

**CITY OF PROVIDENCE
BUILDING BOARD OF REVIEW**

INSPECTION & STANDARDS
RECEIVED

APR 11 2025

**APPLICATION APPEALING THE DECISION OF THE BUILDING OFFICIAL, OR
FOR A VARIATION OR MODIFICATION FROM CERTAIN SECTIONS OF THE RI STATE BUILDING CODE**

Check Type of Building Board Application:

☒

Variance – variation from, or modification of, certain sections of the RI State Building Code

☐

Appeal of a decision of the Building Official

If a section of the application is not applicable, please indicate this by using N/A in that field.

Applicant: Three Kids LLC **Applicant Mailing Address**
Email: dleigh215@yahoo.com **Street:** PO Box 2
Phone: 401-339-7975 **City, State, Zip:** East Greenwich, RI 02818

Owner: same **Owner Mailing Address**
Email: _____ **Street:** _____
Phone: _____ **City, State, Zip:** _____

Appellant: same **Appellant Mailing Address**
Email: _____ **Street:** _____
Phone: _____ **City, State, Zip:** _____

Attorney: Conley Law & Associates **Attorney Mailing Address**
Email: pfriedrichs@conleylawri.com **Street:** 123 Dyer St. 2nd Floor
Phone: 415-9835 **City, State, Zip:** Providence, RI 02903

1. Subject Department of inspection + Standards Permit Number: 25-125
2. Street Address of Subject Property: 166 Waterman St
Assessor's Plat and Lot Numbers of Subject Property: 14-555
3. Base Zoning District(s): R-P
Overlay District(s): _____

4. Date owner purchased the Property: 11/22/24

5. Building construction type(s): R-2 Apartments

6. Dimensions of each lot:

Lot # <u>555</u>	Width <u>108</u>	Depth <u>65</u>	Total area <u>6,952</u> sq. ft.
Lot # _____	Width _____	Depth _____	Total area _____ sq. ft.

7. Size of existing structure(s) located on the Property:

Principal Structure:

Area of Footprint 1,634

Overall Height _____

of Stories 2.5

Accessory Structure:

Area of Footprint _____

Overall Height _____

of Stories _____

8. Size of proposed structure(s) located on the Property:

Principal Structure:

Area of Footprint 1,634

Overall Height _____

of Stories 2.5

Accessory Structure:

Area of Footprint _____

Overall Height _____

of Stories _____

9. Present Legal Zoning Use of the Property: Dormitory

10. Proposed Zoning Use of the Property: Three-Family

11. Number of Parking Spaces:

of existing spaces 3 # of proposed spaces 3

12. Are there outstanding violations concerning the Property under any of the following:

☐ Providence Zoning Ordinance ☐ RI State Building or Property Maintenance Code(s)

13. Summarize all changes proposed for the Property (use, construction/renovation, site alteration):

New kitchen on second floor
New kitchen on third floor

14. If application is for variance, list RI State Building Code Sections from which a variance is sought:

<u>Section Number</u>	<u>Section Title + Required relief (e.g. dimensional deficiency of 6" on a landing)</u>
<u>3408.1</u>	<u>Change of Occupancy - Conformance: fire suppression, stair details</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

QUESTIONS 15 AND 16 TO BE ANSWERED ONLY IF APPLICATION IS AN APPEAL

15. IF application is an appeal of a decision of the Building Official, please indicate if:

- ☒ Appellant is the Owner of the subject Property
☐ Appellant is an aggrieved party that is not the Owner of the subject Property

16. IF application is an appeal of a decision of the Building Official, please indicate the grounds for the appeal:

Lack of a fire suppression system.
Winder stairs are not permitted under the commercial code (3 dwelling units are under the commercial code).
Lack of details for safety glazing on bathroom windows.
Lack of details for stair railings.
Non-compliant stair enclosure (not two-hour rated and not enclosed to the 1st floor unit).
Buildings without fire suppression systems require Basements and sleeping rooms below the fourth story above grade plane to have at least one exterior emergency escape and rescue opening in accordance with this section (2018 IBC, 1030).

