

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 313

Approved May 23, 1991

RESOLVED, That the following named person, firm or corporation is hereby granted permission to erect, alter or use a building or structure at the location named herein for the sale of petroleum, kerosene, gasoline, coal oil and their products, compounds and components as described and shown in and on the application therefor and accompanying plat, all on file in the office of the Department of Inspection and Standards subject to the conditions that said person, firm or corporation shall not violate any of the laws of the State of Rhode Island or any of the Ordinances of the City of Providence relative to the erection, use or occupation of said structure and that said person, firm or corporation shall not allow petroleum, kerosene, gasoline, coal oil or their products, compounds or components, to be conveyed over or across any sidewalk by means of any pipe or hose, and upon such special conditions as are hereby enumerated and further provided that the Director of the Department of Inspection and Standards may authorize minor changes in the structural detail of plans on file, viz:

Shell Oil Company, 5 Elmwood Avenue, Providence, Rhode Island, Plat 30, Lot 379, to remove Three (3) Six Thousand Gallon Storage Tanks and Replace with Three (3) Twelve Thousand Gallon Storage Tanks, making a total of 36,000 Gallons of Storage upon the premises.

The erection or location of any buildings or structures not shown on the original plat on file with the Director of the Department of Inspection and Standards, or any change in the location of buildings or structures from that shown on said plat shall be deemed a violation of this permit.

IN CITY COUNCIL
MAY 16 1991
READ AND PASSED

James A. Hennessey
PRES.
Michael R. Clement
CLERK
First Report City



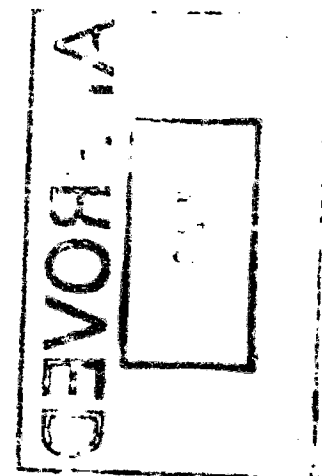
THE COMMITTEE ON
PUBLIC WORKS

Approves Passage of
The Within Resolution

Michael R. Chasmat
Chairman

Clerk

May 8, 1991



APPLICATION FOR PERMIT FOR GASOLINE STATION

Providence, November 22, 1989

To the Director of the Department of Building Inspection:

The undersigned hereby applies for permission to erect gasoline station specified as follows:

1. Building District _____ Ward _____
2. Street Location 5 Elmwood Avenue, Providence, RI
3. Plat 30 Lot 379
4. Owner Shell Oil Company
5. Number of Pumps 8 (New Station) _____
6. Number of Buildings 1
7. Number of Curb Cuts See plan Width all 25', except one is 35'
8. Drawings Accompanying Application Yes
9. Number of Pumps Now on Premises 24
10. Number of Additional Pumps None Total on Lot 24
11. Capacity of Tanks (Existing) 30,000 18,000 (30,000) LWB(AEI)
12. Capacity of ^{New} ~~Additional~~ Tanks 36,000 gallons. Old tanks to be removed
13. Total Capacity on Lot 36,000
14. Is Gasoline or Oil to Be Sold? Yes
15. Zoning District C-4 (75%) R-4 (25%)
16. Estimated Cost \$70,000.00

Approved: [Signature]
Commissioner of Public Safety
11-15-12-14-89

Approved: [Signature]
Traffic Engineer

Approved: [Signature]
Director of Public Works

Approved: [Signature]
Director of the Department of Building Inspection

REMARKS

List of additional coal oils, compounds and components to be stored and sold.

Product	Quantity	Pumps Used
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Shell Oil Company

Owner's Name

5 Elmwood Avenue, Providence, RI

Address

[Signature]

Agent's Name

Louis A. Sousa

5 Benefit Street, Providence, RI

Agent's Address

274-0600

Telephone Number

Refer to Z.B. Res. # 7066 → 10-24-89



Zoning Board of Review

"Building Pride In Providence"

October 24, 1989

RESOLUTION NO. 7066

Shell Oil Company
400 Blue Hill Drive
Westwood, MA 02090

Gentlemen:

At a meeting of the Zoning Board of Review held on Wednesday, August 9, 1989, the following Resolution was adopted:

WHEREAS, Shell Oil Company, owner of Lot 379 on Assessor's Plat 30 (5 Elmwood Avenue) in a Residence R-4 & Commercial C-4 zone; filed an application for permission to be relieved from Sections 51-A-5b, 54-A-3(1), 54-A-3(3), 54-A-3(1)d, 54-A-3(1)e, 54-A-3(1)g, 54-A-3(1)h and 54-C-3 under Sections 91 & 92 of the Zoning Ordinance in the proposed removal of the existing underground gasoline storage tanks and proposed installation of three 12,000 gallon underground storage tanks. Total underground gasoline storage to be 36,000 gallons. Applicant also wishes to construct a 37' x 71' food mart and a 48' x 60' canopy over new tank islands and proposes to erect a sign in the front yard. Applicant seeks relief from the tank distances, yard & sign requirements at 5 Elmwood Ave. The lot in question contains approximately 17,348 sq. ft. of land area; and

WHEREAS, on Sunday, August 6, 1989, members of the Zoning Board of Review made an inspection of the above-described premises and also of the surrounding properties and noted that the subject lot contains a self-service gasoline station. The surrounding properties consist of commercial uses, a cemetery and multi-family dwellings all well maintained; and

WHEREAS, a public hearing was held on this application by the Zoning Board of Review at its hearing held on Wednesday, August 9, 1989, after public notice as provided by the Zoning Ordinance.

