



Town of Barrington, RI ZONING BOARD OF REVIEW APPLICATION

Special Use Permit, Dimensional and Use Variances, and Appeals Instructions

- **Zoning Board Meeting Schedule and Location:** The Barrington Zoning Board of Review typically meets to hear applications on the third Thursday of each month at 7 pm in Town Council Chambers on the second floor of Town Hall. Applicants should contact town hall to verify the date, time and location of the meeting at which their application will be heard. Please note: There is a maximum of eight (8) applications per month. Applications are accepted on a first come-first served basis and it is possible that a meeting docket can fill up before the deadline. If your application hearing has not begun by 10:30 p.m., it will be continued to the next meeting.
- **Application Due Date:** Applications for Special Use Permits, Dimensional and Use Variances, or Extensions to prior approvals must be submitted to the Building Official 4 weeks prior to the meeting at which the application is to be heard and must be signed by the applicant. The applicant must be a person with a financial interest in the property and not the architect, engineer, draftsman, contractor or attorney. Examples include a current or potential tenant or purchaser. If the owner is not the applicant, the owner must also sign the application.
- **Filing Fees:** The application filing fee is \$250.00 for Residential uses and \$300.00 for Commercial uses. The application filing fee for Extensions to prior approvals is \$25.00. No refunds will be given for cancellation or withdrawal of an application if an application has been advertised.
- **Representation:** The applicant or its duly authorized representative must be present at the hearing or the application will not be heard. A letter from the applicant naming a representative is sufficient.

There is no requirement that the applicant be represented by legal counsel. While the Zoning Board does not recommend either for or against the hiring of legal counsel, the Board does caution all applicants that zoning law can be complex. Applicants may choose to have an architect, engineer, professional land surveyor, draftsman, traffic engineer, zoning or real estate expert testify at the hearing before the Board.

- **Supporting Documentation:** The following documents must also be included with your application in the order below and must be complete and accurate:
 - **Attachments A & B – Abutter’s List and Location Radius Map:** All abutters within the 200’ radius will be sent a notice by the Building Official of the public hearing at which your petition will be heard. This includes abutters in Warren, East Providence, Seekonk, Rehoboth or Swansea, Massachusetts. Refer to attachments for additional instructions on acquiring this list and map.
 - **Attachment C – Site Plan:** Site plans must be drawn to scale and the dimensions must be neatly and accurately noted. Site plans should clearly indicate the existing and proposed work and any areas where relief is requested. Refer to Attachment C for additional information and examples. Plans must be no larger than 11”x17”. Not all plans need to be professionally drawn. Please seek the guidance of the Building Official in order to make that determination.

- **Attachments D – Building Plans and Elevations:** Building plans and elevations must be drawn to scale and the dimensions must be neatly and accurately noted. Building plans and elevations should clearly indicate the proposed work and any areas where relief is requested. Refer to Attachment D for additional information and examples. Plans must be no larger than 11"x17".
- **Attachment E - Statement regarding Grounds for Use and Dimensional Variances:** Please be prepared to discuss items in this section if you are requesting a Dimensional Variance.
- **Attachment F - Statement regarding Grounds for Special Use Permit:** Please be prepared to discuss items in this section if you are requesting a Special Use Permit.
- **Attachment G – Conservation Commission Guide:** If your property is within 100 feet of any wetlands, waterbody or stream, or within 200 feet of a flowing water body in excess of 10 feet in width or if your property is within the Wetlands Overlay District, the Barrington Conservation Commission will review your application at their meeting typically held on the second Tuesday of the month prior to the Zoning Board meeting. You will be notified by mail of the date, place and time of the Conservation Commission's meeting.
- **Additional Explanatory Materials/Narrative:** Any additional materials, drawings, photos, studies, etc. that the applicant wishes to include to support or explain.

You are urged to discuss your application with the Building Official to ensure that you have a valid request and so he can guide you as to the correct article and section of the Zoning Ordinance from which you seek relief.

Once the Building Official has reviewed and approved a completed application package, before the mandatory deadline, the applicable application fee shall be paid (cash or check only), an application number will be assigned, and you will be added to the Zoning Meeting docket.

The Building Office will assist you with putting your application packet in the appropriate order BEFORE you make all of the required copies.

The final step is to make 13 copies of the entire application package and submit to the Building Department.

Date _____

Application No. _____

TOWN OF BARRINGTON ZONING BOARD OF REVIEW APPLICATION

for Special Use Permit, Use or Dimensional Variance, and Appeal

Application under the Town of Barrington Zoning Ordinance for: *(check all that apply)*

- Special Use Permit
- Use Variance
- Dimensional Variance
- Appeal

The undersigned hereby applies to the Zoning Board of Review for relief, as indicated above, from the application of the provisions or regulations of the Zoning Ordinance affecting the following described premises in the manner and on the grounds hereinafter set forth.

Applicant: _____ Address: _____
(please print in black ink)

Owner: _____ Address _____
(please print in black ink)

Lessee: _____ Address: _____
(please print in black ink)

1. Location of Premises: _____
(No.) (Street Name or Pole Number)

2. Assessor's Plat No.: _____ Lot No.: _____ Zone: _____

3. Dimensions of Lot: _____
(Frontage) (Depth) (Area)

4. How long owned: _____

5. State present use of premises: _____

6. State proposed use of premises: _____

7. Is there a building on the premises at present? _____

8. What is the size of the existing building? (square feet of finished/living area): _____

9. What is the size of the proposed building? (square feet of finished/living area): _____

10. Please attach any prior zoning/planning decisions of which you are aware of regarding the property.

11. Number of families for which building is to be arranged: _____

12. Describe extent of proposed alterations. *(use additional page if necessary)*

13. Are there wetlands on the lot proposed for development or is the lot within 200' of the coastal feature?

14. How has the presence of wetlands been determined? _____

15. Please state zoning relief required: _____

16. State from which particular provisions of the Zoning Ordinance is relief sought.

(a) Special Use Permit Section(s) _____
Use Variance Section (s) _____
Dimensional Variance Section (s) _____

(b) If dimensional relief is sought state number of feet to property line (where applicable)

Front yard #1: _____ ft. required _____ existing _____ requested
Front yard #2: _____ ft. required _____ existing _____ requested
Side yard #1: _____ ft. required _____ existing _____ requested
Side Yard #2: _____ ft. required _____ existing _____ requested
Rear yard: _____ ft. required _____ existing _____ requested
Height: _____ ft. required _____ existing _____ requested
Wetlands: _____ ft. required _____ existing _____ requested
Lot Coverage: _____ sq. ft. max. _____ existing _____ requested
Lot Coverage: _____ % max. _____ existing _____ requested
Parking Spaces: _____ required _____ existing _____ requested

* Note: Lot Coverage calculations are to include all structures on the lot including buildings, wood steps, wood decks and sheds. Ground level patios and landscape/masonry steps are not counted towards lot coverage under the Barrington Zoning Ordinance.

The undersigned declares that the information given herein is a true statement to the best of his or her knowledge and belief.