IF MORE ROOM IS NEEDED TO ANSWER ANY OF THE ABOVE QUESTIONS, PLEASE SUBMIT AN ADDENDUM TO THIS APPENDIX WITH COMPLETE RESPONSES.

The undersigned acknowledge(s) and agree(s) that members of the Building Board of Review and its staff may enter upon the Property in order to view the Property prior to any hearing on the application.

The undersigned further acknowledge(s) that the statements herein and in any attachments or appendices are true and accurate, and that providing a false statement in this application may be subject to criminal and/or civil penalties as provided by law, including prosecution under the State and Municipal False Claims Acts. Owner(s)/Applicant(s) are jointly responsible for any false statements.

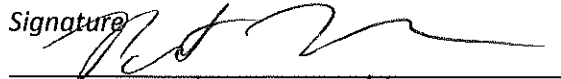
Owner(s):

Three Kids LLC

Type Name

Dwight Leigh

Signature



Type Name

authorized representative

Signature

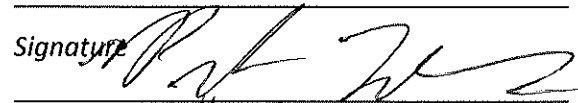
Applicant(s)/Appellant(s):

same

Type Name

same

Signature



Type Name

authorized representative

Signature

All applicable requirements listed and described on the Instruction Sheet shall be met or this application will not be considered complete.

Please contact the Office of the Boards of Review with questions:

Telephone – 401-680-5375

Email – bsath@providenceri.gov

A fillable PDF copy of this document can be found online at the Boards of Review webpage linked from the Department of Inspection + Standards: <https://www.providenceri.gov/inspection-standards/>



Friedrichs, Peter <pfriedrichs@conleylawri.com>

Fwd: [EXTERNAL] Re: BLDG-25-125 -166 Waterman St

Dwight Leigh <dleigh215@yahoo.com>

Sat, Apr 5, 2025 at 8:53 AM

To: casalecode@gmail.com, Peter Friedrichs <pfriedrichs@conleylawri.com>, Dylan Conley <dconley@conleylawri.com>

Gentlemen This is latest update LMK your thoughts on this matter Thank you Dwight Leigh
Sent from my iPhone

Begin forwarded message:

From: "Eini-Gal, Yaniv" <Yeini-Gal@providenceri.gov>
Date: April 4, 2025 at 4:48:31 PM EDT
To: Dwight Leigh <dleigh215@yahoo.com>
Subject: Re: [EXTERNAL] Re: BLDG-25-125 -166 Waterman St

Good afternoon, Dwight,

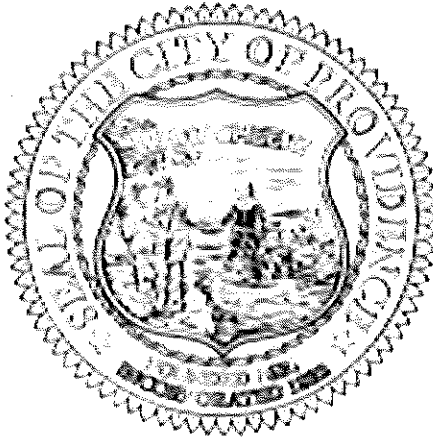
Johnny and I spoke at length and determined that a few variances will be required from the Building Board of Review for this project:

1. Lack of a fire suppression system.
2. Winder stairs are not permitted under the commercial code (3 dwelling units are under the commercial code).
3. Lack of details for safety glazing on bathroom windows.
4. Lack of details for stair railings.
5. Non-compliant stair enclosure (not two-hour rated and not enclosed to the 1st floor unit).
6. Buildings without fire suppression systems require Basements and sleeping rooms below the fourth story above grade plane to have at least one exterior emergency escape and rescue opening in accordance with this section (2018 IBC, 1030).

