



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

Chaplin Hills
(Phase I)

May 18, 2015

West Bay, LLC
Alfred Carpionato, Member
1414 Atwood Avenue
Johnston, RI 02919

Insignificant Alteration – Permit

RE: Application No. 14-0108 and RIPDES No. RIR 101164 in reference to the property and proposed project located:

Approximately 600 feet south of Scituate Avenue (RI Route 12) and approximately 700 feet southwest of its intersection with Scituate Vista Drive, Assessor's Plat 20/4, Lot 2117, Cranston, RI

Dear Mr. Carpionato:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Request for Preliminary Determination** application. This review included a site inspection of the above referenced property ("subject property") and an evaluation of the proposed multi-family residential development consisting of two, three-story apartment buildings, access roadway, parking, utilities (municipal sewer and water), retaining walls, drainage and landscaping as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on May 12, 2015.

Our observations of the subject property, review of the site plans and evaluation of the proposed project reveals that alterations of freshwater wetlands are proposed. However, pursuant to Rule 9.00 of the Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act (Rules), this project may be permitted as an **insignificant alteration** to freshwater wetlands under the following terms and conditions:

Terms and Conditions for Application No: 14-0108 and RIPDES No.: RIR 101164

1. This letter is the DEM's permit for this project under the R.I. Fresh Water Wetlands Act, Rhode Island General Laws (RIGL) Section 2-1-18 et seq. This application review has also included review related to the RIPDES "General Permit for Storm Water Discharge Associated with Construction Activity".
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 May 12, 2015. 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 immediately prior to the commencement of site alterations and upon completion of the project.

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 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 City of Cranston and supply this Program with written documentation obtained from the City showing this permit was recorded.
7. The effective date of this permit is the date this letter was issued. This permit expires on July 1, 2019.
8. Any material utilized in this project must be clean and free of matter that could pollute any freshwater wetland.
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 wetlands not subject to disturbance under this permit.
11. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls consisting of silt sock must be removed.
12. You are responsible for the proper operation, maintenance and stability of any mitigative features, facilities, and systems of treatment and control that are installed or used in compliance with this permit to prevent harm to adjacent wetlands.
13. 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 wetlands and the functions and values provided by such wetlands.
14. Artificial lighting must be directed away from all vegetated wetland areas. Where this is not possible, the use of deflectors to concentrate lighting away from vegetated wetlands must be employed.
15. 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.

16. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. Specifically, Sheet C5 of 12 has been revised to further clarify the approved limit of disturbance. This project must take place in compliance with these revisions.
17. The long term Operation and Maintenance Plan (O & M Plan) shall be strictly followed. The long term O & M Plan shall be entitled "Stormwater Management System Operation and Maintenance Plan for Champlin Hills, Assessor's Plat 20/4, Lot 2117, Scituate Avenue, Cranston, Rhode Island; Owner/Applicant: West Bay, LLC, 1414 Atwood Avenue, Cranston, Rhode Island" bearing latest revision date of December 30, 2014, indicates as Prepared by: Garofalo & Associates, Inc., 85 Corliss Street, Providence, RI 02940

Pursuant to the provisions in Rule 7.09 and Rule 11.04, as applicable, any properly recorded and valid permit is automatically transferred to the new owner upon sale of the property.

Additionally, the Program has reviewed this project in accordance with the standards of the RIPDES General Permit for Storm Water Discharge Associated with Construction Activity ("CGP"). Construction Activities which disturb one (1) or more acres of land and where storm water runoff is directed, via a point source, into a separate storm sewer system or into the waters of the State, are required to seek coverage under the Rhode Island Pollutant Discharge Elimination System (RIPDES) storm water permit. Our review has determined that the project has been designed to meet the requirements of the 2013 GP. This determination therefore includes your final authorization to discharge storm water associated with construction activity under the CGP. For future references and inquiry, your permit authorization number is RIPDES No. **RIR 101164**.

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/pubs/regs/regs/water/ripdesca.pdf> .

Please be aware that the RIDEM's Rules and Regulations Governing the Establishment of Various Fees 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. A copy of the NOT can be found attached to the CGP on the web page referenced above.

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 Rule 8.03.

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 me (telephone: 401-222-6820 x 7408) should you have any questions regarding this letter.

Sincerely,

Nancy L. Freeman

Nancy L. Freeman, Senior Environmental Scientist
Office of Water Resources
Freshwater Wetlands Program
NLF/nlf

Enclosure: Approved site plans

cc: Traci Pena, RIPDES Program

xc: Steven B. Garofalo, President, Garofalo & Associates, Inc.

