

## GLOSSARY OF PLANNING TERMS

**Active Recreational Resources:** Parcels of publicly owned land and institutional / non-profit land holdings that are, or may be, accessible to the public for active recreational use. These parcels include: existing or planned hiking, biking, and canoe routes; public local and community recreational facilities, including ball fields and swimming pools; and waterfront activities such as boating and fishing.

**Agricultural District:** Article 25-AA of the Agriculture and Markets Law is intended to conserve and protect agricultural land for agricultural production and as a valued natural and ecological resource. Under this statute, territory can be designated as an agricultural district. To be eligible for designation, an agricultural district must be certified by the county for participation in the state program. Once a district is designated, participating farmers and farmland owners within it can receive reduced property assessments and relief from local nuisance claims and certain forms of local regulation. Farm operations within agricultural districts also enjoy a measure of protection from proposals by municipalities to construct infrastructure such as water and sewer systems, which are intended to serve non-farm structures.

**Buffer Strips:** Buffers separate different land uses by incorporating natural features such as woodlands, stone wall, and hedgerows wherever feasible, or require the creation of a substantial planted buffer where no natural features exists.

**Charrette:** A charrette is a planning and design process that involves interactive sessions where individuals having a stake in the future of an area (residents, business owners, Town officials, and other government and special interest representatives) meet and discuss planning and design options. Issues that impact design are discussed and debated, usually resulting in several alternatives. The issues and alternatives are illustrated graphically. As used in the context of this Comprehensive Plan, many ideas would be expressed in terms of appropriate land use, vehicular access and circulation solutions, improvements to the pedestrian environment, and architectural standards or guidelines.

**Clustering:** a technique that allows the modification of the arrangement of lots, buildings, and infrastructure permitted by the zoning law to be placed on a parcel of land to be subdivided. The design flexibility created by this modification results in the placement of buildings and improvements on a part of the land to be subdivided in order to preserve the natural and scenic quality of the remainder of the land. The use of clustering provisions helps a municipality to achieve planning goals that may call for protection of open space, protection of scenic views, protection of agricultural lands, protection of woodlands and other open landscapes, by placing development away from these resources.

**Conservation Development** - a form of site development that places the unique resources of conservation value, on an individual site to be subdivided, at the heart of the subdivision or site plan review process. The process begins by identifying the natural, agricultural, scenic, and/or cultural resources on the site that should be protected. Development areas are identified next, and are selected to avoid the areas identified for their conservation value in the first step. Conservation development design usually achieves a higher quantity and a better quality of open space protection through the development process than does clustering

alone. In the case of residential development, this process is often used in conjunction with a cluster design or planned development and few, if any, requirements for frontage and setbacks. However, it is equally applicable to the development of standard lots under current zoning. The important aspect is the process that brings the reviewing agency (typically a planning board) in the early stages of site design to assist in identifying important resources to be preserved.

**Conservation Easement:** A conservation easement is a voluntary legal agreement between the landowner and the municipality, and/or a third party such as a land trust, to protect land from development by permanently restricting the use and development of the property, thereby preserving its natural or manmade features. The legally binding agreement is filed in the office of the county clerk in the same manner as a deed. The landowner retains ownership of the land, and all of the rights of ownership except the ability to develop the land. The specific restrictions are detailed in the easement agreement.

**Cultural Resources:** The cultural features of a community which reflect the ways in which the people who have lived there have used their natural environment to suit their economic needs and social patterns.

**Comprehensive Plan:** (also known as Master Plan) A comprehensive plan is a written document that identifies the goals, objectives, principles, guidelines, policies, standards, and strategies for the growth and development of the community.

**Density Bonus:** A density bonus allows a developer, who take advantage of incentive zoning provisions, to increase the amount of development (e.g., number of dwelling units) on a certain property beyond what the underlying zoning would allow in exchange for open space or some other community amenity.

**Design Guidelines:** Design guidelines are usually illustrated and describe the preferred farmland, site and architecture patterns that a community values and what it seeks to protect. Design guidelines complement the increased design flexibility allowed by conservation (clustered) subdivisions and traditional neighborhood developments. Design guidelines are generally informational and collaborative in nature, creating an opportunity for people to review the guidelines prior to designing a project with the advantage of understanding the goals of the community and the planning board.

**Ecological Resources:** water influenced space, aquifer or potable water source, water bodies, rivers and streams, wetlands, undeveloped land, upland open space, steep slopes, forest and significant wildlife habitat.

**Gateways:** Entranceway areas along roadways to the town/village which determine the visitor's first response to the community. Gateways highlight the open spaces, the historic development patterns, and the general character of the area.

**Growth Management:** the process by which a community controls the location, form, timing and amount of land development (growth) in the community. The community can utilize a variety of methods (tools) to achieve its growth management objectives.

**Incentive Zoning:** Incentive zoning allows developers to exceed the dimensional, density, or other limitations of zoning regulations in return for providing certain benefits or amenities to the municipality. An example of incentive zoning would be an authorization to develop a parcel more intensively (by a specified amount) in exchange for the provision of public open space.

**Master Plan:** see comprehensive plan. Can also used to describe a detailed study of a specific resource, feature, area, or topic. For example, a neighborhood master plan, a bicycle facilities master plan, etc.

