

## RESOLUTION OF THE CITY COUNCIL

No. 303

*Approved* June 29, 1992

Lerner-Proctor Trust, is hereby granted permission to erect a ramp along the Wayland Avenue entrance to the premises located at 144 Wayland Avenue, Providence, Rhode Island. Said ramp shall extend not more than three (3) feet in width nor more than twelve (12) feet in length into the public right of way. Said permission shall continue for fifty (50) years unless earlier abrogated by agreement or as set out below.

Said grant is conditioned upon:

a.) Lerner-Proctor Trust, undertaking all construction in accordance with the plans submitted to the Director of the Department of Inspection and Standards; the Department of Public Works, and the Department of Traffic Engineering;

b.) Lerner-Proctor Trust entering into an indemnification agreement acceptable to the Office of the City Solicitor;

c.) Lerner-Proctor Trust providing insurance coverage against loss or injury in an amount of not less than One Hundred Thousand (\$100,000.00) Dollars, with the City of Providence being named as an additional insured.

d.) That should the City of Providence at any time hereafter be entitled to assess abutting property owners for the private use and occupation of the public highways, this resolution shall in no manner affect the right of the City to charge and collect rent for the use of Wayland Avenue or any successor or assign in interest.

e.) The City shall retain a right of reverter in the premises and should Lerner-Proctor Trust, fail to comply with or to abide by any of the above referenced conditions, the premises shall automatically revert to the full fee and control of the City of Providence; any agreement hereunder shall be null and void, and any right or fee created hereunder shall be forever extinguished without recourse by Lerner-Proctor Trust, and upon such other terms and conditions as may be imposed by His Honor the Mayor and the City Solicitor.

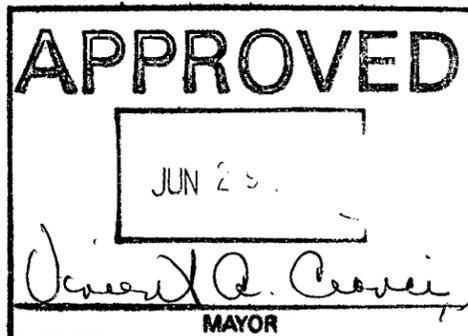
IN CITY COUNCIL

JUN 29 1992

READ AND PASSED

*James H. Petrosinelli*  
PRES.

*Michael L. Clement*  
CLERK



THE COMMITTEE ON  
PUBLIC WORKS

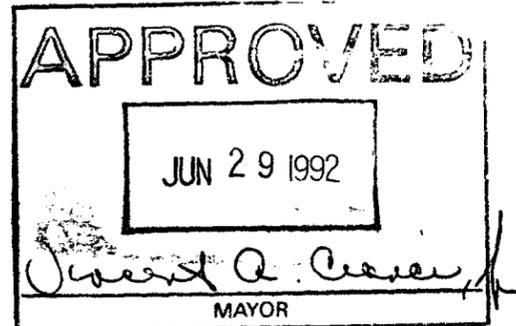
Approves Passage of  
The Within Resolution

*Barbara A. Poirier*

Chairman

6/3/92

*Clerk*



**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 erection by the Lerner-Proctor Trust, Owners of 144 Wayland Avenue, Providence (Plat 14, Lot 503) of a new concrete ramp with metal railing for the handicapped. Because the building is minimally set back from the lot line, the ramp will need to protrude onto the sidewalk by three (3) feet.

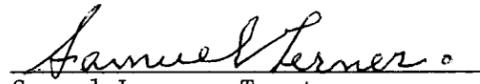
The ramp is necessary for the property to comply with the Americans With Disabilities Act (ADA of 1990).

The sidewalk is currently ten (10) feet wide. With the new ramp, the sidewalk would still have seven (7) feet for uninterrupted clearance. That is enough space to provide three (3), twenty two (22") inch units of egress as defined by the Rhode Island State Building Code with eighteen (18") inches in excess.

The handicapped ramp is consistent with others in the City.

A drawing is enclosed showing you the location of the required ramp.

Denial of this petition would provide an economic hardship on the Owners, as the building could not be occupied.

  
\_\_\_\_\_  
Samuel Lerner, Trustee  
Lerner-Proctor Trust  
236 Hope Street  
Providence, Rhode Island 02906

enclosure

xc: Michael R. Clement  
Anthony G. Stanzione  
James T. Morris  
Robert M. Clarkin

FILED

JAN 27 1 52 PM '92

DEPT. OF  
PROVIDENCE, R. I.

