



To: William J. Nash, Jr., Chair
Planning Board members

From: Ron Wolanski, Town Planner

Date: October 1, 2024

Re: Request of the Zoning Board of Review for recommendation on an application of Colleen Burns for special use permit to allow construction of a dwelling within Zone 1 of the Watershed Protection District. Property located at 148 Trout Dr., assessor's plat 120, lot 903..

The applicant has filed an application with the Zoning Board of Review for a special use permit to allow construction of a 2,300 square-foot single-family dwelling located in Watershed Protection District, Zone 1. The property is a vacant lot that contains hydric soils (Stissing), but is not within 200 feet of a stream or river. Please see the attached plans and other documents submitted with the petition. Connection to public sewer and water is proposed. On-site stormwater management, including underground infiltration chambers, permeable paver driveway, and a vegetated swale are proposed.

In reviewing this application and providing an advisory opinion to the Zoning Board of Review, the Planning Board should consider the potential impacts of the proposed development on the drinking water supply watershed.

The following development design standards are required by Zoning Ordinance Section 1108:

1. Surface water runoff shall, to the degree feasible, be directed towards areas covered with vegetation for surface infiltration; and
2. Where the premises are partially outside of the WPD, site design shall, to the degree feasible, locate such potential pollution sources as Individual Sewage Disposal Systems outside of the District (Note: the entire parcel is within Zone 1); and
3. Surface water runoff shall be directed, to the degree feasible, towards the lesser restricted district where the premises is located within two (2) or more districts (Note: the entire parcel is within Zone 1)

Regarding these standards:

1. The applicant should be asked to describe how storm water on the property is being addressed. The owner is required to comply with the provisions of the town's storm water management ordinance (Chapter 153), and construction site runoff and erosion control ordinance (Chapter 151).
2. The applicant should be asked to describe any potential sources of pollution existing or proposed on the property.

If the Board chooses to move forward with providing a positive recommendation to the Zoning Board of Review, based on my review of the application materials and the requirements of Article 11, the board should consider the following conditions:

1. The builder is required to comply with the provisions of the town's storm water management ordinance (Chapter 153), and construction site runoff and erosion control (Chapter 151).
2. The use of lawn chemicals, fertilizers, and other chemicals with the potential to adversely impact ground and surface water quality shall be in accordance with the Town's Fertilizer and Pesticide Use Policy, adopted May 20, 2024.

Please contact me with any concerns.

CC: Applicant
Building/Zoning Official
Conservation Commission



MIDDLETOWN
Rhode Island

BUILDING/ZONING
TOWN OF MIDDLETOWN
350 East Main Road, Middletown, RI 02842
(401) 847-5769 | MiddletownRI.gov

September 9, 2024

Middletown Planning Board
Town Hall
Middletown RI 02842

Re: Petition for Special Use
Coleen Burns
148 Trout Dr. Plat 120 Lot 903
Middletown RI, 02842

Pursuant to Sections 1106 (B) of the Town of Middletown Zoning Ordinance I am enclosing 1 copy of a petition and site plan for an advisory opinion from the Conservation Commission to allow the following:

Petition of: Colleen Burns (owner) - for a Special Use Permit from article 11 section 1106 (B) - to allow the construction of a Single-Family Dwelling in Zone 1 of the Watershed Protection District. Said real estate located at 148 Trout Dr. and further identified as Lot 120 on Tax Assessor's Plat 903.

Thank you.

Chris Costa
Zoning Officer



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Rhode Island

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Page 1.

**Application to the Zoning Board of Review for VARIANCE / SPECIAL USE PERMIT /
PBR VOTE To the Honorable Zoning Board of Review of the Town of Middletown**

The subscriber, your petitioner, respectfully requests that they be granted relief from the terms of the Zoning Ordinance:

- PLANNING BOARD REVIEW VOTE: Yes No SUMMARY: Yes No
- SPECIAL USE PERMITS SECTIONS: _____
- VARIANCE SECTIONS: _____

For the property located at: 148 TROUT DRIVE

Tax assessor's Plat: 120 Lot: 903

Zoning District: R40

Current use of the property: VACANT LAND

Proposed use of the property: BUILD SINGLE FAMILY DWELLING

PRINT ONLY

Signatures required on Page 2.

Applicant Name: Colleen Burns

Applicant Full Address: 15 Sherwood Rd - Middletown RI 02842

Phone Number: 401-835-0075

Email Address: colleensweaver@gmail.com

Owner Name: Colleen Burns

Owner Full Address: SAME AS ABOVE

Phone Number: _____

Email Address: _____

Attorney Representing the owner or applicant: _____

Attorney Business Address: _____

Phone Number: _____

Email: _____



MIDDLETOWN

Rhode Island

BUILDING/ZONING

TOWN OF MIDDLETOWN

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Page 2.

-ADVERTISEMENT-

"Reason for seeking relief."

-Facts Only Portion, to be used in the local Newspaper & Abutters Notices-

Verbiage Example: To construct _____ (garage, deck, pool, addition etc.) located _____ (how many feet/inches from side yard, rear yard, or direction: North, South, East, West etc.) from property line where _____ (ft) is required.

Additional Example: To construct a first-floor addition located 21' from the front (Northwestern) property line where 40' is required.

*Note this is one of many examples that can be used. This is for reference purposes only.

Reason for seeking relief:

District 1 Water shed

Addendum of facts: (use additional paper if needed)

Signatures:

Owner: Colleen S Burns

(Print): Colleen BURNS

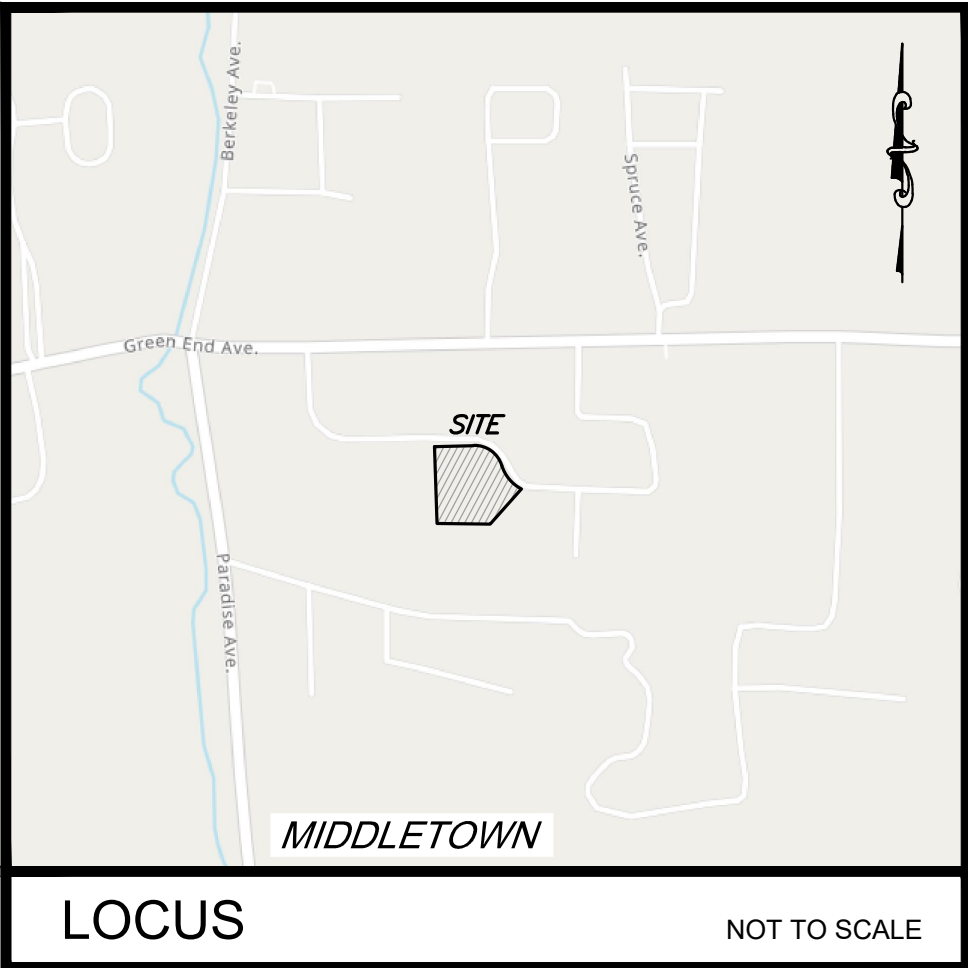
Applicant: Colleen Burns

(Print): Colleen Burns

Attorney: _____

(Print): _____

Applications must be received by the fourth Monday of the month to be placed on the following month's agenda. They must be complete with all required information and signatures. The regular monthly meeting of the Middletown Zoning Board of Review is generally held on the fourth (4th) Tuesday of each month. Dates are posted. Agendas for the meetings are posted on the Rhode Island Secretary of State's website and the Town website 48 hours before the meeting.

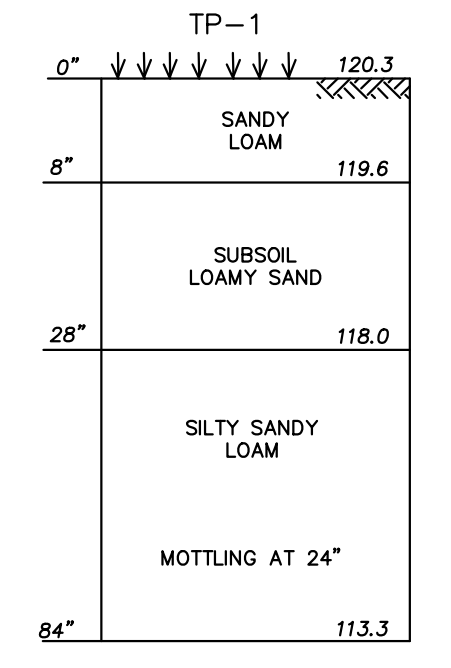


NOTES:

- EXISTING CONDITIONS INFORMATION WAS COMPILED FROM A SURVEY PLAN ENTITLED "SURVEY - SITE PLAN" BY M.J. GASTON & ASSOCIATES, LLC. DATED DECEMBER 6, 2023.
- ELEVATIONS ARE REFERENCED TO NAVD88.
- THE SITE IS NOT LOCATED WITHIN ANY SPECIAL FLOOD HAZARD AREAS AS DETERMINED FROM THE TOWN OF MIDDLETOWN FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 44005 0094 H (MAP REVISED APRIL 5, 2010).
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- A FRESHWATER WETLANDS PERMIT WAS PREVIOUSLY OBTAINED UNDER WETLANDS APPLICATION NO. 23-0096
- APPROVED DEM SETBACKS & LIMITS OF DISTURBANCE SHOWN ON PROPOSED PLAN SET ENTITLED "SITE PLAN" FOR DAVID T. BARNES BY NATIONAL SURVEYORS-DEVELOPERS, INC. DATED AUGUST 2016.

