



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

October 21, 2019

Vrania Coelho
30 Old River Road
Lincoln, RI 02865

RE: Application No. 15-0156 Application for Renewal for the site located:

Approximately 270 feet west of Bearskin Farm Road, approximately 830 feet north of the intersection of Bearskin Farm Road and Mattity Road, Assessor's Plat 10, Lot 98A, North Smithfield, RI.

Dear Ms. Coelho:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your Application for Renewal received on October 7, 2019.

It is our understanding that you are requesting renewal of the permit issued for Application No. 15-0156. The original permit was issued on December 16, 2016 to Kennedy and Vrania Coelho for alterations to freshwater wetlands at the above-referenced location.

This Program has determined that your project, at this time, is eligible to receive a renewal based on the conditions set forth in the original permit as well as the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-1. This Program is aware that the Department is currently working with you to correct non-compliance issues on the subject property. In light of the current and existing circumstances, it is our determination that the permit may be renewed. This renewal is valid until December 16, 2019 and expires on that date.

A copy of the original permit letter of December 16, 2016 is enclosed for your convenience. It is your responsibility to maintain compliance with the conditions of the permit and to carry out this project in compliance with the Rules at all times. This renewal does not relieve you of any obligations to obtain any local, state, or federal approvals or permits as required by ordinance or law, nor does it relieve you of the requirements and penalties enumerated in the Notice of Violation issued to you by DEM on January 26, 2018.

Application No. 15-0156
Page 2 of 2

Please contact me at this office (telephone: 401-222-6820) should you have any questions regarding this letter.

Sincerely,

A handwritten signature in black ink that reads "Martin D. Wencek". The signature is written in a cursive style with a long horizontal flourish at the end.

Martin D. Wencek, Program Supervisor
Freshwater Wetlands program
Office of Water Resources
Freshwater Wetlands Program

MDW/mdw

Enclosure: Original permit letter of December 16, 2016



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

CERTIFIED MAIL

December 16, 2016

Kennedy and Vrania Coelho
30 Old River Road
Lincoln, RI 02865

RECEIVED FOR RECORD
NORTH SMITHFIELD R.I.

Dec 28, 2016 at 02:15P

BOOK 734 PAGE 160
DOC # 00033500

OCT - 7 2019

PERMIT TO ALTER FRESHWATER WETLANDS

Re: Application No. 15-0156 in reference to the location below:
Approximately 270 feet west of Bearskin Farm Road, approximately 830 feet north of the intersection of Bearskin Farm Road and Mattity Road, Assessor's Plat 10, Lot 98A, North Smithfield, RI.

Dear Mr. and Ms. Coelho:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application to Alter a Freshwater Wetland** regarding the proposed single family dwelling, driveway, on-site wastewater treatment facility (OWTS), on-site stormwater management practices, private well, and landscaping as described and detailed in the material and information submitted in support of your application and on site plans received by the DEM on September 7, 2016. These site plans describing the project were made available for public comment as part of the forty-five (45) day public notice period required in accordance with the Freshwater Wetlands Act (R.I. General Laws (R.I.G.L.) Section 2-1-18 et seq.) and the procedures set forth in Rule 10.00 of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act (Rules).

This Program received two letters relating to your application which were submitted during the public notice period. Of the two letters that were received, one of the comments raised a specific issue regarding the Applicant's right to access Bearskin Farm Road. The Program notes that this specific issue should be addressed by the Applicant. Please be advised that these letters also express concern regarding your project's impacts to freshwater wetland values. This Program reviewed these letters together with any supporting documents and evaluated the potential impacts from the project upon the values mentioned in the letters. The Program has determined that the comments contained within these letters do not constitute an objection of a substantive nature per Rule 10.04 (C3). Therefore, a public hearing pursuant to R.I.G.L. Section 2-1-22 is not required.

Pursuant to the Program's review and evaluation of your application including all supporting information and material, as well as the record to date, the Program has determined that this project does not represent a random, unnecessary or undesirable alteration of freshwater wetlands. Therefore, this Program hereby issues this permit to alter freshwater wetlands **subject to all controlling Rules and the Terms and Conditions set forth herein.**

Permit Terms and Conditions for Application No. 15-0156:

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 September 7, 2016. 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.

