

CLOCK TOWER CONDOMINIUMS

A.P. 54, LOT 897
RANDALL ST. GEORGE ST. & DELANEY ST.
PAWTUCKET, RHODE ISLAND
APRIL, 2016

INDEX SHEET:

SHEET 1 CLOCK TOWER CONDOMINIUMS - LAND UNITS

CONDOMINIUM PLAT CERTIFICATION

I HEREBY CERTIFY THAT THIS CONDOMINIUM PLAT CONTAINS THE PLAT INFORMATION REQUIRED BY R.I. GENERAL LAW 34-36 1-2.09

 4/20/2016

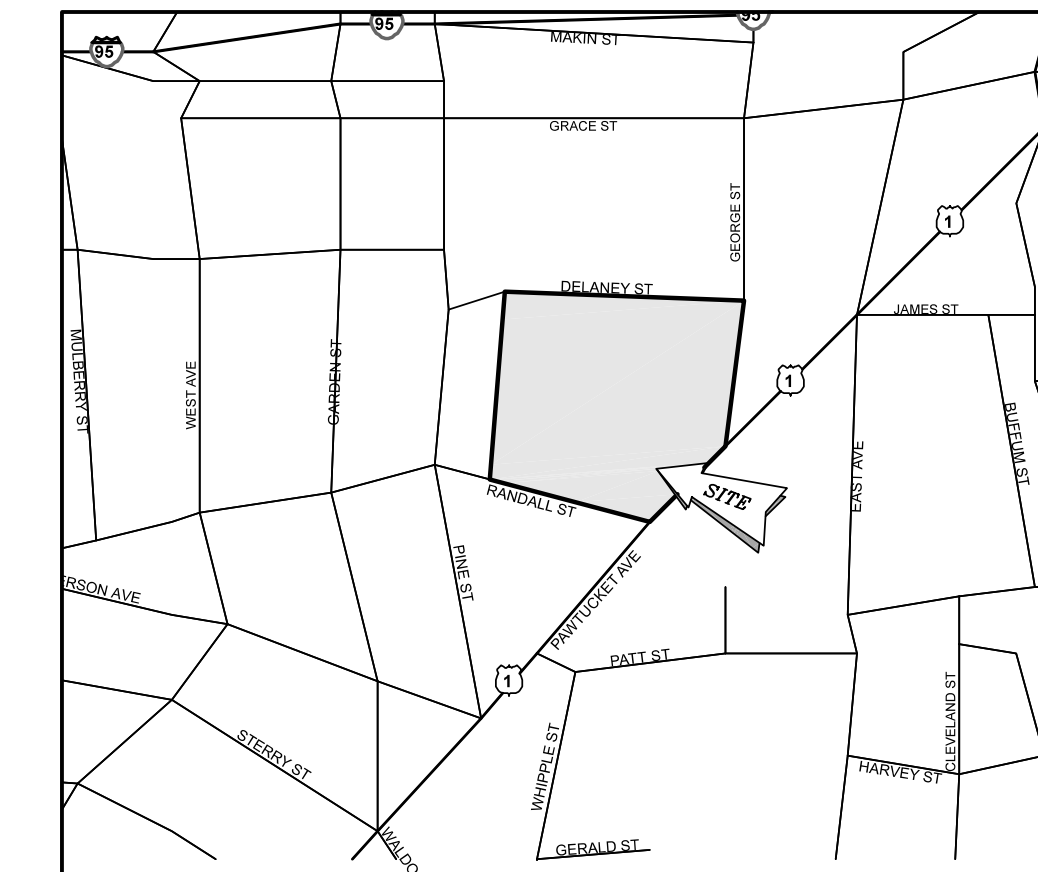
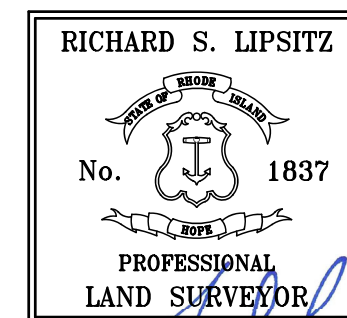
RICHARD S. LIPSITZ
WATERMAN ENGINEERING COMPANY

ID HOLDINGS LLC, A RHODE ISLAND LIMITED LIABILITY COMPANY, DECLARANT OF CLOCK TOWER CONDOMINIUMS CONSENTS TO THE RECORDATION OF THIS CONDOMINIUM PLAT IN THE PAWTUCKET, RHODE ISLAND LAND EVIDENCE RECORDS IN WITNESS WHEREOF SAID DECLARANT HAS CAUSED THESE PRESENTS, TO BE EXECUTED THIS DAY OF A.D. 2016.

STATE OF _____
COUNTY OF _____

ON THIS DAY OF 2016 BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED ALI.A. FADILI, AS MANAGER OF ID HOLDINGS LLC, PROVED TO THE NOTARY THROUGH SATISFACTORY EVIDENCE OF IDENTIFICATION, WHICH WAS PHOTOGRAPHIC IDENTIFICATION WITH SIGNATURE ISSUED BY A FEDERAL OR STATE GOVERNMENTAL AGENCY, OATH OR AFFIRMATION OF A CREDIBLE WITNESS, PERSONAL KNOWLEDGE OF THE UNDERSIGNED, WHOSE NAME IS SIGNED ON THE PRECEDING OR ATTACHED DOCUMENT, AND ACKNOWLEDGED TO ME THAT HE SIGNED IT VOLUNTARILY FOR ITS STATED PURPOSE AS MANAGER OF ID HOLDINGS LLC.

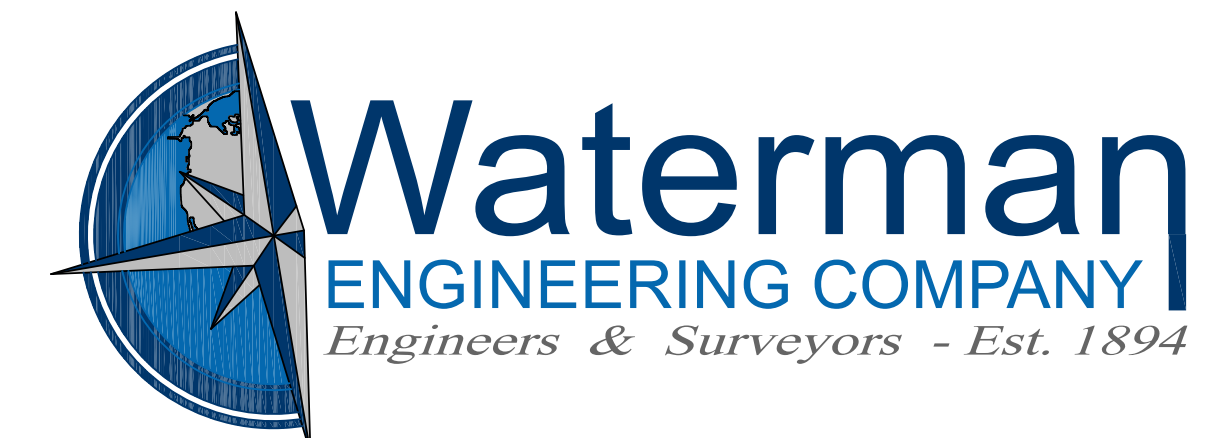
NOTARY PUBLIC _____
PRINTED NAME: _____
MY COMMISSION EXPIRES: _____



