

### Glossary

**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 at the county level 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 generally intended to serve non-farm structures and developments.

**Aquifer.** A saturated geologic formation that receives, stores, and/or transmits groundwater that can be withdrawn and used for human purposes. An *unconsolidated surficial aquifer* (also known as an *overburden aquifer*) is an aquifer associated with sand and gravel deposits. These unconsolidated deposits generally rest on top of bedrock. A *bedrock aquifer* is an aquifer associated with fractures and other openings within “solid” rock that are capable of transmitting water.



Trees and vegetation provide a natural buffer along a stream.

**Biodiversity.** The biological variety of plant and animal life in all forms, as well as their interactions with the non-living (abiotic) environment. Includes ecosystem diversity, species diversity, and genetic diversity.

**Buffer.** An area and/or a physical or visual feature that separates different land uses. The buffer may incorporate natural features such as woodlands, attractive fencing, stone walls, and hedgerows wherever feasible, or requires the creation of a planted landscape buffer where no natural features exists.

**Build-out analysis.** A projection of a community’s future development growth that is based upon the maximum theoretical development of all lands under the current zoning and regulatory controls.

**Cluster Development (Subdivision).** A technique that allows flexibility in design and subdivision of land by allowing the developer to cluster buildings on a portion of a site to preserve a larger area of open space. Cluster development allows a municipality to maintain its traditional open space character, while at the same time providing new development. The use of clustering can help a municipality achieve planning goals that

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call for protection of open space, scenic views, agricultural lands, woodlands and other open landscapes, while placing development away from environmentally sensitive areas.

**Comprehensive Plan.** A document that is created and updated locally that helps to guide the long-term protection, enhancement, growth and development of a municipality. This plan includes text, maps, charts, reports and other materials that help to illustrate and describe the plan's goals and objectives, concepts, policies and guidelines.



In this residential development, homes are clustered closer together and open space is preserved as a common area.

**Conservation.** The use of a resource while not diminishing or damaging its natural resource value. This implies knowing the particular values that the resource possesses and having a specific plan in place to ensure the balance of its use and protection.

**Conservation Design (or Analysis).** A process for area planning, subdivision planning or site planning in which the natural setting and primary resources (for example streams, wetlands, wildlife habitat, historic buildings, scenery and viewsheds) are given high priority. This process differs from conventional design in that the resources are considered and integrated into the overall design before lots, roads, and the built environment are laid out.

**Conservation Subdivision.** A subdivision where a substantial portion of the open space resources are identified and set aside for conservation or recreation through a detailed site analysis process for open space resources.

**Conservation Easement.** A voluntary legal agreement between the landowner and the municipality, 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 cultural 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 reflect the ways in which the people who have lived there have used their natural environment to suit their economic needs and social patterns, and may include such types of resources described as agricultural, institutional, historic, and archeological, among others.

**Design Guidelines.** Often illustrated concepts that help to guide new development or reuse with respect to the natural and built resources that a community values and seeks

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to protect. Design guidelines can address topics such as site and landscape design, architecture, materials, colors and signs. They are generally informational and collaborative in nature, creating an opportunity for project sponsors to review the guidelines prior to designing a project with the advantage of understanding the goals of the community and the planning board.

**Farmland, Prime.** As defined by the National Resources Conservation Service (NRCS), prime farmland is “land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses (the land could be cropland, pastureland, rangeland, forest land, or other land, but not urban built-up land or water).”

**Farmland, Statewide Importance.** Lands with a good combination of physical and chemical features for the production of agricultural crops.

**Fee Simple.** The purchase of property outright with full rights.

**Fiscal Impacts.** The costs and revenues that will result from a particular proposed project, program or plan.

**Green Infrastructure.** An interconnected system of natural lands, parks, waterways and open spaces that helps to sustain environmental health, economy and quality of life.

**Growth Management.** The process of guiding development, through a system of land use techniques, in a direction that is environmentally and fiscally sound and that helps to preserve quality of life. The goals of growth management often include encouraging urban infill, reducing sprawl, and promoting economic development.

**Hamlet.** A cluster of dwellings and/or other uses, such as commercial and retail, often at a crossroads, that is much smaller in scale than a village or downtown.

**Installment Purchase Agreement (IPA).** A PDR program where the landowner receives semi-annual tax-exempt interest on the PDR value of the land for a period of time (typically 20 to 30 years). At the end of the payment term the principal balance is paid to the landowner. The landowner can choose to end the IPA early and take the principal at any time.

**Life Estate.** Ownership of land (or other assets) that is limited to the life of the owner.

**Limited Development Plan.** Similar to a conservation design, a limited development plan identifies important resources to protect; unlike a conservation design however,



Farmlands are important open space components in a rural landscape.