Submitted by: (Please sign and print)

Applicant (Print)

Owner (Print)

Applicant's Signature

Owner's Signature
(if different from Applicant, signature must be provided)

Applicant Tel. # _____

Owner: Tel. # _____

Contact Person: _____

Contact Tel. # _____

Email: _____

Email: _____

Please note:

By signing this application, the Applicant(s) and Land Owner(s) give permission to the Town of Barrington staff and members of the Zoning Board to enter the property individually or as a group for purposes of a site inspection.

ATTACHMENT A

INSTRUCTIONS FOR PROVIDING THE ABUTTERS LIST & RADIUS MAP

1. Go to www.mainstreetmaps.com/ri/barrington/public.asp
2. Input property Address or Parcel ID at top right corner of screen
3. Select "Property" box on left side of screen on top of address
4. Select "Abutters List" on left side of screen (3rd box down) Make sure your browser isn't blocking pop-ups!
5. Select "OK" on box that pops up – be sure that 200 is showing for the "buffer distance" indicating the required 200' radius distance
6. Print this map by either a "right click" of the mouse or print button above map. Be sure that "Landscape" is chosen. Make sure all parcels within circle are visible. If they are not, you may need to go back and zoom out.
7. Select "Selection" box on left side of screen on top of address
8. Select "Mail" under "Selection" box
9. Print out address listing of abutters

VERIFICATION of ABUTTER'S ADDRESSES:

It is your responsibility to verify the ownership of your mailing list because the "mainstreetmap" website may not be up to date. To check ownership/mailing information:

1. Go to the website: www.nereval.com (Northeast Revaluation Group) or
2. Check in the Assessor's office or
3. Search the online database in Barrington's Town Hall **Land Evidence Records vault** located on the main floor.

Parcel ID: 21-017
TOWN OF BARRINGTON/CEMETERY
PRINCES HILL CEMETERY
283 COUNTY ROAD
BARRINGTON RI 02806

Parcel ID: 21-018
TOWN OF BARRINGTON - TOWN HALL
LIBRARY
283 COUNTY ROAD
BARRINGTON RI 02806

Parcel ID: 21-019
TOWN OF BARRINGTON -
CONSERVATION LAND
281 COUNTY ROAD
BARRINGTON RI 02806

Parcel ID: 23-014
COUNTY ROAD REALTY
CORPORATION
1580 WAMPANOAG TRAIL 200E
BARRINGTON RI 02806

Parcel ID: 23-033
COUNTY ROAD REALTY
CORPORATION
1580 WAMPANOAG TRAIL 200E
BARRINGTON RI 02806

Parcel ID: 23-034
DAWSON DIANE M.
VENNARD PAULA S.
21 HAMILTON AVENUE
BARRINGTON RI 02806

Parcel ID: 23-036
COUNTY ROAD REALTY
CORPORATION
1580 WAMPANOAG TRAIL 200E
BARRINGTON RI 02806

Parcel ID: 23-037
JGM REALTY ASSOC., LLC
5 ABBY ROAD
BARRINGTON RI 02806

Parcel ID: 23-038
282 COUNTY ROAD, LLC
C/O MARK ROMANO ESQ.
340 WASHINGTON ROAD
Barrington RI 02806

Parcel ID: 23-039
CODEGA JOHN C.
P.O. BOX 535
BARRINGTON RI 02806

Parcel ID: 23-040
LOWENSTEIN ROSE MARY, ET AL
10 HAMILTON AVENUE
BARRINGTON RI 02806

Parcel ID: 23-102
CUZZONE COMMERCIAL PROPERTIES
1580 WAMPANOAG TRAIL 200E
BARRINGTON RI 02806

Parcel ID: 23-106
S-BANK BARRINGTON, LLC
2 MORRISSEY BLVD
Lease Administration, Mail Code
MA1MB402-02
BOSTON MA 02125

Parcel ID: 23-107
GRAY GEORGE L.
1 OPECHEE DRIVE
BARRINGTON RI 02806

Parcel ID: 23-108
RUGGIERO JOSEPH S.
RUGGIERO PAULA A.
1 NAYATT POINT COURT
BARRINGTON RI 02806

Parcel ID: 23-267
SLYE ROBERT C.
SLYE TRACY R.
86 MARKWOOD DRIVE
BARRINGTON RI 02806

Parcel ID: 23-268
ELLIS MARGARET A.
1930 VILLAGE CENTER CIR#3-4839
LAS VEGAS NV 89134

Parcel ID: 23-271
WARRENDER FREDERICK P.
WARRENDER SANDRA L. M.
62 MARKWOOD DRIVE
BARRINGTON RI 02806

Parcel ID: 23-272
ANDERSON MADELINE J (IRREV.
TRUST)
GONZALEZ ELISE (TRUSTEE)
MADELINE J ANDERSON
IRREVOCABLE TRUST
75 MARKWOOD DR
BARRINGTON RI 02806

