



Record No:
ZBR-26-16

Zoning Board
of Review
Application

Status: Active

Submitted On:
5/5/2026

**Primary
Location**

579 Atwells
Avenue
Providence ,
Rhode Island
02909

Owner

New England
Expedition Prov
Supermarkets
LLC

[Redacted]
[Redacted]
[Redacted]

Applicant

Poyant Signs

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Owners and Applicants Information

Who is Submitting this Application?*

Other

**Name and Professional Title of Person Submitting the
Application***

Clare Cifrino

Owners Name*

New England Expedition Providence Retail

Owner Mailing Address*

[Redacted]

Owner Email*

[Redacted]

Owner Phone*

[Redacted]

[Redacted] of Applicant, if different than owner ?

Greg Nolan

Applicant Mailing Address, if different than owner

[Redacted]

Applicant Email, if different than owner

[Redacted]

Applicant Phone, if different than owner

[Redacted]

Attorney Name

Attorney Mailing Address

Attorney Email

Attorney Phone

Owner Attestation and Signature Page* 



ZBR-Application-Attestation-and-Signature_-_06.09.26_Tue_Jun_9_2026_08-50-37 (1).pdf

For fillable pdf of the Owner Attestation and Signature Page please visit the Applications and Forms section of our website: <https://www.providenceri.gov/inspection/boards-of-review/>

Type of Application

Application Type*

Dimensional Variance

List all Zoning Ordinance Sections from which a variance is sought. Include Section Number, Section Title, and Quantity of relief, if applicable (eg. 4' setback where 6' required)*

Zoning Section 1607.G. Menuboard Signs

Please note that the proposed exact setback dimension for digital menu board is 6'7" which is the subject of the requested relief.

- The menu board cannot be relocated to a compliant 15 ft setback without eliminating or severely disrupting the drive-thru ordering sequence. Compliance would require reconfiguration of the drive-thru lane, which is impractical given the built site constraints. The menu board is essential to the operation of the permitted drive-thru use; without it, the property cannot reasonably function as intended. The requested relief is minimal and limited strictly to setback, while all other zoning parameters (e.g., number of signs, general function) remain consistent

Summarize any changes proposed for the Property (use, construction/renovation, site alteration):*

Full replacement of the existing menu board with new (1) "All In One" Drive Thru Canopy with Digital Menu Board


Subject Property Information

Address of Subject Property*

589 ATWELLS AVE, PROVIDENCE, RI 02909

Plat*

065

Lot(s)* 

0977

Existing Zoning Use of the Property*

Restaurant - 3500sf or less GFA

Other Existing Zoning Use* 

Commercial

Proposed Zoning Use of the Property*

Other

Other Proposed Zoning Use*

N/A

Base Zoning District*

M-MU Mixed-Use Industrial District

Base Zoning District 2 (if applicable)

—

Overlay Zoning District (if applicable)

HD Historic District Overlay District

Overlay Zoning District 2 (if applicable)

—

Overlay Zoning District 3 (if applicable)

—

Date Owner Purchased the Property*

09/29/2021

Start Date of Lessee's Occupancy

—

Are there outstanding violations concerning the Property under the City of Providence Zoning Ordinance?*

No

Are there outstanding violations concerning the Property under the RI State Building or Property Maintenance Code(s)?*

No

Appendix A: Application for Variance(s)

1. What is the specific hardship from which the applicant seeks relief?*

The hardship arises from the inability to relocate the proposed freestanding digital menu board to meet the required 15-foot setback from the lot line due to the existing drive-thru lane configuration and circulation pattern. The menu board must remain proximate to the ordering point, which is fixed by the building and drive-thru geometry. Adjusting the location, will affect traffic in safety. The current location of the existing menu board has existed quietly for many years. This is merely, a technological update.

2. Specify all unique characteristics of the land or structure that cause the hardship:*

- Pre existing drive thru layout with fixed lane alignment and stacking distance
- Limited setback depth between the drive-thru lane and lot line, preventing compliance with the 15 ft requirement
- Operational necessity of menu board placement at the order point, which cannot be shifted without disrupting functionality
- Existing condition where a menu board already serves this location, but replacement is treated as a new structure under zoning
- These constraints are unique to the subject property and site layout, not typical of the surrounding area.