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where often the number of units remain the same as under a conventional development, a limited development generally creates less development than zoning allows for on a particular property.

**Municipal Bond.** A bond issued by a local government to pay for special projects, such as infrastructure improvements or open space preservation.

**Open Space.** Open space consists of farmland, woodland, and other ecological, recreational, and scenic land that helps to define the character of a community. 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. A community's definition of open space often depends on the context. A narrow pathway, a small pocket park, or even a cemetery surrounded by development can constitute open space in some communities.

**Overlay District (or zone).** The overlay zoning technique is a modification of the system of conventionally mapped zoning districts. An overlay zone applies a common set of standards to a designated area that may cut across several different conventional or "underlying" zoning districts. The standards of the overlay zone apply in addition to those of the underlying zoning district. Some common examples of overlay zones are the flood zones administered by many communities under the national flood insurance program, historic district overlay zones, areas of very severe slopes, waterfront zones, and environmentally sensitive areas.

**Purchase of Development Rights (PDR).** A purchase of development-rights (PDR) program involves the purchase by a municipal or other government agency or private land conservation organization of development rights from private landowners whose land it seeks to preserve in its current state without further development. The PDR system can protect farmland as well as ecologically important lands or scenic parcels essential to rural character of the community. Under PDR, the land remains in private ownership and the government acquires non-agricultural development rights. These development rights once purchased by government (typically) or a land trust, are usually extinguished. Landowners who participate receive payment equal to the development value of the property. In return, the property owner agrees to keep the land forever in forest, agriculture or other conservation-type use. The owner typically files property covenants similar to a conservation easement limiting the use of the property to conservation-based activities.

**Performance Standards.** Criteria established to protect a community's natural and built resources and quality of living through such matters as, but not limited to, noise, air pollution, emissions, odors, wastes, traffic impacts, and visual impact. Typically, land development and use are regulated through zoning by a series of such performance standards that provide criteria for limiting the impacts of development.

**Permissive Referendum.** An action that is subject to permissive referendum means that the Town Board may take an action without having a general vote of the residents.

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Registered voters may petition the decision of the municipal board – and require a ballot referendum for all voters to weigh in on the issue.

**Preservation.** An active process of stewardship with the goal of protection of a resource in its existing, natural or original state. An example is historic preservation of a building.

**Real Estate Transfer Fee.** A State or local fee paid when title passes from one owner to another.

**Recreational Resources.** Recreational resources may be described as areas in which the following types of leisure activities may occur: existing or planned hiking, biking, and canoeing; ball fields, tennis courts, basketball courts, golf courses, skating rinks, ski slopes, and swimming pools; and waterfront activities such as boating and fishing. Recreational resources also include nature preserves, community gardens, and other outdoor areas for quiet public enjoyment.

**Riparian Corridor.** A vegetated corridor along the bank and floodplain of a stream, river or other waterway; a transitional zone between a terrestrial area and an aquatic area.

**Scenic Corridor.** A scenic corridor is a viewshed that contains scenic vistas that may include natural and cultural resources.

**Site Plan (Review).** Site Plan Review is part of the development review process by which the physical elements of a proposed use are reviewed to ensure that they are compatible with the physical characteristics of the site, as well as with the existing and potential uses of the surrounding area. A site plan provides detail on the future development of streets, parking areas, underground utilities, building “footprints”, sidewalks, landscaping, etc. through a scale drawing.



Open farmland contributes to the scenic quality of the adjacent roadway.

**Sprawl.** Ever-expanding metropolitan strip and suburban areas consuming huge amounts of farmland, forestland, and natural resources that wastes lands and resources while often abandoning people, places and private investments at the center, in the hearts of towns and villages.

**Subdivision Regulations.** A set of laws or regulations for the division of land, lot, or parcel into units for the purpose of development and/or sale.

**Term (Conservation) Easement.** A term conservation easement is a voluntary legal agreement between a landowner and a municipality that is written to last for a period of

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years, most commonly for 5 to 20 years. A term conservation easement is not a permanent easement, and thus does not guarantee long-term protection of resources.

**Viewshed.** A particular panorama that is valued for its aesthetic or cultural attributes. Buildings, structures, places, or natural features may be considered to contribute to, or detract from the quality of viewshed experience.

**Wetlands.** Areas that are saturated by either fresh or salt water for at least a period of time during the growing season. In state regulations, they are defined chiefly by the forms of vegetation present. Wetlands provide a number of benefits to a community, including habitat protection, recreational opportunities, water supply protection, flood protection, and scenic beauty.

**Wildlife Corridor.** A continuous area, often containing critical vegetated habitat or cover, that facilitates the movement of wildlife through an urban, suburban, or rural environment.