

Town of Ancram Zoning Update –Definitions February 2014

Access Drive: See “Driveway”

Access Management: Placement and design of vehicle access for every lot on a highway segment to create safe egress and ingress in a manner which reduces the number of curb cuts to the maximum extent.

Access: Entrance way for vehicles to leave or enter a property or lot from a public highway or private road.

Accessory Apartment: A second dwelling unit, either in, or added to, an existing single-family dwelling, or in a separate accessory structure such as barns and garages on the same lot as the existing single-family dwelling, for use as a complete, independent living facility with provisions in the accessory apartment for cooking, eating, sanitation, and sleeping. Such an apartment is a secondary and subordinate use to the principal dwelling. A mobile home or single-wide manufactured home shall not be considered as an accessory apartment.

Accessory Structure or Use: A secondary structure or use on the same lot in the same ownership which is associated with the principal use or structure, and which is incidental and subordinate to the principal use or structure. An accessory structure is a detached subordinate building on a lot, the use of which is customarily incidental to that of the main or principal building such as, but not limited to playhouse, pool house, cabana, and garage.

Acting Official: A person appointed by the Town Board to temporarily fulfill the role as zoning or code enforcement officer or building inspector.

Active Agricultural Land: Land used for production for sale of crops, livestock or livestock products, a commercial horse boarding operation, land used in support of a farm, farm woodland, the production and sale of Christmas trees, or production of other crops such as orchards, apiary, and aquaculture.

Adaptive reuse: When an existing building is changed, renovated or adapted from a prior use to a new use.

Adult Day Care: A facility providing care for the elderly and/or functionally impaired adults in a protective setting for part of a 24-hour day.

Adult Entertainment Facility: An establishment which presents any of the following entertainments, exhibitions or services: adult arcade; adult bookstore, newsstand, video store or combination; adult cabarets; adult motels; adult motion picture theaters; adult theaters; nude model studios and sexual encounter centers. Adult Use and Entertainment Establishments customarily exclude minors by reason of age, and are those businesses that are distinguished from non-adult uses of similar nature due to the predominantly sexual orientation of the activity or merchandise.

Affordable Housing: Dwelling units inhabited by households whose annual income is within 80% to 120% of the Columbia County median income, with adjustments for household size, as defined and periodically updated by the US Department of Housing and Urban Development, and the annual rental costs does not exceed 30% of said income, or, for homeowners, the annual cost of the sum of the principal, interest, taxes, and insurance (PITI) and common charges, as applicable, does not exceed 30% of said income.

Aggregate Total Face Area: The total face area of all signs on a premise.

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Agricultural Business: An establishment that provides products or services to agricultural producers to support production, marketing, and distribution of their products including but not limited to hide tanning operations, farm equipment repair, farm equipment sales, soil preparation services, crop services, veterinary and other animal services, farm labor and management services, and seed or fertilizer sales.

Agricultural data statement: A written statement required when certain land use determinations within five hundred (500) feet of a farm operation located in a NYS Agricultural District takes place. The statement must include information about the proposed project, and is included in the application for project approval. A notice of the project application is mailed to owners of land associated with the neighboring farm operation identified in the statement. The Planning Board is required to evaluate and consider the statement in its review of possible impacts of a project on nearby farm operations.

Agricultural District 1: That portion of the Town of Ancram that is included in the New York State Certified Agricultural District established as per State Agriculture and Markets Law 25-aa.

Agricultural Processing: a facility no larger than 5000 square feet where animals are killed and processed into meat foods, or a facility where plants and plant products are processed into canned, frozen, or fresh food products.

Agricultural Structure: A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation but used in the raising, growing or storage of agricultural products by a farmer engaged in a farming operation including but not limited to barns, sheds, poultry houses and other buildings and equipment on the premises used directly and solely for agricultural purposes.

Agricultural Use, Animals: The use of land for raising, harvesting, selling, or feeding, including but not limited to, grazing, breeding, managing, selling, or producing livestock, poultry, fur-bearing animals or honeybees, or by dairying and the sale of dairy products, or by any combination thereof. It also includes the use of land for stabling or training equines, including but not limited to providing riding lessons, training clinics, and schooling shows, including other on-farm niche marketing promotions. Slaughterhouses, meat packing facilities, hide tanning operations, and operations which utilize animals in research shall not be considered an animal agricultural use.

Agricultural Use, Crops: The use of land for raising, harvesting, and selling crops by horticulture, floriculture, viticulture, aquaculture, hydroponics, silviculture, or by any combination thereof. A garden accessory to a residential use shall not be deemed an agricultural use.

Agriculture: The production, keeping, or maintenance, for sale, lease or personal use, of plants and animals including but not limited to forages, grains and seed crops, dairy animals, poultry, livestock including beef cattle, sheep, swine, horses, ponies, mules, or goats, including the breeding and grazing of these animals, bees and apiary products, fur animals, fish farming, fish hatcheries, fruits, vegetables, nursery, greenhouse, or flowers.

Agritourism: Activities conducted on a farm and offered to the public, or to invited groups, for the sale of agricultural products, education, recreation or active involvement in the farm operation. An agri-tourism activity may be secondary to the primary farm use on a property. Agri-tourism activities may be conducted in an accessory building or structure. Agri-tourism activities include, but are not limited to on-farm bed and breakfasts, farm stay programs, u-pick operations, and pumpkin patches.

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Alteration, Structural: To change or rearrange the walls, roof, ceiling, floors, supporting beams, columns or other structural parts; interior plan or layout, the exterior architectural features; the exit facilities of a structure; or the relocation of a building from one location to another.

Animal Hospital: A place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use.

Antique Shop: A business premises used to display and offer for sale furniture, jewelry, utensils, books, memorabilia and clothing considered examples of the artistry or craftsmanship of other than the present era, .

Apartment: One or more rooms with private bath and kitchen facilities constituting an independent, self-contained dwelling unit in a building.. See also accessory apartment and multi-family dwellings.

Applicant: The person(s), corporation, agency, or other legal entity seeking site plan approval, special use or building permits; certificates of occupancy; variances; subdivision approval; or zoning amendment.

Approved Building Lot: A lot which has been approved by the Planning Board as a result of subdivision, re-subdivision or site plan approval in compliance with the Ancram Subdivision Regulations.

Aquifer recharge area: The location where surface water enters the ground to replenish an aquifer. These areas are important to protect from surface contamination to prevent pollution.

Aquifer: an underground collection of potentially drinkable water.

Area, Building: The total area on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of uncovered porches, terraces, and steps.

Area, Lot: The total area contained within the property lines of an individual parcel of land, excluding any area within an existing street right-of-way.

Attic: That space of building which is immediately below, and wholly or partly, within the roof framing. An attic with a finished floor shall be counted as one-half story in determining the permissible number of stories.

Auction House: A place where items are offered for sale to persons who bid on the object in competition with each other.

Average Daily Traffic (AADT): The average number of vehicles per day that enter and leave the premises or travel over a specific section of road.

Average Lot Size: The average size of all lots to be subdivided from a parcel. Use of an average lot size instead of a minimum lot size in the Agriculture District allow for easier protection of open spaces. Parcels subdivided using an average lot size reduces individual lot areas and bulk requirements but the number of lots remains the same as permitted without lot averaging.

Bar/Tavern: Premises used primarily for the sale or dispensing of alcoholic beverages by the drink for on-site consumption and where food is available for consumption on the premises as accessory to the principal use.

