



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

June 3, 2024

Brad Dean, CEO
Berkeley Acquisition Incorporated
P.O. Box 7282
Cumberland, RI 02864

REVISED PERMIT

RE: Application No. **24-0009** in reference to the location below:

Approximately 960 feet northeast of John C Dean Boulevard (at 1 John C Dean Boulevard), and approximately 850 feet north of its intersection with Martin Street, Assessor's Plat 34, Lots 234, 252, and 254; and Assessor's Plat 58, Lot 69, Cumberland, RI

Dear Mr. Dean:

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 concrete pads, transformer, and electric vehicle chargers as illustrated and detailed on revised site plans submitted with your application. The revised site plans were received by this Program on April 25, 2024.

Based upon the Program's evaluation of the revised project and pursuant to 250-RICR-150-15-3.14.3 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 April 25, 2024. 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. Within ten (10) days of the receipt of this revised permit, you must record this permit in the land evidence records of the Town of and supply this Program with written documentation obtained from the Town showing this revised permit was recorded.
6. This revised permit expires on **February 26, 2029**, unless renewed pursuant to the Rules.

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 February 26, 2024 (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 250-RICR-150-15-3 at all times. 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 **Hunter Trowbridge** of this office at (telephone: **401-537-4363**) should you have any questions regarding this letter.

Sincerely,



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

Enclosure: Original permit dated February 26, 2024

cc: Claire A. Hoogeboom, Wetland Scientist, LEC Environmental Consultants
Jamie Sardelli, Sardelli Survey
David S. Kelley, PE – Director of Engineering, Meridian Associates, Inc.



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

February 26, 2024

Brad Dean, CEO
Berkeley Acquisition Incorporated
P.O. Box 7282
Cumberland, RI 02864

Freshwater Wetlands Permit

RE: Application No. 24-0009 for the property and project located:

Approximately 960 feet northeast of John C. Dean Boulevard (at 1 John C Dean Boulevard), and approximately 850 feet north of its intersection with Martin Street, Assessor's Plat 34, Lots 234, 252, and 254; and Assessor's Plat 58, Lot 69, Cumberland, RI

Dear Mr. Dean:

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 utility pole, subsurface electrical conduits, concrete pads, transformer, and twenty-four (24) electric vehicle chargers. These site plans were received by the DEM on January 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. 24-0009:

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 January 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.

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 Cumberland 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 (or floodplain, area subject to storm flowage or area subject to flooding).

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.

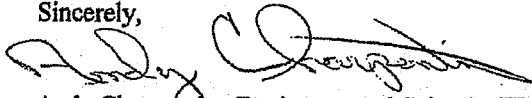
This permit does not remove your obligation to obtain any local, state, or federal approvals or permits required by ordinance or law and does not relieve you from any duties owed to adjacent landowners with specific reference to any changes in drainage.

Application No. 24-0009

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Please contact Hunter Trowbridge of this office (telephone: (401)-537-4363) should you have any questions regarding this letter.

Sincerely,



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

Enclosure: Approved site plans

cc: Claire A. Hoogeboom, LEC Environmental Consultants, Inc.
Jamie Sardelli, Sardelli Survey
David S. Kelley, P.E., Meridian Assoc., Inc.