



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767 TDD 401-222-4462

December 14, 2009

Guaranteed Builders, Inc.
Attn: Louis C. Tusino, President
14 West Street
Douglas, MA 01516

Insignificant Alteration – Permit

Re: Application No. 09-0259 in reference to the location below:

Approximately 40 feet northeast of Indian Trail and approximately 180 feet southeast of the intersection of Indian Trail and Laurel Lane, at Utility Pole No. 24, Sunrise Garden Plat Section 1, Lot 13, Glocester, RI

Dear Mr. Tusino:

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 after-the-fact proposal for a two (2) bedroom single family residence with associated well, septic system, gravel driveway and associated grading and landscaping as illustrated and detailed on site plans submitted with your application. The most recently revised site plans were received on December 3, 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. 09-0263:

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 December 3, 2009. A copy of the site plans stamped approved by the DEM is enclosed. Further 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. 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.
5. 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.
6. 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.
7. **Within 30 days of the issuance of this permit**, permanent buffer zone markers must be installed along the limit of disturbance 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.**
8. Immediately upon installation of the buffer zone markers, this Program must be contacted in writing to arrange an on-site inspection.
9. 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. **Please note at least one of the screening plantings located northwest of the residence is within 10 feet of the foundation. Screening vegetation should be moved, weather and season permitting, at least ten feet (10') away from the foundation to allow the screening tree room to grow naturally.**
10. All areas replanted with buffer zone plantings of trees and/or shrubs planted between the project and any adjacent freshwater wetland areas, except for necessary replacement, must be allowed to develop naturally without being subjected to any cutting, mowing or manicuring.
11. This Program has made specific revision to the approved site plans. The location of the required buffer zone markers has been clearly marked in red on the approved plans. This project must take place in compliance with this revision.

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 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.

Finally, this letter will also serve as notification that all items of violations identified in our August 27, 2009 Notice of Intent to Enforce have been resolved to the satisfaction of the Department. Your cooperation in resolving this matter is appreciated.

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
Office of Water Resources
Freshwater Wetlands Program
CAH/KHM/khm

Enclosure: Approved site plans

xc: Brian Moore, O.W.T.S
 Harold Ellis, Enforcement Supervisor, Office of Compliance & Inspection
 Lawrence Desormier, Gloucester Building Official