

TOWN OF RICHMOND, RHODE ISLAND
ZONING BOARD OF REVIEW

Richmond Town Hall, 5 Richmond Townhouse Road, Wyoming, RI 02898 • (401) 539-9000 ext. 3

RULES OF PROCEDURE
FOR THE SUBMISSION AND CONSIDERATION OF PETITIONS

Pursuant to R.I. Gen. Laws § 45-24-56, the Richmond Zoning Board of Review establishes the following procedures for the submission and consideration of petitions for relief.

1. Meeting dates. Regular meetings of the Zoning Board of Review (“Board”) will take place on the fourth Monday of each month at 7:00 p.m. in the Town Council Chamber. The Board may schedule meetings at other times if necessary for the conduct of its business.

2. Meeting agendas. The agenda for each regular meeting will be as follows:

Call to Order.

Approval of Minutes.

Public Hearings.

1. Hearings continued from previous dates.
2. Hearings postponed from previous dates.
3. Hearings on new applications.

Adjournment.

Any other business to come before the Board should be listed after Public Hearings, and must be specifically described.

The Board may, by a majority vote of the regular members, consider items in a different order than that listed on the agenda.

3. Officers. At the first meeting of each calendar year, the regular members of the Board shall elect from among the regular members a chairman to conduct meetings, and a vice chairman to conduct meetings in the absence of the chairman. The chairman and the vice chairman shall have the authority to administer oaths.

4. Applications.

a. Site plan.

Every application for relief from the Zoning Ordinance shall be accompanied by an accurate site plan, drawn to scale, showing the lot dimensions, location of existing and proposed structures or improvements, distances from existing and proposed structures to lot lines, location of wells and septic systems, and location of parking area or landscaping. The plat and lot number, zoning district, graphic scale, north arrow, and names of streets must appear on the plan.

For applications that involve construction of a structure or expansion of a structure:

1. The site plan shall show the location on the site of freshwater wetlands and wetland buffers, as defined by Rhode Island law and by R.I. Department of Environmental Management regulations.
2. The site plan shall be prepared by a registered professional engineer or a registered land surveyor.

At the request of an applicant, the Board may waive any of the details listed above that are required to appear on a site plan. A waiver must be requested in writing, and must be considered at a Board meeting that takes place before the date on which the public hearing is scheduled.

The Board has the right to request that the applicant provide additional information if that information is necessary for consideration of the application.

b. Notice information.

Every application to the Zoning Board of Review shall include:

1. A copy of a portion of the Tax Assessor's Map showing the property that is the subject of the application, and showing all lots that are within 200 feet of the perimeter of the subject property.
2. A list of the names and addresses of the owners of all property within 200 feet of the perimeter of the subject property. This information may be found in Town records.

The sample Radius Map and sample Abutters List in the Appendix to these Regulations are provided to applicants for the purpose of illustration only.

c. Information on ISDS or OWTS.

If the proposed construction requires installation, repair, relocation, or upgrading of an Onsite Wastewater Treatment System (OWTS) or an Individual Sewage Disposal System (ISDS), or a change of use permit, a copy of the application to the R.I. Department of Environmental Management must be submitted.

d. Notice by mail.

Section 18.52.040 of the Zoning Ordinance requires applicants to send notice of the public hearing to owners of property within 200 feet of the subject property by first class mail, postage prepaid. Applicants may send notice by certified mail in addition to notice by first class mail, but applicants may not substitute notice by certified mail for the notice required by the ordinance.

5. **Development plan review.** The zoning enforcement officer shall review each application at the time it is submitted to determine whether to recommend advisory development plan review pursuant to Section 18.54.080 of the Zoning Ordinance. If the zoning enforcement officer determines that the application should be referred to the Planning Board for advisory development plan review, the zoning enforcement officer shall so advise the Board in writing. The zoning enforcement officer shall send a copy of any such recommendation to the applicant.

- 6. Application form and accompanying documents.** The Application Form, Instructions for Applicants, Affidavit of Service by Regular Mail, Sample Radius Map, and Sample Abutters List included in the Appendix to these Rules of Procedure are hereby approved and incorporated by reference.
- 7. Transcripts on appeal.** A stenographer who is an independent contractor of the Town of Richmond makes a stenographic record of every public hearing conducted by the Zoning Board of Review. If a Zoning Board of Review decision is appealed to the Superior Court, the record must be accompanied by a transcript of the entire public hearing. The appellant shall be responsible for ordering the transcript from the stenographer and the appellant shall be responsible for paying the stenographer for preparing and copying the transcript. The stenographer shall deliver the original transcript to the clerk of the Zoning Board of Review and a copy of the transcript to the appellant.

Date of Adoption: October 27, 2008

Amended: October 26, 2009

Amended: May 24, 2010

Amended: September 27, 2010

Amended: October 22, 2018

APPENDICES TO RULES OF PROCEDURE

- A. Zoning Board of Review Application
- B. Instructions for Applicants
- C. Sample Radius Map
- D. Sample Abutters List
- E. Affidavit of Service on Owners of Property Within 200 Feet