



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

March 11, 2022

JThomas Investments
c/o John D'Agostino
697 Moonstone Beach Road
Wakefield, RI 02879

RE: Application No. 16-0028, UIC#001700 and RIPDES No. RIR101366 **Application for Renewal** for the site located:

Approximately 400 feet west of Oak Street near Utility Pole No. 5 and 700 feet northwest of its intersection with Main Street (Route 1A), Assessor's Plat 57-1, Lots 121, 122, and 146, South Kingstown, RI

Dear Mr. D'Agostino:

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 January 31, 2022.

It is our understanding that you are requesting renewal of the permit issued for Application No. 16-0028. The original permit was issued on September 8, 2016, to Oak Street Investments and was revised on December 19, 2017, to Oak Street Investments and revised again on January 16, 2019, to Oak Street Investments for alterations to freshwater wetlands at the above-referenced location.

Pursuant to the provisions in Rule 1.7(A)(9) and Rule 1.11(D), as applicable, any properly recorded and valid permit is automatically transferred to the new owner upon sale of the property. Since this permit was recorded in land evidence records, you assumed responsibility of the permit upon purchase of the property. Our database has been updated to reflect that you are the new owner/permittee.

This Program has completed an inspection of the site and has found that your project, at this time, is generally in conformance with those 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. It is our determination, therefore, that the permit may be renewed. This renewal is valid until September 8, 2022, and expires on that date. Please be advised that this is the final renewal allowed pursuant to Rule 1.9(D)(5)(c).

A copy of the original permit letter of September 8, 2016, and the most recent revised permit letter of January 16, 2019, are 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. Due to the proximity of the limit of disturbance to the adjacent forested wetland, erosion controls must be diligently maintained, replaced, supplemented, or modified as necessary throughout the remainder of this project to prevent sediments from being deposited in the wetland.

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.



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

January 16, 2019

Oak Street Investments
Attn: Kenneth Bouvier
521 Liberty Lane
West Kingston, RI 02892

REVISED PERMIT

Re: Application No. 16-0028, WQC# 16-016, & RIR101366 in reference to the site:

Approximately 400 feet west of Oak Street near utility pole 5 and 700 feet northwest of its intersection with Main Street (Route 1A), Assessor's Plat 57-1, Lots 121, 122, and 146, South Kingstown, RI

Dear Mr. Bouvier:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application for Permit Modification** and has evaluated your proposed modifications to the permitted residential development as illustrated and detailed on revised site plans submitted with your application. The most recently revised site plans were received by DEM on January 4, 2019.

Based upon the Program's evaluation of the revised project and pursuant to Rule 11.03 of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act (Rules), it is the Program's determination that a revised permit for the modified project may be issued under the following terms and conditions:

1. This letter is the DEM's revised 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 revised 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 January 4, 2019. A copy of the site plans stamped approved by the DEM is enclosed. Further 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 revised permit conflict with the approved site plans, these terms and conditions shall be deemed to supersede the site plans.
4. A copy of the stamped approved site plans and a copy of this revised permit must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of this revised permit and the stamped approved plans must be made available for review by any DEM or Town representative upon request.
5. Within ten (10) days of the receipt of this revised permit, you must record this permit in the land evidence records of the Town of South Kingstown and supply this Program with written documentation obtained from the Town showing this revised permit was recorded.

6. Long term operation and maintenance of the stormwater treatment systems shall be as outlined in the plan entitled, "Operation & Maintenance Plan; Wilson & Tarn Street Development, Located in South Kingstown, Rhode Island; Applicant: South County Post & Beam, Inc", as prepared by DiPrete Engineering and dated 1-2-2019.
7. This revised permit expires on the same day as the original permit (September 8, 2020).

Except as authorized in this revised permit pursuant to revised and approved site plans (enclosed), all terms and conditions previously specified in the Program's permit dated September 8, 2016 (copy enclosed) remain in effect.

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.

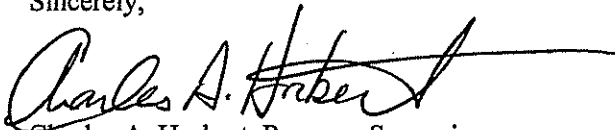
You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by this Department.

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 me directly (telephone: 401-222-6820, ext. 7402) should you have any questions regarding this letter.

Sincerely,



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

Enclosure: Approved revised site plans
 Letter dated September 8, 2016

cc: Neal Personeus, DEM Stormwater Permitting
 David Russo, P.E., DiPrete Engineering Associates, Inc.
 Wayne Pimental, South Kingstown Building Official



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

December 19, 2017

Oak Street Investments
Attn: Ken Bouvier
521 Liberty Lane
West Kingston, RI 02892

REVISED PERMIT

Re: Application No. 16-0028, WQC# 16-016, UIC# 001700, RIR101366 in reference to the site:

Approximately 400 feet west of Oak Street near utility pole 5 and 700 feet northwest of its intersection with Main Street (Route 1A), Assessor's Plat 57-1, Lots 121, 122, and 146, South Kingstown, RI

Dear Mr. Bouvier:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application for Permit Modification** and has evaluated your proposed modifications to the permitted residential development as illustrated and detailed on revised site plans submitted with your application. The most recently revised site plans were received by DEM on November 30, 2017.

