

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 472

EFFECTIVE ~~XXXXXX~~ *Approved* August 12, 2002

WHEREAS, JOSEPH C. NAJIM AND GEORGE S. ABDUL MASSIH AND J.L.C. PLUS SERVICE, INC. (hereinafter "Applicant") is the owner of realty located at 399 Broadway, Providence, Rhode Island (Plat 33, Lot 11); and

WHEREAS, Applicant seeks to install underground gasoline and diesel storage tanks with a total capacity of 20,000 gallons and to undertake other ancillary construction.

NOW, THEREFORE, BE IT RESOLVED, That Applicant is authorized to install two (2) underground storage tanks (1 existing and 1 additional) with a total capacity of 20,000 gallons (i.e., increase underground storage capacity by 10,000 gallons) and to undertake other ancillary improvements listed in its application attached hereto provided, however, that:

1. All construction is undertaken consistent with the plans presented to the City Council Committee on Public Works Department, the Department of Public Safety, the Department of Public Works, and the Department of Inspection and Standards as those plans may be modified by any of the same.

2. The Applicant shall obtain appropriate permits from any federal and/or state regulatory agency and, further, shall perform any remediation of environmental damage at or originating at the situs 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, Applicant shall, for the duration of such obstruction or displacement, 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 insureds. Such policy shall be acceptable to the City Solicitor.

4. Applicant agrees, and that agreement shall be manifested by Applicant, that undertaking any construction pursuant to this Resolution, any statement(s) or representation(s) made to any municipal department, board or committee are made

IN CITY COUNCIL.

FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

Michael R. Clement
ans

THE COMMITTEE ON

Public Works

Recommends

Stephen P. Hryg

Barbara A. Perrin

CLERK

3/4/02

3/25/02 - P. Hryg held

THE COMMITTEE ON
PUBLIC WORKS

Approves Passage of
The Within Resolution

James M. Stebbins

6-26-02

Clerk

a part of this Resolution and any authorization granted hereunder are specifically conditioned upon compliance with said statement(s) and/or representation(s).

5. All work performed hereunder shall be done in a good and workmanlike manner, shall be commenced and completed forthwith and Applicant shall obtain any necessary permits.

6. All work contemplated herein shall be completed not more than one hundred twenty (120) days after and in the event said work is not so completed, this Resolution shall automatically and without further actin by the city, be rescinded and any grant hereunder voided; unless prior to that time a request is made to the Providence City Council.

7. Nothing herein shall be construed to contradict or limit or modify any ruling or declaration of the Providence Zoning Board .

8. To the extent applicable, the conditions imposed hereunder shall run to any successor in interest to the proposed gasoline station or other buildings.

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

IN CITY COUNCIL
AUG 1 2002
READ AND PASSED
PRES.
Michael R. Clement
CLERK
CB

Effective without the
Mayor's Signature:
Michael R. Clement
City Clerk

**APPLICATION FOR
FUEL DISPENSING PERMIT**

Permit No. _____

By _____

Date 1-8-02

To the Director of the Department of Inspection & Standards:

1. _____ Building District _____ Ward
2. Street Location 399 Broadway
3. Plat 33 Lot 11
4. Owner Joseph C. Najim & George S. Abdul Massih
5. New Gas Station w/20,000 gallons capacity Existing Gas Station w/10,000 gallons capacity
6. Number of Buildings One
7. Number of Curb Cuts 2 Width 30'
8. Drawings Accompanying Application Yes (See Attached)
9. Number of Pumps Now on Premises 4
10. Number of Additional Pumps No Additional Pumps
11. Total Pumps on Lot 4
12. Capacity of Tanks (existing) 10,000 Gallons
13. Capacity of Additional Tanks 10,000 Gallons
14. Total Capacity on Lot 20,000 Gallons
15. Is Fuel or Oil to Be Sold? Yes (Fuel)
16. Zoning District R-P Zoning District
17. Estimated Cost \$10,000.00

Approved: _____

John J. Partington
Commissioner of Public Safety

Approved: _____

Henry J. Sesta
Traffic Engineer

Approved: _____

MAH - 1/11/2002
Director of Public Works

Approved: _____

Ramzi J. J. J.
Director of the Department of
Inspection and Standards

REMARKS

A new tank containing 10,000 gallons
was installed in 1997 without approval,
however, Zoning Board of Review had
granted a variance in 1998 (Res.#8111)
to allow this increase.