John J. Kupa, President, Ecological Associates, Inc.

Stanley Pikul, Director of Building Inspection, City of Cranston

Kenneth Mason, Director of Public Works, City of Cranston

*Medical
Office



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

January 24, 2018

Mr. Kelly Coates
West Bay, LLC
1414 Atwood Avenue
Johnston, RI 02919

RE: Proposed Champlin Hills Medical
A.P. 20/2, Lots 2112 and 2116
Scituate Avenue
Cranston, RI 02920
WQC File No. 18-001 and UIC File No. 001824

Dear Mr. Coates:

The RI DEM Office of Water Resources has reviewed the above referenced project for compliance with the Rhode Island Stormwater Design and Installation Standards Manual (RISDISM) and the RI DEM Groundwater Discharge (GWD)/Underground Injection Control (UIC) Program.

Purpose: The purpose of the project is to demolish an existing dwelling and existing driveways & parking areas and redevelop the site to construct and maintain a 5,440 sf (approximate footprint) commercial building (indicated uses of medical clinic and adult day care) and associated parking area. The proposed project will include a closed drainage system with two (2) catch basins, an underground infiltration practice, one drainage manhole which will allow overflow to an existing closed drainage system along adjacent Scituate Avenue, and associated pipes. The proposed building will be served by connections to municipal sewer and water service.

This office has reviewed the subject application and site plans entitled "Permitting Plans for Champlin Hills Medical, A.P. 20/2, Lots 2112 & 2116, Scituate Avenue, Cranston, R.I., Prepared for: West Bay, LLC, 1414 Atwood Avenue, Cranston (sic, actually Johnston), R.I.", dated December 2017, prepared by Garofalo & Associates, Inc., 85 Corliss Street, P.O. Box 6145, Providence, RI 02940.

It has been determined that the proposed project is in compliance with the regulations administered by the Office of Water Resources, provided the Applicant complies with the application material and the following conditions:

- 1) You **must** notify the RIDEM contact person identified below of the anticipated date of construction and your contractor's contact information, prior to any site disturbance.
- 2) Prior to construction, you **shall** erect or post a sign resistant to the weather and at least twelve (12) inches wide and (eighteen) inches long, which boldly identifies the initials "DEM" and the application number(s) assigned to this permit. The sign must be maintained at the site in a conspicuous location until such time that the project is complete.
- 3) All fill material, **shall** be clean and free of matter that could cause pollution of the waters of the State.

- 4) The stormwater collection and treatment system approved herein is for the discharge of stormwater only. Any other discharge is prohibited.
- 5) Any alterations, additions or modifications to the stormwater system from that approved herein, including permanent closure **must** be reviewed and approved by RIDEM prior to being effected.
- 6) Within 30 days after completion, a Notice of Completion of Construction and Installation (or Notice of Termination for the CGP) confirming that construction and installation has been completed in accordance with the approved plans **shall** be submitted to the DEM Office of Water Resources. If modifications were made in the field that have more than a minimal impact on the functions of the stormwater system, as-built drawings must be provided with the Notice of Completion/Termination.
- 7) The property owner is responsible to periodically inspect, clean, and maintain the stormwater collection and treatment system for the life of the system to ensure proper performance of all components as specified by the Applicant in the Stormwater Operation and Maintenance Plan entitled "Stormwater Management System Operation and Maintenance Plan for Champlin Hills Medical, A.P. 20/2, Lots 2112 and 2116, Scituate Avenue, Cranston, RI; Applicant: West Bay LLC, 1414 Atwood Avenue, Johnston, RI", dated December 2017, Prepared By: Garofalo & Associates, Inc., 85 Corliss Street, P.O. Box 6145, Providence, RI 02940.

The state authorizations for this project are subject to tolling pursuant to RI General Laws 42-17.1-2.5. The permits issued under State Law shall expire on July 1, 2020.

In addition to any necessary enforcement actions stemming from the violation of any of the terms or conditions of this permit, issuance of this permit does not bar the Department, or any of its various Divisions, from instituting any investigation and/or enforcement actions that it may deem necessary for violations of any and all applicable statutes, regulations and/or permits, including but not limited to violations of the terms or conditions of any previous permit issued to you as an applicant or for this site.

This permit does not relieve your obligation to obtain any other applicable local, state and federal permits prior to commencing construction. This permit has the full force and effect of a permit issued by the Director. If you have any questions regarding the contents of the permit, you may contact Mr. Nicholas A. Pisani, P.E. at (401) 222-4700, extension 7423.