IN CITY COUNCIL

JAN 20 1892

FIRST READING  
REFERRED TO COMMITTEE ON

PUBLIC WORKS

*Michael K. Christ*  
CLERK

THE COMMITTEE ON

PUBLIC WORKS

Recommends *Be Continued*

*Barbara A. Gosselin*

April 26, 1892  
Clerk

THE COMMITTEE ON

PUBLIC WORKS

Recommends *Passage*

*Barbara A. Gosselin*

4/26/92  
Clerk

*From The Clerk's Desk*



AMERICAN UNIVERSAL INSURANCE COMPANY

City of Providence



Rhode Island

Department of City Clerk

**MEMORANDUM**

**DATE:** March 17, 1992

**TO:** Merlin A. DiConti, Director of Inspection and Standards

**SUBJECT:** HANDICAPPED RAMP - 144 WAYLAND AVENUE

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

**DISPOSITION:** Attached are copies of the subject matter for your study and review, please report back in writing to the above named committee as soon as possible.

*Jean M. Angelone*  
First Deputy City Clerk



## Department of Inspection and Standards

*"Building Pride In Providence"*

MEMO

To: Councilman Robert M. Clarkin  
Chairman, Committee on Public Works

From: Merlin A. DeConti, Jr., Director

Date: March 25, 1992

Re: Handicapped Ramp - 144 Wayland Avenue

This department has reviewed the plans for the proposed handicapped ramp to be erected at 144 Wayland Ave. The plans as submitted are not sufficient for this department to determine if the ramp complies with the R.I. State Building Code. Prior to the issuance of a building permit, more detailed plans will have to be provided so that this department can determine the slope, railing height and construction details.

For the purpose of the Committee's deliberation, however, the proposed ramp appears to be acceptable. An adequate sidewalk area is available for pedestrian traffic and this area is unobstructed. It is also the only entrance available for handicapped access to the structure from Wayland Avenue. This department has no objection to the proposal.

MAD, JR:np

Michael R. Clement  
City Clerk

\_\_\_\_\_  
Clerk of Council



Jean M. Angelone  
First Deputy

DEPARTMENT OF CITY CLERK  
CITY HALL

April 29, 1992

Mr. Samuel Lerner, Trustee  
Lerner-Proctor Trust  
236 Hope Street  
Providence, R. I. 02906

Dear Mr. Lerner,

The Committee on Public Works on April 28, 1992, considered your petition to the City Council to build a Handicap Ramp at the entrance to 144 Wayland Avenue, Providence, R. I.

At the request of Chairman Robert M. Clarkin, he would like your lawyer to contact Mr. John D'Amico, Second Deputy City Solicitor in our Law Department at 421-7740, Ex. 333, to discuss unsolved issues.

Very truly yours,

Barbara A. Poirier  
Second Deputy City Clerk

cc: Mr. John D'Amico  
Second Deputy City Solicitor

MERLIN A. DeCONTI, JR., P.E.  
Director



VINCENT A. CIANCI, JR.  
Mayor

## Department of Inspection and Standards

*"Building Pride In Providence"*

MEMO

To: Councilman Robert M. Clarkin  
Chairman, Committee on Public Works

From: Merlin A. DeConti, Jr., Director *MAD*

Date: May 13, 1992

Re: Handicapped Ramp - 144 Wayland Avenue (Update)

Enclosed you will find a plan from Lerner Associates Incorporated, architects for the property at 144 Wayland Avenue. Per my request to Mr. Lerner, this plan has been revised so that the ramp meets all the requirements of the R.I. State Building Code. This department has no objection to the approval of this ramp as proposed.

MAD, JR:np

Enc.

LERNER ASSOCIATES ARCHITECTS & PLANNERS

---

11 May 92

Councilman Robert M. Clarkin  
City Hall  
Providence, Rhode Island 02903

Re: 144 Wayland Avenue  
Providence, Rhode Island 02906  
Ramp for Handicapped

Dear Councilman Clarkin:

Enclosed is a copy of a petition previously advanced and a clarification made to the Department of Inspections and standards.

I believe all issues are resolved.

Sought is the Council's earliest reconsideration of the ramp as it is essential for occupancy of the above referenced property.