JLC Plus Service Inc.
Owner's Name

399 Broadway Apt 2 Providence
Address

George Abdul Massih
Agent's Name

355 Broadway Apt 2 Providence
Agent's Address

401 621 1318
Telephone Number

FILED
JAN 23 12 22 PM '02
DEPT. OF CITY CLERK
PROVIDENCE, R.I.

**THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution**

Ann M. Stets
6-26-02 Clerk

THE COMMITTEE ON

Robert D. Harris
Recommends *Set up P. H.*
Barbara A. Quinn
3/4/02

**IN CITY COUNCIL
FEB 7 2002**

**FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS**

Michael R. Clout
130



Zoning Board of Review

January 15, 1998

RESOLUTION NO. 8111

Joseph C. Najm and
George S. Abdul Massih
133 Greenville Avenue
Johnston, Rhode Island 02919

Gentlemen:

At a meeting of the Zoning Board of Review (the "Board") held on Tuesday, November 4, 1997, the following Resolution was adopted:

WHEREAS, Joseph C. Najm and George S. Abdul Massih (the "Owners") of Lot 11 on Assessor's Plat 33 (399 Broadway)(the "Parcel") in a Residential-Professional Zone and Broadway Historic District; filed an application to be relieved from Sections 201.5, 201.7 and 303-use code 45 in the proposed installation of a 34' x 46' canopy over the existing pump island and increase underground storage of gasoline from 10,000 to 20,000 gallons. The applicant seeks relief from regulations governing intensification of a non-conforming use and the use restriction. The lot in question contains approximately 9,925 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, November 4, 1997, a public hearing was held on this application by the Zoning Board of Review after public notice as set forth by the Zoning Ordinance; and

NOW, THEREFORE, after consideration of the application, testimony and review of the architectural plans, and after having carefully weighed the same and utilized its own expert knowledge which confirms and is corroborated by the testimony presented at the hearing, the Zoning Board of Review grants the following:

RESOLVED: That the Zoning Board of Review does hereby grant a variance of Sections 201.5, 201.7 and 303-use code 45 under Section 902 of the Zoning Ordinance substantially in accordance with the plans and plot plans filed with said Board, provided that (1) there be no convenience store; (2) there be no parking or storage on the public right-of-way (sidewalks); (3) no automobiles can be sold on the premises; and (4) this approval is subject to the approval of the Providence Historic District Commission. 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, STROTHER, 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.

ABUTTING PROPERTY OWNERS WITHIN 200 FEET OF THE
SUBJECT PROPERTY: 399 Broadway
Providence Tax Assessor's Plat 33, Lot 11

PLAT 33	NAMES AND MAILING ADDRESSES
LOTS	

*11	Joseph C. Najm 399 Broadway Providence, RI 02909
10	Ar ^m ory Revival Company 1570 Westminster Street Providence, RI 02909
7	Kevin F. Regan 383 Broadway Providence, RI 02909
650	John Ledoux 8 Andrews Street Providence, RI 02909
648	Petar Horvatic 120 Hamilton Drive East Greenwich, RI 02818
8	Robert A. Bartlett 18 Andrews Street Providence, RI 02909
9	Mary Bianco 68 Grove Street Providence, RI 02909
12	Susan McMurtrie 109 Summer Street Providence, RI 02903

PLAT 33 continued:

13	Robert DeLisi 84 Courtland Street Providence, RI 02909
14	Same owner as lot 12
5	Donald V. Tramonti 369 Broadway Providence, RI 02909
305	LLL Real Estate LLC 371 Broadway Providence, RI 02909
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PLAT 33 continued:

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PLAT 33 continued:

632	Broadway Heritage Properties 405 Broadway Providence, RI 02909
388	JEM Properties 228 Broadway Providence, RI 02909
389	Monica Paolino 401 Broadway Providence, RI 02909
390	Paul T. Jones, Jr. 15 Curtis Road Bristol, RI 02809
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PLAT 32

- 3 Three Sixty-Two Broadway Associates
362 Broadway
Providence, RI 02909
- 4 Gisele DeMaio
41 Brighton Street
Providence, RI 02909
- 441 Ernest Ramey
65 Sharon Street
Providence, RI 02908
- 34 F & T Realty Corporation
376 Broadway
Providence, RI 02903
- 5 Joseph A. Bevilacqua
380 Broadway
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Cranston, RI 02920
- 7 George Daher
392 Broadway
Providence, RI 02909
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106 Courtland Street
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45 Brighton Street
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PLAT 32 continued:

