



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

March 16, 2018

Mark R. Costello  
5832 Canoe Hill Road  
New Canaan, CT 06840

**Insignificant Alteration – Permit**

**RE:** Application No. 16-0287 in reference to the property and proposed project located:

Approximately 50 feet east of Corn Neck Road and approximately 2,500 feet south of its intersection with Andy's Way at Assessor's Plat 4, Lots 9 & 10, New Shoreham, RI.

Dear Mr. Costello:

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 improvements to the existing swale, two-story addition and renovations to the existing house with new decks, patio, utilities, crushed stone driveway, raingardens, native grassed berm with landscaping, including restoration plantings and associated site alterations as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on February 14, 2018.

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: 16-0287**

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 February 14, 2018. 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 Town of New Shoreham 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 issued 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 straw bales/wattles and/or silt fence must be removed.
12. 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.
13. All plantings of shrubs, trees or other forms of vegetation within freshwater wetlands 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.
14. Restoration plantings of trees and/or shrubs within freshwater wetland areas, except for necessary replacement, must be allowed to develop naturally without being subjected to mowing or manicuring.
15. Any plantings within freshwater wetlands which fail to survive one full growing season shall be replaced. Replacement plantings shall be similarly guaranteed for one full growing season.

16. Outdoor lighting 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.
17. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans and include the following:
  - The landscaping sheet has been added to the overall site plan set and the site plan sheets numbered 1-3 of 3. Please note that the work shown (including the limit of disturbance) on Sheets 1 and 2 supersedes that which is shown on the landscaping sheet, which is strictly for the plantings species and details.
  - No grade changes are authorized except for the proposed swale work along the road frontage, raingardens and the proposed grassed berm as shown on the site plans.

This project must take place in compliance with these revisions.

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.

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.

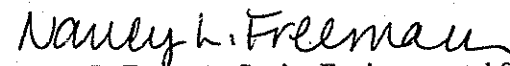
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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 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 of this office (telephone: 401-222-6820 x 7408) should you have any questions regarding this letter.

Sincerely,

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

Enclosure: Approved site plans

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cc: David S. Reis, Supervising Environmental Scientist, CRMC  
Marc Tillson, Building Official, Town of New Shoreham  
Sergio Cherenzia, P.E., Cherenzia & Associates, LTD.  
Ned Phillips, Jr., Ned Phillips, Jr. & Co., LLC  
Scott P. Rabideau, Natural Resource Services, Inc.