Parcel ID: 23-273
PILSON CONRAD PATRICK
PILSON KATHLEEN BUCKLEY
54 MARKWOOD DRIVE
BARRINGTON RI 02806

Parcel ID: 23-275
MAGNELLI KIM A.
MAGNELLI STEVEN
35 MARK WOOD DRIVE
BARRINGTON RI 02806

Parcel ID: 23-276
LASORSA THOMAS
LASORSA MARYANN
25 MARK WOOD DRIVE
BARRINGTON RI 02806

Parcel ID: 23-280
259 COUNTY ROAD, LLC
1 NAYATT POINT COURT
BARRINGTON RI 02806

Parcel ID: 23-288
MANGIARATTI THOMAS P.
MANGIARATTI JODY
111 MARK WOOD DRIVE
BARRINGTON RI 02806

Parcel ID: 23-290
ALDRICH TODD J.
ALDRICH COLLEEN M.
99 MARK WOOD DRIVE
BARRINGTON RI 02806

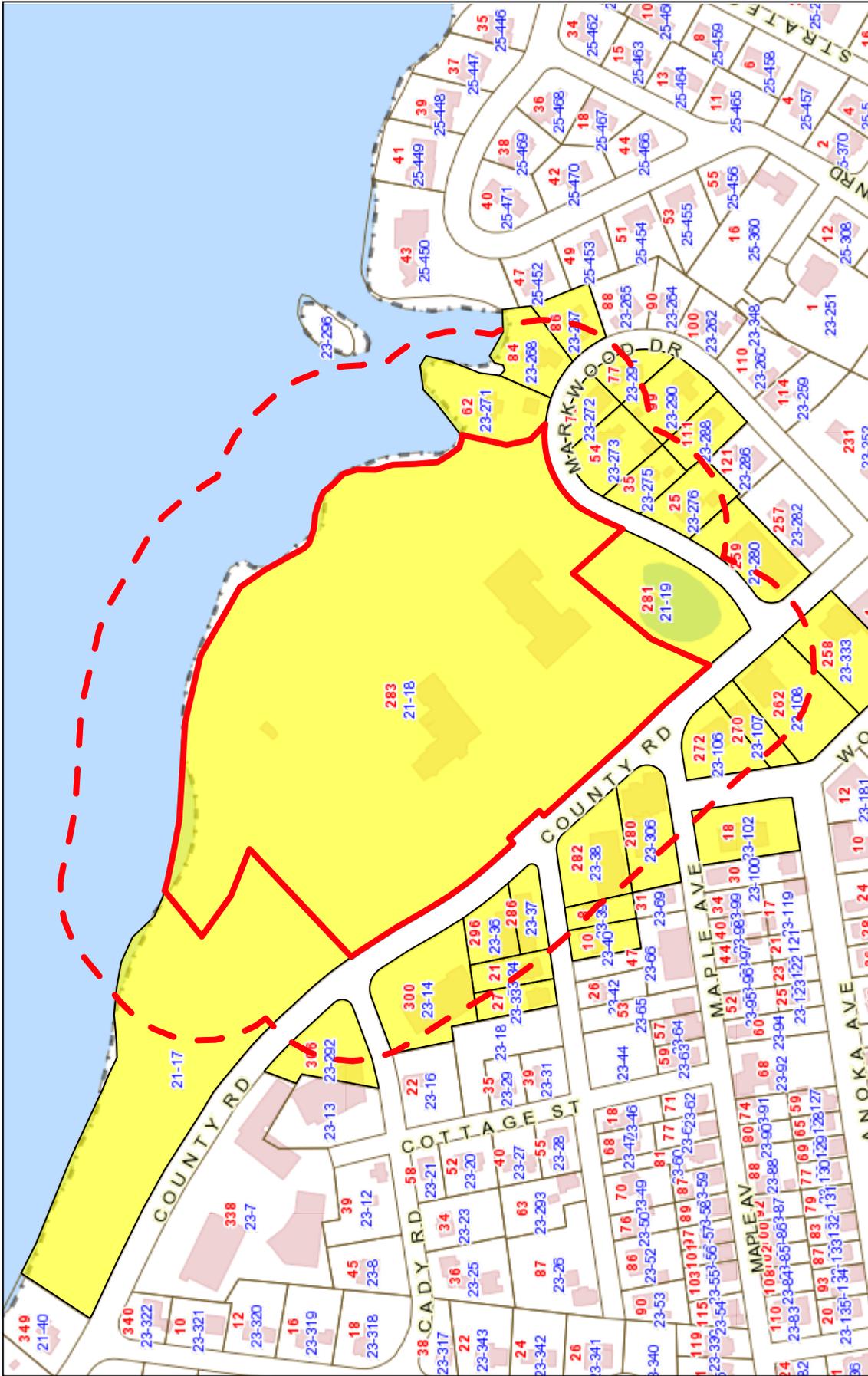
Parcel ID: 23-291
BRACKEN KAREN W
BRACKEN III JOHN H
77 MARKWOOD DRIVE
BARRINGTON RI 02806

Parcel ID: 23-292
BARRINGTON CONSTRUCTION CO
314 COUNTY ROAD
BARRINGTON RI 02806

Parcel ID: 23-306
AAA NORTHEAST
110 ROYAL LITTLE LANE
PROVIDENCE RI 02904

Parcel ID: 23-333
CUZZONE COMMERCIAL PROPERTIES
1580 WAMPANOAG TRAIL 200E
BARRINGTON RI 02806

Attachment B - Location Radius Map



Town of Barrington, Rhode Island

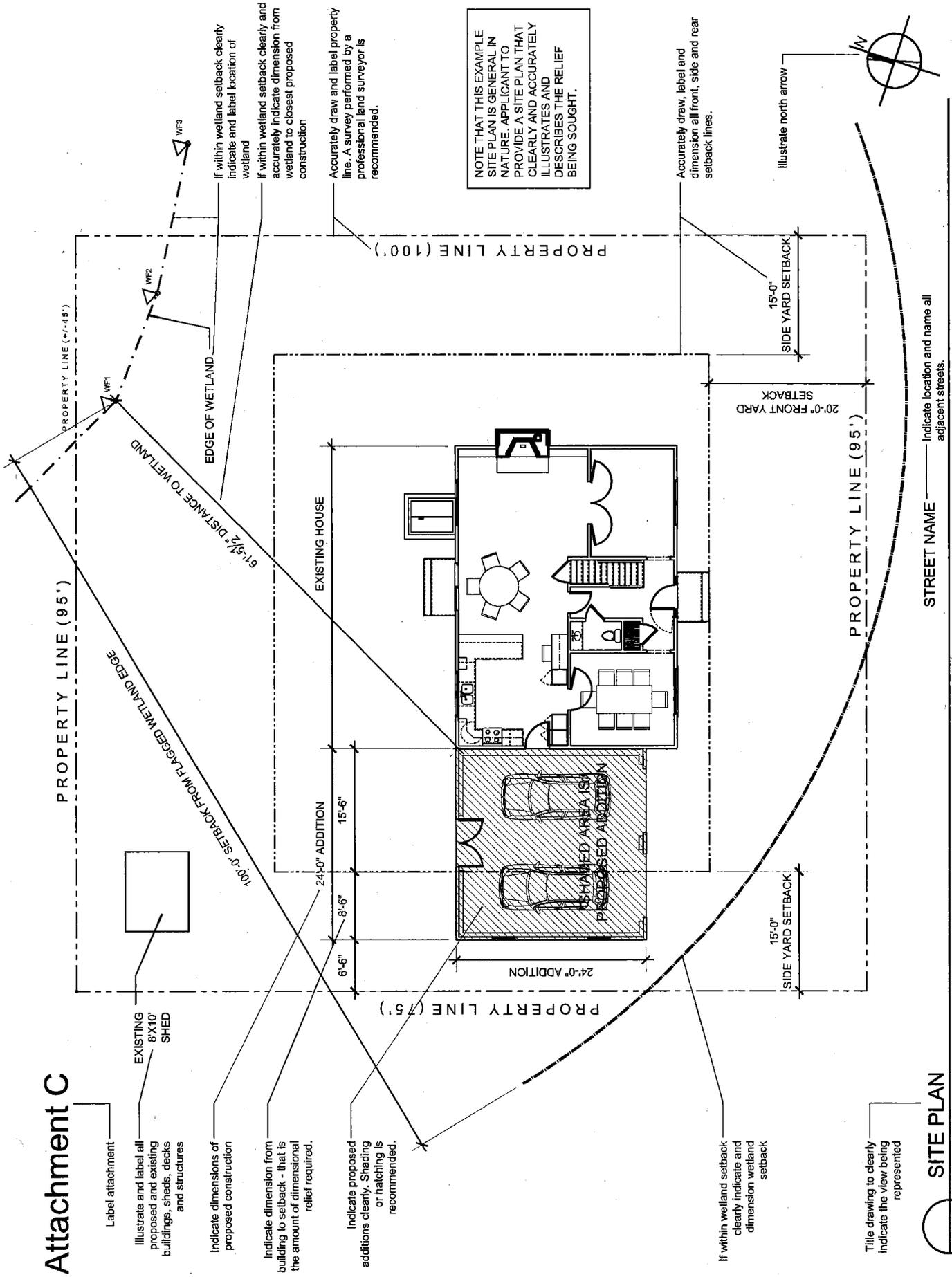
Selected Parcel: 283 COUNTY RD ID: 21-018

Printed 8/20/2019 from <http://www.mainstreetmaps.com/ri/barrington/public.asp>



This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The Town of Barrington, Rhode Island and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.