As I mentioned in our meeting yesterday, the plans are not meeting our submittal standard, let alone the submittal standard to be reviewed by the building board.

I'll be happy to discuss it further, but my availability will be limited on Monday and Tuesday.

Respectfully,



Yaniv Eini-Gal
(Pronounced: Yaa-NIY-V)
Hear my name
Sr. Plan Examiner
Pronoun: he/him/his

Department of Inspection and Standards
Joseph A. Doorley Municipal Building
444 Westminster Street
Providence, RI 02903
yeini-gal@providenceri.gov
401-680-5453
Cell: 401-340-8714
Call to Connect | PVD311
TTY Relay: via 711

[CLICK HERE](#) for the Rhode Island Building Codes & Ordinances

From: Eini-Gal, Yaniv <Yeini-Gal@providenceri.gov>
Sent: Tuesday, April 1, 2025 9:21 AM
To: Dwight Leigh <dleigh215@yahoo.com>
Subject: Re: [EXTERNAL] Re: BLDG-25-125 -166 Waterman St

IBC section 3406 Fire Escapes

3406.1 Where permitted.

Fire escapes shall be permitted only as provided for in sections 3406.1.1 through 3406.1.4.

3406.1.1 New buildings.

Fire escapes shall not constitute any part of the required means of egress in new buildings.

3406.1.2 Existing fire escapes.

Existing fire escapes shall be continued to be accepted as a component in the means of egress in existing buildings only.

3406.1.3 New fire escapes.

New fire escapes for existing buildings shall be permitted only where exterior stairs cannot be utilized due to lot lines limiting stair size or due to the sidewalks, alleys or roads at grade level. New fire escapes shall not incorporate ladders or access by windows.

3406.1.4 Limitations.

Fire escapes shall comply with this section and shall not constitute more than fifty percent (50%) of the required number of exits nor more than fifty percent (50%) of the required exit capacity.

3406.2 Location.

Where located on the front of the building and where projecting beyond the building line, the lowest landing shall not be less than seven feet (7') (2134 mm) or more than twelve feet (12') (3658 mm) above grade and shall be equipped with a counterbalanced stairway to the street. In alleyways and thoroughfares less than thirty feet (30') (9144 mm) wide, the clearance under the lowest landing shall not be less than twelve feet (12') (3658 mm).

3406.3 Construction.

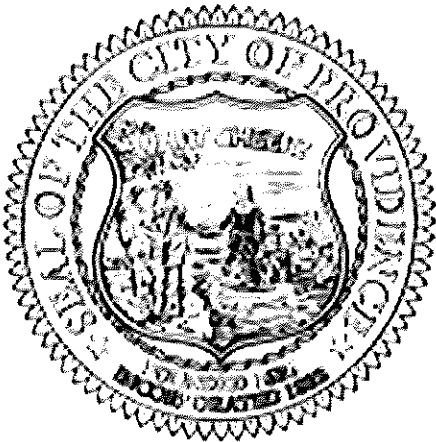
The fire escape shall be designed to support a live load of one hundred (100) pounds per square foot (4788 Pascals) and shall be constructed of steel or other approved noncombustible materials. Fire escapes constructed of wood not less than nominal two inches (2") (51 mm) thick are permitted on buildings of Type V construction. Walkways and railings located over or supported by combustible roofs in buildings of Type III and IV construction are permitted to be of wood not less than nominal two inches (2") (51 mm) thick.

3406.4 Dimensions.

Stairs shall be at least twenty-two inches (22") (559 mm) wide with risers not more than, and treads not less than, eight inches (8") (203 mm) and landings at the foot of stairs not less than forty inches (40") (1016 mm) wide by thirty-six inches (36") (914 mm) long, located not more than eight inches (8") (203 mm) below the door.

3406.5 Opening protectives.

Doors and windows along the fire escape shall be protected with three quarters of one (3/4) hour opening protectives.



