



TOWN OF CUMBERLAND
Planning Department

Cumberland Conservation Commission 11.1.21

1. Rhode Island General Law 45-35-1

State enabling statute

City or town councils have the authority to create a commission, to be called the conservation commission, the purpose of which is:

- * to promote and develop the natural resources,
- * protect the watershed resources, and
- * preserve natural aesthetic areas within municipalities.

The commission:

- * shall conduct research into its local land areas and seek to coordinate the activities of unofficial bodies organized for similar purposes, and
- * may advertise, prepare, print, and distribute books, maps, charts, plans, and pamphlets which in its judgment it deems necessary for its work.
- * shall make and keep an index of all open spaces within the city or town, publicly or privately owned, including open marshlands, swamps, and other wetlands for the purpose of obtaining information on the proper use of those areas.
- * may recommend to municipal councils, boards, or agencies, a program for the better promotion, development, utilization, or preservation of open areas, streams, shores, wooded areas, roadsides, swamps, marshlands, and natural esthetic areas.
- * shall keep accurate records of its meetings and actions and file an annual report.
- * has power to appoint, subject to any personnel procurement program ordained by the city or town, clerks and other employees it may from time to time require.

Cumberland Town Charter - Article 16 *Membership, terms, recommendations*

There shall be a Conservation Commission which shall consist of seven (7) members appointed by the Town Council each for a term of three (3) years except that all vacancies shall be filled for the balance of unexpired terms, such appointments to be made by the Town Council.

The Conservation Commission shall make recommendations to the Town Council for the preservation of the natural resources of the Town with respect to future development.

Additionally, a member of the Conservation Commission (selected by the Commission) serves on

public assessment committee for proposed hazardous waste management facilities as described in Section 14-106.

Cumberland Town Charter - Article 5G

Master Plan Review

Initial comments shall be solicited from local agencies including...the Conservation Commission...

Cumberland Plan Review Ordinance

§ 20-106. [Ord. No. 92-4, art. IV, § 1(c), 3-18-1992] - *Soil Erosion and Sedimentation Control*

Within 10 working days of the receipt of a completed soil erosion and sediment control plan, five copies of which shall be submitted, the Building Official or his appointed agent shall send a copy of the plan to the reviewing authorities which may include the Public Works Department, Planning Board, Department of Planning and Community Development and Conservation Commission, for the purpose of review and comment... Failure of such reviewing authorities to respond within 21 days of their receipt of the plan shall be deemed as no objection to the plan as submitted.

§ 30-128. [Ord. No. 96-31, 11-6-1996] - *Policies for future open space, recreation, land acquisition*

If the subject property is not the subject of comment or review by the Open Space and Recreation Element of the Cumberland Comprehensive Community Plan 1991 — 2010 or some other appropriate and relevant Town report or record, the opinion of the Cumberland Conservation Commission shall be sought by the Director of Planning and Community Development and provided to the Town Council. Should the subject property be listed, commented upon or reviewed in the Open Space and Recreation Element, copies of the pertinent documents shall be transmitted to the Council.

§ 36-176. [Ord. No. 04-21A, § 1, 10-6-2004 - *Land Dedication in lieu of Impact Fees*

Ord. No. 07-04, § 1, 2-21-2007

Ord. No. 07-04, § 1, 2-21-2007]

- A. Land dedication and/or capital improvements may be offered by the applicant as an alternative to payment of a required impact fee if the total value of the applicant's contribution is equal to, or exceeds, the amount of the particular fee involved. Land dedication and/or capital improvements cannot partially satisfy a particular impact fee.

- 1. Arrangement for land or capital improvements in lieu of parkland impact fee. If the residential development involves a subdivision or land development project, the Planning Board, in consultation with the parks and recreation director and conservation commission, shall have the authority to approve of the arrangement for land and/or capital improvements in lieu of the parkland fee. For residential development of existing lots of record that do not require Planning Board approval, the Town Engineer, in consultation with the parks and recreation director and conservation commission, shall have the authority to approve of the arrangement. The Town Engineer shall provide documentation of the arrangement to the director of planning and development upon his or her approval.

92-6, § 4, 3-18-1992 –

Affordable Housing

Within 10 working days of the receipt of a completed plan for the construction of low- or moderate-income housing, the Clerk of the Zoning Board of Review or his/her agent shall send a copy of the plan to the Building Official, the Department of Planning and Community Development, the Planning Board and the Conservation Commission for the purpose of review and comment. Failure of such reviewing authorities to respond within 10 days of their receipt of the plan shall be deemed as no objection to the plan as submitted.

Land Development Regulations Section 8 B. -

Vegetation and Plant Lists

The approved plant list reference is entitled Sustainable Trees and Shrubs, third edition, and 1999, authored by the University of Rhode Island Cooperative Extension Landscape Horticulture Program. A list of invasive species is available through the Cumberland Conservation Commission. Copies of the entire URI document are available through the Town of Cumberland Planning Department for a fee.