NOW, THEREFORE, after consideration of the application and testimony of the applicant, real estate expert, traffic engineer, and interested abutting owners, and after having carefully weighed the same, the Zoning Board of Review hereby makes the following findings:

- 1.) The Board finds that the requested relief should be determined by the standards set forth in Viti v. The Zoning Board of Review of Providence, 92 R.I. 59 (1960). No change in use is requested and the current use of the property is a permitted use in the zone in which it is located. Accordingly, the applicant need only show that the denial of this application would result in a hardship amounting to more than a mere inconvenience.
- 2.) The Board finds that denial of the application would result in a hardship amounting to more than a mere inconvenience. To impose the yard requirements would result in an adverse impact upon the applicant and would inconvenience it to the extent that it would be precluded the full enjoyment of the premises in the manner in which it wishes to enjoy it.

October 24, 1989

- 3.) The Board finds that the granting of the relief will not substantially or permanently injure the appropriate use of neighboring property. The use of the property is a legal use, and the use is not being changed in any way by granting of this variance.
- 4.) The Board further finds that the variances requested are the least required in order to allow the proposal as requested. The variances requested are dimensional variances which can be granted so long as the applicant shows hardship amounting to more than a mere inconvenience. The applicant does not need to show loss of all beneficial use.

RESOLVED: That the Zoning Board of Review does hereby make a variance of 51-A-5b, 54-A-3(1), 54-A-3(3), 54-A-3(1)d, 54-A-3(1)3e, 54-A-3(1)g, 54-A-3(1)h and 54-C-3 under Sections 91 & 92 of the Zoning Ordinance and does hereby grant the application of Shell Oil Company substantially in accordance with the plans, plot plans and parking plans filed with said Board provided that the sign does not exceed eighteen (18) feet in height and that landscaping be developed as per plans. 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 owner or his/her representative.

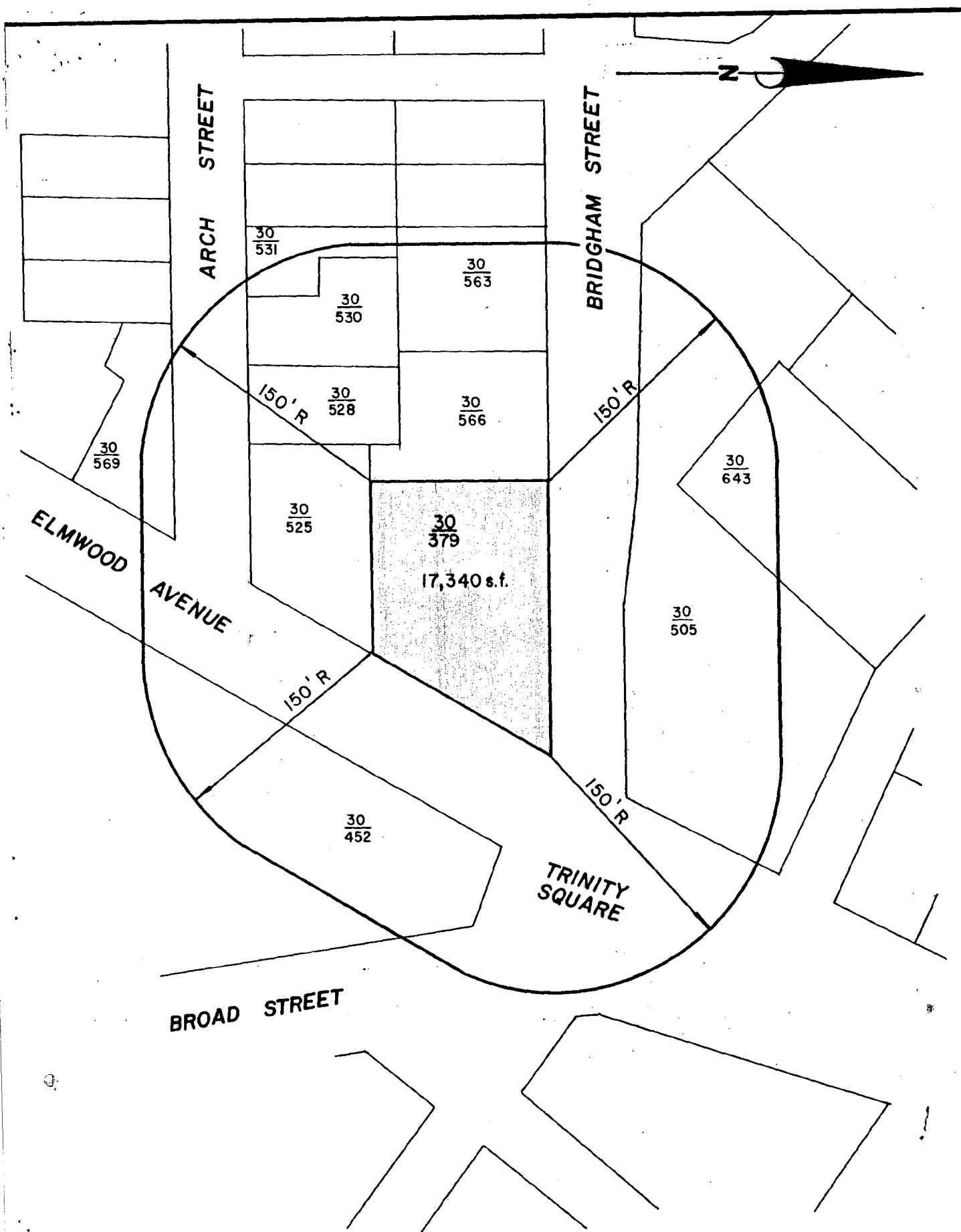
By Order of the Zoning Board of Review.


