



**RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

December 31, 2007

Del Bonis Sand and Gravel  
Anthony F. Del Bonis, President  
626 Smithfield Road, Unit 404  
North Providence, RI 02904

**RE:** Application No. 07-0372 in reference to the property and proposed project located:  
Approximately 1,600 feet south of the terminus of Ellen Brady Drive and approximately 3,500 feet  
west of the terminus of Julia Court, Assessor's Plat 7D, Lot 9, Richmond, RI.

Dear Mr. Del Bonis:

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 53-lot residential subdivision with associated roadways, dwellings, driveways, wells, onsite wastewater treatment systems, stormwater control system, utilities and landscaping as illustrated and detailed on site plans submitted with your application. These site plans were received on September 17, 2007.

Our observations of the subject property, review of the site plans and evaluation of the proposed project reveals that alterations of freshwater wetlands including at least Swamp and Perimeter Wetlands will result from this proposed project.

The proposed alterations affecting freshwater wetlands include at least clearing, filling, grading and creating soil disturbance and other construction disturbance within the above-noted freshwater wetlands.

It is the Program's determination pursuant to the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act (Rules) that the proposed project:

- a. Appears to represent more than a minimal change or modification to the natural characteristics, functions and/or values of the freshwater wetlands noted herein, may be detrimental to the basic natural capabilities or values associated with the freshwater wetlands to be altered, and appears to be random, unnecessary, and undesirable;
- b. Does not satisfactorily avoid, minimize or mitigate impacts to the freshwater wetlands;
- c. Does not comply with the Review Criteria set forth in Rule 10.05(C) including but not limited to Rule 10.05 (C)(6);
- d. And falls within one or more of the general categories of Significant Alterations as outlined in Rule 9.03(B), and specifically (B)(1), (2), (3b) and (3c).

Application No. 07-0372

Therefore, as proposed, this project represents a **significant alteration** to freshwater wetlands and may proceed only following submission of an **Application to Alter a Freshwater Wetland and receipt of a permit from this Program**. Upon receipt of your application, this Program will proceed with its processing pursuant to the Rules.

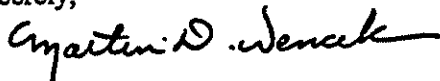
You should be aware that alternatives appear available which, without guarantee, could avoid your filing of an Application to Alter a Freshwater Wetland provided that an alternative proposal is developed and submitted under a new Request for Preliminary Determination. This alternative proposal must be developed to prevent a significant alteration pursuant to the Rules and must incorporate at least the following considerations, modifications, or recommendations:

1. Provide supporting documentation to explain why the Emergency Access Road is necessary. If it is not necessary, please eliminate it.
2. If supporting documentation shows that the Emergency Access Road is necessary, consider redesigning it to avoid and minimize impacts. For example, a) increase the span of the road to include Perimeter Wetlands; b) substantially reduce the proposed limits of disturbance; c) substantially reduce the length of the proposed retaining wall; d) reduce the width of the proposed shoulders; and e) evaluate potentially constructing the crossing in a different location.
3. On the westerly side of the Perimeter Wetlands associated with the D-series Swamp (which contains an amphibian breeding pool), preserve as much of the natural area as possible. Consider reducing the number of proposed lots, or reconfiguring the proposed development to minimize impacts.

You are strongly encouraged to contact this Program to request a meeting to discuss the proposed project and potential design alternatives, prior to submission of any future application for this site. Please also be advised that several technical deficiencies associated with the supporting documentation submitted with your application were also uncovered during our review, (e.g., incorrect scale on the crossing details provided on the site plans, conflicting information regarding the dimensions of the crossing on the site plans and in the narratives, flagged wetland edges not illustrated on the site plans).

If you are interested in further details relative to the review of this project by this Program, you are welcome to review this file at our office. Please call in advance to arrange an appointment. If you have any questions relative to this determination, you may contact either me or Jane Kelly of my staff (telephone: 401-222-6820 ext. 7420).

Sincerely,



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

Enclosure: Application Package  
MDW/JEK/jek

xc: Christopher A. Duhamel, P.E., DiPrete Engineering Associates, Inc.  
Scott Rabideau, Wetland Biologist, Natural Resource Services, Inc.  
Denise Stetson, Richmond Town Planner