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- Basement:** A story partly below finished grade, but having at least one half of its height measured from floor to ceiling, but not less than four feet, above average finished grade. A basement shall be counted as one story determining the height of a building in stories.
- Bed and Breakfast:** An owner-occupied residential building also used for renting accommodations to transient, fee-paying guests, and providing not more than one (1) meal daily to guests only. Not more than ten (10) rooms may be let.
- Best management practices:** Accepted design, construction and management practices designed to protect the environment and minimize negative environmental impacts.
- Billboards:** A sign or structure which directs attention to an idea, product, business activity, service, or entertainment which is conducted, sold, or offered elsewhere than upon the lot on which such sign is situated.
- Biodiversity:** A concept that encompasses the natural system of all species – plants, animals, fungi, and microorganisms – the habitats where they live and the broader landscape.
- Biodiversity Assessment:** An inventory and evaluation of the biological and ecological resources on a parcel of land.
- Biodiveristy Map:** A map of ecologically significant habitats prepared by Hudsonia, the Ancram CAC and applicants of major subdivisions.
- Bioswale:** A drainage course that runs the length of a block, structure, road or other feature with gently sloped vegetated sides that filter soil and pollutants..
- Boarding House:** A building, other than a hotel, containing a general kitchen and a general dining room, in which at least three but not more than six sleeping rooms are offered for rent, with or without meals. A lodging house, tourist house or rooming house shall be deemed a boarding house.
- Buffer Area:** An undeveloped part of a property or an entire property specifically intended to separate and thus minimize the effects of a land use activity (e.g. noise, dust, visibility, glare, etc.) on adjacent properties. Natural vegetative covers existing within the buffer area shall be encouraged to be preserved as part of that buffer to the maximum extent practical. See also stream buffer and streamside vegetated buffer.
- Building:** Any structure which is permanently affixed to the land, has one or more floors and a roof, and is intended for the shelter, housing, or enclosure of persons, animals or chattel. The term “building” shall include the term “structure” as well as receiving and transmitting commercial, radio, television, cellular and other utility communication towers, mobile homes, and modular homes.
- Building, Accessory:** See "Accessory Building"
- Building, Detached:** A single building surrounded by undeveloped space on the same lot.
- Building Envelope:** The space within which a structure and its supporting infrastructure is permitted to be built on a lot and that includes the building, driveway, and any lands disturbed for well and septic systems.
- Building Footprint:** The area encompassed by a building’s outer wall at ground level.

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Building Group: A group of two or more principal buildings and any buildings accessory thereto, occupying a lot in ownership and having any yard in common.

Building Height: The vertical distance measured from the average finished grade along the wall of the front of the building to the highest point of such building or structure.

Building Inspector: The individual designated by the Town to enforce the provisions of the New York State and local building codes.

Build-To Line: An alignment which dictates the front yard setback from a street or public right-of-way, to be followed by buildings or structures fronting on it. The build-to line does not apply to building projections or recesses such as porches.

Building, Main: A building in which is conducted the principal use of the lot on which it is located.

Building Materials, Retail: A retail establishment that sells materials used in the construction and maintenance of buildings, structures, and properties including, but not limited to lumber, roofing materials, sheet rock, paint, etc.

Building Permit: Written permission issued by the Building Inspector and/or Code Enforcement Officer for the construction, repair, alteration, or addition to a structure.

Building, Principal: A building in which is conducted the main or principal use of the lot on which said building is situated.

Building, Semi-Detached: A building attached by a party wall to another building normally of the same type on another lot, but having one side yard.

Bulk: A term used to describe the size, volume, area, and shape of buildings and structures, and the physical relationship of their exterior walls or their location to lot lines, other buildings and structures, or other walls of the same building; and all open spaces required in connection with a building, other structure, or tract of land.

Bungalow Colony: A group of two or more dwelling structures on a single premises designed for seasonal occupancy and not more than one of which is used for the purpose of all-year round residence which premises does not include a public lobby or dining rooms serving guests. The term bungalow colony includes cottage or cabin colonies or development but does not include trailer park, trailer camp, boarding house, hotel or motel.

CAC: Conservation Advisory Council. An advisory committee, established by the Town Board and tasked with providing information, tools and advice for use in town planning; reviewing land use proposals, and advising the Town government and educating the public about management and protection of the environment.

Camp, Summer: A location where campers spend all or part of the summer between Memorial Day and Labor Day living in tents, barracks, or dormitories, for recreation, education, or vacation purposes, participating in organized activities, sports, and arts and crafts, and usually eating together in a central dining facility.

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- Camp:** Any parcel of land on which are located two or more tents, shelters, recreational vehicles, or other accommodations of a design or character suitable for seasonal or temporary living purposes, including resort and summer camp and recreational vehicle camp, but not including a manufactured home park, boarding house, hotel or motel, bungalow colony, or man camp/worker camp.
- Campground:** A parcel of land upon which two or more campsites are located, established, or maintained for occupancy by camping units as temporary living quarters for recreation, education, or vacation purposes but not including a man camp/worker camp.
- Camping Unit:** Any tent, trailer, cabin, lean-to, recreational vehicle, or similar structure established or maintained and operated in a campground as temporary living quarters for recreation, education, or vacation purposes. Tents, trailers, cabins, lean-to's, recreational vehicles or other similar structures used for temporarily housing workers shall not be considered a camping unit and are not allowed.
- Campsite:** Any plot of ground within a campground intended for exclusive occupancy by a camping unit or units under the control of a camper for recreation, education, or vacation purposes.
- Car Repair:** A building or portion of a building arranged, intended or designed to be used for making repairs to motor vehicles, their mechanical systems and their body structure, including painting.
- Car Sales:** A building and/or area arranged, intended or designed to be used for the rental, lease, sale and/or resale of motor vehicles, new or used.
- Car Wash:** Any commercial building or premises or portions thereof used for washing automobiles. This may include automatic or semiautomatic application of cleaner, brushes, rinse water and heat for drying.
- Cell Tower (Also known as Telecommunication Tower):** Structure or locations selected, designed or intended to be used to support an antenna. It includes without limit freestanding towers, guyed towers, monopoles and structures of similar height including but not limited to structures such as buildings, church steeples, silos, water towers, utility towers and poles, signs or other similar structures. It is a structure intended for transmitting and/or receiving radio, television, cellular, paging, personal communications services or microwave communications, but excluding those used exclusively for fire, police and other dispatch communications, or exclusively for private radio and television reception and private citizens band, amateur radio and other similar communications that do not exceed height limitations addressed elsewhere in town regulations. See also Local Law #1 of 2011.
- Cellar:** Any space in a building the structural ceiling level of which is less than four feet above average finished grade where such grade meets the exterior walls of the building. A cellar shall not be counted in determining the permissible number of stories.
- Certificate of Occupancy or Use:** A document issued by the Building Inspector, Code Enforcement Officer, and/or Zoning Enforcement Officer allowing the occupancy or use of a building and certifying that the structure or use has been constructed and will be used in compliance with all the applicable municipal codes and ordinances.
- Change of Use:** The change of use or occupancy of land, or buildings, structures, or other improvements on land, from either residential, commercial or industrial to one of the other uses, or change in the nature, substance or intensity of the same use including, but not limited to, changes in use which require the issuance of a Certification of Occupancy pursuant to the New York State Building and

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Fire Code. Any use that substantially differs from the previous use of a building or land. Chapter 3 (Use and Occupancy Classification) of the Building Code of New York State shall be used to define uses that are not specifically defined in this local law. Change of occupancy or change of ownership shall not be construed as a change of use.