PATRICIA A. HURST, CHAIR

PAH/rr

cc Traffic Engineer
Ayoub Engineering, Inc.
Louis Sousa, Esq.

ATTENTION: SECTION 92A UNDER THE ZONING ORDINANCE REQUIRES THAT ANY VARIANCE OR SPECIAL EXCEPTION GRANTED BY SAID BOARD SHALL EXPIRE BY LIMITATION WITHIN SIX MONTHS FROM THE DATE THE SAME IS GRANTED UNLESS THE APPLICANT SHALL WITHIN SAID PERIOD EXERCISE THE RIGHT GRANTED BY SAID DECISION OR RECEIVE A BUILDING PERMIT FROM THE DEPARTMENT OF INSPECTION AND STANDARDS.



30 — ASSESSORS PLAT NO.
379 — LOT NO.

AYOUB ENGINEERING, INC.

CONSULTANTS

PAWTUCKET, RHODE ISLAND

(401) 728-5533

150' RADIUS MAP
SHELL OIL COMPANY
5 ELMWOOD AVENUE
PROVIDENCE, R.I.

DATE: OCTOBER - 1988

SCALE: 1" = 80'

WIC NO. 238-7140-1107

PROJECT NO.
1688

ALMONTE & LISA

ATTORNEYS AT LAW

(AN ASSOCIATION OF A PROFESSIONAL CORPORATION AND INDEPENDENT ATTORNEYS)

5 Benefit Street
Providence, Rhode Island 02904
(401) 274-0600
Telecopy (401) 421-6117

Peter A. Almonte
Carl. B. Lisa
Louis A. Sousa

Of Counsel

Eugene A. Amelio*
Thomas H. Caruolo

*(Also Member of Massachusetts Bar)

March 30, 1990

Michael Clemen
Providence City Clerk
City Hall
Providence, RI 02903

RE: Shell Oil / Elmwood Avenue Location
Application to Enlarge Underground
Tank Storage Capacity

Dear Mr. Clemen:

This office represents Shell Oil in this regard. It is my understanding that all necessary documentation with respect to the foregoing application has been submitted. Kindly place this matter unto the next available agenda for hearing before the appropriate City Council committee.

Thank you very much for your consideration.

Very truly yours,

ALMONTE & LISA



Louis A. Sousa

LAS:drp
cc: Philip Ayoub

ALMONTE & LISA

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Of Counsel
Eugene A. Amelio*
Thomas H. Caruolo

*(Also Member of Massachusetts Bar)

April 5, 1990

Councilman James Petrocinelli
Providence City Council
City Hall
Providence, RI 02903

RE: Shell Oil Request to Modify Underground Tanks
at 5 Elmwood Avenue, Providence, RI

Dear Councilman Petrocinelli:

This office represents Shell Oil with respect to the above matter. The company has obtained a zoning variance with respect to the construction of a convenience store at the location. In connection therewith, the company intends to remove the existing underground tanks and to replace them with state-of-the-art double walled underground tanks. The capacity of the tanks will thereby be increased. It is therefore necessary for the company to obtain approval from the appropriate City Council Committees. I would appreciate your placing this matter on the next available agenda as soon as possible.

If you have any questions or problems with this matter, please call me.

