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

March 12, 2018

Allen Avenue, LLC
Jon Giampietro, President
875 Seven Mile Road
Hope, RI 02831

Insignificant Alteration – Permit

RE: Application No. 18-0026 in reference to the property and proposed project located:

Approximately 30 feet east of Berth Avenue and approximately 260 feet south of its intersection with Diane Drive, at Utility Pole No. 2, Assessor's Plat 24-1, Lot 26, South Kingstown, RI.

Dear Mr. Giampietro:

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 two-family duplex dwelling with decks, pervious driveways, detached garage, utilities (town water and sewer connections) and raingardens with clearing, grading and landscaping as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on March 8, 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: 18-0026

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 March 8, 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 South Kingstown 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 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 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. 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. If invasive species grow back within the area planted (not to exceed beyond the temporary limit of disturbance-see Condition No.17 below), if desired, invasive species only can be physically removed to facilitate the growth of native plants using hand held implements.

15. Any plantings which fail to survive one full growing season shall be replaced. Replacement plantings shall be similarly guaranteed for one full growing season.

16. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans under General Note 4. Specifically, the pervious driveway shall consist of crushed stone ¾ inch to 1 ½ inch diameter, washed angular crushed stone installed to a minimum depth of 3 inches with the finished grade not higher than the adjacent ground elevation per the *Rhode Island Stormwater Management Guidance for Individual Single-Family Residential Lot Development*. In addition, the temporary limit of disturbance for plantings has been outlined in red for clarification. This project must take place in compliance with these revisions.

17. Also prior to commencement of any site alterations, permanent buffer zone markers must be installed along the limit of disturbance at the locations indicated 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 (except as indicated in Condition No. 14 above).

18. As previously discussed, a large deciduous tree is present on the eastern property boundary. If you choose to preserve the tree and need to relocate one or more of the proposed raingardens so as not to potentially impact the tree's root zone, you may do so provided any raingarden is located within the approved limit of disturbance and outside of any regulated freshwater wetlands.

19. This permit supersedes a previous permit issued by the DEM for the subject property under Application No. 08-0379.

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

Sincerely,

Nancy L. Freeman

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

Enclosure: Approved site plans

ec: Richard Bzdyra, PLS, Ocean State Planners, Inc.
David Duranleau, Soil Scientist, Ocean State Planners, Inc.
Brad Ward, Interim Building Official, Town of South Kingstown, RI