



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

August 23, 2022

Michael & Susan Barnes
9 West Butterfly Way
Lincoln, RI 02865

REVISED PERMIT

Re: Application No. 16-0257 in reference to the property and proposed project located:

Approximately 500 feet southeast of Old Quarry Road, and approximately 2,000 feet north of its intersection with Aldrich Road, Assessor's Plat "Pineledge Plat", Lot 15, Glocester, RI

Dear Mr. & Mrs. Barnes:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application for Permit Transfer** and your **Application for Permit Modification** and has evaluated your proposed modifications to the permitted as illustrated and detailed on revised site plans submitted with your application. The revised site plans were received on August 11, 2022.

Kindly be informed that this Program has transferred the permit issued under the above-mentioned application to your name. You are required to comply with all terms and conditions of the permit including any time limitations imposed therein.

Based upon the Program's evaluation of the revised project and pursuant to 250-RICR-150-15-1.11(C) of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-1, 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, R.I. Gen. Laws § 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 August 11, 2022
3. 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.
4. 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.

5. 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.
6. 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 and supply this Program with written documentation obtained from the Town showing this revised permit was recorded.
7. This revised permit expires on December 15, 2022. The permit is not eligible for additional renewals.

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 December 15, 2017 (copy enclosed) remain in effect.

You are required to comply with the terms and conditions of this revised permit and to carry out this project in compliance with 250-RICR-150-15-1 at all times. Failure to do so may result in an enforcement action by the Program.

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 Sophie Clode at this office at (telephone: 401-222-6820 ext. 2777419) should you have any questions regarding this letter.

Sincerely,



Nancy L. Freeman, Principal Environmental Scientist
Freshwater Wetlands Program
Office of Water Resources
NLF/SC/sc

Enclosure: Original permit dated December 15, 2017
Final permit renewal dated December 23, 2021

cc: Patricia Kelly, PLS, Kelly Land Services, Inc.
Ken Johnson, Gloucester Building Official



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

December 9, 2020

Kimball W. Burgess
1 Whipple Lane
Greenville, RI 02828

RE: Application No. 16-0257 **Application for Renewal** for the site located:

Approximately 500 feet southeast of Old Quarry Road, and approximately 2,000 feet north of its intersection with Aldrich Road, Assessor's Plat "Pineledge Plat", Lot 15, Glocester, RI.

Dear Mr. Burgess:

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 November 24, 2020.

It is our understanding that you are requesting renewal of the permit issued for Application No. 16-0257. The original permit was issued on December 15, 2017 to Kimball Burgess for alterations to freshwater wetlands at the above-referenced location.

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 December 15, 2021 and expires on that date. This is your final renewal.

A copy of the original permit letter of 16-0257 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 Sophie Clode of this office at (telephone: 401-222-6820, ext. 7419) should you have any questions regarding this letter.

Sincerely,

Nancy L. Freeman

Nancy L. Freeman, Principal Environmental Scientist
Office of Water Resources
Freshwater Wetlands Program
NLF/SC/sc

Enclosure: Copy of Original Permit Letter Dated December 15, 2017
e: Mohamed J. Freij, PE, PLS, Supervising Sanitary Engineer, OWTS Program
Ken Johnson, Building Official, Town of Glocester



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

CERTIFIED MAIL

December 15, 2017

Kimball W. Burgess
1 Whipple Lane
Greenville, RI 02828

PERMIT TO ALTER FRESHWATER WETLANDS

Re: Application No. 16-0257 in reference to the Location below:

Approximately 500 feet southeast of Quarry Road, and approximately 2,000 feet north of its intersection with Aldrich Road, Assessor's Pineledge Plat (Pl), Lot 15, Glocester, RI.

Dear Mr. Burgess:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application to Alter a Freshwater Wetland** regarding the proposed two (2) bedroom dwelling with associated crushed stone driveway, private well and septic system (onsite wastewater treatment system), utility connections and landscaping as described and detailed in the material and information submitted in support of your application and on site plans received by the DEM on August 25, 2017. These site plans describing the project were made available for public comment as part of the forty-five (45) day public notice period required in accordance with the Freshwater Wetlands Act (R.I. General Laws (R.I.G.L.) Section 2-1-18 et seq.) and the procedures set forth in Rule 10.00 of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act (Rules).