Attachment C



Label attachment

Illustrate and label all proposed and existing buildings, sheds, decks and structures

Indicate dimensions of proposed construction

Indicate dimension from building to setback - that is the amount of dimensional relief required.

Indicate proposed additions clearly. Shading or hatching is recommended.

If within wetland setback clearly indicate and dimension wetland setback

Title drawing to clearly indicate the view being represented



SITE PLAN

SCALE: 1/16" = 1'-0"

Drawings to be to scale with scale clearly indicated on drawing

STREET NAME _____ Indicate location and name all adjacent streets.

NOTE THAT THIS EXAMPLE SITE PLAN IS GENERAL IN NATURE. APPLICANT TO PROVIDE A SITE PLAN THAT CLEARLY AND ACCURATELY ILLUSTRATES AND DESCRIBES THE RELIEF BEING SOUGHT.

If within wetland setback clearly indicate and label location of wetland
 If within wetland setback clearly and accurately indicate dimension from wetland to closest proposed construction

Accurately draw and label property line. A survey performed by a professional land surveyor is recommended.

Accurately draw, label and dimension all front, side and rear setback lines.

Illustrate north arrow

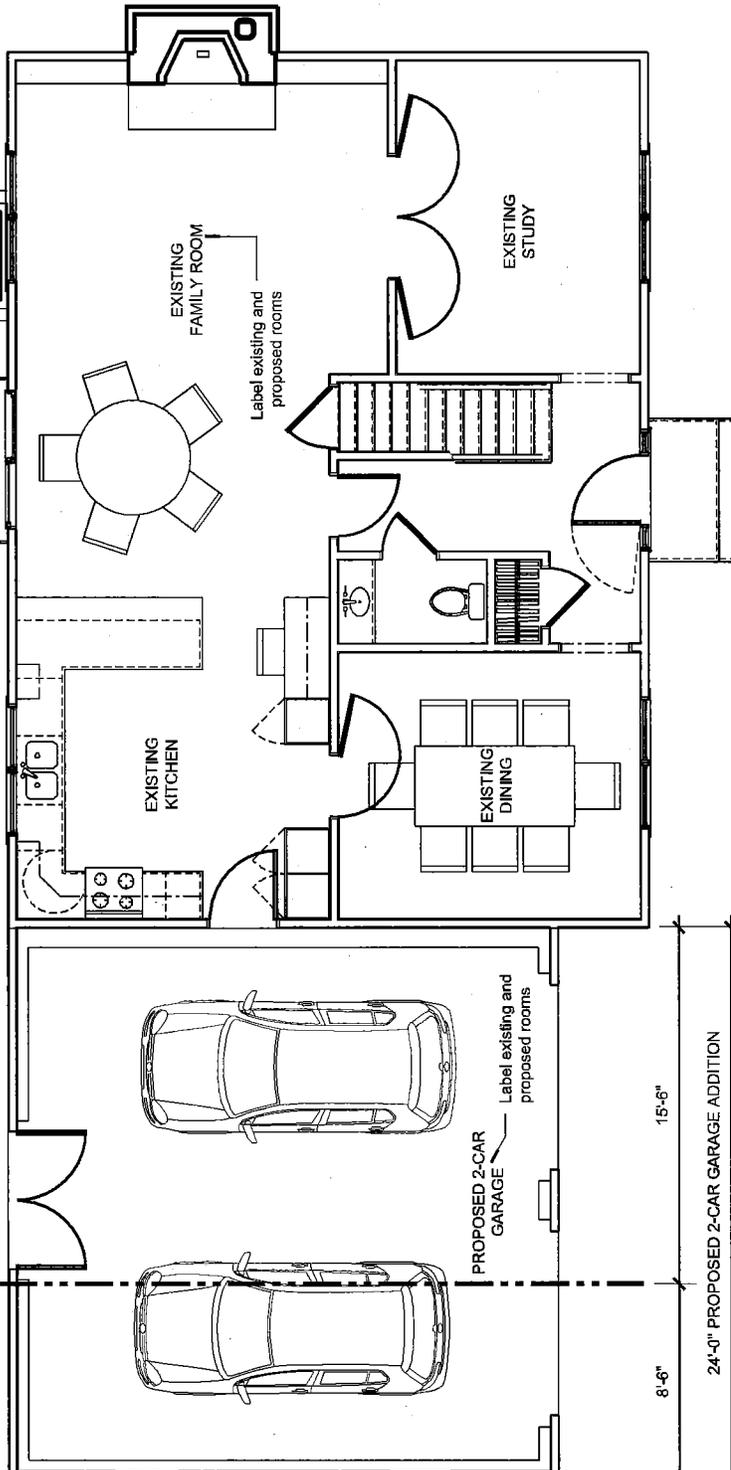
Attachment D

Label attachment

Illustrate and label setback and building height lines for which relief is being sought

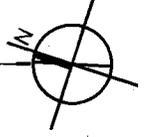
LINE OF SIDE YARD SETBACK PER ZONING ORDINANCE

24'-0" PROPOSED 2-CAR GARAGE ADDITION



NOTE THAT THESE EXAMPLE FLOOR PLAN AND ELEVATIONS ARE GENERAL IN NATURE. APPLICANT TO PROVIDE DRAWINGS THAT CLEARLY AND ACCURATELY ILLUSTRATES AND DESCRIBES THE RELIEF BEING SOUGHT.

Illustrate north arrow



Title drawing to clearly indicate the view being represented

FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"

