



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

CERTIFIED MAIL

December 3, 2024

Joseph Lepore
64 Buck Hill Road
Pascoag, RI 02859

APPENDIX 'A'

PERMIT TO ALTER FRESHWATER WETLANDS

RE: Wetlands Application No. 21-0095 in reference to the location below:

Approximately 2055 feet east from the intersection of Pine Swamp Road and West Wrentham Road and approximately 5700 feet northwest from the intersection of Pine Swamp Road and Diamond Hill Road, Assessor's Plat 49, Lot 149, Cumberland, RI.

Dear Mr. & Mrs. Lepore:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has reevaluated your Application to Alter a Freshwater Wetland regarding the project proposed at the above referenced property ("subject property"/"site"). This reevaluation is in response to settlement negotiations involving the original decision issued by this Office on September 21, 2022 for Application No. 21-0095 and has been accomplished in accordance with the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-1, specifically in 250-RICR-150-15-1.10. That decision was contested by you in your appeal to the DEM Administrative Adjudication Division for Environmental Matters (AAD). As a result of your appeal, settlement negotiations were entered to seek resolution of the contested issues and a Consent Agreement has been entered between you and the DEM. This consent agreement was executed by you on November 18, 2024, and by the DEM on December 2, 2024, and is enclosed herein as a matter of record.

As a result of settlement negotiations, the Program has reviewed and evaluated a revised project proposed by you and as described by the revised site plan received by the Program on May 20, 2024 (sheet 1 of 1). The revised site plan is noted as Appendix B in the above-mentioned consent agreement. The Program has determined that the revised project does not represent a random, unnecessary, or undesirable alteration of freshwater wetlands. Therefore, the Program, in response to our evaluation and the fully executed consent agreement, hereby issues this permit to alter freshwater wetlands, **subject to all controlling Rules and the Terms and Conditions set forth herein.**

Permit Terms and Conditions for Wetlands Application No. 21-0095:

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 May 20, 2024. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project which 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 Cumberland 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 one (1) year from the date of this letter unless renewed pursuant to 250-RICR-150-15-1.10(G)(6).
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 and the DEM issues a Notice of Completion of Work for the project.
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. 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. You must notify this Program in writing upon completion of the required plantings for a compliance inspection by a Program representative.
15. 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.
16. Any plantings which fail to survive one full growing season shall be replaced. Replacement plantings shall be similarly guaranteed for one full growing season.
17. An environmental consultant, 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.
18. **Prior to commencement of any site alterations**, 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. **Extreme care must be taken during the installation of buffer markers to avoid the disturbance of the American squawroot plants as depicted on the Approved site plan.** This shall include any additional squawroot plants that may be present now or in the future.
19. **Immediately upon installation of the buffer zone markers, this Program must be contacted to arrange an on-site inspection. Once proper installation has been confirmed by this Program, work may be initiated on the project as herein approved.**
20. **Additionally, before commencement of site alterations, the approved limit of disturbance must be clearly marked on the property and must be confirmed by this Program.**

Protective measures shall be taken to ensure that the rare plants on the subject property that are depicted on the Approved site plans will be avoided and will remain undisturbed by current and future property owners. No work of any kind is permitted beyond the authorized Limits of Disturbance without receiving a permit from this Program.

Pursuant to the provisions in 250-RICR-150-15-1.7(A)(9) and 250-RICR-150-15-1.11(D) of the Rules, as applicable, any properly recorded and valid permit is automatically transferred to the new owner upon sale of the property. Pursuant to the provisions in 250-RICR-150-15-1.7(A)(9)(c), within ten (10) days of any property transfer, the subsequent transferee must notify the Department by forwarding a certified copy of the deed of transfer.

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 against you by the DEM and/or subject you to the enforcement provisions of the Corps' regulations.

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

If you are aggrieved by this decision, you may, within thirty (30) days of the receipt of this letter, request an adjudicatory hearing in writing. This request must be sent directly to the DEM Administrative Adjudication Division ("AAD"), 235 Promenade Street, Providence, RI 02908. A copy of the request should also be forwarded to this Program and to the Office of Legal Services, at the same address. Your written request for an adjudicatory hearing must be timely filed and should conform to the requirements of 250-RICR-10-00-1.7(B) of the DEM Rules and Regulations for the Administrative Adjudication Division, 250-RICR-10-00-1. Section 250-RICR-10-00-1.7(B) provides:

"The request for a hearing shall state clearly and concisely the specific issues which are in dispute, and the facts in support thereof, the relief sought, if any, the license or permit sought or involved, and any additional information required by applicable statutes and regulations."