3 (a) Is the hardship caused by an economic disability?*

No

3 (b) Is the hardship caused by a physical disability?*

No

3 (c) If the response to subsection (b) is "yes," is the physical disability covered by the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12101 et seq.? *

No

4. Did the owner/applicant take any prior action with respect to the Property that resulted in the need for the variance requested? (Examples include, but are not limited to, any changes the owner/applicant made to the structure(s), lot lines, or land, or changes in use of the Property)?*

No

5. If you are seeking a USE VARIANCE, set forth all facts that demonstrate that the Property cannot have any beneficial use if you are required to use it in a manner allowed in the zoning district:*

Not applicable

6. If you are seeking a DIMENSIONAL VARIANCE, set forth all facts that indicate that if the variance is not granted, the hardship the owner/applicant will suffer is more than a mere inconvenience:*

- The menu board cannot be relocated to a compliant 15 ft setback without eliminating or severely disrupting the drive-thru ordering sequence
- Compliance would require reconfiguration of the drive-thru lane, which is impractical given the built site constraints
- The menu board is essential to the operation of the permitted drive-thru use; without it, the property cannot reasonably function as intended
- The requested relief is minimal and limited strictly to setback, while all other zoning parameters (e.g., number of signs, general function) remain consistent

CITY OF PROVIDENCE ZONING BOARD OF REVIEW

DEPARTMENT OF INSPECTION + STANDARDS

444 Westminster Street, 1st Floor, Providence, Rhode Island 02903

**ATTESTATION/OWNER AUTHORIZATION FOR
APPLICATION FOR VARIANCE AND/OR SPECIAL USE PERMIT**

ATTESTATION

*The undersigned acknowledge(s) that the statements in the application 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 with their attorney(s), if any, for any false statements. As indicated in the application instructions, neither the application nor this attestation may be signed by an attorney on behalf of their client(s).***

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


Address, Plat, and Lot of Subject Property: 579 Atwells Ave., Providence, RI 02909, 065-0977

Owner(s)

Name:

W. Mark Russo (as and only as receiver)

Signature:



Date:

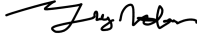
05/27/26

Applicant(s)

Name:

Dunkin' Greg Nolan

Signature:



Date:

6/8/2026

OWNER AUTHORIZATION

To be completed if the online application is being filled out and submitted by someone other than the Owner of the subject property.

This is to certify that I W. Mark Russo (as and only as receiver),

authorize Poyant Signs/ Clare Cifrino to submit this Zoning Board



of Review Application on my behalf for the property located at 579 Atwells Ave., Providence, RI 02909.

By signing this letter, I understand that I, or my attorney, must be present at the Zoning Board Meeting at which my application is scheduled to be heard.

Property Owner Name:

W. Mark Russo (as and only as receiver)

Property Owner Signature:

Dunkin' Representative Signature:

Date: 05/27/26



Proposed DT Canopy & Digital Menu Board

Please note that the proposed exact setback dimension for the digital menu board is 6'7", which is the subject of the requested relief.

A Site Plan - Plan View
Not to Scale



125 Samuel Barnet Boulevard
New Bedford, MA 02745
800.544.0961 | poyantsigns.com




579 Atwells Ave. Providence RI 02909

Project: OP001855
Dunkin'

Sales: Bill Gavigan Jr.
Date: 4-7-26
Designer: DME

Note:
This is an original unpublished drawing created by Poyant Signs, Inc. It is submitted for your personal use in connection with a project being planned for you by Poyant Signs, Inc. It is not to be shown to anyone outside your organization, nor is it to be reproduced, copied or exhibited in any fashion until transferred.