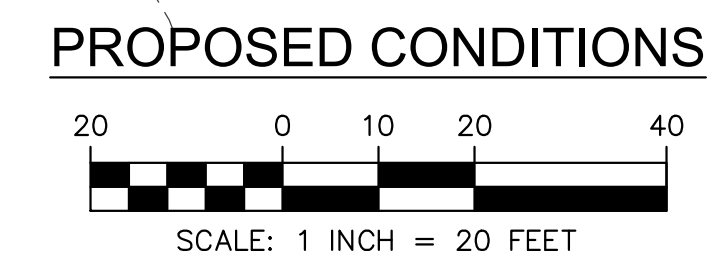
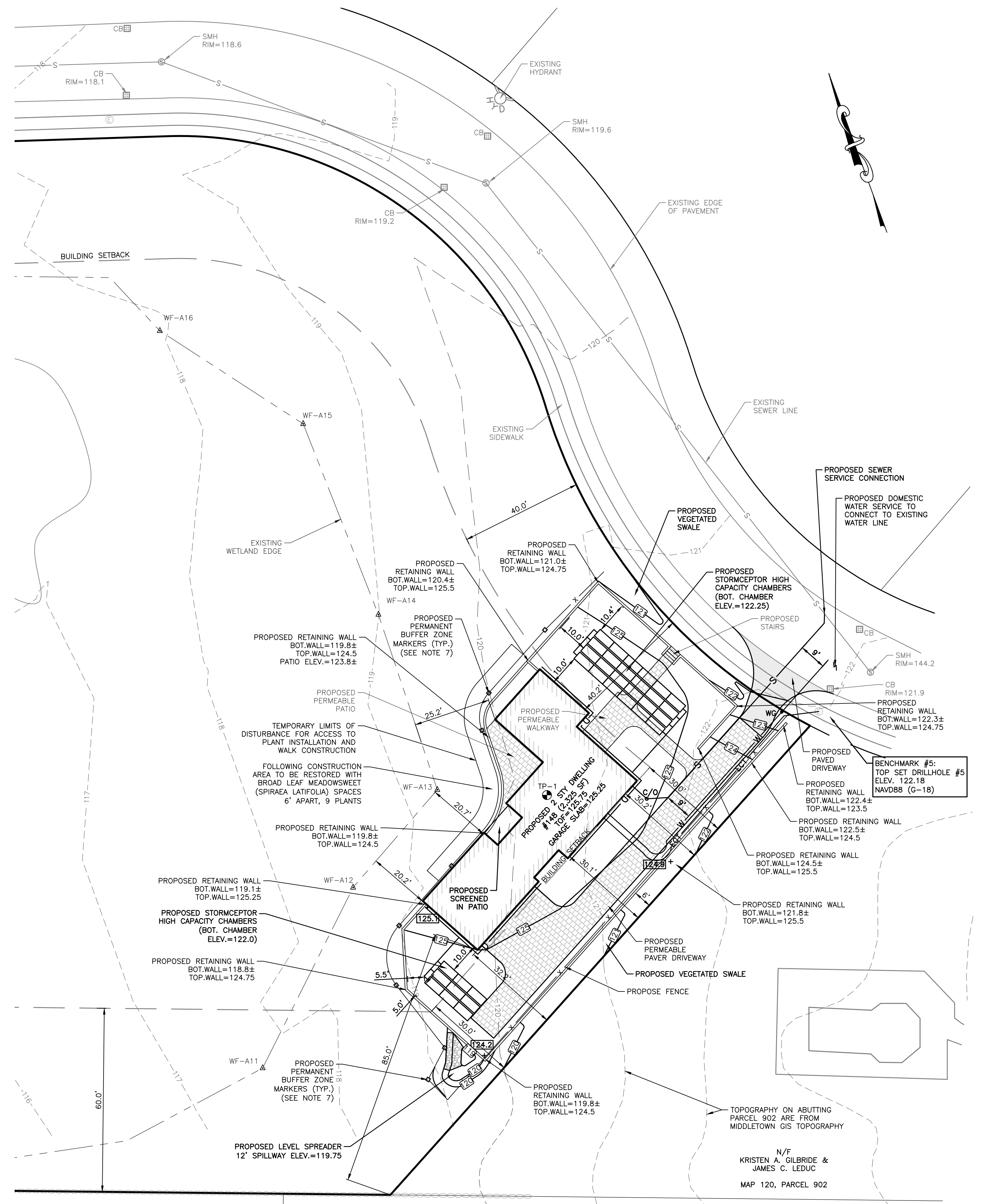
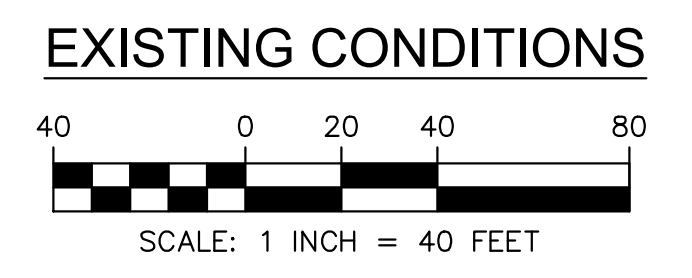
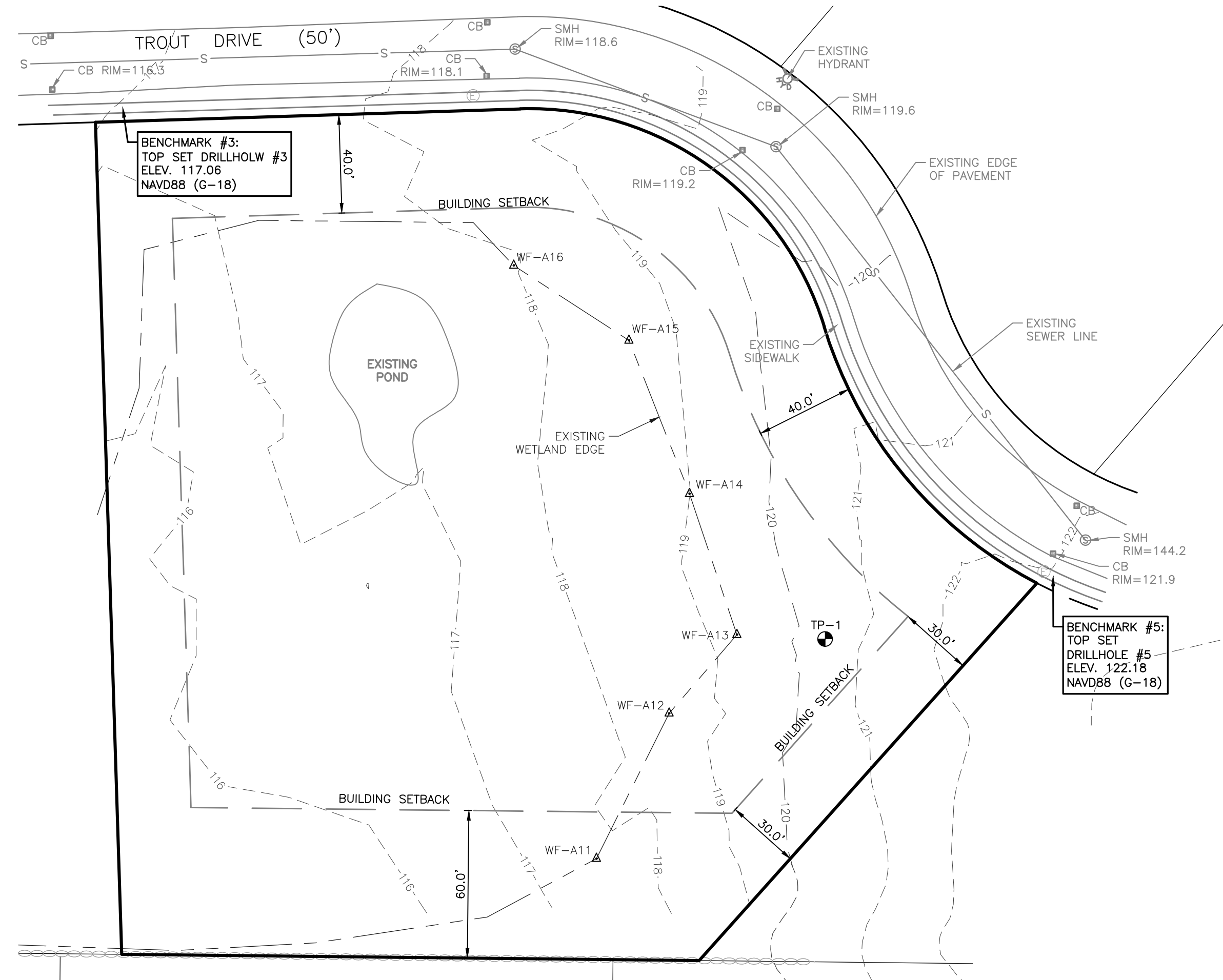
LOCUS NOT TO SCALE

RESIDENTIAL DISTRICT (R-40)			
REGULATION	REQUIREMENT	EXISTING	PROPOSED
MIN. LOT AREA	40,000 SQ. FT.	103,058.6± SQ. FT.	103,058.6± SQ. FT.
UPLAND AREA	40,000 SQ. FT.	42,500± SQ. FT.	42,500± SQ. FT.
LOT FRONTAGE	150'	474.9'	474.9'
FRONT SETBACK	40'	-	40.2'
SIDE SETBACK	30'	-	30.1'
REAR SETBACK	60'	-	85.0'
MAX. BUILDING HEIGHT	35'	-	*32'
MAX. LOT COVERAGE	15%	-	2.26%



SOIL NOTES
SOIL EVALUATION PERFORMED BY MICHAEL E. RUSSELL ON SEPTEMBER 20, 2023.

*BUILDING HEIGHT CALCULATED FROM MEAN AVERAGE GRADE = $[(121.5 + 119.8 + 119.1 + 120.3 + 120.0 + 120.5) / 6] = 120.2$
26' 5.5" FROM FFE = $125.75 + 26.46' = 152.2' - 120.2' = 32.0' > 35'$



NO.	DATE	DESCRIPTION
1.	8/28/2024	GENERAL REVISIONS PER TOWN COMMENTS

PLAN REVISIONS
DATE: JULY 17, 2024

DRAWN BY: SJE DESIGN BY: SJE CHECK BY: MER
PROJECT NO: 23110

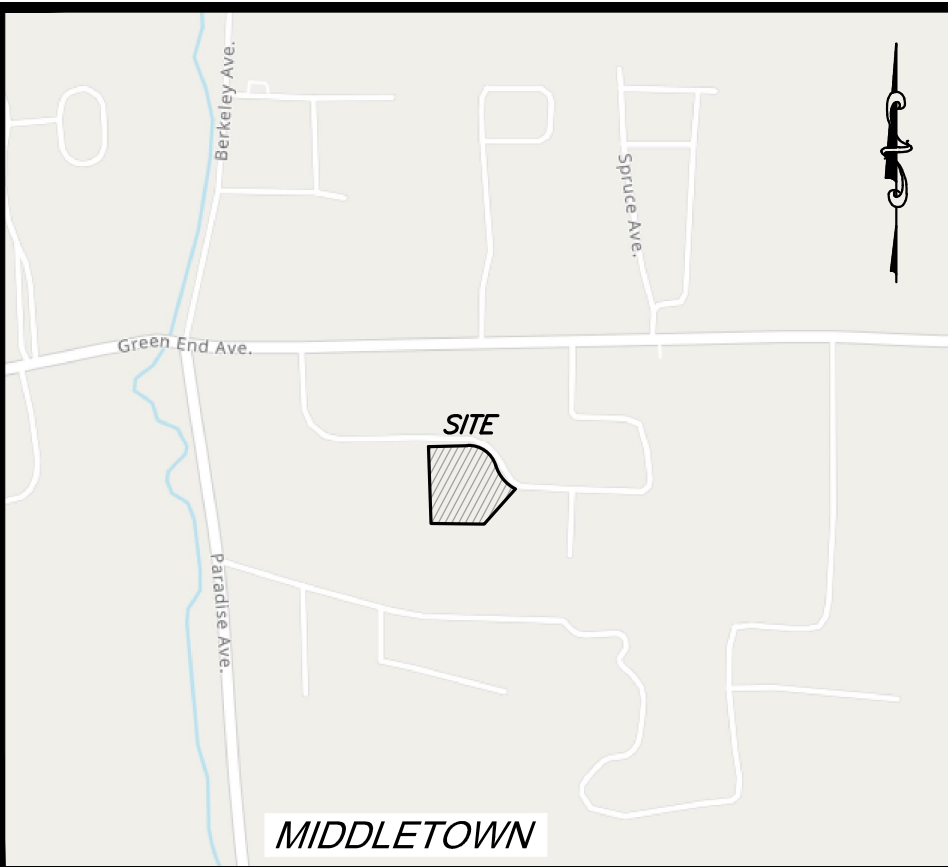
ISSUED FOR: PERMITTING

PROPOSED SITE PLAN
148 TROUT DRIVE
ASSESSOR'S MAP 120, PARCEL 903
MIDDLETOWN, RHODE ISLAND
PREPARED FOR: SEAN SULLIVAN & COLLEEN WEAVER

DRAWING TITLE:
PROPOSED SITE PLAN

SCALE: **AS NOTED**
SHEET NO.