Drawings to be to scale with scale clearly indicated on drawing

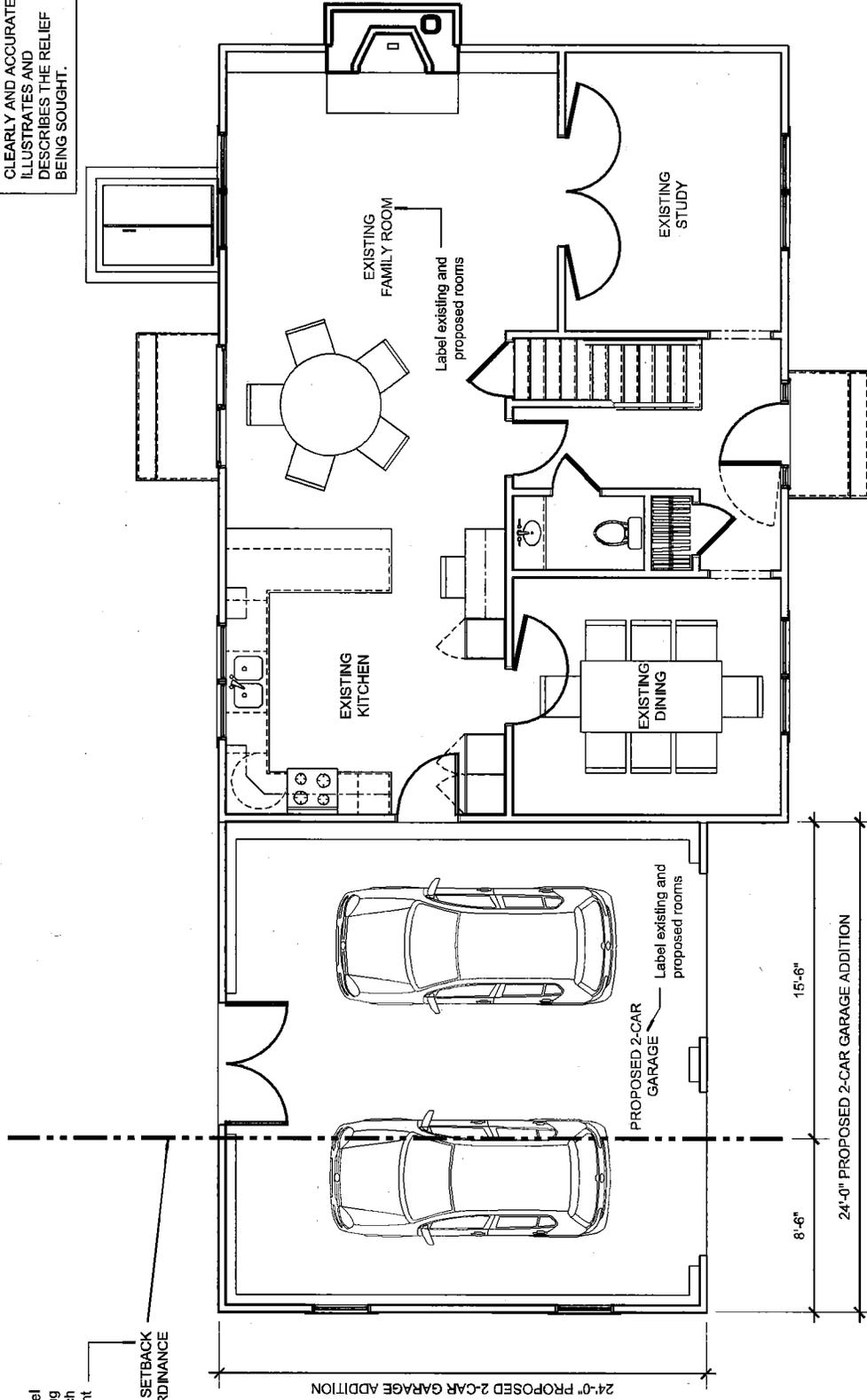
Attachment D

Label attachment

Illustrate and label setback and building height lines for which relief is being sought

LINE OF SIDE YARD SETBACK PER ZONING ORDINANCE

NOTE THAT THESE EXAMPLE FLOOR PLAN AND ELEVATIONS ARE GENERAL IN NATURE. APPLICANT TO PROVIDE DRAWINGS THAT CLEARLY AND ACCURATELY ILLUSTRATES AND DESCRIBES THE RELIEF BEING SOUGHT.



Title drawing to clearly indicate the view being represented

FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"

Drawings to be to scale with scale clearly indicated on drawing

Attachment D

Label attachment

Illustrate and label setback and building height lines for which relief is being sought

LINE OF SIDE YARD SETBACK PER ZONING ORDINANCE

LINE OF EXISTING 1-CAR GARAGE TO BE REMOVED

Illustrate and label areas of structure proposed to be removed

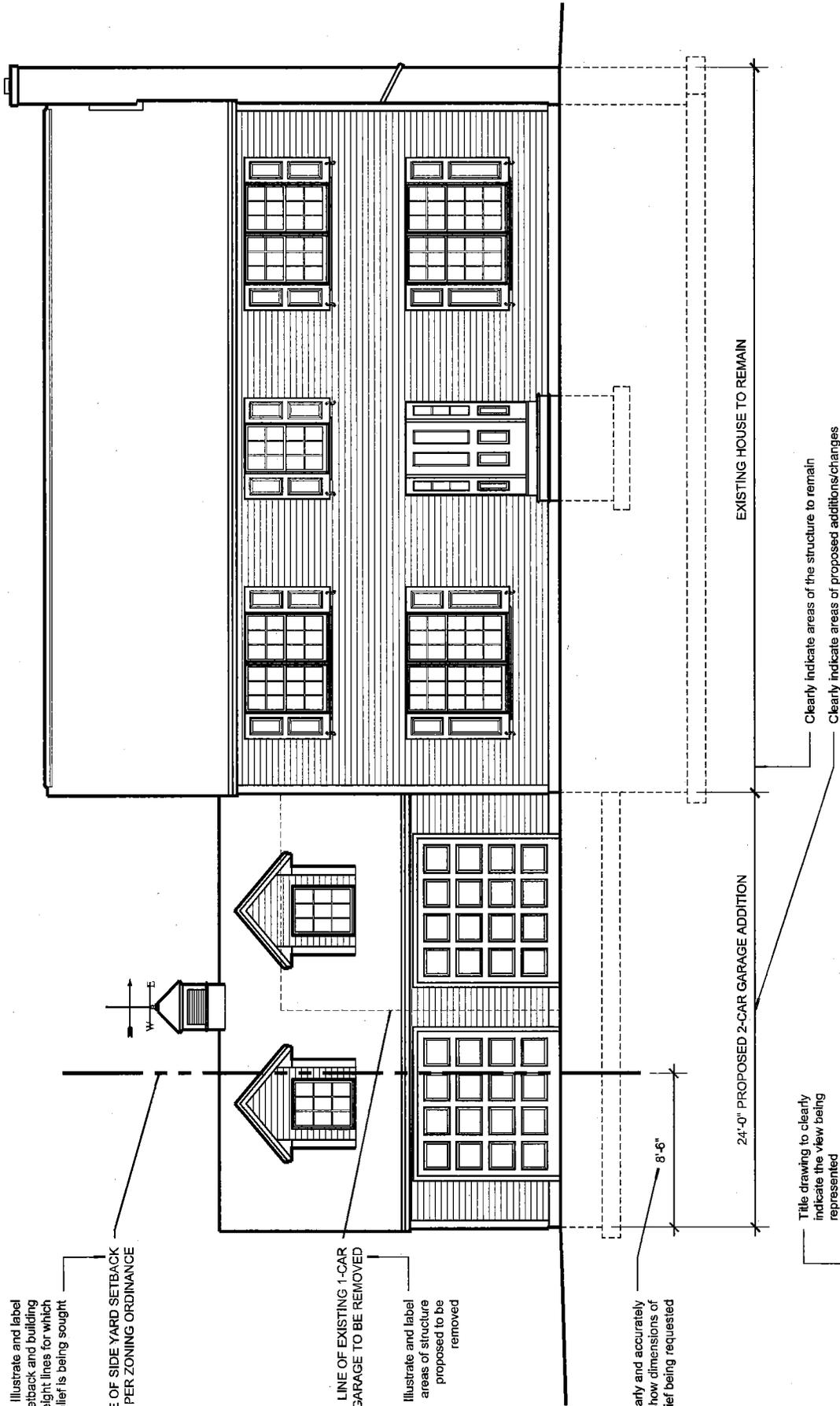
Clearly and accurately show dimensions of relief being requested