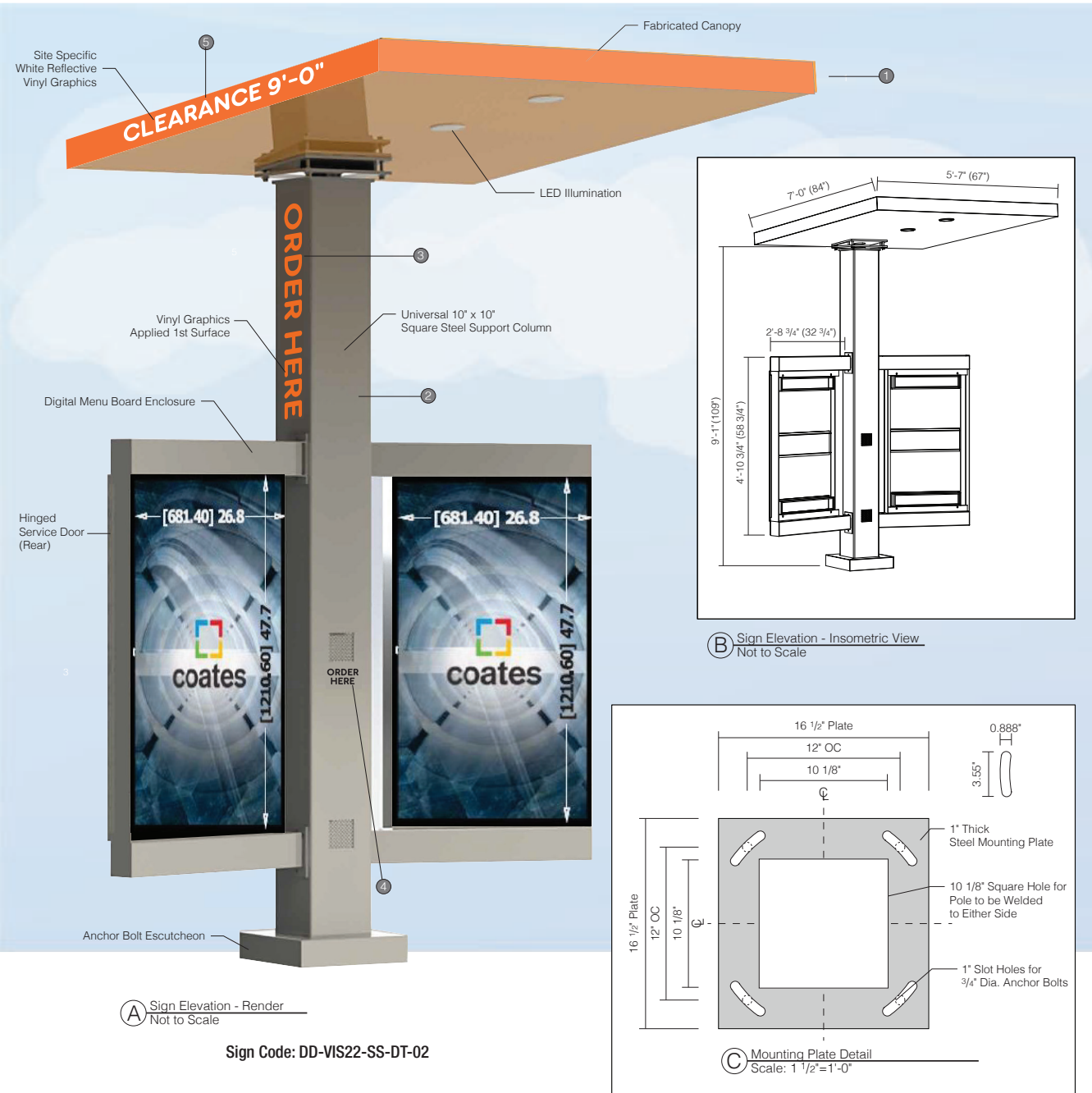
Revisions:

 This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign.

Approved By: _____

Date: _____

Site Plan



Specifications

Qty = 1

"All In One" Drive Thru Canopy

- 10" x 10" x 3/16" Square Steel Pole
- Custom fabricated aluminum canopy
- .063 Aluminum cladding
- (Qty: 2) recessed down light fixtures
- Canopy manufactured with swing away feature in the case of a vehicle strike
- (Qty: 2) 4" x 4" square grills installed in pole for microphone/speaker assemblies
- Foam insulation installed on sides and back of pole around microphone/speaker assemblies
- Custom fabricated Digital Menu Enclosures
- Menu board enclosures mounted to brackets on steel pole with range of motion for on-site adjustments
- Vertical steel pole welded to 16 1/2" x 16 1/2" x 3/4" thick steel mounting plate
- Plate Cover fabricated with .063 aluminum
- Mounting Plate attached to (Qty: 4) 3/4" dia. anchor bolts (36" long, 32" embedment)
- Foundation is 4'-0" deep x 2'-0" diameter