The written request must be accompanied by an adjudicatory hearing fee of two thousand dollars (\$2,000.00); in the form of a certified bank check or money order made payable to the Rhode Island General Treasurer; however, in the event that the cost of the hearing exceeds the fee paid, the Program through the AAD will require an additional fee which the applicant must submit prior to the DEM's issuance of any final decision regarding this application. The adjudicatory hearing will be held before a Hearing Officer from the AAD. Such hearing will be held in compliance with 250-RICR-10-00-1, R.I. Gen. Laws Chapter 42-35-1 et seq., and other governing laws, rules, and regulations adopted by the DEM. Please note that you have the right to be represented by legal counsel in any proceeding which may be held in this matter.

If you have any questions regarding this matter, you may contact me or Sophie Clode of my staff at this office (telephone: 401-537-4211).

Sincerely,



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

MDW/SC/sc

Enclosure: Approved Site Plan Appendix B

c: Mary Dalton, Administrative Adjudication Division
Raymond Taylor, DEM OWTS Program
Lawrence Enright, Building Official, Town of Cumberland
Scott P. Rabideau, President, Natural Resource Services, Inc.
Marc M. Nyberg, PLS. Insite Engineering Services, LLC
Paul D. Carlson, PE, Insite Engineering Services, LLC

**STATE OF RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES**

**RE: JOSEPH LEPORE
RIPDES APPLCIATION NO. 21-0095**

AAD NO.: 22-004/WRA

CONSENT AGREEMENT

A. INTENT & PURPOSE

This Agreement is entered by and between the Rhode Island Department of Environmental Management’s Office of Water Resources (“RIDEM” or the “Department”) and Joseph Lepore (the “Applicant”), for a proposed project on certain real property owned by the Applicant and located approximately 2,055 feet east from the intersection of Pine Swamp Road and West Wrentham Road and approximately 5,700 feet northwest from the intersection of the Pine Swamp Road and Diamond Hill Road, Assessor’s Plat 49, Lot 149 in the Town of Cumberland, Rhode Island (the “Property”).

This Agreement is entered in accordance with Sections 2-1-18 *et seq.* and 42-17.1-2 *et seq.* of the Rhode Island General Laws (“R.I. Gen. Laws”).

B. STIPULATED FACTS

- (1) WHEREAS, on April 12, 2021, the Applicant filed with the Department an Application to Alter a Freshwater Wetlands (21-0095) on the Property; and
- (2) WHEREAS, on or about March 31, 2022, the proposed project was sent to public notice in accordance with the *Freshwater Wetlands Act*, R.I. Gen. Laws § 2-1-18 *et seq.* and Rules 1.10(C) and 1.10(D) of the *Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act*, as amended (the “Wetland Regulations”); and
- (3) WHEREAS, the Department denied the Applicant’s Application to Alter Freshwater Wetlands by letter on September 21, 2022; and
- (4) WHEREAS, the Applicant filed a timely request for an adjudicatory hearing in accordance with R.I. Gen. Laws § 42-17.1-2(21) and Part 1.7 of the *Administrative Rules of Practice and Procedure for the Administrative Adjudication Division for Environmental Matters*; and

- (5) WHEREAS, in lieu of proceeding to an administrative adjudicatory hearing the Department and the Applicant hereby agree that it is in the best interest of the parties and in the public interest to resolve disputed issues pursuant to the terms of this Consent Agreement as set forth herein; and
- (6) WHEREAS, RIDEM finds that this Agreement is a reasonable and fair settlement and adequately protects the public interest in accordance with Rhode Island's *Freshwater Wetlands Act* and the Wetlands Regulations.
- (7) WHEREAS, the Applicant finds that the Agreement is reasonable and fair and enters into the Agreement with full knowledge and understanding of its terms.