Sincerely,

Nicholas A. Pisani P.E.

Nicholas A. Pisani, P.E.
Principal Civil Engineer
Construction Stormwater Engineering, Floodplain and 401 Permitting
RI DEM / Office of Groundwater and Wetlands Protection

cc: Steven Garofalo, PE
Karen Sorensen, UIC



RECEIVED
MAY 13 2014
ENGINEERING SECTION

DEPT. OF TRANSPORTATION
MAY 14 2014

DO NOT WRITE IN THIS BOX
APPLICATION NUMBER 140513
DATE May 5, 2016

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
Department of Transportation
PHYSICAL ALTERATION PERMIT APPLICATION
(PLEASE PRESS FIRMLY YOU ARE MAKING 5 COPIES)

* PHASE I
(HILLS)

APPLICANT: West Bay, LLC. [Signature] 05/06/14
(PERMITTEE) PRINT NAME SIGNATURE AND DATE
1414 Atwood Avenue, Johnston, RI 02919 401-273-6800
APPLICANT'S ADDRESS PHONE NUMBER

PROPERTY OWNER: West Bay, LLC. [Signature] 05/06/14
PRINT NAME SIGNATURE AND DATE
1414 Atwood Avenue, Johnston, RI 02919 401-273-6800
PROPERTY OWNER'S ADDRESS PHONE NUMBER

DEVELOPER: West Bay, LLC. [Signature] 05/06/14
PRINT NAME (IF BUSINESS, PRINT NAME OF OWNER OR PRINCIPAL) SIGNATURE AND DATE
1414 Atwood Avenue, Johnston, RI 02919 401-273-6800
DEVELOPER'S ADDRESS PHONE NUMBER

ENGINEER: Garofalo & Associates, Inc. (Steven B. Garofalo, PE) [Signature] 5-7-14
PRINT NAME SIGNATURE AND DATE
85 Corliss Street, P.O. Box 6145, Providence, RI 02940 401-273-6000
ENGINEER'S ADDRESS PHONE NUMBER

TYPE OF APPLICATION: SINGLE FAMILY MULTIPLE UNIT RESIDENTIAL COMMERCIAL OTHER

LOCATION OF WORK Scituate Avenue, Cranston (Assessor's Plat 20/4, Lot 2117)
(BE SPECIFIC - HIGHWAY, MUNICIPALITY, STATION, POLE NUMBER, ADDRESS, ETC.)

DIRECT TIE-IN TO STATE DRAINAGE SYSTEM? YES / NO
IF YES, provide coordinates: 41d - 46' - 43.12" N 71d - 29' - 10.94" W COORDINATE SYSTEM (CIRCLE ONE):
LATITUDE LONGITUDE RI STATE PLANE/NAD 83 DECIMAL DEGREE/WGS84

PURPOSE OF PERMIT: Entrance/Access onto Scituate Avenue
ATTACH SEPARATE SHEET IF NECESSARY

I HEREBY CERTIFY UNDER PENALTY OF LAW THAT I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED HEREIN AND BASED ON MY INQUIRY OF THOSE INDIVIDUALS IMMEDIATELY RESPONSIBLE FOR OBTAINING THE INFORMATION, I BELIEVE THE SUBMITTED INFORMATION IS TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION UNDER THE AUTHORITY OF THE RHODE ISLAND GENERAL LAWS OF 1956.
APPLICANT SIGNATURE: [Signature] DATE 05/16/14

DO NOT WRITE BELOW THIS LINE

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF TRANSPORTATION
PHYSICAL ALTERATION PERMIT

This permit valid for one year from the date of approval, subject to the conditions listed below and attached:
CONDITIONS OF APPROVAL:

THIS PERMIT'S INTENT IS ONLY TO GIVE PERMISSION FOR DRAINAGE TIE-INS & DRIVEWAY CURB CUTS. ANY OTHER WORK PERFORMED ON STATE PROPERTY SUCH AS GAS, WATER, OR SEWER LINES WILL REQUIRE A UTILITY PERMIT FROM THIS OFFICE @ (401) 222-6765, EXT. 4879. ANY DAMAGE TO STATE PROPERTY CAUSED BY CONSTRUCTION SHALL BE REPAIRED OR REPLACED TO THE SATISFACTION OF THE DEPARTMENT.

