



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

October 27, 2015

Highland Hills Apartments, LLC
Jason Kambitsis, Director Land Development
310 Seven Fields Boulevard, Suite 350
Seven Fields, PA 16046

REVISED PERMIT

Re: Application No. 14-0166. UIC # 001629, RIPDES # RIR101197 in reference to the property and proposed property located:

Approximately 700 feet east of Highland Corporate Drive and approximately 800 feet south of its intersection with Scenic View Drive, Assessor's Plat 51, Lot 11, Cumberland, RI.

Dear Mr. Kambitsis:

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 200-unit residential apartment development with buildings, roadways, parking, sidewalks, utility connections (with municipal sewer and water), drainage, culvert installation, retaining walls, and landscaping as illustrated and detailed on revised site plans submitted with your application. The revised site plans were received on September 16, 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 September 16, 2015. 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.
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. Pursuant to R.I. Gen. Laws § 42-17.1- 2.5 this revised permit is subject to tolling and shall be valid until July 1, 2020 unless renewed pursuant to the Rules.
7. The long term operation and maintenance plan shall be strictly followed. The long term O & M Plan shall be that entitled "Long Term Operations and Maintenance Plan for Highland Hills, Highland Corporate Drive, Cumberland, Rhode Island, Plat 51, Lot 11" dated September 2015, indicated as Prepared by: Crossman Engineering, Engineers & Surveyors, 151 Centerville Road, Warwick, RI 02886.
8. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. Specifically, site plan sheets 45 through 49 of 49 (architectural drawings) have been omitted and the remaining sheets renumbered 1-44 of 44.

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 December 22, 2014 (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

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

Sincerely,



Charles A. Horbert, Program Supervisor
Freshwater Wetlands Program
Office of Water Resources
CAH/NLF/nlf

Enclosure: Approved revised site plans

cc: Traci Pena, RIPDES Program
Karen Sorenson, RIDEM UIC Program
Robert Anderson, Cumberland Director of Public Works
Peter Scorpio, Cumberland Building Official
Steven M. Cabral, P.E., Crossman Engineering



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

December 22, 2014

Highland Hills, LLC
Colin P. Kane, Principal
177 Old River Road
Lincoln, RI 02865

Insignificant Alteration – Permit

Re: Application No. 14-0166; RIPDES No. RIR101197; and UIC No. 001629 in reference to the property and proposed project located:

Approximately 700 feet east of Highland Corporate Drive and approximately 800 feet south of its intersection with Scenic View Drive, Assessor's Plat 51, Lot 11, Cumberland, RI.

Dear Mr. Kane:

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 200-unit residential apartment development with associated buildings, roadways, parking areas, sidewalks, utility connections (municipal sewer and water), stormwater management systems, culvert installation, retaining walls and landscaping as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on November 12, 2014.

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: 14-0166; RIPDES No. RIR101197; and UIC# 001629

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" as well as 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"
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 November 12, 2014. 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 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 silt fencing material 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 until such time that you document that this responsibility has been assigned to another entity.
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. Artificial lighting authorized by this permit must be directed away from all vegetated wetland areas. Where this is not possible, the use of deflectors to concentrate lighting away from vegetated wetlands must be employed.

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.
16. This permit supersedes a previous permit issued by the DEM for the subject property under Application No. 08-0371.
17. The long term operation and maintenance plan shall be strictly followed. The long term O & M Plan shall be that entitled "Long Term Operations and Maintenance Plan for Highland Hills, Highland Corporate Drive, Cumberland, Rhode Island, Plat 51, Lot 11" dated November 2014, indicated as Prepared by: Crossman Engineering, Engineers & Surveyors, 151 Centerville Road, Warwick, RI 02886.
18. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. And include the following:
 - On Sheet 35 of 44 Drawing C15 on the "Typical Detail Referencing Underground Infiltration and Detention System Stormtrap 3-0 Installation Detail" the 4' separation distance shall be revised so as to depict a 4' separation from the design GWT to the bottom of the proposed stone layer.
 - On Sheet 38 of 44 Drawing Number C18 the "Typical Porous Pavement Structure Detail" Note 2 shall be deleted and relocated to the "Patio Note" on the same sheet.

This project must take place in compliance with these revisions.

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. **RIR101197**.

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.

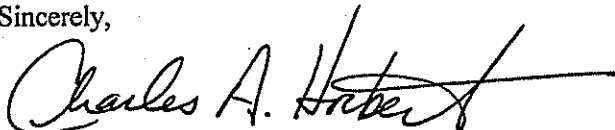
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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.

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 Nancy Freeman of this office (telephone: 401-222-6820 x 7408) should you have any questions regarding this letter.

Sincerely,



Charles A. Horbert, Program Supervisor
Office of Water Resources
Freshwater Wetlands Program
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Enclosure: Approved site plans

cc: Traci Pena, RIPDES Program
Ernie Panciera, RIDEM UIC Program
Eugene Jeffers, Cumberland Director of Public Works
Neil J. Hall, Cumberland Building Official

xc: Steven M. Cabral, P.E., Crossman Engineering