



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

August 22, 2024

Terry Brittell  
26 Carlton Place  
West Warwick, RI 02893

**Re:** Application No. 24-0182 in reference to the location below:

At 28 Carlton Place, opposite Utility Pole No. 4-1, and approximately 450 feet from the intersection of Carlton Place and Route 117 (W. Warwick Avenue), Assessor's Plat 7, Lot 591, West Warwick, RI.

Dear Ms. Brittell:

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 for a proposed addition to a single-family dwelling, new driveway, deck stair relocation, and fence relocation. Your project proposal involves alterations to freshwater wetland jurisdictional areas, some of which do not appear to be depicted on the site plans submitted and will likely require a permit from this Program. It appears work within Buffer Zone is necessary to provide vehicular access to the proposed driveway on property owned by the City of West Warwick. This work would require a freshwater wetland permit and notarized authorization from the City of West Warwick that expressly authorizes you the applicant to apply to RIDEM for alterations within wetland jurisdictional areas (Buffer Zone) on their property as depicted on the site plans (see Rule 3.8.3C.). Revised site plans should include all work proposed. Any new impervious areas for the driveway, access and off-site parking would need to address stormwater.

If you have any questions concerning the determination, please feel free to contact Sophie Clode of this Office at [Sophie.Clode@dem.ri.gov](mailto:Sophie.Clode@dem.ri.gov) or (401) 537-4211.

Sincerely,

*Nancy L. Freeman*

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

Enclosure: Determination

cc: Lisa Caledonia, Principal Scientist, LSC Environmental Consulting



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)

**Environmental Management**  
**FOR RIDEM USE ONLY**

Complete Application Received Date:  
JUL 25 2024

**Permit Application Center**  
 FWW File#:

**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.)

24-0182

**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 #: <span style="font-size: 1.5em; color: blue;">144</span>	Check Issued By: <span style="font-size: 1.2em; color: blue;">Terry L. Brittell</span>

GENERAL INFORMATION and SUBMISSION CHECKLIST		
<b>Provide file numbers associated with this site:</b>		
Any previous Freshwater Wetlands application for this site?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
If yes, provide File(s) #: _____		
<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: SFH Addition
Primary City/Town: West Warwick	Street Abutting Site, with Address # (if applicable): 28 Carlton Place
Nearest Intersecting Street: W. Warwick Avenue	Distance (in feet) and Direction to Site from nearest street intersection: Approximately 500' south of W. Warwick Ave
Primary City/Town Tax Assessor's Plat(s) and Lot(s): Map 7, Lot 591	Nearest Utility Pole No.: 4-1
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 <u>Supplemental Document: Additional Applicant Information and Certification</u> in addition to this form.</i>	
Applicant's Name (required): <span style="font-size: 1.2em; color: blue;">Terry Brittell</span>	Title: <span style="font-size: 1.2em; color: blue;">Owner</span>
<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): _____	
Email: <span style="font-size: 1.2em; color: blue;">Terrybrittell@yahoo.com</span>	Phone: <span style="font-size: 1.2em; color: blue;">401-680-3402</span>
Mailing Address: <span style="font-size: 1.2em; color: blue;">26 Carlton Place</span>	
City/Town: <span style="font-size: 1.2em; color: blue;">W. Warwick</span>	State: <span style="font-size: 1.2em; color: blue;">RI</span> Zip Code: <span style="font-size: 1.2em; color: blue;">02893</span>

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:

[Handwritten Signature]

Date of Signature:

7/18/24

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: Lisa S. Caledonia

Title: Principal Scientist

Email: lscenvironmentalconsulting@gmail.com

Phone: 508-944-1079

Mailing Address: 17 Pleasant Lane

City/Town: Clayville

State: RI

Zip Code: 02815

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:

[Handwritten Signature]

Date of Signature:

7/25/24

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 #: 24-0182

- 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: It appears that additional alterations are required that have not been depicted. Specifically, access on the Town R.O.W. within Buffer Zone. A notarized letter of authorization and new permit application is required. 8/22/24

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:

Nancy Freeman

Decision Date:

8/22/24