

# RESOLUTION OF THE CITY COUNCIL

*No.* 122

*Approved* March 12, 2001

WHEREAS, JBR/LLC represented by Joseph Manfredi (hereinafter "Petitioner"), has sought:

(a) to encroach upon the existing sidewalk located adjacent to 165 Poe Street, so as to construct a stairway and to construct a handicapped access ramp adjacent to said real estate to allow ingress and egress from said premises.

WHEREAS, said stairs and 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 stairway and a handicapped-access ramp at or near the entrance to the building located at 165 Poe Street. No other encroachment for any purposes shall be permitted.

1. All construction with relation to the said stairway and 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. (Said plans shall be maintained on file in the Office of the City Clerk and the plan showing the encroachment are attached hereto as Exhibit "A").

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.

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

IN CITY COUNCIL  
Sept. 2, 1999  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS  
*Jean M. Angelone* CLERK

THE COMMITTEE ON  
Public Works  
Recommends Be Continued  
*Claire L. Bittard*  
Feb. 14, 2000 CLERK

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Within Resolution  
*Claire L. Bittard*  
Jan. 23, 2001 Clerk

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 existing public services.

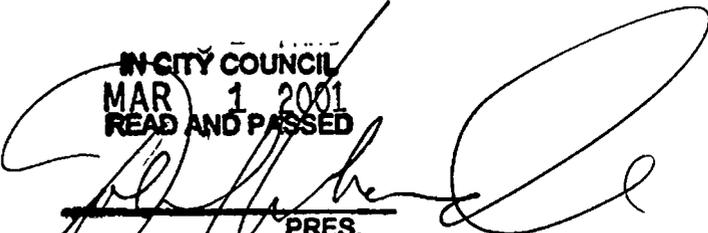
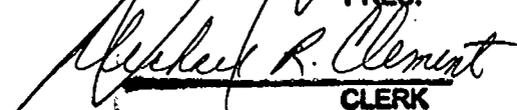
5. A certified copy of the within Resolution shall be recorded in the Office of Land Evidence of the City of Providence.

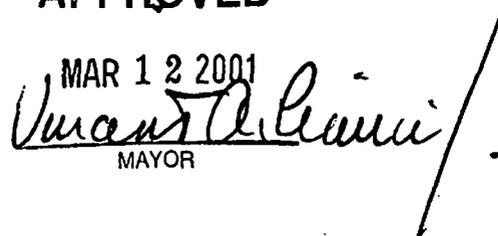
6. Any rights or obligations granted hereunder shall be deemed to run with the land and shall operate against any and all successors in interest and/or title .

7. The encroachment granted hereunder shall not extend into the public right-of-way more than 4" 10" (four feet ten inches) not more than 13' in length as shows in Exhibit "A".

