



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

May 16, 2011

James Chacharone
1 West Boylston Street
Worcester, MA 01605

Insignificant Alteration – Permit

Re: Application No. 10-0247 in reference to the location below:

Approximately 950 feet east of Quaker Highway (Rte. 146A), near Utility Pole No. 621, and approximately 1085 feet north of its intersection with Central Street, Assessor's Plat 1, Lot 459, North Smithfield, RI

Dear Mr. Chacharone:

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 four (4) lot industrial subdivision with associated access road, utilities and stormwater management system as illustrated and detailed on site plans submitted with your application. While details of individual lot development are not provided, this permit assumes (as noted on the approved site plans) that new impervious areas are not to exceed 75% of the developable area of each lot. These site plans were received on April 11, 2011.

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. 10-0247:

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 as herein modified, and received by the DEM on April 11, 2011. 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 of all project areas, including individual lot development. 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 North Smithfield 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. Pursuant to R.I. Gen. Laws § 42-17.1- 2.5 this permit is subject to tolling and shall be valid until July 1, 2015 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, including lot development, 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 fencing, if used, 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. This responsibility includes ensuring that stormwater systems developed for each individual lot are appropriately directed to the approved stormwater system while maintaining all construction within the approved limits of disturbance.
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.

15. 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. Specific revisions include the following:
- a. The "limit of clearing" depicted on sheet 7 of 14 of the site plans is misleading and irrelevant, and has replaced with the "limit of disturbance" as depicted on sheet 9. No clearing or other disturbances are permitted beyond the limit of disturbance.
 - b. The elevation of the weir of the emergency spillway has been revised to 313.0', so as to provide the basin with a one foot freeboard.
 - c. At least one of the proposed anti-seep collars is to be located between the outlet control structure and the buried plastic impervious liner.
 - d. The first two site plan sheets have been consecutively numbered as required.
16. As indicated, the proposed wells are to be used as "drinking water wells". Any installation of a large capacity production well for use to obtain water for industrial processes is not authorized under this permit. Such proposals will require a separate application and permit from this office.

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 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: Robert E. Benoit, North Smithfield Building Official
Robert Ericson, North Smithfield Town Planner
Steven M. Clarke, P.E., Commonwealth Engineers & Consultants, Inc.