C. JURISDICTION

- (1) The Applicant is subject to the provisions of R.I. Gen. Laws § 2-1-18 *et seq.* RIDEM has jurisdiction over the subject matter of this Agreement and has personal jurisdiction over the Applicant.
- (2) In accordance with R.I. Gen. Laws § 42-17.1-2(21)(vi), the Superior Court for Providence County has jurisdiction to enforce the provisions of this Consent Agreement.

D. APPLICATION

- (1) The provisions of this Agreement shall apply to and be binding upon the Applicant and its agents, servants, employees, heirs, successors, assigns and all persons, firms and corporations acting under, through and for the Applicant.
- (2) This Agreement shall apply only as to the limited circumstances presented in the above-referenced matter and shall not to be construed as a determination of the Department's actions in any further application with the same or similar alterations.

E. AGREEMENT

In consideration of the issuance of a permit to alter freshwater wetlands the parties further agree as follows:

- (1) The Department hereby agrees to grant a permit (Appendix A) for only that work and alteration as proposed in Application No. 21-0095 described in the revised site plan entitled "Onsite Wastewater Treatment System and Wetlands Plan For Joseph & Debra Lepore Plat 49, Lot 149 Pine Swamp Road, Cumberland, Rhode Island", sheet 1 of 1, bearing the latest revision date of May 14, 2024, received by this Program on , May 20, 2024. The permit letter with terms and conditions of approval shall be issued by the Department following satisfaction of the requirements contained in Paragraph E(3) of this Consent Agreement below.
- (2) The Applicant must record this Consent Agreement, together with its appendix, in the Land Evidence Records of the Town of Cumberland within ten (10) days of receipt of a fully executed Consent Agreement and Appendix, at the Applicant's expense, and must

immediately forward a copy of the recorded document to RIDEM no later than ten (10) days following said recordation.

(3) The Applicant must withdraw, with prejudice, its request for an administrative hearing on the denial of Application No. 21-0095 within ten (10) days of the effective date of this Consent Agreement. The Applicant hereby waives any right to request an adjudicatory hearing on Application No. 21-0095. The notice of withdrawal must be forwarded to the Administrative Adjudication Division of the Department and a copy shall be provided to counsel for the Department.

(4) Notice and Communication – Communications regarding this Agreement shall be directed to:

(a) RIDEM via

Martin Wencek
RIDEM – FWW Permitting
235 Promenade St. 2nd Floor
Providence, RI 02908

Tel: (401) 537-4194

Tricia Quest, Esq.
DEM Deputy Chief of Legal Services
235 Promenade St., 4th Floor
Providence, RI 02908

Tel: (401) 537- 4413

(b) Applicant via

Joseph Lepore
64 Buck Hill Road
Pascoag, RI 02859

Tel: (401) 230-9167

(c) At any time prior to full compliance with the terms of this Agreement, the Applicant agrees to notify the Department in writing of any change in ownership of the Property and/or site and provide the name and address of the new owner(s). Notice of any change in address/telephone/fax of either party shall be sent to all other parties by certified mail, return receipt requested.

(d) Communications forwarded to the above-referenced address by certified mail, return receipt requested, shall be deemed received.

COMPLIANCE

(1) EFFECT OF COMPLIANCE – Compliance with and fulfillment of this Agreement shall be deemed to resolve all disputed issues related to the Application, RIDEM’s denial letter dated September 21, 2022, and this administrative appeal.

(2) COMPLIANCE WITH OTHER APPLICABLE LAWS – Compliance with the terms of this Agreement does not relieve the Applicant and his agents, servants, employees, heirs,

successors, assigns and all persons, firms and corporations acting under, through and for the Applicant of any obligation to comply with any other applicable laws or regulations administered by, through or for RIDEM or any other governmental entity.