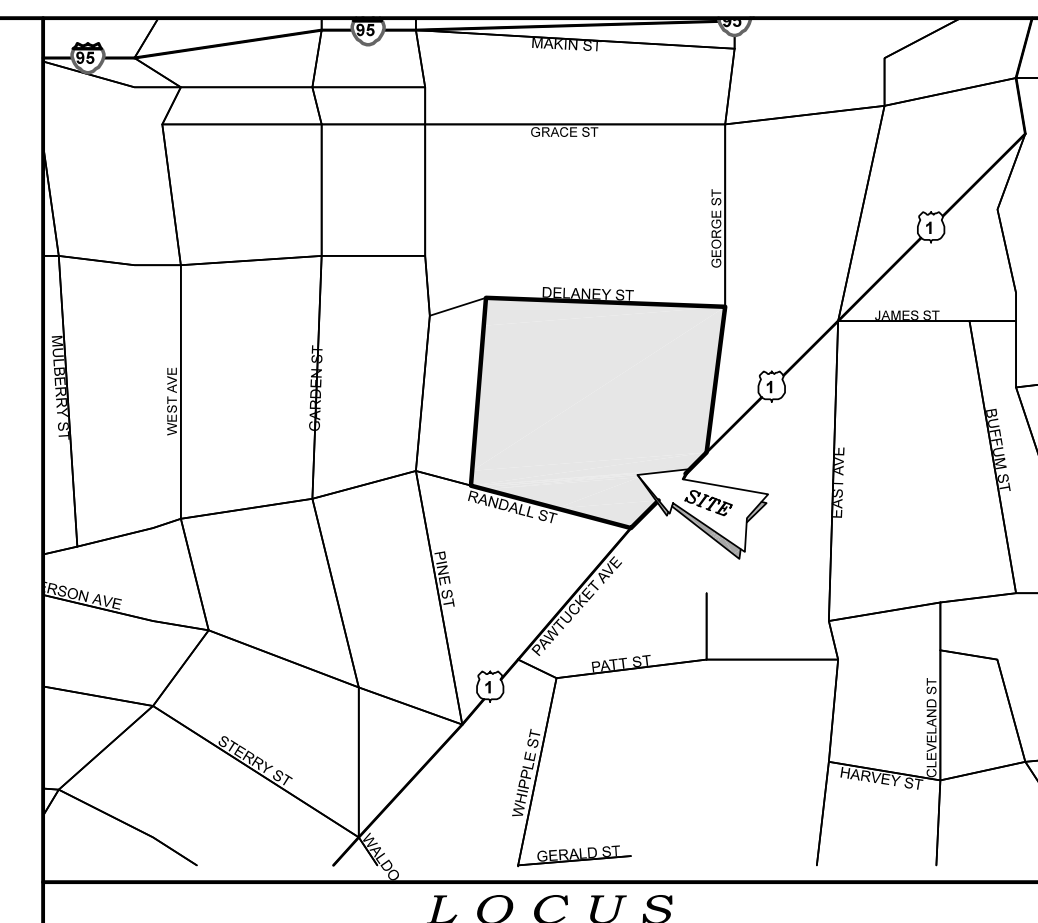
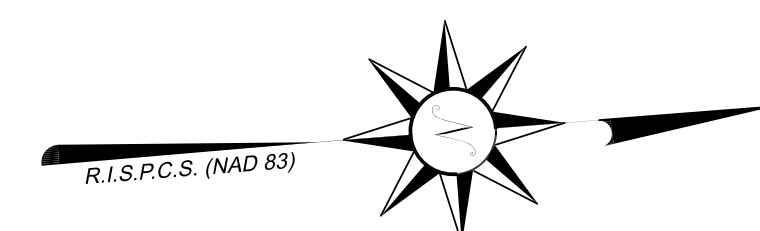
LOCATION MAP

OWNER: ID HOLDINGS LLC
169 GEORGE STREET
PAWTUCKET, RHODE ISLAND 02860

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46 Sutton Avenue
East Providence, RI
Phone: (401) - 438 - 5775
Fax: (401) - 438 - 5773
www.watermanengineering.net



NOTES / REFERENCES

- REFERENCE IS MADE TO THE FOLLOWING MAPS AND PLANS OF RECORD:
 - CITY OF PAWTUCKET STREET LINE PLANS FOR GEORGE ST., DELANEY STREET & RANDALL STREET.
 - PLAN ENTITLED "PLAT OF LAND IN PAWTUCKET, R.I. FOR THE REV. J. C. TENNIN BY FRANK E. WATERMAN OCT., 1913 SCALE: 60 FT. TO AN INCH."
 - PLAN ENTITLED "PLAT OF DELANEYVILLE HOUSE LOTS PAWTUCKET, N. PROV. SURVEYED AND PLATTED BY CUSHING & DEWITT OCT., 1889 WHICH IS RECORDED WITH THE LAND EVIDENCE RECORDS AT THE CITY OF PAWTUCKET, R.I. ON PLAT CARD NO. 31."
 - RHODE ISLAND HIGHWAY PLAT No. 963.
 - PLAN ENTITLED "BOUNDARY & TOPOGRAPHIC SURVEY PLAN A.P. 54A, LOTS 857 & 858 RANDALL ST., GEORGE ST. & DELANEY ST. PAWTUCKET, RHODE ISLAND PREPARED FOR REBECCA B. KARL, 383 ARMISTICE BOULEVARD PAWTUCKET, RHODE ISLAND PROJECT NO. 12-052 SCALE: 1" = 20'. DATE: 8/27/12, REVISED DATE: 8/14/14 PREPARED BY WATERMAN ENGINEERING CO."
- REFERENCE IS MADE TO THE FOLLOWING CITY OF PAWTUCKET LAND EVIDENCE RECORDS REGARDING RECORDED TITLE TO THE PREMISES SURVEYED.
 - A.P. 54A, LOT 897 - ID HOLDINGS LLC - VOLUME 3839, PAGE 218 & VOLUME 3795, PAGE 61
- THESE PREMISES MAY BE SUBJECT TO THE FOLLOWING EASEMENTS, RIGHTS OF WAY OR AGREEMENTS OF RECORD:
 - LICENSE ACROSS A 12' STRIP OF LAND FROM RANDALL STREET TO THE "SCHOOL PROPERTY" AS DESCRIBED IN VOLUME 3495, PAGE 18 (LOCATION UNDEFINED)
 - POSSIBLE RIGHTS AND RIGHTS OF OTHERS OVER "CONVENT STREET" AS DELINEATED ON PLAN REF. 1(C) AND REFERENCED IN VOLUME 3470, PAGE 50 (NO ABANDONMENT FOUND ON RECORD)
- THESE PREMISES ARE SITUATED IN AN "RM ZONE" (RESIDENTIAL MULTIFAMILY).

DIMENSIONAL REQUIREMENTS	MULTIFAMILY DWELLING
MIN. LOT AREA	= 3,000 SQ. FT. PER DWELLING UNIT
MIN. FRONTAGE	= 100 FT.
MIN. S/B FRONT YARD	= 10 FT.
MIN. S/B REAR YARD	= 25 FT.
MIN. S/B SIDE YARD	= 10 FT.
MAX. STRUCTURE HEIGHT	= 35 FT.
MAX. LOT COVERAGE	= 30%

NOTE - ZONING INFORMATION IS FROM CURRENT ZONING AND MAY NOT REFLECT THE CONDITIONS AT THE TIME OF CONSTRUCTION OR ANY VARIANCES GRANTED.
- THESE PREMISES ARE SITUATED IN A ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS DESIGNATED ON THE "NATIONAL FLOOD INSURANCE PROGRAM, FIRM FLOOD INSURANCE RATE MAP PROVIDENCE COUNTY, RHODE ISLAND (ALL JURISDICTIONS) PANEL 307 OF 451 CITY OF PAWTUCKET MAP NUMBER 44007C307, MAP REVISED, OCTOBER 2, 2015, FEDERAL EMERGENCY MANAGEMENT AGENCY".
- ANY UTILITIES SHOWN ON THIS PLAN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING PLANS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL SUCH OR ABANDONED. THE SURVEYOR DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM ALL AVAILABLE INFORMATION. (PLEASE CONTACT DIG SAFE 72 HOURS PRIOR TO CONSTRUCTION AT PHONE NO. 1-888-DIG-SAFE AND/OR ALL LOCAL UTILITY COMPANIES).
- SEE UNIT PLANS FOR SIZES / DIMENSIONS OF INDIVIDUAL UNIT BOUNDARIES.

** SIGNATURES MUST BE IN BLUE INK TO CONSTITUTE AN ORIGINAL PLAN

CERTIFICATION



THIS SURVEY AND PLAN CONFORM TO THE FOLLOWING CLASS STANDARDS AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS, EFFECTIVE APRIL 1, 1994.