10	Maria M. Costantino 41 Almy Street Providence, RI 02909
443	Armenian All Saints Church 403 Broadway Providence, RI 02909
107	Marie Spirito 408 Broadway Providence, RI 02909
110	John J. Pattera 414 Broadway Providence, RI 02909
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442	Same owner as lot 443

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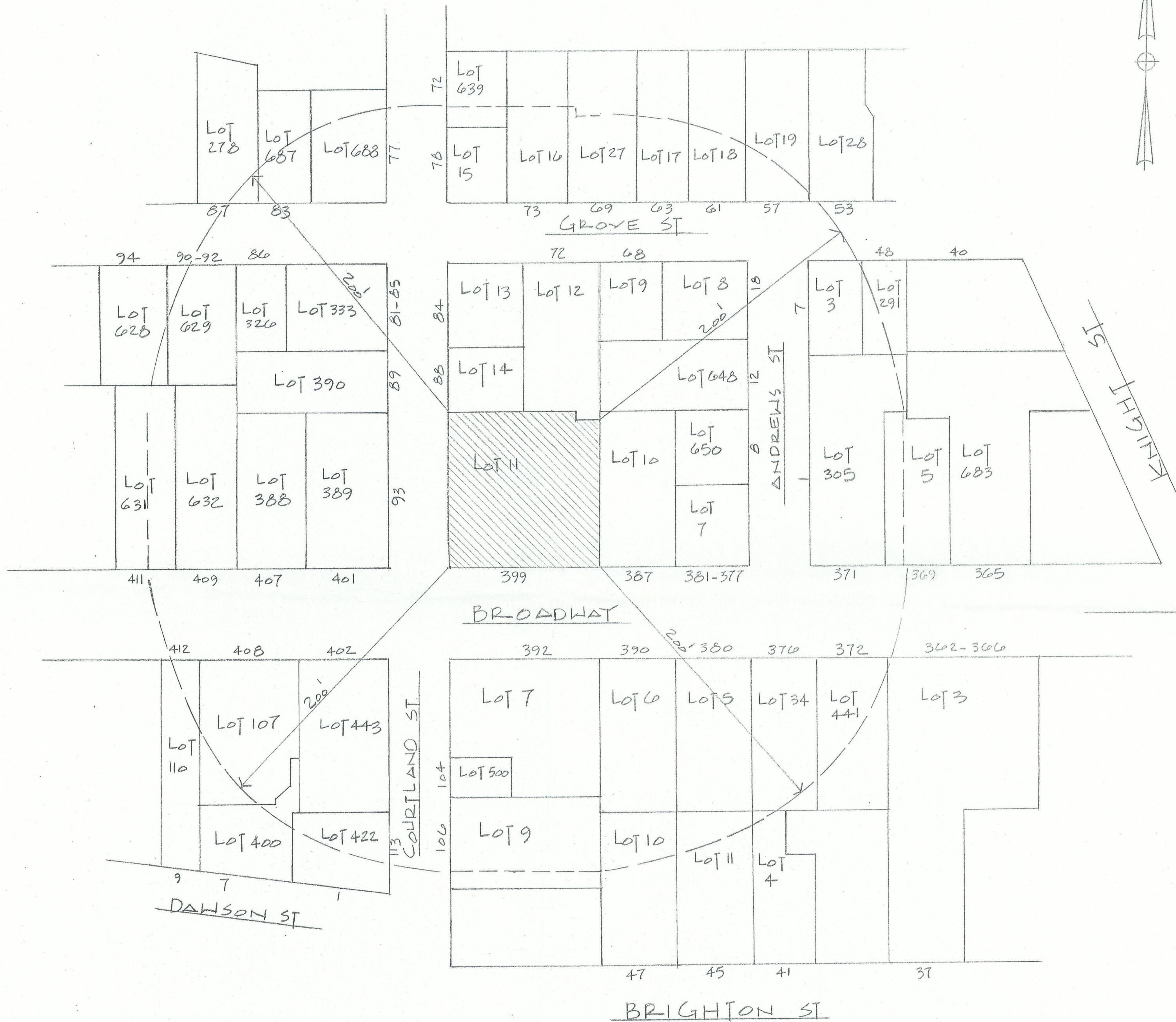
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PLAT 32 continued:

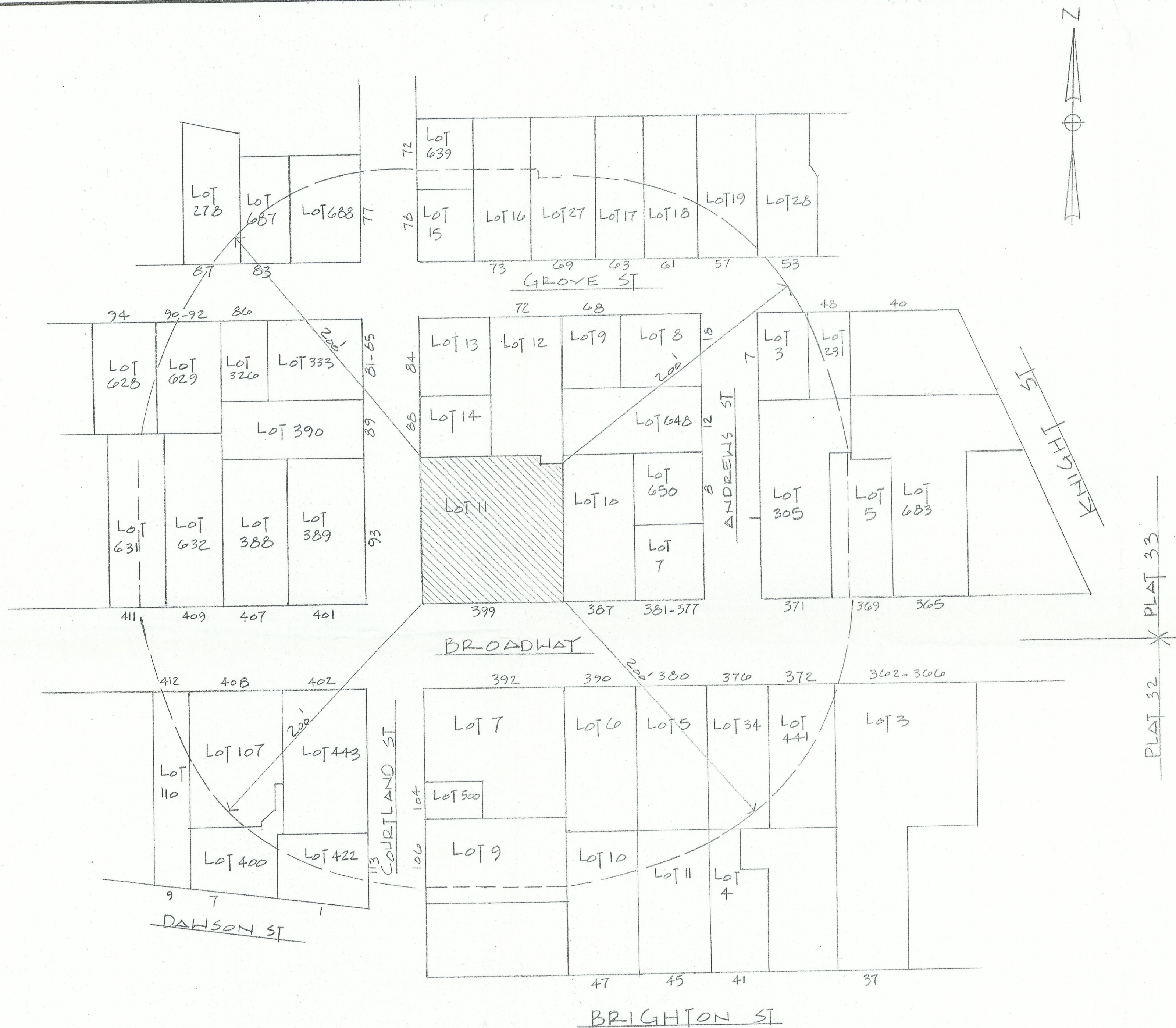
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PLAT 32 X PLAT 33

