



RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES
235 Promenade Street
Providence, Rhode Island 02908

November 19, 2020

Richmond Realty Associates
John Aiello, Jr.
30 Riverview Drive
North Providence, RI 02904

Re: Wetlands Application No. 06-0339 in reference to the location below:

Approximately 2,000 feet north of Kingstown Road (Route 138), approximately 4,000 feet east of the intersection of Route 138 and Stilson Road, Assessor's Plat 5B, Lots 52 and 65 and Assessor's Plat 5C, Lot 5, Richmond, RI.

Dear Mr. Aiello:

Please be advised that the Department of Environmental Management's Freshwater Wetlands Program has completed its review of your Application for Renewal for the above-referenced application and project, as outlined in the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-1 (Rules).

The original permit was issued on March 7, 2008. Pursuant to the Rules, Section 1.9(D)(5)(a), the permit was tolled, and expired on October 27, 2018. Although the permit was never renewed, if the permit had been renewed, the maximum renewal period would have been for two additional years (October 27, 2020), which has also already also passed.

Accordingly, this Program cannot renew this permit since it has expired. A new application will need to be submitted in order for the project to receive a new permit for any unfinished portions of the project. The application and the project will need to meet current regulatory standards including requirements of the current stormwater manual.

Since it is our understanding that work is ongoing on the subject property, you are hereby advised to:

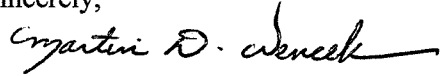
- 1) Immediately cease all activity on site in furtherance of the project that is: a) within wetland jurisdictional areas, or b) within any portion of the site where surface water runoff can potentially enter any jurisdictional wetland area, and
- 2) Immediately take steps to reinforce and/or replace erosion controls and stabilize disturbed areas on the site as necessary to prevent sedimentation into adjacent wetland resources resulting from unstable conditions on site.

Please be advised that the Department may inspect the site to ensure it is properly stabilized as required above, and to assess the extent of on-site development.

Also, please reference the application number noted in this correspondence in any communications regarding this or any future application.

If you have any questions regarding this letter, please call Jane Kelly at (401) 222-6820, ext. 7420.

Sincerely,

A handwritten signature in black ink that reads "Martin D. Wencek". The signature is written in a cursive style with a long horizontal flourish at the end.

Martin D. Wencek, Permitting Supervisor
Office of Water Resources
Freshwater Wetlands Program

JEK/MDW/mdw

cc: Roy G. Messier, Project Engineer
Shaun Lacey, Richmond Town Planner
Dave Tacey, Richmond Building Official
Bruce Ahern, DEM Office of Compliance and Inspection



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

March 7, 2008

Richmond Realty, LLC
Aiello Realty, LLC
John Aiello, Jr.
58 Kingstown Road
Richmond, RI 02898

Insignificant Alteration – Permit

Re: Application No. 06-0339 in reference to the property and proposed project located:

Approximately 2,000 feet north of Kingstown Road (Route 138), approximately 4,000 feet east of the intersection of Route 138 and Stilson Road, Assessor's Plat 5B, Lots 52 and 65 and Assessor's Plat 5C, Lot 5, Richmond, RI

Dear Mr. Aiello:

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 mixed-use residential and commercial complex to contain 399 residential units in 118 structures; 37 retail, commercial or office spaces in 9 structures; and associated roadways, driveways, parking areas, utilities, landscaping, on-site wastewater treatment system, stormwater control system, and irrigation system as illustrated and detailed on site plans submitted with your application. These site plans were received on November 30, 2007 (70 total sheets) with sheets 19, 19a, 22, 22a, and 30b revised and received on February 11, 2008.

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 9.00 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. 06-0339:

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 November 30, 2007 and February 11, 2008. 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 Richmond and supply this Program with written documentation obtained from the Town showing this permit was recorded.
7. This permit expires four (4) years from the date of issue unless renewed pursuant to the Rules.
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, silt fence or excelsior matting 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. You must notify this Program in writing upon completion of the required plantings for a compliance inspection by a Program representative.

15. Buffer zone plantings of trees and/or shrubs proposed between the project and any adjacent freshwater wetland areas, and plantings proposed for the wetland restoration areas, except for necessary replacement, must be allowed to develop naturally without being subjected to mowing or manicuring.
16. An environmental consultant, experienced in site assessments and measures necessary to protect sensitive aquatic environments or sensitive ecosystems, must be employed prior to the commencement of site alterations to monitor this project and to ensure compliance with the terms and conditions of this permit. This Program must be notified in writing of the consultant chosen to comply with this condition and must receive monthly written progress reports from the consultant regarding compliance with this permit until such time that the project is complete.
17. A photographic record of the installation of all proposed underground infiltration systems and underground extended detention systems must be maintained at the site and made available for review by any DEM or Town representative upon request.
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.
19. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. Specifically, because grading activity is depicted beyond the proposed erosion control line in several areas, the erosion control line has been revised where necessary to enclose all proposed work. In addition, the shrubs proposed for the restoration areas must be at least three (3) feet tall after planting. This project must take place in compliance with these revisions.
20. 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.

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.

Kindly be advised that this permit is not equivalent to a determination of the type or extent of freshwater wetlands on the subject property. Should you wish to obtain such verification, you may submit an application in accordance with Rule 8.03.

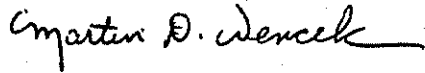
You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by this Department.

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 Jane Kelly of this office (telephone: 401-222-6820, ext. 7420) should you have any questions regarding this letter.

Sincerely,



Martin D. Wencek, Permitting Supervisor
Office of Water Resources
Freshwater Wetlands Program

MDW/JEK/jek

Enclosure: Approved site plans

xc: Russell Chateauf, P.E., Chief, Groundwater and Wetlands Protection
Loren Gengarella, Richmond Building Official
Denise Stetson, Richmond Town Planner
Laszlo Siegmund, President, Siegmund & Associates, Inc.
Bassam Nader, Richmond Commons