

# RESOLUTION OF THE CITY COUNCIL

*No.* 146

*Approved* April 9, 2001

WHEREAS, Weir Properties (hereinafter "Petitioner"), has sought:

(a) to alter the existing grade of the sidewalk located adjacent to 32 Branch Avenue; and

(b) to construct a handicapped access ramp adjacent to said real estate; and

WHEREAS, said access ramp will encroach upon the public walkway; and

WHEREAS, after study of Petitioner's request, the City, acting through its appropriate authorities, has determined that the proposed encroachments are not adverse to the public interest,

NOW, THEREFORE, BE IT RESOLVED That the Petitioner is granted permission to encroach upon the public way for the purpose of constructing and maintaining a handicapped-access ramp at or near the entrance to the building located at 32 Branch Avenue.

1. All construction with relation to the said ramp is to be completed in accordance with plans and specifications submitted by the Petitioner to the city Department of Inspection & Standards as those plans may have been modified and/or approved by said department, the Department of Public Works, and the Council Committee on Public Works. (Copies of the subject plans are attached hereto).

2. The Petitioner shall supply and retain in effect a certificate of insurance in an amount of not less than one hundred thousand dollars (\$100,000.00) protecting the City of Providence and its successors and assigns, its agents, servants, officers and employees as additional-named insureds against claims for the construction, maintenance and/or existence of said ramp encroachment. Said insurance shall be from a company and in a form acceptable to the Department of Law.

IN CITY COUNCIL  
MAR 1 2001  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS  
*Michael P. Clement* Clerk

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Within Resolution  
*Claire Bertrich* Clerk  
March 26, 2001

From the Clerk's Desk

3. The Petitioner shall execute an indemnification and hold harmless agreement satisfactory to the City Solicitor.

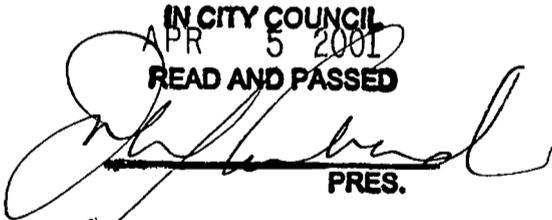
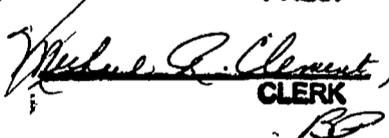
4. The Petitioner shall grant to the appropriate public utility(ies) and/or governmental agency(ies), by pertinent document, any easements, licenses, or the like, so as to maintain public services.

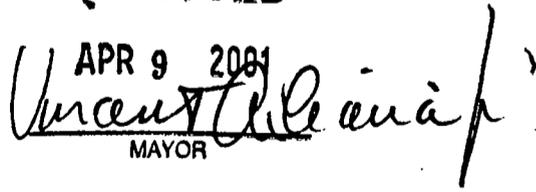
5. A certified copy of the within Resolution shall be recorded in the Office of Land Evidence of the City of Providence.

6. Any rights or obligations granted hereunder shall be deemed to run with the land and shall operate against any and all successors in interest and/or title .

7. Any rights or obligations granted hereunder shall remain in full force and effect for so long as the encroachment permitted hereby does not cease to be utilized for the purposes for which it was granted provided, however, Petitioner shall at its own expense remove said encroachment in the event the City notifies said Petitioner or any successor in interest thirty (30) days in advance of the intent of the City to utilize said realty for any purposes. By commencing any alteration pursuant to this grant, Petitioner specifically waives any claim for damages it may have for such use.

8. Such other reasonable conditions as the Mayor and/or the Department of Law may impose hereunder.

**IN CITY COUNCIL**  
APR 5 2001  
**READ AND PASSED**  
  
**PRES.**  
  
**CLERK**

**APPROVED**  
APR 9 2001  
  
**MAYOR**

FERDINAND C. IHENACHO, P.E., PTOE.

