



February 20, 2009

FCC, Inc.
Fred Constancia, President
103 Bayview Avenue
Bristol, RI 02809

REVISED PERMIT

Re: Application No. 05-0133 in reference to the location below:

Approximately 300 feet south of Woodlawn Avenue, Pole #18, and approximately 120 feet east of the intersection of Anthony Avenue and Woodlawn Avenue, Assessors Plat 161-B, Lot 38, Bristol, RI

Dear Mr. Constancia:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application for Permit Modification** and has evaluated your proposed modifications to the permitted two (2) lot residential subdivision with associated roadway, drainage system, utilities, landscaping and lot development as illustrated and detailed on revised site plans submitted with your application. The revised site plans were received on December 5, 2008 with sheets 5 and 9 of 10 received on January 12, 2009.

Based upon the Program's evaluation of the revised project and pursuant to Rule 11.03 of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act (Rules), it is the Program's determination that a revised permit for the modified project may be issued under the following terms and conditions:

1. This letter is the DEM's revised permit for this project under the R.I. Fresh Water Wetlands Act, Rhode Island General Laws (RIGL) Section 2-1-18 *et seq.*
2. This revised permit is specifically limited to the project, site alterations and limits of disturbance as detailed on the site plans submitted with your application and received by the DEM on December 5, 2008 with sheets 5 and 9 of 10 received January 12, 2009. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project which would alter freshwater wetlands are not authorized without a permit from the DEM.
3. Where the terms and conditions of the revised permit conflict with the approved site plans, these terms and conditions shall be deemed to supersede the site plans.
4. A copy of the stamped approved site plans and a copy of this revised permit must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of this revised permit and the stamped approved plans must be made available for review by any DEM representative upon request.

5. Within ten (10) days of the receipt of this revised permit, you must record this permit in the land evidence records of the Town of Bristol and supply this Program with written documentation obtained from the Town showing this revised permit was recorded.
6. This revised permit expires four (4) years from the date of issue of the original letter of October 15, 2007.

Except as authorized in this revised permit pursuant to revised and approved site plans (enclosed), all terms and conditions previously specified in the Program's permit dated October 15, 2007 (copy enclosed) remain in effect.

Pursuant to the provisions in Rule 7.09 and Rule 11.04, as applicable, any properly recorded and valid permit is automatically transferred to the new owner upon sale of the property.

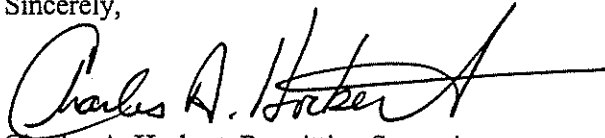
You are required to comply with the terms and conditions of this revised permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by the Program.

In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

This revised permit does not remove your obligation to obtain any local, state, or federal approvals or permits required by ordinance or law and does not relieve you from any duties owed to adjacent landowners with specific reference to any changes in drainage.

Please contact Andrew Charpentier of this Program (telephone: 401-277-6820 Ext. 7414) should you have any questions regarding this letter.

Sincerely,



Charles A. Horbert, Permitting Supervisor
Office of Water Resources/Permitting Section
Freshwater Wetlands Program
CAH/AC/ac

Enclosure: Approved revised site plans

xc: Thomas J. Walsh, P.E., Waterman Engineering Co.
Richard J. Pimenta, Bristol Building Official



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

October 15, 2007

FCC, Inc.
Fred Constancia, President
103 Bayview Avenue
Bristol, RI 02809

Insignificant Alteration - Permit

Re: Application No. 05-0133 in reference to the location below:

Approximately 300 feet south of Woodlawn Avenue, Pole #18, and approximately 120 feet east of the intersection of Anthony Avenue and Woodlawn Avenue, Assessors Plat 161-B, Lot 38, Bristol, RI

Dear Mr. Constancia:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Request for Preliminary Determination** application. This review included a site inspection of the above referenced property ("subject property") and an evaluation of the proposed two (2) lot residential subdivision with associated roadway, drainage system, utilities, landscaping and lot development as illustrated and detailed on site plans submitted with your application. These site plans were received on August 22, 2007.