Do not hesitate to call me if you seek clarification or additional information.

Sincerely Yours,



Steven L. Lerner, AIA

SLL:ef  
way0511a

enclosures

xc: Merlin A. DeConti  
Ramzi Loqa  
James B. Suzman  
John D'Amico  
Barbara A. Poirier  
Richard S. Mittleman

Michael R. Clement  
City Clerk



Jean M. Angelone  
First Deputy

Clerk of Council

DEPARTMENT OF CITY CLERK  
CITY HALL

April 29, 1992

Mr. Samuel Lerner, Trustee  
Lerner-Proctor Trust  
236 Hope Street  
Providence, R. I. 02906

Dear Mr. Lerner,

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At the request of Chairman Robert M. Clarkin, he would like your lawyer to contact Mr. John D'Amico, Second Deputy City Solicitor in our Law Department at 421-7740, Ex. 333, to discuss unsolved issues.

Very truly yours,

A handwritten signature in cursive script that reads "Barbara A. Poirier".

Barbara A. Poirier  
Second Deputy City Clerk

cc: Mr. John D'Amico  
Second Deputy City Solicitor

CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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Samuel Lerner, Trustee  
Lerner-Proctor Trust  
236 Hope Street  
Providence, Rhode Island 02906

enclosure

xc: Michael R. Clement  
Anthony G. Stanzione  
James T. Morris  
Robert M. Clarkin

LERNER ASSOCIATES ARCHITECTS & PLANNERS

---

07 May 92

Mr. Ramzi Loqa, P.E.  
Plan Examiner  
Department of Inspection and Standards  
190 Dyer Street  
Providence, Rhode Island 02903

Re: 144 Wayland Avenue  
Providence, Rhode Island 02906  
Stanley H. Kaplan Educational Center, Ltd.  
Ramp for Handicapped

Dear Ramzi:

At the entrance to the above referenced project, the ramp for the handicapped will be built in accordance with American National Standard Institute (ANSI A117.1-1986) requirements.

Complying with Section 4.8, the ramp will have:

1. A maximum slope of 1 inch in 12 inches.
2. Landings at the top and bottom with a minimum dimension of 60 inches in both directions.
3. 1 1/2" diameter continuous handrails on both sides of ramp, mounted 34 inches above the finish surface and extended 18 inches at ends.
4. 2 inch curb for edge protection.

Drawings that show the concept are enclosed.

Do not hesitate to call me if you seek clarification or additional information.