REVISIONS	BY

200' RADIUS MAP - 399 BROADWAY, PROVIDENCE	
DATE	1-02
SCALE	
DRAWN	
JOB	
SHEET	1 OF 1
OF	SHEETS



REVISIONS	BY

200' RADIUS MAP - 399 BROADWAY, PROVIDENCE

DATE	1-02
SCALE	
DRAWN	
JOB	
SHEET	1 OF 1
OF	SHEETS

RESOLUTION OF THE CITY COUNCIL

No. 472

EFFECTIVE ~~XXXXXX~~ August 12, 2002

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NOW, THEREFORE, BE IT RESOLVED, That Applicant is authorized to install two (2) underground storage tanks (1 existing and 1 additional) with a total capacity of 20,000 gallons (i.e., increase underground storage capacity by 10,000 gallons) and to undertake other ancillary improvements listed in its application attached hereto provided, however, that:

1. All construction is undertaken consistent with the plans presented to the City Council Committee on Public Works Department, the Department of Public Safety, the Department of Public Works, and the Department of Inspection and Standards as those plans may be modified by any of the same.

2. The Applicant shall obtain appropriate permits from any federal and/or state regulatory agency and, further, shall perform any remediation of environmental damage at or originating at the situs 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, Applicant shall, for the duration of such obstruction or displacement, 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 insureds. Such policy shall be acceptable to the City Solicitor.

4. Applicant agrees, and that agreement shall be manifested by Applicant, that undertaking any construction pursuant to this Resolution, any statement(s) or representation(s) made to any municipal department, board or committee are made

a part of this Resolution and any authorization granted hereunder are specifically conditioned upon compliance with said statement(s) and/or representation(s).

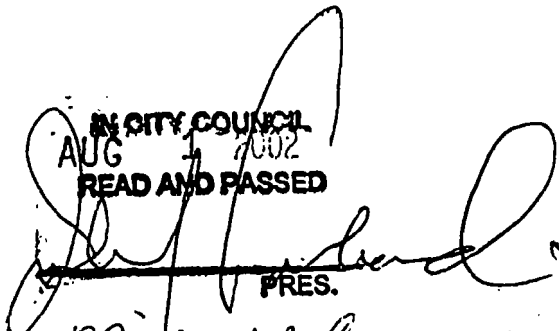
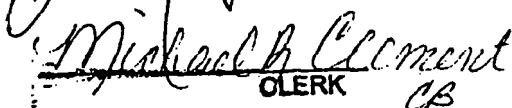
5. All work performed hereunder shall be done in a good and workmanlike manner, shall be commenced and completed forthwith and Applicant shall obtain any necessary permits.

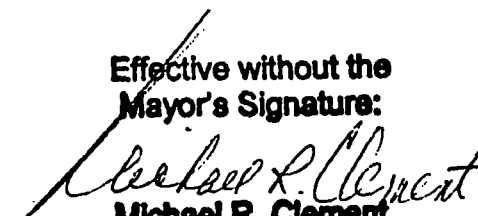
6. All work contemplated herein shall be completed not more than one hundred twenty (120) days after and in the event said work is not so completed, this Resolution shall automatically and without further actin by the city, be rescinded and any grant hereunder voided; unless prior to that time a request is made to the Providence City Council.

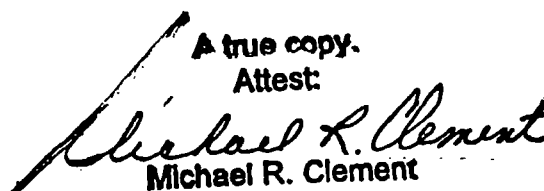
7. Nothing herein shall be construed to contradict or limit or modify any ruling or declaration of the Providence Zoning Board .

8. To the extent applicable, the conditions imposed hereunder shall run to any successor in interest to the proposed gasoline station or other buildings.

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

IN CITY COUNCIL
AUG 1 2002
READ AND PASSED

PRES.

CLERK CB

Effective without the
Mayor's Signature:

Michael R. Clement
City Clerk

A true copy.
Attest:

Michael R. Clement
City Clerk

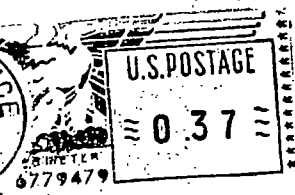


DEPARTMENT OF CITY CLERK
CITY HALL, PROVIDENCE, R.I. 02903

MICHAEL R. CLEMENT, CITY CLERK



ADDRESSEE UNKNOWN

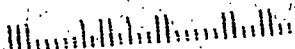


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RESOLUTION OF THE CITY COUNCIL

No. 472

EFFECTIVE ~~Approved~~ August 12, 2002

WHEREAS, JOSEPH C. NAJIM AND GEORGE S. ABDUL MASSIH AND J.L.C. PLUS SERVICE, INC. (hereinafter "Applicant") is the owner of realty located at 399 Broadway, Providence, Rhode Island (Plat 33, Lot 11); and

WHEREAS, Applicant seeks to install underground gasoline and diesel storage tanks with a total capacity of 20,000 gallons and to undertake other ancillary construction.