Yaniv Eini-Gal
(Pronounced: Yaa-NIY-V)
Hear my name
Sr. Plan Examiner
Pronoun: he/him/his

Department of Inspection and Standards
Joseph A. Doorley Municipal Building
444 Westminster Street
Providence, RI 02903
yeini-gal@providenceri.gov
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Cell: 401-340-8714
Call to Connect | PVD311
TTY Relay: via 711

[CLICK HERE](#) for the Rhode Island Building Codes & Ordinances

From: Dwight Leigh <dleigh215@yahoo.com>
Sent: Tuesday, March 25, 2025 4:10 PM
To: Eini-Gal, Yaniv <Yeini-Gal@providenceri.gov>
Subject: [EXTERNAL] Re: BLDG-25-125 -166 Waterman St

Received
Sent from my iPhone

On Mar 25, 2025, at 3:00 PM, Eini-Gal, Yaniv <Yeini-Gal@providenceri.gov> wrote:

April 4th 2025 will be the cut off date to submit a full appeal application to the Building Board of Review to be heard on April 17th 2025.

Here is some information on the appeal process:

Building Board of Review/Appeal – Instructions and Application

Feel free to reach out with any questions.

<Outlook-
c3b1ogrc.png>

Yaniv Eini-Gal
(Pronounced: Yaa-NIY-V)
Hear my name
Sr. Plan Examiner
Pronoun: he/him/his

Department of Inspection and Standards
Joseph A. Doorley Municipal Building
444 Westminster Street
Providence, RI 02903
yeini-gal@providenceri.gov
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[CLICK HERE](#) for the Rhode Island Building Codes & Ordinances

<166_Waterman_Project_Floor_Plan_Engineer_Stamped_Summary_Tue_Mar_11_2025_13-08-47.pdf>

7. Entire Agreement

This letter constitutes the entire agreement between us regarding this engagement. It supersedes all prior agreements or understandings, whether oral or written.

Please indicate your acceptance of these terms by signing and returning a copy of this letter.

If you have any questions, please feel free to contact us. We look forward to working with you.
Sincerely,

Sincerely,


Dylan Conley, Esq.

Accepted and Agreed:


[Client Signature]

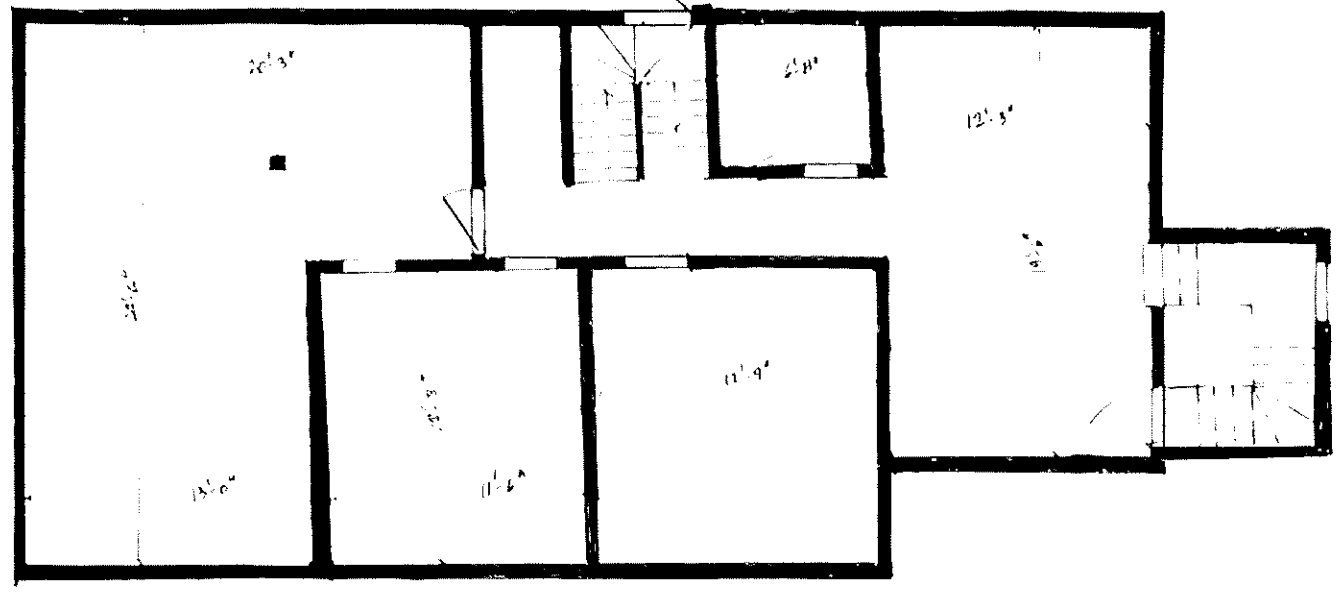
[Date]

