



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

February 3, 2025

James Mellors  
5A Morgan Lane  
Smithfield, RI 02917

**REVISED PERMIT**

Re: Application No. 22-0284 in reference to the location below:

Approximately 90 feet north of Sheffield Road, approximately 200 feet northeast of the intersection of Calderwood Avenue and Sheffield Road, Utility Pole No. 1, Assessor's Plat 44B, Lot 59, Smithfield, RI.

Dear Mr. Mellors:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your Application for Permit Modification and has evaluated your proposed change in plantings as illustrated and detailed on revised site plan submitted with your application. The revised site plan was received by the DEM on December 11, 2024.

Based upon the Program's evaluation of the revised project and pursuant to 250-RICR-150-15-1.11(C) of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-1, it is the Program's determination that a revised permit for the modified project may be issued under the following terms and conditions:

1. This letter is the DEM's revised permit for this project under the R.I. Fresh Water Wetlands Act, R.I. Gen Laws. § 2-1-18 et seq.
2. This revised 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 December 11, 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.
3. Where the terms and conditions of the revised 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 revised permit must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of this revised permit and the stamped approved plans must be made available for review by any DEM or city/town representative upon request.
5. Within ten (10) days of the receipt of this revised 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 revised permit was recorded.
6. This revised permit expires four (4) years from the date of issue of the original letter of unless renewed pursuant to 250-RICR-150-15-1.9(D)(5).

7. Mitigation or screen plantings of trees and/or shrubs proposed between the project and any adjacent freshwater wetland areas and buffers except for necessary replacement, must be allowed to develop naturally without being subjected to mowing or manicuring. Any plantings which fail to survive one full growing season shall be replaced. Replacement plantings shall be similarly guaranteed for one full growing season.

Except as authorized in this revised permit pursuant to revised and approved site plans (enclosed), all terms and conditions previously specified in the Program's permit dated December 22, 2023 (copy enclosed), remain in effect.

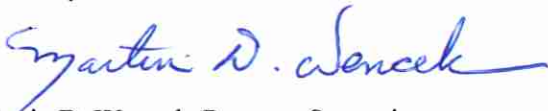
You are required to comply with the terms and conditions of this revised permit and to carry out this project in compliance with 250-RICR-150-15-1 at all times. Failure to do so may result in an enforcement action by the Program.

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

This revised 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 at (telephone: 401-537-4183) should you have any questions regarding this letter.

Sincerely,



Martin D. Wencek, Program Supervisor  
Freshwater Wetlands Program  
Office of Water Resources  
MDW/CVS/cvs

Enclosure:     Approved revised site plan  
                  Letter dated December 22, 2023

cc:     Christopher McWhite, Town of Smithfield Building Inspector

# PLANT SCHEDULE

SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	QTY	DETAIL	REMARKS
<b>TREES</b>							
	IGL	Ilex glabra	Inkberry Holly	3 gal.	21		
	ILE W13	Ilex verticillata	Winterberry	3 gal.	5		
	KLF	Kalmia latifolia	Mountain Laurel	3 gal.	6		
	PS	Pinus strobus	White Pine	4' Ht.	4		
	RMR	Rhododendron maximum 'Roseum'	Pink Rosebay Rhododendron	3 gal.	4		



SHEPHERD ROAD

DEC 11 2024  
 Office of Water Resources  
 Environmental Management

**RI DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**  
**OFFICE OF WATER RESOURCES**  
**FRESHWATER WETLANDS PROGRAM**  
 APPROVED WITH CONDITIONS AS  
 SPECIFIED IN THE LETTER OF APPROVAL  
 DATED: 2/3/2025 FILE # 22-0284  
**NO CHANGES ALLOWED WITHOUT PRIOR APPROVAL**  
**APPROVED PLANS MUST BE AT CONSTRUCTION SITE**

*Walter D. Wernick*



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

December 22, 2023

Bellini Construction Co. Inc.  
c/o James Bellini  
38 Wilbur Avenue  
Cranston, RI 02920

**Insignificant Alteration – Permit**

Re: Application No. 22-0284 in reference to the location below:

Approximately 90 feet north of Sheffield Road, approximately 200 feet northeast of the intersection of Calderwood Avenue and Sheffield Road, Utility Pole No. 1, Assessor's Plat 44B, Lot 59, Smithfield, RI.

Dear Mr. Bellini:

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 new single-family home with attached garage, paved driveway, utility lines, rain garden, and landscaped yard, as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on October 16, 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. 22-0284:

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 October 16, 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. 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 Smithfield 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. Rain gardens must be constructed and maintained in accordance with the 2010 RI Stormwater Design Manual and the State of RI Stormwater Management Guidance for Individual Single-Family Residential Lot Development.
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. The Program recommends that plantings should be reversed with white pines on the outer row, and inkberry on the inner row. 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. Artificial lighting 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.
18. 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, including dumping of yard waste, are permitted beyond these markers without first obtaining the necessary permit from this Program.
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.

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.

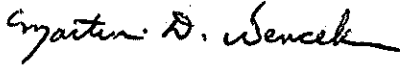
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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: 401-537-4183) 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: Christopher McWhite, Town of Smithfield Building Official  
Richard T. Bzydra, PLS, Ocean State Planners, Inc.  
Joseph A. Casali, PE, Joe Casali Engineering, Inc.



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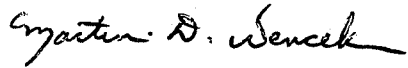
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