



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

November 6, 2013

Chambers 2012 Issued Trust, attn.: James A. Duchesneau
and Quaker Valley Mall Land Condominium, Attn: Robert Nickerson, President
c/o Attorney Joseph Shekarchi
33 College Hill Rd, Suite 15-E
Warwick, RI 02886

Re: Application No. 13-0157, RIPDES #RIR101089, UIC #001573 in reference to the location below:

Approximately 200 feet west of Quaker Lane, approximately 1100 feet north of the intersection of Quaker Lane and East Greenwich Avenue, Tax Assessor's Plat 29, Lots 396 and a portion of 390, West Warwick, RI

Dear Mr. Duchesneau and Mr. Nickerson:

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 new automobile dealership with associated parking area, utilities, stormwater drainage system and landscaping as illustrated and detailed on site plans submitted with your application. The most recently revised site plans were received on October 23, 2013.

Our inspection reveals that there are no freshwater wetlands regulated by the DEM on or immediately adjacent to the subject property that would be altered by this project. Therefore, no freshwater wetlands permit for this project is required from the DEM pursuant to the Freshwater Wetlands Act (Rhode Island General Law Section 2-1-18 et seq.) or Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act. This Determination is specific to the proposed site alterations and subject property illustrated and detailed on the site plans on file with this Program.

The proposed project does however require RIPDES and UIC authorization which were reviewed concurrently with the wetland review. This included review of any stormwater infiltration system subject to the RI DEM "Rules for the Discharge of Non-Sanitary Wastewater and Other Fluid To or Below the Ground Surface". Our review has concluded that the design of the proposed underground infiltration systems has satisfied the requirements of those Rules. Your UIC file number for future reference is No. **001573**. The following terms and conditions apply to your UIC authorization:

- 1) Any alterations or modifications to the stormwater system from that approved herein, including permanent closure, must be reviewed and approved by RIDEM prior to being effected.



- 2) The property owner/applicant shall periodically inspect, clean, and maintain the stormwater collection and disposal system to ensure proper performance of all components as specified in the "Post Construction Pollution Protection and Stormwater Management System Operation and Maintenance Manual" dated October 2013 as prepared by Crossman Engineering.
- 3) This Groundwater Discharge/UIC Program registration to construct and install the stormwater system is subject to tolling pursuant to RI General Laws 42-17.1-2.5 and shall expire on July 1, 2019.

Additionally, the Program has reviewed this project in accordance with the standards of the RIPDES General Permit for Storm Water Discharge Associated with Construction Activity ("CGP"). Construction Activities which disturb one (1) or more acres of land and where storm water runoff is directed, via a point source, into a separate storm sewer system or into the waters of the State, are required to seek coverage under the Rhode Island Pollutant Discharge Elimination System (RIPDES) storm water permit. Our review has determined that the project has been designed to meet the requirements of the 2013 GP. This determination therefore includes your final authorization to discharge storm water associated with construction activity under the CGP. For future references and inquiry, your permit authorization number is RIPDES No. **RIR101089**.

Both the owner and the contractor retained to undertake the construction activity are required to comply with all terms and conditions of the CGP. This includes maintaining the Soil Erosion and Sediment Control (SESC) Plan, performing the required inspections and maintenance of the selected Best Management Practices (BMPs), and retaining inspection records. Further information on the requirements of the CGP are available at:

<http://www.dem.ri.gov/pubs/regs/regs/water/ripdesca.pdf>.

Please be aware that the RIDEM's Rules and Regulations Governing the Establishment of Various Fees require that RIPDES CGP permit holders to pay an Annual Fee of \$100.00. An invoice will be sent to the owner on record in May/June of each year if the construction was still active as of December 31st of the previous year. The owner will be responsible for the Annual Fee until the construction activity has been completed, the site has been properly stabilized, and a completed Notice of Termination (NOT) has been received by the RIPDES Program. A copy of the NOT can be found attached to the CGP on the web page referenced above.

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. You are also responsible for ensuring that your project complies at all times with the UIC Rules and the RIPDES GP.

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

This determination 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, Program Supervisor
Office of Water Resources
Freshwater Wetlands Program
CAH/KHM/khm

Enclosure: Approved site plans

xc: Traci Pena, DEM RIPDES Program
Ernie Panciera, DEM UIC Program
Steven Cabral, P.E., Crossman Engineering, Inc.
Alfred T. DeCorte, West Warwick Building Official