*120v TBD in field

*Clearance to be determined in field and appropriate numbers applied in field

Additional Notes:

- Strongly recommended to secure permit before ordering canopy to confirm local codes are met
- Some local ordinances may require signed and sealed engineering documentation to be provided

Colors & Materials

- 1 Paint
Dunkin' Orange; Gloss Finish
Paint to Match PMS 3564C
- 2 Paint
Nebulous White; Gloss Finish
Paint to Match SW 7063
- 3 Translucent Vinyl
Dunkin' Orange; 3M 3630-3202
Order Here
- 4 Opaque Vinyl
Black - 3M 7725-12
Order Here
- 5 Reflective Vinyl
White - 3M 680CR-10
Clearance



125 Samuel Barnet Boulevard
New Bedford, MA 02745
800.544.0961 | poyantsigns.com



579 Atwells Ave. Providence RI 02909

Project: OP001855
Dunkin'

Sales: Bill Gavigan Jr.
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Revisions:

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign.

Approved By:


Date:

All In One Drive Thru Canopy

Sign Code: DD-VIS22-SS-DT-02

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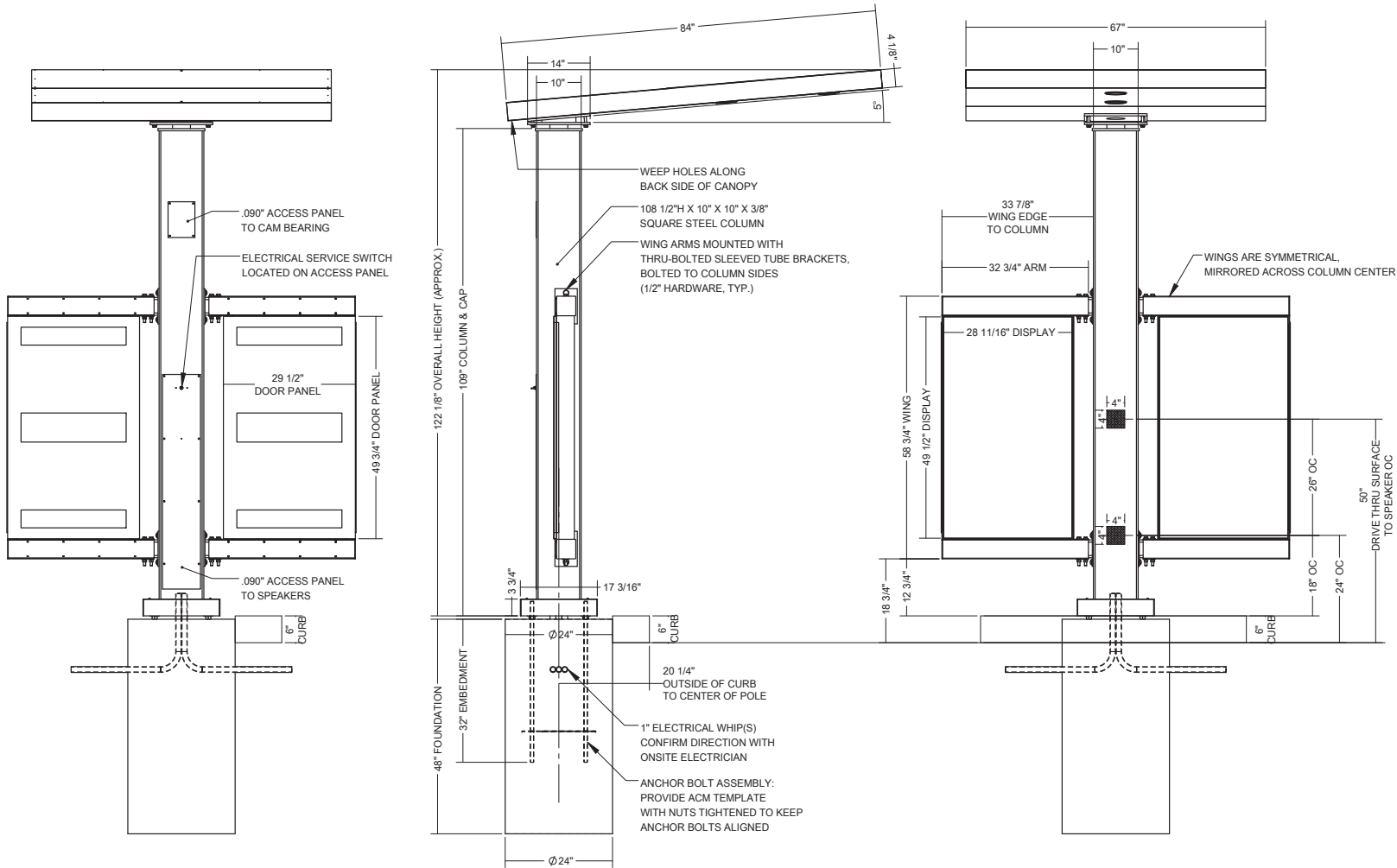
Revisions:

