



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

January 9, 2015

Michael & Christine Payette  
482 Rocky Hill Road  
North Scituate, RI 02857

**Insignificant Alteration – Permit**

**Re:** Application No. 14-0201 in reference to the location below:

Approximately 150 feet south of Rocky Hill Road, approximately 2,800 feet west of its intersection with Gleaner Chapel Road, Utility Pole No. 103, Assessor's Plat 23, Lot 53, Scituate, RI

Dear Mr. & Mrs. Payette:

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 modifications to a previously approved single-family development, including driveway enlargement, rain garden, and roof drain modification as illustrated and detailed on site plans submitted with your application. These site plans were received on November 18, 2014.

Our observations of the subject property, review of the site plans and evaluation of the proposed project reveals that the proposed alterations of freshwater wetlands have already occurred, with the exception of the proposed rain garden. This after-the-fact application was required in order to seek approval of the resulting unauthorized alterations as well as to update stormwater treatment to current standards. Pursuant to Rule 9.00 of the Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act (Rules), it is our determination that this project as now designed may be permitted as an **insignificant alteration** to freshwater wetlands *under the following terms and conditions*:

**Terms and Conditions for Application No. 14-0201:**

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 has been received by the DEM on November 18, 2014. 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 construction of the rain garden and again upon completion of the required plantings and modification to roof drains as depicted on the approved site plans.

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 Scituate 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. **Note, however, that deadlines specified herein with respect to construction of the rain garden, modification of roof drains and installation of evergreen plantings take precedence.**
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 further 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. Construction and temporary stabilization (with mulch or an erosion control mat) of the proposed rain garden must be completed **no later than February 28, 2015**. Final stabilization with seeding to revegetate the swales can be delayed until more favorable planting conditions occur in the spring. Installation of turf rather than temporary stabilization mulching or mating is also acceptable.
11. 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.
12. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls consisting of hay bales and/or silt fence must be removed.
13. You are responsible for the proper installation, operation, maintenance and stability of any features for treatment and control of stormwater which are installed or used in compliance with this permit to prevent harm to adjacent wetlands until such time that you no longer own the property.
14. 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.
15. All plantings of shrubs, trees or other forms of vegetation as shown or detailed on the approved plans, or detailed in this permit, must be installed **no later than May 15, 2015**. Any plantings which fail to survive one full growing season shall be replaced. Replacement plantings shall be similarly guaranteed for one full growing season.

16. Buffer zone plantings of trees and/or shrubs proposed between the project and any adjacent freshwater wetland areas, except for necessary replacement, must be allowed to develop naturally without being subjected to any cutting, mowing or manicuring.
17. Existing roof drains at the northeast corner of the dwelling are to be removed and replaced with outlets directed to splash pads located immediately adjacent to the dwelling **no later than May 15, 2015.**
18. Also prior May 15, 2015, permanent pressure-treated post buffer zone markers must be installed along the limit of disturbance as depicted on the approved site plans, in order to provide permanent reference points on site that are clear to present and future property owners. Other acceptable permanent type markers include galvanized fence posts with cap, or granite or concrete bounds. Markers must extend a minimum 24" above grade. A permanent-type tag or sign labeled "RIDEM Buffer Zone" must be placed on each marker. A permanent-type fence at least 24" tall placed along the limits of disturbance and similarly labeled may be substituted where desired. **No alterations of any kind are permitted beyond these markers without first obtaining the necessary permit from this Program.**

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.

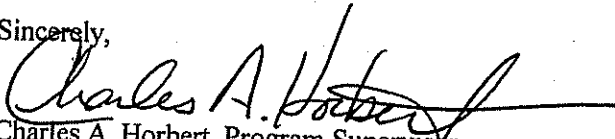
You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by this Department.

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 Andrew Charpentier of this office (telephone: 401-222-6820, ext. 7414) should you have any questions regarding this letter.

Sincerely,



Charles A. Horbert, Program Supervisor  
Office of Water Resources  
Freshwater Wetlands Program  
CAH/AC/ac

Enclosure: Approved site plans

cc: David Provonsil, Scituate Building Official  
Mohamed Freij, DEM OWTS Program  
Norbert A. Therien, National Surveyors-Developers Inc.