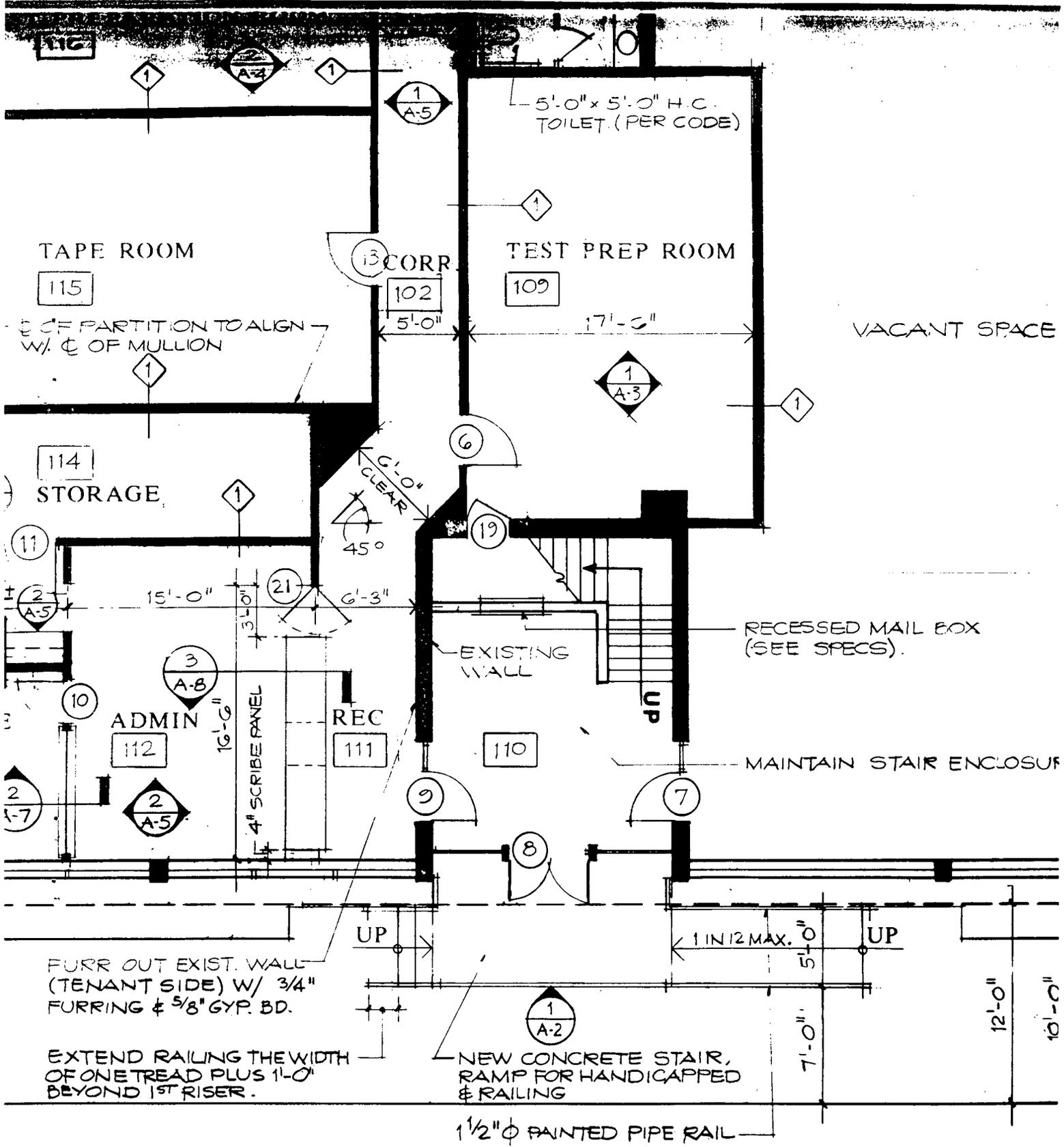
Sincerely Yours,



Steven L. Lerner, AIA

SLL:ef  
way0507

enclosures



**WAYLAND AVENUE**

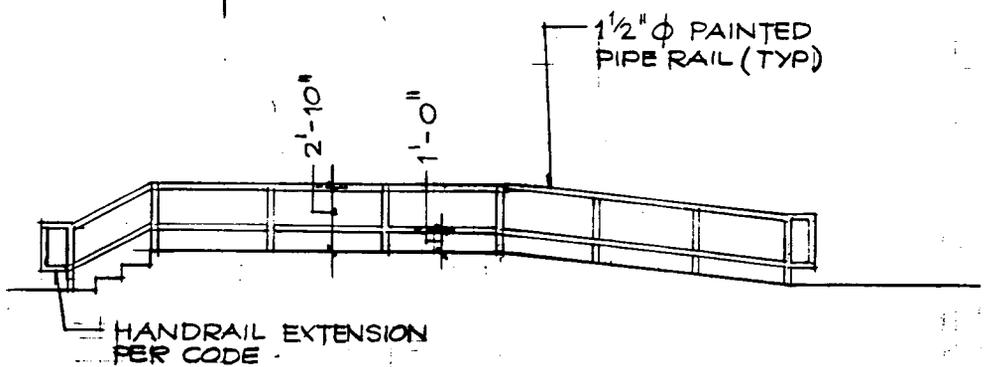
THE PREMISES IS INTENDED AS A TES  
 UNDER THE BUSINESS USE CLASSIFIC  
 INCLUDES ROOMS FOR GROUP INSTRU  
 LIBRARY, OFFICES, AND ANCILLARY  
 OCCUPANCY OF 149 OCCUPANT

NICAL

VACANT SPACE

MAIL BOX  
(S).

