



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

November 6, 2009

Jade Investment Group, LLC  
c/o Richard Marcello  
567 South County Trail - Suite 111  
Exeter, RI 02822

**Insignificant Alteration - Permit**

Re: Application No. 09-0180 in reference to the location below:

Approximately 600 feet west of South County Trail (Route 2), approximately 900 feet north of the intersection of Yawgoo Valley Road and South County Trail (Route 2), Utility Pole No. 36, Assessor's Plat 71, Block 4, Lots 3 & 12, Exeter, RI.

Dear Mr. Marcello:

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 Alzheimer's Care Facility including three buildings, paved driveways, paved parking lots, a private well, an Onsite Wastewater Treatment System (OWTS), a stormwater management system, paved walkways, and landscaping as illustrated and detailed on site plans submitted with your application. These site plans were received on October 6, 2009 and October 23, 2009.

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. 09-0180:

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 October 6, 2009 and October 23, 2009. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project that 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 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 Exeter 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. 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 hay bales and/or 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 that 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 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, until such time that you document that this responsibility has been assumed by another person or organization.
14. 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. **You must notify this Program in writing upon completion of the required plantings for a compliance inspection by a Program representative.**

15. Buffer zone and screen 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. If deer browse occurs to the point of compromising the integrity of a visual screen, a permit modification application may be submitted to substitute more deer-resistant species.
16. Artificial lighting authorized by this permit must be directed away from all vegetated wetland areas. Where this is not possible, the use of deflectors to concentrate lighting away from vegetated wetlands must be employed.
17. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. This project must take place in compliance with these revisions. Specifically, changes have been made to the details on Sheet C.5.2 (Sheet 9 of 19) of the site plans as follows:
  - a. The "Stormtech SC-740 Chamber System Detail @ Manhole #9" and the Stormtech SC-740 Chamber System Typical Cross-Section Detail" on Sheet C.5.2 shall be revised to indicate 48 inches of crushed stone below the SC-740 chambers.
  - b. The "Stormtech SC-740 Chamber System Detail @ Manhole #9" shall be revised to indicate a 71.67-foot bottom of crushed stone bed elevation.
  - c. A note has been added clarifying that the design shall include two "Stormtech Isolator-TM Rows"; one between catch basin (CB) #7 and Manhole (MH) #8, and one between CB #8 and MH #9.

**Additionally, site plan sheets have been renumbered consecutively, per Rule 7.03 (F). Landscape plans have been incorporated into the plan set and numbered accordingly.**

18. This permit supersedes a previous permit issued by the DEM for the subject property under Application No. 06-0451.

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.

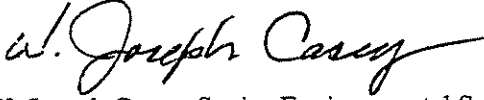
You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by this Department.

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 Claire Swift of this office (telephone: 401-222-6820 x 7418) should you have any questions regarding this letter.

Sincerely,



W. Joseph Casey, Senior Environmental Scientist  
Office of Water Resources  
Freshwater Wetlands Program

WJC/CVS/cvs

Enclosure: Approved site plans

xc: Brian Moore, DEM OWTS Permitting Section  
Ronald A. DeFrancesco, Exeter Building Official  
Daniel R. Cotta, P.E., American Engineering, Inc.  
Diana C. Soule, ASLA