



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

November 8, 2019

Matteson Ridge, LP
C/O Sal Leccese
650 South Northlake Blvd, Suite 450
Altamonte Springs, FL 32701

REVISED PERMIT

Re: Application No. 17-0080 in reference to the location below:

Approximately 120 feet south of Greenbush Road, Utility Pole No. 134, and approximately 670 feet east of its intersection with Nottingham Drive, Assessor's Plat 12, Lot 20, West Warwick, RI.

Dear Mr. Leccese:

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 stormwater structure substitution as illustrated and detailed on revised site plans submitted with your application. This modification is limited to substituting the originally approved Stormceptor STC 4800 with a SciClone SC-7 hydrodynamic separator. The revised site plans were received by the DEM on August 23, 2019.

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 23, 2019. 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 city/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 and supply this Program with written documentation obtained from the Town showing this revised permit was recorded.
6. This revised permit expires four (4) years from the date of issue of the original letter of unless renewed pursuant to 250-RICR-150-15-1.9(D)(5).
7. Please be advised that this specific stormwater devise has been authorized for this particular project and is not an endorsed stormwater structure by RI DEM.

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 July 25, 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 Andrew Charpentier of this office at (telephone: 401-222-4700 ext.7414) should you have any questions regarding this letter.

Sincerely,



Martin D. Wencek, Program Supervisor
Freshwater Wetlands Program
Office of Water Resources
MDW/AC/ac

Enclosure: Approved revised site plan
Permit Letter dated July 25, 2017

cc: Robert B. Boyer, Boyer Associates
Steven Cabral, Crossman Engineering
Patrick Hogan, DEM Office of Compliance & Inspections



RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF WATER RESOURCE

235 Promenade Street

Providence, Rhode Island 02908

CERTIFIED MAIL

October 10, 2019

Matteson Ridge, LLC
Salvador F. Leccese
1071 Main Street
West Warwick, RI 02893

LETTER OF NONCONFORMANCE

Re: Application Nos. 17-0080 & 18-0158 - Letter of Nonconformance for the project site located:

Approximately 100 feet south of Greenbush Road, opposite utility pole 134, and approximately 250 feet west of its intersection with Maid Marian Lane, Assessor's Plat 12, Lot 20, West Warwick, RI.

Dear Mr. Leccese:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") conducted an inspection of the above referenced site on July 30, 2019. This inspection revealed that the project is taking place in non-conformance with the terms and conditions of the permits issued by this Program on July 25, 2017 for Application No. 17-0080 and August 30, 2018 for Application No. 18-0158 (copies of letters enclosed). Please be aware that this letter pertains only to that area surrounding Units K-1; K-2; and K-3.

Specifically, you are in non-conformance with the terms and conditions of the permits in the following instances:

1. In Non-conformance with Permit Condition No. 11 of Application 17-0080, sediments have eroded into the wetland east of the approved building.
2. In Non-conformance with Permit Condition No. 13 of Application 17-0080, the approved infiltration basins and roof drains have not been properly constructed and installed.
3. In Non-conformance with Permit Condition No. 2 of Application 18-0158, clearing and soil disturbance have occurred southerly beyond the approved limit of disturbance.
4. In Non-conformance with Permit Condition No. 4 of Application 18-0158, this Program was not notified prior to the commencement of site alterations.
5. In Non-Conformance with Permit Condition No. 14 of Application 18-0158, the required plantings have not been installed.

In order for you to conform with the terms and conditions of the permits and the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act ("Rules"), you are required to:

Office of Water Resources/Permitting Section/Tel.401-222-6820/FAX:401-222-3564

1. Using only hand tools, remove sediments that have eroded into wetland east of Units K-1, K-2 and K-3. Immediately after removing sediments, seed disturbed wetland areas with a wildlife conservation seed mix. A layer of straw must be placed over the seed.
2. Properly grade the three approved infiltration basins, properly install the weirs/riprap, loam and stabilize with an appropriate seed mix.
3. Redirect roof drains to discharge into the basins north and south of the building.
4. Apply a wildlife conservation seed mix and straw to the disturbed area beyond the approved limit of disturbance associated with Unit K-3's driveway and plant seventeen (17) sweet pepperbush (*Clethra alnifolia*) plantings. Plantings are to be spaced five feet apart and be at least four feet in height after planting. Refer to enclosed sketch for guidance.
5. Install the nine (9) northern white cedars (*Thuja occidentalis*) as depicted on the approved site plan.