STAIR ENCLOSURE



1 **HANDRAIL ELEVATION**  
A-2 SCALE: 1/8" = 1'-0"

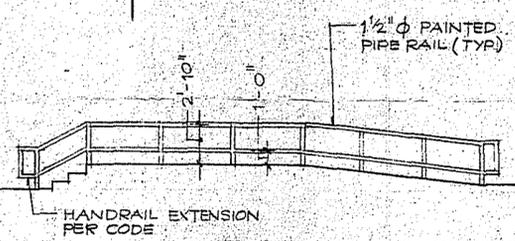
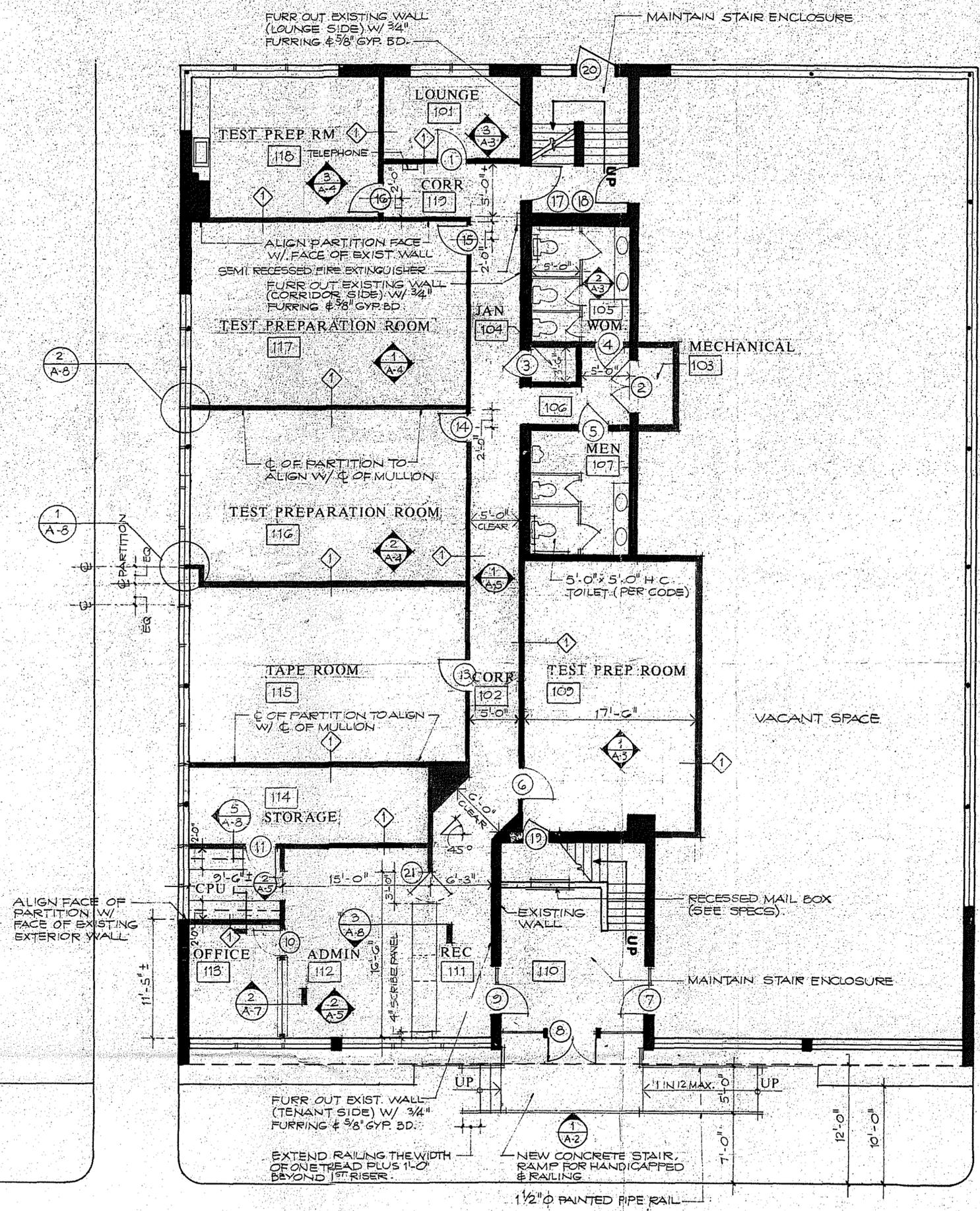
NOTE:



MAR. 12, 1992  
REVISED FEB. 14, 1992  
JANUARY 3, 1992

STANLEY H. KAPLAN EDUCATIONAL CENTER, LTD.  
144 WAYLAND AVENUE  
PROVIDENCE, RHODE ISLAND 02906

ERNER ASSOCIATES INCORPORATED ARCHITECTS  
236 HOPE STREET  
PROVIDENCE, RHODE ISLAND 02906



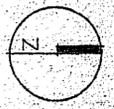
1 HANDRAIL ELEVATION  
A:2 SCALE: 1/8" = 1'-0"

