



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

August 6, 2015

Tulio Luna
23 Elmgrove Avenue
Johnston, RI 02919

Insignificant Alteration – Permit

RE: Wetland Application No. 15-0135 in reference to the property and proposed project located:

Approximately 20 feet west of Cross Road, by utility pole number 5; approximately 508 feet north of the intersection of Whipple Avenue and Cross Street, Assessor's Plat 23, Lot 25, Smithfield, RI.

Dear Mr. Luna:

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 and has evaluated the proposed building addition with deck, bridge, gravel parking area, and wall construction associated with an existing two story frame building; and the removal of a concrete pad, steps, and a frame shed, as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on June 26, 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. 15-0135:

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 received by the DEM on June 26, 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 permit conflict with the approved site plan, these terms and conditions shall be deemed to supersede the site plan.
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 plan 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 plan 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 Smithfield 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. This permit expires on July 1, 2020.
8. Any material utilized in this project must be clean and free of matter which 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 plan 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 fence must be removed.
12. You are responsible for the proper 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.
13. You are obligated to install, utilize and follow all best management practices detailed or described on the approved site plan 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. This Program has made a specific revision to the approved site plan. This revision is clearly marked in red on the approved plan. This project must take place in compliance with this revision. Specifically the LOD line has been revised to enclose all proposed temporary and permanent vegetative clearing and surface or subsurface disturbance associated with the proposed project.
15. The gravel for the proposed gravel parking area shall be crushed stone with $\frac{3}{4}$ inch to 1 $\frac{1}{2}$ inch diameter, washed, angular crushed stone and installed to a minimum depth of 3 inches in accordance with the **RI Stormwater Management Guidance For Individual Single-Family Residential Lot Development.**

Please note that this Department has not verified the wetland edge that is illustrated on the approved site plan, as part of this application.

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 Rule 8.03.

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.

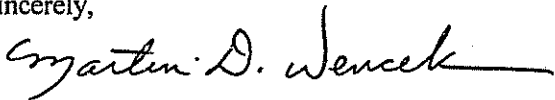
Pursuant to the provisions in Rule 7.09 and Rule 11.04, as applicable, any properly recorded and valid permit is automatically transferred to the new owner upon sale of the property.

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 Daniel Kowal of this office (telephone: 401-222-4700, ext. 7416) should you have any questions regarding this letter.

Sincerely,



Martin D. Wencek, Permitting Supervisor
Freshwater Wetlands Program
Office of Water Resources
MDW/DMK/dmk

Enclosure: Approved site plan

xc: Peter R. Scorpio, Smithfield Building Official
Jamie L. Sardelli, P.L.S., Sardelli Survey, LLC