



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

October 3, 2007

Ernest L & Antonette Matteo
c/o Churchill & Banks Properties, LLC
10 Greene Street
Providence, RI 02903

Insignificant Alteration - Permit

Re: Application No. 07-0217 in reference to the location below:

Approximately 800 feet southwest of Swan Road, opposite Utility Pole No. 37, and approximately 2,600 feet south-southeast of its intersection with Mann School Road, Assessor's Plat 47, Lot 77, Smithfield, RI

Dear Mr. and Mrs. Matteo:

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 seventeen (17) lot residential subdivision with associated roadway, drainage system, utilities, landscaping and lot development as illustrated and detailed on site plans submitted with your application. These site plans were received on August 20, 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 9.03 of the applicable 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. 07-0217:

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 August 20, 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 Smithfield 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.
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. Also prior to commencement of any site alterations, permanent buffer zone markers must be installed along the limit of disturbance on proposed lots 8 and 9 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 "RIDEM 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.**
11. 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. You are advised to pay particular attention to the appropriate erosion control treatment for steep slopes on the site throughout the construction of this project.
12. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls consisting of silt fencing, if used, 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. 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

15. 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.

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

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.

Kindly be advised that this permit is not equivalent to a verification of the type or extent of freshwater wetlands on-site. Should you wish to obtain such a verification, an application may be submitted in accordance with the Rules.

Please contact Kate McPherson of this office (telephone: 401-222-6820, ext. 7732) should you have any questions regarding this letter.

Sincerely,



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

Enclosure: Approved site plans

xc: Sarah DeStefano, DEM Office of Waste Management
Christopher Duhamel, P.E., DiPrete Engineering Associates, Inc.
Scott Rabideau, Natural Resource Services, Inc.
Alfred T. DeCorte, Smithfield Building Official