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

April 4, 2001

Hon. Robert M. Clarkin  
Chairman of the Public Works Committee  
Providence City Council -- City Hall  
Providence, R.I. 02903

RE: Proposed Handicap Ramp  
32 Branch Avenue

Dear Councilman Clarkin:

This Department has no objection to the proposed placement of a handicap ramp at 32 Branch Ave. (John Weiss, V.P./Weiss Properties), in accordance with the accompanying plan, entitled "Providence, R.I. - P.W. Dept. - Engineering Office, Street Line Section, Plan No. 064664, Date: April 3, 2001".

The property at 32 Branch Avenue is being leased by the Groden Center which offers services to children with disabilities, therefore, requiring said handicap ramp installation. Said ramp will be 13'-11" long, 4' wide, railings will be 3' high with a one foot overhang at each end. Said ramp will be accessible from both sides, as shown on the accompanying plan.

The property at 32 Branch Ave. is Lot 121 on City of Prov. AP 74. Total sidewalk area to be occupied by said ramp will be 55'-8". Note that there is ample room on the remaining pedestrian right-of-way, leaving 4ft. sidewalk width. If we can further assist in this regard, please advise.

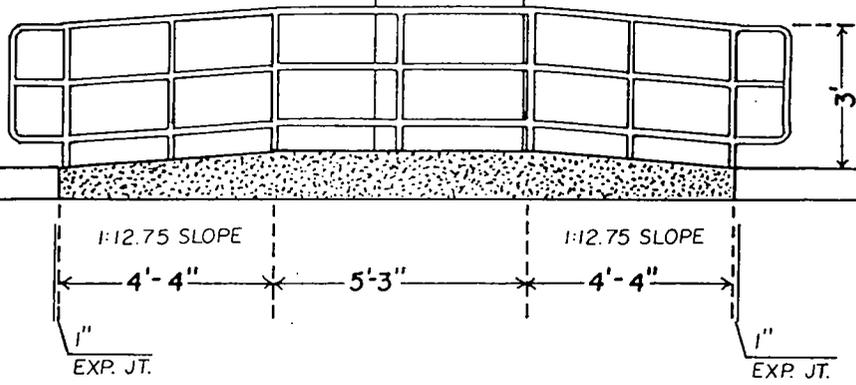
Very truly yours,

*Ferdinand C. Ihenacho*

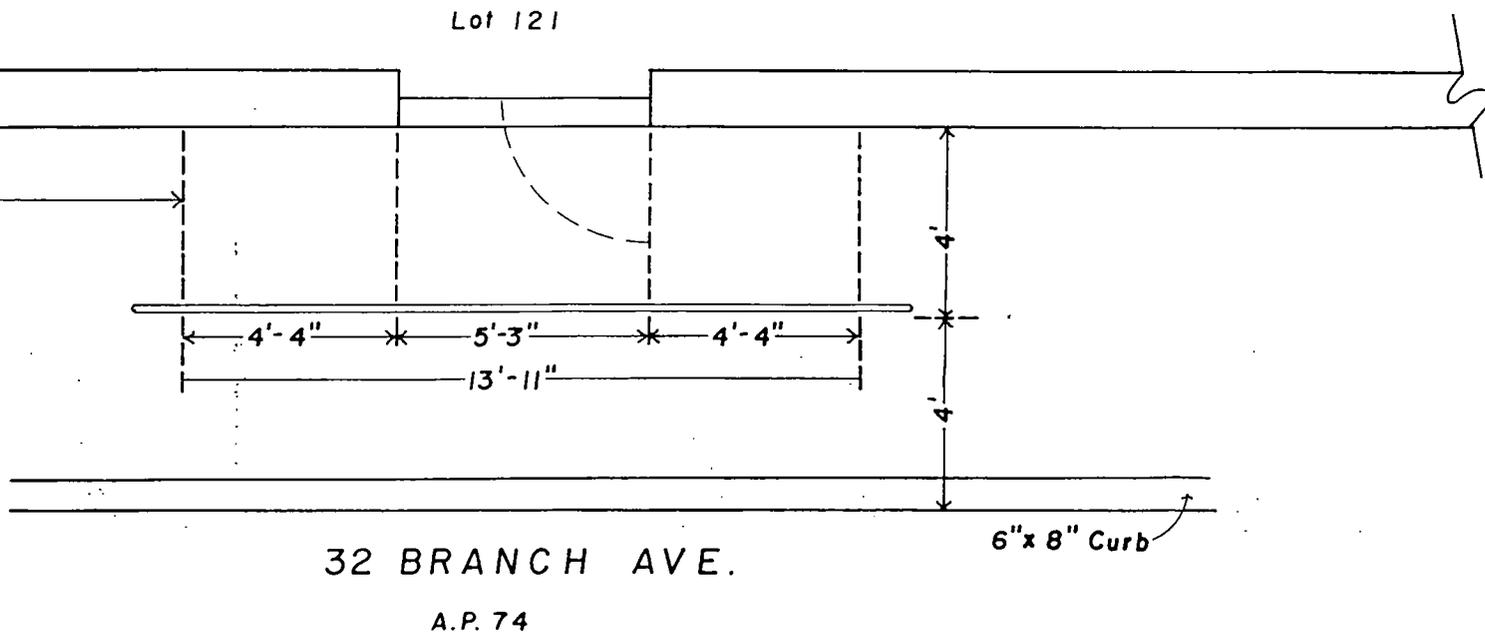
Ferdinand C. Ihenacho, P.E.