BOUNDARY SURVEY - CLASS I
TOPOGRAPHIC SURVEY - CLASS III (F.F. ELEVATIONS ONLY)

1837 4/20/2016
REG. NO. DATE

RICHARD S. LIPSITZ
WATERMAN ENGINEERING COMPANY

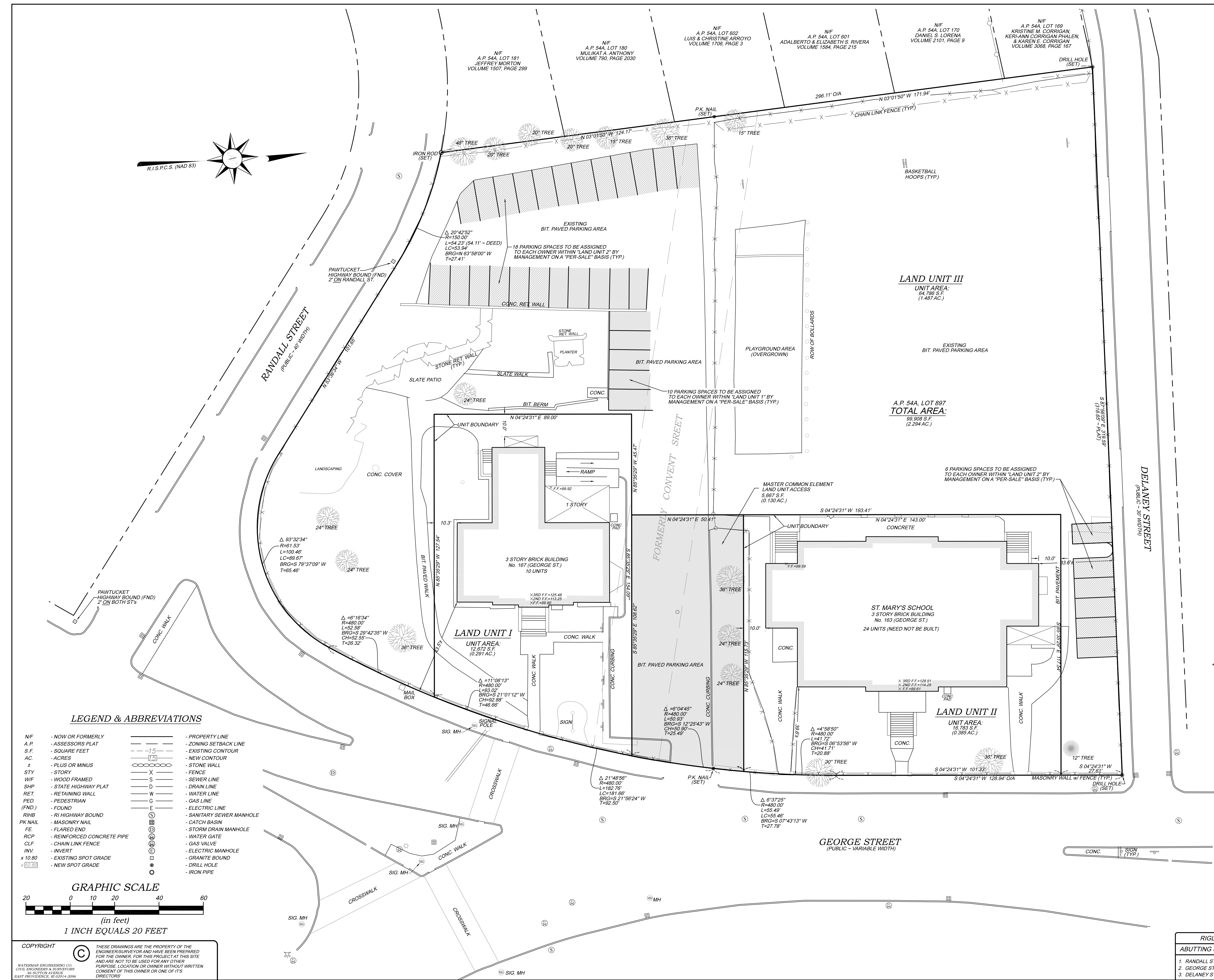
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			CHECKED BY: RSL
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			1 of 1 SHTS
			DRAWING # CPI

Waterman ENGINEERING COMPANY
Engineers & Surveyors - Est. 1894

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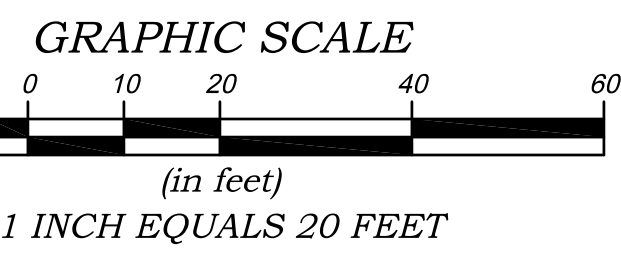
RIGL 34-13-1
ABUTTING STREET INDEX

1. RANDALL STREET
2. GEORGE STREET
3. DELANEY STREET



LEGEND & ABBREVIATIONS

- | | |
|--------------------------------|--------------------------|
| N/F - NOW OR FORMERLY | - PROPERTY LINE |
| A.P. - ASSESSORS PLAT | - ZONING SETBACK LINE |
| S.F. - SQUARE FEET | - EXISTING CONTOUR |
| AC. - ACRES | - NEW CONTOUR |
| + - PLUS OR MINUS | - STONE WALL |
| STY - STORY | - FENCE |
| WF - WOOD FRAMED | - SEWER LINE |
| SHP - STATE HIGHWAY PLAT | - DRAIN LINE |
| RET. - RETAINING WALL | - WATER LINE |
| PED. - PEDESTRIAN | - GAS LINE |
| (FND.) - FOUND | - ELECTRIC LINE |
| RHB - RI HIGHWAY BOUND | - SANITARY SEWER MANHOLE |
| PK NAIL - MASONRY NAIL | - CATCH BASIN |
| FE - FLARED END | - STORM DRAIN MANHOLE |
| RCP - REINFORCED CONCRETE PIPE | - WATER GATE |
| CLF - CHAIN LINK FENCE | - GAS VALVE |
| INV. - INVERT | - ELECTRIC MANHOLE |
| x 10.80 - EXISTING SPOT GRADE | - GRANITE BOUND |
| 10.80 - NEW SPOT GRADE | - DRILL HOLE |
| | - IRON PIPE |



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WATERMAN ENGINEERING CO.
CIVIL ENGINEERS & SURVEYORS
46 SUTTON AVENUE
EAST PROVIDENCE, RI 02914-2096

City of Pawtucket

Zoning Board of Review

DECISION 16-38

At the meeting of the Pawtucket Zoning Board of Review held on Monday, October 3, 2016, the following Decision was rendered:

WHEREAS, ID Holdings, LLC, applicant and owner of Lot numbered 897 on Tax Assessor's Plat 56 (163-167 George Street) and located in a "RM" Residential Multi-Family Zone, filed an application and requested a Dimensional Variance under section 410-44, 410-77 and 410-78 for a residential structure and a Special-Use Permit under Section 41-54 for more than one primary building on a lot, not in conformance with the strict provisions of the Pawtucket Zoning Ordinance.

WHEREAS, the members of the Zoning Board of Review made an inspection of the above-described premises and the surrounding properties in the neighborhood; and

WHEREAS, in accordance with the State Open Meetings Act, a public hearing was held on this application by the Zoning Board of Review at its meeting held on Monday, September 29, 2016, after public notice was provided pursuant to § 410-112 of the Pawtucket Zoning Ordinance.

The applicant seeks to raise the height of the building to 90 feet, increasing the units from 100 units to 132 units and increasing parking from 140 to 194 spaces. The increase in height will be due to providing enclosed underground parking.

Mr. Miniati recused himself from this application. Attorney Michael Horan, 393 Armistice Boulevard, Pawtucket, RI., representing the applicant and owner.

WITNESS: Christian Ladds, 4 Catalpa Road, Providence, RI., architect.

WITNESS: Richard Lipsitz, 46 Sutton Avenue, East Providence, RI., engineer.

WITNESS: Adel Al Tamimi, 410 Salem Street, Wakefield, MA.

OBJECTOR: Alberto Rivera, 63 Pine Street, Pawtucket, RI.

