



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

June 8, 2022

Michael Allamey
6 Bates Trail
East Greenwich, RI 02818

Insignificant Alteration – Permit

Re: Application No. 22-0175 for the property and project located:

At 6 Bates Trail, approximately 40 feet north of Bates Trail, and approximately 280 feet west of the intersection of Bates Trail and Carrs Pond Road, Utility Pole No. 3, Assessor's Map 25, Plat 15, Lot 181, East Greenwich, RI.

Dear Mr. Allamey:

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 two-tiered deck, portions of the boulder retaining walls that extend beyond the approved limit of disturbance under Wetland Application No. 19-0068 and restoration plantings as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on April 11, 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. 22-0175:

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 April 11, 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 upon completion of the project.
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 East Greenwich 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 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.**
14. 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.
15. Any plantings which fail to survive one full growing season shall be replaced. Replacement plantings shall be similarly guaranteed for one full growing season.

16. This Program has made specific revisions to the approved site plans which must be complied with. These revisions are clearly marked in red on the approved plans and include the following:
- a) The permanent limit of disturbance (LOD) has been noted in red to include portions of the previously installed retaining wall and the two-tiered deck. The previously approved permanent markers encircled in red shall be relocated to the new permanent LOD, where indicated on the site plans.
 - b) The required shrub planting area beyond the permanent LOD (west of the dwelling) is considered an area of temporary disturbance for loaming and planting and must be allowed to revegetate naturally. Shrub plantings may be comprised of species indicated on the attached Wetlands Number 10 Fact sheet (copy enclosed, and as indicated on the site plan notes) with the exception of Rugosa Rose. Plantings must be installed by September 15, 2022.
 - c) The three (3) evergreen plantings west of the existing Onsite Wastewater Treatment System (OWTS) may be relocated along the permanent LOD as indicated on the approved plans under Wetland Application Number 19-0068 if you chose. Northern White Cedars (*Thuja occidentalis*), 4-6 feet tall after plantings or Rosebay Rhododendron (*Rhododendron maximum*), at least 4 feet tall after planting, may be substituted for the White Pine screen plantings.
 - d) All Buffer Zone plantings within the Flood Zone compensation area that have not yet been installed must be planted in accordance with Wetland Application Number 19-0068.

Except as authorized in this new permit pursuant to these approved site plans, all terms and conditions previously specified in the Program's permit dated February 25, 2020 from Wetland Application Number 19-0068 (copy enclosed) remain in effect.

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.

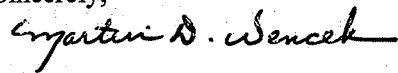
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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 Nancy Freeman of this office (telephone: 401-222-6820, Ext. 2777408) should you have any questions regarding this letter.

Sincerely,



Martin D. Wencek, Program Supervisor
Office of Water Resources
Freshwater Wetlands Program
MDW/NLF/nlf

Enclosures: Approved site plans

Wetland Fact Sheet # 10, dated Fall, 2007

Wetland permit for Application Number 20-0068, dated February 25, 2020

cc: Michael McCormick, PLS, Alpha Associates LTD
Earnest Marinaro, Building Official, Town of East Greenwich
Katherine Morgan, DEM OCI
DEM Wetland File 19-0068