



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

November 7, 2019

JBACH Realty, LLC
Henry DiPietro
6 Crudale Drive
West Warwick, RI 02893

Insignificant Alteration – Permit

Re: Application No. 19-0244 in reference to the location below:

Approximately 250 feet northeast of Crudale Drive, Utility Pole 1-1, approximately 600 feet east of its intersection with Szydlo Drive, Assessor's Plat 30, Lot 96, West Warwick, RI.

Dear Mr. DiPietro:

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 vehicle storage facilities, washed crushed stone parking areas, associated drainage practices, and wetland restoration as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on August 22, 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, 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. 19-0244; RIPDES No. RIR101942:

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.
2. This determination also includes your final authorization to discharge storm water associated with construction activity under the **2018 RIDPES General Permit for Stormwater Discharge During Construction Activity ("CGP")**. For future references and inquiry, your permit authorization number is RIPDES No. **RIR101942**.
3. 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 22, 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.

4. 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.
5. 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.
6. You must notify this Program in writing of the anticipated start date, and of your contractor's contact information, by submitting the Notice of Start of Construction Form prior to commencement of any permitted site alterations or construction activity. You must also notify this Program in writing upon completion of the project, including submittal of the Notice of Termination Form. The Start of Construction Form and the Notice of Termination can be found on the webpage: dem.ri.gov/stormwaterconstruction
7. Within ten (10) days of the receipt of this permit, you must record this permit in the land evidence records of the Town of West Warwick and supply this Program with written documentation obtained from the Town showing this permit was recorded.
8. 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.
9. Any material utilized in this project must be clean and free of matter that could pollute any freshwater wetland.
10. 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.
11. 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/benveiron/water/permits/swcoord/pdf/cpg092618.pdf>.
12. 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.
13. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls must be removed.
14. 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 documentation is provided that this responsibility has been assigned to another entity. Operation and maintenance shall be as described in the plan entitled, "Long Term Operations and Maintenance Plan for a proposed vehicle shelter, plat 30, lot 96, Crudale Drive, West Warwick, Rhode Island," dated May 2018, as prepared by Crossman Engineering Engineers and Surveyors, 151 Centerville Road, Warwick, RI 02886.

15. 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.
16. 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 (see-Condition No. 20 below). **You must notify this Program in writing upon completion of the required plantings for a compliance inspection by a Program representative.**
17. 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.
18. Any plantings which fail to survive one full growing season shall be replaced. Replacement plantings shall be similarly guaranteed for one full growing season.
19. Remove all unauthorized fill material (i.e. cement parking curbs, construction machinery, gravel fill, slash material and assorted debris) from regulated freshwater wetlands (perimeter wetland) down to the original grade. Stabilize soils by planting an appropriate conservation seed mixture and mulch with straw as needed and as indicated on the site plan restoration notes. All fill material that is removed must be deposited in an appropriate upland location, outside of any and all wetlands.
20. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. Specifically, site plan notes have been amended to reference this permit condition with regards to approved species to be planted and associated details as indicated below:
 - a) Plant all areas of unauthorized alterations within the 50-Foot Perimeter Wetland with trees and shrubs as follows:
 - a. Balled and burlapped or transplanted shrub species must be planted in an interspersed fashion, five feet (6') on center, at least three feet (3') tall after planting, throughout those portions of the 50-Foot Perimeter Wetland to be restored. Shrub species must include an equal distribution of at least two (2) of the following selections:
 - i. Mountain laurel, *Kalmia latifolia*;
 - ii. Arrowwood, *Viburnum dentatum*;
 - iii. Inkberry, *Ilex glabra*;
 - iv. Highbush blueberry, *Vaccinium corymbosum*;
 - v. Rosebay Rhododendron *Rhododendron maximum*
 - b. Tree species (along with shrubs-see above) are to be incorporated in at least the larger area of disturbance within perimeter wetland opposite Wetland Flags C-17 and C-18 depicted on the approved site plans and are to include at least one (1) of the following tree species, ten (10) feet on center, 4-6 feet tall after planting:
 - i. White Pine, *Pinus strobus*; or
 - ii. Eastern Red Cedar, *Juniperus virginiana*.

This project must take place in compliance with these revisions.

21. 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.

Pursuant to the provisions in 250-RICR-150-15-1.7(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.

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 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.

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.

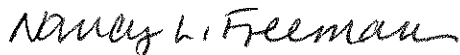
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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 Rene Legault of this office (telephone: 401-222-4700, ext. 7732) should you have any questions regarding this letter.

Sincerely,



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

NLF/RJL/rjl

Enclosure: Approved site plans

cc: Robert Assalone, West Warwick Building Official
Steven Cabral, Crossman Engineering, Inc.
David E. Choppy, Administrator, Office of Compliance & Inspection
Martin M. Wencek, Program Supervisor, Freshwater Wetlands Program