NOTE:  
PANIC HARDWARE IS INCLUDED ON  
DOORS 7, 8, 9, 17 & 20

WAYLAND AVENUE

FLOOR PLAN

THE PREMISES IS INTENDED AS A TEST PREPARATION CENTER UNDER THE BUSINESS USE CLASSIFICATION. THE CENTER INCLUDES ROOMS FOR GROUP INSTRUCTION, A TAPE LISTENING LIBRARY, OFFICES, AND ANCILLARY SPACES FOR A MAXIMUM OCCUPANCY OF 149 OCCUPANTS.



FLOOR PLAN

SCALE: 0 2 4 8 12 FT

A-2

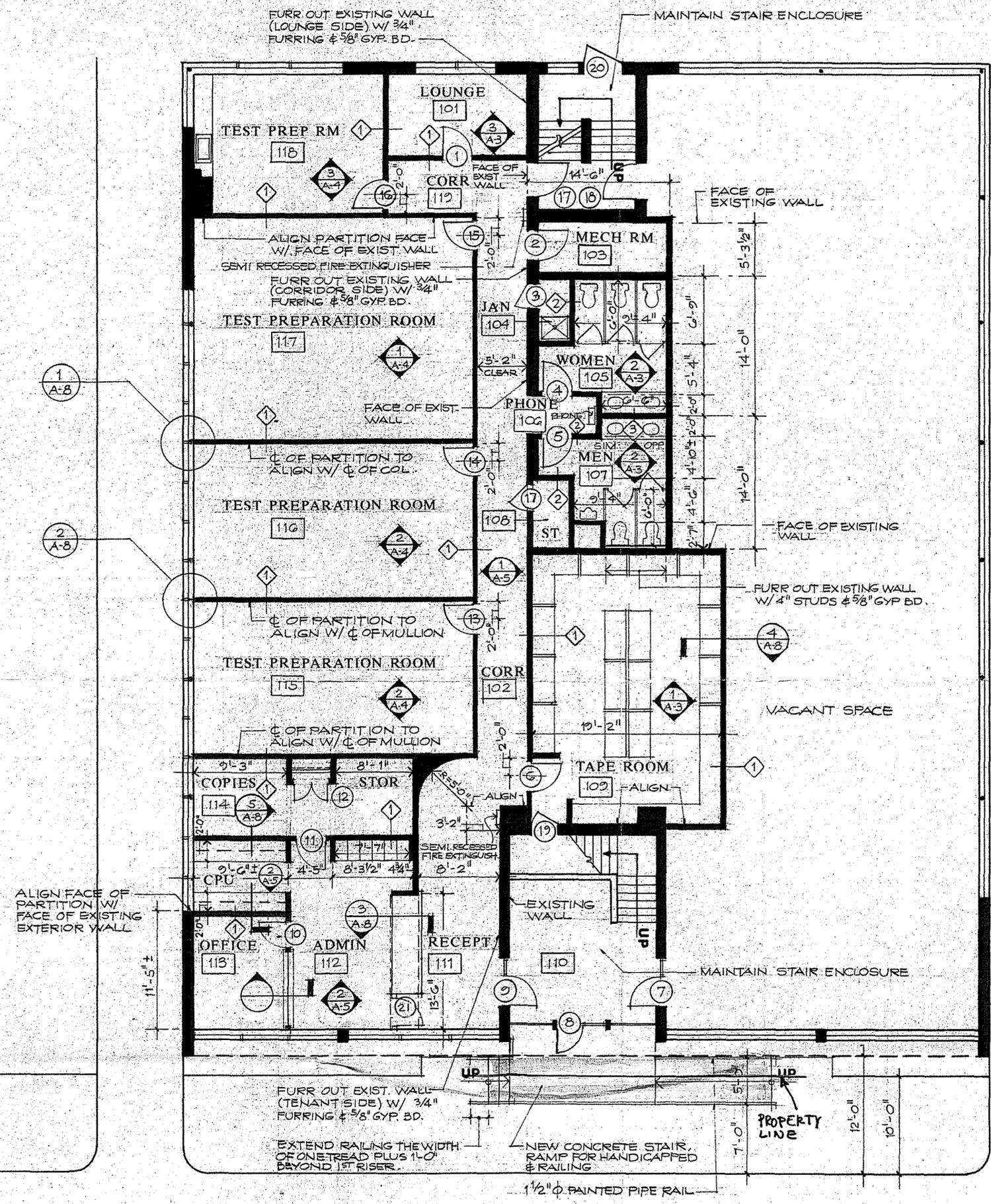


JANUARY 3, 1992

STANLEY H. KAPLAN EDUCATIONAL CENTER, LTD.

