



September 29, 2008

Eric Lariviere  
423 River Road  
Lincoln, RI 02865

**Insignificant Alteration – Permit**

**Re:** Application No. 08-0229 in reference to the property and proposed project located:

Approximately 30 feet east of Capron Way, and approximately 1,000 feet south of its intersection with Chestnut Hill Road, Utility Pole No. 5, Assessor's Plat 11, Lot 17, Glocester, RI

Dear Mr. LaRiviere:

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 three (3) bedroom single family dwelling with associated decks, driveway, septic system, well, and utilities, in addition to the proposed landscaping and wetland restoration plan as illustrated and detailed on site plans submitted with your application. These site plans were received on September 17, 2008.

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. 08-0229:

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 September 17, 2008. 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 Gloucester 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 or haybales 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.
14. Immediately upon installation of the required restoration plantings, this Program must be contacted to arrange an on-site inspection. Failure to satisfy the above requirements within a timely and satisfactory manner will result in referral of this issue to DEM's Office of Compliance and Inspection for further enforcement action.
15. Restoration plantings of trees and shrubs, except for necessary replacement, **must be allowed to develop naturally without being subjected to mowing or manicuring.** All restored disturbed areas must be allowed to revegetate to a natural 'wild' state.

16. This Program has made a specific revision to the approved site plans. This revision is clearly marked in red on the approved plans. This project must take place in compliance with this revision. The Permanent Limit of Disturbance has been red-lined to clarify the final approved location. Following restoration work, no work is allowed beyond this Limit of Disturbance without further review and approval by DEM.
17. A copy of this permit and a copy of the approved site plans must be forwarded to the O.W.T.S Program of the DEM's Office of Water Resources. A permit is needed from the O.W.T.S Program prior to commencing any work on this project.
18. This permit supersedes a previous permit issued by the DEM for the subject property under Application No. 05-0474.

Pursuant to the provisions in Rule 7.09 and Rule 11.04, as applicable, any properly recorded and valid permit is automatically transferred to the new owner upon sale of the property.

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

xc: Peter Scorpio, Gloucester Alternate Building Official  
Norbert Therien, National: Surveyors-Developers, Inc.  
Harold Ellis, Enforcement Supervisor, Office of Compliance and Inspection  
Charles A. Horbert, Office of Water Resources, Permitting Supervisor