Clearcutting: A regeneration or harvest method that removes essentially all trees in a forest stand over five acres in size as part of a forestry operation intended to result in re-growth of vegetation that is composed of a single age class. Clearcutting does not include the removal of trees, shrubs, and undergrowth for agricultural purposes or for preparation of a parcel for development.

Clinic: An establishment where patients are admitted for examination and treatment on an outpatient basis by physicians, dentists, other medical personnel, psychologists, or social workers and where such examination and treatment generally require a stay of less than 24 hours.

Club, Membership: An organization catering exclusively to members and their guests, or premises and building for recreational or athletic purposes, which are not conducted primarily for gain.

Clustered subdivision: A flexible subdivision technique where all the residences to be built on a parcel are located together on smaller lots in order to preserve open space or environmental features on the parcel.

Code Enforcement Officer: shall mean the officer appointed to enforce the New York State and local building and fire codes. The Code Enforcement Officer may also be the Zoning Enforcement Officer.

Commercial Design Standards: A set of guidelines to be followed in site and/or building design and development of commercial uses to help maintain the character of a community and prevent new commercial development from dramatically changing the physical and visual footprint of the community.

Commercial Flea Market: An occasional or periodic market held in an open area or existing structure, but not in a permanent structure constructed for the purposes of serving as flea market where groups of individual sellers offer goods for sale to the public. This use is limited to a maximum of three operating days weekly.

Commercial Use: Any activity involving the sale of goods or provision of services carried out for profit; and other economic activities including mining, construction, manufacturing, transportation, communication, electric, gas, and sanitary services; industrial or large-scale wind turbine, wholesale trade; and any activity involving an office for conducting the affairs of a business, profession, service, industry or government.

Commercial Vehicle: A vehicle of more than one ton capacity used for the transportation of persons or goods primarily for gain or a vehicle of any capacity carrying a permanent-affixed sign exceeding one square foot in area or lettering of a commercial nature.

Community Benefit: A natural or created feature that enhances the aesthetic quality, visual appeal, recreational value, level of environmental protection of a particular property, place or area, or provides a desired type of development such as senior citizen housing, or cultural or historic facilities.

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- Comprehensive Plan:** A document that details an underlying purpose to control land uses for the benefit of the whole community based upon consideration of the community's problems and applying a general policy to obtain a uniform result and adopted pursuant to NYS Town Law 272-a.
- Community Sign:** A sign owned and maintained by the Town Board or by a group of businesses as approved by the Town Board that contains several directional signs for the purpose of directing persons to business and community establishments within the community.
- Complete Application:** An application for development that includes all required documents and submittals pursuant to this ordinance, and where a negative declaration has been made or a draft environmental impact statement has been accepted by the reviewing agency.
- Compatible:** A use of land or building(s) that, in terms of development intensity, building coverage, design, dimensions, occupancy, traffic generation, parking requirements, access and circulation, site improvements, and public facilities and service demands, is consistent with and similar to neighboring uses and does not adversely affect the quality of life of persons in surrounding or nearby buildings or lands.
- Compost Facility:** A commercial establishment designed to manage and control the process of degrading organic matter by microorganisms. A composting facility can accept no more than 1,000 cubic yards of source-separated organic waste per year, animal manure and associated animal bedding material, not more than 3000 cubic yards of yard and brush waste and food waste. Organic materials suitable for a composting facility shall not include construction and demolition debris, organic materials containing heavy metals, or sewage sludge.
- Concrete Products Manufacture:** The making of products from a construction material consisting of conglomerate gravel, pebbles, broken stone, sand, or slag in a mortar or cement matrix—not cement alone.
- Condominium:** Multiple housing units that are individually owned, but that share land and infrastructure. They can be in the form of a multi-family house, multi-unit apartment building or town houses. Ownership is shared along with attendant responsibilities for the provision, maintenance and/or repair of common internal facilities, utilities, services, exterior building surfaces, land, landscaping and other outdoor facilities.
- Conservation Easement:** A grant of a property right stipulating that the described land will remain in its natural or agricultural state and precluding future or additional development.
- Conservation Subdivision:** A residential subdivision where the dwelling units that would result on a given parcel under a conventional subdivision plan are allowed to be placed on the parcel in a flexible manner, where lot sizes, road frontages, and other bulk dimensions are allowed to be relaxed and where a majority of the remaining land is left in its natural open space condition in perpetuity. Conservation development results in a flexibility of design and development to promote the most appropriate use of land, to facilitate the adequate and economical provisions of streets and utilities, and to preserve the natural and scenic qualities of open lands.
- Consistent in Size and Scale:** Conveys the Town's intent that new development be similar to existing development in terms of size, height, bulk, intensity and aesthetics to its surroundings. New and modified structures should match the context established by neighboring buildings.

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- Contamination:** The degradation of the natural quality of water, air, soil, and other natural resources by human or other activities and events to the extent that their usefulness is impaired.
- Contractor's Yard:** Any space whether inside or outside a building used for the storage or keeping of non-agricultural equipment, machinery, or vehicles, or part thereof, which are in active use by a construction contractor, landscaper, lawn mowing, tree service, logger and other similar activities.
- Convenience Store:** A one-story retail store containing less than 4,000 square feet of gross floor area that is designed and stocked primarily to sell food, beverages and household supplies to customers who purchase only a relatively few items, and a limited amount of freshly prepared foods such as sandwiches and salads for off-premises consumption. Such establishments may include the retail sale of gasoline, oil and other automotive fluids, although no repairs or servicing of vehicles is permitted.
- Conversion:** A change in use or occupancy of a dwelling by alteration or by other reorganization as to increase the number of families or dwelling units in a structure.
- Country Inn:** A building or group of buildings for no more than 25 sleeping units, whether detached or in connected units, used as individual sleeping units designed primarily for transient automobile travelers and providing for accessory off-street parking facilities. The term includes other such uses termed as motel, tourist courts, motor lodges, auto courts and similar appellations, but does not include boardinghouses.
- Coverage:** That lot area or percentage of lot area covered by buildings or structures, including accessory buildings, structures, and surface areas covered by impervious surfaces such as parking lots and driveways.
- Critical Environmental Area:** A specific geographic area designated by the Town of Ancram pursuant to 6 NYCRR Part 617, having exceptional or unique characteristics that make the area environmentally important.
- Cul-de-sac:** A road with a single common ingress and egress and a designated turn-around area for vehicles at the end.
- Curb-cut:** A defined opening to provide vehicular access from a public highway to a lot or property.
- Customary:** Used as “commonly associated with”.
- Cut and Fill:** A portion of land surface or area from which earth has been removed or will be removed by excavation and then the earth is moved and deposited to fill in another location.
- Dark Skies:** The term given to the night sky that remains un-impacted by outdoor light pollution.
- Day care:** Any program or facility licensed by the State of New York Office of Children and Family Services and which has a program caring for children of any age for more than three hours per day per child in which child day care is provided in a private residence for three to six children as per New York State Social Services Law § 390. See also Adult Day Care.
- Day Spa:** An establishment that provides multiple personal services that includes, but is not limited to beauty parlor, manicure, tanning, massage, and sauna and where clients use these services for one day with no overnight stays.

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DEC: Department of Environmental Conservation.

DEC Ancram Habitat Summary: An analysis of important wildlife habitats in the Town of Ancram prepared by the New York State Department of Environmental Conservation.

Decibel (dB): A unit for measuring the volume of a sound, as determined by a sound testing instrument.

