



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

November 16, 2023

Hidden Shores Homeowners Association  
Attn: Scott George, President  
466 Chapel Street  
Harrisville, RI 02830

**Re: FWW Application No. 23-0236 in reference to the location below:**

On Hemlock Drive, approximately 325 feet due west of its intersection with Reservoir Road, Assessor's Plat 245, Lot 26, Burrillville, RI.

Mr. George:

Attached is the determination concerning your Request for Regulatory Applicability under the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-1. Also enclosed is one copy of a written description, and accompanying site photographs, stamped received by the Office of Water Resources on October 27, 2023, describing the project that was reviewed.

If the determination is that a permit under the subject regulations is not required, please note that other federal, state, or local permits may be required prior to proceeding with your project. Also note that for projects or activities determined to be exempt from permitting requirements, certain general restrictions and best management practices still apply, including placement and maintenance of erosion and sediment controls, in accordance with 250-RICR-150-15-1-1.6(A)(1)(p) in order to ensure protection of wetland resources.

In this case, this project was determined to be exempt based on the description provided in the submitted narrative, which describes a failed 12-inch diameter clay culvert to be replaced at the same length and invert elevations with a new 12-inch diameter culvert. The site plans submitted with the application did not depict any proposed work and are therefore not enclosed; RIDEM relied solely upon the written description and photographs provided.

If you have any questions concerning the determination, please feel free to contact Rebecca Russell at [rebecca.russell@dem.ri.gov](mailto:rebecca.russell@dem.ri.gov) or (401) 222-6820, ext. 2774924.

Sincerely,

Charles A. Horbert, Deputy Administrator  
Office of Water Resources  
Groundwater & Freshwater Wetlands Protection

Enclosures: Narrative and site photographs received 10-27-2023

ec: Scott P. Rabideau, Natural Resource Services, Inc.



RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
 OFFICE OF WATER RESOURCES - Groundwater and Freshwater Wetlands Protection  
**FRESHWATER WETLANDS PROGRAM**  
 235 Promenade Street, Providence, RI 02908  
 Telephone: 401-222-6820; Rhode Island Relay: 711  
[www.dem.ri.gov/wetlands](http://www.dem.ri.gov/wetlands)

FOR RIDEM USE ONLY	
Complete Application Received Date:	
<b>OCT 27 2023</b>	
Office of Water Resources	
FWW File#:	<u>23-0236</u>

**FRESHWATER WETLANDS REQUEST FOR REGULATORY APPLICABILITY**

**INSTRUCTIONS:** Use this form to request a determination as to whether a proposed project does or does not require a permit under the [Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, \[250-RICR-150-15-3 "Rules"\]](#) [Refer to §3.8 for other application types and general submission requirements.]

Submit this completed Request Form with fee and all documents required by § 3.9.4 to:  
**Permit Application Center (PAC), RIDEM, 235 Promenade Street, Providence, RI 02908**  
 (Check or money order must be made payable to the Rhode Island General Treasurer.)

**Note:** Many projects or activities occurring outside of wetlands may directly or indirectly alter the character of wetlands. Applicants proposing development in undisturbed areas in or near wetlands should submit an [Application for Freshwater Wetlands Determination or Permit](#) to obtain a suitable determination in cases where applicability to the Rules is likely.