 This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign.

Approved By:

Date:

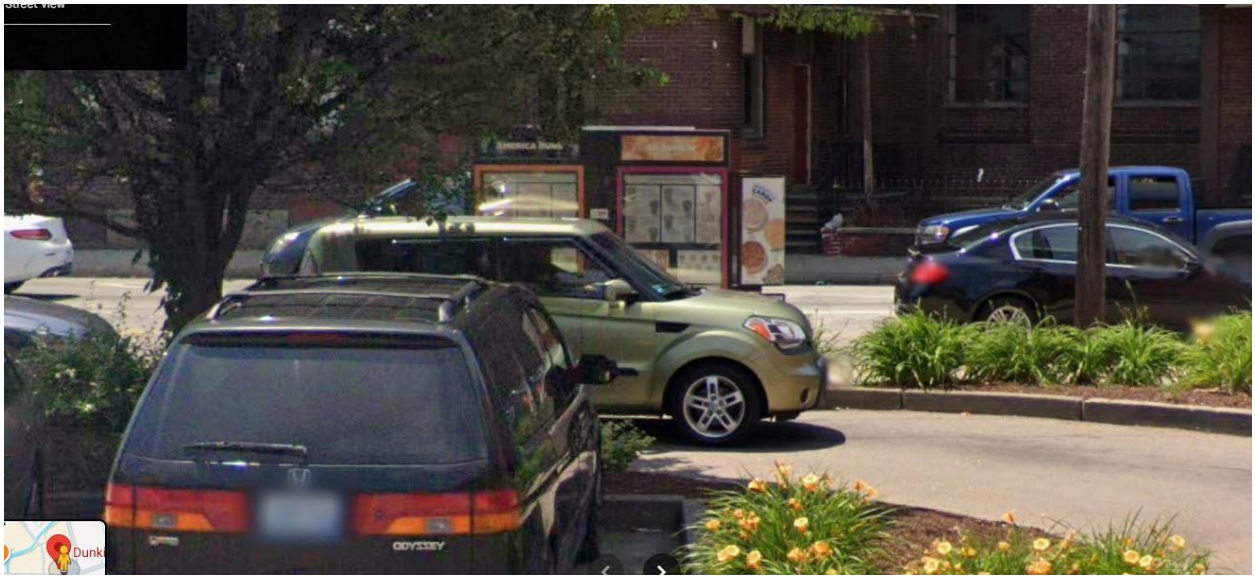
All In One Drive Thru Canopy



(A) Sign Elevation - Rear View
Scale: 1/2"=1'-0"