Density Bonus: An applicant can receive an increase in the allowable density that a parcel can have if they supply something desired by the town, such as preserving open space, a scenic view, or other public amenities.

Density Schedule: Standards in the Town of Ancram Zoning Law that establish the maximum level of development allowed per acre in each zoning district.

Density: The number of residential structures allowed per acre. It is not the same as minimum lot size. Also the number of families, individuals, dwelling units, households, or housing structures per unit of land.

Development Rights: The right of a landowner to develop property based on a community's zoning.

Development: The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; or any use or extension of the use of land.

Disposal: The abandonment, discharge, deposit, injection, dumping, spilling, leaking, or placing by any other means of any non-agricultural solid waste, petroleum, radioactive material, hazardous substance, hazardous waste, or aqueous carried waste into or onto land or a surface water body.

Drainage: A system of swales, ditches, and culverts, catch-basins, and piping to convey storm-water runoff to retention areas and stabilized discharge points.

Drive in Use: An establishment which, by design, physical facilities, services or by packaging procedures, encourages and permits customers to receive services and obtain goods while remaining in their motor vehicles.

Driveway: A private entrance drive privately owned and maintained, and not meant for use by the general public, which commonly leads to a single principal use.

Dump: A lot or land used primarily for the disposal by abandonment, burial, burning or any other means and for whatever purpose, of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste material of any kind.

Dwelling group: A group of two or more dwellings occupying a lot in single ownership.

Dwelling unit: A building or portion thereof providing complete house-keeping facilities for one family.

Dwelling, Multiple Family: A building or group of buildings located on one lot, each containing three (3) but no more than four (4) dwelling units and designed or used for occupancy by families living independently of each other. A multiple family dwelling includes townhouses. Multiple-family dwellings shall be considered a commercial use and subject to site plan review. A multiple family

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dwelling unit is distinguished from an accessory apartment because the structure is designed and used with up to four principal dwelling units whereas an accessory apartment is clearly subordinate to the principal use of the single family dwelling.

Dwelling, one-family: A building containing one dwelling unit only.

Dwelling, Single: Family Detached: A residential dwelling unit designed for occupancy by one family and having no party wall in common with another building or unit.

Dwelling, Townhouse: A building divided vertically and consisting of three or four attached dwelling units, each of which has a separate entrance from an outside yard area. Townhouses are regulated as a multi-family dwelling.

Dwelling, Two-Family: A building on a single lot designed exclusively for two dwelling units, each of which is totally separated from the other by a wall, ceiling, or floor, except for a common stairwell and occupied exclusively as a home or residence for only two (2) families. Two-family dwelling units shall not be considered townhouses or multi-family dwellings.

Dwelling: A building designed or used principally as the living quarters for one or more families. The term 'dwelling', 'one-family dwelling', 'two-family dwelling', 'multi-family dwelling', 'multiple-dwelling', or 'dwelling group' shall not be deemed to include motel, hotel, rooming house or other accommodations used for more or less transient occupancy. (See RESIDENCE)

Easement: The right to use the land of another, obtained through the purchase or other acquisition of use rights from a landowner, for a special purpose consistent with the property's current use.

ECHO (Elder Cottage Housing Opportunity): A temporary, small (apartment-sized), detached home for use by an older person which is temporarily sited on private property that contains the primary residence of a younger family member. An Elder Cottage utilizes the water, electric, and sewer systems of the primary home. It provides security for the older person, privacy for both the older person and the younger family, and facilitates the care giving efforts of the younger family. An Elder Cottage shall not be a single-wide manufactured home or a permanent structure.

Educational/Training Facility: A building or part thereof which is designed, constructed, or used for education, training, or instruction in any branch of knowledge or skill and includes, but is not limited to elementary, parochial, private, secondary or vocational schools.

Egress: Access from a property leading onto a public highway or private road.

Enclosed Storage Yard: The keeping, in a completely fenced in or area, or enclosed with a roof and four complete sides, of any goods, junk, material, merchandise, or vehicles in the same place for more than 24 hours.

Environmental Assessment Form (EAF): A form used to determine whether a project will have significant environmental impacts. Depending on the site's environmental features and the project's magnitude, either a short or full SEQRA Environmental Assessment Form will be completed.

Environmental Constraint: An area with one or more of the following environmental characteristics: 1) steep slopes > 15%; 2) flood plain; 3)exposed bedrock or areas of land incapable of meeting percolation requirements; 4) aquifer recharge or discharge areas; 5) habitats of endangered species; and 6) wetlands.

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- Environmental Impact Statement (EIS):** A document prepared pursuant to SEQRA, subsequent to a determination of potential adverse impacts that examines the existing and developed environment, and identifies and presents impacts, mitigation measures and alternatives.
- Equipment Storage:** Any location or structure used for the storage of equipment (machinery and related hardware, etc.)
- Erosion Control:** Use of natural areas, re-seeding, re-vegetation, placement of mulch or artificial matting or rip rap or other methods to prevent soil erosion.
- Erosion:** The wearing away of surface soils by action of wind or water.
- Face Area:** The area or display surface used for the message on a sign. See also Sign Area
- Family:** A family consists of (a) one person, or two or more persons related by blood, marriage or adoption, or (b) not more than five persons not necessarily related by blood, marriage or adoption, and in addition any domestic servants who live together in a single dwelling unit and maintain a common household.
- Farm Market:** A location, or structure larger than 400 square feet, where one or more farmers or vendors can sell agricultural produce to the public on a permanent basis, whether seasonal or year-round.
- Farm Operation:** the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in subdivision thirteen of this Article 25-AA of the Agricultural Districts Law and "timber processing" as defined in subdivision fourteen of Article 25-AA. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.
- Farm Stand:** A temporary use of a structure including small buildings, carts, wagons or stands for the display and sale of farm products, and not more than 400 square feet in size.
- Farm Worker Housing:** an accessory apartment or other dwelling used to house farm workers on a parcel of land used as an agricultural operation.
- Farm:** The land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation, and marketing of crops, livestock, and livestock products as a commercial, for profit enterprise, including a commercial horse boarding operation as defined in this local law. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.
- Fascia:** The front facing surface of trim on a building above the soffit but below the roofline.
- Finished Grade:** The elevation at which the finished surface of the surrounding lot intersects the walls or supports of a building or other structure. If the line of intersection is not reasonably horizontal, the finished grade--in computing height of building and other structures or for other purposes--shall be the average elevation of all finished grade elevations around the periphery of the building.
- Fire Lane:** Access for emergency fire-fighting vehicles.

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Firing Range: An indoor facility designed specifically for the purpose of firing rifles, pistols, and other firearms.

Fixed Term Conservation Easement: a temporary grant of a property right stipulating that the described land will remain in its natural or agricultural state and precluding future or additional development for a period of at least 25 years.

Flag Lot: A building lot not meeting the required road frontage and characterized by a narrow strip of property by which access is gained. The lot is shaped like a pole with a fully extended flag at the upper portion thereof, the bottom of the pole being at the street line, the pole portion of the lot being for use as access to the flag portion of the lot where the principal structure is or will be constructed.

Floating Zone: An unmapped zoning district where all the zone requirements are contained in the zoning law and the zone is fixed on the map only when an application for development that meets the zone requirements is approved by the Town Board.

Flood Area Overzone: Areas that are subject to periodic inundation as described by the Flood Insurance Rate Map of the Town of Ancram prepared by the Federal Emergency Management Agency. These areas are not necessarily the same as wetlands, which come under the rules and regulations of the NYS DEC and the US Army Corps of Engineers.

