



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

March 24, 2021

BMP, LLC  
Attn: James Bollinger  
44 Cove Road  
Harrison, ME 04040

**RE:** Application for Renewal No.16-0250; RIPDES File Number RIR101504 for the site location:

Approximately 600 feet east of Main Street (Route 116), approximately 600 to at least 2000feet northeast of the intersection of Main Street and Hope Furnace Road, Assessor's Plat 3, Lot 8; Assessor's Plat 5, Lots 1, 114, and 117, Scituate, RI; and Assessor's Plat 101, Lot 5, Coventry, RI. The permit also includes the following parcels as part of a restoration required by DEM, Office of Compliance and Inspection: Approximately 400 feet west of Main Street, (Route 116), approximately 500 feet northwest of the intersection of Main Street and Hope Furnace Road, Assessor's Plat 5, Lots 58 and 69, Scituate, RI.

Dear Mr. Bollinger:

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 August 27, 2020.

It is our understanding that you are requesting renewal of the permit issued for Application No. 16-0250. The original permit was issued on January 24, 2017 to Boyajain, Harrington, Richardson and Furness and Paramount Apartments, LLC for alterations to freshwater wetlands at the above-referenced location.

This Program has completed a review 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 January 24, 2023 and expires on that date.

It is also our understanding that the required restoration of wetland areas on portions of the subject property are still pending. Considering on-going developments with the Department, please be advised that the deadlines for the required restorations shall now be amended and completed as noted:

- A) The required restoration situated downstream of the dam spillway (west of Main Street, as depicted on the approved "Planting Plan", Sheet L-206) must be accomplished during low flow conditions (July 1 to October 31) and be completed no later than October 31, 2021;

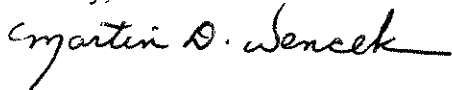
- B) The required restoration for installation of the plantings within the Riverbank Wetland in the vicinity of Main Street, and the areas proximate to the mill building and tailrace as depicted on the approved site plan set (sheets L-201 through L-205), shall be completed no later than October 30, 2022;
- C) The restoration associated with the "Wetland Creation Area" as depicted on the approved site plan set (noted as sheet 1 of 1), shall be completed no later than October 30, 2022.

A copy of the original permit letter of January 24, 2017 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.

Please contact Jane Kelly of this office (telephone: 401-222-6820, ext. 77420) should you have any questions regarding this letter.

Sincerely,



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

Enclosure: Copy of Insignificant Alteration Permit dated January 24, 2017

Xc: Daniel Robitaille, Town of Coventry Building Official  
George Dumont, Town of Scituate Building Official  
Craig Wood, ESS Group  
David Chopy, RIDEM, Office of Compliance and Inspection  
Bruce Ahern, RIDEM, Office of Compliance and Inspection  
Christina Hoefsmit, Esq., RIDEM Office of Legal Services  
Mohammed Freij, RIDEM OWTS Program  
Joeseeph Martella, RIDEM Office Land Revitalization and Sustainable Materials Management



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

January 24, 2017

Boyajain, Harrington, Richardson and Furness  
c/o Peter Furness  
182 Waterman Street  
Providence, RI 02906

Paramount Apartments, LLC  
c/o Richard Derosas  
165 Hunt Road  
Chelmsford, MA 01824

### Insignificant Alteration - Permit

Re: Wetland Application Number 16-0250; RIPDES File Number RIR101504 in reference to the location:

Approximately 600 feet east of Main Street (Route 116), approximately 600 to at least 2000 feet northeast of the intersection of Main Street and Hope Furnace Road, Assessor's Plat 3, Lot 8; Assessor's Plat 5, Lots 1, 114, and 117, Scituate, RI; and Assessor's Plat 101, Lot 5, Coventry, RI. The permit also includes the following parcels as part of a restoration required by DEM, Office of Compliance and Inspection: Approximately 400 feet west of Main Street (Route 116), approximately 500 feet northwest of the intersection of Main Street and Hope Furnace Road, Assessor's Plat 5, Lots 58 and 69, Scituate, RI.

Dear Messrs. Furness and Derosas:

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 construction of a 193-unit residential development with paved access road, a community onsite wastewater treatment system (OWTS), utility lines, site grading, landscaping, and stormwater management system, as illustrated and detailed on three (3) sets of site plans submitted with your application. The site plan set entitled "Revised Permitting Submission Hope Mills, Main Street (Route 116) Scituate, Rhode Island" were received by the DEM on January 5, 2017 (which includes sheets 2 through 6, 12, 13, 16 through 20 of 20), and on January 13, 2017 (which includes sheets 1, 7 through 11, and sheets 14, 15 of 20). The second plan is entitled "Wetland Creation Area, Hope Mills, ... Prepared for: Paramount Development Group", sheet 1 of 1, received by this Program on January 5, 2017. The third plan set provided by Searle Design Group consists of 15 total sheets including sheets referred to as "L-100, L-101, L-102, L-103, L-104", and "L-200 through L-209", all sheets received by this Department on January 5, 2017. These three sets of site plans are bound as one complete set of plans and are stamped as Approved with Conditions.

Our observations of the subject property, review of the site plan set 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 Wetlands Application No. 16-0250, and RIPDES No. RIR101504:**

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 also includes review related to the RIPDES "General Permit for Storm Water Discharge Associated with Construction Activity".
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 January 5, 2017, and January 13, 2017. 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 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 Towns of Scituate and Coventry and supply this Program with written documentation obtained from both Towns 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 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 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.

