



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

July 6, 2007

The Gervais Group, LLC
c/o James L. Baglini
84 Maple Street
West Roxbury, MA 02132

Re: Application No. 07-0153 in reference to the location below:

Approximately 2,200 feet east of Nipmuc Road, access road approximately 7,000 feet south of the intersection of Nipmuc Road and Old Plainfield Pike, Utility Pole No. 57, Assessor's Plat 50, Lot 6, Scituate, RI

Dear Mr. Baglini:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Request to verify the delineated edge of freshwater wetlands**. This review included an inspection of the above referenced property ("subject property") as described by the site plans submitted with your application and received on May 25, 2007.

Based upon the Program's observations and review, it is our determination that freshwater wetlands are present on or are in close proximity to the subject property. These freshwater wetlands are regulated by this Department and include at least the following types:

- swamp
- perimeter wetland (that area of land within 50 feet of the edge of any bog, marsh, swamp, or pond)
- forested wetland
- intermittent streams less than 10 feet wide
- riverbank wetlands (the area of land within 100 feet of the edge of any flowing body of water less than 10 feet wide)
- area subject to storm flowage (ASSF)
- flood plains (associated with all streams/intermittent streams)

The DEM has completed an inspection and review of the wetland edge(s) delineated by you on-site. It is our determination that those wetland edges delineated on-site are substantially accurate. Corrections and/or modifications to the delineated edge are required, however, which include the following:

- Move flag H-30 fifteen feet (15') southeast.
- Flag H-32A is incorrectly labeled as flag H-23A on the site plan.
- Move flag Z-5 fifteen feet (15') west.
- Move flag Z-6 twenty feet (20') west.
- Connect flag CLA-4 to flag H-41.

Please note that our inspection of the subject property has revealed the presence of other freshwater wetlands not specifically delineated by you. The swamp and intermittent stream channel do not end at the two un-labeled flags as depicted north of flags H-32A and H-35. The subject wetlands extend to the north, continuing offsite onto the adjacent property. Therefore, the two unlabeled flags depicted on the site plan are not considered accurate or verified. In addition, the intermittent stream channel between flags H-21 and H-69 extends offsite to the west within the swamp.

Therefore, you should not infer that any verification of wetland edges carried out by this Department to date represents a determination that this is the extent of all wetlands on your property. **The Department has verified only those edges delineated and shown by you on-site and on site plans submitted with your application and as qualified in this letter.** Should you wish to verify the edge of any additional wetlands, an additional application will be required.

This letter does not constitute an approval or permit for any proposed project on the subject property. Pursuant to Section 2-1-21(a) of the Freshwater Wetlands Act and the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act (Rules) a permit is required from this Program prior to the commencement of any activity which impacts or alters freshwater wetlands

This Program assumes that the edges of freshwater wetlands, as flagged or marked on site, have been accurately surveyed and portrayed on site plans submitted in support of your application. This Program makes no guarantee or representation that such survey is accurate.

In addition, you should note that freshwater wetlands are present on this property, which may be regulated under Section 404 of the Clean Water Act (Federal Water Pollution Control Act, as amended 33 U.S.C. 1344). Accordingly, a permit may be required from the U.S. Army Corps of Engineers for alteration of these wetland areas.

In accordance with Rule 8.03(H) of the Rules, this verification of the delineated edge of freshwater wetlands is valid for a limited period of four (4) years from the date of issue.

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

xc: Norbert Therien, PLS, President, National Land Surveyors-Developers, Inc.
Joseph A. Casali, PE, President, Joe Casali Engineering, Inc.