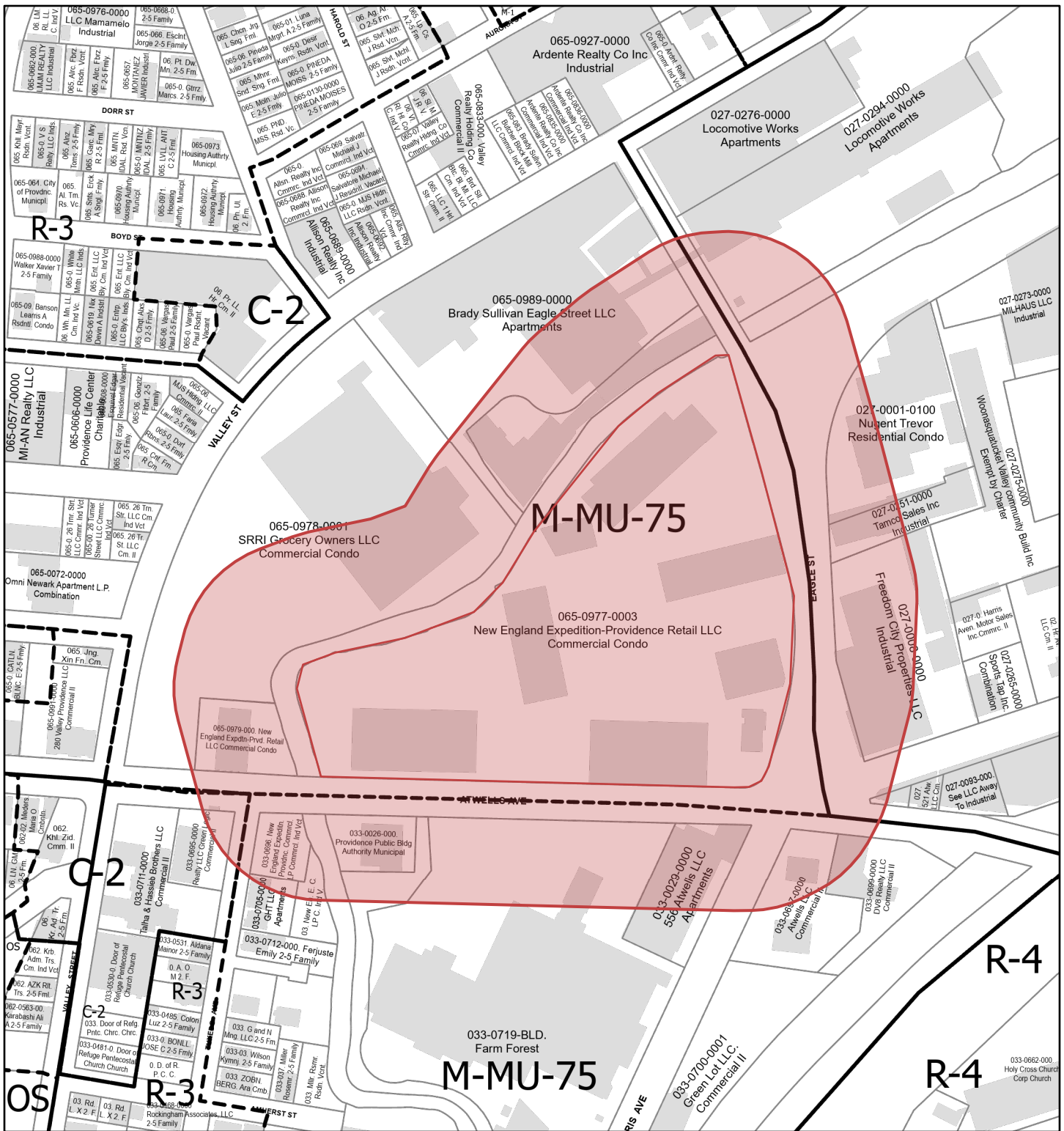
(B) Sign Elevation - Side View
Scale: 1/2"=1'-0"

(C) Sign Elevation - Front View
Scale: 1/2"=1'-0"





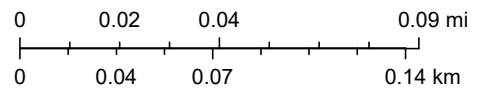
Radius Map



5/5/2026, 9:17:12 AM

1:3,679

- Override 1
- Zoning
- Override 1
- Parcels
- Plat Boundaries
- Buildings



WARRANTY DEED

The New England Expedition - Providence Retail, LLC, a Delaware limited liability company, for good and valuable consideration but no monetary payment, grants to The New England Expedition - Providence Retail, L.L.C, an undivided 55% interest in the property hereinafter described and to Eagle Square Realty Investments, LLC, a Rhode Island limited liability company, an undivided 45% interest in the property hereinafter described, as Tenants in Common, with **WARRANTY COVENANTS**:

Those certain condominium units located within the Eagle Square Condominium in the City of Providence, State of Rhode Island, designated as Units 2, 3, C-1, D-1 and H-1 as set forth and more particularly described in the Declaration of Condominium for Eagle Square Commons recorded in the Providence Land Evidence Records on May 22, 2003 in Book 5786 at Page 217, as amended. The legal description for the property comprising the Eagle Square Commons condominium is attached hereto as Exhibit A.