Very truly yours,

ALMONTE & LISA



Louis A. Sousa

LAS:drp

ABUTTERS

- 530 LAWRENCE H. COLE
15 ARCH
PROVIDENCE, R.I. 02907
- 531 LAWRENCE H. COLE
15 ARCH
PROVIDENCE, R.I. 02907
- 528 Operations Realty, Inc., a Rhode Island corporation
19 Elmwood Avenue
Providence, RI 02907
- 525 Operations Realty, Inc., a Rhode Island corporation
19 Elmwood Avenue
Providence, RI 02907
- 379 SHELL OIL CO.
152 ANGELL ST.
PROVIDENCE, R.I. 02906
- 452 GRACE CHURCH (CEMETERY)
175 MATHEWSON
PROVIDENCE, R.I. 02903
- 505 TRUSTEES OF TRINITY UNION CHURCH
389 TRINITY SQ.
PROVIDENCE, R.I. 02903
- 643 TRUSTEES OF TRINITY UNION CHURCH
389 TRINITY SQ.
PROVIDENCE, R.I. 02903
- 566 Operations Realty, Inc., a Rhode Island corporation
19 Elmwood Avenue
Providence, RI 02907
- 563 Operations Realty, Inc., a Rhode Island corporation
19 Elmwood Avenue
Providence, RI 02907
- 569 ELWIN M. ROSENBAUM
200 HOFFMAN AVE.
CRANSTON, R.I. 02920

AYOUB ENGINEERING, INC.

CONSULTANTS

PAWTUCKET, RHODE ISLAND

(401) 728-5533

SHELL OIL COMPANY
5 ELMWOOD AVENUE
PROVIDENCE, R.I.

DATE: OCTOBER - 1988

SCALE: NONE

WIC NO. 238-7140-1107

PROJECT NO.
1688



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Environmental Management
DIVISION OF GROUNDWATER AND
FRESHWATER WETLANDS
291 Promenade Street
Providence, R.I. 02908 - 5767



JUN 23 1989

20 June 1989

Mr. Carlos F. Davis, Project Manager
Ayoub Engineering, Inc.
414 Benefit Street
Pawtucket, RI 02861

RE: Underground Storage Tanks
Approval Of New Installation

Dear Mr. Davis:

This office has reviewed and approved the plans and specifications for the new installation of three (3) 12,000 gallon underground storage tanks at Shell Oil Company, 5 Elmwood Avenue, Providence, Rhode Island, UST Registration #812.

If you have any questions, please feel free to contact the undersigned at 277-2234.

Sincerely yours,

Saverio Mancieri, Sanitary Engineer
Division of Groundwater and Freshwater Wetlands

SM:LAG

ALMONTE & LISA

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(AN ASSOCIATION OF A PROFESSIONAL CORPORATION AND INDEPENDENT ATTORNEYS)

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Peter A. Almonte
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Of Counsel
Eugene A. Amelio*
Thomas H. Caruolo

*(Also Member of Massachusetts Bar)

November 19, 1990

Mr. Michael Clement
Providence City Clerk
Providence, RI 02903

RE: Shell Oil, Elmwood Avenue
Underground Tank Matter

Dear Mr. Clement:

On October 17, 1990 Shell Oil Company presented to the City Council Subcommittee on Public Works its proposals for increase in the underground tank size at the Elmwood Avenue location. Please advise as to the status of this matter.

Very truly yours,

ALMONTE & LISA



Louis A. Sousa

LAS:drp
cc: Carlos Davis, Ayoub Engineering



Zoning Board of Review

"Building Pride In Providence"

October 24, 1989

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Westwood, MA 02090

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October 24, 1989

- 3.) The Board finds that the granting of the relief will not substantially or permanently injure the appropriate use of neighboring property. The use of the property is a legal use, and the use is not being changed in any way by granting of this variance.
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By Order of the Zoning Board of Review.

Patricia A. Hurst
PATRICIA A. HURST, CHAIR

PAH/rr

cc Traffic Engineer
Ayoub Engineering, Inc.
Louis Sousa, Esq.

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△ GENERAL NOTES:


- (1) ALL NEW FIBERGLASS TANKS AND PIPING WILL BE PRECISION TESTED.
- (2) ALL NEW TANKS WILL HAVE SPILL CONTAINMENT BASINS AROUND ALL FILL PIPES.
- (3) FIBERGLASS TANKS AND FIBERGLASS PIPING SHALL MEET U.L. LISTED STANDARD 1316, MINIMUM REQUIREMENTS.
- (4) STEEL WELD PLATES, WITH A MINIMUM, DIMENSION OF 8"X 8" X 1/4" THICK, WILL BE PROVIDED BELOW AND CENTERED UNDER ALL TANK OPENINGS.
- (5) NEW TANKS SHALL HAVE SUBMERGED FILL TUBES.
- (6) NEW TANKS SHALL BE FACTORY TESTED AT A MINIMUM OF 5 PSI AND GUARANTEED TIGHT BY THE MANUFACTURER AND SHALL BE INSTALLED ACCORDING TO THE MANUFACTURERS' SPECIFICATIONS AND NFPA CODE 30.
- (7) THERE SHALL ALSO BE A 3/4 HP SUBMERSIBLE PUMP WITH A LEAK DETECTOR EQUAL TO "RED JACKET" MODEL P75 81/116-07 - FOR THE PURPOSE OF PROVIDING FOR PRODUCT LINE LEAK DETECTION AND SYSTEM SHUT OFF.
- (8) THE PRODUCT DELIVERY SYSTEM WILL BE PRESSURE TESTED AT 150% OF THE WORKING CAPACITY (MINIMUM OF 50 PSI). THE PRESSURE SHALL BE MAINTAINED FOR A MINIMUM OF ONE HOUR.
- (9) THE TERMINUS OF REMOTE PIPING SYSTEM WILL HAVE AN EMERGENCY SHUTOFF VALVE AT THE BASE OF THE DISPENSING UNIT TO SHUT OFF PRODUCT FLOW.
- (10) FIBERGLASS PIPING IS TO BE USED, WHERE CHANGES IN DIRECTION OCCUR. REPAIRS REQUIRING "SPICE-JOINTS" 1-1/2" X 2" 24" UNDERGROUND FLEXIBLE CONNECTORS WITH TEFLOON SPIRAL TUBE AND BRAIDED STAINLESS STEEL JACKET SHALL BE USED.
- (11) OBSERVATION WELLS WILL BE INSTALLED AS REQUIRED BY SECTION 10 HJ AND 10 H2 OF THE "REGULATIONS FOR UNDERGROUND STORAGE FACILITIES USED FOR PETROLEUM PRODUCTS AND HAZARDOUS MATERIALS."
- (12) THE CONTRACTOR SHALL NOTIFY D.E.M. ONE (1) WEEK IN ADVANCE OF THE BEGINNING OF THE INSTALLATION.
- (13) IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO FILE THE CLOSURE FORM WITH D.E.M. UPON THE REMOVAL OF THE TANKS.
- (14) OVER FILL PROTECTION SHALL BE INSTALLED IN EACH NEW DOUBLE WALL GASOLINE TANK IN THE FORM OF AN AUTOMATIC FILL TUBE SHUTOFF: OFW-6150.
- (15) SPILL CONTAINMENT BASINS SHALL BE INSTALLED AROUND ALL U.G. TANK FILLER BASINS TO BE EN 702 B.G. SPILL CONTAINMENT FILL BOXES.
- (16) A CONTINUOUS MONITORING SYSTEM SHALL BE INSTALLED IN ALL TANKS, UTILIZING AN OWENS-CORNING HS 10 LIQUID SENSOR, WHICH SHALL MONITOR THE INTERSTITIAL SPACE MONITORING BOTH INNER AND OUTER TANK WALLS. ALSO PROVIDED WILL BE AN OWENS-CORNING CONTROL PANEL, MODEL HS-004A, WITH ALARM BELL AND LIGHT AND A MULTIPLE SWITCH PANEL, BS-44 LOCATED IN THE BUILDING. THE SUBMERSIBLE PUMP WILL HAVE A LINE LEAK DETECTOR AND WILL BE HOUSED IN A PUMP ALSO CONTAINING A PRESSURE SENSITIVE TANKS-CORNING MODEL HS-44 WILL BE TIED INTO THE ALARM CONTROL PANEL.

2	7-18-89	ADDITION OF REAR DOOR & WALK	DRL
△	3-1-89	REV. GENERAL NOTES & AS NOTED	DJM
REV. PER	DATE		BY

[illegible]