Print Name:

DAVID LEIGH

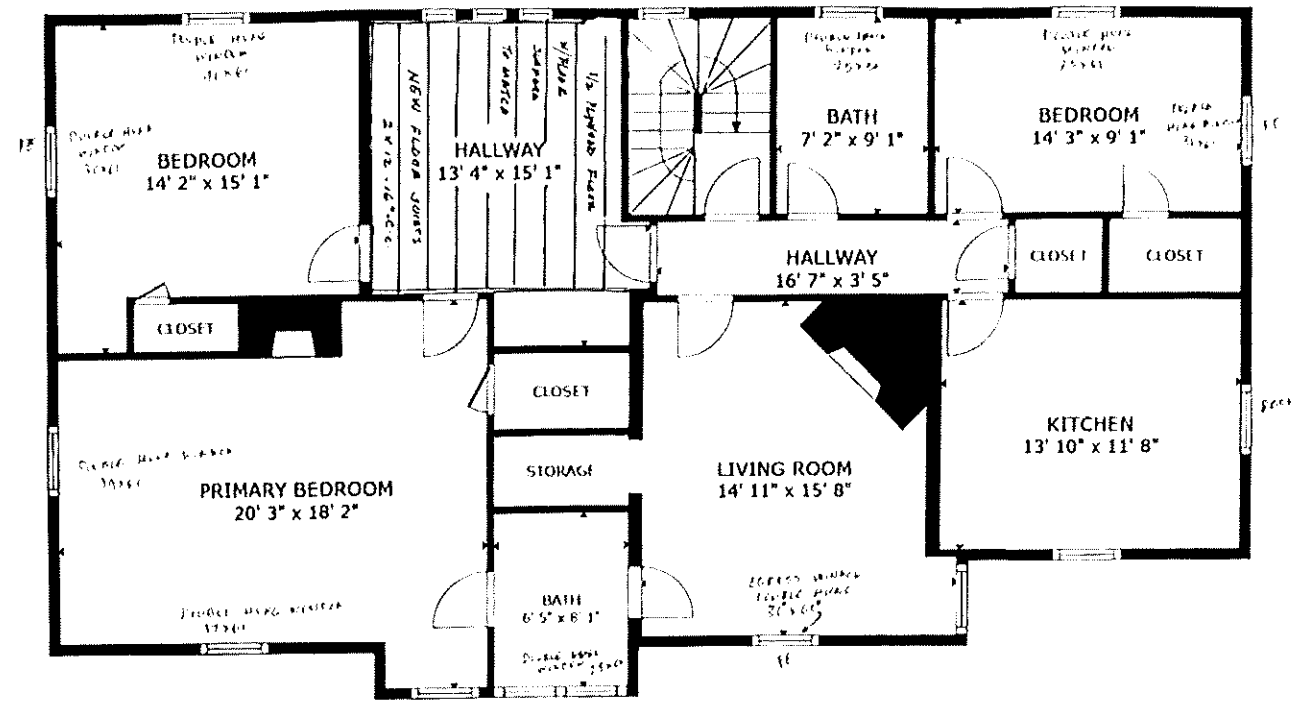
Print Title:

Member



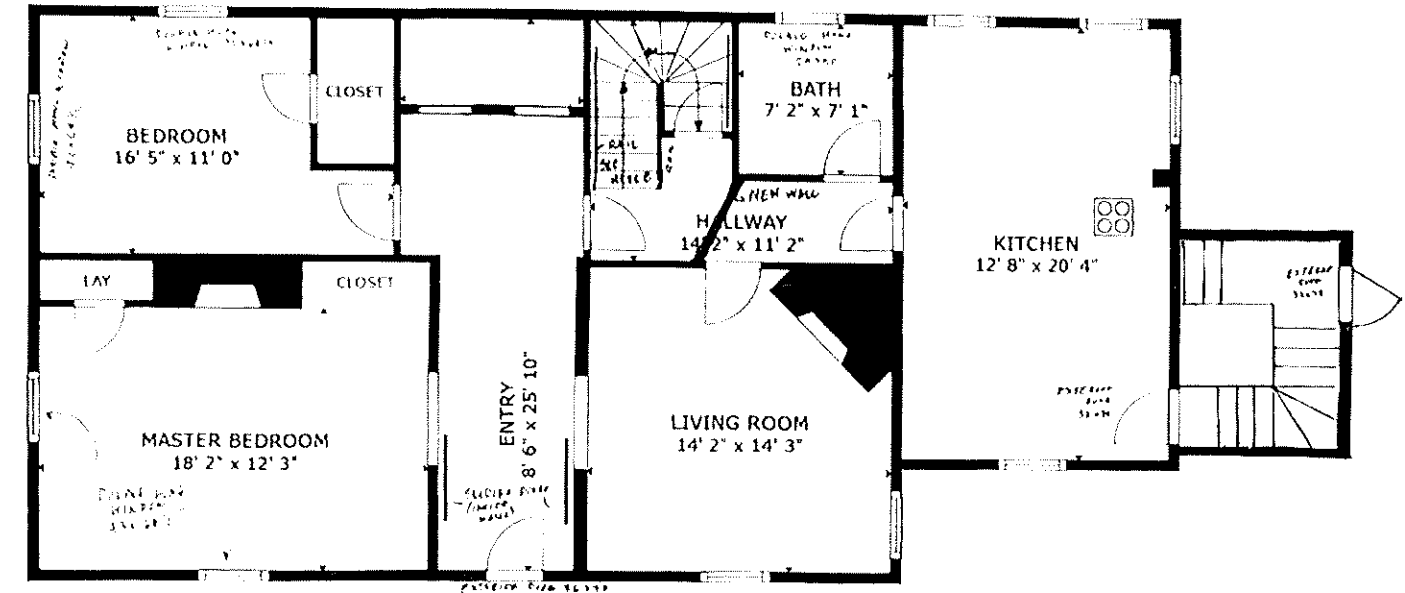
BASEMENT PLAN

Scale 1/4" = 1' 0"



