



September 8, 2016

The Preserve at Boulder Hills, LLC
Attn: Paul Mihailides, Managing Member
2091 Nooseneck Hill Road
Coventry, RI 02816

Insignificant Alteration – Permit

Re: Application No. 16-0096, UIC 001711, RIPDES# RIR101397 in reference to the location below:

Approximately 1,200 feet south of Kingstown Road (at 87 Kingstown Road), approximately 1,600 feet west of the intersection of Kingstown Road and Meadowbrook Road, Assessor's Plat 6B Lot 4 and a portion of Assessor's Plat 5B, Lot 38, Utility Pole No. 138, Richmond, RI.

Dear Mr. Mihailides:

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 hotel, guest cabins, lodge, and conversion of an existing building into an 8 room manor house, with associated parking lots, swimming pool, athletic courts, landscaping, extension of municipal water, private utilities, OWTS and stormwater management systems as illustrated and detailed on site plans submitted with your application. The most recently revised site plans were received by the DEM on August 11, 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. 16-0096; RIPDES No. RIR101397; UIC No. 001711:

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 Richmond 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 must be removed.
12. You are responsible for the proper installation, operation, maintenance and stability of any mitigative features, stormwater facilities, and systems of treatment and control that are installed or used in compliance with this permit to prevent harm to adjacent wetlands. 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 and Maintenance Plan, The Preserve at Boulder Hill & MTM Development, 87 Kingstown Road, Richmond, Rhode Island; Prepared for The Preserve at Boulder Hills, LLC & MTM Development", dated revised June 27, 2016, indicated as prepared by Cherenzia & Associates, Ltd.
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 sheet 29 of 35 the approved plans, or detailed in this permit, **must be installed by October 31, 2016**. You must notify this Program in writing upon completion of the required plantings for a compliance inspection by a Program representative.

15. Immediately upon installation of the restoration plantings, this Program must be contacted to arrange an on-site inspection. Once proper installation has been confirmed by this Program, work may be initiated on the project as herein approved.
16. 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.
17. 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. 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.
19. 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.
20. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. Specifically, the restoration area and required density of plantings has been clarified on sheet 29 of 35. This project must take place in compliance with these revisions.
21. The proposed paved areas in the southeastern portion of Proposed Condition subwatershed PR-1C shall be graded so as to deliver runoff to the sediment forebay of proposed Sand Filter 1B. A combination of curbs/berms, curb cuts with paved waterway(s), and/or additional catch basins and piped drainage to deliver this flow to the sediment forebay of proposed Sand Filter 1B shall be utilized. The road edge treatment of the roadway that runs along the eastern edge of the project shall be curbed along its eastern edge until the point where a curb break or catch basin is utilized to deliver runoff flow to the sediment forebay of Sand Filter 1B. (This is to avoid any unintended runoff to the adjacent wetland.) An as-built plan with P.E. stamp of these localized drainage changes to deliver the runoff intended to flow to the sediment forebay of Sand Filter 1B shall be submitted to this office.
22. The northern edge of roadway located up-gradient of proposed Infiltration Basin 1A shall be curbed until a point where it can flow by curb cut and paved waterway and/or swale to the swale that flows into Infiltration Basin 1A. An as-built P.E. stamp plan of this detail shall be submitted to this office.

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.001711**.

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. **RIR101397**.

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.

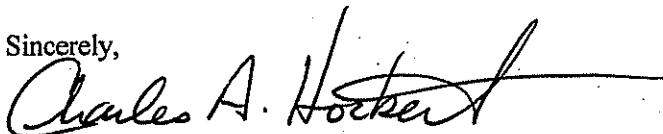
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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 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: Mohamed Frejj, RIDEM OWTS Program
Traci Pena, RIPDES Program
Karen Sorenson, RIDEM UIC Program
Denise Stetson, Richmond Town Planner
Loren Gengarella, Richmond Building Official
Christine N. Beaulieu-Shea, P.E., Cherenzia & Associates, LTD
Scott P. Rabideau, Natural Resource Services, Inc.
Eric Northup, The Preserve at Boulder Hills

WETLANDS WITH NATIVE TREES SPACED 20 FEET APART ON CENTER AND CLUMPS OF NATIVE SHRUBS SPACED 5 TO 10 FEET APART ON CENTER.

e) THE REPLANTED PORTIONS OF THE PERIMETER AND RIVERBANK WETLANDS MUST BE SEEDED, MULCHED WITH A THIN LAYER OF STRAW OR LEAF TO STABILIZE, AND SILT FENCE REMOVED ONCE THE AREA IS STABLE. THESE WETLAND AREAS MUST BE ALLOWED TO REVEGETATE NATURALLY WITHOUT MOWING, TRIMMING, OR OTHER LANDSCAPING.

- Native tree spaced 20' apart on center
- ⊗ Clumps of shrubs consisting of 3 to 5 individuals spaced 5' to 10' apart on center.