1 OF 3



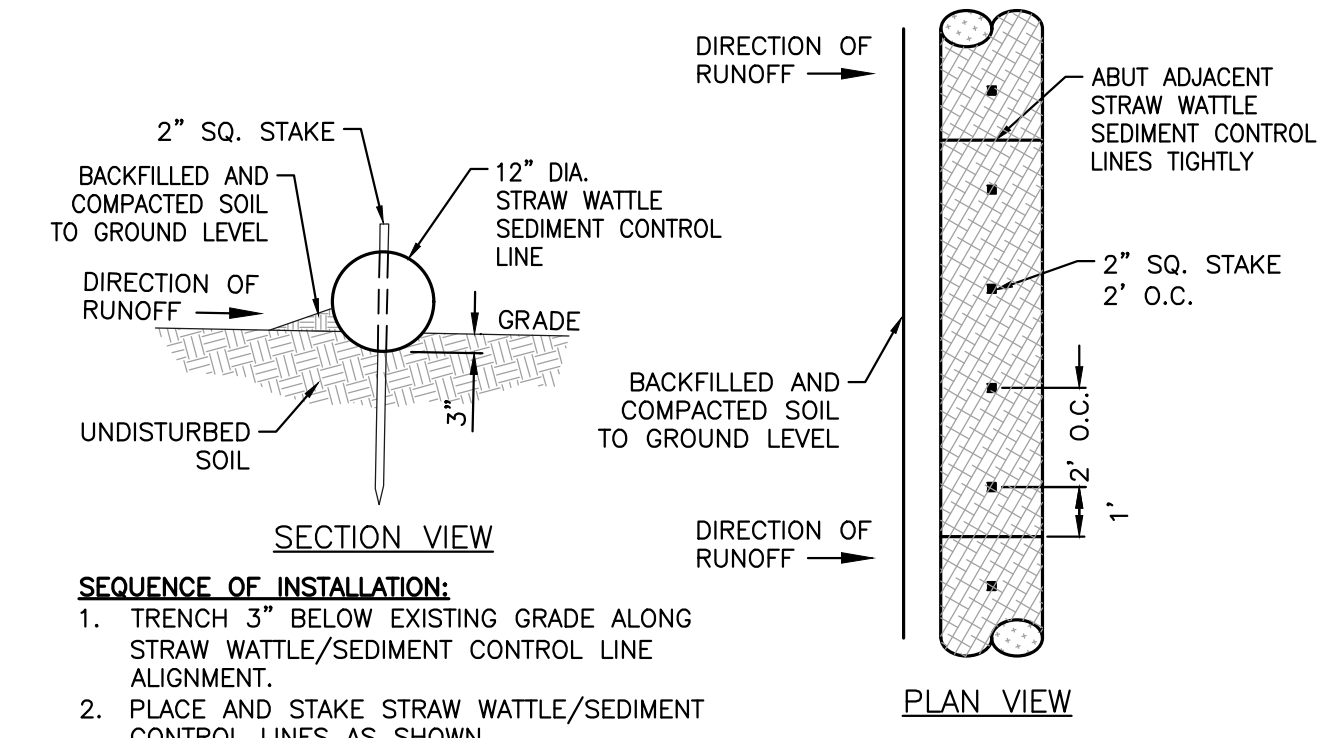
LOCUS
NOT TO SCALE

SOIL EROSION AND SEDIMENTATION CONTROL NOTES

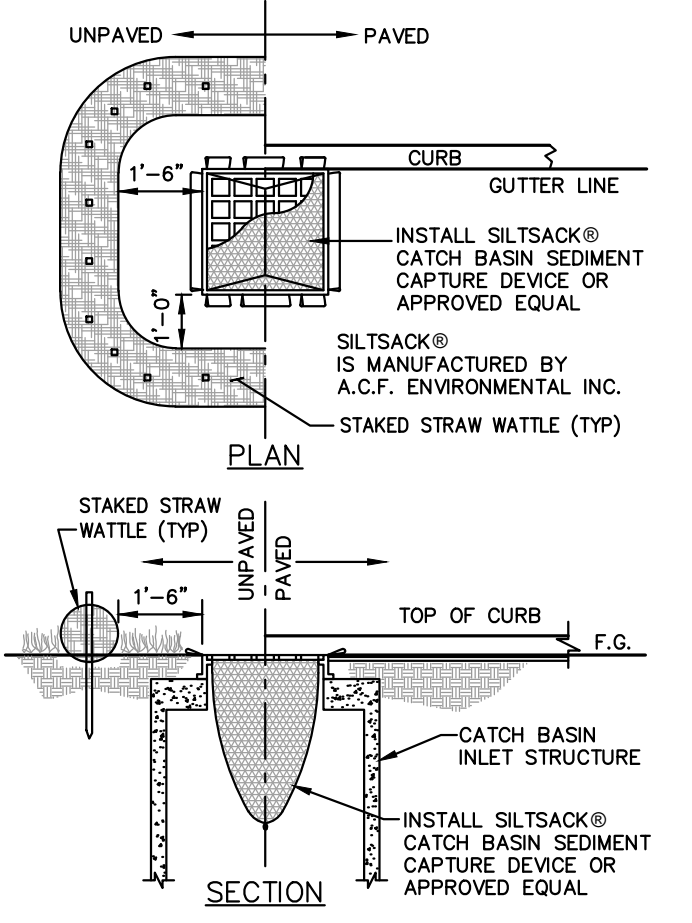
- PRIOR TO INITIATING CONSTRUCTION, ALL SEDIMENTATION AND EROSION CONTROL MEASURES SHALL BE INSTALLED AS SHOWN ON THE PLANS, AS DIRECTED BY THE ENGINEER AND/OR AS NECESSITATED BY FIELD CONDITIONS. THE CONTRACTOR SHALL MAINTAIN THESE MEASURES UNTIL ALL WORK IS COMPLETED AND ALL AREAS HAVE BEEN STABILIZED.
- ACCUMULATED SEDIMENT SHALL BE REMOVED AND DISPOSED OF BY THE CONTRACTOR OR AS DIRECTED BY THE ENGINEER.
- AFTER THE INSTALLATION OF DRAINAGE STRUCTURES, HAYBALES OR OTHER APPROVED MATERIALS SHALL BE PLACED TO PROTECT THE INTEGRITY OF THE STRUCTURES.
- DISTURBED AREAS SHALL BE STABILIZED WITH THE APPLICATION OF A MINIMUM OF FOUR INCHES (4) OF LOAM AND SHALL BE SEEDED WITH AN APPROVED GRASS MIX OR SHALL BE RIPRAPPED AS SOON AS POSSIBLE AFTER THE FINISHED GRADE HAS BEEN MET. IF FINAL GRADING DOES NOT OCCUR DURING THE GROWING SEASON, THESE AREAS SHALL BE MULCHED WITH HAY AND SECURED BY JUTE NETTING WITH STAPLES. SLOPES EXCEEDING 2:1 SHALL BE LOAMED AND STABILIZED WITH PEGGED SOD OR APPROVED EROSION CONTROL BLANKETS UNLESS OTHERWISE NOTED.
- THE MOUTHS OF ALL CATCH BASINS SHALL BE FITTED WITH SILTSACKS OR FILTER FABRIC DURING THE ENTIRE CONSTRUCTION PROCESS TO RETARD SILTATION.
- WHERE APPLICABLE, PROPER DUST CONTROL MEASURES SHALL APPLY TO REDUCE THE SURFACE AND AIR TRANSPORT OF DUST GENERATED DURING CONSTRUCTION. THE FOLLOWING METHODS SHALL BE USED:
 - WET SUPPRESSION WITHOUT WETTING AGENT SHALL BE APPLIED DURING LOAD IN / LOAD OUT AND EARTH MOVING CONSTRUCTION ACTIVITIES, SPECIALLY ON STOCKPILES.
 - INACTIVE STOCKPILES SHALL BE STABILIZED THROUGH APPLICATION OF SOIL STABILIZERS OR SEEDING.
 - WIND SCREENS OR BARRIERS AND PLASTIC TARP COVERS SHALL BE SECURED TO PREVENT WIND DISLODGE AND DAMAGE. ANY DAMAGES SHALL BE REPAIRED OR REPLACED IMMEDIATELY.
- CONTRACTOR SHALL CONSTRUCT A TEMPORARY CRUSHED STONE CONSTRUCTION ENTRANCE APPROXIMATELY DRIVEWAY WIDTH WIDE BY 50' LONG BY 6" DEEP FOR USE DURING CONSTRUCTION ACTIVITIES AS NECESSARY TO REMOVE SEDIMENT FROM VEHICLES. THE CONSTRUCTION ENTRANCE IS TO BE LOCATED AT THE ENTRANCE TO THE SITE FROM EXISTING ACCESS DRIVEWAY.
- DEWATERING OPERATIONS SHALL BE PROVIDED, IF REQUIRED; ALL DISCHARGE SHALL PASS THROUGH SEDIMENTATION CONTROL DEVICES TO PREVENT IMPACTS UPON WATER BODIES, BORDERING VEGETATED WETLANDS, DRAINAGE SYSTEMS AND ABUTTING PROPERTIES.

INSTALLATION SEQUENCE

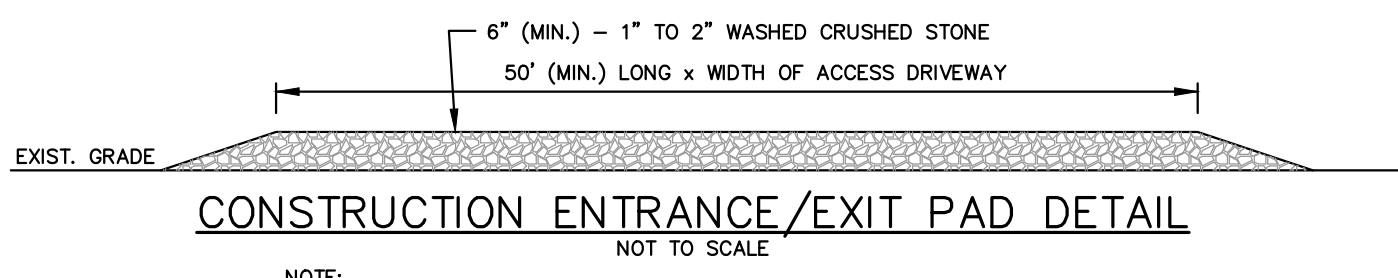
- INSTALL SILT FENCE AND HAYBALES AS SHOWN ON PLAN.
- CLEAR AND GRUB SITE.
- CONSTRUCT SITE INFRASTRUCTURE AS SHOWN ON PLANS.
- THE FOLLOWING ACTIVITIES SHALL TAKE PLACE IMMEDIATELY FOLLOWING CONSTRUCTION OF EMBANKMENTS AND FILL SLOPES: PLACEMENT OF LOAM AND GRASS SEED, INSTALLATION OF GEOWEB SLOPE STABILIZATION.
- THE CONTRACTOR SHALL INSPECT ALL FILL SLOPES AND EMBANKMENTS ON A WEEKLY BASIS AND FOLLOWING ALL RAINFALL EVENTS UNTIL A MINIMUM 75% GRASS COVER IS ESTABLISHED SUFFICIENT TO PREVENT EROSION FROM OCCURRING.