NOW, THEREFORE, BE IT RESOLVED, That Applicant is authorized to install two (2) underground storage tanks (1 existing and 1 additional) with a total capacity of 20,000 gallons (i.e., increase underground storage capacity by 10,000 gallons) and to undertake other ancillary improvements listed in its application attached hereto provided, however, that:

1. All construction is undertaken consistent with the plans presented to the City Council Committee on Public Works Department, the Department of Public Safety, the Department of Public Works, and the Department of Inspection and Standards as those plans may be modified by any of the same.

2. The Applicant shall obtain appropriate permits from any federal and/or state regulatory agency and, further, shall perform any remediation of environmental damage at or originating at the situs 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, Applicant shall, for the duration of such obstruction or displacement, 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 insureds. Such policy shall be acceptable to the City Solicitor.

4. Applicant agrees, and that agreement shall be manifested by Applicant, that undertaking any construction pursuant to this Resolution, any statement(s) or representation(s) made to any municipal department, board or committee are made

a part of this Resolution and any authorization granted hereunder are specifically conditioned upon compliance with said statement(s) and/or representation(s).

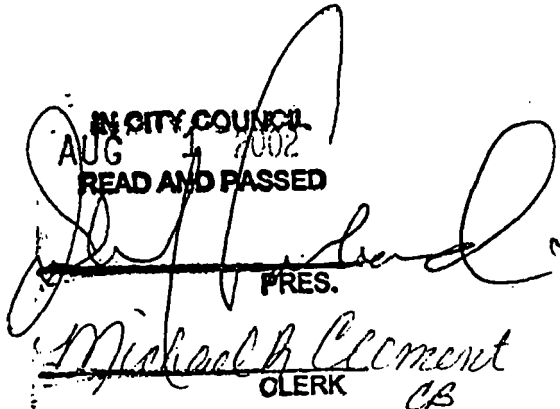
5. All work performed hereunder shall be done in a good and workmanlike manner, shall be commenced and completed forthwith and Applicant shall obtain any necessary permits.

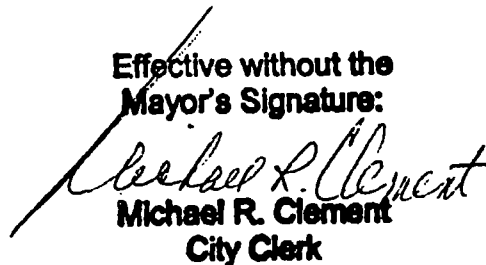
6. All work contemplated herein shall be completed not more than one hundred twenty (120) days after and in the event said work is not so completed, this Resolution shall automatically and without further actin by the city, be rescinded and any grant hereunder voided; unless prior to that time a request is made to the Providence City Council.

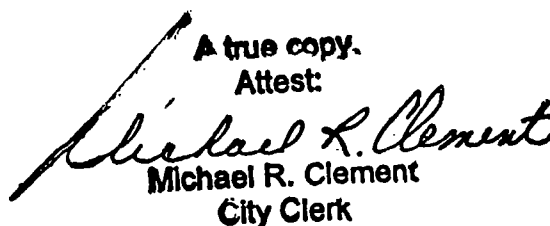
7. Nothing herein shall be construed to contradict or limit or modify any ruling or declaration of the Providence Zoning Board .

8. To the extent applicable, the conditions imposed hereunder shall run to any successor in interest to the proposed gasoline station or other buildings.

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

IN CITY COUNCIL
AUG 1 2002
READ AND PASSED

PRES.
Michael R. Clement
CLERK CB

Effective without the
Mayor's Signature:

Michael R. Clement
City Clerk

A true copy.
Attest:

Michael R. Clement
City Clerk



DEPARTMENT OF CITY CLERK
CITY HALL, PROVIDENCE, R.I. 02903

MICHAEL R. CLEMENT, CITY CLERK

MS. SUSAN MCMURTRIE
109 SUMMER STREET
PROVIDENCE, RI 02903

FILED
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DEPT OF CITY CLERK
PROVIDENCE, R.I.



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