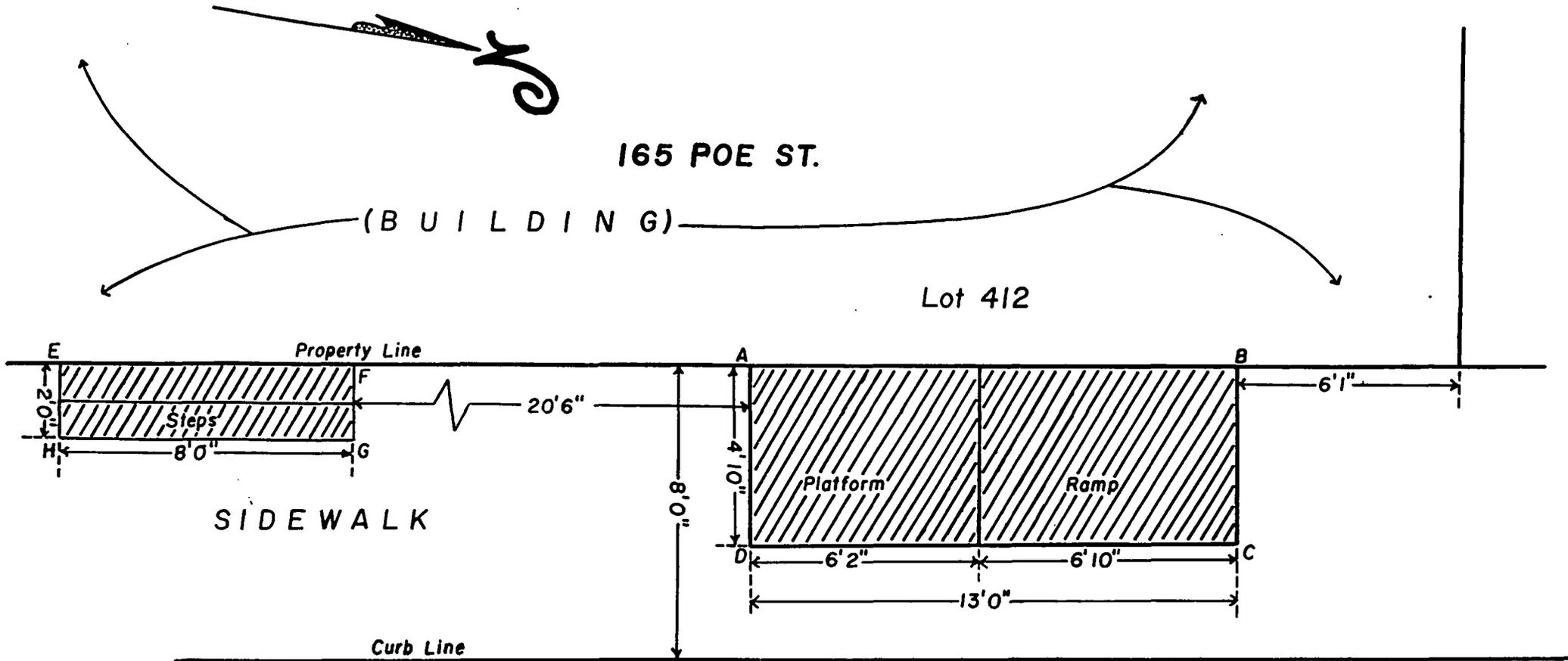
8. Any rights or obligations granted hereunder shall remain in full force and effect for so long as the encroachment permitted hereby does not cease to be utilized for the purposes for which it was granted provided, however, Petitioner shall at its own expense remove said encroachment in the event the 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 agrees to the conditions enumerated herein and waives any claim for damages it may have for such use.

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

**IN CITY COUNCIL**  
**MAR 1 2001**  
**READ AND PASSED**  
  
**PRES.**  
  
**CLERK**

**APPROVED**  
**MAR 12 2001**  
  
**MAYOR**

Lot number taken from A.P. 47.



### POE STREET

NOTES: Cross-hatched area (A-B-C-D-A) & (E-F-G-H-E) indicates proposed easement of sidewalk.

Total square footage =  $62.83' + 16.0' = 78.83'$

PROVIDENCE, R. I.  
 P. W. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No. **064646**  
 Date **Dec. 2, 1999**

CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 Showing **Proposed easement of a portion of a sidewalk on Poe St.**  
 Drawn by **A. Zislaides** Checked by **[Signature]**  
 Scale **1/4" = 1'** Date **12-21-99**  
 Correct **[Signature]** **[Signature]** Eng.  
 Approved **[Signature]** CHIEF ENGINEER

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

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

*"Building Pride In Providence"*

February 23, 2000

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

Re: Portion Abandonment  
Sidewalk at 165 Poe St.  
(One (1) Set of Stairs & One (1) Pedestrian Ramp)

Dear Councilman Clarkin:

This department has no objection to the portion abandonment of portions of the sidewalk at 165 Poe St., between Oxford St. and Pleasure St., as shown on the accompanying plan, entitled "Providence, R.I., P.W. Dept. -- Engineering Office, Street Line Section, Plan No. 064646, Date: Dec. 2, 1999".

The proposed portion abandonment is depicted as cross-hatched area on the accompanying plan, noted as A-B-C-D-A and E-F-G-H-E. The total square footage related to this proposed portion abandonment is 62.83 plus 16.0 ft. = 78.83. Lot number taken from AP 47.

Further note that indemnification and liability insurance will be required, absolving the City of liability, as long as these structures will remain within the (Pedestrian) Right-of-Way. If we can further assist in this regard, please advise.