WITNESS: Jeffrey Martin, 78 Pine Street, Pawtucket, RI.

WITNESS: Sheryl Mason, 169 George Street, Unit 103, Pawtucket, RI.

WITNESS: James Luth, 169 George Street, Unit 202, Pawtucket, RI.

Exhibit 1: Comparison.

Exhibit 2: Clark Construction & Management.

A motion was made by Mr. Ferland and seconded by Mr. Raimbeault to accept Mr. Ladds as an expert witness in architecture. Motion passed, 5-0.

Mr. Ladds stated the total number of units will be 132. Nine studios, sixty-six one bedrooms, fifty-three two-bedrooms, and four two-bedrooms plus. Mr. Ladds stated the height of the building will be 90 feet. The existing school is 76 feet, 8 inches, which is Phase 2 of the building. Mr. Ladds stated there will be two elevators, which is a change from the last application, due to the high/luxury quality of the units. A second elevator will be installed on the exterior wall of the building and will service all floors of the school.

The Board inquired whether the garage would be mechanically ventilated. Mr. Ladds stated the lower level and, if necessary, the mid-level.

A motion was made by Mr. Ferland and seconded by Mr. Raimbeault to accept Mr. Lipsitz as an expert witness in land surveying and general land development. Motion passed, 5-0.

Mr. Lipsitz stated he has reviewed the Technical Review Committee and the Planning Department's recommendations and is in agreement with the recommendations and changes relative to the project. The Board inquired as to drainage and bio retention. Mr. Lipsitz stated there will be an infiltration system underneath the back parking lot for storm water drainage with bio retention. The Board inquired whether this phase of construction will be rental units as opposed to condominiums. Mr. Tamimi stated it will be flexible, depending upon the market, since his company is self-financed.

Mr. Rivera objects to this application. Mr. Rivera's concerns are privacy, construction noise, traffic, the amount of sunlight that may be blocked from this construction onto his property and whether these will be condominiums or rentals. Mr. Rivera stated full grown trees are to be planted to create a buffer for privacy and wants to be sure that will happen.

Mr. Ladds stated there was a discussion with Mr. Rivera agreeing to plant trees as high as possible for privacy.

Mr. Martin is in favor of this application. Mr. Martin has been a resident for ten years in Pawtucket and has watched the development of this project and is very impressed with it. Mr. Martin stated he recently toured Phase 1 of the building and is looking forward to Phase 2 and 3.

Ms. Mason is in favor of this application. Ms. Mason is the fourth owner. Ms. Mason appreciates the historical significance of the building and the beautiful way it has been rehabbed.

Mr. Luth is in favor of this application. Mr. Luth stated his overall experience has been overwhelming pleasurable, and he admires the approach the developers took that complement the historic and legendary structures that are presently in place.

During the course of the public hearing, the Board took administrative notice of the findings and advisory opinion submitted by the Planning Board. The opinion states that the applicant was granted zoning relief in 2013 to renovate two existing structures (St. Mary's School and Convent) and construct a multi-family residential building. The conversion of the convent building to 10 condominium units was completed in 2016. The current 2016 proposal for residential development at the site has been revised, with the most significant plan alterations intended to reduce the number of studio units in favor of single and two-bedroom units based on local market demand. As a result, the overall proposed maximum building height and gross floor area of the new multi-family residential building, and off-street parking requirement for the complex have been increased from the previously approved plan.

Twenty-Two residential units are proposed for the former school building and one hundred residential units are proposed for the new multi-family residential building. The proposed multi-family residential structure would include 3 floors of structured parking (one below grade level, resulting in a maximum height of 90 feet at the parapet wall.

The City Comprehensive Plan – Land Use includes the following Objectives:

1. Increase residential density within the downtown
2. Protect existing neighborhoods from increasing housing densities that lead to overcrowding, shortage of available off-street parking and traffic congestion.
3. Encourage infill development that reflects the built character of the surrounding area.

The City Comprehensive Plan – Housing Chapter includes the following Objective:

1. Provide Pawtucket residents from all socio-economic groups with safe, decent and affordable housing
2. Ensure that residential growth does not adversely affect environmental, recreational and cultural resources.
3. Expand homeownership in all neighborhoods

The subject property is located in a transition area between the downtown to the north and multi-family residential neighborhoods to the south. The maximum height of the new residential building is not inconsistent with the immediate area with several comparable structures in close proximity including: 2 George Street (Comfort Inn – 50 feet), 6 George Street (Slater House Apartments – 130 feet), 100 East Avenue (Tower East – 160 Feet), and 214 Roosevelt Avenue (Fogarty Housing – 180 Feet). The proposed residential development includes the preservation and conversion of two underutilized structures that are included in the National Register of Historic Places. The priority to renovate these structures limits the footprint in which new residential construction and parking may be located on the site. Provided structured parking will also eliminate the need for street parking for residents/visitors and is the primary reason for the maximum height increase from the prior 2013 plans.

Adjacent land utilized for surface parking and the public cemetery serve as a buffer between the as-built structure and existing residential structures located in close proximity to the subject property. Condominium units will increase homeownership in the City and expand property tax revenue. The footprint of the proposed residential structure would be situated on a portion of the property that is currently covered by impervious surface and both Narragansett Bay Commission (NBC) and RI Department of Environmental Management (RIDEM) review of proposed plans will ensure that no adverse impact will result from storm water runoff or drainage.

The natural topography of the lot slopes down toward Delany Street to the north so particular emphasis should be placed on controlling water runoff to George Street and residential properties along Pine Street. Both the Department of Public Works and City Fire Officials have reviewed preliminary plans and have no objection. Continued collaboration with these departments is required to maintain safe pedestrian/vehicular circulation and provide adequate access for emergency vehicles.

The Planning Commission unanimously voted (5-0) to approve the preliminary master plan for development at the site on September 20, 2016. The Department of Planning and Redevelopment also recommends approval, subject to the following proposed conditions:

1. The main entrance (rotary) on George Street should be signed at the exit for right turn only
2. The Applicant shall submit proposed storm water control and drainage measures to be reviewed and approved as needed by the Narragansett Bay Commission (NBC) and/or the Rhode Island Department of Environmental Management (RIDEM)
3. The applicant shall submit final plans stamped and signed by a certified architect, a final site plan stamped and signed by a certified engineer or land surveyor, and a final landscape plan prepared by a registered landscape architect prior to the issuance of a building permit
4. The applicant shall work with the Department of Public Works to repair and replace sidewalks that front on to public ways as needed, and according to the standards established by the Department of Public Works.
5. Necessary alterations to public ways, including but not limited to, one way signage, traffic island alteration on George Street, curb cut alterations, and public sidewalk improvements shall be completed at cost to the Applicant.

The applicant shall provide safe pedestrian connections across George Street in consultation with, and according to the standards of the Department of Public Works. The Planning Board recommended approval.

NOW, THEREFORE, after consideration of the application and the testimony of the applicant, the objectors and the advisory opinion submitted by the Planning Board, and after having carefully weighed the same, the Zoning Board of Review hereby makes the following findings:

Special Use Permit:

The purpose of a special-use permit (formerly known as a special exception) is to establish within the ordinance "conditionally permitted uses." A Special-Use Permit contemplates a permitted use when under the terms of the zoning ordinance, the prescribed conditions are met. The fact that a particular use is allowed in a zoning district by special-use permit means that the City Council has already determined that it is an appropriate use for the district.

Relative to Special-Use Permits, § 410-113(B) of the zoning ordinance states that "[i]n granting a special use permit, the Board shall require that evidence to the satisfaction of the following standards be entered into the record of the proceedings:

- (1) that the special use is specifically authorized by this ordinance, and setting forth the exact subsection of this ordinance containing the jurisdictional authorization;
- (2) that the special use meets all of the criteria set forth in the subsection of this ordinance authorizing such special use; and
- (3) that the granting of the special use permit will not alter the general character of the surrounding area or impair the intent or purpose of this ordinance or the comprehensive plan of the City."