The removal of accumulated sediment, installation of the conservation seed mix and straw, and planting of the shrubs and trees noted above must be completed no later than October 31, 2019. Please be advised that you must ensure the survival of all trees and shrubs as described for a full year after planting. Any plantings that do not survive one full year must be replaced in-kind.

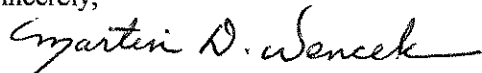
All infiltration basins and directing roof drainage to the basins must be completed no later than November 20, 2019. Seeding of the basins must be completed no later than April 12, 2020.

Within ten (10) days of receipt of this letter, you must notify this office in writing of your intent to comply with the requirements of this letter. Failure to notify this office of your intent to comply or failure to satisfy the requirements of this letter within a timely and appropriate manner could subject you to more severe enforcement action as allowed by RIGL and/or the Rules.

You are required to notify this Office in writing upon completion of the requirements stated in this letter.

Please contact Andrew Charpentier should you have any questions regarding this letter (telephone: (401) 222-4700 ext. 7414).

Sincerely,



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

w/enclosures: Permit letters of July 25, 2017 and August 30, 2018
Restoration Plan

cc: Bruce Ahern, DEM Office of Compliance & Inspection
Robert Assalone, West Warwick Building Official



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

July 25, 2017

C. Geoffrey Matteson
c/o John J. Kupa, Jr., Esq.
20 Oakdale Road
North Kingstown, RI 02852

Insignificant Alteration – Permit

Re: Application No. 17-0080; RIPDES File #RIR101570; UIC File # 001771 in reference to the location below:

Approximately 120 feet south of Greenbush Road, Utility Pole No. 134, and approximately 670 feet east of its intersection with Nottingham Drive, Assessor's Plat 12, Lot 20, West Warwick, RI

Dear Mr. Matteson:

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 condominium development with thirty-two (32) condominium buildings, roadways, utilities, stormwater treatment structures and landscaping as illustrated and detailed on site plans submitted with your application. The most recently revised site plans were received by the DEM on June 23, 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. 17-0080, UIC No. 001771 and RIPDES No. RIR101570:

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 has also included review related to the RIPDES "General Permit for Storm Water Discharge Associated with Construction Activity" as well as review of any stormwater infiltration system subject to the RI DEM "Rules for the Discharge of Non-Sanitary Wastewater and Other Fluid To or Below the Ground Surface"
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 23, 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 Town of West Warwick 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 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. Also prior to commencement of site alterations, **and specifically prior to commencing site clearing associated with Phases 1, 3 and 4 as designated on Sheet 12 of 24 of the approved site plans**, the approved Limits of Disturbance are to be clearly marked and labeled by a Professional Land Surveyor with either orange construction fencing, or with clearly visible stakes placed every 25 feet along the limit of disturbance. Proper placement is to be confirmed on site by a representative of this Program prior to commencing clearing operations. These markers may be placed commensurate with installation of erosion controls noted in Condition No. 11 below.
11. 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.
12. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls must be removed.
13. You are responsible for the proper installation, operation, maintenance and stability of any mitigative features, stormwater treatment facilities, and systems of treatment and control that are installed or used in compliance with this permit to prevent harm to adjacent wetlands until such time that documentation is provided assigning this responsibility to another entity. Long term maintenance shall be in accordance with the "Long Term Operations and Maintenance Plan for Matteson Ridge Condos" as prepared by Crossman Engineering and revised dated June, 2017.
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.
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. 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. 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.
19. 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 row of white pines must be planted along the approved limit of disturbance east of proposed units A-1 to A-10. These plantings must be at least 4' in height and planted 10' apart on-center.

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 No. **RIR101570**.

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.

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 the Rules.

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 Andrew Charpentier of this office (telephone: 401-222-6820 x 7414) should you have any questions regarding this letter.

Sincerely,



Charles A. Horbert, Program Supervisor
Office of Water Resources
Freshwater Wetlands Program
CAH/AC/ac

Enclosure: Approved site plans

cc: Karen Sorenson, RIDEM UIC Program
George Dumont, West Warwick Building Official
Robert B. Boyer, PLS, Boyer Associates
Steven Cabral, P.E. Crossman Engineering
Kevin Fetzer, Ecotones, Inc.