



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

January 3, 2008

Charles Kwolek
37 West Greenville Road
Greenville, RI 02828

Insignificant Alteration – Permit

Re: Application No. 07-0073 in reference to the property and proposed project located:

Approximately 180 feet north of Putnam Pike (RI Route 44), and approximately 780 feet west of the intersection of Putnam Pike and Barnes Way, Utility Pole No. 482, Assessor's Plat 7, Lot 46, Glocester, RI

Dear Mr. Kwolek:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application to Alter Freshwater Wetlands**. This review included a site inspection of the above referenced property ("subject property") and an evaluation of the proposed four (4) bedroom single family dwelling with associated driveway, septic system, well, utilities, and landscaping as illustrated and detailed on site plans submitted with your application. These site plans were received on November 13, 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 Rules 5.43 and 9.03 of the applicable Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act (Rules), this project does not involve significant alterations to the subject wetlands and may therefore be permitted as an insignificant alteration to freshwater wetlands under the following terms and conditions:

Terms and Conditions for Application No. 07-0073:

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 on November 13, 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 Gloucester 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 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. Also prior to commencement of any site alterations, permanent buffer zone markers must be installed along the limit of disturbance at the locations indicated in red ink on the approved site plans, in order to provide permanent reference points on site that are clear to present and future property owners. Acceptable permanent type markers include 4" x 4" pressure treated timber posts, galvanized fence posts with cap, or granite or concrete bounds. Markers must extend a minimum 24" above grade. A permanent-type tag or sign labeled "RDEM Buffer Zone" must be placed on each marker. A permanent-type fence at least 24" tall placed along the limits of disturbance and similarly labeled may be substituted where desired. **No alterations of any kind are permitted beyond these markers without first obtaining the necessary permit from this Program.**
12. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls consisting of silt fence or hay bales must be removed.
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 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.

15. 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.
16. Buffer zone plantings of trees and/or shrubs proposed between the project and any adjacent freshwater wetland areas, including the shaded "Disturbance Area" as depicted on the site plan, except for necessary replacement, must be allowed to develop naturally without being subjected to mowing or manicuring.
17. Artificial lighting along the driveway/roadway where it crosses freshwater wetlands is not authorized in this permit.
18. All proposed utility lines (i.e. electricity, phone, etc.) must be installed entirely within the approved Limits of Disturbance.
19. A copy of this permit and a copy of the approved site plans must be forwarded to the O.W.T.S. Program of the DEM's Office of Water Resources. A permit is needed from the O.W.T.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.

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 (1/2) activity under the Rhode Island Programmatic General Permit (General Permit No. NAE-2006-2711). You are, therefore, not required to file a separate application with the Corps.

Please note that all General Conditions within the RI PGP 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 Shawna Holdredge of this office (telephone: 401-222-6820, ext. 7427) should you have any questions regarding this letter.

Sincerely,



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

Enclosure: Approved site plans

xc: Lawrence Desormier, Gloucester Building Official
David Garrigan, PLS
George H. Gifford, The Gifford Design Group, Inc.