15. An environmental consultant, experienced in site assessments and measures necessary to protect wetlands and/or sensitive ecosystems, must be employed to monitor this project to specifically oversee and ensure compliance with the restoration included in this permit. **This Program must be notified in writing within 30 days of receipt of this permit of the consultant (including their resume) chosen to comply with this condition.**
16. This Program shall receive a written progress report from the consultant regarding compliance with the required restoration as depicted on the approved site plan prior to the deadline of April 30, 2017. This Program must also be notified in writing upon completion of the required restoration plantings for a compliance inspection by a Program representative.
17. Trees or shrubs that are installed as a result of this permit must survive for at least one full growing season. Those plants that fail to survive one full growing season must be replaced in kind and endure for one full growing season or once again be replaced in the event of failure to survive.
18. All plantings of trees and/or shrubs proposed for this project within areas of freshwater wetland jurisdiction, except for necessary replacement, must be allowed to develop naturally without being subjected to mowing or manicuring.
19. All artificial lighting 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.
20. Removal of the existing driveway (subject of wetland application number 09-0072) that is situated on land owned by National Grid is an authorized activity under this permit. Prior to removal, you must receive the authorization of National Grid for this specific activity. The wetlands crossed by this driveway must be returned to their original condition prior to the alteration. Removal of the existing driveway must be done in accordance with best management practices as defined in the Rules. The area where the driveway has been removed must be permanently stabilized upon removal by applying a conservation seed mix with straw to prevent erosion.

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 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 against you by the DEM.

In permitting the proposed alterations, the Program 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.

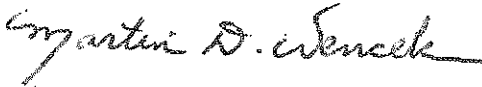
If you are aggrieved by this decision, you may, within thirty (30) days of the receipt of this letter, request an adjudicatory hearing in writing. This request must be sent directly to the DEM Administrative Adjudication Division ("AAD"), 1 Capital Hill, Second Floor, Providence, RI 02908. A copy of the request must also be forwarded to this Program. Your written request for an adjudicatory hearing must be timely filed and should conform to the requirements of Rule 7.00(b) of the "Administrative Rules of Practice and Procedure for the Department of Environmental Management Administrative Adjudication Division for Environmental Matters", (AAD Rules). AAD Rule 7.00(b) provides:

"The request for hearing shall state clearly and concisely the specific issues which are in dispute and the facts in support thereof, the relief sought if any, the license or permit sought or involved and any additional information required by applicable statues and regulations."

The written request must be accompanied by a fee of two thousand dollars (\$2,000.00); in the form of a certified bank check or money order made payable to the Rhode Island General Treasurer; however, in the event that the cost of the hearing exceeds the fee paid, the Program through the AAD will require an additional fee which the applicant must submit prior to the DEM's issuance of any final decision regarding this application. The adjudicatory hearing will be held before a Hearing Officer from the AAD. Such hearing will be held in compliance with the AAD Rules, Chapter 42-35-1 et seq. of the R.I.G.L., and other governing laws, rules, and regulations adopted by the DEM. Please note that you have the right to be represented by legal counsel in any proceeding which may be held in this matter.

If you have any questions regarding this matter, you may contact me or Jane Kelly at the Wetlands Program (telephone: 401-222-6820).

Sincerely,



Martin D. Wencek, Permitting Supervisor
Office of Water Resources
Freshwater Wetlands Program

MDW/mdw

Enclosure: Approved Site Plan

xc: Robert E. Benoit, Town of North Smithfield Building Official
Scott P. Rabideau, Natural Resource Services, Inc.
Curtis S. Ruotolo, Advanced Civil Design, Inc.
Glen Hebert
Erin Whoriskey, National Grid

RECORDED IN NORTHSMITHFIELD RI Dec 28, 2016
AT 02:15P ATTEST DEBRA A TODD
Town Clerk