The Rhode Island Supreme Court has stated that the burden of proof in a Special-Use Permit application is on the applicant. When applying for a grant of a Special-Use Permit, an applicant must preliminarily show that the relief sought is reasonably necessary for the convenience and welfare of the public. The "public convenience and welfare" pre-condition is satisfied when the applicant demonstrates that a proposed use will not result in conditions that will have a detrimental effect on the public health, safety, morals, and welfare. However, a Zoning Board may not deny granting a Special-Use Permit to a permitted use on the ground that the applicant has failed to prove that there is a community need for its establishment.

The Board finds that the applicant has sought a special-use permit pursuant to Article 410-54 of the Pawtucket Zoning Ordinance in order for more than one primary building on a lot.

The Board finds that based on the facts offered by the applicant through testimony at the hearing and based on the Board's own inspection of the subject parcel, the applicant has offered sufficient probative evidence which substantiates their claim for relief. In the absence of substantial and probative evidence that the proposed use will danger the neighboring community in any manner, the Board holds that neither the proposed use nor its location on the site will have a detrimental effect upon the public health, safety, morals, and welfare of the surrounding area.

Dimensional Variance:

The Board finds that it is clear that the applicant seeks relief from the zoning ordinance provisions regulatory of the permitted use of land. The applicant is not requesting a true variance, so called, pursuant to which it could make use of the land that is not a permitted use under the terms of the Pawtucket Zoning Ordinance.

Because the applicant is seeking a Dimensional Variance, the principles enunciated in Viti v. The Zoning Board of Review, and now codified in the provisions of the State Zoning Enabling Act and the Pawtucket Zoning Ordinance, are controlling.

Section 45-24-41(C) of the State Zoning Enabling Act and § 410-113(A)(1) of the Pawtucket Zoning Ordinance state that "[i]n granting a variance, the Board shall require that evidence to the satisfaction of the following standards be entered into the record of the proceedings:

- (a) that the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and not due to a physical or economic disability of the applicant;
- (b) that said hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain;
- (c) that the granting of the requested variance will not alter the general characteristic of the surrounding area or impair the intent or purpose of this zoning ordinance or the comprehensive plan of the City;
- (d) that the relief to be granted is the least relief necessary.

In addition, Section 45-24-41(D) of the State Zoning Enabling Act and § 410-113(A)(2)(b) of the Pawtucket Zoning Ordinance, state that the zoning board of review *shall* require that evidence be entered into the record of the proceedings showing that in granting a dimensional variance, "that the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted shall amount to more than a mere inconvenience. The fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief."

The Board finds that the proposal is in conformance with the City's Comprehensive Plan as indicated in the Advisory Opinion. Similar variances were previously granted in 2013 to the applicant for both a special use permit and a dimensional variance. Based on the foregoing, and based on the facts offered by the applicant at the hearing, and based on the Board's own inspection of the subject parcel, it appears that if a Dimensional Variance is not granted to the applicant, they will suffer an adverse impact amounting to more than a mere inconvenience since the relief being sought is reasonably necessary for the full enjoyment of the permitted use.

WHEREAS, upon consideration of the foregoing, it is hereby;

RESOLVED: That the Zoning Board of Review for the City of Pawtucket does hereby grant a Dimensional Variance and a Special-Use Permit pursuant to applicable provisions of the Pawtucket Zoning Ordinances and the State Zoning Enabling Act, and does hereby grant the application of ID Holdings, LLC.


SPECIAL CONDITIONS:

1. The main entrance (rotary) on George Street is to be signed at the exit for right turn only.
2. The applicant shall submit proposed storm water control and drainage measures to be reviewed and approved as needed by the Narragansett Bay Commission (NBC) and the Rhode Island Department of Environmental Management (RIDEM).
3. The applicant shall submit final plans stamped and signed by a certified architect, a final site plan stamped and signed by a certified registered engineer and a final landscape plan prepared by a registered landscape architect (stamped and signed) prior to the issuance of a building permit.
4. The largest possible (practicable) trees shall be planted along the westerly property line.
5. The applicant shall work with the Department of Public works (DPW) public ways as needed and according to the standards established by DPW.
6. Necessary alterations to public ways, including but not limited to, one way signage, traffic island alteration on George Street, curb cut alterations and public sidewalk improvements shall be completed at cost to the applicant.
7. The application shall provide safe pedestrian connections across George Street in consultation with and according to the standards of DPW.

VOTE TO APPROVE: McKinnon, Ferland, Hovarth, Magill, Raimbeault

VOTE TO DENY: None.

ATTENTION: Pursuant to § 410-119(A) of the Pawtucket Zoning Ordinance, any Variance or Special-Use Permit granted by the Pawtucket Zoning Board of Review shall expire by limitation within one (1) year from the date the same is filed with the City Clerk's Office unless the applicant shall within said period exercise the right granted by said Decision.



