



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

May 6, 2024

Ann Maria Aiello, Member
Richmond Realty Associates, LLC
30 Riverview Drive
North Providence, RI 02904

Insignificant Alteration – Permit

RE: Application No. **21-0093** in reference to the location below:

Approximately 2000 feet north of Kingstown Road (Route 138), and immediately north of its intersection with Meadowbrook Road, Assessor's Plat 05B, Lot 065 and Assessor's Plat 05C, Lot 005, Richmond, RI.

Dear Ms. Aiello:

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 "Richmond Commons, Village Center & Residential Community", with associated residential buildings, commercial buildings, roadways, parking areas, utilities, stormwater treatment structures, and associated landscaping as illustrated and detailed on site plans submitted with your application. The most recently revised site plans were received by the DEM on March 15, 2024.

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. 21-0093; RIPDES No. RIR102178; Groundwater Discharge/UIC No. 002037:

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 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 determination also includes your final authorization to discharge storm water associated with construction activity under the **2020 RIDPES General Permit for Stormwater Discharge During Construction Activity ("CGP")**. For future references and inquiry, your permit authorization number is RIPDES No. **RIR102178**. This **RIPDES CGP** permit is not transferable to any person except after written notice to the Director, in the form of a Permit Transfer Form available on the RIDEM Stormwater Construction Permitting website.

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 March 15, 2024. 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. 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
6. 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.
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 Richmond 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/benviron/water/permits/ripdes/pdfs/cgp092620.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.

The long-term operation and maintenance plan (O & M Plan) shall be strictly followed. The long-term operation and maintenance plan shall be that entitled "Stormwater Operations and Maintenance Plan, Long Term Pollution Prevention Plan for the Property Located at 58 Kingstown Road, Richmond RI 02898; Prepared for: Richmond Realty Associates, 30 Riverview Drive, North Providence, RI 02904; Contact: John Aiello..." dated March 31, 2021, Revised May 9, 2023, dated received May 17, 2023, indicated as Prepared by: Verdantes, LLC, 1005 Main Street, Suite #8120, Pawtucket, RI 02860.

15. The above O & M Plan must be augmented by the inclusion of quarterly street sweeping of the access drives and parking areas using a regenerative air street sweeper.
16. A registered Professional Engineer or Professional in Erosion and Sediment Control (CPESC), experienced in site assessments and measures necessary to protect sensitive aquatic environments or sensitive ecosystems, must be employed prior to the commencement of site alterations to monitor this project and to ensure compliance with the terms and conditions of this permit. This Program must be notified in writing of the consultant chosen to comply with this condition and must receive monthly written progress reports from the consultant regarding compliance with this permit until such time that the project is complete or this Program issues a Notice of Completion of Work.
17. 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.
18. Artificial lighting authorized by this permit 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.
19. 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.
20. 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 limit of disturbance (LOD) has been added to site plan Sheets 24 and 36 to enclose a proposed waterline and outfall pipe respectively. Proper erosion controls must be installed along this LOD where necessary to protect freshwater wetlands. Also, Strawbales must be used instead of haybales. This clarification has been made on Sheet 10 of the site plans.

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.

Please note that the General Conditions within the RI GP apply to all activities authorized under the RI GP. Please review them carefully to thoroughly familiarize yourself with their contents. You may wish to discuss all permit conditions with your contractor to ensure that the work can be accomplished in a manner which conforms to all requirements.

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 (and/or subject you to the enforcement provisions of the Corps' regulations).

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: 401-537-4248) should you have any questions regarding this letter.

Sincerely,



Andy Charpentier, Environmental Scientist III,
Office of Water Resources
Freshwater Wetlands Program
AC/AC/rjl

Enclosure: Approved site plans

ec: Gary Robar, Richmond Director of Public Works
Anthony Santilli, Richmond Building Official
Raymond Taylor, DEM OWTS Program Supervisor
Neal Personeus, DEM Stormwater Program
Jeffrey Plante, Environmental Strategies & Management, Inc.