



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

April 21, 2015

Michael Baird
Baird Properties, LLC
17 Reservoir Road
Coventry, RI 02816

Insignificant Alteration – Permit

Re: Application No. 15-0009 and RIPDES No. RIR101231 in reference to the location below:

Approximately 400 feet southwest of the intersection of Nooseneck Hill Road (Route 3) and Austin Farm Road, Utility Poles 377-380, Assessor's Plat 20, Block 3, Lots 24 & 25, Exeter, RI

Dear Mr. Baird:

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 three lot subdivision, five (5) self-storage buildings, paved access road and parking, stormwater treatment structures and associated landscaping as illustrated and detailed on site plans submitted with your application. The most recently revised site plans were received by the DEM on April 6, 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. 15-0009 and RIPDES No. RIR101231:

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 April 6, 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 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 Exeter 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 certain aspects of this project must be completed within the deadlines specified herein.**
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. Portions of the project approved under Application No. 10-0108 were completed on the property without the required stormwater treatment best management practices ("BMP's"). The current proposal includes a remedy to this non-compliance issue by constructing new BMP's to provide stormwater treatment for these improvements. As a specific condition of this permit, these BMP's (Wet Swales #2 and #3 with their associated sediment forebays, in the northeast corner of the property) are required to be constructed and completed **no later than July 30, 2015.**
12. The submitted Soil Erosion and Sediment Control Plan indicates that the proposed detention basin will be used as a temporary sedimentation practice. Therefore, the temporary detention basin shall be designed as a temporary sediment trap, which shall adhere to the design standards of the *Rhode Island Soil Erosion and Sediment Control Handbook*. Note that in any case, "Wet Swale #1" with its associated extended detention area and sediment forebay must be completed prior to completion of the paved areas directing stormwater to it.
13. You are responsible for the proper installation, operation, maintenance and stability of any mitigative features, stormwater BMP 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 documentation is provided that this responsibility has been assumed by another entity. Future maintenance of stormwater facilities must adhere to the "Stormwater Facility Operation and Maintenance Plan, Baird Properties, LLC—Self Storage Buildings, Nooseneck Hill Road & Austin Farm Road, Exeter, Rhode Island" received by RIDEM on April 6, 2015, except that this document shall be revised so as to revise all "should" wording to the mandatory "shall".

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. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls consisting of hay bales and/or silt fence must be removed.
16. 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.
17. This permit supersedes the previously permitted project and associated stormwater treatment structures approved by the DEM for the subject property under Application No.10-0108.

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. **RIR 101231**.

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.

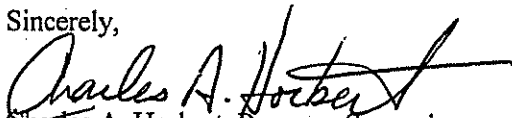
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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 Andrew Charpentier of this office (telephone: 401-222-6820 x 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: Traci Lima, RIPDES Program
Ronald A. DeFrancesco, Exeter Building Official
Timothy Behan, P.E., Commonwealth Engineers & Consultants, Inc.