



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

March 26, 2007

Clyde Development Co., LLC  
Jake Development Co.  
Attn: Jackson P. Despres  
295 George Washington Hwy.  
Smithfield, RI 02917

Re: Application No. 07-0050 in reference to the location below:

Approximately 2,790 feet southeast of the intersection of George Washington Hwy. (Route 116) and Douglas Pike (Route 7), Assessor's Plat 46, Lot 75, and Assessor's Plat 45, Lot 18, Smithfield, RI

Dear Mr. Despres:

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 clearing and grading as illustrated and detailed on site plans submitted with your application. These site plans were received on February 8, 2007.

Our observations of the subject property, review of the site plans and evaluation of the proposed project reveals that alterations of freshwater wetlands including at least a swamp\marsh complex, a swamp, a river and Areas Subject to Storm Flowage will likely result from this proposed project.

The proposed alterations affecting freshwater wetlands include at least excavation and substantial modification of normal surface-runoff characteristics through extensive grading operations and diversion and concentration of surface runoff.

It is the Program's determination pursuant to the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act (Rules) that the proposed project:

- appears to represent more than a minimal change or modification to the natural characteristics, functions and/or values of the freshwater wetlands noted herein; may be detrimental to the basic natural capabilities or values associated with the freshwater wetlands to be altered; and/or appears to be random, unnecessary and undesirable; and
- falls within one or more of the general categories of Significant Alterations as outlined in Appendix 2, C and specifically C (2), (3), (4b) and (6).

Based on the Department's review of this application, it is evident that future improvements, likely involving additional properties and further alterations to wetland resources, are contemplated for future development. Without design details for proposed buildings, access roadways, parking areas, utilities, grading and drainage systems for the overall project being contemplated, these alterations are considered to be random.

Furthermore, due to the uncertainty related to the final developed characteristics of the property, together with numerous potential avoidance and minimization options that may be available depending on the nature of the project ultimately proposed, it is not possible at this time for the Department to provide any concrete or useful recommendations for project redesign that may ultimately allow a future proposal to be considered under a new Request for Preliminary Determination.

Therefore, as proposed, this project represents a **significant alteration** to freshwater wetlands and may proceed only following submission of an **Application to Alter a Freshwater Wetland and receipt of a permit from this Program**. Upon receipt of your application, this Program will proceed with its processing pursuant to the Rules.

If you are interested in further details relative to the review of this project by this Program, you are welcome to review this file at our office. Please call in advance to arrange an appointment. If you have any questions relative to this determination, you may contact either me or Andrew Charpentier of my staff (telephone: 401-222-6820 ext. 7414).

Sincerely,



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

Enclosure: Application Package

xc: Russell J. Chateaufneuf, Chief of Groundwater & Wetlands Protection  
Alfred T. Decorte, Smithfield Building Official  
Frederick Presley, Smithfield Planning Director  
John P. Caito, P.E., John P. Caito Corp.