



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

April 24, 2024

DRG Realty LLC  
Domenic Grieco, President  
85 Douglas Pike  
Smithfield, RI 02917

**Freshwater Wetlands Permit**

Re: Application No. 24-0032 for the property and project located:

At 332 Douglas Pike, 300 feet southwest of Douglas Pike, 900 feet southeast of the nearest intersection with Whipple Road, near Utility Pole No. 54, Assessor's Plat 42, Lot 64, Smithfield, RI.

Dear Mr. Grieco:

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 Section 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-lot residential subdivision with single-family homes, utilities (Onsite Wastewater Treatment Systems "OWTS", town water connections and underground electric), stormwater management, shared access road with individual driveways, boulder retaining wall with clearing, grading, landscaping, and associated site alterations as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on March 27, 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 Section 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. 24-0032 and RIPDES No. RIR102635**:

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 determination also includes your final authorization to discharge storm water associated with construction activity under the 2020 RIDPES General Permit for Stormwater Discharge During Construction Activity ("CGP"). For future references and inquiry, your permit authorization number is RIPDES No. RIR102635. This RIPDES CGP permit is not transferable to any person except after written notice to the Director, in the form of a Permit Transfer Form available on the RIDEM Stormwater Construction Permitting website.

3. 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 March 27, 2024.
4. 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.
5. 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.
6. 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).
7. 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.
8. Within ten (10) days of the receipt of this permit, you must record this permit in the land evidence records of the Town of Smithfield and supply this Program with written documentation obtained from the City/Town showing this permit was recorded.
9. 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.
10. Any material utilized in this project must be clean and free of matter that could pollute any jurisdictional area.
11. 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.
12. Both the owner and the contractor retained to undertake the construction activity are required to comply with all terms and conditions of the CGP. This includes maintaining the Soil Erosion and Sediment Control (SESC) Plan, performing the required inspections and maintenance of the selected Best Management Practices (BMPs), and retaining inspection records. Further information on the requirements of the CGP is available at:  
<http://www.dem.ri.gov/programs/benviron/water/permits/ripdes/pdfs/cgp092620.pdf>.
13. 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.

14. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls must be removed.
15. You are responsible for the proper installation, operation, maintenance and stability of any mitigative features, stormwater treatment facilities, and systems of treatment and control that are installed or used in compliance with this permit to prevent harm to adjacent freshwater wetland, buffer or floodplain, area subject to storm flowage, or area subject to flooding or other jurisdictional areas until documentation is provided that this responsibility has been assigned to another entity. The long-term operation and maintenance plan shall be strictly followed. The long-term operation and maintenance plan shall be that entitled "Stormwater Management System Operation and Maintenance Plan for: DRG Acres Residential Subdivision, Assessor's Plat 42, Lot 64, 332 Douglas Pike, Smithfield, Rhode Island; Owner/Applicant: DRG Realty LLC, 85 Douglas Pike, Smithfield, Rhode Island 02917", dated February 13, 2024, Revised March 26, 2024, dated received 3/27/2024, indicated as Prepared by: Garofalo & Associates, Inc., 85 Corliss Street, Providence, RI 02940.
16. 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
17. Artificial lighting installed must be directed away from all vegetated wetland and buffer areas. Where this is not possible, the use of deflectors to concentrate lighting away from vegetated wetlands must be employed.
18. You must provide written certification from a registered land surveyor or registered professional engineer that the stormwater drainage system including any and all basins, piping systems, catch basins, culverts, swales and any other stormwater management control features have been constructed/installed in accordance with the site plans approved by this permit. This written certification must be submitted to this Program within twenty (20) days of its request or upon completion of the project.
19. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. Specifically, to further minimize impacts from the house and driveway on Lot 4, a row of evergreen mitigation plantings shall be installed in the locations indicated in red on Sheet 5 of 8. Plantings shall be 10 feet on center, at least four feet tall after planting and be comprised of at least one of the following species: Northern White Cedar (*Thuja occidentalis*), Eastern Red Cedar (*Juniperus virginiana*) or Rosebay Rhododendron shrubs (*Rhododendron maximum*). If Rhododendrons are chosen, they may be three feet tall after planting. This project must take place in compliance with these revisions.
20. Mitigation or screen plantings of trees and/or shrubs proposed between the project and any adjacent freshwater wetland areas and buffers, except for necessary replacement, must be allowed to develop naturally without being subjected to mowing or manicuring.
21. Any plantings which fail to survive one full growing season shall be replaced. 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.

Please be aware that the RIDEM's Rules and Regulations Governing the Establishment of Various Fees (250-RICR-30-00-1) require that RIPDES CGP permit holders to pay an Annual Fee of \$100.00. An invoice will be sent to the owner on record in May/June of each year if the construction was still active as of December 31<sup>st</sup> of the previous year. The owner will be responsible for the Annual Fee until the construction activity has been completed, the site has been properly stabilized, and a completed Notice of Termination (NOT) has been received by the RIPDES Program.

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.

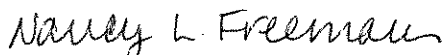
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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-150-15-3.9.3.

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 Ryan Corvese of this office (telephone: 401-537-4245) should you have any questions regarding this letter.

Sincerely,



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

NLF/RKC/rkc

Enclosure: Approved site plans

ec: Samuel S. Hemenway, P.E., Project Manager, Garofalo & Associates, LLC  
Christopher McWhite, CBO, HCO, Building and Zoning Official, Town of Smithfield  
Nicholas Pisani, P.E., Environmental Engineer IV, RIDEM