

BARRINGTON CONSERVATION COMMISSION BYLAWS

Adopted: April 1, 2019

Article 1 – Name.

The name of this commission shall be the Barrington Conservation Commission, herein referred to as the ‘Conservation Commission’ or the ‘Commission.’

Article 2 – Authority.

The Conservation Commission exists as an advisory commission under the authority of the Barrington Town Council, pursuant to Rhode Island General Laws § 45-35-1 and Barrington Town Charter § 11-1-1. The Commission shall act in accordance with this authority and under these Bylaws. Nothing herein shall be construed to contradict or amend the Barrington Code of Ordinances, nor the application or interpretation of the laws by Courts of proper jurisdiction.

Article 3 – Objectives.

1. Formulate and recommend to the Town Council and other town boards and agencies, programs relating to the conservation of the town’s natural resources;
2. Review zoning applications related to Chapter 185, Article XXV–Wetlands Overlay District (185-169 to 185-179) and Chapter 185, Article XII (185-22–Setback from Wetlands and Water Bodies) and submit recommendations to the Zoning Board;
3. Review planning applications related to Chapter 200–Land Development and Subdivision Regulations and submit recommendations to the Planning Board on any

and all conservation, environmental, or other issues related to the town's natural resources subject to any required revisions, if any, of Chapter 200;

4. Review all private and public (Town of Barrington and the State of Rhode Island and Providence Plantations) excavation, digging, or any construction work that removes 10 cubic yards or more of soil or surface material including utilities, road construction or maintenance, or any work that requires a RI Pollutant Discharge Elimination System (RIPDES) Stormwater Construction permit; and provide recommendations on all such projects;
5. Develop proposals and seek funding through the Town Council and Financial Town Meeting for acquisition of conservation lands and conservation management programs;
6. Facilitate Town acceptance of gifts of lands, leases, or easements for conservation purposes;
7. Provide conservation related input into town development programs;
8. Participate in the development, approval, and periodic revision of the Recreation, Conservation, and Open Space components of the Comprehensive Plan;
9. Review and provide input on all maintenance or other plans for Recreation, Conservation, and Open Space areas owned by the Town of Barrington;
10. Participate in the Stormwater Management Committee to provide public education programs and review of annual report;
11. Commission members constitute the Town of Barrington Tree Commission to facilitate the Town of Barrington ordinances on the Protection and Maintenance of Trees (Chapter 145);

- a. The Tree Commission shall meet at least quarterly (March, June, September, December) with the Town of Barrington Tree Warden (Chapter 145, Article II) to oversee the protection, maintenance, removal, and planting of trees under Chapter 145, Article III–Conservation Commission (145-10 to 145-13), Chapter 145, Article IV–Applicability (145-14 to 145-17), and Chapter 145, Article V–Permits (145-18-145-21);
- b. The Tree Commission shall meet as needed, upon notification of the Tree Warden, to hear appeals to the decisions of the Tree Warden in accordance with Chapter 145, Article VI (145-25–Appeals).

Article 4 – Membership.

1. Appointment of Commission members.
 - a. In accordance with section 45-35-2 of the General Laws of Rhode Island, the Commission consists of seven (7) members appointed by the Town Council;
 - b. Appointments shall be for three (3) year staggered terms;
 - c. The Town Council will provide notice of vacancies on the Commission and applications will be made available to the public at the Town Hall;
 - d. Members of the Town Council will interview and appoint Commission members.
2. Attendance. Failure of any member to attend three (3) consecutive regularly scheduled meetings of the Commission without notification of valid reason will result in Chairperson asking member to submit letter of resignation to the Town Council, and may result in removal by the Town Council.

Article 5 – Officers.

