



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

September 28, 2007

Michelle Reis and  
Michael Faniceto  
P.O. Box 504  
Barrington, RI 02806

**Insignificant Alteration – Permit**

**Re:** Application No. 07-0116 in reference to the property and proposed project located:

Approximately 25 feet northeast of Governor Street, approximately 700 feet southeast of the intersection of Governor Street and Sherman Avenue, Assessor's Plat 53, Lot 210, Cumberland, RI.

Dear Ms. Reis and Mr. Faniceto:

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 single family dwelling with associated driveway, garage, deck, public utilities, recreational yard, landscaping, and wetland restoration as illustrated and detailed on site plans submitted with your application. These site plans were received on August 29, 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 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. 07-0116:

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 August 29, 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 City/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 Cumberland 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. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls consisting of 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 notify this Program in writing upon completion of the required plantings for a compliance inspection by a Program representative.**
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. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans and include the following:
- a) The permanent limit of disturbance (LOD) has been revised adjacent to the house to provide for a more realistic ten-foot side yard. The proposed Arborvitae (*Thuja occidentalis*) plantings adjacent to the house have been relocated along the revised LOD. An additional Arborvitae planting is required (eleven total).
  - b) Additional plantings (i.e. other than the Arborvitae) between the house and the permanent LOD have been omitted. All other restoration plantings depicted on the site plan are required and must be evenly dispersed throughout the area defined. You may substitute Red Maple trees (*Acer rubrum*) for one of the two species required and/or also include Red Maple trees, at least four feet tall after planting, in the restoration area on-site.
  - c) A wetland seed mix should be applied to stabilize soils in the swamp.

This project must take place in compliance with these revisions

This permit is valid for the original applicant only unless transferred pursuant to Rule 7.09 of the Rules.

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 Shawna Holdredge of this office (telephone: 401-222-6820, ext. 7427) should you have any questions regarding this letter.

Sincerely,

*Nancy L. Freeman*

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

Enclosure: Approved site plans

Application No. 07-0116

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xc: Raymond Madden, Cumberland Building Official  
Joe McCue, Natural Resource Services, Inc.  
Harold K. Ellis, Enforcement Supervisor, Office of Compliance & Inspection  
Complaint File No. C06-0364