



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

May 6, 2020

Adler Bros. Construction  
604 Putnam Pike  
Greenville, RI 02828

**Insignificant Alteration – Permit**

**RE:** Wetlands Application No. 15-0176, and RIPDES File Number RIR101310 in reference to the property and proposed project located:

Approximately 1,400 feet south of Putnam Pike (Route 44), by utility pole numbers 154, 156 and 158, approximately 1,700 feet south-southeast of the intersection of Spring Grove Road and Putnam Pike, Assessor's Plat 14, Lots 10, 11, 12, 18, 19, and 20, Glocester, RI.

Dear Mr. Adler:

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 new building construction consisting of a mixed retail and office complex (10 buildings), that shall include roadways and parking areas, lighting, utility installation, stormwater control structures, and restoration of wetland areas as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on November 14, 2018, and December 19, 2019.

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 250-RICR-150-15-1.9 of the Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act, 250-RICR-150-15-1 (Rules), this project may be permitted as an **insignificant alteration** to freshwater wetlands under the following terms and conditions:

**Terms and Conditions for Wetlands Application No. 15-0176; RIPDES File No. RIR101310:**

1. This letter is the DEM's permit for this project under the R.I. Fresh Water Wetlands Act, R.I. Gen. Laws § 2-1-18 et seq.
2. This determination also includes your final authorization to discharge storm water associated with construction activity under the **2018 RIDPES General Permit for Stormwater Discharge During Construction Activity ("CGP")**. For future references and inquiry, your permit authorization number is RIPDES No. **RIR101310**.

3. This permit is specifically limited to the project and site alterations as detailed on site plans submitted with your application and received by the DEM on November 14, 2018, and December 19, 2019. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project that would alter freshwater wetlands including stormwater design revisions are not authorized without a permit from the DEM.
4. 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.
5. You must notify this Program in writing of the anticipated start date, and of your contractor's contact information, by submitting the Notice of Start of Construction Form prior to commencement of any permitted site alterations or construction activity. You must also notify this Program in writing upon completion of the project, including submittal of the Notice of Termination Form. The Start of Construction Form and the Notice of Termination can be found on the webpage: [dem.ri.gov/stormwater construction](http://dem.ri.gov/stormwater%20construction)
6. 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.
7. Within ten (10) days of the receipt of this permit, you must record this permit in the land evidence records of the Town of Glocester and supply this Program with written documentation obtained from the Town showing this permit was recorded.
8. The effective date of this permit is the date this letter was issued. This permit expires four (4) years from the date of this letter unless renewed pursuant to the Rules.
9. Any material utilized for this project must be clean and free of matter that could pollute any freshwater wetland or the waters of the State unless otherwise specified in the plans and report or approved by the RIDEM Office of Waste Management.
10. 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.
11. 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/programs/benviron/water/permits/swcoord/pdf/cpg092618.pdf>.

12. 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.
13. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls must be removed.
14. You are responsible for the proper installation, operation, maintenance and stability of any mitigative features, stormwater treatment facilities, and systems of treatment and control that are installed or used in compliance with this permit to prevent harm to adjacent wetlands until documentation is provided that this responsibility has been assigned to another entity. Operation and maintenance shall be as described in the plan entitled "Operation and Maintenance Plan Glacier Ridge Putnam Pike AP 14 Lots 10, 11, 12, & 18-20 Gloucester, Rhode Island 02814 Applicant Adler Bros. Construction Co.", dated June 2, 2017 and revised on October 11, 2018.
15. 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.
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. 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 as soon as possible after completion of final grading; weather and season permitting. Any plantings which fail to survive one full growing season shall be replaced. Replacement plantings shall be similarly guaranteed for one full growing season.
18. 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 mowing or manicuring.
19. Within 90 days from the date of this permit (by August 3, 2020), the permittee shall install a groundwater monitoring station on-site adjacent to the A-series wetland with the appropriate water level data logger calibrated and programmed to record water level readings once per hour. The Applicant will have the monitoring station inspected quarterly for proper operation and maintenance and will produce quarterly reports. Such reports shall consist of a brief narrative of site inspection findings, in addition to required maintenance and tables and figures as necessary to illustrate the data. The report shall also include the estimated flow measurements of the stream flow exiting the A-series wetland. You must submit an annual report to the Freshwater Wetlands Program by January 1 of each year for the next 7 years summarizing the years findings and comparing the data to past monitoring data. The data collected prior to redevelopment/restoration

(phase I) will be considered the baseline that future monitoring will be compared against. Prior to initiating Phase II of the redevelopment/restoration, the permittee must submit a report evaluating the effects of the gravel operations and the Phase I redevelopment on baseline and recommend any necessary modifications to the re-development plans or the monitoring program to ensure the associated A-series Wetland is adequately protected. The Annual Groundwater Monitoring Report should also be sent to the RIPDES MSGP permitting Program (RIPDES MSGP Number RIR50J005).

20. All construction activities involving soil disturbances within watercourses must be limited to the low flow period (*i.e.*, the period from July 1 to October 31 of any calendar year). Soil disturbance in these watercourses must temporarily cease in the event of any abnormally high stormwater runoff event during the low flow period. Unless superseded by this permit, all wetland waterline crossing construction and maintenance notes as specified on sheet 27 and 33 of 33 of the approved site plan set must be strictly adhered to.

Pursuant to the provisions in 250-RICR-150-15-1.7(A)(9) and 250-RICR-150-15-1.11(D), as applicable, any properly recorded and valid permit is automatically transferred to the new owner upon sale of the property.

Please be aware that the RIDEM's Rules and Regulations Governing the Establishment of Various Fees (250-RICR-30-00-1) 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 31<sup>st</sup> 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.

**This Permit also constitutes your authorization from the U.S. Army Corps of Engineers ("Corps") under Section 404 of the Clean Water Act for the work proposed.** Your project qualifies as Self-Verification (SV) of the Rhode Island General Permit NAE-2016-2264), (RI GP). You can view this permit at:

[http://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/RI/Rhode\\_Island\\_General\\_Permits\\_2017.pdf](http://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/RI/Rhode_Island_General_Permits_2017.pdf). **You are, therefore, not required to file a separate application with the Corps.**

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 and/or subject you to the enforcement provisions of the Corps' regulations.

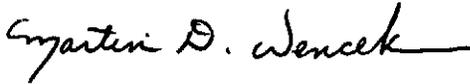
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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 250-RICR-150-15-1.8(C).

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 Dan Kowal of this office (telephone: 401-222-6820, x7416) should you have any questions regarding this letter.

Sincerely,



Martin D. Wencek, Program Supervisor  
Office of Water Resources  
Freshwater Wetlands Program  
MDW/mdw

Enclosure: Approved site plans

cc: Eric Beck, Administrator, DEM, Office of Water Resources  
Neal Personeus, DEM, Office of Water Resources, Stormwater Program  
Joseph Haberek, DEM, RIPDES Program  
Margarita Chatterton, DEM, Office of Water Resources, MSGP  
Mike Wierbonics, Army Corps of Engineers  
Kenneth Johnson, Town of Gloucester, Building Official  
Brandon Carr, DiPrete Engineering, Inc.