This Program received three (3) letters relating to your application, which were submitted during the public notice period. These letters expressed concern regarding your project's impacts to freshwater wetland values. This Program reviewed these letters together with any supporting documents and evaluated the potential impacts from the project upon the values mentioned in the letters. The Program has determined that the comments contained within these letters do not constitute an objection of a substantive nature as defined in Rule 10.04(C)(3). Therefore, a public hearing pursuant to R.I.G.L. Section 2-1-22 is not required.

Pursuant to the Program's review and evaluation of your application including all supporting information and material, as well as the record to date, the Program has determined that this project does not represent a random, unnecessary or undesirable alteration of freshwater wetlands. Therefore, this Program hereby issues this permit to alter freshwater wetlands **subject to all controlling Rules and the Terms and Conditions set forth herein.**

Permit Terms and Conditions for Application No. 16-0257:

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 25, 2017. 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 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 Glocester 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 one (1) year from the effective date unless renewed pursuant to Rule 11.02.
8. Any material utilized in this project must be clean and free of matter which 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 and the DEM issues a Notice of Completion of Work for the project.
10. Also prior to commencement of any site alterations, permanent buffer zone markers must be installed along the limit of disturbance at the locations indicated in red ink on the approved site plans, in order to provide permanent reference points on site that are clear to present and future property owners. Acceptable permanent type markers include 4" x 4" pressure treated timber posts, galvanized fence posts with cap, or granite or concrete bounds. Markers must extend a minimum 24" above grade. A permanent-type tag or sign labeled "RIDEM Buffer Zone" must be placed on each marker. A permanent-type fence at least 24" tall placed along the limits of disturbance and similarly labeled may be substituted where desired. No alterations of any kind are permitted beyond these markers without first obtaining the necessary permit from this Program.
11. Immediately upon installation of the buffer zone markers, 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.

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 consisting of silt fence (or equivalent) must be removed.
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. 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. You must notify this Program in writing upon completion of the required plantings for a compliance inspection by a Program representative.
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. Artificial lighting is not authorized to be installed along the driveway/roadway where it crosses freshwater wetlands.
18. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. Specifically, the limit of disturbance (LOD) has been revised in red near ledge outcroppings for further clarification. This project must take place in compliance with these revisions.
19. Please be advised that the bottomless sand filter/leachfield (labeled "BSF" on the plans) appears to be located less than 100 feet from both the proposed well and the existing well on the adjacent lot to the north. This may require either relocation of the BSF and/or the proposed well, or may require that you obtain a variance from the Department's Onsite Wastewater Treatment System Program. Any revisions to the proposed site layout will require at least an Application for Permit Modification. Any revisions that require any expansion in any section of the LOD would require another application to obtain a new permit.

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.

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 a "Self-Verification" ("SV") activity under GP No. 18 of the Rhode Island General Permit (General Permit No. 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.

Please note that the General Conditions within the RI GP apply to all activities authorized under the RI GP. Please review them carefully to thoroughly familiarize yourself with their contents. You may wish to discuss all permit conditions with your contractor to ensure that the work can be accomplished in a manner which conforms to all requirements.

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.

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.

In permitting the proposed alterations, the Program 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.

If you are aggrieved by this decision you may, within thirty (30) days of the receipt of this letter, request an adjudicatory hearing in writing. This request must be sent directly to the DEM Administrative Adjudication Division ("AAD"), One Capitol Hill, Second Floor, Providence, RI 02903. A copy of the request should also be forwarded to both this Program and to the DEM Office of Legal Services, at 235 Promenade St., Providence, RI 02908. Your written request for an adjudicatory hearing must be timely filed and should conform to the requirements of Rule 7.00(b) of the "Administrative Rules of Practice and Procedure for the Department of Environmental Management Administrative Adjudication Division for Environmental Matters", (AAD Rules).