Title drawing to clearly indicate the view being represented

FRONT ELEVATION

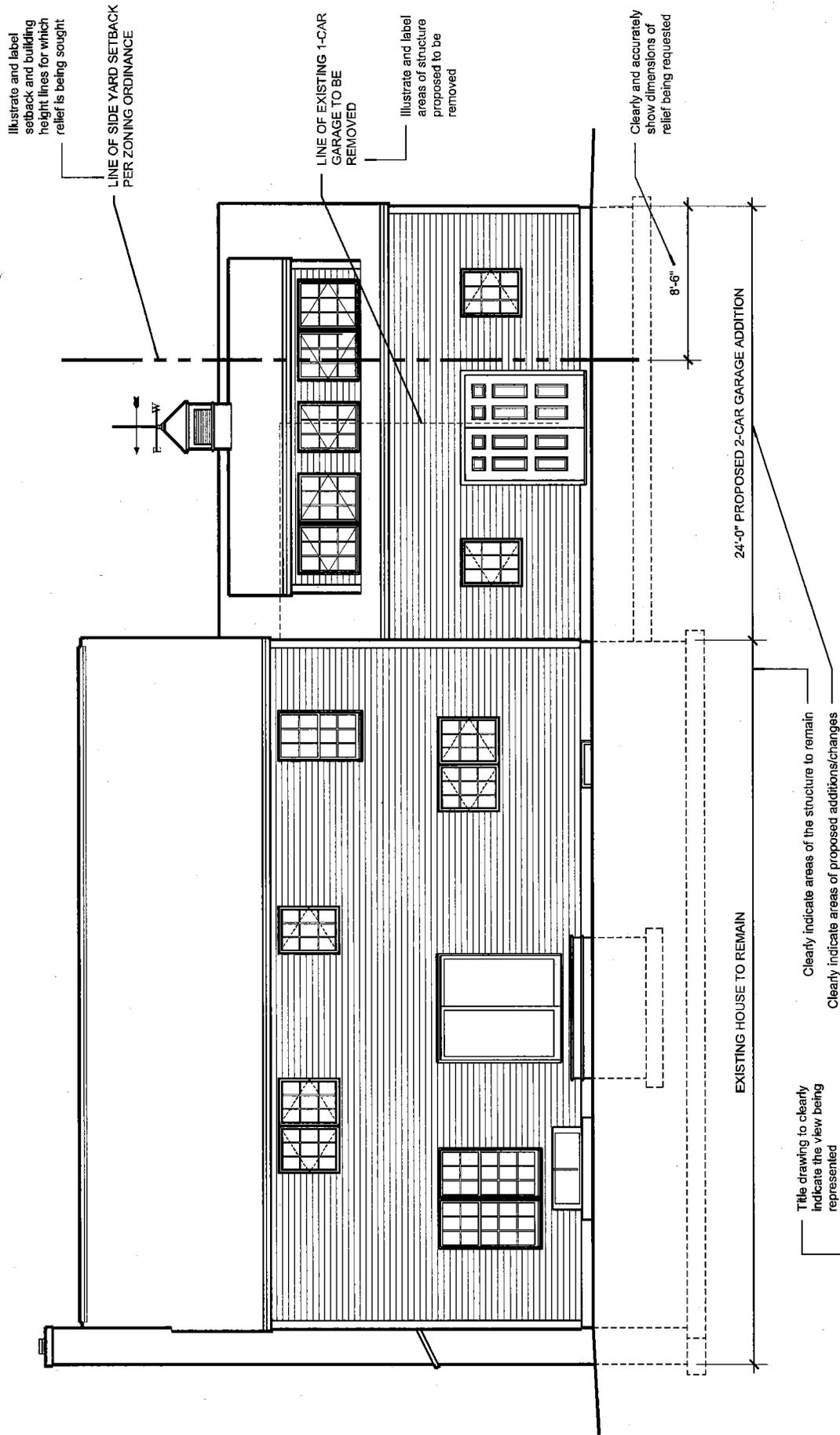
SCALE: 1/8" = 1'-0"