<p>HIGHWAY & BRIDGE MAINTENANCE</p> <p>APPROVED <input checked="" type="checkbox"/> <u>[Signature]</u> DENIED <input type="checkbox"/></p> <p>for ADMINISTRATOR</p>	<p>TRANSPORTATION DEVELOPMENT</p> <p>APPROVED <input checked="" type="checkbox"/> <u>[Signature]</u> <u>3/16/15</u> DENIED <input type="checkbox"/></p> <p>CHIEF ENGINEER</p>
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COMMERCIAL REQUIREMENTS

Traffic Control Requirements for Permits

The permittee is required to protect workmen, motorists, and pedestrians at all times. Traffic control must be in place at any time work is being performed on or adjacent to the roadway. The traffic control must conform to the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). The Director or his designee will order a suspension of any work on the state roadways which does not conform to the MUTCD until a traffic control plan is submitted, approved, and implemented.

PHYSICAL ALTERATION PERMIT CONDITIONS.

ALL CONSTRUCTION AND FURNISHINGS OF MATERIALS ARE THE RESPONSIBILITY OF THE APPLICANT.

THE SUPERVISOR AT THE Midotak MAINTENANCE FACILITY MUST BE NOTIFIED 48 HOURS BEFORE COMMENCING OPERATIONS. THE TELEPHONE NUMBER IS 826-0573. NO WORK IS TO BE DONE ON WEEKENDS WITHOUT THE WRITTEN PERMISSION OF THIS DEPARTMENT.

THE PERMITTEE HAS ONE YEAR FROM THE DATE OF APPROVAL TO COMPLETE THE PHYSICAL ALTERATION(S) PERMITTED HEREIN. APPROVAL IS GIVEN SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS.

During the progress of work, the permittee shall protect all structures under and above the ground from damage. The permittee is responsible to safeguard the traveling public from injury caused by the physical alteration provided herein, both during the alteration process and thereafter. The permittee is responsible for all injuries to persons and damages to property due to or resulting from any work done under this permit or any condition caused thereby. The permittee shall maintain public liability insurance (death, personal injury, and property damage) in amounts not less than five hundred thousand dollars (\$500,000.00) per person and one million dollars (1,000,000.00) per accident or occurrence, while work authorized hereunder is being performed, and shall name Rhode Island Department of Transportation as a co-insured on said policy, which policy it shall make available to RIDOT for examination upon request. In the event that the permittee has said work done by a contractor, then and in that event it shall be permissible for the permittee to require the contractor to provide said insurance, subject to the same requirements outlined above. After the work permitted under this permit has been performed, the permittee, his heirs and assigns shall remain liable for all injuries to persons and damages to property resulting from any work done under this permit or any condition caused thereby, and the permittee, his heirs and assigns shall indemnify and hold harmless the State of Rhode Island in the event that any claims are brought against the State therefore. All areas affected by permittee's work hereunder shall be repaired by permittee so as to meet with the approval of RIDOT's Road Maintenance Supervisor.

The permittee hereby ensures that in no event shall the State of Rhode Island or RIDOT be held liable for damage to property or injury to persons resulting from the work to alter or subsequent existence of physical alteration authorized hereunder. In the event that the physical alteration authorized hereunder causes unforeseen problems not specifically addressed herein, then, and in that event, the permittee shall so notify RIDOT in writing without delay, or RIDOT shall so notify the permittee in writing without delay, depending on which party first gains knowledge thereof, and RIDOT will direct the permittee to correct such problem(s) in the manner in which RIDOT in its sole discretion deems appropriate. This approval does not constitute approval by any agency or governmental entity other than RIDOT. It is the responsibility of the applicant to request and obtain any other approvals necessary for lawful performance of work described herein. Failure to obtain, any such approvals shall result in denial of this application or, if RIDOT fails to learn of such omission by the applicant until after the application is approved, RIDOT shall have the right to revoke its approval hereof immediately. Any costs or damages resulting from the applicant's failure to obtain other necessary approvals shall be the responsibility of the applicant, and the applicant further agrees to indemnify and save harmless RIDOT from all claims, costs, and damages resulting from the applicant's failure to obtain necessary approvals. The terms of this permit shall apply to the heirs, successors, or assigns of the permittee in ownership and/or control of the subject property. The within authorization of physical alteration(s) is based on the information submitted by the applicant, now permittee. The approval of this physical alteration shall not be construed as final approval, and RIDOT reserves the right, in its sole discretion, to revise, modify, amend, or retract its approval in the event that RIDOT determines that conditions so warrant. This reservation of right to revise, modify, amend, or retract its approval exists despite the fact that the permittee has incurred costs in its actions hereunder.