 Russell J. Ferland
 Secretary, Zoning Board of Review

DATED: 10/12/16

Inspection By Pawtucket Fire Department Required 7

PERMITS REQUIRED PURSUANT TO THIS DECISION, MUST BE OBTAINED FROM THE BUILDING INSPECTOR

CLOCK TOWER CONDOMINIUMS

A.P. 54, LOT 897
RANDALL ST. GEORGE ST. & DELANEY ST.
PAWTUCKET, RHODE ISLAND
APRIL, 2016

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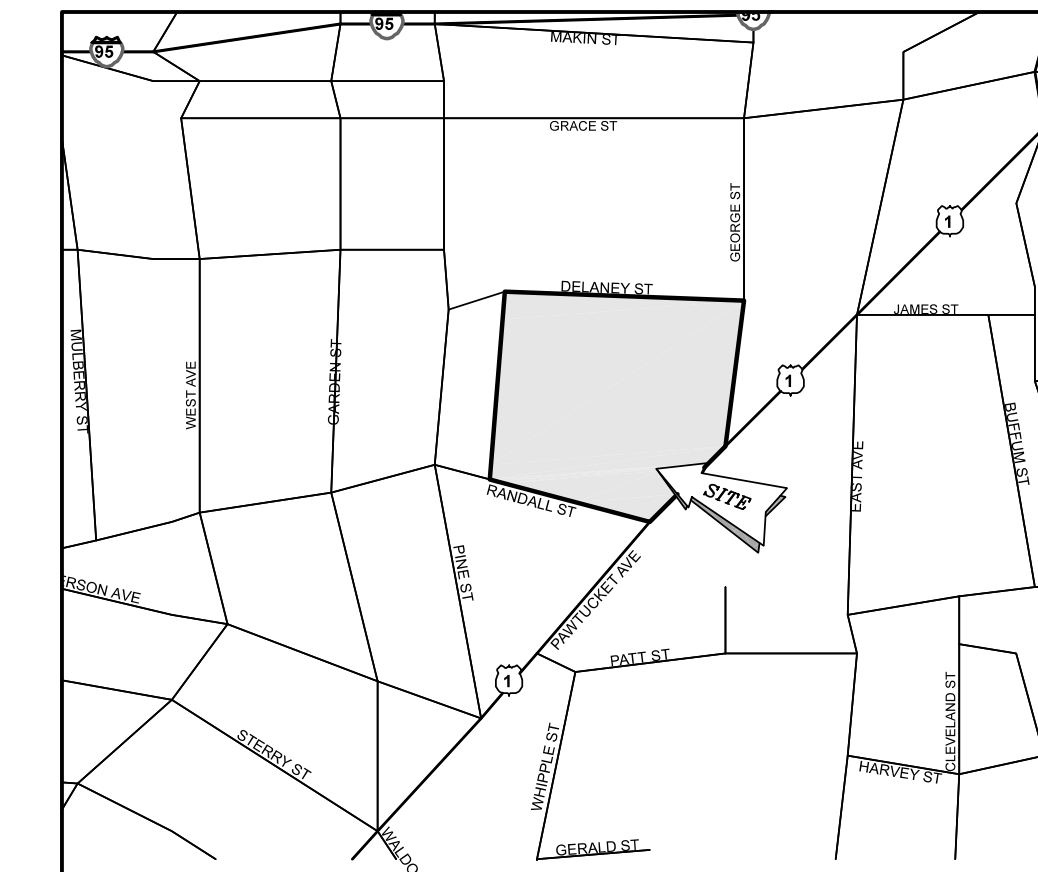
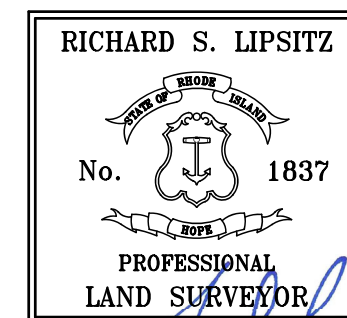
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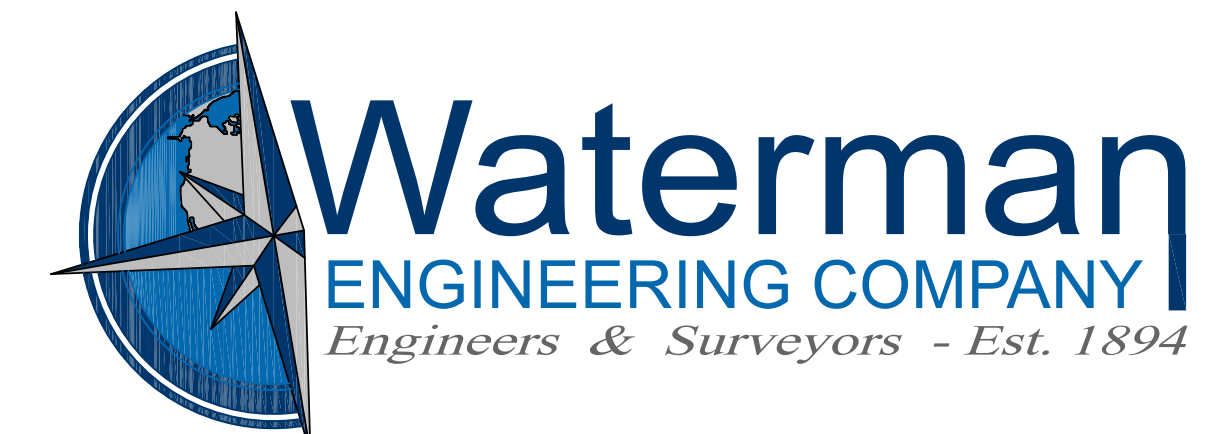
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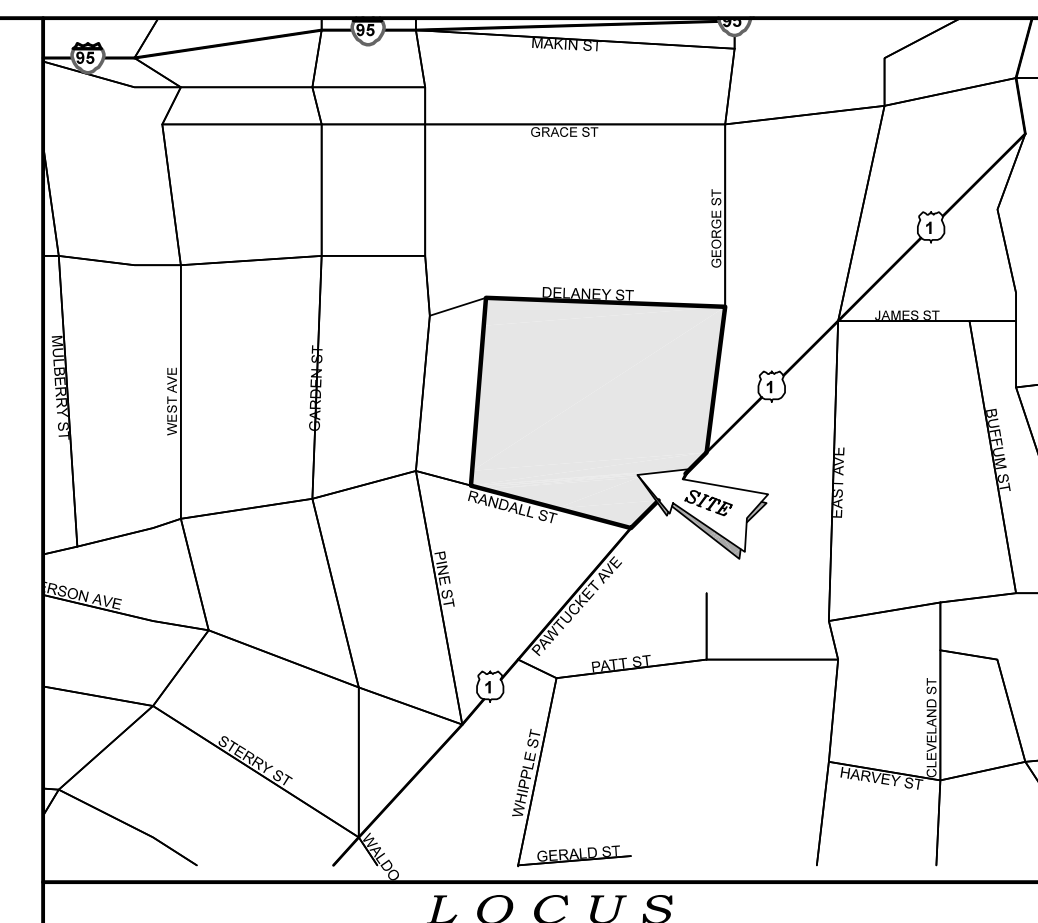
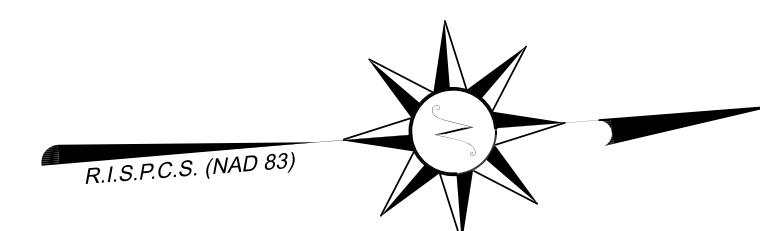
LOCATION MAP

OWNER: ID HOLDINGS LLC
169 GEORGE STREET
PAWTUCKET, RHODE ISLAND 02860

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www.watermanengineering.net



NOTES / REFERENCES

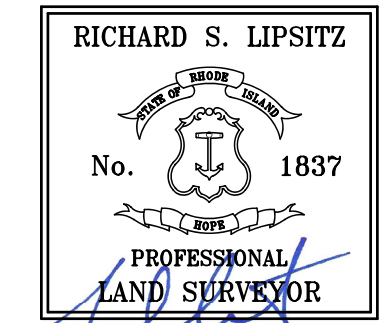
- REFERENCE IS MADE TO THE FOLLOWING MAPS AND PLANS OF RECORD:
 - CITY OF PAWTUCKET STREET LINE PLANS FOR GEORGE ST., DELANEY STREET & RANDALL STREET.
 - PLAN ENTITLED "PLAT OF LAND IN PAWTUCKET, R.I. FOR THE REV. J. C. TENNIN BY FRANK E. WATERMAN OCT., 1913 SCALE: 60 FT. TO AN INCH."
 - PLAN ENTITLED "PLAT OF DELANEYVILLE HOUSE LOTS PAWTUCKET, N. PROV. SURVEYED AND PLATTED BY CUSHING & DEWITT OCT., 1889 WHICH IS RECORDED WITH THE LAND EVIDENCE RECORDS AT THE CITY OF PAWTUCKET, R.I. ON PLAT CARD NO. 31."
 - RHODE ISLAND HIGHWAY PLAT No. 963.
 - PLAN ENTITLED "BOUNDARY & TOPOGRAPHIC SURVEY PLAN A.P. 54A, LOTS 857 & 858 RANDALL ST., GEORGE ST. & DELANEY ST. PAWTUCKET, RHODE ISLAND PREPARED FOR REBECCA B. KARL, 383 ARMISTICE BOULEVARD PAWTUCKET, RHODE ISLAND PROJECT NO. 12-052 SCALE: 1" = 20'. DATE: 8/27/12, REVISED DATE: 8/14/14 PREPARED BY WATERMAN ENGINEERING CO."
- REFERENCE IS MADE TO THE FOLLOWING CITY OF PAWTUCKET LAND EVIDENCE RECORDS REGARDING RECORDED TITLE TO THE PREMISES SURVEYED.
 - A.P. 54A, LOT 897 - ID HOLDINGS LLC - VOLUME 3839, PAGE 218 & VOLUME 3795, PAGE 61
- THESE PREMISES MAY BE SUBJECT TO THE FOLLOWING EASEMENTS, RIGHTS OF WAY OR AGREEMENTS OF RECORD:
 - LICENSE ACROSS A 12' STRIP OF LAND FROM RANDALL STREET TO THE "SCHOOL PROPERTY" AS DESCRIBED IN VOLUME 3495, PAGE 18 (LOCATION UNDEFINED)
 - POSSIBLE RIGHTS AND RIGHTS OF OTHERS OVER "CONVENT STREET" AS DELINEATED ON PLAN REF. 1(C) AND REFERENCED IN VOLUME 3470, PAGE 50 (NO ABANDONMENT FOUND ON RECORD)
- THESE PREMISES ARE SITUATED IN AN "RM ZONE" (RESIDENTIAL MULTIFAMILY).

