



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

January 30, 2025

Leon J. Sylvia
3998 Main Road
Tiverton, RI 02878

Freshwater Wetlands Permit

RE: Application No. **24-0294** in reference to the location below:

Approximately 300 feet southeast of the intersection of Stafford Road and Glendale Avenue, Assessor's Plat 214, Lot 146, Tiverton, RI

Dear Mr. Sylvia:

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 subdivision and construction of two multi-family dwellings, crushed stone driveways, waterlines, septic systems, stormwater treatment structures, and associated landscaping as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on November 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. **24-0294** and RIPDES No. **RIR102749**:

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. **RIR102749**. 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 November 27, 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.
4. 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.

5. 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.
6. 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.
7. Within ten (10) days of the receipt of this permit, you must record this permit in the land evidence records of the Town of Tiverton and supply this Program with written documentation obtained from the Town showing this permit was recorded.
8. 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.
9. Any material utilized in this project must be clean and free of matter that could pollute any jurisdictional area.
10. 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.
11. 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>.
12. 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, or other jurisdictional areas not subject to disturbance under this permit.
13. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls must be removed.
14. 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 jurisdictional areas and the functions and values provided by such freshwater wetlands and buffer.
15. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. This project must take place in compliance with these revisions.

Specifically, the proposed crushed stone layer for the permeable driveway is potentially depicted too shallow. Per the *State of Rhode Island Stormwater Management Guidance for Individual Single-Family Residential Lot Development* guidelines, table 12, *Construction*, item 4, the crushed stone layer for a permeable driveway must be “¾ inch to 1½ inch diameter, washed, angular crushed stone installed to a minimum depth of 3 inches”. The detail for the proposed driveways included on sheet 7 of 7 for the site plans submitted on November 27, 2024 indicates that 2” – 3” of crushed stone will be used. DEM has red-lined this correction on the approved site plans. Please adhere to the corrected detail.

16. Also prior to commencement of any site alterations, permanent buffer identification markers must be installed along the limit of disturbance at the locations indicated in red ink on the approved site plan sheet No. 6 of 7, in order to provide permanent reference points on site that are clear to present and future property owners. Acceptable permanent type markers include 4” x 4” pressure treated timber posts, galvanized fence posts with cap, or granite or concrete bounds. Markers must extend a minimum twenty-four (24) inches above grade. A permanent-type tag or sign labeled “RIDEM Buffer Marker” must be placed on each marker. A permanent-type fence at least twenty-four (24) inches tall placed along the limits of disturbance and similarly labeled may be substituted where desired. No alterations of any kind are permitted beyond these markers without first obtaining the necessary permit from this Program.
17. Immediately upon installation of the buffer identification markers, this Program must be contacted to arrange an on-site inspection. Once proper installation has been confirmed by this Program, work may be initiated on the project as herein approved.
18. All utility connections must be installed within the depicted and approved limit of disturbance.

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 31st 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 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: Neal Personeus, DEM Stormwater Program
Raymond Taylor, RIDEM OWTS Program Supervisor
Tiverton Building Official
Thomas J. Principe, III, PE, Principe Company