



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

January 23, 2013

Michael Baird  
Baird Properties, LLC  
17 Reservoir Road  
Coventry, RI 02816

### REVISED PERMIT

Re: Application No. 10-0108 in reference to the location below:

Approximately 400 feet southwest of the intersection of Nooseneck Hill Road (Route 3) and Austin Farm Road, Utility Poles 377-380, Assessor's Plat 20, Block 3, Lots 24 & 25, Exeter, RI

Dear Mr. Baird:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application for Permit Modification** and has evaluated your proposed modifications to the permitted commercial building, parking, septic system, well, utilities, driveways, stormwater drainage system, landscape material storage areas, and associated landscaping as illustrated and detailed on revised site plans submitted with your application. The revised site plans were received on January 9, 2013.

Based upon the Program's evaluation of the revised project and pursuant to Rule 11.03 of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act (Rules), it is the Program's determination that a revised permit for the modified project may be issued under the following terms and conditions:

1. This letter is the DEM's revised 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 revised permit is specifically limited to the project, site alterations and limits of disturbance as detailed on the site plan submitted with your application and received by the DEM on January 9, 2013. A copy of the site plan 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 revised permit conflict with the approved site plan, these terms and conditions shall be deemed to supersede the site plan.
4. A copy of the stamped approved site plan and a copy of this revised permit must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of this revised permit and the stamped approved plan must be made available for review by any DEM representative upon request.

5. Within ten (10) days of the receipt of this revised permit, you must record this permit in the land evidence records of the Town of Exeter and supply this Program with written documentation showing this revised permit was recorded.
6. Pursuant to R.I. Gen. Laws § 42-17.1-2.5 this permit is subject to tolling and shall be valid until July 1, 2017 unless renewed pursuant to the Rules.

Except as authorized in this revised permit pursuant to revised and approved site plans (enclosed), all terms and conditions previously specified in the Program's permit dated July 7, 2010 (copy enclosed) remain in effect.

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.

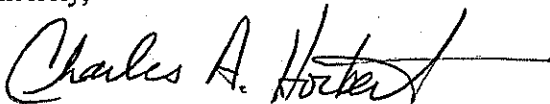
You are required to comply with the terms and conditions of this revised permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by the Program.

In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

This revised 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 Andrew Charpentier of this Program (telephone: 401-222-6820 Ext. 7414) should you have any questions regarding this letter.

Sincerely,



Charles A. Horbert, Permitting Supervisor  
Office of Water Resources  
Freshwater Wetlands Program  
CAH/AC/ac

Enclosures: Approved revised site plan  
Original Permit letter

xc: Ronald A. DeFrancesco, Exeter Building Official  
Timothy Behan, P.E., TJB Engineering, LLC  
Kirk Andrews, K. Andrews Assoc.  
Scott Rabideau, Natural Resource Services



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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

July 7, 2010

Michael Baird  
Baird Properties, LLC  
17 Reservoir Road  
Coventry, RI 02816

**Insignificant Alteration – Permit**

Re: Application No. 10-0108 in reference to the location below:

Approximately 400 feet southwest of the intersection of Nooseneck Hill Road (Route 3) and Austin Farm Road, Utility Poles 377-380, Assessor's Plat 20, Block 3, Lots 24 & 25, Exeter, RI

Dear Mr. Baird:

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 commercial building with associated parking, septic system, non potable well, utilities, driveways, stormwater drainage system, landscape material storage areas and associated landscaping as illustrated and detailed on site plans submitted with your application. These site plans were received on May 26, 2010.

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. 10-0108:

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 has been received by the DEM on May 26, 2010. 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 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 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 hay bales and/or silt fence must be removed.
12. You are responsible for the proper installation, operation, maintenance and stability of any mitigative features, stormwater facilities, and systems of treatment and control which are installed or used in compliance with this permit to prevent harm to adjacent wetlands until such time that you document that this responsibility has been assumed by another person or organization.
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.
14. You must provide written certification from a registered land surveyor or registered professional engineer that the stormwater drainage system including any and all basins, piping systems, catch basins, culverts, swales and any other stormwater management control features have been constructed/installed in accordance with the site plans approved by this permit. This written certification must be submitted to this Program within twenty (20) days of its request or upon completion of the project.

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.

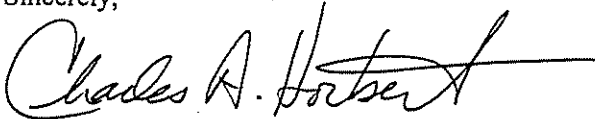
You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by this Department.

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.

Please contact Andrew Charpentier of this office (telephone: 401-222-6820, ext. 7414) should you have any questions regarding this letter.

Sincerely,



Charles A. Horbert, Permitting Supervisor  
Office of Water Resources  
Freshwater Wetlands Program  
CAH/AC/ac

Enclosure:      Approved site plans

xc:      Brian Moore, DEM OWTS Program  
         Stephen Tyrrell, DEM Office of Compliance & Inspection  
         Ronald A. DeFrancesco, Exeter Building Official  
         Timothy J. Behan, P.E., TJB Engineering, LLC  
         Scott P. Rabideau, Natural Resources Services  
         Kirk Andrews, Andrews Associates