DIMENSIONAL REQUIREMENTS	MULTIFAMILY DWELLING
MIN. LOT AREA	= 3,000 SQ. FT. PER DWELLING UNIT
MIN. FRONTAGE	= 100 FT.
MIN. S/B FRONT YARD	= 10 FT.
MIN. S/B REAR YARD	= 25 FT.
MIN. S/B SIDE YARD	= 10 FT.
MAX. STRUCTURE HEIGHT	= 35 FT.
MAX. LOT COVERAGE	= 30%

NOTE - ZONING INFORMATION IS FROM CURRENT ZONING AND MAY NOT REFLECT THE CONDITIONS AT THE TIME OF CONSTRUCTION OR ANY VARIANCES GRANTED.
- THESE PREMISES ARE SITUATED IN A ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS DESIGNATED ON THE "NATIONAL FLOOD INSURANCE PROGRAM, FIRM FLOOD INSURANCE RATE MAP PROVIDENCE COUNTY, RHODE ISLAND (ALL JURISDICTIONS) PANEL 307 OF 451 CITY OF PAWTUCKET MAP NUMBER 44007C307, MAP REVISED, OCTOBER 2, 2015, FEDERAL EMERGENCY MANAGEMENT AGENCY".
- ANY UTILITIES SHOWN ON THIS PLAN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING PLANS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL SUCH OR ABANDONED. THE SURVEYOR DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM ALL AVAILABLE INFORMATION. (PLEASE CONTACT DIG SAFE 72 HOURS PRIOR TO CONSTRUCTION AT PHONE NO. 1-888-DIG-SAFE AND/OR ALL LOCAL UTILITY COMPANIES).
- SEE UNIT PLANS FOR SIZES / DIMENSIONS OF INDIVIDUAL UNIT BOUNDARIES.

** SIGNATURES MUST BE IN BLUE INK TO CONSTITUTE AN ORIGINAL PLAN

CERTIFICATION



THIS SURVEY AND PLAN CONFORM TO THE FOLLOWING CLASS STANDARDS AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS, EFFECTIVE APRIL 1, 1994.

BOUNDARY SURVEY - CLASS I
 TOPOGRAPHIC SURVEY - CLASS III (F.F. ELEVATIONS ONLY)

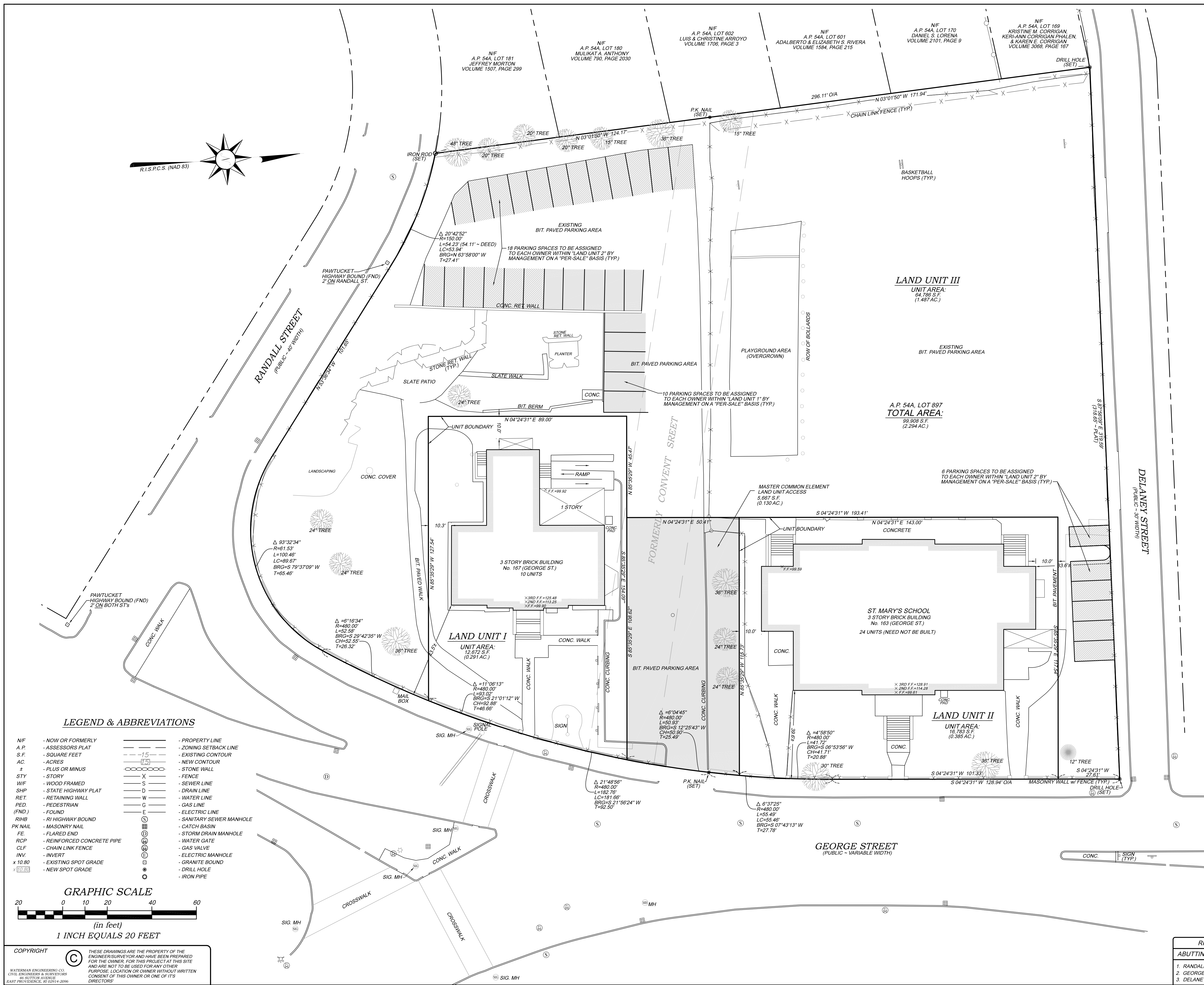
1837 4/20/2016
 RICHARD S. LIPSITZ REG. NO. DATE
 WATERMAN ENGINEERING COMPANY

NO.	DATE	REVISION	CHECKED BY
			PROJECT NO. 12-052
			SCALE: 1" = 20'
			DATE: 02/22/16
			DRAWN BY: BJT/MS
			CHECKED BY: RSL
			FILENAME: 12-052_CP_LAND_ONLY
			1 of 1 SHTS
			DRAWING # CPI

Waterman ENGINEERING COMPANY
 Engineers & Surveyors - Est. 1894

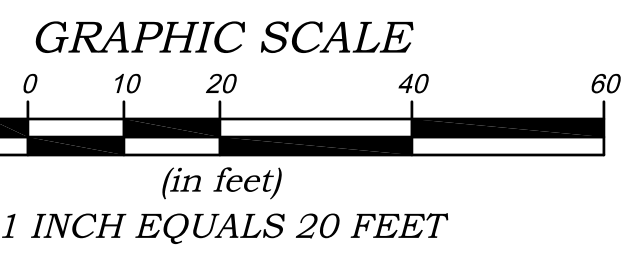
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 Fax: (401) - 438 - 5773
 www.watermanengineering.net