TYPICAL EROSION/SEDIMENT CONTROL FENCE STRAW WATTLE DETAIL
NOT TO SCALE



INLET SEDIMENTATION CONTROL DETAIL
NOT TO SCALE

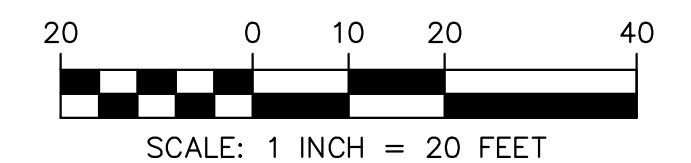
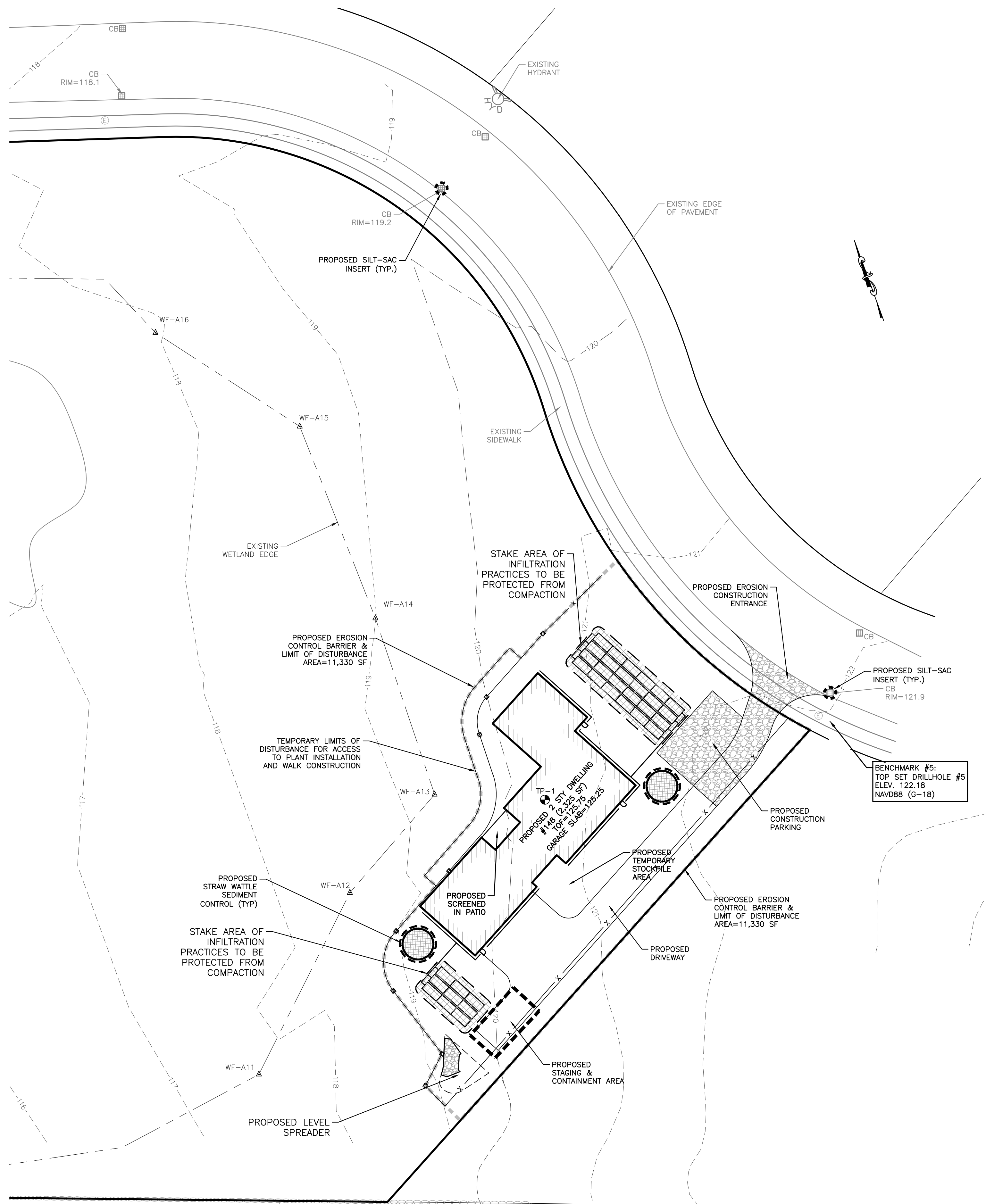


CONSTRUCTION ENTRANCE/EXIST PAD DETAIL
NOT TO SCALE

NOTE:
CONSTRUCTION ENTRANCE IS A TEMPORARY STONE - STABILIZED PAD LOCATED AT POINTS OF VEHICULAR INGRESS AND EGRESS ON THE CONSTRUCTION SITE TO AND FROM A PAVED PUBLIC ROAD OR OTHER PAVED AREAS.

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LDEC
Land Development Engineering & Consulting, LLC
207 High Point Avenue, Unit 6
Portsmouth, RI 02871
T: 401-354-2050 F: 401-369-9775
WWW.SDE-LDEC.COM

NO.	DATE	DESCRIPTION	GENERAL REVISIONS PER TOWN COMMENTS	MER	APPROVED
1.	8/28/2024				

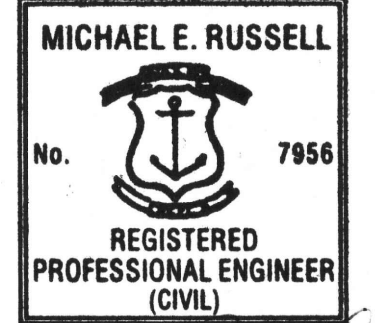
PLAN REVISIONS

DATE: JULY 17, 2024

DRAWN BY: SJE DESIGN BY: SJE CHECK BY: MER

PROJECT NO. 23110

ISSUED FOR: PERMITTING



EROSION CONTROL PLAN
148 TROUT DRIVE
ASSESSOR'S MAP 120, PARCEL 903
MIDDLETOWN, RHODE ISLAND
PREPARED FOR: SEAN SULLIVAN & COLLEEN WEAVER

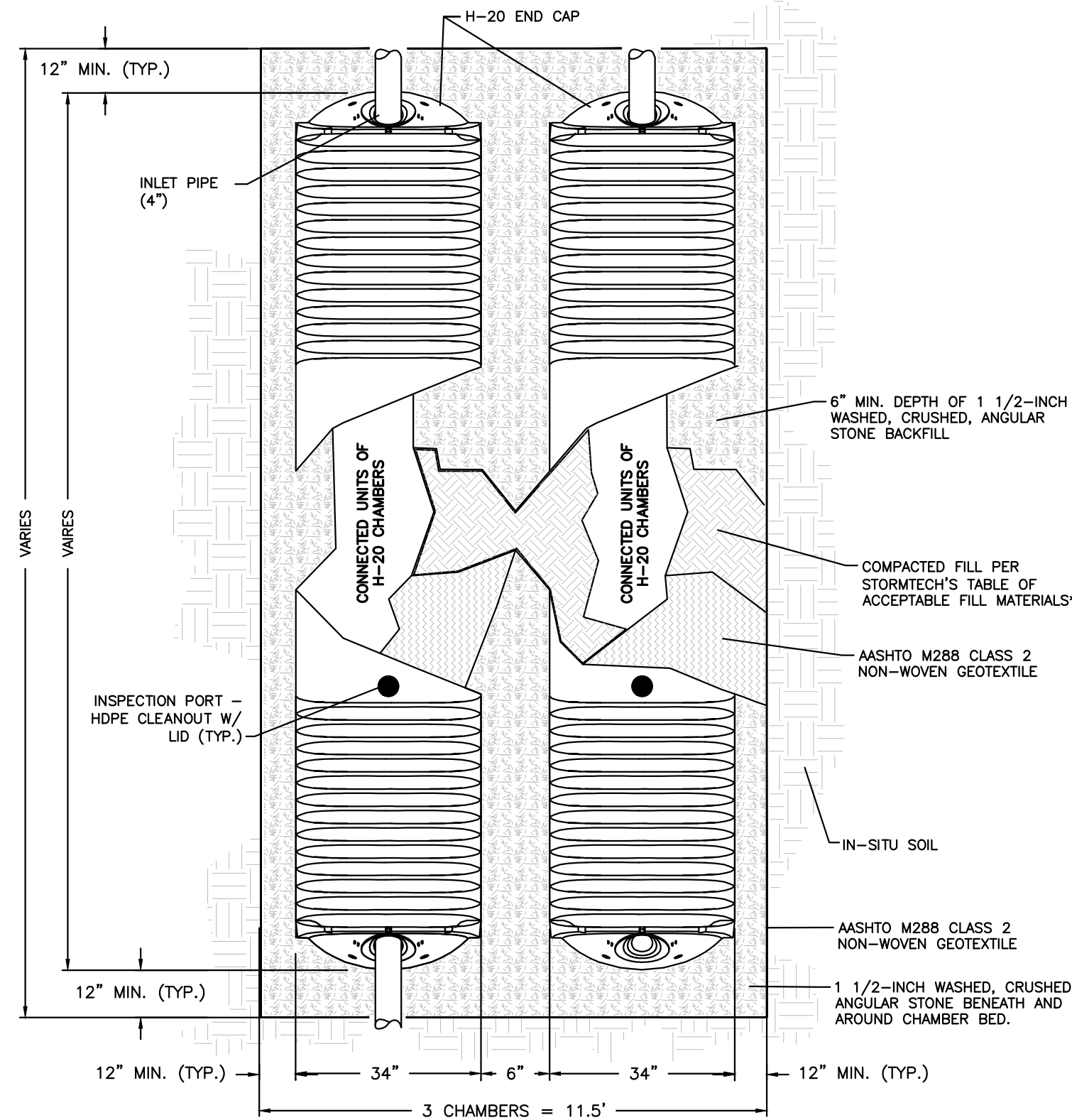
DRAWING TITLE:

EROSION CONTROL PLAN

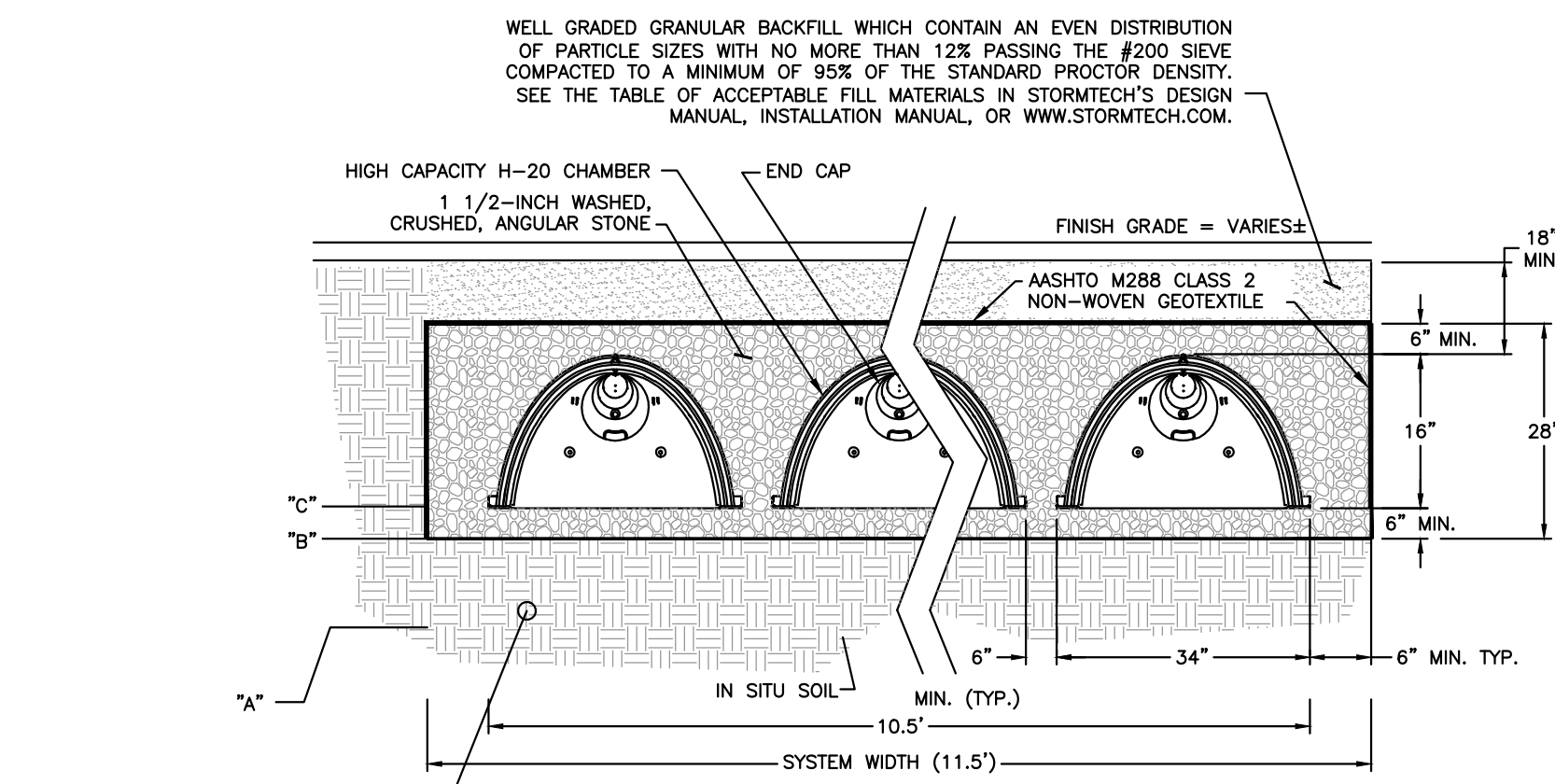
SCALE: **1"=20'**

SHEET NO.

2 OF 3



TYPICAL PLAN VIEW DETAIL INFILTRATOR HIGH CAPACITY H-20 CHAMBERS



INFILTRATOR HIGH CAPACITY H-20 CHAMBERS

REMOVE AND REPLACE ANY UNSUITABLE MATERIAL DOWN TO 30" BELOW EXISTING GRADE. REPLACE WITH SANDY/LOAM MIX (DESIGNER TO WITNESS SOIL CONDITIONS DURING CONSTRUCTION)

UNDERGROUND INFILTRATION SYSTEM-1 & 2

UNDERGROUND INFILTRATION SYSTEMS									
UNDERGROUND SYSTEM	TEST HOLE	EXISTING ELEV.	SHGW ELEV. 'A'	BOT. OF STONE 'B'	BOT. OF CHAMBER 'C'	TOP OF CHAMBER 'D'	NUMBER OF CHAMBERS WIDE 'W'	NUMBER OF CHAMBERS LONG 'L'	TOTAL NUMBER OF CHAMBERS
1	TH-1	120.0	118.0 (24')	121.50	122.00	123.33	3	3	9
2	TH-1	121.75	119.75 (24')	121.75	122.25	123.58	3	6	18

OPERATION & MAINTENANCE NOTES

OPEN VEGETATED/GRASS CHANNELS

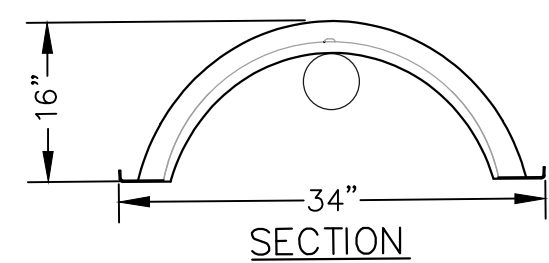
- Maintenance:
- The maintenance objective for this practice includes preserving or retaining the hydraulic and removal efficiency of the channel and maintaining a dense, healthy grass cover.
 - Perform the following activities on an annual basis:
 - sediment removal
 - mowing and litter and debris removal
 - stabilization of eroded side slopes and bottom

SUBSURFACE INFILTRATION/STORAGE CHAMBERS

- Maintenance:
- Inspections shall be performed on pretreatment BMP's per above outline to ensure proper function of chamber system.
 - Chamber system is equipped with inspection ports. Remove each lid and measure sediment depth at each port location. When depth of sediment exceeds 3-inches, the chamber row shall be pressure washed with water through a culvert cleaning nozzle. Back-flush may accumulate in upstream structures. Water is to be removed from structures using a vacuum truck.
 - Closed Circuit Television (CCTV) inspection can be deployed as necessary to determine sediment accumulation.

INFILTRATION BASINS

- Maintenance:
- Infiltration practices shall be inspected annually and after storms equal to or greater than the 1-year, 24-hour Type III storm event.
 - If sediment or organic debris build-up has limited the infiltration capabilities (infiltration basins) to below the design rate, the top 6 inches shall be removed and the surface roto-tilled to a depth of 12 inches. The basin bottom should be restored according to original design specifications.
 - Perform the following activities on an annual basis:
 - sediment removal
 - mowing and litter and debris removal
 - stabilization of eroded side slopes and bottom