The permittee acknowledges that any money expended by him hereunder is so expended at its own risk of future modification or revocation of the permission granted herein. Furthermore, the permittee acknowledges that it has given no consideration for the rights granted hereunder. The permittee understands that in the event that the rights of others are adversely affected hereby or if other conditions arise which RIDOT determines to adversely affect the best interests of the public, then, this permit may be unilaterally modified or revoked at RIDOT's option. If within four (4) years from the date of issuance of the permit, should a traffic signal be required at the development's access to the state highway as a result of the traffic generated by the development, the developer/owner shall be responsible for the installation of the traffic signal and shall bear all costs associated with the design and construction of the signal.

RECEIVED
DEC 18 2017
ENGINEERING/
PERMIT SECTION

REC'D 1/2/18

DEC 22 2017

CD



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
Department of Transportation
PHYSICAL ALTERATION PERMIT APPLICATION
(PLEASE PRESS FIRMLY YOU ARE MAKING 5 COPIES)

DO NOT WRITE IN THIS BOX
APPLICATION NUMBER 171218-A
DATE July 3, 2018

*Medical office

APPLICANT: West Bay, LLC. (PERMITTEE) PRINT NAME
1414 Atwood Avenue, Johnston, RI 02919 APPLICANT'S ADDRESS
PHONE NUMBER 401-273-6800
PROPERTY OWNER: West Bay, LLC. PRINT NAME
1414 Atwood Avenue, Johnston, RI 02919 PROPERTY OWNER'S ADDRESS
PHONE NUMBER 401-273-6800
DEVELOPER: West Bay, LLC. PRINT NAME (IF BUSINESS, PRINT NAME OF OWNER OR PRINCIPAL)
1414 Atwood Avenue, Johnston, RI 02919 DEVELOPER'S ADDRESS
PHONE NUMBER 401-273-6800
ENGINEER: Garofalo & Associates, Inc. (Steven B. Garofalo, PE) PRINT NAME
85 Corliss Street, P.O. Box 6145, Providence, RI 02940 ENGINEER'S ADDRESS
PHONE NUMBER 401-273-6000

TYPE OF APPLICATION: SINGLE FAMILY MULTIPLE UNIT RESIDENTIAL COMMERCIAL OTHER

LOCATION OF WORK Scituate Avenue, Cranston (Assessor's Plat 20/2, Lot 2112 and 2116)
(BE SPECIFIC - HIGHWAY, MUNICIPALITY, STATION, POLE NUMBER, ADDRESS, ETC.)

DIRECT TIE-IN TO STATE DRAINAGE SYSTEM? YES / NO
IF YES, provide coordinates: 331,496.588 253,398.391
LATITUDE LONGITUDE
COORDINATE SYSTEM (CIRCLE ONE): RI STATE PLANE/NAD 83 DECIMAL DEGREE/WGS84

PURPOSE OF PERMIT Entrance/Access onto Scituate Avenue
ATTACH SEPARATE SHEET IF NECESSARY

I HEREBY CERTIFY UNDER PENALTY OF LAW THAT I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED HEREIN AND BASED ON MY INQUIRY OF THOSE INDIVIDUALS IMMEDIATELY RESPONSIBLE FOR OBTAINING THE INFORMATION, I BELIEVE THE SUBMITTED INFORMATION IS TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION UNDER THE AUTHORITY OF THE RHODE ISLAND GENERAL LAWS OF 1956.
APPLICANT SIGNATURE: [Signature] DATE 11/21/17

DO NOT WRITE BELOW THIS LINE

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF TRANSPORTATION
PHYSICAL ALTERATION PERMIT

This permit valid for one year from the date of approval, subject to the conditions listed below and attached:
CONDITIONS OF APPROVAL:

SEE CONDITION ON BACK

HIGHWAY & BRIDGE MAINTENANCE
APPROVED
DENIED
ADMINISTRATOR 7/5/18

TRANSPORTATION DEVELOPMENT
APPROVED
DENIED
CHIEF ENGINEER 2/7/18

COMMERCIAL REQUIREMENTS

Traffic Control Requirements for Permits

The permittee is required to protect workmen, motorists, and pedestrians at all times. Traffic control must be in place at any time work is being performed on or adjacent to the roadway. The traffic control must conform to the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). The Director or his designee will order a suspension of any work on the state roadways which does not conform to the MUTCD until a traffic control plan is submitted, approved, and implemented.