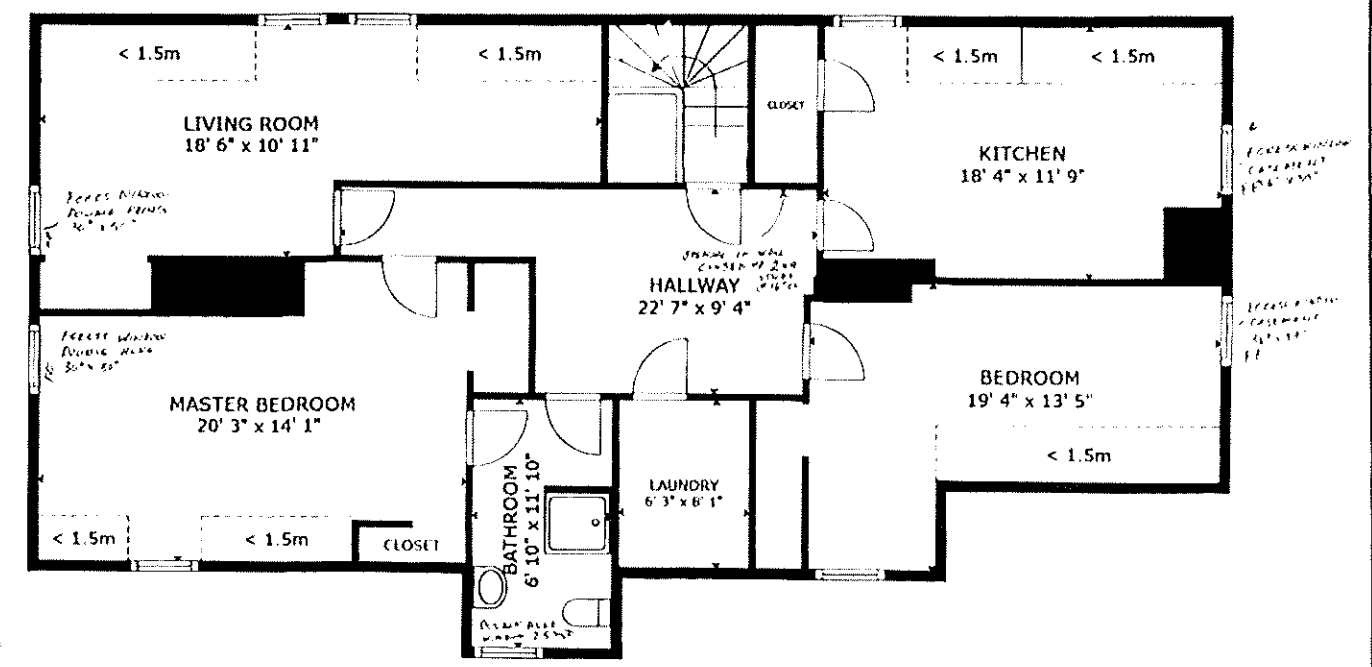
FLOOR 2

Scale 1/4" = 1' 0"



FLOOR 1

Scale 1/4" = 1' 0"



FLOOR 3

Scale 1/4" = 1' 0"

NOTES:

1. THIS PROJECT IS FOR THE THREE UNIT APARTMENT AT 166 WATERMAN STREET, PROVIDENCE, RHODE ISLAND.
2. NEW FLOOR FRAMES WILL BE INSTALLED FOR THE NEW KITCHENS. THE FRAMES SHALL BE 2" X 12" UNLESS OTHERWISE NOTED. THE FRAMES SHALL BE 2" X 12" UNLESS OTHERWISE NOTED.
3. ALL FRAMING IN A WALL ON THE THIRD FLOOR SHALL BE CLUTTERED WITH 2" X 12" UNLESS OTHERWISE NOTED.
4. FLOOR FRAMES SHALL BE 2" X 12" UNLESS OTHERWISE NOTED.
5. THERE ARE AT LEAST TWO BATHS OF EACH FLOOR. THE BATHS SHALL BE 5' 0" X 7' 0" UNLESS OTHERWISE NOTED.
6. BATHROOMS SHALL BE 5' 0" X 7' 0" UNLESS OTHERWISE NOTED.
7. THE STAIRS SHALL BE 5' 0" X 7' 0" UNLESS OTHERWISE NOTED.
8. THERE ARE BATHS ON THE LEFT SIDE OF THE STAIRS. THE BATHS SHALL BE 5' 0" X 7' 0" UNLESS OTHERWISE NOTED.
9. THE STAIRS SHALL BE 5' 0" X 7' 0" UNLESS OTHERWISE NOTED.
10. THE STAIRS SHALL BE 5' 0" X 7' 0" UNLESS OTHERWISE NOTED.
11. THE STAIRS SHALL BE 5' 0" X 7' 0" UNLESS OTHERWISE NOTED.
12. THE STAIRS SHALL BE 5' 0" X 7' 0" UNLESS OTHERWISE NOTED.



