



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

September 1, 2022

Stop & Shop Supermarket Company LLC
c/o Jeff Morgan, Manager of Property
1385 Hancock Street
Quincy, MA 02169

RE: Application No. 17-0290, R IPDES No. RIR101678 & UIC No. 001820, **Application for Renewal** for the site located:

Approximately 900 feet northwest of the intersection of Putnam Pike (Route 44) and Esmond Street, Assessor's Plat 29, Lot 66A; Assessor's Plat 30, Lots 20, 29, 30, 30A, 31, 31A; and Assessor's Plat 35, Lots 13 & 21, Smithfield, RI

Dear Mr. Morgan:

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 July 26, 2022.

It is our understanding that you are requesting renewal of the permit issued for Application No. 17-0290. The original permit was issued on August 2, 2018 to Churchill & Banks Companies, LLC 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 August 2, 2024 and expires on that date.

A copy of the original permit letter of August 2, 2018 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 (telephone: 401-222-6820, ext. 277-7419) should you have any questions regarding this letter.

Sincerely,

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

Enclosure: Original permit letter dated August 2, 2018

ec: Neal Personeus, RIDEM Stormwater Program
Michael Phillips, Town Planner, Town of Smithfield
Christopher McWhite, Building Official, Town of Smithfield
Brandon Carr, PE, DiPrete Engineering



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

August 2, 2018

Churchill & Banks Companies, LLC
Attn: Richard Baccari, Member
and Walter & Norma Patterson
c/o 10 Greene Street
Providence, RI 02903

Insignificant Alteration – Permit

Re: Application No. 17-0290 in reference to the location below:

Approximately 900 feet northwest of the intersection of Putnam Pike (Route 44) and Esmond Street, Assessor's Plat 29, Lot 66A; Assessor's Plat 30, Lots 20, 29, 30, 30A, 31, 31A; and Assessor's Plat 35, Lots 13 & 21, Smithfield, RI

Dear Mr. Baccari, & Mr. & Mrs. Patterson:

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 mixed use development known as "Smithfield Village", including apartments, condominiums, retail & office space, and a hotel, with associated access roads, parking areas, utilities, stormwater management system 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 July 16, 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: 17-0290; RIPDES No. RIR101678; & UIC No. 001820:

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 July 16, 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 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 Smithfield 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 effective date 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, including any installation of erosion controls or site clearing, the approved Limit of Disturbance must be clearly marked and labeled on site by a Professional Land Surveyor to ensure these limits are not exceeded during site construction.
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 BMP's, 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 documentation is provided showing this responsibility has been assigned to another entity. Future operation & maintenance of the stormwater treatment system shall be as described in the "Operation & Maintenance Plan, Smithfield Village" as prepared by DiPrete Engineering and revised on 3-6-18.
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. Artificial lighting utilized for this development 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.

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. **RIR101678**.

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 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 feel free to contact me (telephone: 401-222-6820 x 7402) should you have any questions regarding this letter.

Sincerely,


Charles A. Horbert, Program Supervisor
Office of Water Resources
Freshwater Wetlands Program
CANH/cah

Enclosure: Approved site plans

cc: Neal Personeus, DEM Stormwater Permitting
Stephen Tyrrell, Enforcement Supervisor, Office of Compliance & Inspection
Michael Phillips, Smithfield Town Planner
James Cambio, Smithfield Building Official
Brandon Carr, P.E., DiPrete Engineering