



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

August 20, 2009

Charda Properties, LLC  
Charles Tapalian  
c/o BETA Group, Inc.  
6 Blackstone Valley Place  
Lincoln, RI 02865

**Permit Renewal**

**Re:** Application No. 05-0215 in reference to the location below:

Approximately 350 feet south of Greenville Ave., Utility Pole No. 278, approximately 400 feet south of the intersection of Greenville Ave. and Interstate Route 295, Assessor's Plat 55, Lots 24, 75 & 64, Johnston, RI

Dear Mr. Tapalian:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application for Renewal** received on April 20, 2009.

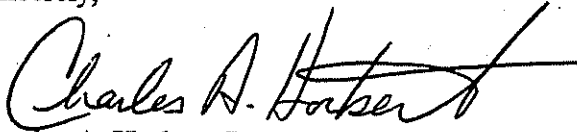
It is our understanding that you are requesting renewal of the permit issued for Application No. 05-0215. The original permit was issued on October 18, 2005 to Charda Properties, LLC for alterations to freshwater wetlands at the above-referenced location.

This Program has inspected the project site as part of its review of the application and has found that the project has not yet commenced. In all other respects, at this time, it is in conformance with those conditions set forth in the original permit as well as the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act (Rules). It is our determination, therefore, that the permit may be renewed. This renewal is valid until **October 18, 2011** and expires on that date. No further renewals are available for this project after that date.

It is your responsibility to maintain compliance with the conditions of the original permit (copy enclosed) and to carry out this project in compliance with the Rules at all times. This renewal does not relieve you of any obligations to obtain any local, state, or federal approvals or permits as required by ordinance or law. Any further modifications to the project not illustrated on the approved site plans would require approval of, at least, an Application for Permit Modification prior to the expiration of the permit.

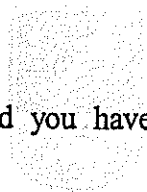
Please contact me directly (telephone: 401-222-6820, ext. 7402) should you have any questions.

Sincerely,



Charles A. Horbert, Program Supervisor  
Office of Water Resources  
Freshwater Wetlands Program  
CAH/cah

Enclosure: Letter dated October 18, 2005



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES  
FRESHWATER WETLANDS PROGRAM  
100 WATER STREET, SUITE 200  
MIDDLETOWN, CT 06457-1000  
TEL: 860-424-3200  
WWW.DENR.CT.GOV

*[The following text is extremely faint and largely illegible, appearing to be a letter or report body.]*



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

October 18, 2005

Charda Properties, LLC  
Charles Tapalian  
c/o Narragansett Engineering, Inc.  
3102 East Main Road  
Portsmouth, RI 02871

**Insignificant Alteration - Permit**

**Re:** Application No. 05-0215 and Water Quality File No. 05-037 in reference to the location below:

Approximately 350 feet south of Greenville Ave., Utility Pole No. 278, approximately 400 feet south of the intersection of Greenville Ave. and Interstate Route 295, Assessor's Plat 55, Lots 24, 75 & 64, Johnston, RI

Dear Mr. Tapalian:

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 evaluation of the proposed 144-unit condominium development with associated roadways, drainage system, utilities, driveways, buildings and landscaping as illustrated and detailed on site plans submitted with your application. These site plans were received on May 17, 2005. On October 13, 2005 a permit letter was issued with regards to this Project. **This permit was not reviewed by appropriate personnel and is not considered valid. This current permit supercedes the letter dated October 13, 2005.**

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. 05-0215:

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 the DEM on May 17, 2005. 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 Johnston 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 silt fence 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. All plantings of shrubs, trees or other forms of vegetation as shown or detailed on the approved plans, or detailed in this permit, must be installed as soon as possible after completion of final grading; weather and season permitting. Any plantings which fail to survive one full growing season shall be replaced. Replacement plantings shall be similarly guaranteed for one full growing season.

15. Buffer zone plantings of trees and/or shrubs proposed between the project and any adjacent freshwater wetland areas, except for necessary replacement, must be allowed to develop naturally without being subjected to mowing or manicuring.
16. Artificial lighting along the roadway where it crosses freshwater wetlands is not authorized in this permit.
17. All construction activities involving soil disturbances within watercourses must be limited to the low flow period (i.e., the period from July 1 to October 31 of any calendar year). Soil disturbance in these watercourses must temporarily cease in the event of any abnormally high stormwater runoff event during the low flow period.
18. 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.

This permit is valid for the original applicant only and is not transferable to another person unless the new owner completes and submits an **Application for Permit Transfer** in accordance with Rule 9.08.

Kindly be advised that this permit is not equivalent to a verification of the type or extent of freshwater wetlands on-site. Should you wish to verify this wetland or any other freshwater wetland edges on-site, you may submit the appropriate application in accordance with Rule 9.02.

**This Permit also constitutes your authorization from the U.S. Army Corps of Engineers ("Corps") under Section 404 of the Clean Water Act for the work proposed. Your project qualifies as a Category 1 activity under the Rhode Island Programmatic General Permit (RI PGP, Permit No. 57). You are, therefore, not required to file a separate application with the Corps.**

Please note that the attached RI PGP conditions apply to all activities authorized under the RI PGP. Please review them carefully to thoroughly familiarize yourself with their contents. You may wish to discuss all permit conditions with your contractor to ensure that the work can be accomplished in a manner that conforms to all requirements.


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 and/or subject you to the enforcement provisions of the Corps' regulations.

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 Jessica Smith of this office (telephone: 401-222-6820 x 7272) should you have any questions regarding this letter.

Sincerely,



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

Enclosure: Approved site plans

xc: Neal Personeus, DEM Water Quality Certification Program  
Michael Elliott, U.S. Army Corps of Engineers, New England Division  
Victor Caetano, Johnston Building Official  
Jeanne M. Tracey-McAreavey, Johnston Town Planner  
Kamal Hingorany, P.E., Narragansett Engineering, Inc.  
Christopher Mason, Mason and Associates, Inc.