2/19/25

APARTMENT PLANS
166 Waterman Street
Providence, Rhode Island

Robert F. Angilly, Jr., P.E.
Professional Engineer

Date: 4/3/25

Scale: As Noted

Drawn: RFA

Job:

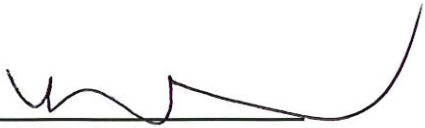
Sheet: 1

Of: 1 Sheets

NOTICE OF REFUSAL OF PERMIT APPLICATION	CITY OF PROVIDENCE DEPT OF INSPECTIONS AND STANDARDS 444 Westminster Street -Providence, RI. 02903 Joseph A. Doorley – Municipal Building	APPLICATION DATE 2/13/2025	APPLICATION NO. BLDG-25-125
		DATE OF REFUSAL 04/16/2025	A P P E A L F E E \$440
LOCATION 166 Waterman St. Providence, RI 02906		PAGE NUMBER 1 of 1	
APPLICANT Jared Leigh	TITLE Applicant	ADDRESS 38 Padelford Ave. Riverside, RI 02915	
PROPERTY OWNER'S NAME Three Kids, LLC		PROPERTY OWNER'S FULL ADDRESS PO Box #2, East Greenwich, RI 02818	
THE APPLICATION FOR A <u>CERTIFICATE OF OCCUPANCY</u> FOR THE ABOVE LOCATION HAS BEEN REFUSED BECAUSE THE PROVISIONS OF THE RHODE ISLAND STATE CODE HAVE NOT BEEN COMPLIED WITH IN THE FOLLOWING PARTICULARS.			
SCOPE OF PERMIT: For interior alteration to change use from dormitory to a three-family dwelling.			
BUILDING DESCRIPTION: <u>Three (3) story, existing structure.</u>			
USE GROUP(S): <u>R-2 – Three dwelling units</u>		TYPE OF CONSTRUCTION: <u>V-B (Existing)</u>	
LOCATION OF SPRINKLERS (IF ANY): <u>N/A</u>		C.O. REQUIRED: <u>YES</u>	
<u>FLOOR AREAS / USES</u> Basement: 1490 Square Feet / Unknown First Floor: 1490 Square Feet / Residential Unit #1 Second Floor: 1490 Square Feet / Residential Unit #2 Third Floor: 1573 Square Feet / Residential Unit #3			
Has the proposed scope of work been completed? <input type="radio"/> Yes <input checked="" type="radio"/> No Has a violation been noted for this property? <input type="radio"/> Yes <input checked="" type="radio"/> No			
<u>RISBC-1 Rhode Island Building Code (510-RICR-00-00-1)</u>		<u>CODE SECTIONS AND REASONS FOR REFUSAL</u>	
Section 107.2.1	Information on construction documents. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.		
Section 3404.1	Alterations Except as provided by section 3401.4 or this section, alterations to any building or structure shall comply with the requirements of the code for new construction. Alterations shall be such that the existing building or structure is no less complying with the provisions of this code than the existing building or structure was prior to the alteration.		
Section 420.4	Automatic sprinkler system. Group R occupancies shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.2.8.		
Section 903.2.8	Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.		
**	Whereas, No fire suppression system is proposed.		
Section 1011.5.2	Riser height and tread depth. Stair riser heights shall be 7 inches (178 mm) maximum and 4 inches (102 mm) minimum. Rectangular tread depths shall be 11 inches (279 mm) minimum.		
**	Whereas, the proposed risers are 7.5 inches and the treads are 10.5 inches.		
Section 1023.2	Interior Exit Stairways. Construction. Enclosures for interior exit stairways and ramps shall be constructed as fire barriers in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both. Interior exit stairways and ramps shall have a fire-resistance rating not less than the floor assembly penetrated, but need not exceed 2 hours.		
**	Whereas, the proposed fire rating is unknown.		

Discipline: --Building Code--

Signed


Yaniv Gal
 Senior Plan Examiner

Signed


Johnny Suarez
 Building Official

☒ Applicant ☐ Property Owner