



RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
 OFFICE OF WATER RESOURCES - Groundwater and Freshwater Wetlands Protection  
**FRESHWATER WETLANDS PROGRAM**  
 235 Promenade Street, Providence, RI 02908  
 Telephone: 401-222-6820; Rhode Island Relay: 711  
[www.dem.ri.gov/wetlands](http://www.dem.ri.gov/wetlands)

FOR RIDEM USE ONLY	
Complete Application Received Date:	
FEB 17 2023	
reviewer:	

**FRESHWATER WETLANDS APPLICATION FOR PERMIT RENEWAL**

19-0006

**INSTRUCTIONS:** Use this form to request a **Permit Renewal** of a Significant Alteration or Freshwater Wetlands Permit [250-RICR-150-15-3(3.14.2)] or a Permit issued as a result of an Application to Alter or a Request for Preliminary Determination [250-RICR-150-15-1(1.11(B))]

Submit completed Application for Permit Renewal forms with fee no later than sixty (60) days before Permit expiration to:

**Permit Application Center (PAC), RIDEM, 235 Promenade Street, Providence, RI 02908**

(Check or money order must be made payable to the Rhode Island General Treasurer.)

**Note:** An Application for Renewal of a permit shall be limited to requests to continue or complete the originally permitted alterations. Any modifications to the original proposal, other than permitted modifications, shall require a new application, or an Application for Permit Modification.

PAYMENT INFORMATION		
Fee Payment Amount: \$200.	Check #: 21153	Check Issued By: A1 ROOFING & Construction

PERMIT INFORMATION and HISTORY	
<b>Note:</b> View historical permit information and status, or download a copy of approved FWW decisions and approved plans from DEM's Wetlands Online Permit Search at: <a href="http://www.ri.gov/DEM/wetlands/">www.ri.gov/DEM/wetlands/</a>	

<b>Select Original Permit Type to be Renewed:</b> <input checked="" type="checkbox"/> Freshwater Wetlands Permit [250-RICR-150-15-3(3.11)] <input type="checkbox"/> Significant Alteration [250-RICR-150-15-3(3.12)] <input type="checkbox"/> Permit resulted from Request for Preliminary Determination [250-RICR-150-15-1(1.9)] <input type="checkbox"/> Permit resulted from Application to Alter [250-RICR-150-15-1(1.10)]	<b>Provide all file numbers associated with this site:</b> Freshwater Wetlands: 19-0006 Groundwater Discharge/UIC: _____ RIPDES Construction General Permit: RIR101847
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**Note:** Joint DWTS/Freshwater Wetlands Permits shall not be renewed. New application required.

<b>Provide Original or Subsequent Permit Information:</b>	
Original Permit Issue Date: July 16, 2019	Subsequent Renewal Issue Date(s): _____
Original Permit Expiration Date: July 16, 2023	Subsequent Renewal Expiration Date(s): _____
Have all original and subsequent permits for the project for which the renewal is requested been recorded in the municipal land evidence records, as required by the permits' terms and conditions of approval? (if applicable)	
	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
If yes, has written documentation confirming the recording been received by DEM?	
	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
If no, submit written documentation confirming the original and subsequent permits have been recorded with this form. (if applicable)	

**Note:** Confirm by viewing permit information from the Wetlands Online Permit Search at: [www.ri.gov/DEM/wetlands/](http://www.ri.gov/DEM/wetlands/)

PROPERTY, SITE and PROJECT INFORMATION	
<b>Note:</b> An Application for Renewal of a permit will not be granted, if, in the opinion of the Department, work has taken place in non-compliance with the original permit or any renewal thereof, is in non-compliance with the Fresh Water Wetlands Act or any of the Rules, or if the applicant revises the project such that there is a change in proposed alterations of freshwater wetlands, buffers, floodplains, areas subject to flooding or areas subject to storm flowage.	
Project Name: Preliminary Determination Application - Site Redevelopment Plans	RIDOT PTSID # (if applicable): _____
Primary City/Town: Middletown	Street Abutting Site: Aquidneck Avenue
Previous enforcement action for this site? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If yes, provide Enforcement File(s) #: _____
Has actual site work commenced on the project for which renewal is requested? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If no, provide anticipated date for start of construction: Spring 2024	
Provide anticipated date for project completion: Fall 2025	

APPLICANT INFORMATION	
<b>Note:</b> Only the original permittee or subsequent transferee may request renewal of the permit. If required, please submit an <u>Application for Permit Transfer</u> in addition to this form.	

Applicant's Name (Required): A-1 Roofing & Construction, Inc.	Title: _____
<i>The applicant must be the owner of the property or easement which is the subject of this application or must be the government agency or entity with power of condemnation over such property or easement.</i>	
Name of Representative (if Applicant is an Agency or Entity): Sean Napolitano	
Email: sean@a1roofingcompany.com	Phone: 401-265-1019
Mailing Address: 29 1/2 Bliss Road	
City/Town: Newport	State: RI Zip Code: 02840

**Note:** Permit Renewals being submitted for a project with more than one applicant may provide the Supplemental Document: Additional Applicant Information and Certification in addition to this form.