Drawings to be to scale with scale clearly indicated on drawing



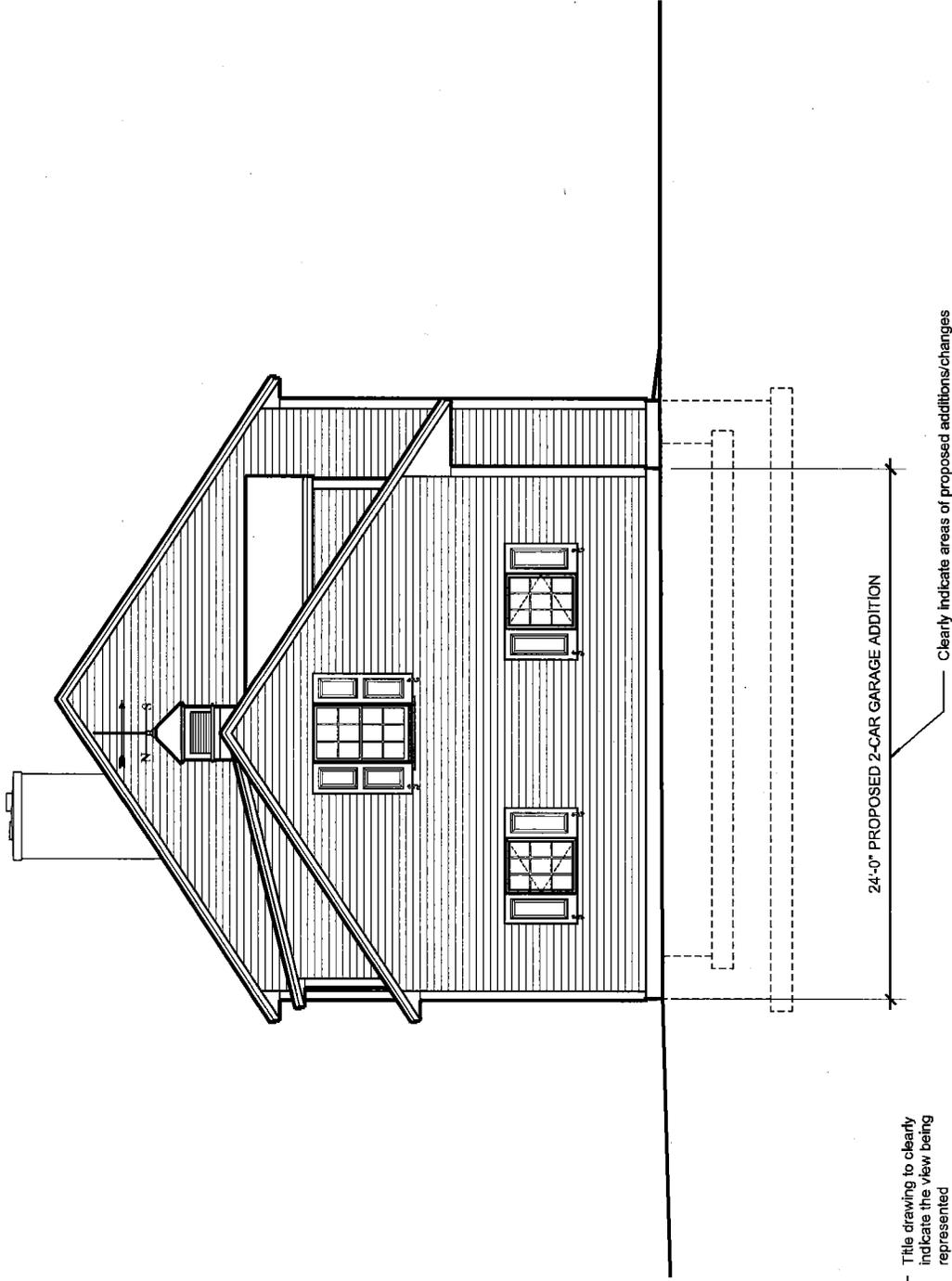
Attachment D

Label attachment



Attachment D

Label attachment



24'-0" PROPOSED 2-CAR GARAGE ADDITION

Clearly indicate areas of proposed additions/changes

Title drawing to clearly indicate the view being represented

SIDE ELEVATION

SCALE: 1/8" = 1'-0"

Drawings to be to scale with scale clearly indicated on drawing

ATTACHMENT E

ARTICLE XIII: Standards to be met for the granting of Use and Dimensional Variances

§ 185-68. Applicability

Relief from the literal requirements of this chapter because of hardship may be granted to any person, group, agency or corporation through the issuance of a variance by the Zoning Board of Review under the procedures of Article XII herein. Two types of variances can be considered: a use variance and a dimensional variance.

§ 185-69. General standards for variances

In granting either a use or dimensional variance, the Zoning Board of Review shall require that evidence to the satisfaction of the following standards be entered into the record of the proceedings:

- A. That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant.
- B. That the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain.
- C. That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the Comprehensive Plan.
- D. That the relief to be granted is the least relief necessary.

§ 185-70. Standard for granting use variances

Prior to the granting of a use variance by the Zoning Board of Review, in addition to the standards of § 185-69, the applicant has the burden of proving that the subject land or structure cannot yield any beneficial use if it is required to conform to the provisions of this chapter. The nonconforming use of neighboring lands or structures in an adjacent district shall not be considered grounds for the issuance of a use variance.

§ 185-71 Standard for granting dimensional variances.

[Amended 1-5-2015 by Ord. No. 2014-6]

Prior to the granting of a dimensional variance by the Zoning Board of Review, in addition to the standards of § 185-69, the applicant has the burden of proving that the hardship to be suffered by the owner of the subject property shall amount to more than a mere inconvenience. The fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief.

Based on the above standards, please be prepared to discuss/answer any of the following questions applicable to your application:

1. What is the specific hardship from which the applicant seeks relief?
2. What are the unique characteristics of the land or structure that cause the hardship?
3. Is the hardship caused by an economic or physical disability?

If a physical disability is the cause; is the physical disability covered by the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12101 et seq.?

4. Did the owner/applicant take any prior action with respect to the Property that resulted in the need for the variance requested? (Examples include, but are not limited to, any changes the owner/applicant made to the structure(s), lot lines, or land, or changes in use of the Property)?

If "yes," be prepared to describe any and all such prior action(s) and indicate the month/year taken.

5. What are the facts to support your position that the applicant is not seeking the variance(s) primarily in order to obtain greater financial gain?

6. What are the facts that support your position that you are seeking the least relief necessary to lessen or eliminate the hardship (for example, why there are no viable alternatives to your proposed plan)?

7. If you are seeking a USE VARIANCE, what are the facts that demonstrate that the Property cannot have any beneficial use if you are required to use it in a manner allowed in the Property's zoning district?

8. If you are seeking a DIMENSIONAL VARIANCE, what are the facts that indicate that if the variance is not granted, the hardship the owner/applicant will suffer would amount to more than a mere inconvenience.

ATTACHMENT F

ARTICLE XIV: Standards to be met for the granting of Special Use Permits

§ 185-72. Applicability

- A. Where a use is allowed in this chapter as a special use rather than allowed by right, such use may be granted to any person, group, agency or corporation only through the issuance of a special use permit by the Zoning Board of Review under the procedures of Article XII herein.
- B. An applicant may apply for, and be issued, a dimensional variance and special use permit simultaneously or may apply for a dimensional variance for a lot or lots whose use was established previously by the issuance of a special use permit. The Zoning Board of Review shall consider the special use permit and the dimensional variance together to determine if granting the special use is appropriate based on both the standards for granting a special use permit and those standards for a dimensional variance. [Added 12-3-2001 by Ord. No. 2001-5]

§ 185-73. General standards

A use requiring a special use permit in Article IV and elsewhere in this chapter may be permitted by the Zoning Board of Review following a public hearing only if, in the opinion of the Board, such proposed use and its location on the site meets each of the following requirements:

- A. The public convenience and welfare will be substantially served.
- B. It will be in harmony with the general purpose of this chapter, and with the Comprehensive Community Plan.
- C. It will not result in or create conditions that will be inimical to the public health, safety, morals and general welfare of the community.
- D. It will not substantially or permanently injure the appropriate use of the property in the surrounding area or district.

§ 185-74. Standards relating to nonconforming uses

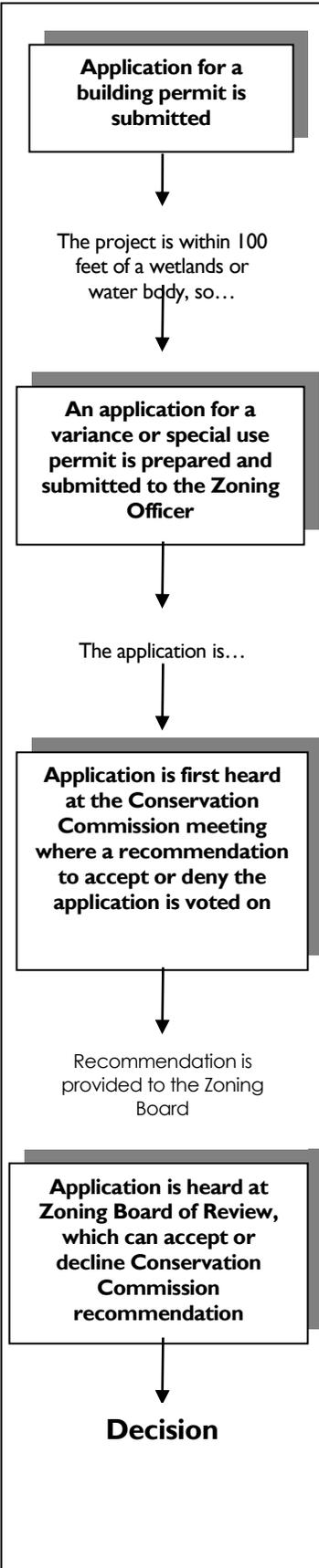
In addition to the standards of § 185-73, when reviewing a special use permit application for the change in a nonconforming use to another nonconforming use, or for the extension, addition to or enlargement of a nonconforming use, the Zoning Board of Review shall require that the applicant demonstrate each of the following:

- A. That it will not result in the creation of or increase in any undesirable impacts related to the use, such as excessive noise, traffic and waste generation.
- B. That the general visual appearance of the nonconforming use shall not be altered in a way so as to heighten or make more apparent its nonconformity and, where possible, shall be improved so as to be more consistent with the surrounding area.
- C. That it will not have a negative impact on the natural environment or on any historic or cultural resource.
- D. That the resulting nonconforming use will be a beneficial use to the community

Based on the above standards, please be prepared to discuss/answer any of the following questions applicable to your application:

1. What are the facts that demonstrate that the proposed special use will not substantially injure the use and enjoyment of neighboring properties?
2. What are the facts that demonstrate that the proposed special use will not significantly devalue neighboring properties?
3. What are the facts that demonstrate that the proposed special use will not be detrimental or injurious to the health or welfare of the community?

A GUIDE FOR PREPARING AN APPLICATION FOR A VARIANCE FOR ACTIVITIES IN OR NEAR WETLANDS/WATER BODIES FOR REVIEW BY THE BARRINGTON CONSERVATION COMMISSION



Applications for variances or special use permits that are submitted to the Zoning Board for projects in or near wetlands and water bodies are forwarded to the Conservation Commission for review. The Commission reviews the applications at its monthly meeting and advises the Zoning Board on whether to accept or deny the application. This guidance 1) explains which activities are reviewed by the Commission; 2) identifies the information that must be in the application for the Commission’s review, and 3) describes how the Commission makes its decision.

To Whom This Applies If your proposed project is located in one of the following features, it is subject to the **Zoning Code** sections referenced below:

- In or within 100 feet of a wetland or within 200 feet of specific flowing water bodies (§185-22)
- In or within 100 feet of the Wetlands Overlay District (§185-169 through §185-175).

In your application, you are seeking relief from these requirements to perform an activity that is not allowed by right, but requires a special use permit under §185-173 (application procedure when within wetlands overlay district) and Article XIV (general standards for special use permits). Commission review of the application is directed by §185-60 and §185-173(C).

Application Requirements Your application must meet the requirements of §185-61 and §185-173 and contain all of the following information needed by the Commission:

- An accurate and complete description of the proposed activity,
- An accurate site plan, drawn to scale, containing all of the following:
 - Property boundaries, existing structures, and hardscape features (e.g., driveways, paved areas),
 - Location of the proposed activity,
 - All wetlands and water bodies within 100 feet of the proposed activity, The 50-foot and 100-foot setback line from the wetland/water body(s),
 - An accurate minimum distance from the proposed activity to the wetland/water body(s),
 - Surface elevations of the property and wetland/water body (i.e., topographic relief), and
 - Vegetative and landscape features.

What Does the Review Entail? Commission members will review the application, visit the property, and, if possible, inspect the specific location of the proposed activity. The application will be discussed at the monthly Commission meeting (second Tuesday of each month) prior to the applicant’s scheduled Zoning Board meeting. It is required that you, or an informed delegate acting on your behalf, attend this meeting. We find that we make far more intelligent recommendations when an applicant has described to us the intended use of the property, variances requested, construction techniques, or answered other questions about the application. The Conservation Commission will not act on the application if the applicant, or the designated informed representative is not present, or if the application does not have adequate information to make our decision.

ATTACHMENT G – PAGE 2 of 3

**A GUIDE FOR PREPARING AN APPLICATION FOR A VARIANCE
FOR ACTIVITIES IN OR NEAR WETLANDS/WATER BODIES
FOR REVIEW BY THE BARRINGTON CONSERVATION COMMISSION
*CONTINUED***

After discussion and input from interested parties, the Commission will vote on the application and make one of the following recommendations:

- approval of the application as submitted;
- approval of the application, with ***conditions***, or
- disapproval of the application.

The Zoning Board is notified of the Commission's recommendation in writing.

What Factors Are Considered?

Standards that apply to projects near wetlands/water bodies are contained the ***Zoning Code*** sections previously referenced, and state:

- All new structures, expansions, paved areas, and land disturbances will be set back at least 100 feet from the wetland edge. Proposed construction that is not closer to the wetland than the property's existing construction may be exempted from the 100-foot setback requirement if there is no potential for significant environmental impact.
- The proposed activity will:
 - minimize any negative impact to public or private water supplies, groundwater resources, flood control, erosion control, storm damage prevention, water pollution prevention, wildlife habitat, or agricultural values,
 - include all necessary and appropriate erosion and sediment control measures.
- The proposed activity will not:
 - obstruct floodways in any detrimental way,
 - reduce the net capacity of the site and adjoining properties to retain floodwaters,
 - cause sedimentation of wetlands,
 - reduce the capacity of the wetland to absorb pollutants,
 - directly or indirectly degrade water quality in any wetland/water body,
 - reduce the capacity of the wetland to recharge groundwater, or
 - degrade the value of the wetland as a spawning ground for fish/shellfish or habitat for wildlife/waterfowl.

ATTACHMENT G – PAGE 3 of 3

**A GUIDE FOR PREPARING AN APPLICATION FOR A VARIANCE
FOR ACTIVITIES IN OR NEAR WETLANDS/WATER BODIES
FOR REVIEW BY THE BARRINGTON CONSERVATION COMMISSION
*CONTINUED***

What Else is Considered?

The Commission also considers the following factors:

- Is the proposed activity the most sensitive approach to attain the goal of the applicant or is an alternate approach or configuration more protective of the wetland or water body?
- Are appropriate erosion controls proposed to be used?
- Will additional runoff from impervious surfaces be created? If so, how will it be managed?
- Is the hardship adequately demonstrated ((§185-71)?
- Are the general standards for special use permits (§185-73) met by the application?

What are Conditions on the Approval?

The Commission may vote to approve the application with **conditions**, which are additional requirements or limitations placed on proposed activities that must be complied with as a stipulation of the approval. Some common conditions include:

- Use of erosion controls to prevent or control erosion of soil from the work area
- Use of devices (such as dry wells) to facilitate infiltration of roof drainage
- Planting or maintenance of native vegetation to serve as a natural buffer to the wetlands
- Use of pervious paving surfaces for driveways, walking path, etc. to facilitate infiltration of rain water.

For further information, please contact the Barrington Conservation Commission through the Town Clerk's office or the Town's website.