Flood Hazard, Area of: Land within a community subject to a one percent (1%) or greater chance of flooding in any given year as shown on the Flood Insurance Rate Maps developed by the Federal Emergency Management Agency. Also commonly referred to as base floodplain or 100 year floodplain.

Flood, 100-Year: The highest level of flood that, on the average, is likely to occur once every 100 years (i.e., that has a 1% chance of occurring each year).

Floodplain or Flood Prone Area: A land area adjoining a river, stream, watercourse, or lake, which is likely to be flooded.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height as determined by the Federal Emergency Management Agency.

Floor Area: The aggregate sum of the gross horizontal areas of the several floors of the building or buildings, measured from the exterior walls or from the centerlines of walls separating two buildings. In particular, the 'floor area of a building or buildings shall include:

- a. Basement space
- b. Elevator shafts and stairwells at each floor
- c. Floor space for mechanical equipment, with structural headroom of 7 feet and 6 inches or more
- d. Penthouse
- e. Attic space (whether or not a floor has actually been laid) providing structural headroom of 7 feet and 6 inches or more
- f. Interior balconies and mezzanines
- g. Enclosed porches

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- h. Accessory uses, not including space for accessory off-street parking

However, the 'floor area' of a building shall not include:

- a. Cellar space, except that cellar space used for retailing shall be included for the purposes of calculating requirements for accessory off-street parking spaces and accessory off-street loading berths
- b. Elevator and stair bulkheads, accessory water tanks and cooling towers
- c. Floor space used for mechanical equipment, with structural headroom of less than seven feet and six inches
- d. Attic space, whether or not a floor has actually been laid, providing structural headroom of less than seven feet and six inches
- i. Uncovered steps; exterior fire escapes
- j. Terraces, breezeways, open porches, and outside balconies and open spaces
- k. Accessory off-street parking spaces
- l. Accessory off-street loading berths

Footprint: The amount of space, measured in square feet, taken up on the ground by a structure. A building footprint measurement does not include the square footage of multiple floors of a structure.

Forestry/Silviculture: The harvesting of timber for commercial gain in quantities greater than 50 standard cords of wood or 50,000 board feet of timber as measured by the international log rule in any one year. Commercial timber harvesting does not include the cutting of wood by the owner of the property for the following uses, which are permitted by right:

- A. Personal use;
- B. The routine maintenance of roads, and rights-of-way;
- C. The clearing of a home site for which a building permit has been obtained;
- D. Christmas tree culture;
- E. Clearing of approved subdivision roads;
- F. Tree clearing for farm purposes within NYS Agricultural Districts established pursuant to New York State Agriculture and Markets Law.

Foundry/Blacksmith Shop: The art and process of casting metal for artisan, not industrial purposes. A blacksmith shop is an establishment where iron is forged and shaped with an anvil and hammer for artisan, not industrial purposes.

Frontage: That part of a property bounded by either a public or private road.

Front-Loaded Road: A street designed so that all homes are located on only one side to afford each residence maximum viewing of open space lands or other features. This contrasts to a double-loaded street where houses are placed on both sides.

Foundation: A wall or pier extending at least four (4) feet below grade or an equivalent load-bearing structure certified by a licensed professional engineer, having a fixed location on the ground and capable of serving as a support for a structure or structural part of a building, such as a wall, pier or column. All foundations shall meet the relevant criteria set forth in Part 3 of the New York State Building Construction Code applicable to general building construction.

Garbage, Rubbish or Trash Removal: A service that picks up and transfers animal and vegetable waste, unwanted or discarded material and solid wastes from residences and businesses for delivery to a solid waste disposal facility.

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Gas Compression Station: An industrial facility used to raise the pressure of natural gas during its extraction, transport, and storage.

Gasoline Filling Station: An area of land including structures thereon, or any building or part thereof, that is used primarily for the sale and direct delivery to the motor vehicle of gasoline or any other motor vehicle fuel or oil and other lubricating sub-stances, including any sale of motor vehicle accessories, and which may or may not include facilities for lubricating, washing, but which does not include auto body work, welding, or painting, unless authorized.

Glare: The effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual clarity and visibility.

Golf Course, Driving Range, Mini-Golf: Premises having:

- a. not fewer than nine holes improved with tees, greens, fairways, and hazards for playing the game of golf;
- b. lanes within which golf balls can be hit (driving ranges); and
- c. Recreational facilities containing small putting greens (miniature golf).

Accessory structures and buildings may be associated with these uses including a clubhouse, locker room, food stand, restaurant, banquet or conference rooms, except that overnight accommodations are not permitted.

Grading: The leveling of land for site development purposes including construction of roads, building construction, drainage areas and parking.

Gravel Mine: The excavation or extraction of earth, sand, gravel, stone, clay, loam, humus, top soil or other earth material from a lot and removal thereof from that lot without drilling or blasting; or any temporary storage of such materials by stock piling, if permitted; or any of the related land use activities engaged in during the above activities such as construction of buildings, barriers and other structures, clearing of property, removal or placement of trees, vegetation and earth material.

Greenhouse, nursery, or garden shop: a structure where plants are cultivated and sold for retail or wholesale purposes.

Grid pattern of streets: Where streets are in square or modified square blocks, interconnected with one another, and where there are no dead ends or cul-de-sacs.

Groundwater: Water below the land surface in a saturated zone of soil or rock. This includes perched water separated from the main body of groundwater by an unsaturated zone.

Group Day Care: Any program or facility licensed by the State of New York Office of Children and Family Services; a program caring for children for more than three (3) hours per day per child in which child day care is provided in a private residence for seven (7) to ten (10) children of all ages, including not more than four (4) children under two (2) years of age or up to twelve (12) children where all of such children are over two (2) years of age. Refer to New York State Social Services Law § 390. See also Adult Day Care.

Group homes: A dwelling unit or part thereof in which, for compensation, lodging and meals are provided; personal and financial services may be offered as well.

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Guest house: An accessory structure that is habitable but that does not have a full kitchen and is clearly subordinate to the principal dwelling on the property.

Habitat: The place occupied by an organism, population, or community. It is the physical part of the environment in which an organism finds its home, and includes the sum total of all the environmental conditions present in the specific place occupied by an organism.

Habitable Structure: Any building, whether a principal structure or accessory structure on a parcel, that is used for living purposes, which includes sleeping, eating, cooking, recreation, assembly; or use as a regular work site; or a combination thereof; and which contains one or more of the following to support those human living or working purposes: operational electricity, heat, sanitation, running water and protection from the elements.

Hamlet: A populated area within a town that is not part of an incorporated village. Characterized by densely situated homes and small businesses surrounded by area farms and open space.

Hazardous Substance: Any substance listed as a hazardous substance in 6 NYCRR Part 597, Hazardous Substance List, or a mixture thereof. In general, a hazardous substance means any substance which: (1) because of its quantity, concentration, or physical, chemical, or infectious characteristics poses a significant hazard to human health or safety if improperly treated, stored, transported, disposed of, or otherwise managed; (2) poses a present or potential hazard to the environment when improperly treated, stored, transported, disposed of, or otherwise managed; (3) because of its toxicity or concentration within biological chains, presents a demonstrated threat to biological life cycles when released into the environment.

Hazardous Waste: A waste, or combination of wastes, which are identified or listed as hazardous pursuant to 6 NYCRR Part 371, Identification and Listing of Hazardous Wastes. Hazardous wastes include but are not limited to petroleum products, organic chemical solvents, heavy metal sludges, acids with a pH less than or equal to 2.0, alkalis with a pH greater than or equal to 12.5, radioactive substances, pathological or infectious wastes, or any material exhibiting the characteristics of ignitability, corrosivity, reactivity, or fails the Toxicity Characteristic Leaching Procedure (TCLP).

