



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

June 12, 2023

Tyler Govern  
14 Spenstone Road  
Cranston, RI 02910

**Insignificant Alteration – Permit**

Re: Application No. 22-0126 in reference to the location below:

Approximately 70 feet south of Yawgoo Valley Road, approximately 700 feet southeast of the intersection of Yawgoo Valley Road and South County Trail (Route 2), Utility Pole No. 207, Assessor's Plat 77-1, Lot 1, Exeter, RI.

Dear Mr. Govern:

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 a new shed and a crushed stone driveway for access, with sapling and shrub plantings for wetland restoration, as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on August 29, 2022.

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. 22-0126:

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 August 29, 2022. 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](http://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 Exeter 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 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.
13. All plantings of shrubs, trees, or other forms of vegetation within the 50-foot perimeter wetland for restoration of unauthorized clearing as shown or detailed on the approved plans, and detailed in this permit (see **Condition 16**), must be installed **no later than September 15, 2023**. **You must notify this Program in writing upon completion of the required plantings for a compliance inspection by a Program representative.** If planting is completed between July 1<sup>st</sup> and August 31<sup>st</sup>, watering every other day is recommended to ensure survival.
14. Any plantings which fail to survive one full growing season must be replaced. Replacement plantings must be similarly guaranteed for one full growing season.
15. Buffer zone plantings of trees within the 50-foot perimeter wetland for restoration of unauthorized clearing, except for necessary replacement, must be allowed to develop naturally without being subjected to mowing or manicuring.

16. 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. **The limit of disturbance has been revised to reduce impact to the 50-foot Perimeter Wetland and to allow a realistic clearance for installation of the shed (Sheet 4 of 4). The shed has been relocated outside of the 50-foot Perimeter Wetland. A portion of the limit of disturbance, part of the driveway, and the originally proposed location of the shed have been crossed off the plan. This area of formerly proposed work must be allowed to revegetate naturally.**
  - b. **Erosion controls consisting of straw wattles must be installed at the limit of disturbance and maintained per Condition 10.**
  - c. **Restoration plantings of eight (8) to ten (10) red maple (*Acer rubrum*) saplings must be planted within the shaded Restoration Area in the 50-foot Perimeter Wetland marked on the site plan. These saplings must be four feet tall after planting and must be dispersed evenly throughout the restoration area. The Restoration Area must otherwise be allowed to revegetate naturally.**
  - d. **Evergreen shrub plantings of mountain laurel (*Kalmia latifolia*) must be planted at the limit of disturbance as shown on the approved site plan to screen the wetland. These shrubs must be planted 10 feet on center and must be three (3) to four (4) feet tall after planting.**
  - e. **The disturbed areas of swamp must be allowed to revegetate naturally. Woody debris piles located in swamp near wetland flags A28 through A30 must be removed from the swamp by hand and disposed of off site in an upland location by July 15, 2023.**
  - f. **The wooden structure that was installed without authorization in the 50-foot perimeter wetland for electrical power can be allowed to remain in its current location or can be relocated outside of all wetland areas.**
  - g. **There are extensive notes that were included on the site plan by the consulting engineer that are not relevant to this project that have been crossed off the site plan on the plan sheet entitled "Notes & Legend Sheet". The plan sheet entitled "Soil Erosion & Sediment Control Plan has been removed from the plan set as well.**
  - h. **Site plans have been renumbered correctly to reflect the revised plan set.**
17. **Also 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.**
18. **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.**

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.

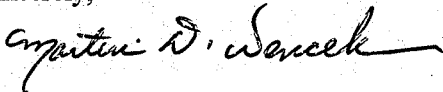
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

**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. 2777418) should you have any questions regarding this letter.

Sincerely,



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

MDW/CVS/cvs

Enclosure: Approved site plans

ec: Bruce Ahern, DEM Office of Compliance and Inspection  
Ronald A. DeFrancesco, Town of Exeter Building Official