



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

October 30, 2007

Jacques Farm, LLC
C/o Frank L. Jacques
300 Buxton Street
North Smithfield, RI 02896

Insignificant Alteration – Permit

RE: Application No. 07-0300 in reference to the property and proposed project located:

Approximately 550 feet south-southwest of Buxton Street, by utility pole no. 26, approximately 570 feet south-southwest of the intersection of Scott Farm Road and Buxton Street, Assessor's Plat 1, Lot 35, North Smithfield, RI.

Dear Mr. Jacques:

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 and has evaluated the proposed driveway with utilities to access a proposed house with ISDS and to access a proposed barn and future farm site, as illustrated and detailed on site plans submitted with your application. These site plans were received on July 18, 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. 07-0300:

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 July 18, 2007. A copy of the site plan 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 plan, these terms and conditions shall be deemed to supersede the site plan.
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 plan 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 plan must be made available for review by any DEM 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 North 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 which 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 plan 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 responsible for the proper 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.
13. You are obligated to install, utilize and follow all best management practices detailed or described on the approved site plan 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 driveway installations including culverts within the swamp must be limited to the period from July 1 to October 31 of any calendar year.
15. All plantings of shrubs, trees or other forms of vegetation as shown or detailed on the approved plan, or detailed in this permit, must be installed as soon as possible after completion of final grading; weather and season permitting. You must notify this Program in writing upon completion of the required plantings for a compliance inspection by a Program representative.
16. 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. Any plant(s) not surviving at least one full year must be replaced in kind. Likewise, any replacement plant not surviving a full year must also be replaced in kind.

17. Artificial lighting along the driveway/roadway where it crosses freshwater wetlands is not authorized in this permit.
18. This Program has made a specific revision to the approved site plan. This revision is clearly marked in red on the approved plan. This project must take place in compliance with this revisions. Specifically, the limit of disturbance and the haybales/silt fence have been extended to encompass the proposed utility line connections to pole # 27.
19. Complete all outstanding nonconformance requirements itemized in the Nonconformance Letter issued on November 29, 2006 under file no. 03-0273 (copy enclosed) by April 15, 2008.

This permit is valid for the original applicant only and is not transferable to another person unless the new owner completes and submits an **Application for Permit Transfer** in accordance with Rule 7.09.

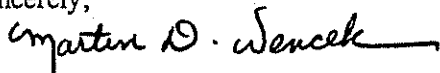
You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by this Department.

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 Daniel Kowal of this office (telephone: 401-222-4700) should you have any questions regarding this letter.

Sincerely,



Martin D. Wencek, Permitting Supervisor
Freshwater Wetlands Program
Office of Water Resources

MDW/DMK/dmk

Enclosures: Approved site plan

Copy of Nonconformance Letter of November 29, 2006 for File No. 03-0273

xc: Robert E. Benoit, North Smithfield Building Official
Scott P. Rabideau, Natural Resource Services, Inc.