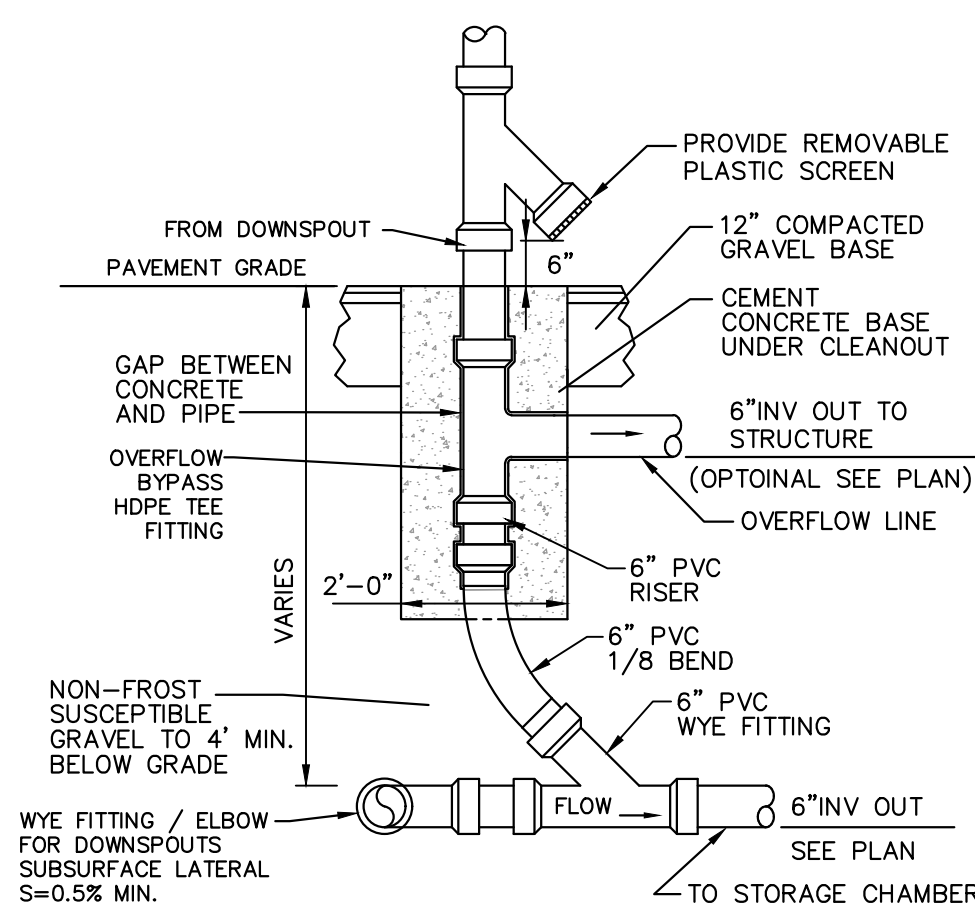
SECTION

HIGH CAPACITY INFILTRATOR CHAMBER



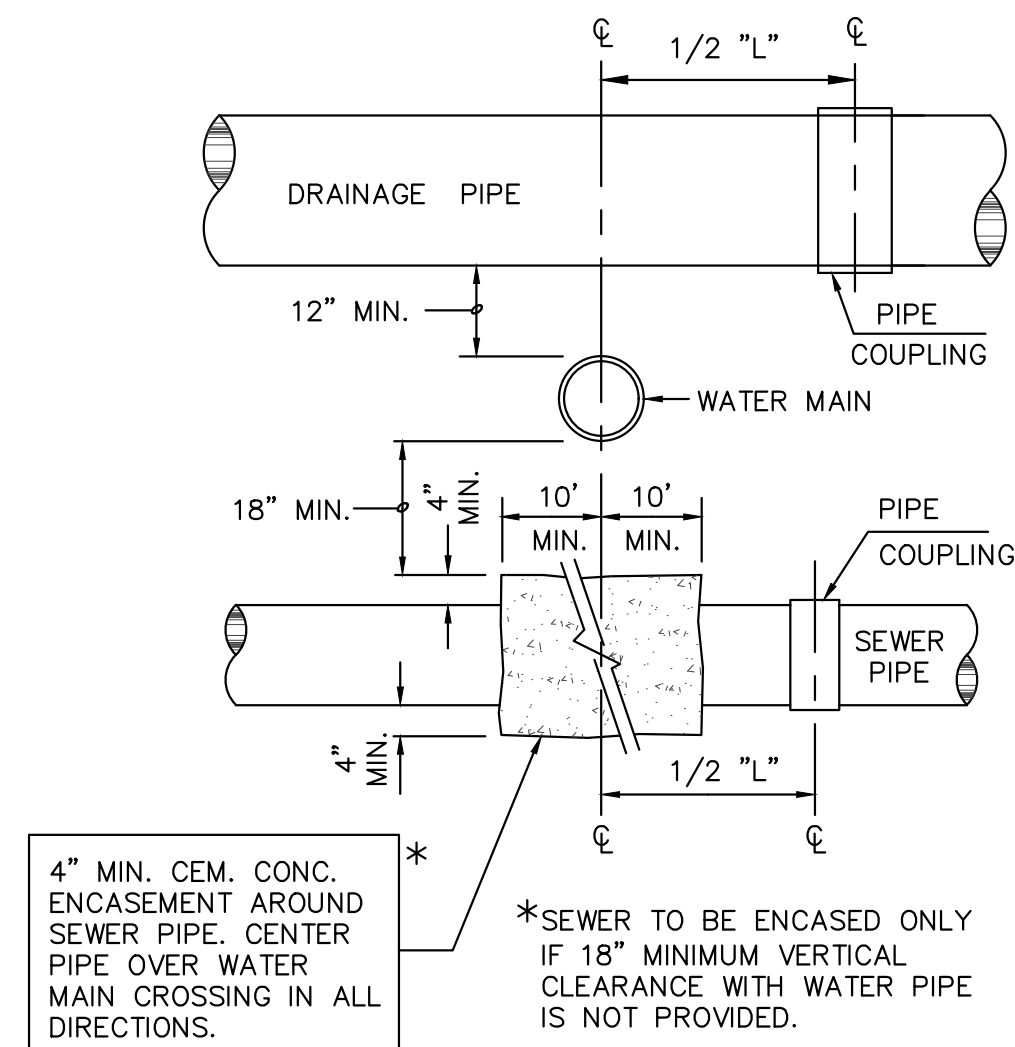
PROFILE

NOTE:
CONTRACTOR TO SET CHAMBERS 2" (MIN) ABOVE SEASONAL HIGH GROUNDWATER AND PROVIDE A MINIMUM OF 18-INCHES OF COVER. CONSULT ENGINEER AS NECESSARY.
ALL ROOF DRAIN PIPE SHALL BE 4-INCH PVC SCH 40.
RECHARGE CHAMBERS TO BE PLACED ON 6" OF 1-1/2" WASHED STONE



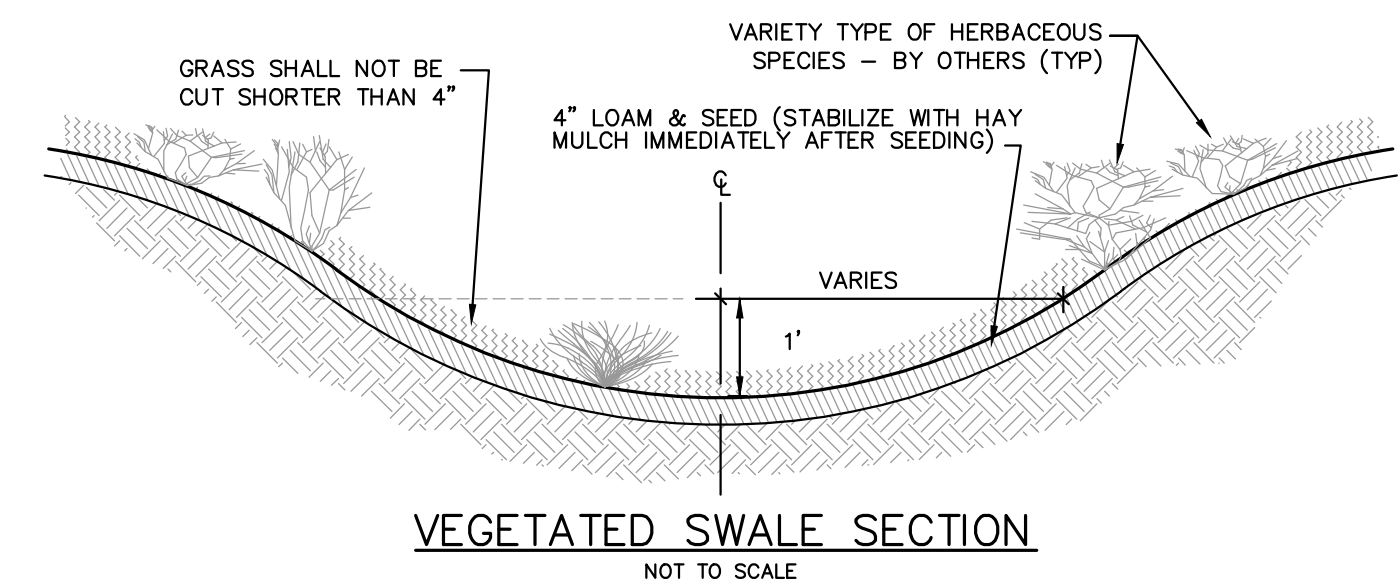
DOWNSPOUT CONNECTION & OVERFLOW DETAIL

NOT TO SCALE



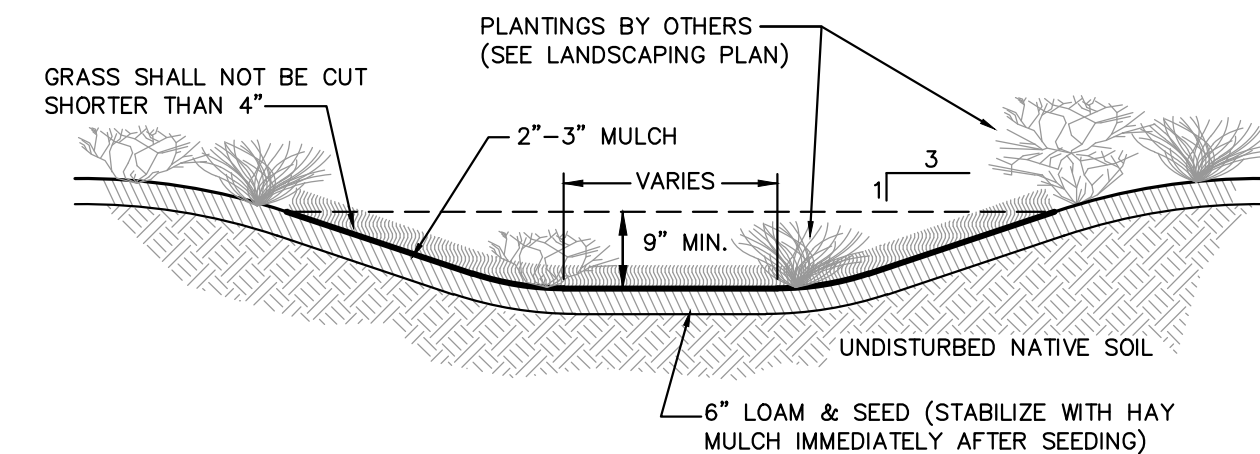
SEWER, WATER & DRAIN CROSSING DETAIL

NOT TO SCALE



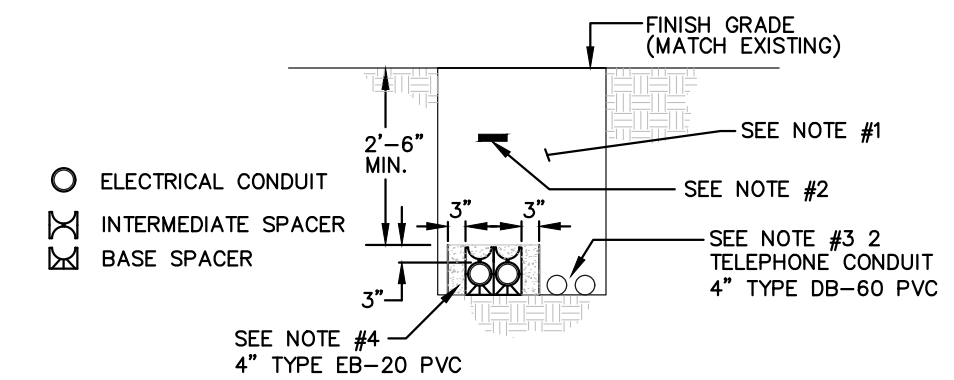
VEGETATED SWALE SECTION

NOT TO SCALE



TYPICAL LEVEL SPREADER SECTION DETAIL

NOT TO SCALE



ELECTRIC & TELEPHONE PRIMARY SERVICE DETAIL

NOT TO SCALE

- NOTES:
- BACKFILL TO BE FREE OF STONES GREATER THAN ONE INCH AND SHALL NOT CONTAIN ASHES, CINDERS, SHELL, OR FROZEN MATERIAL.
 - WARNING TAPE TO BE PLACED 12" BELOW FINISH GRADE AND DIRECTLY ABOVE POWER CONDUIT.
 - MINIMUM SEPARATION BETWEEN ELECTRICAL CONDUIT AND FOREIGN CONDUIT OR PIPES IS AS FOLLOWS:
COMMUNICATION - 3" OF CONCRETE ENCASEMENT
WATER, GAS, SEWER - 12" WHERE THE PATH OF THESE UTILITIES INTERSECT AT APPROXIMATELY RIGHT ANGLES WITH ELECTRICAL CONDUIT.
24" SEPARATION SHALL BE MAINTAINED BETWEEN PARALLEL PLACEMENT OF THESE UTILITIES AND ELECTRICAL CONDUIT.
 - CONCRETE THICKNESS AROUND THE OUTSIDE DUCTS SHALL BE 3 TO 6 INCHES. CONCRETE SHALL BE IN ACCORDANCE WITH STANDARD 0211.

NO.	DATE	DESCRIPTION	APPROVED
1.	8/28/2024	GENERAL REVISIONS PER TOWN COMMENTS	MER

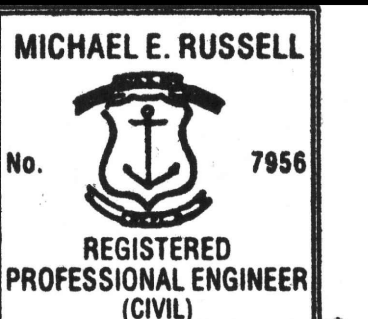
PLAN REVISIONS

DATE: JULY 17, 2024

DRAWN BY: SJE DESIGN BY: SJE CHECK BY: MER

PROJECT NO. 23110

ISSUED FOR: PERMITTING



CONSTRUCTION DETAILS

148 TROUT DRIVE
ASSESSOR'S MAP 120, PARCEL 903
MIDDLETOWN, RHODE ISLAND

PREPARED FOR: SEAN SULLIVAN & COLLEEN WEAVER

DRAWING TITLE:

CONSTRUCTION DETAILS

SCALE: 1"=20'

SHEET NO.

