



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

January 9, 2025

Paul T. Buonaiuto 2017 Trust
Paul T. Buonaiuto, TTEE
95 Prospect Road
Wakefield, RI 02879

RE: Application No. 24-0269 in reference to the property located:

At 961 Ministerial Road, approximately 150 feet east of Ministerial Road and approximately 2,150 feet south by southwest of its intersection with Worden's Pond Road/Tuckertown Road, near Utility Pole No. 139(2), Assessor's Plat 67, Lot 37, South Kingstown, RI.

Dear Mr. Buonaiuto:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your Request to verify freshwater wetland edges. This review included an inspection of the above referenced property ("subject property") as described by the site plans submitted with your application and received on October 31, 2024.

Per Rule 250-RICR-150-15-3.23, the **Statewide Buffer Zone Designation**, your property falls within:

- **River Protection Region 1**

Based upon the Program's observations and review, it is our determination that freshwater wetlands are present on or are in close proximity to the subject property. These freshwater wetlands (and other jurisdictional areas) are regulated by this Department and include, but are not limited to, at least the following types:

Freshwater Wetlands and associated Statewide Buffer Zone Designation:

- **Swamp with Great-Laurel: 100' Buffer Zone**
 - Flags B136 – B152
- **Deciduous Forested Swamp: 75' Buffer Zone**
 - Flags A100-A115; B100-B116 and B132-135
- **Deciduous Forested Swamp: 100' Buffer Zone**
 - Flags B117-B131 Buffer Zone extends to 100 feet.
 - Interior Atlantic White Cedar Swamp within 50 feet of these flags
- **Atlantic White Cedar Swamp: 100' Buffer Zone (falls within the larger swamp as noted above)**

- **River (Alewife Brook): 150' Buffer Zone**
- **Shrub Swamp: 75' Buffer Zone** (within interior portions of the larger Deciduous Forested Swamp near Alewife Brook)

Buffer: All areas of undeveloped vegetated land adjacent to a freshwater wetland that is to be retained in its natural undisturbed condition or is to be created to resemble a naturally occurring vegetated area. For the purpose of defining buffer in the Rules, “adjacent to” means land area within the Buffer Zone. Undeveloped vegetated land is an area of land that does not consist of buildings, impervious surfaces, bare gravel, lawn, or landscaped areas.

Floodplain

- Associated with all freshwater rivers and streams.

Other Jurisdictional Areas:

- Contiguous Areas that extend out from 200-feet from the edge of a river or stream
- Contiguous Areas that extend out from 100-feet from the edge of all other freshwater wetlands

The DEM has completed an inspection and review of the wetland edges delineated by you on-site. These wetland edges have been shown on the site plan submitted and are referenced as Flag Numbers B100 – B152 and A100 -A115.

Those wetland edges delineated on-site are substantially accurate. Corrections and/or modifications to the delineated edge are required, however, which include the following:

- Please relocate Flags B140 and B141 outward, 20 feet to the northeast to include additional swamp and adjust the 100' Buffer Zone accordingly.
- Although off-site, please relocate Flags B136 and B139, 20 feet to the northeast to accommodate additional swamp. This will result in the revised flags being placed on the subject property and adjust the 100-foot Buffer Zone accordingly.
- Flags B137 and B138 are off-site and not verified; however, they were also observed to be approximately 20 feet inward of the wetland edge observed and should be relocated 20 feet north of their current location. Please adjust the 100-foot Buffer Zone accordingly.

Please note that our inspection of the subject property has revealed the presence of other freshwater wetlands not specifically delineated by you. Therefore, you should not infer that any verification of wetland edges carried out by this Department to date represents a determination that this is the extent of all wetlands on your property. The Department has verified only those edges delineated and shown by you on-site and on the site plans submitted with your application and as qualified in this letter. Please note that a potential Vernal Pool appears to be present (unconfirmed and not inspected under this review) within the larger swamp approximately east of the Atlantic White Cedar Swamp near the eastern property boundary. Should you wish to verify the edge of any additional wetlands, a new application will be required.

This letter does not constitute an approval or permit for any proposed project on the subject property. Pursuant to R.I. Gen. Laws § 2-1-21(a) of the Freshwater Wetlands Act and the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR150-15-3, a

permit is required from this Program prior to the commencement of any activity which impacts or alters freshwater wetlands.

This Program assumes that the edges of freshwater wetlands, as flagged or marked on site, have been accurately surveyed and portrayed on site plans submitted in support of your application. This Program makes no guarantee or representation that such survey is accurate.

In addition, you should note that freshwater wetlands are present on this property which may be regulated under Section 404 of the Clean Water Act (Federal Water Pollution Control Act, as amended 33 U.S.C. 1344). Accordingly, a permit may be required from the U.S. Army Corps of Engineers for alteration of these wetland areas.

In accordance with 250-RICR-150-15-3.9.3(H), this verification of the delineated edge of freshwater wetlands is valid for a limited period of five (5) years from the date of issue.

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

Sincerely,

Nancy L. Freeman

Nancy L. Freeman, Environmental Scientist III
Office of Water Resources
Freshwater Wetlands Program
NLF/RKC/rkc

cc: Charee M. Jackson, PE, PLS, Jackson Surveying, Inc.