Very truly yours,

Ferdinand C. Ihenacho, P.E., PTOE  
Director of Public Works

CC: M. Clement - City Clerk  
J. D'Amico, Esq.  
G. Florio, Dir/OPER/DPW  
JLC  
SZ



**Architect**  
**Daniel R. Pelouin**  
 Woonsocket, RI  
 401-762-5082

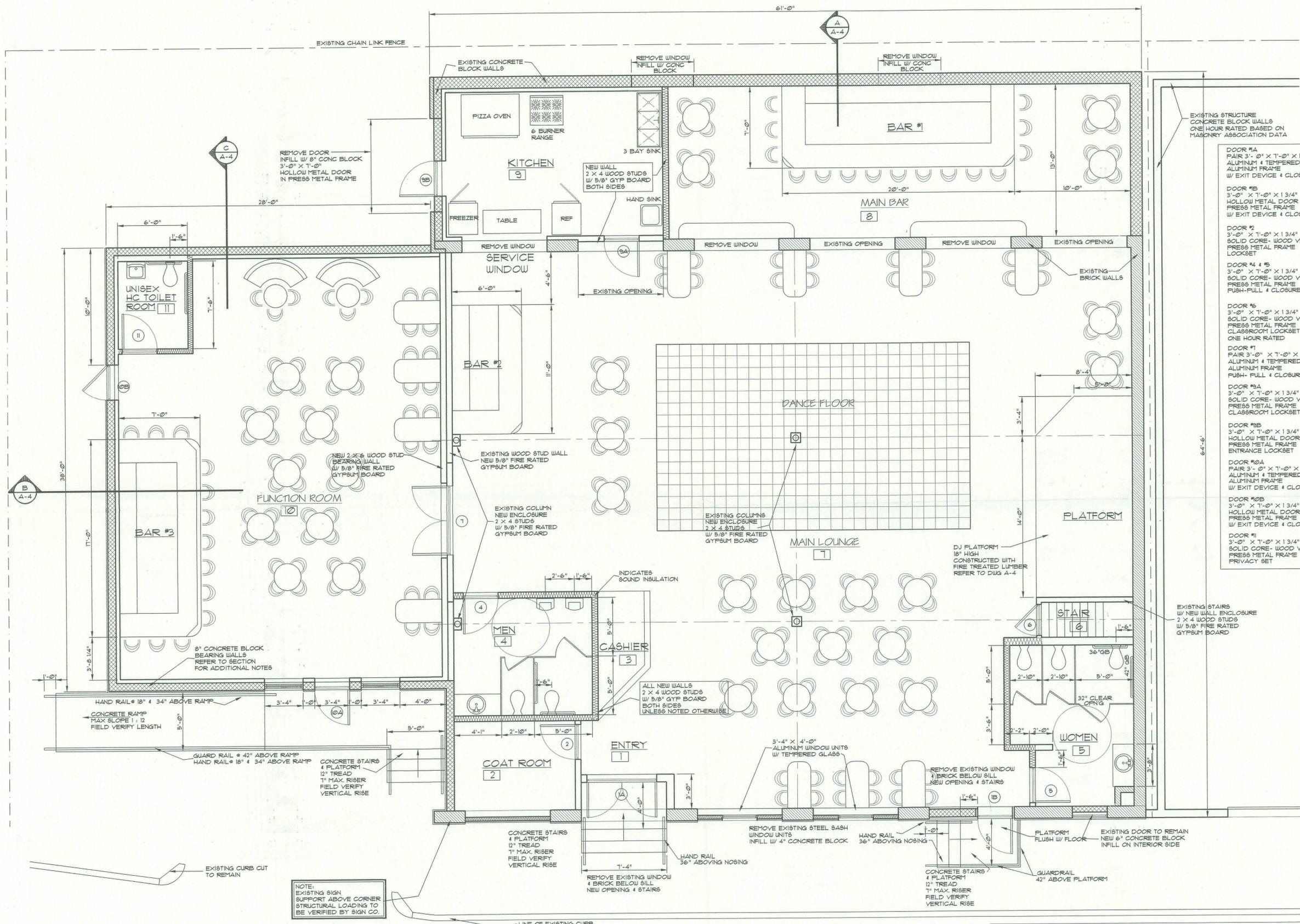
**Addition & renovations**  
**Platforms** for  
**J.B.R. LLC**  
 165 Poe street  
 Providence, RI