Heritage Tree: An individual specimen notable because of its age, beauty, species, color, rarity, genetic constitution, location, historic significance, or some combination thereof, and specifically designated by the Ancram Town Board for protection because of historical significance, special character or community benefit. The Town Board may seek professional advice when designating such a tree. Upon designation, with the tree owner's concurrence, the Town shall be responsible for reasonable maintenance of said tree during its natural lifespan and may seek professional advice when determining a need for such maintenance.

High Tension Line: Any electric line operating at voltage in excess of 69 Kv.

Historic Character or Traditional Character: Describes the qualities and attributes of Ancram's physical and visual landscape that embody the events, traditions and personalities of its past. Historic character describes the unique architectural variety, style and scale of our Community, including color, proportion, form, and architectural detail. However, the physical layout of the Community, its landscape patterns, the pre-automobile network of roads, and other elements also contribute to historic character. Among these elements are active agricultural operations with low density residential development interspersed with denser population centers such as the hamlets, roads and windbreaks lined with old mature trees, stone walls, deep rural setbacks, and small/irregular field or pasture dimensions. Ancram's historic character is strengthened by the presence of historic

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churches, houses, barns and out-buildings from the periods of its settlement by farmers in the 1700's and early 1800s. Historic character is also boosted by the presence of sites related to NY State and Federal Historic Register listed properties.

Home Occupation, High Impact: A business activity resulting in a product or service for financial gain, conducted wholly or partly within a dwelling unit or accessory structure as a non-residential use that is secondary and subordinate to the use of the dwelling for living purposes and which does not change the residential character of the dwelling unit or vicinity. The enterprise is conducted by an owner/operator who must reside on the premises and does not employ more than four persons, in addition to the owner/operator and any other family participants in the home occupation who reside on the premises. A sign is likely to be present. Other exterior evidence of this secondary use includes customers, clients, and other business associates entering the premises daily; storage of business products, waste, equipment, or vehicles is required regardless of the number of employees; and delivery truck visits or other traffic beyond that expected of a typical residence may occur.

Home Occupation, Low Impact: A business activity resulting in a product or service for financial gain, conducted wholly or partly within a dwelling unit or accessory structure as a non-residential use that is secondary and subordinate to the use of the dwelling for living purposes and which does not change the residential character of the dwelling unit or vicinity. The enterprise is conducted by an owner/operator who must reside on the premises and does not employ more than two persons, in addition to the owner/operator and any other family participants in the home occupation who reside on the premises. Exterior evidence of this secondary use, if present at all, is limited to a small sign or lawn plaque. Few customers, clients, or other business associates enter the premises daily. The business does not store business products, equipment or vehicles outside. The enterprise normally produces only household quantities and types of waste and does not involve delivery truck visits or other traffic beyond that expected of a typical residence.

Homeowner's Association: An organization of homeowners residing within a particular development whose major purpose is to preserve, maintain, and provide community areas, facilities and services for the common enjoyment of the residents.

Horse Boarding Operation: An agricultural activity that provides care, housing, health related services and training to animals kept on the premises or on other properties owned or leased by the farm operator. Riding and training activities that are directly related to and incidental to the boarding and raising of horses, including riding lessons for persons who own or have a long-term lease from the farm owner for the horse that is boarded at the farm and used for such activities, are part of the farm operation. Horse shows for horses either boarded at or owned by the farm operation, which are not open to the general public, are also part of the farm operation. A riding academy is not considered to be an agricultural activity under the New York State AML. A riding academy generally offers riding lessons to the public and to individuals that do not own or have a long-term lease for the horse that is boarded and used at the facility for such riding.

Hospital: A building containing beds for four or more patients, and used for the diagnosis, treatment, or other care of ailments, and shall be deemed to be limited to places for the diagnosis, treatment, or other care of human ailments.

Hotel/Motel: Commercial overnight sleeping accommodations, consisting of a building or group of buildings. Additional accessory services may be included such as restaurants, meeting rooms, entertainment and recreational facilities. Also, a building, or any part thereof, which contains living

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and sleeping accommodations for transient occupancy, has a common exterior entrance or entrances and which may contain one or more dining rooms.

Hudson River Valley Greenway: The Hudson River Valley Greenway Act establishes the Greenway Compact. This compact creates a process for voluntary regional cooperation and decision making among the communities in the Hudson River valley. As such, the Town has formally documented its support for the criteria contained in the Greenway Act within its adopted Comprehensive Plan. As a Greenway Community, Ancram has agreed to plan for consistency between the Greenway criteria and Town actions.

Hunting Preserve: Wholly enclosed lands where the release and taking of game animals is allowed. All lands used for a hunting preserve must be one contiguous block with the boundaries posted with appropriate signs in accordance with State Environmental Conservation Law section §11-2111 (Posting; service of notice), and shall be a minimum of 250 acres.

Hydrogeologically Sensitive Areas: The hydrogeologic sensitivity of a location is a relative measure of the ease and speed with which a contaminant could migrate into and within the upper-most water-bearing unit. High to very high hydrogeologic sensitivity ratings indicate that, in general, ground water is more susceptible to be impacted by surface activities.

Impervious Surface: Any man-made material, such as pavement used in parking lots or driveways, or any building or other structure on a lot, that does not allow precipitation and melted snow to penetrate into the soil.

Important Aesthetic Features: Denotes elements of architecture and landscape that have been identified by the community as significant to the local quality of life and sense of place. They may be specific elements such as structures, scenic roads, parks, waterways, crossroads, and stone walls; or they may be more diffuse resources such as open spaces, formal/informal historic districts, and scenic views. These can include historic structures and landscapes, country roads, agricultural fields and operations, views of hills and mountains, streams and wetlands, and the hamlet areas.

Industry, Heavy: Any use or activity, which generates significant volumes of smoke, odors, noise, or polluting wastes and is not compatible with other uses in the Town of Ancram. Examples of “heavy industry” which are intended to be included in this definition are: chemical manufacturing; exploration for natural gas; extraction of natural gas; natural gas processing facilities (as defined elsewhere in this Law) and/or compressor stations; exploration for crude oil; extraction of crude oil; oil refineries; coal mining; coal processing; and steel manufacturing. It is expressly stated that the foregoing examples are not intended to be exhaustive and shall not be construed to limit the meaning, scope or application of this definition or to limit the application of this definition solely to the activities identified in the examples.

Generic examples of uses not intended to be included in the definition of “heavy industry” are: milk processing plants; dairy farms; office and communications uses; garment factories; woodworking and cabinet shops; automobile repair shops; wineries and breweries; warehouses; equipment repair and maintenance facilities; parking lots and parking garages; light manufacturing or light industrial facilities (as defined elsewhere in this Law); agriculture; and surface gravel and sand mining. It is expressly stated that the foregoing examples are not intended to be exhaustive and shall not be construed to limit the meaning, scope or application of this definition or to limit the application of this definition solely to those activities identified in the examples.

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Infill Development: The development of new houses or other uses on scattered vacant sites in a previously built-up area.

Infiltration: the process of percolating stormwater into the subsoil.

Ingress: Access from a public highway or private road leading into a lot or property.

Junk Car Yard: See Junk Yard.