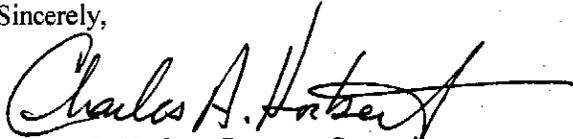
AAD Rule 7.00(b) provides:

"The request for hearing shall state clearly and concisely the specific issues which are in dispute and the facts in support thereof, the relief sought if any, the license or permit sought or involved and any additional information required by applicable statutes and regulations."

The written request must be accompanied by a fee of two thousand dollars (\$2,000.00); in the form of a certified bank check or money order made payable to the Rhode Island General Treasurer; however, in the event that the cost of the hearing exceeds the fee paid, the Program through the AAD will require an additional fee which the applicant must submit prior to the DEM's issuance of any final decision regarding this application. The adjudicatory hearing will be held before a Hearing Officer from the AAD. Such hearing will be held in compliance with the AAD Rules, Chapter 42-35-1 *et seq.* of the R.I.G.L., and other governing laws, rules, and regulations adopted by the DEM. Please note that you have the right to be represented by legal counsel in any proceeding which may be held in this matter.

If you have any questions regarding this matter, you may contact me or Nancy Freeman of my staff at this office (telephone: 401-222-6820, ext. 7402 or 7408 respectively).

Sincerely,



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

Enclosure: Approved Site Plans

ec: Bonnie Stewart, Administrative Adjudication Division
 Eric Beck, P.E., Chief of Groundwater & Wetlands Protection
 Mohamed Freij, P.E., RIDEM OWTS Program
 Mary Kay, Executive Counsel, DEM Office of Legal Services
 Taylor Bell, U.S. Army Corps of Engineers, New England Division
 Ken Johnson, Gloucester Building Official
 Anthony E. Muscatelli, PLS, International Mapping & Surveying Corp.
 Scott P. Rabideau, PWS, Natural Resource Services, Inc.
 Robert F. Angilly, Jr., P.E.
 Carl and Bethany Bomar

xc: Dylan Greene
 Jason K. Moody



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

September 23, 2020

Kimball W. Burgess
1 Whipple Lane
Greenville, RI 02828

REVISED PERMIT

Re: Application No. 16-0257 in reference to the property and proposed project located:

Approximately 500 feet southeast of Old Quarry Road, and approximately 2,000 feet north of its intersection with Aldrich Road, Assessor's Plat "Pineledge Plat", Lot 15, Glocester, RI

Dear Mr. Burgess:

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 revised house footprint and orientation and associated minor revisions to the permitted single-family dwelling, crushed stone driveway, private well, onsite wastewater treatment system (OWTS), utility connections, rain garden and landscaping as illustrated and detailed on revised site plans submitted with your application. The revised site plans were received by the DEM on August 31, 2020

Based upon the Program's evaluation of the revised project and pursuant to 250-RICR-150-15-1.11(C) of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-1, 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, R.I. Gen Laws. § 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 August 31, 2020. 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 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 Glocester and supply this Program with written documentation obtained from the Town showing this revised permit was recorded.

6. This revised permit expires December 15, 2020 unless renewed pursuant to 250-RICR-150-15-1.9(D)(5).

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 December 15, 2017 (copy enclosed) remain in effect.

You are required to comply with the terms and conditions of this revised permit and to carry out this project in compliance with 250-RICR-150-15-1 at all times. Failure to do so may result in an enforcement action by the Program.

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 Sophie Clode of this office at (telephone: 401-222-6820 ext. 7419) should you have any questions regarding this letter.

Sincerely,

Nancy L. Freeman

Nancy L. Freeman, Principal Environmental Scientist
Freshwater Wetlands Program
Office of Water Resources
NLF/SC/sc

Enclosure: Approved revised site plan
Letter dated December 15, 2017

- c: Mohamed J. Freij, PLS, Supervising Sanitary Engineer, OWTS Program
Anthony E. Muscatelli, PLS, International Mapping & Surveying Corp.
Scott P. Rabideau, President, Natural Resource Services, Inc.
Ken Johnson, Building Official, Town of Gloucester



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

December 20, 2019

Kimball W. Burgess
1 Whipple Lane
Greenville, RI 02828

RE: Application No. 16-0257 **Application for Renewal** for the site located:

Approximately 500 feet southeast of Old Quarry Road, and approximately 2,000 feet north of its intersection with Aldrich Road, Assessor's Plat "Pineledge Plat," Lot 15, Glocester, RI.