Issued for Construction  
 Revised: 8-11-99  
 Date: 06-28-99  
 Drawn by: DRP

Sheet Contents  
 Floor Plan

Drawing No.  
**A-1**

Sheet 2 of 5



- EXISTING STRUCTURE  
 CONCRETE BLOCK WALLS  
 ONE HOUR RATED BASED ON  
 MASONRY ASSOCIATION DATA
- DOOR #1A  
 PAIR 3'-0" X 1'-0" X 1 3/4"  
 ALUMINUM 4 TEMPERED GLASS  
 ALUMINUM FRAME  
 W/ EXIT DEVICE 4 CLOSURE - BOTH LEAFS
  - DOOR #1B  
 3'-0" X 1'-0" X 1 3/4"  
 HOLLOW METAL DOOR  
 PRESS METAL FRAME  
 W/ EXIT DEVICE 4 CLOSURE
  - DOOR #2  
 3'-0" X 1'-0" X 1 3/4" - DUTCH DOOR  
 SOLID CORE- WOOD VENEER  
 PRESS METAL FRAME  
 LOCKSET
  - DOOR #4 & #5  
 3'-0" X 1'-0" X 1 3/4"  
 SOLID CORE- WOOD VENEER  
 PRESS METAL FRAME  
 PUSH-FULL 4 CLOSURE
  - DOOR #6  
 3'-0" X 1'-0" X 1 3/4"  
 SOLID CORE- WOOD VENEER  
 PRESS METAL FRAME  
 CLASSROOM LOCKSET 4 CLOSURE  
 ONE HOUR RATED
  - DOOR #7  
 PAIR 3'-0" X 1'-0" X 1 3/4"  
 ALUMINUM 4 TEMPERED GLASS  
 ALUMINUM FRAME  
 PUSH-FULL 4 CLOSURE
  - DOOR #8A  
 3'-0" X 1'-0" X 1 3/4"  
 SOLID CORE- WOOD VENEER  
 PRESS METAL FRAME  
 CLASSROOM LOCKSET
  - DOOR #8B  
 3'-0" X 1'-0" X 1 3/4"  
 HOLLOW METAL DOOR  
 PRESS METAL FRAME  
 ENTRANCE LOCKSET
  - DOOR #9A  
 PAIR 3'-0" X 1'-0" X 1 3/4"  
 ALUMINUM 4 TEMPERED GLASS  
 ALUMINUM FRAME  
 W/ EXIT DEVICE 4 CLOSURE
  - DOOR #9B  
 3'-0" X 1'-0" X 1 3/4"  
 HOLLOW METAL DOOR  
 PRESS METAL FRAME  
 W/ EXIT DEVICE 4 CLOSURE
  - DOOR #10A  
 PAIR 3'-0" X 1'-0" X 1 3/4"  
 ALUMINUM 4 TEMPERED GLASS  
 ALUMINUM FRAME  
 W/ EXIT DEVICE 4 CLOSURE
  - DOOR #10B  
 3'-0" X 1'-0" X 1 3/4"  
 HOLLOW METAL DOOR  
 PRESS METAL FRAME  
 W/ EXIT DEVICE 4 CLOSURE
  - DOOR #11  
 3'-0" X 1'-0" X 1 3/4"  
 SOLID CORE- WOOD VENEER  
 PRESS METAL FRAME  
 PRIVACY SET

NOTE:  
 EXISTING SIGN  
 SUPPORT ABOVE CORNER  
 STRUCTURAL LOADING TO  
 BE VERIFIED BY SIGN CO.

<b>CODE DATA</b>	
BUILDING USE GROUP - A2 - ASSEMBLY	BUILDING PERIMETER - 306'
TYPE OF CONSTRUCTION - 3A - PROTECTED	PERIMETER ACCESS - 168'
AREA - EXISTING - 3934 SF	54% FRONTAGE
ADDITION - 1064 SF	TABLE 503
TOTAL AREA - 4998 SF	BASE AREA - 3300
NET INTERIOR AREA - 3486 SF	INCREASE FOR FRONTAGE - 58% = 1914 SF
OCCUPANCY DESIGN - 15 SF PER PERSON	ALLOWABLE AREA FOR 3A - 5214 SF
CAPACITY - 233 PEOPLE	