Junk Yard: An area of land with or without buildings used for or occupied by the storage, keeping, or abandonment of junk, including scrap metals or other scrap, used or salvaged building materials, or the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof. The deposit on a lot of two or more old or second hand motor vehicles• no longer intended or in condition for legal use on the public highways shall be deemed to make the lot a 'junk car yard'. All junk yards are prohibited in Ancram.

Kenel, Commercial: Any place at which there are kept any number of dogs for the primary purpose of sale or for the boarding, care or breeding for which a fee is charged or paid.

Kitchen Facility: Any structure or room that includes space dedicated to cooking including oven, stove, dishwasher, sink, cabinets, microwave oven, and refrigerator. Hotel or motels that provide only microwave ovens or small refrigerators in rooms are not considered to have kitchen facilities in the rooms.

Land Use Activity: The occupation, use and/ or maintenance of land or any building, structure or other improvement on land.

Landowner: the legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any other person holding proprietary rights in the land.

Light Industry or Manufacturing: Use in which a product is manufactured but the manufacturing process and facility have minimal impact on the property where the manufacturing takes place and almost none on adjacent properties, with qualities including:

- *No creation of noise, vibration, light, odor, dust, smoke, or other air pollution noticeable at or beyond the property line;
- *No change to the character of the surrounding neighborhood;
- *Adequate screening of outside storage of goods, materials, or equipment;
- *Signs limited in size;
- *No chemical, metal, or hazardous waste, or potential contamination of surface or groundwater;
- *Adherence to all applicable commercial design and other standards cited in this zoning ordinance.

Lodging: See Hotel, motel and country inn.

Lot: A defined portion or parcel of land considered as a unit, devoted to a specific use or occupied by a building or a group of buildings that are united by a common interest, use or ownership, and the customary accessories and open spaces belonging to the same.

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Lot, Corner:- A lot which has an interior angle of less than 135° at the intersection of two street lines. A lot abutting upon a curved street shall be considered a corner lot if the tangents to the curve at the points of intersection of the side lot lines intersect at an interior angle of less than 135°.

Lot Coverage: The percentage of the lot area covered by the combined area of all buildings, structures, parking areas, or other impervious surfaces on the lot.

Lot Depth: The average distance of a lot measured from the front lot line to the rear lot line.

Lot Frontage: A lot line which is coincident with a street line.

Lot Lines: The lines bounding a lot as defined herein.

Lot Line Adjustment: A process regulated by the Town of Ancram Subdivision Law and approved by the Planning Board whereby the line of record dividing one lot from another lot is moved without creation of an additional lot.

Lot Width: The horizontal distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear lot lines, or the width of a lot measured along the rear line of the required front yard.

Lot, Through: A lot which faces on two streets at opposite ends of the lot and which is not a corner lot.

Low Volume Roads: A road designed, constructed and maintained for roads that have an average daily traffic of less than 400 vehicles per day.

Maintenance Agreement: a legally binding, written contract, intended for recording in the County Clerk's office and which provides for private long-term maintenance of infrastructure items such as private roads, driveways, storm water management systems and common open space.

Major Subdivision: A subdivision, created after February 21, 2013, not classified as a minor subdivision, including but not limited to subdivisions of more than four (4) lots, a planned development, or any size subdivision requiring any new street or extension of water or sewer utilities, or the creation of any public improvements, or any other subdivision classified as major by the Planning Board because of its probable major impact on the surrounding areas. When there have been one to four minor subdivisions of a parcel of land after February 21, 2013, the splitting of a fifth lot shall also result in classification of that subdivision as a major subdivision.

Man Camp/Worker Camp: Any parcel of land on which are located two or more tents, shelters, recreational vehicles, or other accommodations of a design or character suitable for seasonal or temporary living purposes for workers and not used for recreational, educational or vacation purposes. Individual tents, trailers, cabins, lean-to's, recreational vehicles or other similar structures used for temporarily housing non-farm workers shall not be considered camping units and shall not be allowed.

Manufactured Home, double-wide: A dwelling unit, transportable in two sections, which in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is a minimum of 700 or more square feet, and designed to be used as a dwelling with a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein. A recreational vehicle is not included in this definition. Manufactured homes differ from modular or industrialized housing.

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- Manufactured Home, single-wide:** A dwelling unit, transportable in one section, which in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is 700 or more of square feet, and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. A recreational vehicle is not included in this definition.
- Manufactured Home Park:** A residential use in which two or more manufactured homes (double-wide, single-wide, or mobile home) are located on a single property. It is a site containing spaces with required improvements and utilities that are leased for the long-term placement of manufactured homes and may include services and facilities for residents.
- Manufactured Housing:** Factory-built, single-family structures that meet the National Manufactured Home Construction and Safety Standards Act (42 U.S.C. Sec 5401), commonly known as the HUD code. Mobile homes and modular homes are both manufactured housing. Modular homes typically are manufactured in one or more pieces and transported to the site for placement on a permanent foundation. Manufactured homes and mobile homes are normally built in one or two pieces and transported to the site with a chassis that allows the home to be moved. A manufactured house is a house built in conformity with the provisions of the federal HUD Code. Mobile homes are those built prior to the adoption of the HUD Code.
- Manufacturing:** Any process whereby the nature, size or shape of articles or raw materials are changed, or where articles are assembled or packaged in quantity.
- Massing:** the three dimensions of height, width and depth of a structure.
- Membership Club:** A structure used primarily by an organization with pre-established formal membership requirements, bylaws, and with the objective of promoting the interests of its members.
- Mine, Large:** Any excavation from which 1,000 tons or 750 cubic yards or more, of ore, sand, gravel, clay, stone, loam, humus or topsoil within a period of twelve (12) successive calendar months produced for sale or exchange or for commercial, industrial or municipal use or for use other than on the property from which the material is extracted. (Soil mining shall also include any activity requiring a permit from DEC pursuant to Article 23 of the Environmental Conservation Law.)
- Mine, Small:** Any excavation from which less than 1,000 tons or 750 cubic yards, whichever is less, of ore, sand, gravel, clay, stone, loam, humus or topsoil within a period of twelve (12) successive calendar months produced for sale or exchange or for commercial, industrial or municipal use or for use other than on the property from which the material is extracted. (Soil mining shall also include any activity requiring a permit from DEC pursuant to Article 23 of the Environmental Conservation Law.)
- Mineral:** any naturally formed, usually inorganic, solid material located on or below the surface of the earth, peat and topsoil shall be considered minerals
- Minor Subdivision:** The subdivision of land into two (2), three (3) or four (4) lots fronting on an existing road, not including any new street or road, or the extension of utilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan or Official Map of the Town.

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Mixed-use dwelling: a residential dwelling located in the same building that contains nonresidential uses. All nonresidential uses in a mixed-use dwelling shall front the street

Mobile Home: Manufactured homes built prior to the adoption of the HUD Code.

Mobile Home Park: See Manufactured Home Park.

Modular Unit: A factory-fabricated, New York State code approved, transportable building unit designed to be used by itself

Moving and Storage: A building or structure used for the temporary storage of goods and materials during transportation of such goods and materials from one location to another. A moving and storage facility also may have loading docks, parking lots, moving trucks, and truck parking facilities.

Natural Gas and Propane Bulk Storage and Distribution: A facility for the temporary storage and distribution of natural gas and propane for delivery to local residential and commercial customers via fuel trucks. Natural gas and propane bulk storage and delivery is not associated with or related to any natural gas exploration, extraction, drilling, production, processing, storage of production wastes, or natural gas drilling ancillary uses.