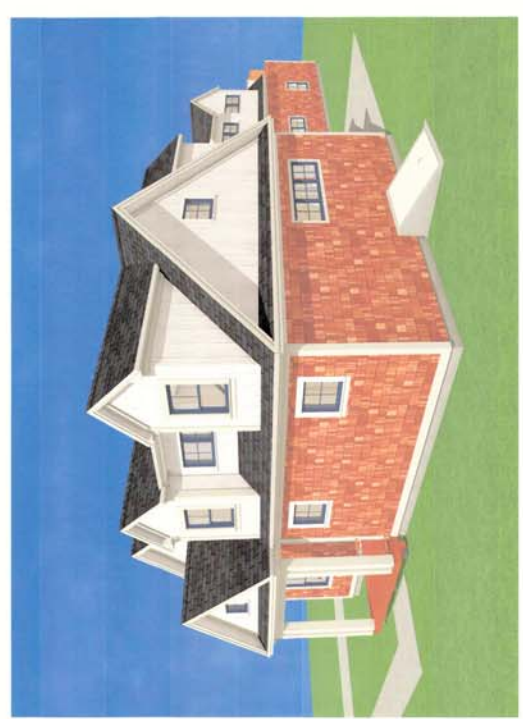
NUMBER	DATE	DESCRIPTION



New Residence
 Trout Dr.
 Middletown, RI 02842
 Plot: 120, Lot 40 3

Drawings provided by:
 Grand Design
 41 Cowley St.
 Narragansett, RI 02882
 401-642-5977

DATE: 2/7/2024
 SCALE: 1/4"=1'
 SHEET: 1



REVISION TABLE	NUMBER	DATE	REVISION BY	DESCRIPTION

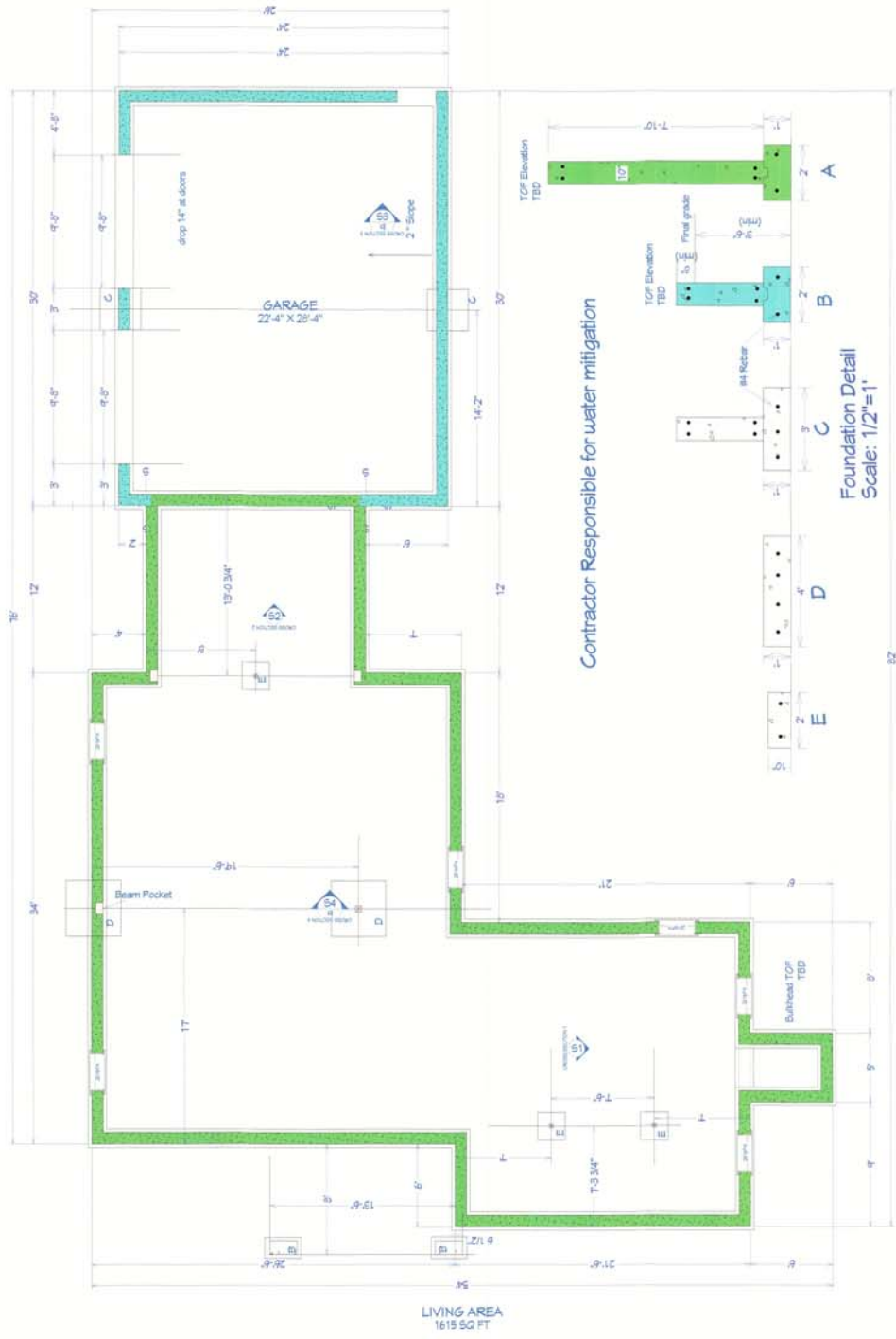


New Residence
 Trout Dr.
 Middletown, RI 02842
 Plt: 120, Lot 903

Drawings Provided By:
 Grand Design
 15 Court St.
 Middletown, RI 02842
 Agrand@aol.com, 401-642-5977

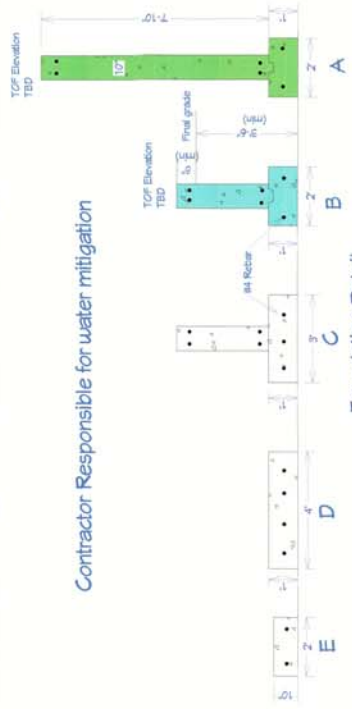
DATE:	2/7/2024
SCALE:	1/4"=1'
SHEET:	2

Foundation
 Scale: 1/4"=1'



Contractor Responsible for water mitigation

Foundation Detail
 Scale: 1/2"=1'



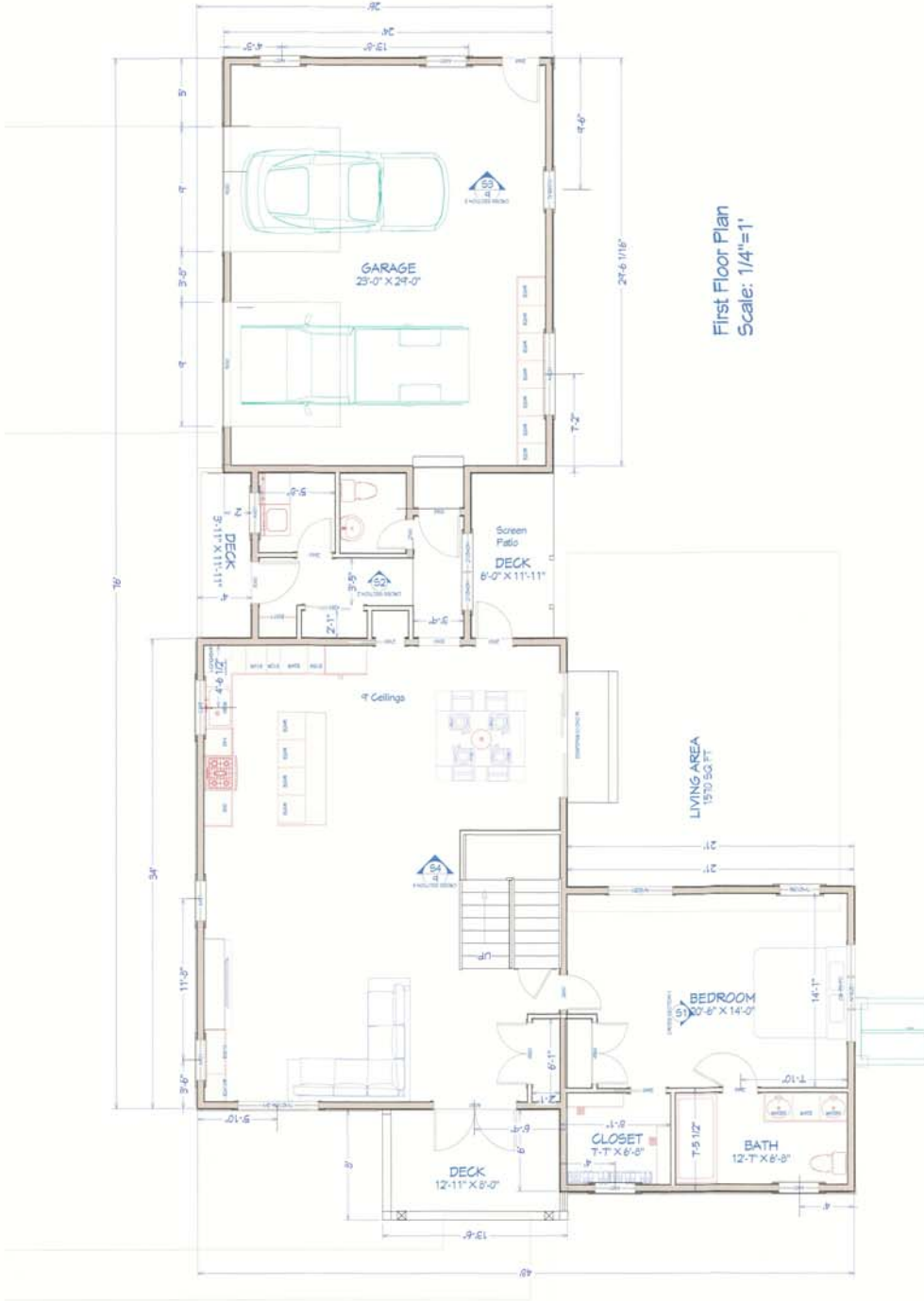
REVISION TABLE	NUMBER	DATE	REVISION BY	DESCRIPTION



New Residence
 Trout Dr.
 Middletown, RI 02842
 Plk: 120, Lot 903

Drawings Provided By:
 Grand Design
 1 County Dr
 Newport, RI 02840
 Agrm@bcd.com, 401-662-9977

DATE: 2/7/2024
 SCALE: 1/4"=1'
 SHEET: 3



First Floor Plan
 Scale: 1/4"=1'

1st Floor

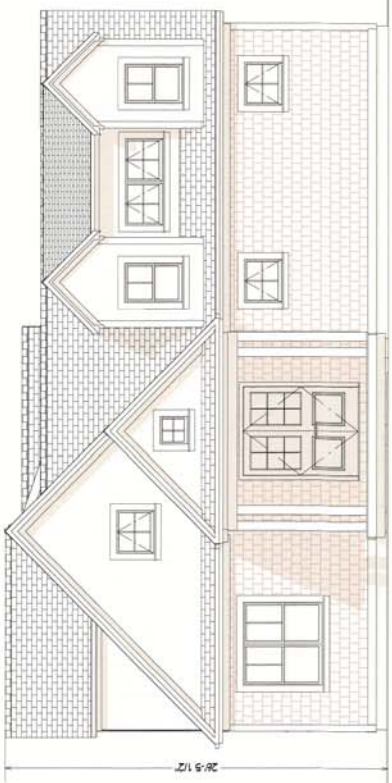
REVISION TABLE	NUMBER	DATE	REVISION BY	DESCRIPTION



