



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

September 24, 2019

South Shore Mental Health Center, Inc.
Daniel J. Wall, President
765 Allens Avenue, Suite 100
Providence, RI 02905

Insignificant Alteration – Permit

RE: Wetlands Application No. 19-0108 in reference to the property and proposed project located:

Approximately 100 feet west of Kingston Road (Route 108) near Utility Pole No. 155 and approximately 350 feet southwest of its intersection with Southwinds Drive, Assessor's Plat 40-1, Lot 125, South Kingstown, RI.

Dear Mr. Wall:

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 commercial retail building with paved driveway and parking, utility connections (town water and sewer) and drainage with clearing, grading, landscaping and associated site alterations as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on September 23, 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, 250-150-15-1, this project may be permitted as an **insignificant alteration** to freshwater wetlands under the following terms and conditions:

Terms and Conditions for Wetlands Application No. 19-0108; RIPDES No. RIR101905; and Groundwater Discharge/UIC No. 001938:

1. This letter is the DEM's permit for this project under the R.I. Fresh Water Wetlands Act, R.I. Gen. 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" as well as review of any stormwater infiltration system subject to the DEM Groundwater Discharge Rules (Rules for the Discharge of Non-Sanitary Wastewater and Other Fluid to or Below the Ground Surface), 250-RICR-150-05-4.
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 September 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 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 city/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 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 (4) years from the date of this letter 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 silt fence or other non-biodegradable measures must be removed.
12. 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 that this responsibility has been assigned to another entity.
13. 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.
14. All plantings of shrubs, trees or other forms of vegetation as shown or detailed on the approved plans for stormwater mitigation, or detailed in this permit, must be installed as soon as possible after completion of final grading; weather and season permitting.
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. Artificial lighting 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.

17. 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.
18. The long-term operation and maintenance plan shall be strictly followed. The long-term O & M Plan shall be that entitled "Stormwater Operation and Maintenance Plan, Proposed Retail, 1860 Kingstown Road, South Kingstown, RI; Prepared for: Garrett Homes, LLC, 6 William Way, Harwington, CT", Sheets OM-1 and OM-2, dated revised 7/19/2019, prepared by BL Companies.
 - The following note is hereby added to the above O & M Plan: Silt/sediment shall be removed from the filter bed of the sand filter and the bioretention basin when the accumulation exceeds one inch. When the filtering capacity of the filter diminished substantially (water ponds on the surface of the filter bed for more than 48 hours), the top few inches of discolored material shall be removed and shall be replaced with fresh material. The removed sediments shall be disposed in an acceptable manner at an approved and permitted location and in accordance with any local, state, or federal approvals or permits required by ordinance or law.
 - If any of the proposed stormwater practices do not fully infiltrate in 48 hours or less (assuming non-frozen conditions) the specific stormwater practice shall be either repaired or replaced so as to re-establish originally designed infiltration rates.

This project must take place in compliance with these revisions to the long-term O & M Plan.

19. The off-site sidewalk outside of the proposed limit of disturbance (LOD) added under the latest revision has not been reviewed, nor approved, under this permit application. A note has been added to Sheet SP-1.

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 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 CGP. 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. **RIR101905**.

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 DEM's Rules and Regulations Governing the Establishment of Various Fees (250-RICR-30-00-1) require that RIPDES CGP permit holders 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.

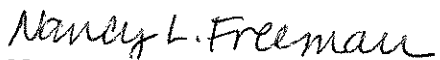
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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

Sincerely,



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

Enclosure: Approved site plans

xc: Wayne Pimental, Building and Zoning Official, South Kingstown
Suzanne King, P.E. BL Companies
Jennifer Marks, Land Surveyor, BL Companies
Neal Personeus, DEM Stormwater Program
Nicholas A. Pisani, P.E., DEM Stormwater Program