PHYSICAL ALTERATION PERMIT CONDITIONS

ALL CONSTRUCTION AND FURNISHINGS OF MATERIALS ARE THE RESPONSIBILITY OF THE APPLICANT.

THE SUPERVISOR AT THE Midstate MAINTENANCE FACILITY MUST BE NOTIFIED 48 HOURS BEFORE COMMENCING OPERATIONS. THE TELEPHONE NUMBER IS 826-0573. NO WORK IS TO BE DONE ON WEEKENDS WITHOUT THE WRITTEN PERMISSION OF THIS DEPARTMENT.

THE PERMITTEE HAS ONE YEAR FROM THE DATE OF APPROVAL TO COMPLETE THE PHYSICAL ALTERATION(S) PERMITTED HEREIN. APPROVAL IS GIVEN SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS.

During the progress of work, the permittee shall protect all structures under and above the ground from damage. The permittee is responsible to safeguard the traveling public from injury caused by the physical alteration provided herein, both during the alteration process and thereafter. The permittee is responsible for all injuries to persons and damages to property due to or resulting from any work done under this permit or any condition caused thereby. The permittee shall maintain public liability insurance (death, personal injury, and property damage) in amounts not less than five hundred thousand dollars (\$500,000.00) per person and one million dollars (1,000,000.00) per accident or occurrence, while work authorized hereunder is being performed, and shall name Rhode Island Department of Transportation as a co-insured on said policy, which policy it shall make available to RIDOT for examination upon request. In the event that the permittee has said work done by a contractor, then and in that event it shall be permissible for the permittee to require the contractor to provide said insurance, subject to the same requirements outlined above. After the work permitted under this permit has been performed, the permittee, his heirs and assigns shall remain liable for all injuries to persons and damages to property resulting from any work done under this permit or any condition caused thereby, and the permittee, his heirs and assigns shall indemnify and hold harmless the State of Rhode Island in the event that any claims are brought against the State therefore. All areas affected by permittee's work hereunder shall be repaired by permittee so as to meet with the approval of RIDOT's Road Maintenance Supervisor.

The permittee hereby ensures that in no event shall the State of Rhode Island or RIDOT be held liable for damage to property or injury to persons resulting from the work to alter or subsequent existence of physical alteration authorized hereunder. In the event that the physical alteration authorized hereunder causes unforeseen problems not specifically addressed herein, then, and in that event, the permittee shall so notify RIDOT in writing without delay, or RIDOT shall so notify the permittee in writing without delay, depending on which party first gains knowledge thereof, and RIDOT will direct the permittee to correct such problem(s) in the manner in which RIDOT in its sole discretion deems appropriate. This approval does not constitute approval by any agency or governmental entity other than RIDOT. It is the responsibility of the applicant to request and obtain any other approvals necessary for lawful performance of work described herein. Failure to obtain, any such approvals shall result in denial of this application or, if RIDOT fails to learn of such omission by the applicant until after the application is approved, RIDOT shall have the right to revoke its approval hereof immediately. Any costs or damages resulting from the applicant's failure to obtain other necessary approvals shall be the responsibility of the applicant, and the applicant further agrees to indemnify and save harmless RIDOT from all claims, costs, and damages resulting from the applicant's failure to obtain necessary approvals. The terms of this permit shall apply to the heirs, successors, or assigns of the permittee in ownership and/or control of the subject property. The within authorization of physical alteration(s) is based on the information submitted by the applicant, now permittee. The approval of this physical alteration shall not be construed as final approval, and RIDOT reserves the right, in its sole discretion, to revise, modify, amend, or retract its approval in the event that RIDOT determines that conditions so warrant. This reservation of right to revise, modify, amend, or retract its approval exists despite the fact that the permittee has incurred costs in its actions hereunder.

The permittee acknowledges that any money expended by him hereunder is so expended at its own risk of future modification or revocation of the permission granted herein. Furthermore, the permittee acknowledges that it has given no consideration for the rights granted hereunder. The permittee understands that in the event that the rights of others are adversely affected hereby or if other conditions arise which RIDOT determines to adversely affect the best interests of the public, then, this permit may be unilaterally modified or revoked at RIDOT's option. If within four (4) years from the date of issuance of the permit, should a traffic signal be required at the development's access to the state highway as a result of the traffic generated by the development, the developer/owner shall be responsible for the installation of the traffic signal and shall bear all costs associated with the design and construction of the signal.