



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

August 24, 2015



Kelly Conway
96 West Mountain Road
Canton, CT 06019

REVISED PERMIT

RE: Application No. 13-0090 in reference to the property and proposed property located:

Approximately 220 feet south of Mansion Road and approximately 1,350 feet east/southeast of its intersection with Corn Neck Road, near Utility Pole No.2, Assessor's Plat 3, Lot 138, New Shoreham, RI.

Dear Ms. Kelly:

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 four-bedroom dwelling, garage, pervious driveway, private well, Onsite Wastewater Treatment System ("OWTS"), utilities, drainage, grading and landscaping as illustrated and detailed on revised site plans submitted with your application. The revised site plans were received on August 12, 2015.

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 plans submitted with your application and received by the DEM on. 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 revised 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 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 plans must be made available for review by any DEM representative upon request.

Application No. 13-0090

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 and supply this Program with written documentation obtained from the Town showing this revised permit was recorded.
6. This revised permit expires July 1, 2020 unless renewed pursuant to the Rules.
7. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. Specifically the site plan set has been renumbered 1 of 3 through 3 of 3.

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 September 19, 2013 (copy enclosed) remain in effect.

Pursuant to the provisions in Rule 7.09 and 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 me (telephone: 401-222-6820, ext. 7408) should you have any questions regarding this letter.

Sincerely,

Nancy L. Freeman

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

NLF/nlf

Enclosure: Approved revised site plans

cc: Jennifer Ryan, OWTS Program
Marcus Channell, Atlas Land Surveying
Ken Cole, Green Hill Environmental
Marc A. Tillson, New Shoreham Building Official



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

September 19, 2013

Mary Flo Cleaver
820 Stafford Avenue
Bristol, Connecticut 06010

Insignificant Alteration – Permit

Re: Application No. 13-0090 in reference to the property and proposed project located:

Approximately 220 feet south of Mansion Road and approximately 1350 feet east/southeast of its intersection with Corn Neck Road, near Utility Pole No. 2, Assessor's Plat 3, Lot 138, New Shoreham, RI.

Dear Ms. Cleaver:

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-bedroom dwelling, driveway, boulder retaining wall, Onsite Wastewater Treatment System (OWTS), private well, utilities, drainage (two vegetative swales and an infiltration trench), grading and landscaping as illustrated and detailed on site plans submitted with your application. These site plans were received on August 30, 2013.

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. 13-0090:

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 August 30, 2013. 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 New Shoreham 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 July 1, 2019 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 silt fence must be removed.
12. You are responsible for the proper installation, operation, maintenance and stability of any mitigative features, 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.

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 Rule 8.03.

Please be advised that a permit is needed from the O.W.T.S. Program prior to commencing any work on this project.

This Permit also constitutes your authorization from the U.S. Army Corps of Engineers ("Corps") under Section 404 of the Clean Water Act for the work proposed. Your project qualifies as a Category 1 activity under the Rhode Island Programmatic General Permit (General Permit No. NAE-2011-2402), (RI GP). You can view this permit at http://www.nae.usace.army.mil/Regulatory/SGP/RI_PGP.pdf. You are, therefore, not required to file a separate application with the Corps.

Please note that the General Conditions within the RI GP apply to all activities authorized under the RI GP. Please review them carefully to thoroughly familiarize yourself with their contents. You may wish to discuss all permit conditions with your contractor to ensure that the work can be accomplished in a manner which conforms to all requirements.

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 and/or subject you to the enforcement provisions of the Corps' regulations.

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 me of this office (telephone: 401-222-6820, ext. 7408) should you have any questions regarding this letter.

Sincerely,

Nancy L. Freeman

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

Enclosure: Approved site plans

xc: Marcus Channell, PLS, Atlas Land Surveying, LLC
Ken Cole, Environmental Scientist, Green Hill Environmental, LLC
Timothy J. Behan, P.E., TJB Engineering, LLC
Marc A. Tillson, New Shoreham Building Official
Brian Moore, P.E. OWTS Program
ec: Michael Elliott, ACOE, NE District