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. 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.
15. 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.
16. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. This project must take place in compliance with these revisions. Specifically, a) the sheet entitled "Existing Conditions Plan" of the 20 page plan set portion of the plans as approved by this permit will be corrected to read "Sheet 4 of 20"; b) the note on "Planting Plan", sheet L-203 has been changed from "See Sheet L206..." to "See Sheet L207..."; c) On sheet L-207 of the approved site plans, the number of Hawthorn plants (*Crataegus viridis*) has been corrected to be consistent with number shown on the drawing. Also, all approved site plans bearing an "L" in the title block as noted above on page 1 of this permit depict an incorrect north arrow which has not been corrected.
17. The long term operation and maintenance plan shall be strictly followed. The long term O & M Plan shall be that entitled "Hope Mills, Operation & Maintenance Plan, located in Scituate and Coventry, Rhode Island, Client: Paramount Development Group; Owner / Applicant : Attorney Peter Furness", dated January 4, 2017, prepared by DiPrete Engineering.
18. As per the requirement of DEM, Office of Waste Management, with respect to the proposed pervious pavement, the extent of SPLP lead (synthetic precipitation leaching procedure lead) contamination shall be established and all soil in the proposed pervious pavement area determined to contain SPLP lead in excess of applicable GALC criteria (GA leachability criteria) is excavated and replaced with clean fill.
19. The restoration activities that are required to satisfy the Notice of Violation issued by the DEM, Office of Compliance and Inspection (Complaint File No. C07-0076) shall be accomplished within the following time frames:
  - a) The reestablishment of vegetation associated with the above noted restoration on the subject property and as illustrated on the approved site plans L-201 through L-205 in the immediate vicinity of Main Street, around the mill building, and all along the River and raceway shall be completed by May 31, 2018;
  - b) The restoration associated with the "Wetland Creation Area" as depicted on the approved site plan set (noted as sheet 1 of 1) must be accomplished no later than May 31, 2018;
  - c) Restoration of the River immediately downstream of the dam spillway (west of Main Street) as depicted by the "Planting Plan", sheet L-206 must be completed during low-flow conditions between July 1, 2017 and October 31, 2017. Prior to and following the completion of the restoration work within the Pawtuxet River, the DEM, Office of Compliance & Inspection must be notified in order to allow for the scheduling of proper inspections and/or witnessing of restoration activities.

20. If any or all of the required plantings fail to survive at least one (1) full year from the time they have been planted, you shall be responsible for replanting and maintaining the same plant species until such time that survival is maintained over two (2) full growing seasons.
21. You shall retain the services of a qualified environmental consultant to provide continual inspection and monitoring of the required wetland restoration work throughout the completion of the project, and for a minimum of three (3) years following the completion of the project. Prior to commencing alterations on the subject property, documentation shall be provided to DEM, in the form of a signed contract or other acceptable proof, that a qualified environmental consultant has been retained. The qualified environmental consultant shall provide monthly inspection reports to DEM during the entire period of on-site work including the required restoration work. Additionally, the qualified environmental consultant will provide DEM monitoring reports detailing the condition of the required plantings twice per year (spring and fall) during the three (3) years following the completion of the project.
22. If it is determined by DEM or the qualified environmental consultant that adequate hydrology has not been attained within the wetland creation area to support hydrophytic (wetland) vegetation after two (2) years following establishment of final grades, you shall lower the grade within the wetland creation area to an elevation that will attain the proper hydrology and reestablish the growth of hydrophytic vegetation as detailed on the approved site plan, specifically sheets L-205 and L-208.
23. All restored wetland areas, including replanted areas, shall be allowed to revegetate naturally and revert to a natural wild condition. No future clearing, mowing, cutting, trimming, or other alterations are allowed in the restored wetland areas, without first obtaining a new permit from the DEM, Office of Water Resources, Freshwater Wetland Permitting Program.
24. With the exception of any work authorized under this Permit or required by the Consent Agreement entered into with you and DEM, Office of Compliance and Inspection, or as allowed as an exempt activity under the DEM Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, you shall not alter the character of any freshwater wetland on the subject property by undertaking any additional activities, including, but not limited to, construction, excavation, filling, grading and removal of vegetation without prior written approval of the DEM, Office of Water Resources, Freshwater Wetlands Permitting Program.

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.

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 RIR 101485.

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

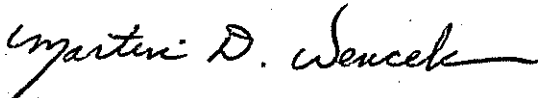
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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 Rule 8.03.

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 Jane Kelly of this office (telephone: 401-222-6820 x7420) should you have any questions regarding this letter.

Sincerely,



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

MDW/mdw

Enclosure: Approved site plans

xc: David Chopy, DEM, Office of Compliance and Inspection  
Bruce Ahearn, DEM, Office of Compliance and Inspection  
Christina Hoefsmit, Esq., DEM Office of Legal Services  
Mohammed Freij, RIDEM OWTS Program  
Joan Taylor, DEM, Office of Waste Management  
Joseph Martella, DEM, Office of Waste Management  
Robert Assalone, Town of Coventry, Building Official  
David Provonsil, Town of Scituate, Building Official  
Jason Clough, PE, DiPrete Engineering  
Craig Wood, ESS Group, Inc.