Dear Mr. Burgess:

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 December 2, 2019.

It is our understanding that you are requesting renewal of the permit issued for Application No. 16-0257. The original permit was issued on December 12, 2017 to Kimball Burgess for alterations to freshwater wetlands at the above-referenced location.

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 December 15, 2020 and expires on that date unless renewed pursuant to the Rules.

A copy of the original permit letter of 16-0257 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 me (telephone: 401-222-6820, ext. 7408) should you have any questions regarding this letter.

Sincerely,

Nancy L. Freeman

Nancy L. Freeman, Principal Environmental Scientist
Office of Water Resources
Freshwater Wetlands Program
NLF/nlf

Enclosure: Copy of Original Permit Letter Dated December 15, 2017

cc: Mohamed J. Freij, PE, PLS, Supervising Sanitary Engineer, OWTS Program



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

CERTIFIED MAIL

December 15, 2017

Kimball W. Burgess
1 Whipple Lane
Greenville, RI 02828

PERMIT TO ALTER FRESHWATER WETLANDS

Re: Application No. 16-0257 in reference to the Location below:

Approximately 500 feet southeast of Quarry Road, and approximately 2,000 feet north of its intersection with Aldrich Road, Assessor's Pineledge Plat (Pl), Lot 15, Glocester, RI.

Dear Mr. Burgess:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application to Alter a Freshwater Wetland** regarding the proposed two (2) bedroom dwelling with associated crushed stone driveway, private well and septic system (onsite wastewater treatment system), utility connections and landscaping as described and detailed in the material and information submitted in support of your application and on site plans received by the DEM on August 25, 2017. These site plans describing the project were made available for public comment as part of the forty-five (45) day public notice period required in accordance with the Freshwater Wetlands Act (R.I. General Laws (R.I.G.L.) Section 2-1-18 *et seq.*) and the procedures set forth in Rule 10.00 of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act (Rules).

This Program received three (3) letters relating to your application, which were submitted during the public notice period. These letters expressed concern regarding your project's impacts to freshwater wetland values. This Program reviewed these letters together with any supporting documents and evaluated the potential impacts from the project upon the values mentioned in the letters. The Program has determined that the comments contained within these letters do not constitute an objection of a substantive nature as defined in Rule 10.04(C)(3). Therefore, a public hearing pursuant to R.I.G.L. Section 2-1-22 is not required.

Pursuant to the Program's review and evaluation of your application including all supporting information and material, as well as the record to date, the Program has determined that this project does not represent a random, unnecessary or undesirable alteration of freshwater wetlands. Therefore, this Program hereby issues this permit to alter freshwater wetlands **subject to all controlling Rules and the Terms and Conditions set forth herein.**

Permit Terms and Conditions for Application No. 16-0257:

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 25, 2017. 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 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 Glocester 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 one (1) year from the effective date unless renewed pursuant to Rule 11.02.
8. Any material utilized in this project must be clean and free of matter which 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 and the DEM issues a Notice of Completion of Work for the project.
10. Also prior to commencement of any site alterations, permanent buffer zone markers must be installed along the limit of disturbance at the locations indicated in red ink on the approved site plans, in order to provide permanent reference points on site that are clear to present and future property owners. Acceptable permanent type markers include 4" x 4" pressure treated timber posts, galvanized fence posts with cap, or granite or concrete bounds. Markers must extend a minimum 24" above grade. A permanent-type tag or sign labeled "RIDEM Buffer Zone" must be placed on each marker. A permanent-type fence at least 24" tall placed along the limits of disturbance and similarly labeled may be substituted where desired. No alterations of any kind are permitted beyond these markers without first obtaining the necessary permit from this Program.
11. Immediately upon installation of the buffer zone markers, 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.