TOGETHER WITH all rights in the Common Elements and Limited Common Elements and all other rights appurtenant to said Units 2, C-1, D-1, 3 and H-1 as set forth in said Declaration, as the same may be amended.

These units are conveyed subject to real estate taxes assessed but not yet due and payable.

This transfer is such that no RIGL 44-30-71.3 withholding is required since it is a transfer among affiliated companies.

Compliance with the Rhode Island Smoke Detector / Carbon Monoxide Detector Statute is not required in that the property conveyed herein contains no residential dwellings.

This conveyance is a transfer between affiliated companies, and no resale certificate or public offering statement is required.

The consideration for this conveyance is such that no documentary stamps are required.

6

IN WITNESS WHEREOF, The New England Expedition – Providence Retail, LLC has caused this deed to be executed and delivered by its duly authorized partner this 1st day of December, 2013.

THE NEW ENGLAND EXPEDITION-
PROVIDENCE RETAIL, LLC

By: The New England Expedition-
Providence Holdings, LLC, its authorized
member

By: The New England Expedition-
Providence I, LLP, its authorized member

By: Feldco Providence, LLC, its authorized
partner

By: Barry E. Feldman
Barry E. Feldman, member

STATE OF MASSACHUSETTS
COUNTY OF SUFFOLK

On this 30 day of December, 2013, before me personally appeared Barry Feldman, authorized member of Feldco Providence, LLC, as authorized partner of The New England Expedition-Providence I, LLP, as authorized member of The New England Expedition-Providence Holdings, LLC, and as authorized member of The New England Expedition-Providence Retail, LLC, to me known and known by me to be the party executing the foregoing instrument on behalf of said limited liability companies and said limited liability partnership, and he acknowledged said instrument and the execution thereof, to be his free act and deed in said capacities as aforesaid.

Amalia Dorgan
NOTARY PUBLIC
My Commission Expires:

For Assessor Purposes Only:
AP 65 Lots 977 (portions), 979

Mailing address:
c/o Feldco Development Corp.
222 Newbury Street, 4th Floor
Boston MA 02116

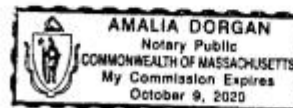


EXHIBIT A

PROPERTY DESCRIPTION

**Atwells Avenue
Valley Street
Eagle Street
Providence, Rhode Island**

That certain tract or parcel of land situated northerly of Atwells Avenue, southeasterly of Valley Street, and westerly of Eagle Street in the City of Providence, State of Rhode Island, bounded and described as follows:

Starting at the intersection of the northerly line of Atwells Avenue and the easterly line of Valley Street;

Thence running N24°03'04"E along the easterly line of said Valley Street a distance of one-hundred two and twenty-three hundredths feet (102.23') to a point of curvature;

Thence following a curve to the right having a radius of one thousand one-hundred fifty-six and twenty-one hundredths feet (1156.21') a length of three-hundred seventeen and five hundredths feet (317.05') to a point of compound curvature;

Thence following a curve to the right having a radius of eight-hundred twenty-four and eighty-two hundredths feet (824.82') a length of four-hundred twenty and sixty-three hundredths feet (420.63') to a corner, said last two courses bounded westerly and northwesterly by said Valley Street;

Thence running S23°12'43"E a distance of four-hundred twenty-three and ninety-two hundredths feet (423.92') to a point on the wall on the northwesterly bank of the Woonasquatucket River;

Thence running 50°05'44"W along said wall a distance of nine and fourteen hundredths feet, more or less (9.14'+/-) to a point;

Thence running generally westerly and southerly along the walls and other features that define the northerly and westerly banks of said Woonasquatucket River for a distance of six-hundred fifty-six feet, more or less (656' +/-) to a point on the northerly street line of Atwells Avenue;

Thence running N71°03'03"W a distance of two-hundred eighty-one and thirty-six hundredths feet (281.36') to the point and place of beginning;

Together with the following parcel:

Beginning at a point on the northerly line of Atwells Avenue, said point being the southwesterly corner of the herein described parcel;

Thence running S73°54'05"E along the northerly street line of said Atwells Avenue a distance of

six hundred eighty-two and two hundredths feet (682.02') to a point of curvature;

