



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

July 25, 2017

Four Oaks LLC  
Attn: Ben Lafazia  
8 Marvel Trail  
West Kingston, RI 02892

**Insignificant Alteration – Permit**

**Re:** Application No. 17-0050 in reference to the location below:

Approximately 480 feet south of Buttonwoods Road, near utility pole 27 and approximately 1,500 feet southwest of its intersection with Stilson Road, Assessor's Plat 4C, Lot 28, Richmond, RI

Dear Mr. Lafazia:

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 new 30x50' four (4) bedroom single family residence with driveway, well, OWTS and storm water management BMP's as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on June 14, 2017.

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. 17-0050:**

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 June 14, 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 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.
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. 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 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 straw wattles and/or silt fence 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 by October 31, 2017.** You must notify this Program in writing upon completion of the required plantings for a compliance inspection by a Program representative.

16. Restoration 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 is not authorized along the driveway where it crosses freshwater wetlands.
19. Artificial exterior lighting associated with the dwelling 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.
20. This Program has made specific revisions to the approved site plans. Specifically:
  - a. A permanent limit of disturbance that completely encloses the proposed driveway and house site has been added to the site plans, as required by site plan requirements. No alterations of any kind, including use of motorized vehicles, are authorized beyond this red lined limit of disturbance.
  - b. A temporary limit of disturbance has been established for restoration seeding, mulching, and planting. At least 10 additional shrubs are required south of the shrubs depicted on the plan. Tree stumps and brush are to be left, and the wetland areas-including the perimeter and riverbank wetlands-are to be allowed to revegetate in a natural manner without cutting or trimming.
  - c. The 4.5' wide foot bridge must be removed from the swamp and stream and properly disposed of outside of any wetland areas.

These revisions are clearly marked in red on the approved 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.

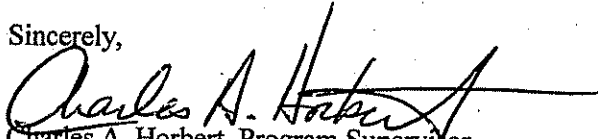
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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 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

cc: Mohamed Frejj, RIDEM OWTS Program  
Daniel R. Cotta, P.E., American Engineering, Inc.  
Brandon Faneuf, Ecosystem Solutions, Inc.  
Joseph St. Lawrence, Richmond Building Official