



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

January 8, 2010

Mark and Mary Fagan  
3040 Quinlan Street  
Yorktown Heights, NY 10598

**REVISED PERMIT**

RE: Application No. 06-0125 in reference to the property and proposed property located:

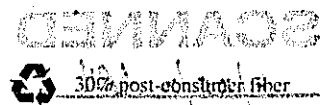
Approximately 70 feet northeast of Beacon Hill Road and approximately 700 feet north of its intersection with Center Road, Assessor's Plat 18, Lot 63, New Shoreham, Block Island, RI.

Dear Mr. and Mrs. Fagan:

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 single-family dwelling, deck, Onsite Wastewater Treatment System ("OWTS"), gravel driveway, retaining wall, grading and landscaping as illustrated and detailed on revised site plans submitted with your application. The revised site plans were received on December 4, 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 4, 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.



Application No. 06-0125

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 and supply this Program with written documentation obtained from the Town showing this revised permit was recorded.
6. This revised permit expires on June 30, 2011 pursuant to recently enacted legislation regarding the tolling of valid permits (Chapter 42-17.1-2.5 of the General Laws of RI) and as further described in Rule 9.04(E). You are advised to monitor activity in the General Assembly in this regards since further legislative changes affecting the expiration of your permits may occur.

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 April 7, 2006 (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.

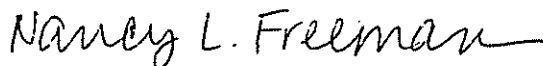
You are required to comply with the terms and conditions of this revised permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by the Program.

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 me (telephone: 401-222-6820, ext. 7408) should you have any questions regarding this letter.

Sincerely,



Nancy L. Freeman, Senior Environmental Scientist  
Freshwater Wetlands Program  
Office of Water Resources  
NLF/nlf

Enclosure: Approved revised site plans

xc: Richard A. Green, PLS, Richard A. Greene & Associates, Inc.  
Marc A. Tillson, New Shoreham Building Inspector  
Brian Moore, Supervisor, "OWTS" Program



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

April 7, 2006

Kristin Patterson  
75 Billington Avenue  
Wakefield, RI 02879

**Insignificant Alteration – Permit**

**RE:** Application No. 06-0125 in reference to the property and proposed project located:

Approximately 700 feet northeast of Beacon Hill Road and approximately 700 feet north of its intersection with Center Road, Assessor's Plat 18, Lot 63, New Shoreham, Block Island, RI.

Dear Ms. Patterson:

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 three (3) bedroom dwelling with associated deck, Individual Sewage Disposal System ("ISDS"), gravel driveway, private well, retaining wall, and landscaping as illustrated and detailed on site plans submitted with your application. These site plans were received on March 17, 2006.

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. 06-0125:

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 March 17, 2006. 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 New Shoreham 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 staked hay bales or silt fence must be removed.
12. 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.
13. 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. **You must provide photographs of the plantings once installed to this Program as documentation of compliance until such a time when a representative from the Program can conduct a site inspection.**
14. 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.
15. A copy of this permit and a copy of the approved site plans must be forwarded to the I.S.D.S. Program of the DEM's Office of Water Resources. A permit is needed from the I.S.D.S. Program prior to commencing any work on this 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.

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.

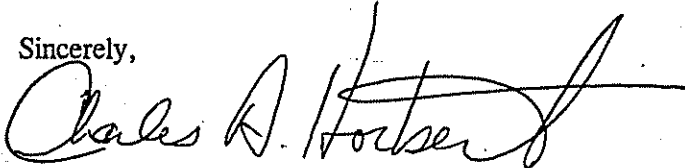
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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.

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 obtain such a verification, an application may be submitted in accordance with Rule 9.02.

Please contact Nancy Freeman of this office (telephone: 401-222-6820 x 7408) should you have any questions regarding this letter.

Sincerely,



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

Enclosure: Approved site plans

xc: Marc A. Tillson, New Shoreham Building Inspector  
Richard A. Greene, PLS, Richard A. Greene & Associates, Inc.  
Kathleen A. Mangan, Kathleen P. Mangan Inc.