10-1	10-2	10-3	10-4

REFERENCE DRAWINGS



APPROVALS

SHELL OIL COMPANY

PROJECT TITLE
PROVIDENCE, R.I.
5 ELMWOOD AVENUE

S H E E T D E S C R I P T I O N

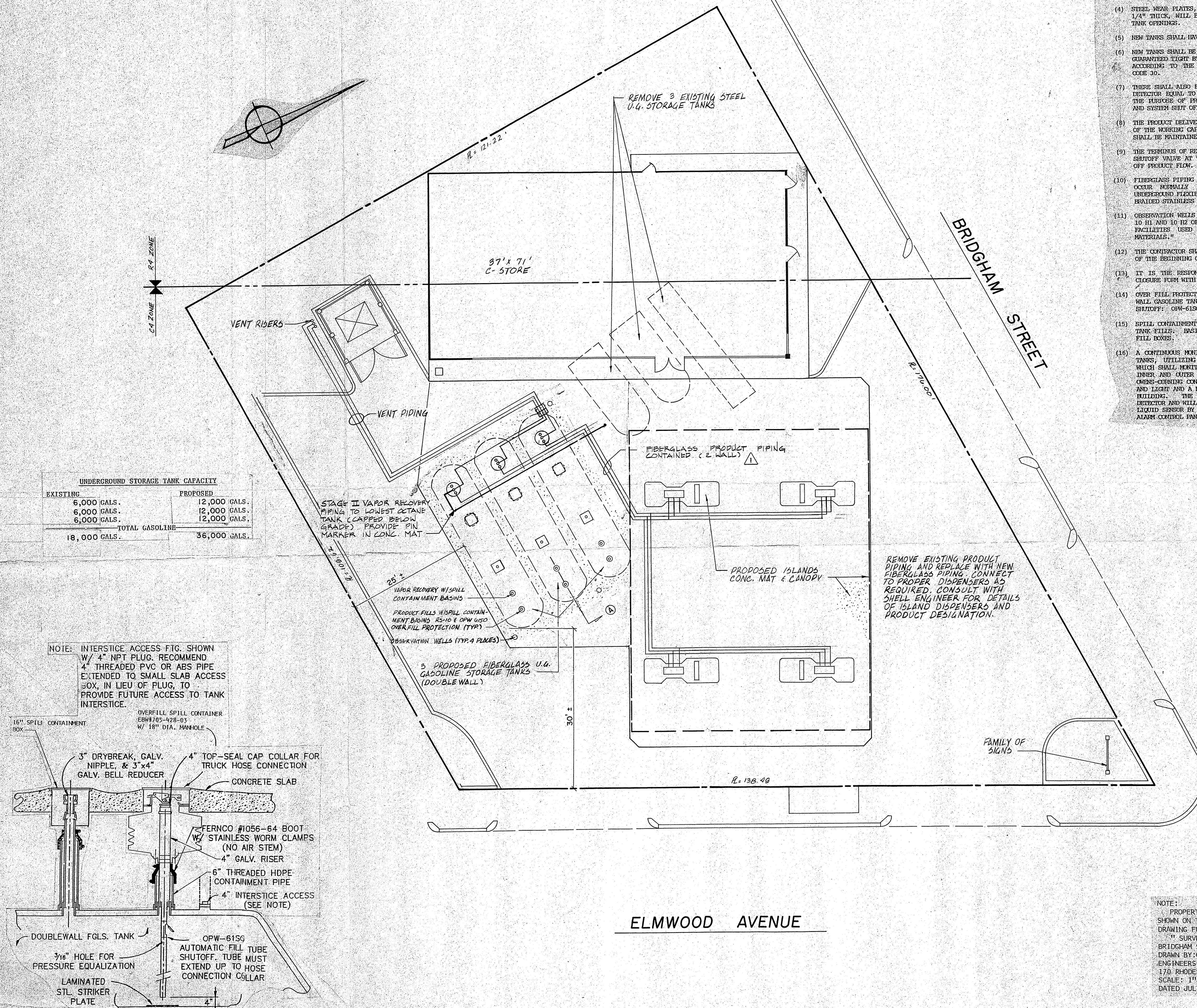
PROPOSED NEW UNDERGROUND FIBERGLASS
STORAGE TANKS

PREPARED BY
AYOUB ENGINEERING, INC.

CONSULTANTS
PAWTUCKET, RHODE ISLAND (401) 728-5533

SCALE	1" = 10' - 0"	PROJECT NO.	1688
DWN. BY	CDA	DATE	12/14/88
CHK'D. BY		DATE	
APPR. BY		DATE	

WIC# 238-7140-1107 DWG. FILE NO. 1188.02



DETAIL @ (A)

NOT TO SCALE

PERMIT PLAN

PERMIT PLAN

GENERAL NOTES:

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- (2) ALL NEW TANKS WILL HAVE SPILL CONTAINMENT BASINS AROUND ALL FILL PIPES.
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- (4) STEEL WEAR PLATES, WITH A MINIMUM DIMENSION OF 8" X 8" X 1/4" THICK, WILL BE PROVIDED BELOW AND CENTERED UNDER ALL TANK OPENINGS.
- (5) NEW TANKS SHALL HAVE SUBMERGED FILL TUBES.
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- (7) THERE SHALL ALSO BE A 3/4 HP SUBMERGED PUMP WITH A LEAK DETECTOR PUMP TO "RED JACKET" WELLS ITS 81/16-01. FOR THE PURPOSE OF PROVIDING FOR PRODUCT LINE LEAK DETECTION AND SYSTEM SHUT OFF.
- (8) THE PRODUCT DELIVERY SYSTEM WILL BE PRESSURE TESTED AT 150% OF THE WORKING CAPACITY (MINIMUM OF 50 PSI). THE PRESSURE SHALL BE MAINTAINED FOR A MINIMUM OF ONE HOUR.
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2	7-18-89	ADDITION OF REAR DOOR & WALK	DEL
3	3-1-89	REV GENERAL NOTES & AS NOTED	QJM
REV	DATE	DESCRIPTION	BY

APPROVALS

DATE	DATE
DATE	DATE
DATE	DATE
DATE	DATE
DATE	DATE

APPROVALS

DATE	DATE
DATE	DATE
DATE	DATE
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REFERENCE DRAWINGS

DATE	DATE
DATE	DATE
DATE	DATE
DATE	DATE
DATE	DATE

APPROVALS

DATE	DATE
DATE	DATE
DATE	DATE
DATE	DATE
DATE	DATE

PROJECT TITLE

PROVIDENCE, R.I.
5 ELMWOOD AVENUE

SHEET DESCRIPTION

PROPOSED NEW UNDERGROUND FIBERGLASS STORAGE TANKS

PREPARED BY

AYOUB ENGINEERING, INC.

