, LLC, requesting an easement from the City of Providence to Trinity Brewhouse for property located at 186 Fountain Street for an outdoor deck

This easement is for the sidewalk beneath the deck located at Trinity Brewhouse (erected over a decade ago). If you have not already done so, can you please be sure to send your responses to the City Clerk no later than Wednesday morning.

Please let me know if you have any questions and/or concerns. Thank you.

Will



ANNA M. STETSON, CMC  
City Clerk  
Department of the City Clerk  
Providence City Hall  
25 Dorrance Street, Room 311  
Providence, Rhode Island 02903  
401 421 7740 ext. 568 OFFICE  
401 421 6492 FAX  
astetson@providenceri.com  
www.providenceri.com

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CITY OF PROVIDENCE



**Providence Parks Department**

*"Building Pride in Providence"*

**MEMORANDUM**

**TO: ANNA M. STETSON, CITY CLERK**

**FROM: ROBERT F. MCMAHON, SUPERINTENDENT OF PARKS**

**DATE: MAY 21, 2013**

The Parks Department has no objection to the petition from Mark S. Aron, Manager, Fran-Lyn Associates, LLC, requesting an easement from the City of Providence to Trinity Brewhouse for property located at 186 Fountain Street for an outdoor deck.



Department of Public Works  
Engineering Division  
| William C. Bombard PE, Chief Engineer |

June 7, 2013

Honorable Terrence Hassett  
Chairman of the Public Works Committee  
Providence City Council-City Hall  
Providence, R.I. 02903

**RE: Proposed Easement on a portion of Fountain & Aborn (Adrian Hall Way) Streets**

Dear Councilman Hassett:

This department has no objection to the proposed easement on a portion of Fountain & Aborn Sts. in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept- Engineering Office, Street Line Section, Plan No. 064845. Area of abandonment is designated as cross-hatched area (A-B-C-D-E-F-G-A) on the accompanying plan.

An additional easement is required for the drink rail which was previously installed without authorization.

Total square footage equals 372 square feet. (+)  
See accompanying plan for plat and lot numbers.

If we can further assist you in this regard, please advise.

Very truly yours,

William C. Bombard  
Acting Director

cc: Ann Stetson-City Clerk  
BB, AZ-DPW  
A. Southgate, Esq.- Law Dept.  
D. Quinn- Tax Assessors  
J. Bennett-Planning

**PROVIDENCE THE CREATIVE CAPITAL**

700 Allens Avenue | Providence, Rhode Island 02905 | 401 467 7950 OFFICE | 401 941 2567 FAX  
[www.providenceri.com](http://www.providenceri.com)