**Neighborhood Master Plan:** The basic intent of the neighborhood master plan is to identify appropriate land use and other related recommendations to address issues specific to the given area and to become an addendum to the Comprehensive Plan. Like the Comprehensive Plan, the Town Board should adopt neighborhood master plans as the Town's official land use policy for the designated neighborhoods. As an extension or refinement of the Comprehensive Plan, the vision, goals and objectives and the plan recommendations are intended as the guiding principles for development of the neighborhood master plan. The neighborhood master plan should be prepared by the Town with professional assistance. Careful attention should be paid to the needs of the residents and business owners of the neighborhood, however, this feedback should also be weighed against the results of the extensive community outreach program for the Comprehensive Plan, as reflected in the plan recommendations.

**Open Space:** Open space consists of farmland, woodland, and other ecological, recreational, and scenic land which helps to define the character of a community, and buffers residential and other land uses. Open space may be public or privately owned. Some open space is permanently protected from development such as parks, nature preserves, and wetlands while other parcels are subject to development. What land is defined as open space depends upon the surrounding area. Even a narrow pathway or a cemetery surrounded by development can constitute an open space resource in a community.

**Open Space Plan:** An open space plan is a comprehensive municipal, county, or regional plan which specifically identifies open space resources such as farmland, scenic vistas, parks cemeteries, etc., and develops a strategy for the preservation of these resources.

**Passive Recreational Resources:** Areas such as nature preserves, community gardens, and other outdoor areas for quiet public enjoyment.

**Purchase of Development Rights:** The development value of specific parcels of land can be *purchased* by the town or a land trust. When development rights are purchased, the process is called Purchase of Development Rights (PDR). The cost of PDR depends on the specific parcel. It is calculated by determining the current appraised value of the property and its appraised value as open or agricultural land without development potential. The difference between these two numbers is the value (the cost) of the development rights that will be purchased. Conservation easements are the legally binding document that ensures that once the development rights are purchased, the land remains undeveloped in perpetuity.

**Shovel - ready** - a phrase which is usually used to describe a location that is designated for, and ready for future economic development. Environmental review and infrastructure (water, sewer, energy, communication) needs for the site are studied in advance of development to ensure that it is nearly pre-

approved for certain types of economic activity. The goal is to have these sites ready for development as an incentive for luring companies to the locations. The term shovel ready, as used in the context of the Generic Environmental Impact Statement (GEIS) pursuant to the State Environmental Quality Review Act (SEQR), does not necessarily mean that site specific issues (such as a wetland delineation and a cultural resources survey) have been addressed. The proper term for this situation is “SEQR compliant.”

**Tax Abatement:** Tax abatement is a reduction in taxes often associated with term conservation easements.

**Term Conservation Easement:** A term conservation easement is a voluntary legal agreement to keep a particular parcel of land undeveloped. This agreement between a landowner and the municipality is written to last for a period of years, most commonly for 5 to 25 years.

**Right-to-farm:** a term which has gained widespread recognition in the State's rural areas over the past several decades. Section 308 of the Agriculture and Markets Law grants protection from nuisance lawsuits to farm operators within agricultural districts or on land outside a district which is subject to an agricultural assessment under section 306 of the Law. The protection is granted to the operator for any farm activity which the Commissioner has determined to be a sound agricultural practice. At a local level, many rural municipalities have used their home rule power to adopt local right-to-farm laws. These local laws are statements of policy that indicate the municipality's support for continued agricultural activity. They commonly include provisions to notify *buyers* of land near farms that agricultural activities, which sometimes cause noise, odor, dust, etc., occur in the area in which they are purchasing land. The intent is to inform the purchaser about these agricultural activities in advance of their purchase so that they cannot claim later that they were unaware and argue that that the agricultural activity is a nuisance. Notification is either made at the time of closing or, ideally, at the time of contract. Some right to farm laws also include provisions encouraging mediation strategies as an alternative to litigation, which can be helpful due to the high cost of litigation.

**State Environmental Quality Review (SEQR):** The State Environmental Quality Review Act requires local legislatures and land use agencies (planning boards, zoning boards of appeal) to consider, avoid, and mitigate significant environmental impacts of the projects that they approve, the plans or regulations they adopt, and the projects they undertake directly.

**Sprawl:** a development pattern that is characterized by expanding metropolitan areas, the conversion of farmland and natural areas to development, disinvestment in existing developed areas such as cities, villages, and older suburbs, the segregation of all land uses, and heavy dependence on the automobile for mobility. Under this pattern of development it becomes very expensive to provide roads, sewers, water, and services like police and fire protection to low-density urban development, a consequence felt by the taxpayers.

**Utility Master Plan:** A utility master plan is a town wide plan for the extension of services like, water and sewer which shape and drive development patterns and densities.

**Wetland Protection:** Wetlands are areas which are washed or submerged much of the time by either fresh or salt water. In state regulations, they are defined chiefly by the forms of vegetation present. Wetlands provide a number of benefits to a community. Besides providing wildlife habitat, wetlands also provide habitat protection, recreational opportunities, water supply protection, and provide open space and scenic beauty that can enhance local property values. Wetlands also serve as storage for storm water runoff, thus reducing flood damage and filtering pollutants. In coastal communities, they also serve as a buffer against shoreline erosion. The preservation of wetlands can go a long way toward protecting water quality; increasing flood protection; supporting hunting, fishing and shell fishing; providing opportunities for recreation, tourism and education; and enhancing scenic beauty, open space and property values.