Thence running along a curve to the left having a radius of forty-three and ninety-one hundredths feet (43.91') a length of fifty-six and twenty hundredths feet (56.20') to a point of tangency on the westerly street line of Eagle Street;

Thence running N32°46'13"E a distance of fourteen and forty-two hundredths feet (14.42') to a point of curvature;

Thence running along a curve to the left having a radius of six-hundred fifty-eight and fifty hundredths feet (658.50') a length of two-hundred ninety-seven and sixty-four hundredths feet (297.64') to a point;

Thence running N 00°32'55"E a distance of one-hundred eleven and seventy hundredths feet (111.70') to a point;

Thence running N 00°17'55"E a distance of two-hundred fifty-seven and eighty-two hundredths feet (257.82') to a point;

Thence running N15°32'46"W a distance of three and eighty-three hundredths feet (3.83') to a corner on the southerly bank of the Woonasquatucket River, said last five (5) courses bounded easterly by said Eagle Street;

Thence running in a general southwesterly direction along the walls and other features that define the southeasterly banks of said Woonasquatucket River a distance of four hundred thirty-six feet, more or less (436' +/-) to a corner;

Thence running in a northwesterly direction a distance of seventeen and sixty-one hundredths feet (17.61') to a corner;

Thence running S46°54'52"W a distance of fourteen and no hundredths feet, more or less (14.00' +/-) to a corner;

Thence running N23°12'43"W a distance of seventeen and thirty-eight hundredths feet, more or less (17.38' +/-) to a corner;

Thence running S50°05'44"W a distance of nine and fourteen hundredths feet, more or less (9.14' +/-) to a corner;

Thence running S 18°27'41"E a distance of thirty-six and fifty-five hundredths feet, more or less (36.55' +/-) to a drill hole in the wall at the southerly bank of said Woonasquatucket River;

Thence running in a general southwesterly direction along the walls and other features that define the southeasterly banks of said Woonasquatucket River a distance of two hundred twenty-seven feet, more or less (227' +/-) to a point;

Thence S88°23'46"W a distance of seventy and ninety-four hundredths feet (70.94') to a point;

Thence S87°15'55"W a distance of one-hundred three and two hundredths feet (103.02') to a point;

Thence S45°05'55"W a distance of seventy-four and sixty-five hundredths feet (74.65') to a point;

Thence S02°12'05"E a distance of one-hundred twenty-four and ninety-five hundredths feet (124.95') to the point and place of beginning, said last four (4) courses bounded northerly, northwesterly, and westerly by said Woonasquatucket River.

Said parcel contains 558,456 square feet of land, more or less. (12.820 Acres, more or less)

Said parcel being further detailed on a plan titled: "Plan of Land, Valley Street & Atwells Avenue, for The New England Expedition- Providence, LLC," by Cataldo Associates, Dated 10/5/99, Revised 12/13/01; Project No. 3033-01; Scale: 1"=40'.

Atwells Avenue & Tuxedo Avenue Providence, Rhode Island

That certain tract or parcel of land situated on the southerly side of Atwells Avenue and the easterly side of Tuxedo Avenue in the City of Providence, State of Rhode Island, bounded and described as follows:

Starting at the intersection of the southerly street line of Atwells Avenue and the easterly street line of Tuxedo Avenue, said point being the northwesterly corner of the herein described parcel;

Thence running S71°03'03"E along the southerly line of said Atwells Avenue a distance of seventy and thirty-four hundredths feet (70.34') to a corner;

Thence running S07°59'55"E a distance of seventy-one and sixty-six hundredths feet (71.66') to an angle;

Thence running S24°09'44"W a distance of thirty-seven and twelve hundredths feet (37.12') to a corner;

Thence running N65°50'16"W a distance of ninety and no hundredths feet (90.00') to a point on the easterly street line of said Tuxedo Avenue;

Thence running N24°09'44"E along the easterly line of said Tuxedo Avenue a distance of ninety-nine and fifty-six hundredths feet (99.56') to the point and place of beginning.

Said parcel contains 8,625 square feet of land, more or less.

Said parcel comprised of land formerly designated as lots 365 and 366 on Assessor's Plat No.33.

RECEIVED:

Providence
Received for Record
Jan 02, 2014 at 11:43A
Document Num: 00084592
John A Murphy
Recorder of Deeds