



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

March 24, 2017

Longplex, LLC and James Long
796 Aquidneck Avenue
Middletown, RI 02842

REVISED PERMIT

RE: Wetland Application No. 16-0116 RIPDES Program File No. RIR 101405 in reference to the property and proposed project located in reference to the property and proposed project located:

Approximately 720 feet southeast of Industrial Way, adjacent to exist elec. easement (EMPP L14/3); approximately 1,240 feet east-northeast of the intersection of Progress Road and Industrial Way; Assessor's Plat 107, Lots 804, 805, 806, 807, 808, 809, 810, 811, 812, & 816 (portion), Tiverton, RI.

Dear Mr. Long:

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 modification request for: 1) expansion of the ice/hockey rink with overhang, 2) relocation of Sand Filter 1C, 3) modifications to Detention Pond 1B including proposed connection to underground storage, 4) construction of a new 20,140 sq. ft. Phase 2 building, and proposed land clearing/grading, as illustrated and detailed on the revised site plans submitted with your application. The revised site plans were received by the DEM on February 21, 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 February 21, 2017 and as modified in these terms and conditions. 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 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 Tiverton and supply this Program with written documentation, obtained from the Town showing this revised permit was recorded.

6. This revised permit expires on August 5, 2020, unless renewed pursuant to Rule 9.04.

Except as authorized in this revised permit pursuant to the approved site plans, all terms and conditions previously specified in the Program's permit dated August 5, 2016 remain in effect.

Pursuant to the provisions of 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.

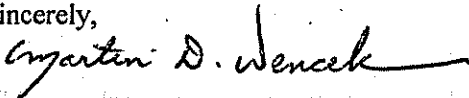
You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by this Department.

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

This revised 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 Program (telephone: 401-222-4700, ext. 7416) should you have any questions regarding this letter.

Sincerely,



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

MDW/DMK/dmk

Enclosures: Approved revised site plan
Copy of original permit letter of August 5, 2016

cc: Kevin DeMers, P.E., DiPrete Engineering
Neil Hall, Tiverton Building Official



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

August 5, 2016

Longplex LLC C/o James Long
796 Aquidneck Avenue
Middletown, RI 02842

Insignificant Alteration – Permit

RE: Wetland Application No. 16-0116 and RIPDES Program File No. RIR 101405 in reference to the property and proposed project located approximately 720 feet southeast of Industrial Way, adjacent to exist elec. easement (EMPP L14/3); approximately 1,240 feet east-northeast of the intersection of Progress Road and Industrial Way; Assessor's Plat 107, Lots 804, 805, 806, 807, 808, 809, 810, & 816 (portion), Tiverton, RI.

Dear Mr. Long:

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 construction of a 123,200 sq. ft. building and exterior ice rink with parking areas, access roadways, public utilities including a sewer line extension, drainage structures, and stormwater best management practices, including sediment forebays, sand filters, infiltration basins, and detention ponds, as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on August 2, 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. 16-0116:

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 August 2, 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.
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 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 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 Tiverton 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 (4) years from the date of issue.
8. Any material utilized in this project must be clean and free of matter which could pollute any 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. The silt fence depicted on the approved site plans is also the limit of disturbance.
12. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls consisting of silt fence must be removed.
13. 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.
14. 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.
15. The long term operation and maintenance plan shall be strictly followed. The long term O & M Plan shall be that entitled "Operation & Maintenance Plan, Longplex Sports & Family Complex, Tiverton, Rhode Island; Applicant: Longplex, LLC", dated May 5, 2016, prepared by DiPrete Engineering.
16. The work shall not proceed without written authorization from the owner of the electric utility easement through the property for the work proposed within that easement.
17. 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.

Additionally, the Program has also 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. RIR 101405.

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.

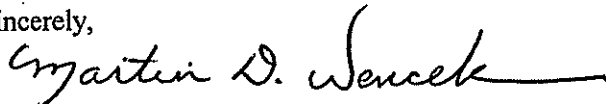
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This permit does not remove your obligation to obtain any local, state, or federal approvals or permits required by ordinance or law and does not relieve you from any duties owed to adjacent landowners with specific reference to any changes in drainage.

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 plans

xc: Traci Pena, RIPDES Permitting Program
Kevin DeMers, P.E., DiPrete Engineering
Neil Hall, Tiverton Building Official