Supplemental Form attached?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
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APPLICANT CERTIFICATION

Select both Certifications for Permit Renewal to be granted by RIDEM (required):

- I hereby state that I am requesting renewal of the original or subsequently modified permitted project under the Freshwater Wetlands Permit specified above. I fully understand the permit limitations and will comply with any and all conditions of the permit.
- I hereby certify that I have requested and authorized the investigation, compilation, and submission of all the information, in whatever form, contained in this Application; that I have personally examined and am familiar with the information submitted herein; and that such information is true, accurate and complete to the best of my knowledge. I hereby authorize RIDEM personnel access to the property for purposes of observing conditions pertinent to this application and assessing compliance with any permit or determination resulting from this application, including any sampling, monitoring or surveying that may be deemed appropriate, consistent with RIDEM's Administrative Inspection Guidelines. (250-RICR-20-00-3)

Note any special conditions for access:

[Empty box for special conditions]

Applicant's Signature: Sen Dypolena

Date of Signature: 2/13/2023

RENEWAL PERMIT DECISION [FOR RIDEM USE ONLY]

In accordance with the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act [250-RICR-150-15-3.14.2 "Rules"], DEM issues the following determination concerning your proposed project based on reliance on the above information and accompanying attachments to your application. Any change in your project, or the existence of property characteristics that differ from descriptions that were provided to the DEM, may invalidate this determination.

Freshwater Wetlands Permit #: 19-0006

DEM Compliance Inspection Conducted on: 2/23/23

- Project 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-150-15-3]
- Unauthorized wetland alterations have occurred, cease all Wetland disturbance on site.

Permit Renewal Granted [PERMRENEW]

- See original Permit for all applicable terms and conditions of approval, available for download at: [www.ri.gov/DEM/wetlands/](http://www.ri.gov/DEM/wetlands/)
- Additional Terms and Conditional of Approval:
  - This renewal is valid until the Renewal Expiration Date provided below.
  - It is the Applicant's 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 the Applicant of any obligations to obtain any local, state or federal approvals or permits as required by ordinance or law.

Permit Renewal Not Granted [NOTRENEWED]

- Original Permit Type not eligible for Renewal.
- Original Permit has expired.
- DEM Compliance Inspection found activities onsite are not in compliance with the original or subsequently modified permit.
- For details, findings and instructions for further required actions, see enclosed letter dated: \_\_\_\_\_

Please contact the Freshwater Wetlands Program by email at [DEM.FWW@dem.ri.gov](mailto:DEM.FWW@dem.ri.gov) or call (401) 222-6820, option #3, if you have questions regarding this decision.

Signature of DEM Official: Christopher A. Wencel

cmw 4/7/2023

Decision Date: 4/7/23

Renewal Expiration Date: July 16, 2025  
(if applicable)



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

July 16, 2019

A-1 Roofing & Construction, Inc.  
C/o Sean Napolitano  
29 1/2 Bliss Road  
Newport, RI 02840

**Insignificant Alteration – Permit**

RE: Wetland Application No. 19-0006 and RIPDES Program File No. RIR 101847 in reference to the property and proposed project located approximately 260 feet west of Aquidneck Avenue at 990 Aquidneck Avenue, opposite utility pole nos. 11-90, 11, 10-90; approximately 345 feet northwest of the intersection of Trimble Road and Aquidneck Avenue; Assessor's Plat 114, Lot 507, Middletown, RI.

Dear Mr. Napolitano:

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 construction of two commercial buildings with parking areas, utilities, underdrains, and stormwater best management practices, as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on July 9, 2019.

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 250-RICR-150-15-1.9 of the Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act, 250-RICR-150-15-1 (Rules), this project may be permitted as an **insignificant alteration** to freshwater wetlands under the following terms and conditions:

Terms and Conditions for Wetland Application No. 18-0292 and RIPDES File No. RIR101847:

1. This letter is the DEM's permit for this project under the R.I. Fresh Water Wetlands Act, Rhode Island General Laws § 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".
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 9, 2019. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project which 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 Middletown 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.
8. Any material utilized in this project must be clean and free of matter which 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. You are responsible for the proper operation, maintenance and stability of any mitigative features, facilities, and systems of treatment and control which are installed or used in compliance with this permit to prevent harm to adjacent wetlands until documentation is provided that this responsibility has been assigned to another entity.
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. 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.
14. This Program has made a specific revision to the approved site plans. This revision is clearly marked in red on the approved plans. This project must take place in compliance with this revision. Specifically, on sheet 5 of 8, the proposed straw wattle sediment control depicted on the midslope northwesterly of the proposed limit of work is not to be installed since no ground-breaking work is proposed on the slope and installing the straw wattle will cause ground-breaking work that is not necessary.

Pursuant to the provisions in 250-RICR-150-15-1.9(A)(9) and 250-RICR-150-15-1.11(D), as applicable, any properly recorded and valid permit is automatically transferred to the new owner upon sale of the property.

Additionally, the Program has also 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 2018 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. RIR 101847.

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/programs/benviron/water/permits/swcoord/pdf/cpg092618.pdf>.

Please be aware that the RIDEM's Rules and Regulations Governing the Establishment of Various Fees (250-RICR-30-00-1) 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 31<sup>st</sup> 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 250-RICR-150-15-1.8(C).

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 Daniel Kowal of this office (telephone: 401-222-4700, ext. 7416) should you have any questions regarding this letter.

Sincerely,



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

MDW/DMK/dmk

Enclosure: Approved site plans

cc: Michael E. Russell, PE, LDEC Engineering & Consulting, LLC  
Jack Kane, Middletown Building Official  
Neal Personeus, RIDEM Stormwater Program