for Director

CC: M. Clement  
J. D'Amico  
G. Florio  
Jlc  
SZ



NOTES: Showing proposed construction of a ramp that will make the main entrance handicapped accessible.  
Total area = 55'-8"



CITY OF PROVIDENCE, R. I.  
Public Works Dept. + Engineering Office  
Showing proposed handicap ramp at  
32 Branch Ave.  
Drawn by A. Zisliades Checked by DEC  
Scale 1/4" = 1' Date 4-3-2001  
Correct James A. Hunt Associate Engr.  
Approved Arnold J. Lewis  
Chf. → CHIEF ENGINEER

PROVIDENCE, R. I.  
P. E. DEPT. + ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064664  
Date April 3, 2001

**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 allow the construction of a ramp at 32 Branch Avenue that will make the main entrance to that location handicapped accessible. The Groden Center is planning to lease this building for several of its programs that offer services to children with disabilities. Included in these services is a brand new collaborative program in Rhode Island called CEDARR Family Centers which must be in an accessible location. The aforementioned ramp needs to be constructed on a city sidewalk. There is a ramp identical in design and relative location to the one I am requesting, one block away at 50 Branch Avenue, the location of the State of Rhode Island Board of Elections.

I have included with this petition plans and photographs to assist you in visualizing the proposed project. The Groden Network is already a significant presence in this neighborhood. The services they provide to children and their families are invaluable.

In support of their mission and the goals of the Americans with Disabilities Act, I am hopeful that we can proceed with this project to make 32 Branch Avenue an accessible facility.

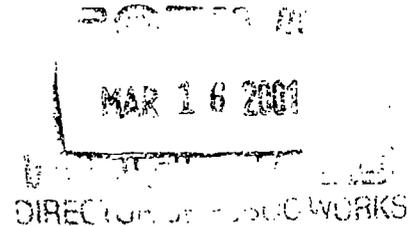
Thank you for your consideration

*Jon Weiss*  
*V.P., Weiss Properties*

City of Providence



Rhode Island



Department of City Clerk

MEMORANDUM

**DATE:** March 15, 2001

**TO:** Ferdinand Ihenacho, Public Works Director

**SUBJECT:** Petition from John Weiss, Vice-President of Weiss Properties, to allow the construction of a ramp at 32 Branch Avenue that will make the main entrance to that location handicapped accessible.

