



**RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**OFFICE OF WATER RESOURCES**

235 Promenade Street  
Providence, Rhode Island 02908

December 2, 2022

West Greenville Road, LLC  
Jonathan Kent  
39 Nooseneck Hill Road  
West Greenwich, RI 02817

RE: Application No. 22-0444 in reference to the property located:

At 89 Greenville road, approximately 1,000 feet east of West Greenville Road and approximately 1,050 feet northeast of its intersection with Orchard Gate, opposite Utility Pole No. 9019, Assessor's Plat 44, Lot 82, Smithfield, RI.

Dear Mr. Kent,

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your Request to verify freshwater wetland edges. This review included an inspection of the above referenced property ("subject property") as described by the site plans submitted with your application and received on August 25, 2022.

Per Rule 250-RICR-150-15-3.23, the **Statewide Buffer Zone Designation**, your property falls within:

- River Protection Region 2

Based upon the Program's observations and review, it is our determination that freshwater wetlands and other jurisdictional wetlands are present on and near the subject property. These jurisdictional areas are regulated by this Department and include, but are not limited to, at least the following types:

**Jurisdictional Areas:**

- Two-hundred feet (200') from the edge of a river or stream
- One-hundred feet from the edge of all other freshwater wetlands
- Area Subject to Storm Flowage (along road frontage)
- Floodplain

**Freshwater Wetlands and associated Statewide Buffer Zone Designation:**

- Off-site Pond (Waterman Lake) and 100-foot Buffer Zone
- Ponds (less than ¼ acre, east of at least flags C-82 through C-82, near Flag C-91 and west of at least flags C7 through C-9) and 25' foot buffer zone (see bullet below referencing Section 3.23F2 of the Rules)
- Red Maple Swamp (greater than 10 acres) and 75' foot buffer zone
- Swamp and 25' buffer zone (near Flag C-1)
- Streams and 100-foot buffer zone

- Marsh and 100-foot buffer zone
- Wet Meadow (subtype) and 50-foot buffer zone
- At least pond and stream located across West Greenville Road with associated jurisdictional areas
- Please note (per Section 3.23.F.2 of the Rules) that an additional 25-feet will be added to the buffer zone width when one (1) or more differing freshwater wetland types or subtypes are present within fifty (50') inward of the freshwater wetland edge, including at least the following areas and any other areas where a differing wetland or subtype is present within 50' of the delineated wetland edge:
  - where any stream is located within 50' of the delineated wetland edge; where ponds are present within the C-Series delineated wetland (see approximate locations noted above); where marsh is present within wet meadow (where applicable between approximately C-41 through C-61 and also near approximately Flag C-5;

In no case will a buffer zone exceed the limit of a jurisdictional area. per Rule 3.23.F.2.

- **Buffer:** All areas of undeveloped vegetated land adjacent to a freshwater wetland that is to be retained in its natural undisturbed condition or is to be created to resemble a naturally occurring vegetated area. For the purpose of defining buffer in these Rules, "adjacent to" means land area within the buffer zone.

The DEM has completed an inspection and review of the wetland edges) delineated by you on-site. They are referenced as flag series A, B, and C, **and exclude flag series D** as requested. It is our determination that:

**Those wetland edges delineated on-site are substantially accurate. Corrections and/or modifications to the delineated edge are required, however, which include the following:**

- flags A40, A41 – to be moved NW 15'
- flags C14-C16 to be removed, flag C13 to be connected to flag C17
- flags A29-A31 to be moved inward (N) 15'
- flags C23 & C24 to be moved NW 12'

Please note the ASSF along edge of W Greenville Rd continues further SE from flag B21 approx. 100' to approximately utility pole # 37.

You should not infer that any verification of wetland edges carried out by this Department to date represents a determination that this is the extent of all wetlands on your property. The Department has verified only those edges delineated and shown by you on-site and on the site plans submitted with your application and as qualified in this letter. Should you wish to verify the edge of these additional wetlands, a new application will be required.

This letter does not constitute an approval or permit for any proposed project on the subject property. Pursuant to R.I. Gen. Laws § 2-1-21(a) of the Freshwater Wetlands Act and the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR150-15-3, a permit is required from this Program prior to the commencement of any activity which impacts or alters freshwater wetlands and jurisdictional areas.

This Program assumes that the edges of freshwater wetlands, as flagged or marked on site, have been accurately surveyed and portrayed on site plans submitted in support of your application. This Program makes no guarantee or representation that such survey is accurate.

In addition, you should note that freshwater wetlands are present on this property which may be regulated under Section 404 of the Clean Water Act (Federal Water Pollution Control Act, as amended 33 U.S.C. 1344). Accordingly, a permit may be required from the U.S. Army Corps of Engineers for alteration of these wetland areas.

In accordance with 250-RICR-150-15-3.9.3(H), this verification of the delineated edge of freshwater wetlands is valid for a limited period of five (5) years from the date of issue.

Please contact Lucianna Faraone Coccia of this Office telephone: (401-222-6820, ext. 277-7270) should you have any questions regarding this letter.

Sincerely,



Nancy L. Freeman, Principal Environmental Scientist  
Office of Water Resources  
Freshwater Wetlands Program  
NLF/LFC/lfc

c: Scott Rabideau, PWS, Natural Resource Services, Inc.  
Sam Hemenway, PE, Garofalo & Associates, Inc.