Based upon the Program's evaluation of the revised project and pursuant to Rule 11.03 of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act (Rules), it is the Program's determination that a revised permit for the modified project may be issued under the following terms and conditions:

1. This letter is the DEM's revised 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 revised 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 November 30, 2017. A copy of the site plans stamped approved by the DEM is enclosed. Further 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 revised permit conflict with the approved site plans, these terms and conditions shall be deemed to supersede the site plans.
4. A copy of the stamped approved site plans and a copy of this revised permit must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of this revised permit and the stamped approved plans must be made available for review by any DEM or Town representative upon request.
5. Within ten (10) days of the receipt of this revised permit, you must record this permit in the land evidence records of the Town of South Kingstown and supply this Program with written documentation obtained from the Town showing this revised permit was recorded.

6. Long term operation and maintenance of the stormwater treatment systems shall be as outlined in the plan entitled, "Operation & Maintenance Plan; Wilson & Tarn Street Development, Located in South Kingstown, Rhode Island; Applicant: South County Post & Beam, Inc", as prepared by DiPrete Engineering and dated 9/21/2017.
7. This revised permit expires on the same day as the original permit (September 8, 2020).

Except as authorized in this revised permit pursuant to revised and approved site plans (enclosed), all terms and conditions previously specified in the Program's permit dated September 8, 2016 (copy enclosed) remain in effect.

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.

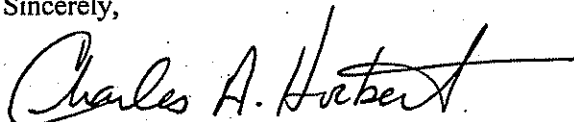
You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by this Department.

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 Kate McPherson of this office (telephone: 401-222-6820, ext. 7732) should you have any questions regarding this letter:

Sincerely,



Charles A. Horbert, Program Supervisor
Freshwater Wetlands Program
Office of Water Resources
CAH/KHM/khm

Enclosure: Approved revised site plans
Letter dated September 8, 2016

cc: Karen Sorenson, RIPDES & UIC Programs
David Russo, P.E., Diprete Engineering Associates, Inc.
Jeffrey T. O'Hara, South Kingstown Building Official



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

September 8, 2016

Oak Street Investments
Attn: Ken Bouvier
521 Liberty Lane
West Kingston, RI 02892

Insignificant Alteration – Permit

Re: Application No. 16-0028, UIC# 001700, RIR101366 in reference to the site located:

Approximately 400 feet west of Oak Street near utility pole 5 and 700 feet northwest of its intersection with Main Street (Route 1A), Assessor's Plat 57-1, Lots 121, 122, and 146, South Kingstown, RI

Dear Mr. Bouvier:

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 nine (9) lot residential subdivision with associated residences, garages, driveways, roadway, connections to municipal water and sewer, stormwater management systems and landscaping as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on August 5, 2016.

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. 16-0028, UIC# 001700, RIR101366:

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" as well as review of any stormwater infiltration system subject to the RI DEM "Rules for the Discharge of Non-Sanitary Wastewater and Other Fluid To or Below the Ground Surface"
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 August 5, 2016. 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 again 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 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 South Kingstown 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 four years from the date of issuance unless renewed pursuant to the Rules.
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. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls consisting of hay bales and/or silt fence must be removed.
12. You are responsible for the proper installation, operation, maintenance and stability of any mitigative features, 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 assigned to another entity. The long term operation and maintenance plan (O&M Plan) shall be strictly followed. The long term O & M Plan shall be that entitled "Operation & Maintenance Plan, Wilson & Tarn Street Development, located in South Kingstown, Rhode Island: Applicant South County Post & Bean, Inc.", dated 6-23-2016, as prepared by DiPrete Engineering.
13. 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.
14. 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.
15. 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.

16. Any plantings which fail to survive one full growing season shall be replaced. Replacement plantings shall be similarly guaranteed for one full growing season.
17. Artificial lighting authorized by this permit 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.
18. 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.

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.

The proposed project requires RIPDES and UIC authorization which were reviewed concurrently with the wetland review. This included review of any stormwater infiltration system subject to the RI DEM "Rules for the Discharge of Non-Sanitary Wastewater and Other Fluid To or Below the Ground Surface". Our review has concluded that the design of the proposed underground infiltration systems has satisfied the requirements of those Rules. Your UIC file number for future reference is **No. 001700**.

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. **RIR101366**.

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.

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 Kate McPherson of this office (telephone: 401-222-6820 x7732) should you have any questions regarding this letter.

Sincerely,



Charles A. Horbert, Program Supervisor
Office of Water Resources
Freshwater Wetlands Program
CAH/KHM/khm

Enclosure: Approved site plans

ec: Traci Pena, RIPDES Program
Karen Sorenson, RIDEM UIC Program
David Russo, P.E., Diprete Engineering Associates, Inc.
Jeffrey T. O'Hara, South Kingstown Building Official