



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

November 10, 2022

Benjamin Potter
115 Pinecrest Drive
Pawtucket, RI 02861

Re: Application No. 22-0466 for the property and project located: A

At No. 5 Kylie Circle, approximately 80 feet east of Kylie Circle, and approximately 540 feet northeast of its intersection with Laurel Woods Drive, Assessor's Plat 50, Lot 101, Parcel 9, Smithfield RI. 5 Kylie Circle.

Dear Mr. Potter,

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application for a Freshwater Wetlands Permit** as described in Rule 3.11 of the Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act, 250-RICR-150-15-3 ("Rules"). This review included a site inspection of the above referenced property ("subject property") and an evaluation of the proposed four-bedroom dwelling with attached garage, driveway, utilities (town water and OWTS), rain gardens with clearing, grading and associated site alterations as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on October 5, 2022.

Our inspection reveals that jurisdictional wetlands regulated by the DEM are present on the subject property. Review of your proposed project, however, reveals that this project does not require a permit from this Program. Pursuant to Section 3.19A.4 of the Rules, **a project within a jurisdictional area for which a valid building permit has been issued prior to July 1, 2022 and that was not required to obtain a permit under Part 1 of this Subchapter may be constructed in accordance with the building permit without a requirement to obtain a freshwater wetlands permit for the subject project.**

It is our determination therefore that a permit for this project pursuant to the Freshwater Wetland Act (R.I. Gen. Laws § 2-1-18 et seq.) or the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-3, is not required. This Determination is **specific to the proposed site alterations illustrated and detailed on site plans on file with this Program** and is further predicated on the following:

1. Adequate measures are employed during and after site alterations to control soil erosion and to prevent any sediment from such erosion being deposited in any freshwater wetlands. You should consult the Rhode Island Soil Erosion and Sediment Control Handbook for appropriate methods to control erosion and prevent sediment from leaving your project site.
2. This determination does not authorize you to modify your project in such a way as to result in the following:

- a. An increase in the rate and/or volume of surface water runoff flowing into, or draining or diverting from these wetlands; or
- b. A diversion of groundwater into or away from these wetlands; or
- c. A modification to the quality of water reaching these wetlands, which could change their natural character.

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

Nancy L. Freeman, Principal Environmental Scientist
Office of Water Resources
Freshwater Wetlands Program

NLF/LFC/lfc

Enclosure: Approved site plans

c: Paul D. Carlson, PE, InSite Engineering Services, LLC
Katelyn Mayberry, RIDEM OWTS Program