**Floor Plan** PROJECT NORTH  
 SCALE: 1/4" = 1'-0"



**Architect**  
**Daniel R. Pelouquin**  
 Woonsocket, RI  
 401-762-5082

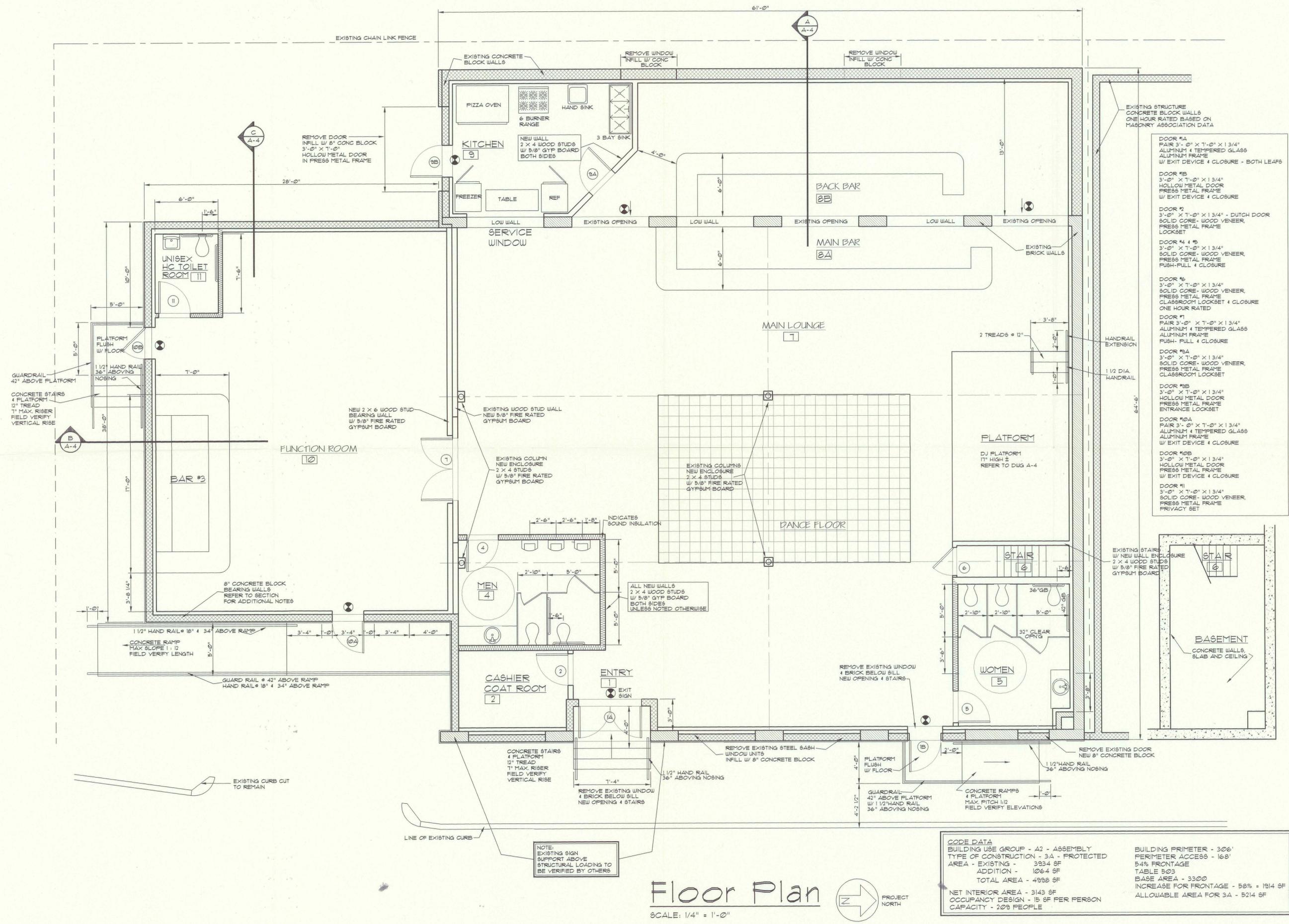
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**Floor Plan**  
 SCALE: 1/4" = 1'-0"  
 PROJECT NORTH

NOTE:  
 EXISTING SIGN  
 SUPPORT ABOVE  
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 BE VERIFIED BY OTHERS

# RESOLUTION OF THE CITY COUNCIL

*No.* 122

*Approved* March 12, 2001

WHEREAS, JBR/LLC represented by Joseph Manfredi (hereinafter "Petitioner"), has sought:

(a) to encroach upon the existing sidewalk located adjacent to 165 Poe Street, so as to construct a stairway and to construct a handicapped access ramp adjacent to said real estate to allow ingress and egress from said premises.

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

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1. All construction with relation to the said stairway and 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. (Said plans shall be maintained on file in the Office of the City Clerk and the plan showing the encroachment are attached hereto as Exhibit "A").