- (3) EFFECTIVE DATE – This Agreement shall be deemed entered as of the date of execution by all parties.
- (4) FORCE and EFFECT – This Agreement shall have the full force and effect of a final compliance order issued after a full hearing on the merits pursuant to the Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 *et seq.* from which no timely appeal was taken, and which is enforceable in Superior Court in accordance with R.I. Gen. Laws § 42-17.1-2(21)(vi).
- (5) ENFORCEMENT ACTIONS – Upon a determination by the Director that there is a threat to the public health or the environment, or upon discovery of any new information, RIDEM reserves the right to take enforcement actions as provided by law or regulation, including, but not limited to, the issuance of “Immediate Compliance Orders” as authorized by R.I. Gen. Laws Section § 42-17.1-2(21). This Agreement shall not restrict any right to hearing or other right available by statute or regulation that the Applicant may have regarding any new enforcement action commenced by RIDEM after the execution of this Agreement.
- (6) FUTURE ACTIVITIES AND UNKNOWN CONDITIONS – This Agreement shall not operate to shield the Application from liability arising from future activities, as of the date of execution of this Agreement.
- (7) SCOPE OF THE AGREEMENT – The scope of the Agreement is limited to only Application to Alter Freshwater Wetlands No. 21-0095.
- (8) AMENDMENTS – This Consent Agreement may only be amended by mutual agreement of the parties in writing.

IN WITNESS WHEREOF, the undersigned consent to this Agreement in substance and in form.

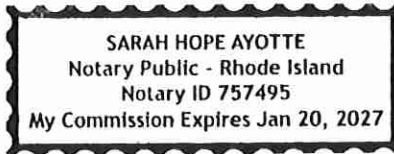
Joseph Lepore

By: Joseph Lepore
Print Name: Joseph Lepore
Dated: 11/18/24

STATE OF RHODE ISLAND
COUNTY OF Providence

In Burrillville, RI, in said County and State, on this Nov 18th day of November 2024, before me personally appeared Joseph Lepore, of to me known and known by me to be the party executing the foregoing instrument and he acknowledged said instrument by him executed to be his free act and deed in said capacity.

Sarah Hope Ayotte
Notary Public
My Commission Expires: 1/20/2027



State of Rhode Island, Department of Environmental Management

By: Charles A. Horbert
Chuck Horbert, Deputy Administrator
Office of Water Resources
Groundwater & Wetlands Protection Program

Dated: 12/2/2024



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

CERTIFIED MAIL

September 21, 2022

Joseph Lepore
64 Buck Hill Road
Pascoag, RI 02859

RE: Application No. 21-0095 Notice of Denial in reference to the property and proposed project located approximately 2055 feet east from the intersection of Pine Swamp Road and West Wrentham Road and approximately 5700 feet northwest from the intersection of Pine Swamp Road and Diamond Hill Road, Assessor's Plat 49, Lot 149, Cumberland, RI.

Dear Mr. Lepore:

The Department of Environmental Management's ("DEM's") Office of Water Resources/Permitting Section, Freshwater Wetlands Program ("Program") has completed its review of your Application to Alter a Freshwater Wetland regarding the project proposed at the above referenced property ("subject property"/"site"). The proposed project is as described and detailed in the material and information submitted in support of your application, and on site plans received by the Program on March 23, 2022. These site plans describing the project were made available for public comment as part of the forty-five (45) day public notice period required in accordance with the Freshwater Wetlands Act (R.I. General Laws (R.I.G.L.) Section 2-1-18 *et seq.*) and the procedures set forth in Rules 250-RICR-150-15-1, Section 1.10(C) and 250-RICR-150-15-1, Section 1.10(D) of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act ("Rules"). The Program did not receive any written comments relating to this application during the public notice period.

The Program has analyzed the above mentioned plans along with the material submitted in support of this application. The Program has also conducted an evaluation of the functions and values provided by the wetlands to be altered and considered the anticipated impacts of the proposed alterations to these functions and values.

The Program's evaluation resulted in the following conclusions:

1. The project as proposed will result in alterations of at least Swamp and Perimeter Wetland totaling approximately 3,300 square feet or 0.07 acres. The proposed activity will result in the permanent elimination and disturbance of wetland habitat impacting wildlife species presently utilizing the site.
2. A state listed rare plant identified as a species of special concern, the American squawroot (*Conopholis americana*), is located within and immediately adjacent to the proposed limit of disturbance. Additional different rare plant species also have the potential of residing within the confines of the subject property within the area of proposed development. As proposed, there is a significant potential and concern for existing rare species including but not limited to the American squawroot that should this proposal go forward as currently designed, shall result in detrimental harm to these rare species.

