



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES
235 Promenade Street
Providence, Rhode Island 02908

May 31, 2017

SLM Properties, LLC
Nayan Patel, President
500 Mendon Road, Unit 423
Cumberland, RI 02864

REVISED PERMIT

Re: Application No. 14-0071 in reference to the location below:

132 Mendon Road, approximately 200 feet northwest of Mendon Road near utility pole 475, and approximately 700 feet south of its intersection with Broad Street, Assessor's Plat 12, Lots 4 & 15, Cumberland, RI

Dear Mr. Patel:

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 with associated parking areas as illustrated and detailed on revised site plans submitted with your application. The revised site plans were received on May 12, 2017.

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 May 15, 2017. A copy of the site plans stamped approved by the DEM is enclosed. Further 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.
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 Cumberland and supply this Program with written documentation obtained from the Town showing this revised permit was recorded.

Application No. 14-0071

6. This revised permit expires on the same day as the original permit (July 1, 2019).

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 February 17, 2015 (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

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 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
Freshwater Wetlands Program
Office of Water Resources
CAH/KHM/khm

Enclosure: Approved revised site plans
Letter dated February 17, 2017

cc: Nicholas Noons, RIDEM Office of Waste Management
Neil J. Hall, Cumberland Building Official
Kambiz Karbassi, P.E., Commonwealth Engineering & Construction Inc.



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
235 Promenade Street, Providence, RI 02908-5767 TDD 401-222-4462

February 17, 2015

SLM Properties, LLC
Nayan Patel, President
500 Mendon Road, Unit 423
Cumberland, RI 02864

Insignificant Alteration – Permit

Re: Application No. 14-0071 & RIPDES file RIR101147 in reference to the location below:

Approximately 200 feet northwest of Mendon Road near utility pole 475(at 132 Mendon Road), and approximately 700 feet south of its intersection with Broad Street, Assessor's Plat 12, Lots 4 & 15, Cumberland, RI

Dear Mr. Patel:

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 two story commercial building with associated parking, stormwater drainage facilities, utilities and landscaping as illustrated and detailed on site plans submitted with your application. The most recently revised site plans were received by the DEM on January 21, 2015.

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. 14-0071; RIPDES No. RIR101147:

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. This application review has also included review related to the RIPDES "General Permit for Storm Water Discharge Associated with Construction Activity".
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 January 21, 2015. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project that 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 Cumberland 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, 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 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 that are installed or used in compliance with this permit to prevent harm to adjacent wetlands. Operation and maintenance of the stormwater facilities on site must be done in accordance with the "Operation & Maintenance Manual for AP12, Lots 4 & 15 in Cumberland, RI" prepared by Commonwealth Engineers & Consultants, Inc., as most recently revised February 13, 2015.
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. Due to the location of proposed alterations within floodplain on the subject property, written certification must be provided to this Program by a registered land surveyor that all grading has been accomplished as permitted. Such certification shall be submitted within twenty (20) days of completion of the required excavation and grading.
15. 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.

The RIDEM Office of Waste Management has reviewed materials provided by Lake Shore Environmental and concurred that the site conditions are not a jurisdictional release pursuant to the Remediation Regulations. Should conditions at the site previously unknown to the Department or information previously unknown to the Department become available, the Department reserves the right to require additional actions under the Rules and regulations for the Investigation and Remediation of Hazardous Material Releases. This may also precipitate the need for an Application for Permit Modification if changes to your project result.

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.

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. **RIR101147**.

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 is 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 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.

Kindly be advised that this permit is not equivalent to a verification of the type or extent of freshwater wetlands on site. Should you wish to have the types and extent of freshwater wetlands verified, you may submit the appropriate application in accordance with the Rules.

Application No. 14-0071

Page 4

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 x7732) 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

cc: Traci Pena, RIPDES Program
Gary Jablonski, RIDEM Office of Waste Management
David Newton, EPA
Neil J. Hall, Cumberland Building Official
Karen Beck, Commonwealth Engineering & Construction Inc.

xc: Norman Reisch, Member, Third Mega, LLC



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES
235 Promenade Street
Providence, Rhode Island 02908

August 3, 2017

SLM Properties, LLC
Nayan Patel, President
500 Mendon Road, Unit 423
Cumberland, RI 02864

REVISED PERMIT

Re: Application No. 14-0071 in reference to the location below:

132 Mendon Road, approximately 200 feet northwest of Mendon Road near utility pole 475, and approximately 700 feet south of its intersection with Broad Street, Assessor's Plat 12, Lots 4 & 15, Cumberland, RI

Dear Mr. Patel:

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 with associated parking areas as illustrated and detailed on revised site plans submitted with your application. The revised site plans were received on July 27, 2017.

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 July 27, 2017. A copy of the site plans stamped approved by the DEM is enclosed. Further 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.

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 on the same day as the original permit, which has been tolled pursuant to R.I. Gen. Laws § 42-17.1- 2.5 and expires on July 1, 2020.

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 February 17, 2015 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

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 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
Freshwater Wetlands Program
Office of Water Resources
CAH/KHM/khm

Enclosure: Approved revised site plans

cc: Nicholas Noons, RIDEM Office of Waste Management
Peter Scorpio, Cumberland Building Official
Timothy Behan, P.E., Commonwealth Engineering & Construction Inc.