



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

February 2, 2021

Estate of John H. Reposa, Jr.
c/o Vlada Reposa, Administratrix
2012 Crowndale Lane
Canton, MI 48188

Insignificant Alteration – Permit

Re: Application No. 20-0194 in reference to the location below:

Approximately 150 feet northwest of Prince Henry Avenue, approximately 620 feet north of the intersection of Prince Henry Avenue and Old Mill Lane, Utility Pole No. 3, Assessor's Plat 68, Lot 3G, Portsmouth, RI.

Dear Ms. Reposa:

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 four-bedroom single-family home including site grading and vegetative clearing, attached garage, crushed stone driveway, onsite wastewater treatment system (OWTS), public water and electric utility lines, rain garden, and a landscaped yard, as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on December 18, 2020.

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. 20-0194:

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 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 December 18, 2020. 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 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. The Start of Construction Form can be found on the webpage: dem.ri.gov/stormwaterconstruction.

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 Portsmouth 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 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 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. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. This project must take place in compliance with these revisions. **Specifically, a crushed stone driveway note has been added to the site plan, in accordance with the State of RI Stormwater Management Guidance for Individual Single-Family Residential Lot Development. This driveway shall consist of ¾-inch to 1½-inch diameter, washed, angular crushed stone installed to a minimum depth of 3 inches. The grade of the finished driveway shall not be higher than the adjacent ground elevation. The driveway shall be replaced or re-graded as necessary to maintain a minimum 3" depth of stone and a level surface.**

15. **Also prior to commencement of any site alterations**, permanent buffer zone markers must be installed along the limit of disturbance at the locations indicated on the approved site plans **in red**, in order to provide permanent reference points on site that are clear to present and future property owners. Acceptable permanent type markers include 4" x 4" pressure treated timber posts, galvanized fence posts with cap, or granite or concrete bounds. Markers must extend a minimum twenty-four (24) inches above grade. A permanent-type tag or sign labeled "RIDEM Buffer Zone" must be placed on each marker. No alterations of any kind are permitted beyond these markers without first obtaining the necessary permit from this Program. Please note that the permanent markers depicted that are not marked in red are not required.

Please note that any restoration of wetland to eliminate invasive species such as Japanese Knotweed that takes place outside of the approved limit of disturbance approved requires coordination with the RIDEM Wetland Restoration Team. Restoration is not required by this permit.

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.

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 Claire Swift of this office (telephone: 401-222-6820, ext. 7418) should you have any questions regarding this letter.

Sincerely,

Nancy L. Freeman

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

NLF/CVS/cvs

Enclosure: Approved site plans

cc: Mohamed Freij, DEM OWTS Program
Gareth Eames, Town of Portsmouth Building Official
Geraldyn Small, PE, Northeast Engineers & Consultants, Inc.
Scott P. Rabideau, Natural Resource Services, Inc.