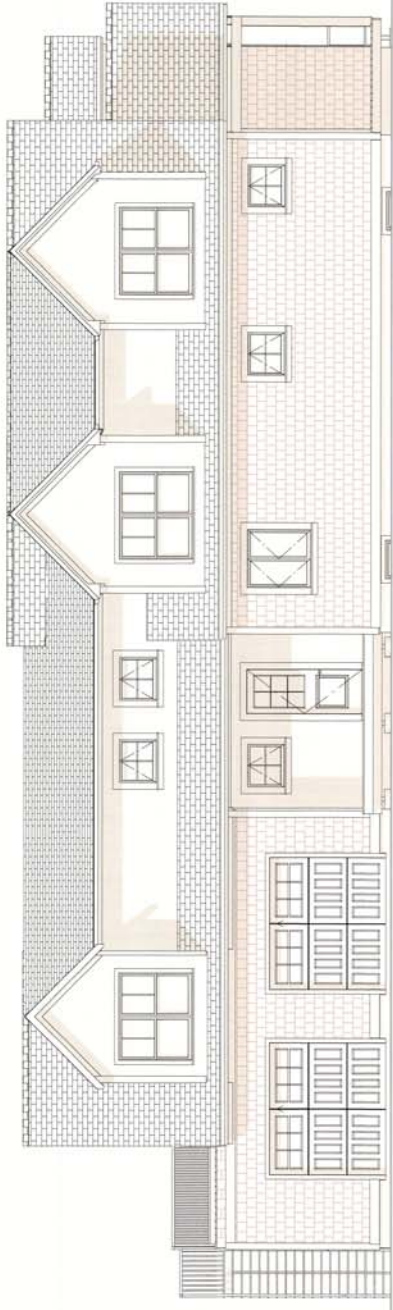
New Residence
 Trout Dr.
 Middletown, RI 02842
 Plat: 120, Lot 90 3

Drawings Provided By:
 Grand Design
 4 County St.
 Pawtucket, RI 02840
 Agrin@grand.com, 401-662-5977

DATE:	2/7/2024
SCALE:	1/4"=1'
SHEET:	5



Front- North Elevation



Side- East Elevation

REVISION TABLE
NUMBER DATE REVISION BY DESCRIPTION



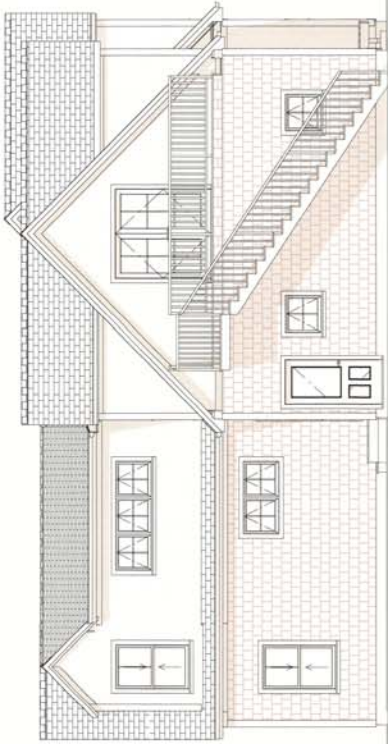
New Residence
Trout Dr.
Middletown, RI 02842
Plot: 120, Lot 90 3

DRAWINGS PROVIDED BY:
Grand Design
4 Court St.
Narragansett, RI 02882
Agm@grand.com, 401-662-5577

DATE:
2/7/2024

SCALE:
1/4"=1'

SHEET:
6



Rear-South Elevation



Side-West Elevation

REVISION TABLE	NUMBER	DATE	DESCRIPTION



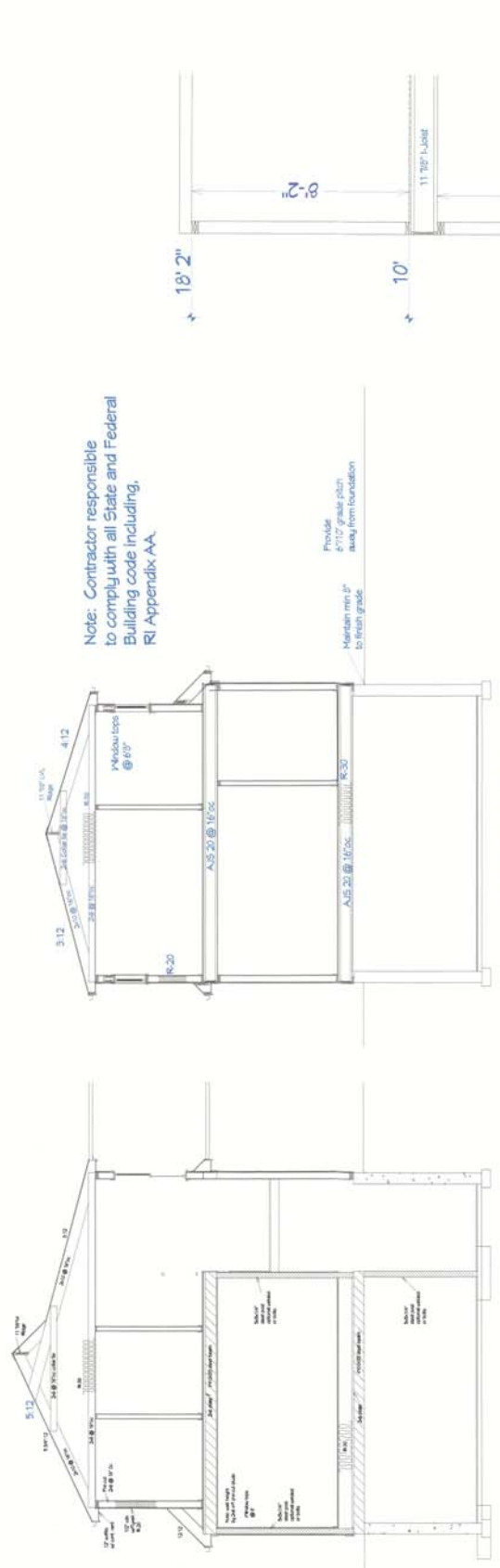
New Residence
 Trout Dr
 Middletown, RI 02842
 Plat: 120, Lot 49 B

Drawings provided by:
 Grand Design
 11 County St
 Newport, RI 02840
 Aggrand@comcast.net, 401-662-5577

DATE:
 2/7/2024

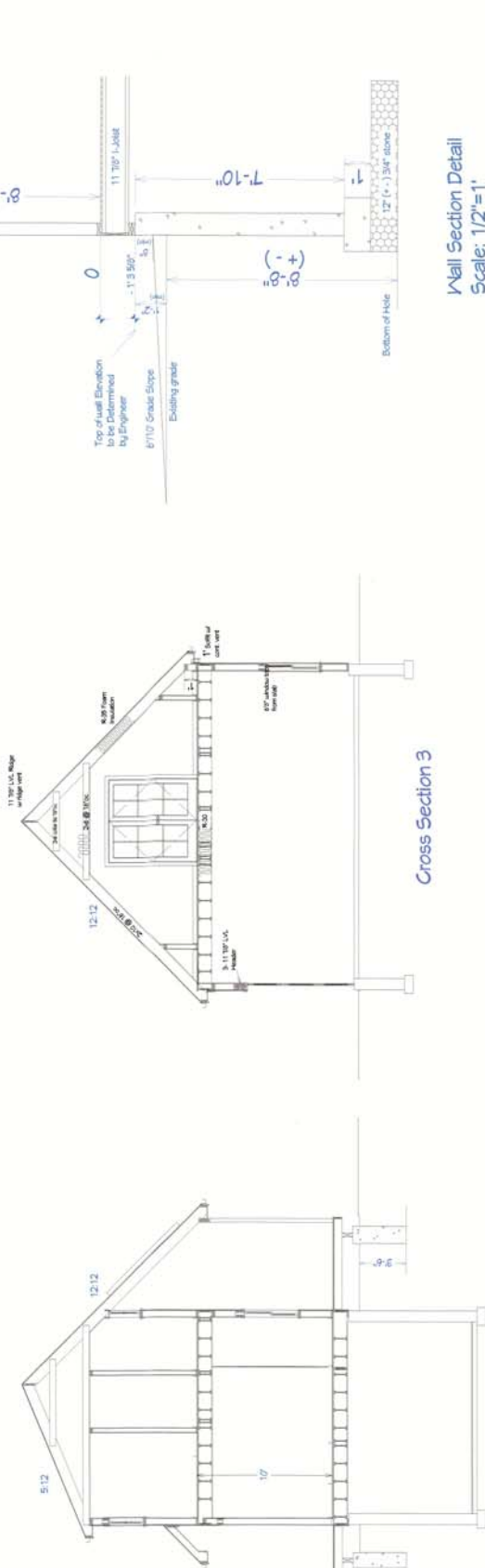
SCALE:
 1/4"=1'

SHEET:
 11



Cross Section 1

Cross Section 4



Cross Section 3

Cross Sec. 2

Note: Contractor responsible to comply with all State and Federal Building code including, RI Appendix AA.

Wall Section Detail
 Scale: 1/2"=1'



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Book: 1834 Page: 214

RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF WATER RESOURCES

235 Promenade Street
Providence, Rhode Island 02908

June 25, 2024

Sean Sullivan
Colleen Weaver
15 Sherwood Road
Middletown, RI 02842

REVISED PERMIT

Re: Application No. 23-0096 in reference to the location below:

148 Trout Drive, approximately 90 feet southwest of Trout Drive, approximately 1,000 feet southeast of the intersection of Trout Drive and Green End Avenue, Assessor's Plat 120, Lot 903, Middletown, RI.

Dear Mr. Sullivan & Ms. Weaver:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application for Permit Modification** and has evaluated your proposed modifications to the permitted single-family home, as illustrated and detailed on revised site plans submitted with your application. The revised site plans were received on May 15, 2024.

Based upon the Program's evaluation of the revised project and pursuant to 250-RICR-150-15-3.14.3 of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-3, it is the Program's determination that a revised permit for the modified project may be issued under the following terms and conditions:

1. This letter is the DEM's revised permit for this project under the R.I. Fresh Water Wetlands Act, R.I. Gen. Laws § 2-1-18 et seq.
2. This revised 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 15, 2024. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project, which would alter freshwater wetlands are not authorized without a permit from the DEM.
3. Where the terms and conditions of the revised permit conflict with the approved site plans, these terms and conditions shall be deemed to supersede the site plans.
4. A copy of the stamped approved site plans and a copy of this revised permit must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of this revised permit and the stamped approved plans must be made available for review by any DEM representative upon request.
5. Within ten (10) days of the receipt of this revised permit, you must record this permit in the land evidence records of the Town of Middletown and supply this Program with written documentation obtained from the Town showing this revised permit was recorded.

Telephone 401.222.4700 | www.dem.ri.gov | Rhode Island Relay 711

6. This revised permit expires on June 29, 2028, unless renewed pursuant to the Rules.
7. 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 temporary Limit of Disturbance (LOD) and planting area has been extended along the rear of the proposed garage to allow a realistic clearance for construction purposes.**

Except as authorized in this revised permit pursuant to revised and approved site plans (enclosed), **all terms and conditions previously specified in the Program's permit dated June 29, 2023 (copy enclosed), remain in effect.**

You are required to comply with the terms and conditions of this revised permit and to carry out this project in compliance with 250-RICR-150-15-3 at all times. Failure to do so may result in an enforcement action by the Program.

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

This revised 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 Claire Swift at this office at (telephone: 401-537-4183) should you have any questions regarding this letter.

Sincerely,



Martin D. Wencek, Program Supervisor
Freshwater Wetlands Program
Office of Water Resources
MDW/CVS/evs

Enclosure: Original permit dated June 29, 2023

ec: Mike Russell, PE, Land Development Engineering & Consultant, LLC
Chris Costa, Town of Middletown Building Official

RECORDED: Jul 03, 2024 12:15P
DOC #: 00001119
RECEIPT #: 70265
WENDY J. W. MARSHALL, TOWN Clerk
TOWN of MIDDLETOWN, RI