



**RHODE ISLAND**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

OFFICE OF WATER RESOURCES  
235 Promenade Street, Providence, Rhode Island 02908

December 12, 2018

Kevin Smith  
15 Lakeside Drive.  
Johnston, RI 02919

RE: Application No. 18-0273 in reference to the property and proposed project located:

Approximately 50 feet east of Chamberlain Street, opposite utility pole no. 1; approximately 120 feet southeast of the intersection of Chamberlain Street and Elmgrove Avenue; Assessor's Plat 51, Lot 39, Parcel B, Johnston, RI.

Dear Mr. Smith:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your proposed construction of a three bedroom dwelling with private well, OWTS, pervious driveway, and a subsurface drywell for the above referenced property ("subject property") as illustrated and detailed on site plans submitted with your application. The site plans referenced by this letter and on file with this Program were received on October 11, 2018.

Our inspection reveals that freshwater wetlands regulated by the DEM are present on or in close proximity to the subject property. Review of your proposed project, however, reveals that this project does not represent an alteration to these freshwater wetlands. It is our determination therefore that a permit for this project pursuant to the Freshwater Wetland Act (Rhode Island General Law Section 2-1-18 *et seq.*) or the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act is not required. **This Determination of Non-Jurisdiction is specific to the proposed site alterations illustrated and detailed on site plans on file with this Program** and is further predicated on the following:

1. Adequate measures are employed during and after site alterations to control soil erosion and to prevent any sediment from such erosion being deposited in any freshwater wetlands. You should consult the Rhode Island Soil Erosion and Sediment Control Handbook for appropriate methods to control erosion and prevent sediment from leaving your project site.
2. This determination does not authorize you to modify your project in such a way as to result in the following:
  - a. An increase in the rate and/or volume of surface water runoff flowing into, or draining or diverting from these wetlands; or
  - b. A diversion of groundwater into or away from these wetlands; or
  - c. A modification to the quality of water reaching these wetlands which could change their natural character.

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Please note that this Determination of Non-Jurisdiction is specific to this proposed project as illustrated on the reviewed site plans, is valid till December 11, 2022, and does not remove your obligation to obtain any local, state or federal approvals or permits required by ordinance or law.


**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.**

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

Any modification to your project that would result in an alteration to freshwater wetlands or allowing your project to result in an alteration to freshwater wetlands requires a permit from this Program. Unauthorized alterations to freshwater wetlands are subject to enforcement action.

Enclosed please find one (1) copy of your site plans stamped Approved with Conditions by this Program. Please contact Daniel Kowal (telephone: 401-222-4700, ext. 7416) should you have any questions.

Sincerely,



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

MDW/DMK/dmk

Enclosure: Approved Site Plans

cc: Scott P. Rabideau, Natural Resource Services, Inc.  
Nicholas Veltri, PLS, N. Veltri Survey, Inc.  
Ben Nascenzi, Johnston Building Official