3. The wetland areas subject of the proposed alterations provide habitat for resident and migratory wildlife. These wetlands are capable of supporting wildlife species including but not limited to mammals, birds, amphibians, reptiles and invertebrates. The loss of this habitat associated with the construction of the dwelling and yard will reduce the habitat value of the subject wetlands by eliminating food, feeding sites, escape cover, shelters, breeding sites, nesting sites, resting sites, brood rearing sites, perching sites and buffering capacity to remaining portions of the wetland areas. Consequently, this project as proposed will create a significant disturbance to wildlife species within the subject wetlands, thereby negatively affecting the wildlife communities occurring there.
4. The alteration of Perimeter Wetland proposed by this application will result in loss of the natural buffering capacity of the wetland due to elimination of naturally vegetated habitat. This will result in additional permanent disturbance of wetland resources; especially considering the anticipated disturbances that will be associated with the proposed development.

Based upon these conclusions it is the Program's determination pursuant to the Rules that:

The applicant has not demonstrated that impacts to freshwater wetlands have been avoided to the maximum extent possible pursuant to Rule 250-RICR-150-15-1, Section 1.10(B)(4)(a); thereby resulting in an unnecessary alteration to freshwater wetlands;

The applicant has not demonstrated that those impacts which are unavoidable have been reduced to the maximum extent possible pursuant to Rule 250-RICR-150-15-1, Section 1.10(B)(4)(b); thereby resulting in an unnecessary alteration to freshwater wetlands;

The applicant has not demonstrated that the proposed project is in compliance with the Review Criteria set forth in Rule 250-RICR-150-15-1, Section 1.10(E) and specifically Rule 250-RICR-150-15-1, Section 1.10(E)(3) (d) and (f), thereby resulting in an undesirable alteration to freshwater wetlands.

The proposed alterations are, therefore, inconsistent with the best public interest and public policy stated in R.I. Gen. Laws Sections 2-1-18 and 2-1-19, and are inconsistent with the purpose of Rule 250-RICR-150-15-1. Pursuant to R.I. Gen. Laws Section 2-1-21 and Rule 250-RICR-150-15-1, Section 1.10(F)(2), your Application to Alter a Freshwater Wetland is hereby DENIED.

If you are aggrieved by this decision, you may, within thirty (30) days of the receipt of this letter, request an adjudicatory hearing in writing. This request must be sent directly to the DEM Administrative Adjudication Division ("AAD"), One Capitol Hill, Second Floor, Providence, RI 02903. A copy of the request must also be forwarded to this Program. Your written request for an adjudicatory hearing must be timely filed and should conform to the requirements of the Rules and Regulations for the Administrative Adjudication Division (250-RICR-10-00-1) (hereinafter the "AAD Rules"), Section 1.7(B). The AAD Rules, Section 1.7(B) provides in pertinent part as follows:

"The request for hearing shall state clearly and concisely the specific issues which are in dispute and the facts in support thereof, the relief sought if any, the license or permit sought or involved, and any additional information required by applicable statutes and regulations."

The written request must be accompanied by a fee of two thousand dollars (\$2,000.00) in the form of a certified bank check or a money order made payable to the Rhode Island General Treasurer; however, in the event that the cost of the hearing exceeds the fee paid, the DEM through the AAD will require an additional fee which the applicant must submit prior to the DEM's issuance of any final decision regarding this application. The adjudicatory hearing will be held before a Hearing Officer from the AAD. Such hearing will

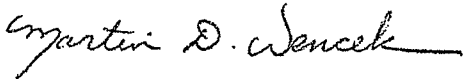
Application No. 21-0095

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be held in compliance with the AAD Rules, R.I. Gen. Laws Chapter 42-35-1 et seq., and other governing laws, rules, and regulations adopted by the DEM. Please note that you have the right to be represented by legal counsel in any proceeding which may be held in this matter.

If you have any questions regarding this matter, you may contact me or Sophie Clode at this Office (telephone: 401-222-6820).

Sincerely,



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

MDW/SC/mdw

cc: Mary Dalton, DEM, Administrative Adjudication Division
Mary Kay, Esq., Chief, DEM, Office of Legal Services
John Hoyle, Cumberland Building Official
Scott Rabideau, Natural Resource Services, Inc.
Marc N. Nyberg, PLS, Insite Engineering Services, LLC
Paul Carlson, PE, Insite Engineering Services, LLC