



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

January 27, 2010

Lawrence G. Casey
International Water Association
301 Nooseneck Hill Road
Richmond, RI 02898

Insignificant Alteration – Permit

RE: Application No. 09-0288 in reference to the property and proposed project located:

Approximately 75 feet west of Carolina Nooseneck Road, approximately 600 feet south of the intersection of Carolina Nooseneck Road and Buttonwoods Road, Assessor's Plat 4-C, Lot 17, Richmond, RI.

Dear Mr. Casey:

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 single-family dwelling with associated driveway, utilities, well, on-site wastewater treatment system, 6-inch subdrain, and landscaping as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on November 30, 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. 09-0288:

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 November 30, 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 Richmond 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 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. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. Specifically, because the width of the limits of disturbance around the northwesterly and southwesterly corners of the proposed dwelling are less than the 10-foot minimum, the disturbance limits in these areas has been revised to ten (10) feet wide. This project must take place in compliance with these revisions.

14. A permit is needed from the DEM On-site Wastewater Treatment System Program (OWTS) prior to commencing any work on this project.
15. Also prior to commencement of any site alterations, 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 inch x 4 inch pressure treated timber posts, galvanized fence posts with cap, or granite or concrete bounds. Markers must extend a minimum 24 inches 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 inches tall placed along the limits of disturbance may be substituted where desired. No alterations of any kind are permitted beyond these markers without first obtaining the necessary permit from this Program.

In addition, you are required to carefully remove the unauthorized wooden structure that has been constructed over the River channel ("shed" depicted on the site plans). None of the trees or other woody vegetation present within freshwater wetlands may be cut or removed during demolition and removal of this previously unauthorized structure. You must also make sure that all necessary measures to prevent damage to the aforementioned trees and woody vegetation are implemented prior to any demolition and removal activities. If the use of any machinery to complete the required activity could damage the existing trees and other woody vegetation present within freshwater wetlands, you are required to remove the unauthorized structure by hand. All associated debris must be properly disposed of outside of freshwater wetlands. Removal of this wooden structure must take place PRIOR to on-site occupancy of the proposed dwelling, and must occur during low flow conditions ((i.e., the period from July 1 to October 31 of any calendar year).

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.

Kindly be advised that this permit is not equivalent to a verification of the type or extent of freshwater wetlands on site. Should you wish to have the types and extent of freshwater wetlands verified, you may submit the appropriate application in accordance with Rule 8.03.

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 Jane Kelly of this office (telephone: 401-222-6820 x 7420) should you have any questions regarding this letter.

Sincerely,



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

MDW/JEK/jek

Enclosure: Approved site plans

Xc: Loren R. Gengarella, Richmond Building Official
Mohamad B. Nader, P.E., American East Engineers & Consultants, Inc.
Brian Moore, DEM, OWTS Program