**CONSIDERED BY:** Councilman Robert M. Clarkin, Chairman,  
Committee on Public Works

**DISPOSITION:** The accompanying petition is referred to you for study, report and recommendation and report back in writing to the above-named committee as soon as practical. (Map is available in the Department of City Clerk)

*Claire E. Bettencourt*  
Second Deputy City Clerk



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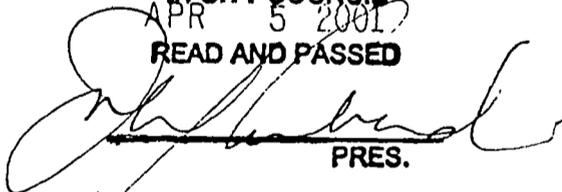
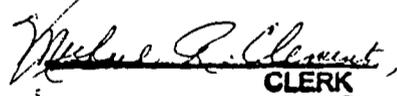
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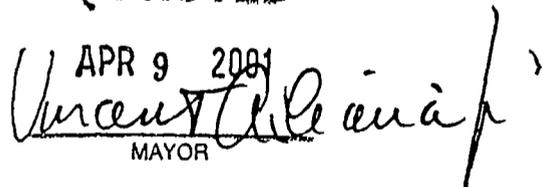
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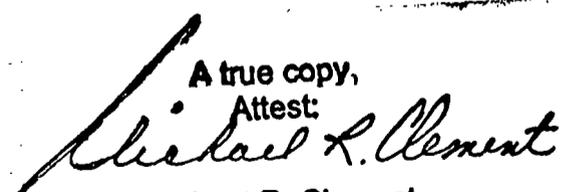
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IN CITY COUNCIL  
APR 5 2001  
READ AND PASSED  
  
PRES.  
  
CLERK  
BF

APPROVED  
APR 9 2001  
  
MAYOR

A true copy,  
Attest:  
  
Michael R. Clement  
City Clerk

FERDINAND C. IHENACHO, P.E., PTOE.

Director



VINCENT A. CIANCI, JR.

Mayor

## Department of Public Works

*"Building Pride In Providence"*

April 4, 2001

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

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*Ferdinand C. Ihenacho*

Ferdinand C. Ihenacho, P.E.

