

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

TERRENCE GRAY, :
in his capacity as Director, :
RHODE ISLAND :
DEPARTMENT OF ENVIRONMENTAL: :
MANAGEMENT :
: :
: :
: :
: :
: :

vs. :

C.A. No. PM-2022-3424

BARBARA P. FEDUN, Trustee of The :
BARBARA P. FEDUN TRUST :
AGREEMENT :
: :
: :
: :

vs. :

THE WATCH HILL CONSERVANCY :

ORDER

This matter was last before this Honorable Court on July 13, 2023, the Honorable Justice David Cruise presiding, regarding Plaintiff’s Complaint and Petition to Enforce a Final Compliance Order. By agreement of the Parties and permission of the court:

It is hereby Ordered, Adjudged and Decreed:

1. The Defendant and Third-Party Plaintiff, Barbara P. Fedun, Trustee of the The Barbara P. Fedun Trust Agreement (“Fuden Trust”) owns property located at 36 Bay Street in Westerly, Rhode Island (the “Property”);
2. The Fuden Trust has retained a licensed Onsite Wastewater Treatment System (“OWTS”) installer to install an OWTS in accordance with the permit issued by Rhode Island Department of Environmental Management (“RIDEM”) in September of 2023;
3. The Property shall remain vacant until such time as the OWTS is installed and the RIDEM issues a Certificate of Conformance;
4. The matter is continued for further review and compliance to September 14, 2023.

Ordered _____

Entered: _____

Date:

Respectfully submitted by:
TERRENCE GRAY,
in his capacity as Director,
RHODE ISLAND DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT,
By h attorney,

/s/Tricia Quest

Tricia Quest, Esq. (#7362)
RIDEM Office of Legal Services
235 Promenade Street, Fourth Floor
Providence, RI 02908
(401) 222-6607
(401) 222-3378 (facsimile)
tricia.quest@dem.ri.gov

CERTIFICATION

I hereby certify that, on the 13th day of July 2023 I electronically filed and served this document through the electronic filing system with notice to the parties listed below. The document electronically filed and served is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.

Kelly Fracassa, Esq.
Naccarato & Fracassa
85 Beach Street, Bldg. C, Unit 8
Westerly, RI 02891

Brenda C. Harrigan
GUNNING & LAFAZIA, INC.
33 College Hill Road, Suite 25B
Warwick, RI 02886

/s/Tricia Quest