CONSULTANTS

PAUL WICKER, PROVIDENCE, R.I. 401-728-5533

SCALE 1" = 10'-0" PROJECT NO. 1688

DWN. BY CDA DATE 12/14/88

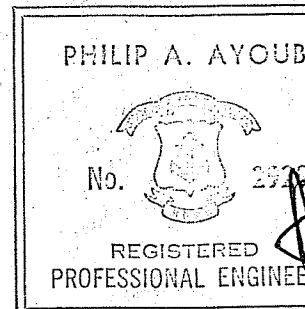
CHK'D. BY DATE

APPR. BY DATE SHT. OF

WIC # 238-7140-1107

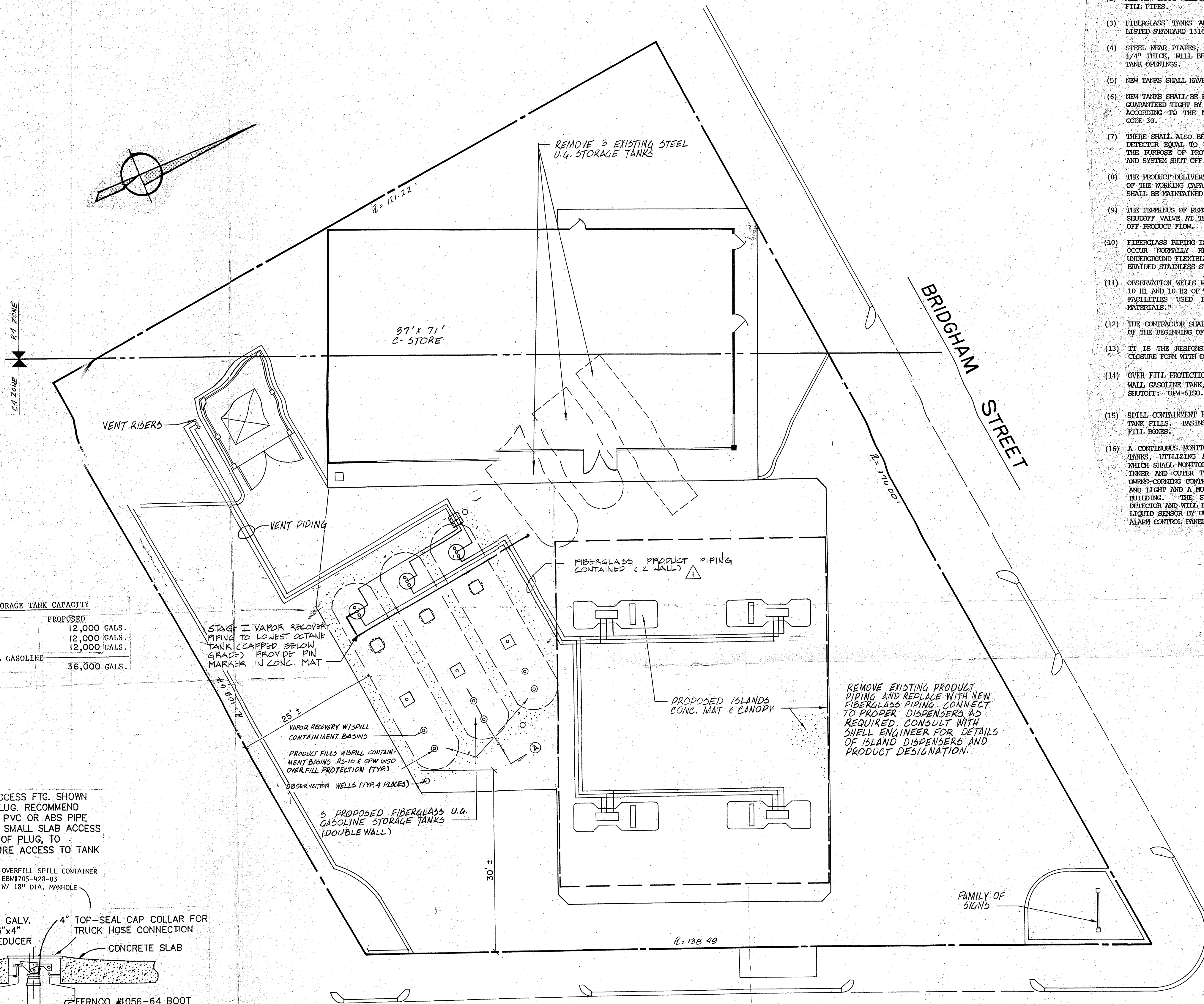
PERMIT PLAN

NOTE:
PROPERTY LINE AND OTHER SITE INFORMATION SHOWN ON THIS DRAWING WAS OBTAINED FROM A DRAWING FURNISHED BY THE OWNER ENTITLED:
"SURVEY OF PROPERTY, 5 ELMWOOD AVE. COR. BRIDGHAM ST. PROV. R.I. SHELL OIL COMPANY"
DRAWN BY GILBERT S. MALONEY ARCHITECTS, ENGINEERS & LAND SURVEYORS
170 RHODES ST. PROVIDENCE, R.I.
SCALE: 1" = 10'-0". PLAN NO. 3600 M.I.
DATED JULY 20, 1988