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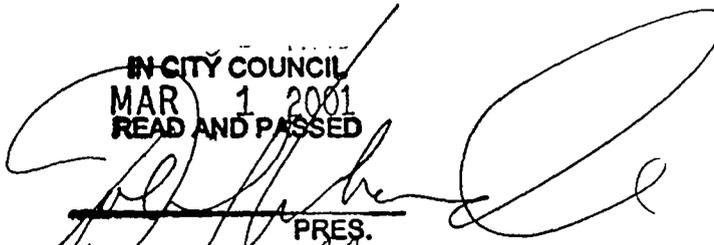
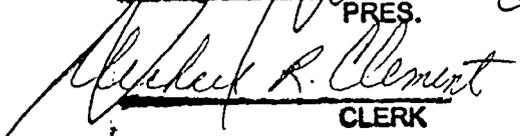
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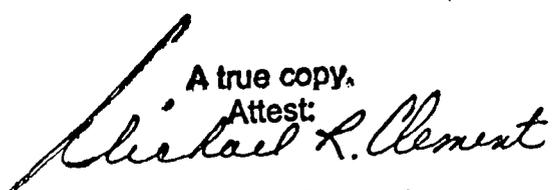
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9. Such other reasonable conditions as the Mayor and/or the Department of Law may impose hereunder.

**IN CITY COUNCIL**  
**MAR 1 2001**  
**READ AND PASSED**  
  
**PRES.**  
  
**CLERK**

**APPROVED**  
**MAR 1 2 2001**  
  
**MAYOR**



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

Lot number taken from A.P. 47.

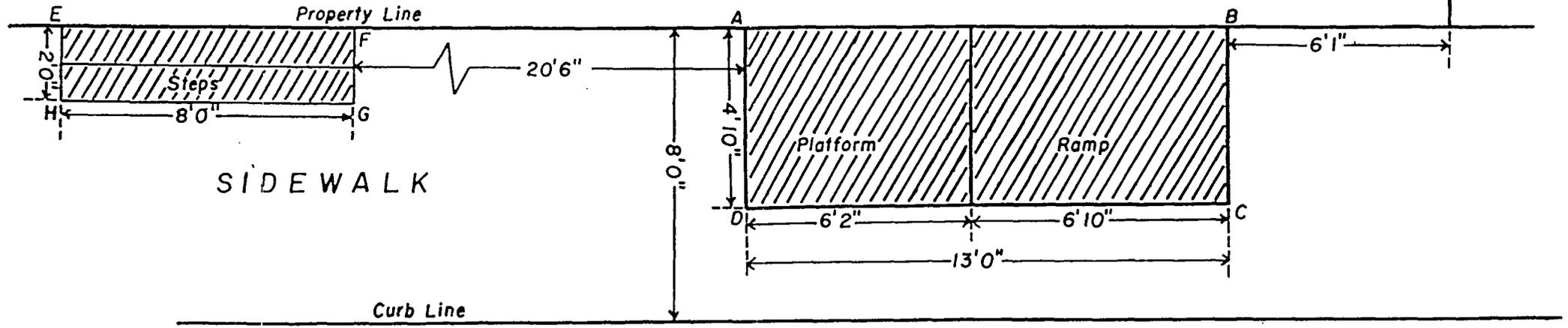
PROVIDENCE, RI  
RECEIVED FOR RECORD  
2001 MAR 21 A 9:25  
BARBARA A. TRONCY  
ACTING RECORDER OF DEEDS

*Barbara A. Troncy*

165 POE ST.

(B U I L D I N G)

Lot 412



P O E S T R E E T

NOTES: Cross-hatched area (A-B-C-D-A) & (E-F-G-H-E) indicates proposed easement of sidewalk.

Total square footage =  $62.83' + 16.0' = 78.83'$

CITY OF PROVIDENCE, R. I.  
Public Works Dept. - Engineering Office  
Showing Proposed easement of a portion  
of a sidewalk on Poe St.  
Drawn by A. Zisoides Checked by *ATC*  
Scale 1/4" = 1' Date 12-21-99  
Correct *Barbara A. Troncy* Engr.  
Approved \_\_\_\_\_ CHIEF ENGINEER

PROVIDENCE, R. I.  
P. W. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064646  
Date Dec. 2, 1999

BK4626Pg144

4626 - 142-144



PROVIDENCE, RI  
RECEIVED FOR RECORD

2001 MAR 21 A 9:25

BARBARA A. TRONCY  
ACTING RECORDER OF DEEDS

12934