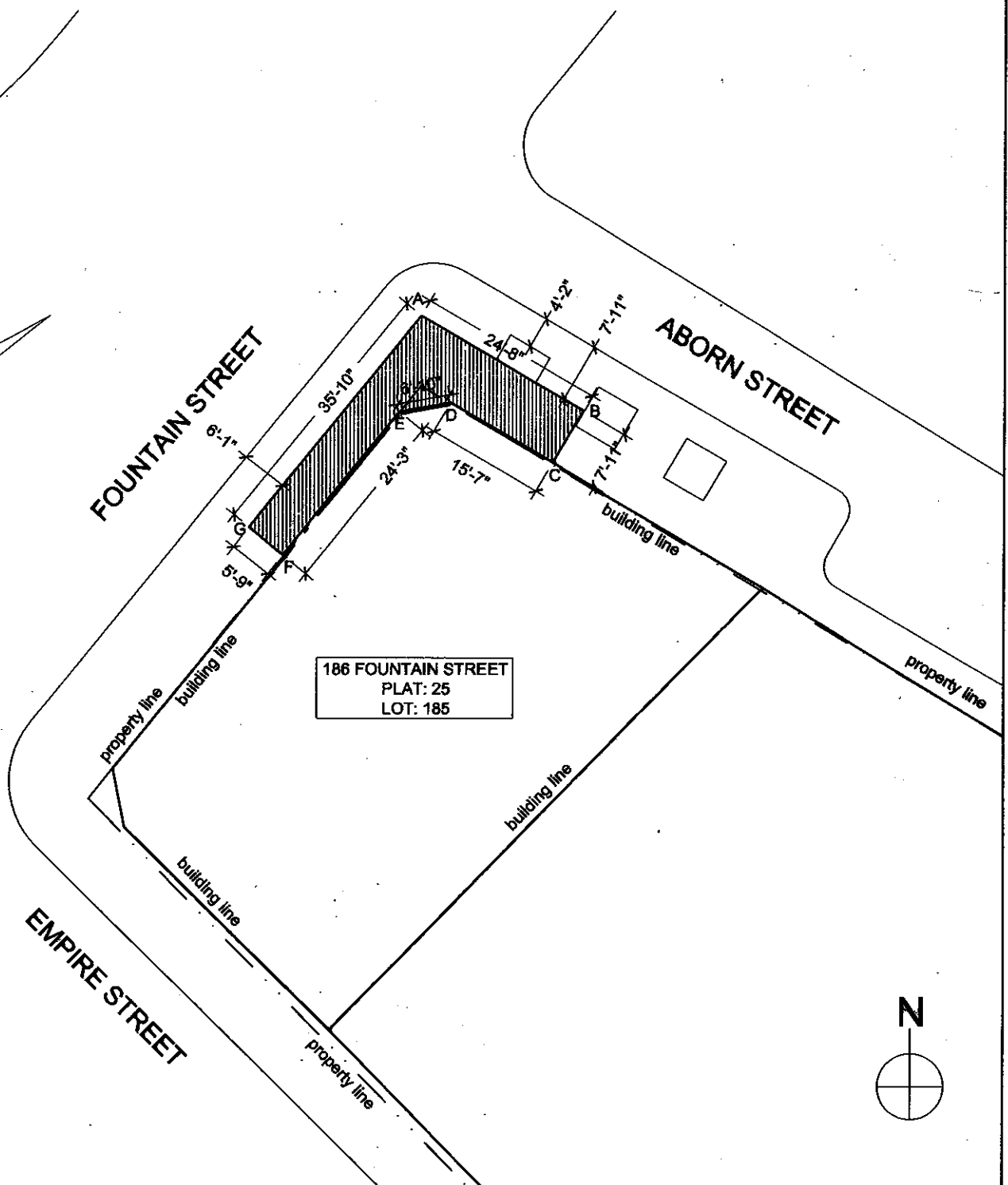
PROVIDENCE, RI

DEPT. ENGINEERING OFFICE

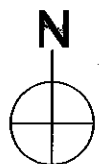
STREET LINE SECTION

PLAN NO. 064845

DATE JUNE 5, 2013



186 FOUNTAIN STREET  
PLAT: 25  
LOT: 185



NOTES: CROSS HATCHED AREA (A-B-C-D-E-F-G) INDICATES PROPOSED EASEMENT FOR DECK AT 186 FOUNTAIN STREET. TOTAL SQUARE FOOTAGE = 372 SF +/-.

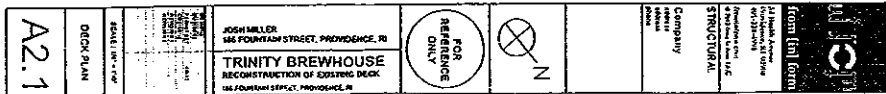
CITY OF PROVIDENCE, RI  
Public Works Dept. & Engineering Office

Showing proposed easement on Fountain Street and Aborn Street

Drawn by ABW Checked by ABW  
Scale: 1"=20' Date 6-5-13  
Correct Associate Engr.

Approved   
Chief Engineer

LOT NUMBER TAKEN FROM A.P. 25







**Finance Department  
Office of Tax Assessor**  
*"Building Pride In Providence"*

6/11/13

Department of City Clerk  
Anna M. Stetson, City Clerk  
25 Dorrance Street  
Providence, RI 02903

***RE: Proposed perpetual Easement on Aborn (Adrian Hall Way) and Fountain Streets***

Madam Clerk—

Pursuant to your request, our office has inspected the real estate located on Aborn Street adjacent to Lot 185 on Plat 25 of the Assessor's Plat Maps for the City of Providence. The subject is located in the Arts and Entertainment District of downtown and is zoned D1-120.

The purpose of the inspection and subsequent analysis was to estimate the "as-is" market value of a perpetual easement in Aborn and Fountain Streets. The easement is being requested by Trinity Brewhouse and Restaurant located at 186 Fountain Street.

Specifically, the proposed easement would run along a small portion of Aborn and Fountain Streets in the sidewalk locations approximating 5 feet, 9 inches by 37 feet, 6 inches on the Fountain Street side and 7 feet by 24 feet, 8 inches along Aborn Street. The easement encompasses the sidewalk as depicted on a site plan provided by the In Form Group. While the petitioner notes the combined site area above Aborn and Fountain Streets at 372 square feet, we have calculated the area to be 398 square feet. However, since the Department of Public Works has yet to provide its own site plan, either square foot area would be in question at this time.

Based on an analysis of comparable sales as contained within our office, a market value of \$6.00 per square foot was derived for the site, i.e., allowing an easement for a permanent deck. Therefore, the indicated "as-is" market value of the proposed perpetual easement as of June 11, 2013 is as follows:

372 square feet	x	\$6.00 per square foot	=	\$2,232
			Or	
398 square feet	x	\$6.00 per square foot	=	\$2,388

Respectfully submitted,

A handwritten signature in cursive script that reads "Elyse M. Paré".

