



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

May 3, 2023

The Residences at Limerock  
David Martinelli, Director  
8A Fairway Drive  
Smithfield, RI 02917

**Insignificant Alteration – Permit**

**RE:** Application No. 20-0224 for the property and project located:

Approximately 150 feet northwest of Limerock Road, Utility Pole No. 21, and approximately 900 feet northeast of its intersection with Douglas Pike, Assessor's Plat 45, Lot 183, Smithfield, RI

Dear Mr. Martinelli:

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 eight foot (8') wide grass walking path as illustrated and detailed on site plans submitted with your application. The most recently revised site plans were received by the DEM on March 22, 2023.

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. 20-0224:

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 March 22, 2023. 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. 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 town representative upon request.
5. Within ten (10) days of the receipt of this permit, you must record this permit in the land evidence records of the Town of Smithfield and supply this Program with written documentation obtained from the Town showing this permit was recorded.

6. 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.
7. Any material utilized in this project must be clean and free of matter that could pollute any freshwater wetland.
8. 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.
9. Permanent buffer zone markers must be installed along the limit of disturbance at the locations indicated in red ink on the approved site plans, 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. A permanent-type fence at least twenty-four (24) inches tall placed along the limits of disturbance and similarly labeled may be substituted where desired. No alterations of any kind are permitted beyond these markers without first obtaining the necessary permit from this Program.
10. 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, the approved limit of disturbance has been clarified; existing Buffer Zone Markers behind Units 50B and 52A and the depicted "Proposed Buffer Zone Markers" must remain in perpetuity.
11. The riverbank and perimeter wetland beyond the approved limit of disturbance must remain in a natural condition free from mowing, clearing, or pruning. Weed control materials of any type such as mulch, gravel, stone, or fabrics are not allowed within these areas.

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 Andy Charpentier of this office (telephone: 401-222-4700, ext. 2777414) should you have any questions regarding this letter.

Sincerely,

  
Andy Charpentier, Principal Environmental Scientist  
Office of Water Resources  
Freshwater Wetlands Program

Enclosure: Approved site plans