1. Officers
 - a. The officers of the Commission shall be a Chairperson, Vice-Chairperson, Secretary, and Treasurer;
 - b. It is permissible for the position of chairperson to be shared by two members (Co-Chairpersons) resulting in a vacancy of vice-chairperson;
2. Nominations of Officers
 - a. At a regular meeting in November, a nominating committee of three members shall be appointed by the Chairperson to nominate candidates for the offices to be filled at the meeting in January;
 - b. The nominating committee shall report at the December meeting and additional nominations can be made at this time.
3. Duties of Officers. The duties shall be those prescribed by these Bylaws and the parliamentary authority adopted by the Commission and all officers shall have the right to vote as individual members;
 - a. The Chairperson shall preside at all meetings of the Commission and shall decide all points of order and procedure, unless directed otherwise by a majority of the Commission in session at the time. The Chairperson shall prepare the agenda for each meeting (including posting and distributing the agenda in accordance with the open meetings law), and prepare the annual report;

- b. The Vice-Chairman (or Co-Chairperson) shall assume the duties of the Chairperson in his/her absence and in the event of his/her death or resignation shall become the Chairperson for remainder of the term;
- c. The Secretary shall be responsible for the minutes of the meetings of the Commission (including posting and distributing the minutes in accordance with the open meetings law), shall keep the records of the Commission and a roster of membership, and conduct correspondence not otherwise provided for;
- d. The Treasurer shall make recommendations based on Commission needs to the Town Manager during the budget process.

Article 6 – Meetings.

- 1. The regular meeting of the Commission will be held the second Tuesday of each month unless otherwise ordered by the Commission.
- 2. The meeting notice shall be posted at the Barrington Town Hall, Barrington Public Library, and Secretary of State Web Site at least 48 hours prior to the meeting, excluding weekends and state holidays.
- 3. All meetings of the Commission are open to the public.
- 4. The Commission shall keep minutes of its meetings reflecting the matters considered, members absent and present, and all votes taken. Access to the Commission's records shall be provided pursuant to the Rhode Island Access to Public Records Act. Requests to view the Commission's records shall be made to the Secretary of the Commission. Members of the Commission shall be entitled to one vote per motion. A majority of the votes of the members present shall transact the business of the

meeting unless otherwise indicated in these Bylaws or the adopted parliamentary authority.

5. Quorum. Four Commission members shall constitute a quorum for the conduct of business at any Commission meeting.

Article 7 – Review of Applications.

1. Application reviews are open to the public and any person or that person's duly constituted representative is entitled to appear and be heard on any matter before the Commission before it reaches its decision. Any party, whether the applicant, owner or abutter, shall have the right to address the Commission to respond to any written comments.
2. The Commission accepts and considers written comments submitted by e-mail, letter, or any other written document. Written comments may be sent to the Secretary of the Commission.
3. Each application shall be heard in a manner that permits the Commission to obtain and consider the evidence in an orderly and meaningful manner.
4. The Commission may question any party or witness at any point before deliberations.
5. The Chairperson, in his/her discretion, may allow presentation or testimony out of order, limit duplicative or irrelevant testimony, set reasonable time limits on testimony, and may take other actions necessary for the orderly, appropriate conduct of the meeting.

6. The Commission's recommendation on each application will be based on the criteria for granting relief or approval set forth in the Zoning Enabling Act, Development Review Act, and the Barrington Code of Ordinances.

Article 8 – Ethics.

1. Members of the Commission are bound by and shall adhere to the Rhode Island Code of Ethics, including both statutes enacted by the General Assembly and regulations enacted by the Ethics Commission. A copy of the Code of Ethics can be found at <http://www.ethics.ri.gov/code/>.

Article 9 – Parliamentary Authority.

The rules contained in Roberts' Rules of Order, 10th Edition, shall govern the Commission in all cases in which they are applicable and in which they do not conflict with these Bylaws.

Article 10 – Miscellaneous.

1. These Bylaws may be amended at any regular meeting of the Commission by a 2/3 vote, provided an amendment has been submitted in writing at the previous regular meeting. Such amendments shall become effective only when approved by the Town Council.
2. The provisions of these Bylaws are severable; if any such provision or provisions shall be held invalid or unconstitutional by any decision of any court of competent

jurisdiction, such decision shall not impair or otherwise affect any other provision of these rules and regulations.

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