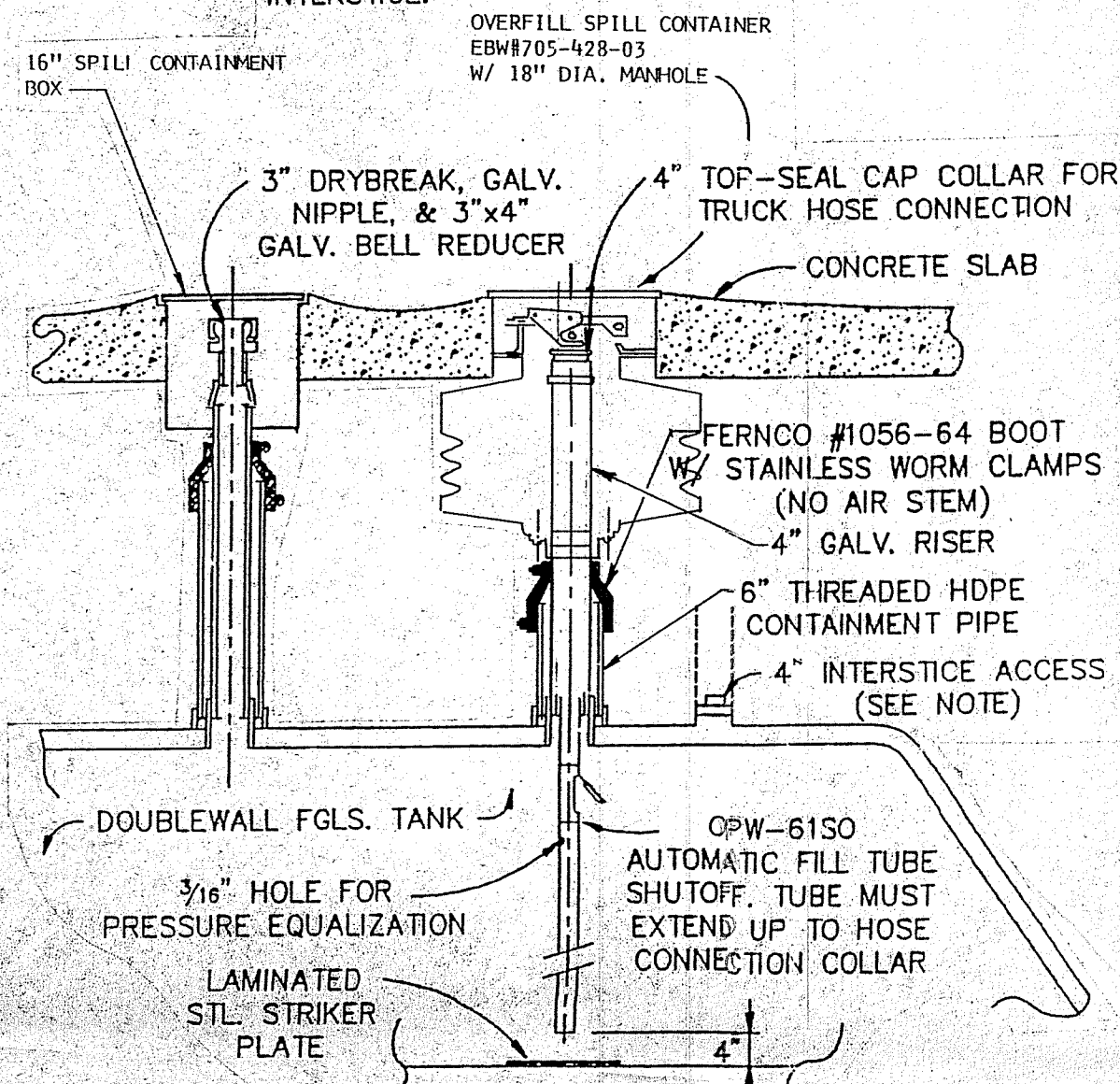
ELMWOOD AVENUE

BRIDGHAM STREET



UNDERGROUND STORAGE TANK CAPACITY	
EXISTING	PROPOSED
6,000 GALS.	12,000 GALS.
6,000 GALS.	12,000 GALS.
6,000 GALS.	12,000 GALS.
TOTAL GASOLINE	36,000 GALS.
18,000 GALS.	

NOTE: INTERSTICE ACCESS FTG. SHOWN W/ 4" NPT PLUG. RECOMMEND 4" THREADED PVC OR ABS PIPE EXTENDED TO SMALL SLAB ACCESS BOX, IN LIEU OF PLUG, TO PROVIDE FUTURE ACCESS TO TANK INTERSTICE.



DETAIL @ A

NOT TO SCALE