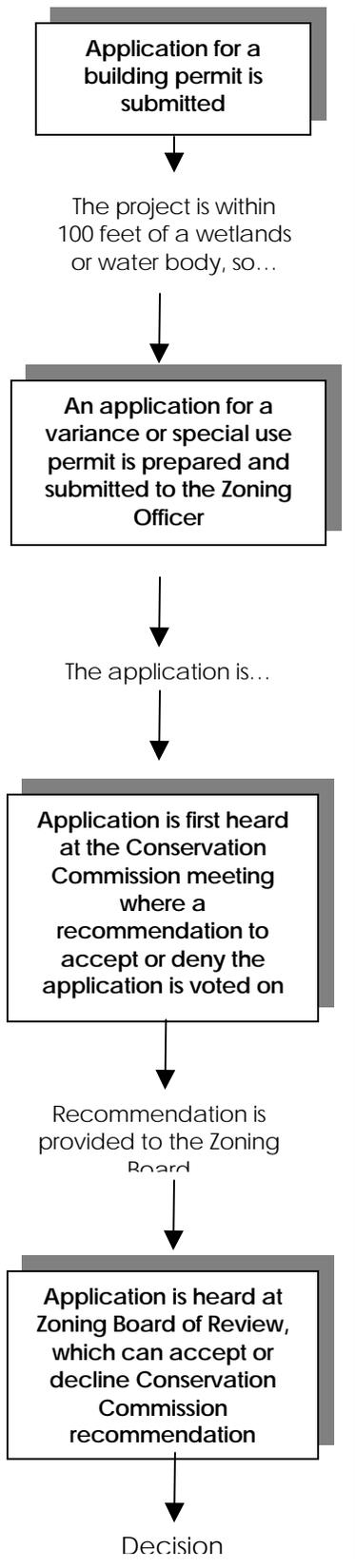


**A GUIDE FOR PREPARING AN APPLICATION FOR A VARIANCE
FOR ACTIVITIES IN OR NEAR WETLANDS/WATER BODIES
FOR REVIEW BY THE BARRINGTON CONSERVATION COMMISSION**



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 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

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applicant's scheduled Zoning Board meeting. Although not required, it is strongly recommended that applicant attend the Commission meeting.

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.

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.

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