



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

February 22, 2024

Rhode Island Department of Transportation
Alisa Richardson, PE, Administrator, Environmental Division
360 Lincoln Ave.
Warwick, RI 02888

REVISED PERMIT

Re: Application No. 22-0474 in reference to the property and proposed project located:

On Route 7 (Douglas Turnpike), approximately 1100 feet North of Broncos Highway and approximately 530 feet Northwest of Douglas Turnpike and its intersection with Dion Drive, near Utility Pole Nos. 241, 242, 243 and 244, Burrillville, RI

Dear Ms. Richardson:

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 modifications to the permitted repairs to the Route 7 retaining wall including construction of a new wall in front of the existing wall along with vegetative clearing as illustrated and detailed on revised site plans submitted with your application. The revised site plan (General Plan Sheet 13) was received on December 27, 2023.

Based upon the Program's evaluation of the revised project and pursuant to 250-RICR-150-3.14.3 of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-3, 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 27, 2023. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project, which 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 representative upon request.

5. This revised permit expires on December 9, 2027, unless renewed pursuant to the Rules.
6. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. Specifically, a single row of mitigation screen plantings comprised of white pine (*Pinus strobus*), 4-5-feet tall after planting and approximately 20-feet on center has been redlined onto the site plans along the entire southwestern limit of disturbance (LOD). This project must take place in compliance with these revisions.

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 9, 2022 (copy enclosed) remain in effect.

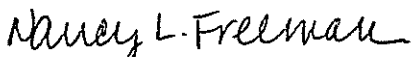
You are required to comply with the terms and conditions of this revised permit and to carry out this project in compliance with the Rules. Failure to do so may result in an enforcement action by the Program.

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 Sam Dufresne of this office at (telephone: 401-537-4220) should you have any questions regarding this letter.

Sincerely,



Nancy L. Freeman, Environmental Scientist III
Freshwater Wetlands Program
Office of Water Resources
NLF/SGS/sgd

Enclosure: Original permit letter dated December 9, 2022. Revised approved site plan

cc: Heather Hamilton, RIDOT

Danielle Spicer, P.E., Stormwater & Permitting Group Leader, Green International Affiliates
Edward Avizinis, PWS, Avizinis Environmental Services, Inc.



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December 9, 2022

Rhode Island Department of Transportation
Alisa Richardson, Managing Engineer, Environmental Division
360 Lincoln Ave.
Warwick, RI 02888

Freshwater Wetlands Permit

Re: Application No. 22-0474 for the property and project located: Immediately adjacent to and west of Route 7 (Douglas Turnpike), by Utility poles 241, 242, 243 and 244, approximately 1100 feet North of Broncos Highway and approximately 530 feet Northwest of Douglas Turnpike and its intersection with Dion Drive, Burrillville, RI.

Dear Ms. Richardson:

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 repairs to the Route 7 retaining wall as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on September 20, 2022.

Our observations of the subject property, review of the site plans and evaluation of the proposed project reveals that alterations of jurisdictional areas are proposed. However, pursuant to Rule 3.7.3A of the Rules, this project meets the General Variance Criteria, and a **Freshwater Wetlands Permit** may be issued under the following terms and conditions:

Terms and Conditions for Wetlands Application No. 22-0474:

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 September 20, 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.
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 town representative upon request.
6. The effective date of this permit is the date this letter was issued. This permit expires five (5) years from the date of this letter unless renewed pursuant to the Rules.
7. Any material utilized in this project must be clean and free of matter that could pollute any jurisdictional area.
8. 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.
9. 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 freshwater wetland, buffer, floodplain, area subject to storm flowage, or area subject to flooding or other jurisdictional areas not subject to disturbance under this permit.
10. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls must be removed.
11. 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 wetland, buffer or floodplain, area subject to storm flowage or area subject to flooding or jurisdictional areas and the functions and values provided by such freshwater wetlands, buffer or floodplain, area subject to storm flowage or area subject to flooding.
12. 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.
14. Any plantings which fail to survive one full growing season shall be replaced in-kind. Replacement plantings shall be similarly guaranteed for one full growing season.

Pursuant to the provisions in 250-RICR-150-15-3.8.13 and 250-RICR-150-15-3.14.4(A), as applicable, any properly recorded and valid Freshwater Wetlands 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 Sam Dufresne of this office (telephone: 401-222-6820, ext. 2777275) should you have any questions regarding this letter.

Sincerely,

Martin D. Wencek, Supervising Environmental Scientist
Office of Water Resources
Freshwater Wetlands Program

MDW/SGD/sgd

Enclosure: Approved site plans

cc: Danielle Spicer, P.E., Stormwater & Permitting Group Leader, Green International Affiliates
Edward Avizinis, PWS, Avizinis Environmental Services, Inc.
Joseph Raymond, Town of Burrillville Building Official



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