



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

August 22, 2011

Landings Real Estate Group
c/o Christopher C. Bicho, Managing Member
One Mill Street
Newport, RI 02840

Re: Application No. 11-0160 in reference to the property and proposed project located:

Approximately 10 feet north of Rolens Drive and approximately 725 feet east of its intersection with Kingstown Road (Route 108), near Utility Pole No. 7964, Assessor's Plat 32-4, Lots 28 and 29, South Kingstown, RI.

Dear Mr. Bicho:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program, ("Program") has completed its review of your proposed 1,200 square foot leasing office building with drywell, utilities, landscaping and associated site alterations as illustrated and detailed on site plans submitted with your application. The site plans referenced by this letter and on file with this Program were received on August 9, 2011.

Our inspection reveals that freshwater wetlands regulated by the DEM are present on or in close proximity to the subject property. Review of your proposed project, however, reveals that this project that this project does not represent an alteration to these freshwater wetlands and it is our determination therefore that a permit for this project pursuant to the Freshwater Wetland Act (Rhode Island General Law Section 2-1-18 et seq.) or the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act is not required. This Determination is specific to the proposed site alterations illustrated and detailed on site plans on file with this Program and is further predicated on the following:

1. Adequate measures are employed during and after site alterations to control soil erosion and to prevent any sediment from such erosion being deposited in any freshwater wetlands. You should consult the Rhode Island Soil Erosion and Sediment Control Handbook for appropriate methods to control erosion and prevent sediment from leaving your project site.
2. This determination does not authorize you to modify your project in such a way as to result in the following:
 - a. An increase in the rate and/or volume of surface water runoff flowing into, or draining or diverting from these wetlands; or
 - b. A diversion of groundwater into or away from these wetlands; or
 - c. A modification to the quality of water reaching these wetlands, which could change their natural character.

Please note that this Determination is specific to this proposed project as illustrated on the reviewed site plans, is valid until July 1, 2017 and does not remove your obligation to obtain any local, state or federal approvals or permits required by ordinance or law.

Kindly be advised that this determination 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 Rule 8.03.

Modification to your project, which would result in an alteration or allowing your project to result in an alteration to freshwater wetlands, requires a permit from this Program. Unauthorized alterations to freshwater wetlands are subject to enforcement action.

Enclosed please find one (1) copy of your site plans stamped REVIEWED by this Program. Please contact me (telephone: 401-222-6820, ext. 7408) should you have any questions.

Sincerely,

Nancy L. Freeman

Nancy L. Freeman, Senior Environmental Scientist
Freshwater Wetlands Program
Office of Water Resources
NLF/nlf

Enclosure: Reviewed Site Plan

xc: Eric Prive, P.E., DiPrete Engineering
Jeffrey T. O'Hara, South Kingstown Building Official

RECEIVED
AS APPEAL