- RIGL 34-13-1
 ABUTTING STREET INDEX
- RANDALL STREET
 - GEORGE STREET
 - DELANEY STREET



LEGEND & ABBREVIATIONS

- | | | | |
|---------|----------------------------|-----------|--------------------------|
| N/F | - NOW OR FORMERLY | - - - - - | - PROPERTY LINE |
| A.P. | - ASSESSORS PLAT | - - - - - | - ZONING SETBACK LINE |
| S.F. | - SQUARE FEET | - - - - - | - EXISTING CONTOUR |
| AC. | - ACRES | - - - - - | - NEW CONTOUR |
| ± | - PLUS OR MINUS | - - - - - | - STONE WALL |
| STY | - STORY | - - - - - | - FENCE |
| WF | - WOOD FRAMED | - - - - - | - SEWER LINE |
| SHP | - STATE HIGHWAY PLAT | - - - - - | - DRAIN LINE |
| RET. | - RETAINING WALL | - - - - - | - WATER LINE |
| PED. | - PEDESTRIAN | - - - - - | - GAS LINE |
| (FND.) | - FOUND | - - - - - | - ELECTRIC LINE |
| RHB | - RI HIGHWAY BOUND | - - - - - | - SANITARY SEWER MANHOLE |
| PK NAIL | - MASONRY NAIL | - - - - - | - CATCH BASIN |
| FE. | - FLARED END | - - - - - | - STORM DRAIN MANHOLE |
| RCP | - REINFORCED CONCRETE PIPE | - - - - - | - WATER GATE |
| CLF | - CHAIN LINK FENCE | - - - - - | - GAS VALVE |
| INV. | - INVERT | - - - - - | - ELECTRIC MANHOLE |
| x 10.80 | - EXISTING SPOT GRADE | - - - - - | - GRANITE BOUND |
| 10.80 | - NEW SPOT GRADE | - - - - - | - DRILL HOLE |
| | | - - - - - | - IRON PIPE |



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Roger R. Allcroft, Esq. *^

*Admitted RI ■Admitted MA ∞Admitted CT ^Admitted US DC RI #Admitted US DC MA ◇Admitted Puerto Rico +Admitted Board of Veterans Appeal
ΩAdmitted in United States Court of Appeals for the First Circuit

December 12, 2023

ID HOLDINGS, LLC
Attn: Alia Fadili, Manager
169 George Street
Pawtucket, RI 02860

RE: Clock Tower Condominiums

Alia:

Pursuant to your request, I am providing you with a brief summary of Clock Tower Condominiums.

I have reviewed the Declaration of Condominium of Clock Tower Condominiums (the “Condominium”), a zoning decision and zoning certificate, a copy of which is attached hereto.

In our examination, we have assumed the competency of all individuals, the genuineness of all signatures, the authenticity of all documents submitted to us as both originals and certified copies, the accuracy of the statements contained in any certificates and the due issuance and validity of all laws, ordinances and regulations. We have also assumed the due authority of all parties executing all documents for the purpose of this opinion.

We render no opinion on matters except as specifically stated herein. This opinion speaks as of the date of issuance and we assume no responsibility to update or supplement this opinion to reflect any facts or circumstances which may hereafter come to our attention or any changes in laws which may hereafter occur.

We express no opinion as to the laws of any state or jurisdiction other than the State of Rhode Island and federal law of the United States.

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According to the Declaration, the property included in the Condominium contains approximately 99,907 square feet or 2.29 acres of land and is located at 167-169 George Street, Pawtucket, Rhode Island. The Condominium consists of Three (3) land only master units (the “Master Units”). The Declarant reserved the right to (i) convert and/or reconfigure the Master Units into additional Master Units; (ii) convert and/or reconfigure the Master Units into Individual Units (as hereinafter defined) and/or (iii) create one or more Sub-Condominium Units in a Sub-Condominium (as hereinafter defined) on the Master Units. Master Unit I is currently improved by one building, which may contain Ten (10) sub-condominium living units and/or any other permitted uses and will be known as Clock Tower East Condominiums. Master Unit II is currently improved by one building, which may contain Twenty-Four (24) sub-condominium living units and/or any permitted uses and will be known as Clock Tower West Condominiums. Master Unit III may be developed to include 66 residential units and/or any other permitted use and will be known as Clock Tower South Condominiums. The Condominium documents should be amended if the Declarant intends to develop Condominium in a manner that is not consistent with the current Condominium Documents.

The attached zoning board of review decision dated October 12, 2016, allows for the development of 10 residential units in Phase I, 22 units in Phase II and 100 residential units in Phase III (a/k/a Master Unit III and/or Clock Tower South Condominiums) subject to the conditions and limitations contained therein. The Declarant may lease a Master Unit or Building or Improvements thereon. Declarant has the right to lease units as provided in the Declaration. Declarant has the absolute right to lease any of the units owned by it. The attached Certificate of Zoning Compliance dated December 22, 2020 states that the proposed use of 132 dwelling units in 3 buildings conforms to the Zoning Ordinance of the City of Pawtucket, Rhode Island for this property that is located in a Residential Multi-Family (RM) Zone in compliance with any special conditions attached thereto. The units therefore can be developed as apartments subject to the terms and conditions of the attached zoning board of review decision.

In accordance with the Declaration of Condominium of Clock Tower Condominiums, until all applicable real estate taxes are separately assessed and taxed to the Master Unit Owners or Individual Units, real estate taxed for the land portion of the real estate for the Property tax bill shall be allocated between the Master Units based upon the square footage of the parcel of real

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estate in each Master Unit. If there is a separate real estate tax amount allocated or specified on the real estate tax bill for the Buildings on each Master Unit or otherwise ascertainable based upon the assessed valuation information, each Master Unit Owner of a Master Unit shall be obligated to pay the real estate taxes so allocable to the Building on the Master Unit owner by said party. If the calculation cannot be made as to the Building on the Master Units, the portion of the real estate tax bill with respect to Buildings shall be determined based upon the percentage of the square footage of each Building on each Master Unit to the total square footage of all buildings. The determination shall be made by the Declarant and in the absence thereof by the Master Association.

As previously discussed, Development Rights and Special Declarant Rights must be exercised within twenty (20) years from the date the Declaration was recorded.

Very truly yours,

/s/ Richard E. Palumbo, Jr.

Richard E. Palumbo, Jr.

Enclosure(s)

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CITY OF PAWTUCKET

CITY HALL
137 ROOSEVELT AVENUE
PAWTUCKET, RHODE ISLAND 02860

DIVISION OF ZONING & CODE ENFORCEMENT

DONALD R. GREBIEN
MAYOR

CERTIFICATE OF ZONING COMPLIANCE

DATE: December 22, 2020

ASSESSOR'S PLAT: 54

LOT(S): 897

COUNCIL DISTRICT: 5

APPLICANT: Palumbo Law

CORPORATION NAME: N/A

D/B/A: N/A

SUBJECT PROPERTIES: 163-167-169 George Street
Pawtucket RI 02860

CERTIFICATE NO: 2020-93

THE PROPOSED USE AS DESCRIBED BELOW CONFORMS TO THE ZONING ORDINANCE OF THE CITY OF PAWTUCKET, RHODE ISLAND.

Section 410.12.1 (D) To convert a pre-existing non-conforming Two (2) principal structures on the same Lot into Multi-Family dwellings. Also adding a Third (3rd) building on the same lot for parking and additional dwelling units with a total of 132 units in the Three (3) buildings and 194 parking spaces on the property in a Residential Multi-Family (RM) Zone. Special Conditions are attached per Zoning Board.

William D. Vieira, Sr.
Director of Zoning

THIS CERTIFICATE DOES NOT AUTHORIZE BUILDING CONSTRUCTION OF ANY TYPE INCLUDING REPAIRS OR RENOVATIONS. SEPARATE BUILDING, ELECTRICAL, PLUMBING OR MECHANICAL PERMITS MAY BE REQUIRED, AS WELL AS NARRAGANSETT BAY COMMISSION AND DEPARTMENT OF HEALTH APPROVAL.