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 consisting of silt fence (or equivalent) must be removed.
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. 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. You must notify this Program in writing upon completion of the required plantings for a compliance inspection by a Program representative.
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. Artificial lighting is not authorized to be installed along the driveway/roadway where it crosses freshwater wetlands.
18. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. Specifically, the limit of disturbance (LOD) has been revised in red near ledge outcroppings for further clarification. This project must take place in compliance with these revisions.
19. Please be advised that the bottomless sand filter/leachfield (labeled "BSF" on the plans) appears to be located less than 100 feet from both the proposed well and the existing well on the adjacent lot to the north. This may require either relocation of the BSF and/or the proposed well, or may require that you obtain a variance from the Department's Onsite Wastewater Treatment System Program. Any revisions to the proposed site layout will require at least an Application for Permit Modification. Any revisions that require any expansion in any section of the LOD would require another application to obtain a new permit.

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.

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 a "Self-Verification" ("SV") activity under GP No. 18 of the Rhode Island General Permit (General Permit No. 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.

Please note that the General Conditions within the RI GP apply to all activities authorized under the RI GP. Please review them carefully to thoroughly familiarize yourself with their contents. You may wish to discuss all permit conditions with your contractor to ensure that the work can be accomplished in a manner which conforms to all requirements.

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.

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.

In permitting the proposed alterations, the Program 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.

If you are aggrieved by this decision you may, within thirty (30) days of the receipt of this letter, request an adjudicatory hearing in writing. This request must be sent directly to the DEM Administrative Adjudication Division ("AAD"), One Capitol Hill, Second Floor, Providence, RI 02903. A copy of the request should also be forwarded to both this Program and to the DEM Office of Legal Services, at 235 Promenade St., Providence, RI 02908. Your written request for an adjudicatory hearing must be timely filed and should conform to the requirements of Rule 7.00(b) of the "Administrative Rules of Practice and Procedure for the Department of Environmental Management Administrative Adjudication Division for Environmental Matters", (AAD Rules).

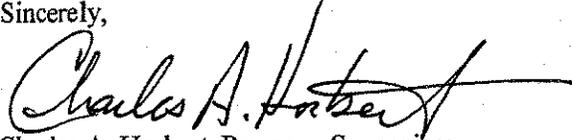
AAD Rule 7.00(b) provides:

"The request for hearing shall state clearly and concisely the specific issues which are in dispute and the facts in support thereof, the relief sought if any, the license or permit sought or involved and any additional information required by applicable statutes and regulations."

The written request must be accompanied by a fee of two thousand dollars (\$2,000.00); in the form of a certified bank check or money order made payable to the Rhode Island General Treasurer; however, in the event that the cost of the hearing exceeds the fee paid, the Program through the AAD will require an additional fee which the applicant must submit prior to the DEM's issuance of any final decision regarding this application. The adjudicatory hearing will be held before a Hearing Officer from the AAD. Such hearing will be held in compliance with the AAD Rules, Chapter 42-35-1 *et seq.* of the R.I.G.L., and other governing laws, rules, and regulations adopted by the DEM. Please note that you have the right to be represented by legal counsel in any proceeding which may be held in this matter.

If you have any questions regarding this matter, you may contact me or Nancy Freeman of my staff at this office (telephone: 401-222-6820, ext. 7402 or 7408 respectively).

Sincerely,



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

Enclosure: Approved Site Plans

ec: Bonnie Stewart, Administrative Adjudication Division
 Eric Beck, P.E., Chief of Groundwater & Wetlands Protection
 Mohamed Freij, P.E., RIDEM OWTS Program
 Mary Kay, Executive Counsel, DEM Office of Legal Services
 Taylor Bell, U.S. Army Corps of Engineers, New England Division
 Ken Johnson, Gloucester Building Official
 Anthony E. Muscatelli, PLS, International Mapping & Surveying Corp.
 Scott P. Rabideau, PWS, Natural Resource Services, Inc.
 Robert F. Angilly, Jr., P.E.
 Carl and Bethany Bomar

xc: Dylan Greene
 Jason K. Moody