144 WAYLAND AVENUE  
PROVIDENCE, RHODE ISLAND 02906

LERNER ASSOCIATES INCORPORATED ARCHITECTS  
236 HOPE STREET  
PROVIDENCE, RHODE ISLAND 02906

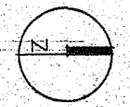


NOTE:  
PANIC HARDWARE IS INCLUDED ON  
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FLOOR PLAN

SCALE: 0 2 4 8 12 FT

FLOOR PLAN



WAYLAND AVENUE

236 Hope Street  
Providence, Rhode Island 02906  
401 421-7715

13 October 94

Mr. Edward Capuano  
c/o Ray La Flamme  
P.O. Box 871  
Fall River, Massachusetts 02722

Re: 144 Wayland Avenue  
Providence, Rhode Island 02906  
Ramp for Handicapped/Insurance

Dear Ed:

Insurance for the above referenced property, which was sold to you at the beginning of the month, included liability coverage of the handicapped ramp that impinges on part of the City sidewalk. The provision is included in Resolution Item C from the City Council. A copy is enclosed for your reference.

Kindly send the City's Senior Assistant Solicitor, John T. D'Amico, Jr., at 100 Fountain Street, Providence, Rhode Island 02903-1845, a certificate of insurance naming the City of Providence it's agents, officers, servants and employees as additional name insured.

My insurance policy is being canceled and you will need to pick up the appropriate coverage.

Sincerely Yours,



Steven L. Lerner, AIA

SLL:ef  
way1012b

enclosure

xc: Michael R. Clement  
John T. D'Amico, Jr., Esq.  
Anne Corkery  
Claire Proctor

# RESOLUTION OF THE CITY COUNCIL

No. 303

Approved June 29, 1992

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Said grant is conditioned upon:

a.) Lerner-Proctor Trust, undertaking all construction in accordance with the plans submitted to the Director of the Department of Inspection and Standards; the Department of Public Works, and the Department of Traffic Engineering;

b.) Lerner-Proctor Trust entering into an indemnification agreement acceptable to the Office of the City Solicitor;

c.) Lerner-Proctor Trust providing insurance coverage against loss or injury in an amount of not less than One Hundred Thousand (\$100,000.00) Dollars, with the City of Providence being named as an additional insured.

d.) That should the City of Providence at any time hereafter be entitled to assess abutting property owners for the private use and occupation of the public highways, this resolution shall in no manner affect the right of the City to charge and collect rent for the use of Wayland Avenue or any successor or assign in interest.

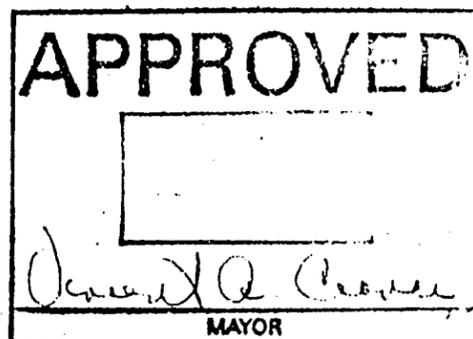
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IN CITY COUNCIL

READ AND PASSED

PRES.

CLERK



*[Handwritten scribble]*

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

Charles R. Mansolillo  
City Solicitor



Vincent A. Cianci, Jr.  
Mayor

Department of Law  
*"Building Pride In Providence"*

July 19, 1993

Lerner Associates  
236 Hope Street  
Providence, RI 02906

Gentlemen:

Please be advised that as a condition to your request to construct a ramp approach at 144 Wayland Avenue, you are required to provide a certificate of insurance naming the City of Providence, its agents, officers, servants and employees as additional named insured.

I would appreciate your forwarding this to me at your earliest convenience.

Very truly yours,

A handwritten signature in cursive script that reads "John T. D'Amico, Jr.".

John T. D'Amico, Jr.  
Senior Assistant City Solicitor