



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

December 12, 2024

John C. Nelson and Diane Guimond  
1846 East Wallum Lake Road  
Pascoag, RI, 02859

### Freshwater Wetlands Permit

**RE:** Application No. **23-0181** for the property and project located:

Approximately 60 feet southwest of East Wallum Lake Road, at Utility Pole No. 22, and approximately 1,075 feet southeast of its intersection with Whipple Road, Assessor's Plat 139, Lot 17, Burrillville, RI.

Dear Mr. Nelson and Ms. Guimond:

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 3-bedroom house, well, septic system, driveway, stormwater treatment structures, and associated landscaping as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on October 24, 2024.

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 of the Rules, this project meets all Standards, and a **Freshwater Wetlands Permit** may be issued under the following terms and conditions:

Terms and Conditions for Wetlands Application No. **23-0181**:

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 24, 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 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 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 Burrillville 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 five (5) 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 jurisdictional area.
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 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.
11. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls must be removed.
12. You are obligated to install, utilize, follow and maintain 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 other jurisdictional areas and the functions and values provided by such freshwater wetlands and buffers.
13. **Prior to commencement of any site alterations**, permanent buffer identification markers must be installed along the limit of disturbance at the locations indicated 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 Marker" 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 are permitted beyond these markers without first obtaining the necessary permit from this Program.*
14. **Immediately upon installation of the buffer identification 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.**
15. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. This project must take place in compliance with these revisions. Specifically, the depicted "Exist. Drive" has not been approved.

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 or jurisdictional areas 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-150-15-3.9.3.

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 Lucianna Faraone Coccia of this office (telephone: 401-537-4225) should you have any questions regarding this letter.

Sincerely,



Andy Charpentier, Environmental Scientist III  
Office of Water Resources  
Freshwater Wetlands Program

AC/LFC/lfc

Enclosure: Approved site plans

ec: Raymond Taylor, Supervising Environmental Engineer IV, DEM OWTS Program  
Burrillville Building Department  
Paul D. Carlson, Insite Engineering  
Bruce Ahern, DEM Office of Compliance & Inspection





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

September 27, 2023

Roger Passano  
442 East Wallum Lake Road  
Pascoag, RI, 02859

**RE:** Application No. 23-0181 in reference to the location below

Approximately 60 feet southwest of East Wallum Lake Road, approximately 1,075 feet southeast of the intersection of East Wallum Lake Road and Whipple Road, near utility pole no. 22, Assessor's Plat 139, Lot 17, Burrillville, RI.

Dear Mr. Passano:

In accordance with the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-3.8.12(A)(1), the Department of Environmental Management ("DEM") may not process an application for any property which the DEM alleges contains unauthorized alterations of freshwater wetlands, buffers and other jurisdictional areas discovered during the review of an application.

On September 15, 2023, a representative of the DEM's Freshwater Wetlands Program ("Program") inspected the property noted above and determined that work has taken place on the property which has resulted in the unauthorized alterations of jurisdictional areas. Such activity/alterations include:

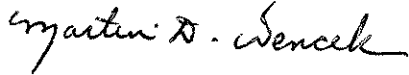
- Clearing of wetland Buffer and Buffer Zone
- Clearing and filling of swamp
- Filling into an Area Subject To Storm Flowage

In the opinion of this Program, this activity not only represents an unauthorized alteration of jurisdictional areas, but also jeopardizes the Program's responsibilities under the Rules to process the application. Therefore, this Program has suspended the processing of your application until resolution of this matter is complete.

You may consult the Program's files (see Fresh Water Wetland file nos. 23-0181, 14-0132, 05-0493 and the Office of Compliance & Inspection file no. 21-173) for more specific information regarding this matter, or contact Bruce Ahern at 401-222-6820, ext. 2777703 or me at 401-222-6820 ext. 2777403.

This matter has been turned over to the Office of Compliance and Inspection for resolution. The processing of your application is suspended until such time that you comply with the DEM and the Rules.

Sincerely,



Martin D. Wencek, Program Supervisor  
Freshwater Wetlands Program  
Office of Water Resources

MDW/LFC/lfc

c: Kyle Ferreira, DEM, Onsite Wastewater Treatment System Program  
Bruce Ahern, DEM, Office of Compliance & Inspection  
Scott Rabideau, Natural Resource Services, Inc.  
Paul Carlson, Insight Engineering Services, LLC