PAYMENT INFORMATION	
Fee Payment Amount: <b>\$150.</b>	Check #: 104
Check Issued By:	Hidden Shores Homeowners Association
GENERAL INFORMATION and SUBMISSION CHECKLIST	
<b>Provide file numbers associated with this site:</b>	
Any previous Freshwater Wetlands application for this site?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
If yes, provide File(s) #:	07-0279
<i>Note: Confirm by viewing permit information from the Wetlands Online Permit Search at: <a href="http://www.ri.gov/DEM/wetlands/">www.ri.gov/DEM/wetlands/</a></i>	
Any previous enforcement action for this site?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
If yes, provide File(s) #:	
RIDOT PTSID # (if applicable):	
<b>Select documents enclosed with this form.</b> [Refer to §3.9.4 for a complete list of submission requirements.]	
<input checked="" type="checkbox"/> Three (3) copies of plan illustrating the current and proposed conditions of the property and locations of wetlands. <input checked="" type="checkbox"/> Two (2) copies of a written project description including purpose, size and area(s) on the property where project is proposed. <input checked="" type="checkbox"/> Two (2) copies of a written description of how potential freshwater wetland impacts have been avoided to maximum extent possible. <input checked="" type="checkbox"/> Photograph(s) of the current site conditions where work is proposed. <input type="checkbox"/> Verified Freshwater Wetland Edge Decision (preferred, not required.) <input type="checkbox"/> Supplemental Document(s) for Additional Applicant Information and Certification (required only for more than one Applicant.)	
PROPERTY, SITE and PROJECT INFORMATION	
<i>Note: For sites located in more than one municipality, designate the city/town where property has an occupied building as the primary; otherwise the larger portion of land will determine the primary city/town. Include all plat(s) and lot(s) that are part of the site, regardless of ownership.</i>	
Project Name:	Project Type:
Hemlock Drive Culvert Replacement	Culvert Replacement
Primary City/Town:	Street Abutting Site, with Address # (if applicable):
Burrillville	Hemlock Drive
Nearest Intersecting Street:	Distance (in feet) and Direction to Site from nearest street intersection:
Reservoir Road	
Primary City/Town Tax Assessor's Plat(s) and Lot(s):	Nearest Utility Pole No.:
A.P. 245 / Lot 26	
Secondary City/Town (if Applicable):	Secondary City/Town Tax Assessor's Plat(s) and Lot(s):
APPLICANT INFORMATION	
<i>Note: Requests for Regulatory Applicability being submitted for a project with more than one applicant may provide the <a href="#">Supplemental Document: Additional Applicant Information and Certification</a> in addition to this form.</i>	
Applicant's Name (required):	Title:
Hidden Shores Homeowners Association	President
<i>The applicant must be the owner of the property or easement which is the subject of this application or must be the government agency or entity with power of condemnation over such property or easement.</i>	
Name of Representative (if Applicant is an Agency or Entity):	
Scott George, President	
Email:	Phone: (401)533-3170
lakeboy1974@gmail.com	
Mailing Address:	
466 Chapel Street	
City/Town:	State: RI Zip Code: 02830
Harrisville	

**APPLICANT CERTIFICATION**

Select the Certification for Regulatory Applicability Determination to be issued by RIDEM (required):

- I hereby certify that I have requested and authorized the investigation, compilation, and submission of all the information, in whatever form, contained in this Application; that I have personally examined and am familiar with the information submitted herein; and that such information is true, accurate and complete to the best of my knowledge. I hereby authorize RIDEM personnel access to the property for purposes of observing conditions pertinent to this application and assessing compliance with any permit or determination resulting from this application, including any sampling, monitoring or surveying that may be deemed appropriate, consistent with RIDEM's Administrative Inspection Guidelines [250-RICR-20-00-3]

Note any special conditions for access:

Applicant's Signature: Scott J. George Pres. Date of Signature: 10/19/23

**PROFESSIONAL'S INFORMATION (if any)**

*Note: The prime professional (e.g. engineer, biologist, land surveyor, landscape architect, etc.) who participated in the submission and or preparation of this Request for Regulatory Applicability must sign below.*

Professional's Name: Scott P. Rabideau Title: Wetland Biologist  
 Email: scott@nrswetlands.com Phone: 401-568-7390  
 Mailing Address: PO Box 311  
 City/Town: Harrisville State: RI Zip Code: 02830

**PROFESSIONAL'S CERTIFICATION**

Select the Certification for Regulatory Applicability Determination to be issued by RIDEM (required):

- I hereby certify that I have been authorized by the applicant to prepare documentation to be submitted in support of this Application; that such documentation is in accordance with the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act [250-RICR-150-15-3 "Rules"]; and that such documentation is true, accurate and complete to the best of my knowledge.

Note any special conditions for access:

Professional's Signature: Scott P. Rabideau Date of Signature: 10/25/23

**REGULATORY APPLICABILITY DETERMINATION DECISION [FOR RIDEM USE ONLY]**

In accordance with the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act [250-RICR-150-15-3.14.2 or "Rules"], DEM issues the following determination concerning your proposed project based on reliance on the above information and accompanying attachments to your application. Any change in your project, or the existence of property characteristics that differ from descriptions that were provided to the DEM, may invalidate this determination.

Freshwater Wetlands Permit #: \_\_\_\_\_

- Permit not required - you may proceed with your project**
  - Freshwater Wetland Rules are not applicable to the project as proposed. [NOTAPPLICA]
  - Project is exempt as proposed and described. [EXEMPT]
  - Project is not exempt, but does not alter the character of wetlands.
- Further application required - you may NOT proceed with your project.**
  - Alteration of freshwater wetland is proposed. [PERMITREQ]
  - Unable to make an applicability based on information provided. [INDETERM]

**Staff Comments:** \_\_\_\_\_

- For additional details, findings and instructions for further required actions, see enclosed letter dated: 11-16-2023

Please contact the Freshwater Wetlands Program by email at DEM.FWW@dem.ri.gov or call (401) 222-6820, option #3, if you have questions regarding this decision.

Signature of DEM Official: Charles A. Haker Decision Date: 11-16-2023