For Director

CC: M. Clement  
 J. D'Amico  
 G. Florio  
 Jlc  
 SZ

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

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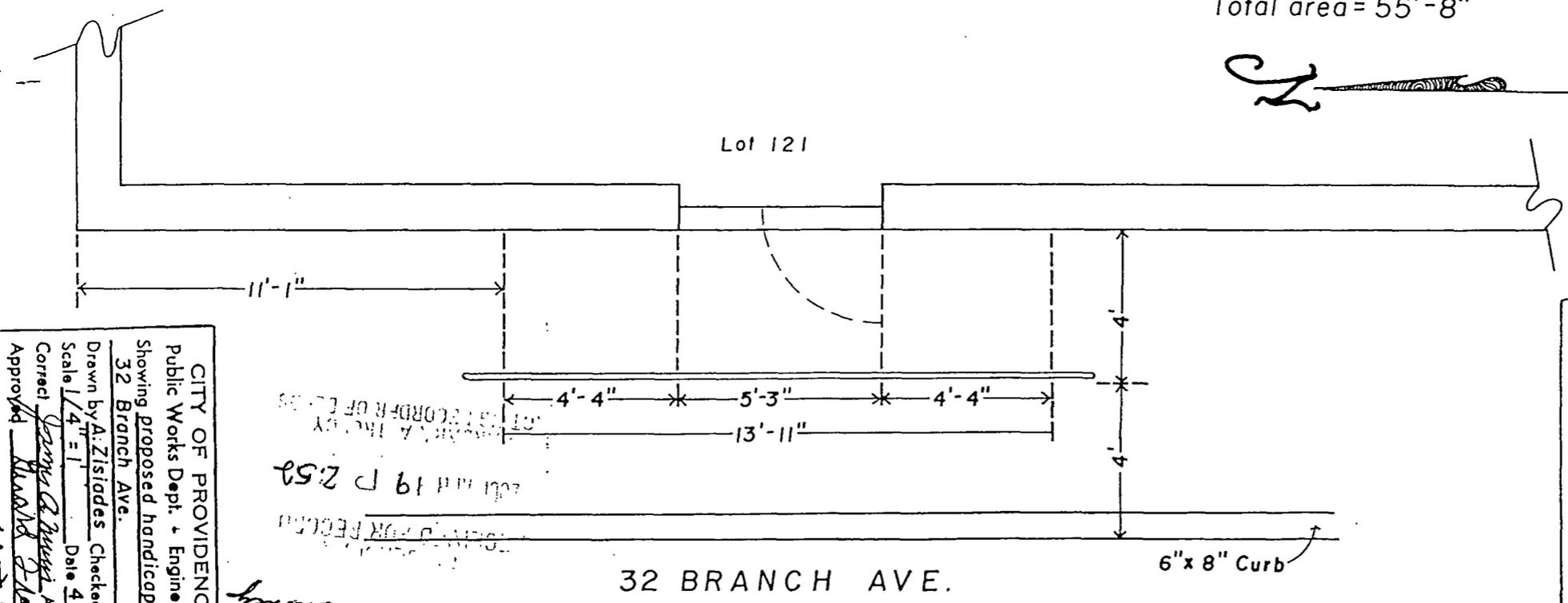
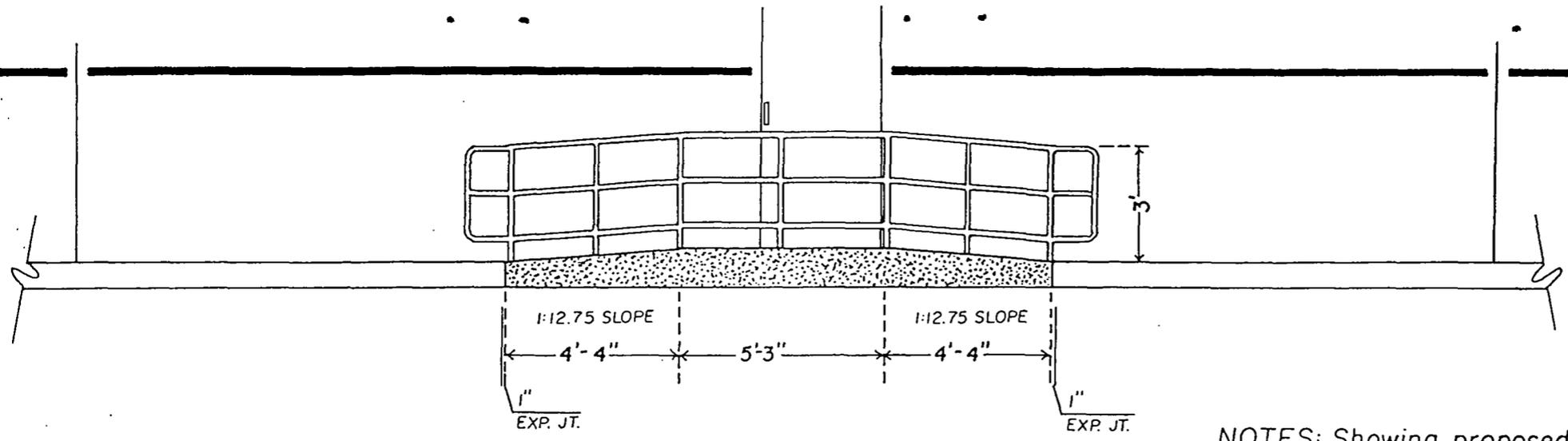
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Thank you for your consideration

*Jon Weiss*  
*V.P., Weiss Properties*

BK4658PG040

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PROVIDENCE, R. I.  
P.L. DEPT. OF ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064664  
Date April 3, 2001

RECORDED & INDEXED  
APR 19 2:52 PM  
CITY OF PROVIDENCE

*Barbara G. Tracy*

CITY OF PROVIDENCE, R. I.  
Public Works Dept. - Engineering Office  
Showing proposed handicap ramp at  
32 Branch Ave.  
Drawn by A. Zisliades Checked by *DEC*  
Scale 1/4" = 1' Date 4-3-2001  
Correct *George A. Tracy* Associate Eng  
Approved *Barbara G. Tracy*  
CHIEF ENGINEER

4658-3e-40

PROVIDENCE, RI  
RECEIVED FOR RECORD

2001 APR 19 P 2:51

BARBARA A. TRONCY  
ACTING RECORDER OF DEEDS

o

18/43