Elyse M. Paré  
Deputy Tax Assessor

**City Assessor's Office  
25 Dorrance St, Room 208  
Providence, Rhode Island 02903**

**(401) 421-7740**

JOHN J. IGLIOZZI, ESQ.  
COUNCIL/CONCEJAL - WARD 7  
PROVIDENCE CITY HALL  
25 DORRANCE STREET  
PROVIDENCE, RI 02903  
Office: 521-7477

19 LEGION MEMORIAL DRIVE  
PROVIDENCE, RI 02909  
RES.: 401-943-2468



City Plan Commission  
Angel Taveras, Mayor  
*City of Providence, Rhode Island*

**COMMITTEES**

Finance  
Chairman

Claims & Pending Suits

City Property

Public Works

Rules Committee

**BOARDS & COMMISSIONS**

Providence Housing Authority

Board of Park Commissioners

Board of Contract and Supply

Board of Investment Commissioners

Retirement Board of the Employees'  
Retirement System

June 12, 2013

Councilman Terrence Hassett, Chair  
Committee on Public Works  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

Attn: Anna Stetson, City Clerk

**Re: Referral 3365 - Petition for a permanent easement for the business at 186 Fountain Street**  
**Applicant: Mark Aron, Fran Lyn Associates LLC**

Dear Councilman Hassett:

This letter is in response to a request from the Committee on Public Works for the City Plan Commission's (CPC) opinion on the above-referenced matter.

The petitioner has requested that a permanent easement measuring approximately 372 SF be granted in perpetuity to allow the applicant to provide outdoor seating for the restaurant located at 186 Fountain Street. The City Council had previously passed a resolution granting the applicant permission to operate the structure for an ambiguous period of time.

The CPC is required to provide its opinion on this matter, but will not meet prior to the Public Works Committee meeting tonight. The CPC will provide a recommendation prior to the item being heard before the entire Council next week. Please accept these comments in lieu of a recommendation from the CPC.

It is the opinion of the Department of Planning and Development (DPD) that the proposed easement is consistent with the intent of Providence Tomorrow: The Comprehensive Plan and the Zoning Ordinance. The plan identifies Downtown – where the building is located – as a vibrant area with a mix of uses. The plan also identifies outdoor uses like the one being proposed as ways to enhance the utility of certain properties and enliven certain areas. Outdoor seating is a permitted use Downtown and in conformance with the purposes of zoning.

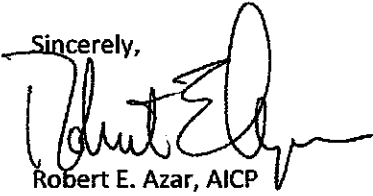
CPC staff has no objection to the proposed easement provided the design of the improvements in the right of way is reviewed by the Downtown Design Review Committee. The easement should also ensure access to underground utilities as appropriate.

DEPARTMENT OF PLANNING AND DEVELOPMENT  
444 Westminster Street, Providence, Rhode Island 02903  
401.680.8400 ph | 401.680.8492 fax  
[www.providenceri.com](http://www.providenceri.com)

Request for easement on Fountain Street  
Re: Referral 3365  
06/12/2013

2

Sincerely,

A handwritten signature in black ink, appearing to read "Robert E. Azar", with a large, stylized initial "R" and "A".

Robert E. Azar, AICP  
Administrative Officer

cc: Anna Stetson, City Clerk  
Mark Aron, Fran Lyn Associates LLC



85 High Street  
Pawtucket, RI 02860

June 12, 2013

Lori Hagan  
2<sup>nd</sup> Deputy/City Clerk  
Providence City Hall  
25 Dorrance Street  
Providence, Rhode Island 02903

RE: PETITION FOR A PERMANENT UNDERGROUND  
EASEMENT BELOW A PORTION OF FOUNTAIN STREET  
IN SIDEWALK AREA BY TRINITY BREWHOUSE.

Dear Ms. Hagan:

Upon investigation by our in house Engineer,  
Juan Hernandez, it has been determined that Verizon  
has no facilities on this portion of Fountain  
Street.

Very truly yours,

A handwritten signature in cursive script that reads "Mary C. Hanley".

Mary C. Hanley  
Manager - Right of Way  
401-727-9555

June 26, 2013

Anna M. Stetson  
City Clerk's Office  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

Re: Petition for Easement from the City of Providence to Trinity Brewhouse located at 186 Fountain St,  
Providence, RI

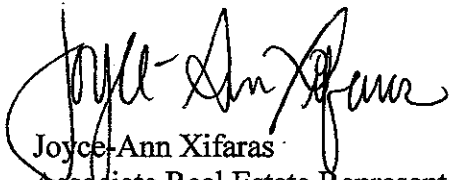
Dear Ms. Stetson:

Please be advised that after review, it has been determined that National Grid has underground electrical equipment in proximity to the proposed easement area.

Therefore, National Grid has no objection to the easement provided we continue to have the right to install, construct, reconstruct, repair, replace, add to, maintain, and operate said underground equipment, and to make such excavation or excavations as may be reasonable and necessary to construct, reconstruct, repair, and remove underground equipment, and that the Grantee (Trinity Brewhouse), its successors and assigns, shall not interfere with the safe and proper operation of National Grid's underground equipment.

Please call me if you have any questions.

Very truly yours,



Joyce-Ann Xifaras  
Associate Real Estate Representative  
(401) 784-7513  
(315) 477-7188 (fax)  
Joyce-ann.xifaras@nationalgrid.com