Our observations of the subject property, review of the site plans and evaluation of the proposed project reveals that alterations of freshwater wetlands are proposed. However, pursuant to Rule 9.03 of the Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act (Rules), this project may be permitted as an **insignificant alteration** to freshwater wetlands under the following terms and conditions:

Terms and Conditions for Application No. 05-0133:

1. This letter is the DEM's permit for this project under the R.I. Fresh Water Wetlands Act, Rhode Island General Laws (RIGL) Section 2-1-18 et seq.
2. This permit is specifically limited to the project, site alterations and limits of disturbance as detailed on the site plans submitted with your application and received by this Department on August 22, 2007. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project which would alter freshwater wetlands are not authorized without a permit from the DEM.
3. Where the terms and conditions of the permit conflict with the approved site plans, these terms and conditions shall be deemed to supersede the site plans.
4. You must notify this Program in writing immediately prior to the commencement of site alterations and upon completion of the project.

5. A copy of the stamped approved site plans and a copy of this permit must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of this permit and the stamped approved plans must be made available for review by any DEM or Town representative upon request.
6. Within ten (10) days of the receipt of this permit, you must record this permit in the land evidence records of the Town of Bristol and supply this Program with written documentation obtained from the Town showing this permit was recorded.
7. The effective date of this permit is the date this letter was issued. This permit expires four (4) years from the date of issue.
8. Any material utilized in this project must be clean and free of matter that could pollute any freshwater wetland.
9. Prior to commencement of site alterations, you shall erect or post a sign resistant to the weather and at least twelve (12) inches wide and eighteen (18) inches long, which boldly identifies the initials "DEM" and the application number of this permit. This sign must be maintained at the site in a conspicuous location until such time that the project is complete.
10. Temporary erosion and sediment controls detailed or described on the approved site plans shall be properly installed at the site prior to or commensurate with site alterations. Such controls shall be properly maintained, replaced, supplemented, or modified as necessary throughout the life of this project to minimize soil erosion and to prevent sediment from being deposited in any wetlands not subject to disturbance under this permit.
11. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls consisting of haybales and/or siltfence must be removed.
12. You are responsible for the proper installation, operation, maintenance and stability of any mitigative features, facilities, and systems of treatment and control which are installed or used in compliance with this permit to prevent harm to adjacent wetlands until such time that you document that this responsibility has been assumed by another person or organization.
13. You are obligated to install, utilize and follow all best management practices detailed or described on the approved site plans in the construction of the project to minimize or prevent adverse impacts to any adjacent freshwater wetlands and the functions and values provided by such wetlands.
14. You must provide written certification from a registered land surveyor or registered professional engineer that the stormwater drainage system including any and all basins, piping systems, catch basins, culverts, swales and any other stormwater management control features have been constructed/installed in accordance with the site plans approved by this permit. This written certification must be submitted to this Program within twenty (20) days of its request or upon completion of the project.
15. This Program has made a specific revision to the approved site plans. This revision is clearly marked in red on the approved plans. Specifically, a misplaced detail note has been clarified to note the orifice diameter of a drilled cap in the outlet structure of the detention basin. This project must take place in compliance with this revision.

This permit is valid for the original applicant only unless transferred pursuant to the Rules.


You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by this Department.

In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

This permit does not remove your obligation to obtain any local, state, or federal approvals or permits required by ordinance or law and does not relieve you from any duties owed to adjacent landowners with specific reference to any changes in drainage.

Please contact Andrew Charpentier of this office (telephone: 401-222-6820, ext. 7414) should you have any questions regarding this letter.

Sincerely,


Charles A. Horbert, Permitting Supervisor
Office of Water Resources
Freshwater Wetlands Program
CAH/AC/ac

Enclosure: Approved site plans

xc: Richard J. Pimenta, Bristol Building Official
 Kevin Fetzer, Ecotones, Inc.
 Thomas J. Walsh, P.E., Waterman Engineering Co.