



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

November 7, 2024

The Preserve at Boulder Hills II & III, LLC  
Paul Mihailides, Managing Member  
87 Kingstown Road  
Richmond, RI 02898

### **REVISED PERMIT**

Re: Application No. 19-0167 in reference to the location below:

Approximately 1,300 feet west of Kingstown Road (RI Route 138), approximately 2,400 feet north of the intersection of Kingstown Road and Meadow Brook Road, Assessor's Plat 5B, Lot 38, Richmond, RI.

Dear Mr. Mihailides:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your Application for Permit Modification and has evaluated your request to relocate eight (8) previously approved dwelling units, and relocation of a private roadway with associated Best Management Practices to mitigate drainage as described in the cover letter submitted with your application and on site plans received by this Program on September 30, 2024.

Based upon the Program's evaluation of the revised project and pursuant to 250-RICR-150-15-1.11(C) of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-1, it is the Program's determination that a revised permit for the modified project timeline may be issued under the following terms and conditions:

1. This letter is the DEM's revised permit for this project under the R.I. Fresh Water Wetlands Act, R.I. Gen Laws. § 2-1-18 et seq.
2. This revised permit is still 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 30, 2024. Specifically, the modification to the original permit shall be strictly limited to only that area depicted within the "Pro. Limits of modification" (ie. The Project Limits of Modifications) on sheet 2 of 17 of the approved modified site plans. No other work is authorized by this modification permit outside that designated area. Additional 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 revised permit conflict with the approved site plans, these terms and conditions shall be deemed to supersede the site plans.
4. A copy of the previously stamped approved site plans and a copy of this revised permit must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of this revised permit and the stamped approved plans must be made available for review by any DEM or Town representative upon request.

5. Within ten (10) days of the receipt of this revised permit, you must record this permit in the land evidence records of the Town of Richmond and supply this Program with written documentation obtained from the Town showing this revised permit was recorded.
6. This revised permit expires on September 10, 2025, and cannot be renewed again since the 2 year renewal has already been issued for this permit.

Except as authorized in this revised permit, all terms and conditions previously specified in the Program's permit dated September 10, 2019 (copy enclosed) remain in effect.

You are required to comply with the terms and conditions of this revised permit and to carry out this project in compliance with 250-RICR-150-15-1 at all times. Failure to do so may result in an enforcement action by the Program.

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

This revised 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 at this office at 401-537-4194 should you have any questions regarding this letter.

Sincerely,



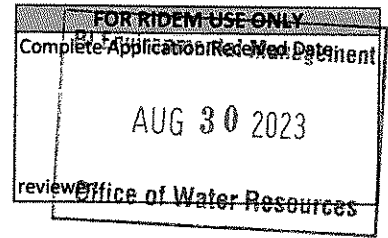
Martin D. Wencek, Program Supervisor  
Freshwater Wetlands Program  
Office of Water Resources  
MDW/mdw

Enclosure: Original permit dated September 10, 2019

ec: Craig Carrigan, Carrigan Engineering



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)



**FRESHWATER WETLANDS APPLICATION FOR PERMIT RENEWAL**

**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 #: 1295 Check Issued By: The Preserve at Boulder Hills, LLC

**PERMIT INFORMATION and HISTORY**

**Note:** 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: [www.ri.gov/DEM/wetlands/](http://www.ri.gov/DEM/wetlands/)

Select Original Permit Type to be Renewed:

- Freshwater Wetlands Permit [250-RICR-150-15-3(3.11)]
- Significant Alteration [250-RICR-150-15-3(3.12)]
- Permit resulted from Request for Preliminary Determination [250-RICR-150-15-1(1.9)]
- Permit resulted from Application to Alter [250-RICR-150-15-1(1.10)]

Provide all file numbers associated with this site:

Freshwater Wetlands: 19-0187  
 Groundwater Discharge/UIC: 001711  
 RIPDES Construction General Permit: RIR101397

**Note:** Joint OWTS/Freshwater Wetlands Permits shall not be renewed. New application required.

Provide Original or Subsequent Permit Information:

Original Permit Issue Date: September 10, 2019 Subsequent Renewal Issue Date(s): September 10, 2023  
 Original Permit Expiration Date: September 10, 2023 Subsequent Renewal Expiration Date(s): September 10, 2024

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)  YES  NO  N/A

If yes, has written documentation confirming the recording been received by DEM?  YES  NO  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**

**Note:** 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: The Preserve at Boulder Hills RIDOT PTSID # (if applicable): \_\_\_\_\_  
 Primary City/Town: Richmond Street Abutting Site: Kingstown Road  
 Previous enforcement action for this site?  YES  NO If yes, provide Enforcement File(s) #: \_\_\_\_\_  
 Has actual site work commenced on the project for which renewal is requested?  YES  NO  
 If no, provide anticipated date for start of construction: \_\_\_\_\_  
 Provide anticipated date for project completion: September 10, 2024

**APPLICANT INFORMATION**

**Note:** Only the original permittee or subsequent transferee may request renewal of the permit. If required, please submit an Application for Permit Transfer in addition to this form.

Applicant's Name (Required): Paul Mihailides Title: Managing Member  
*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.*

Name of Representative (if Applicant is an Agency or Entity): \_\_\_\_\_  
 Email: jd@mtmcorporation.com Phone: 401-392-3000 x 4193

Mailing Address: 87 Kingstown Road  
 City/Town: Richmond State: RI Zip Code: 02898

**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?  YES  NO

**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:

Applicant's Signature: 

Date of Signature: 08/23/2023

**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 #: 19-0167

DEM Compliance Inspection Conducted on: October 2, 2023

- 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: 

Decision Date: 11/30/2023

Renewal Expiration Date: 09/10/2025  
(if applicable)



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

September 10, 2019

The Preserve at Boulder Hills II, LLC  
The Preserve at Boulder Hills III, LLC  
Castle Residences, LLC  
c/o Paul Mihailides, Managing Member  
87 Kingstown Road  
Wyoming, RI 02898

**Insignificant Alteration – Permit**

**RE:** Wetlands Application No. 19-0167; RIPDES File Number RIR101397; UIC File Number 001711 in reference to the property and proposed project located:

Approximately 1,300 feet west of Kingstown Road (Route 138), approximately 2,400 feet north of its intersection with Meadow Brook Road, at the Preserve, Assessor's Plat 5B Lot 38, Assessor's Plat 6B Lots 2 and 4, Richmond, RI.

Dear Mr. Mihailides:

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 "residential compound" with associated hotel, lodges, dwellings, accessory structures, access road, driveways, parking areas, stormwater controls and on-site wastewater treatment systems as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on August 14, 2019 and September 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, 250-150-15-1, 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. 19-0167; RIPDES No. RIR101397; Groundwater Discharge/UIC No. 001711:**

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 August 14, 2019 and September 9, 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 Richmond 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 hay bales and/or silt fence 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. 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.
15. The long-term operation and maintenance plan shall be strictly followed. The long-term O & M Plan shall be that entitled "BMP maintenance, The Preserve at Boulder Hills, Phase 1A, 87 Kingstown Road, Wyoming RI 02898, AP 5B, Lot 38, AP 6B Lot 2, AP 6B Lot 4", dated 8/14/2019, indicated as Prepared by Craig Carrigan, P.E.
16. A copy of this permit and a copy of the approved site plans must be forwarded to the On-Site Wastewater Treatment System Program OWTS Program of the DEM's Office of Water Resources. A permit is needed from the (OWTS) Program prior to commencing any work on this project.

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. **RIR101397**.

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 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 Jane Kelly of this office (telephone: 401-222-6820, ext. 7420) should you have any questions regarding this letter.

Sincerely,



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

MDW/JEK/jek

Enclosure: Approved site plans

Xc: Mohamed Freij, DEM OWTS Program  
Neal Personeus, DEM Stormwater Program  
Stephen Tyrrell, DEM Office of Compliance & Inspection  
Shaun Lacey, Richmond Town Planner  
Dave Tacey, Richmond Building Official