Natural Gas Exploration, Extraction, Drilling, Production, Processing, Storage of Production Wastes or Natural Gas Drilling Ancillary Uses: The exploration for natural gas, the extraction of natural gas from the ground regardless of the extraction method used, and/or the processing of natural gas. This definition shall specifically include, but not be limited to, the extraction method commonly known as hydraulic fracturing. This definition shall also be construed to encompass and include any activity or ancillary use of land which facilitates or supports natural gas exploration, extraction, or processing. Examples of activities or uses of land expressly intended to be included in this definition are set forth below:

- Drilling and/or installation of a new gas well, regardless of well type;
- Development of a well operations site and associated structures, infrastructure, and storage;
- Mixing, storage, treatment, and/or disposal of chemicals, wastewater, proppant or other materials used for, or in connection in any way with, the exploration for or extraction of natural gas;
- Parking, standing and/or storage of any type of vehicle, equipment, and/or materials used for, or in connection in any way with, the exploration for or extraction of natural gas (also known as staging areas);
- Installation and/or use or storage (pipe yard) of pipes, conduits or other material transport or gathering equipment or systems used for, or in connection in any way with, the exploration for or extraction of natural gas;
- Natural Gas and/or Petroleum Support Activities.

It is expressly stated that the foregoing examples are not intended to be exhaustive and shall not be construed to limit the meaning, scope or application of this definition or to limit the application of this definition solely to those activities identified in the examples.

Natural Gas and/or Petroleum Support Activities: mean the construction, use, or maintenance of a storage or staging yard, a water or fluid injection station, a water or fluid gathering station, a natural gas or petroleum storage facility, or a natural gas or petroleum gathering line, venting station, or compressor associated with the exploration or extraction of natural gas or petroleum.

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- Noise, Nuisance:** An undesired audible sound that interferes with the enjoyment and use of property. For purposes of this law a decibel level exceeding 55 dB measured at the property boundary shall be a nuisance noise.
- Non-Conforming Bulk:** That part of a building, other structure or tract of land which does not conform to one or more of the applicable bulk regulations of this Ordinance, either following its effective date or as a result of subsequent amendments thereto.
- Non-Conforming Structure:** A structure or building, the size, dimensions, or location or which was lawful prior to the adoption, revision, or amendment of the zoning law but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning law.
- Non-Conforming Use:** Any use of a building, structure, or tract of land, which does not conform to the use regulations for the district in which such use is located, either at the effective date of this law or as a result of subsequent amendment thereto.
- Nonpoint Source Pollution:** Pollution from any source other than from any discernible, confined, and discrete conveyances, and shall include, but not be limited to, pollutants from agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.
- Non-reflective or low reflective building materials:** A product or material included in a building that is designed to absorb light rather than to reflect it.
- Nursery School:** Any place, however designated, operated for the purpose of providing daytime care or instruction for two or more children from two to five years of age inclusive, and operated on a regular basis, including kindergartens, day nurseries, and day care centers.
- Nursing or Convalescent Home:** A building with sleeping rooms where persons are housed or lodged and furnished with meals and nursing care for hire. See also Senior Housing.
- NWI: National Wetlands Inventory:** a nationwide system of wetlands inventory and mapping.
- Off Premise Sign:** A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located. Synonymous with 'billboard'.
- Off Street Parking:** Area provided for parking not in any public or private road.
- Office:** Premises available for the transaction of general business but excluding retail and manufacturing uses. It is a place or establishment used for the organizational or administrative aspects of a trade or used in the conduct of a business and not involving the manufacture, storage, display or direct retail sale of goods.
- Open Space Development Design:** A design process that allows for the creation of multiple homes on a parcel while setting aside 60% of the parcel as undeveloped. The undeveloped area becomes protected and preserved open space. Reduced lot sizes and flexible road standards allow development to take place on the least sensitive parts of the project site. In contrast, a conventional subdivision divides and develops all the land into roads and house lots with no regard for preservation of open space and natural areas.
- Open Space:** Land left in a natural state for conservation and agricultural purposes or for scenic purposes, devoted to the preservation of distinctive ecological, physical, visual, architectural, historic,

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geologic or botanic sites. It shall also mean land left in a natural state and that is devoted to active or passive recreation. The term shall not include land that is paved, used for the storage, parking or circulation of automobiles, used for playgrounds or manicured recreational lands such as ball fields, lawns, or occupied by any structure except agricultural buildings. Open space may be included as a portion of one or more large lots provided the lot(s) are greater than 5 acres in size, and are contiguous to form a larger un-fragmented open space area, or may be contained in a separate open space lot but shall not include private yards within 50 feet of a principal structure.

Operating Permit: See Certificate of Use.

Outdoor Storage: The keeping, in an unenclosed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than 24 hours and not associated with an outdoor retail sales establishment. See also retail sales, outdoor.

Overlay District: A zoning district that encompasses one or more underlying zones and that imposes additional requirements above that required by the underlying zone. Overlay zones deal with special situations that are not appropriate to a specific zoning district or apply to several districts.

Parking Space: An area reserved for the parking of one motor vehicle.

Peak Hours of Operation: The busiest hours of operation in an average 24-hour period of a non-residential use, which may represent the time of heaviest production or of customer or employee traffic, depending on the nature of the use.

Permitted Use By Right: Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district and for which no review by the Planning Board is required. However, a building permit issued by the Building Inspector may be required.

Person: Any individual, group of individuals, partnership, firm, corporation, association, or other legal entity.

Pesticide: Any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects, rodents, fungi, weeds, or other form of plant or animal life or viruses, except viruses on or in living man/or other animal; and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant. These substances include but are not limited to: herbicides, fungicides, insecticides, and rodenticides.

Petroleum: Any petroleum-based oil of any kind which is liquid at 20 degrees Celsius under atmospheric pressure and has been refined, re-refined, or otherwise processed for the purpose of: 1) being burned to produce heat or energy; 2) as a motor fuel or lubricant; or 3) in the operation of hydraulic equipment.

Phasing Plan: A written document and/or site plan or plat showing development that is to be undertaken in a logical time and geographical sequence.

Pipeline: A line of pipe connected to valves and other control devices, for conducting fluids, gases, or finely divided solids.

Pipe yard: A parcel of land, or part of a parcel of land used to store, cut, bend, fit, or prepare pipes used as part of a pipeline, gas compressor station, or associated with the transmission of gas, oil and other petroleum products.

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Planning Board: An appointed body whose principal duties include review and deciding about site plans, special use permits, subdivision applications, and reviewing and recommending about matters relevant to the Town Comprehensive Plan, Zoning Law, and other town regulations.

Plat: A map representing a tract of land showing the boundaries and location of individual properties and streets.

Pollution: The presence of matter or energy, or the discharge of a toxic or contaminating substance that is likely to have an significantly adverse effect on the natural environment or life.

Poster: A temporary, non-permanent device, which announces, directs or advertises any political, educational, charitable, philanthropic, civic, professional, religious or similar organization, campaign, show, drive, movement, or event.

Preliminary Plat: An initial map or plan, with supporting documentation, showing the proposed layout of a subdivision or site plan that is submitted for preliminary approval by the Planning Board.

Premises: A lot together with all the buildings and uses thereon.

Primary Conservation Area: The area delineated in a conservation subdivision to have priority resource areas to be conserved including, but not limited to streams, floodplains, wetlands, critical habitats, steep slopes, areas with rocky outcrops, agricultural lands, and groundwater recharge areas.

Prime Soils: Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and that is available for these uses. It has the combination of soil properties, growing season, and moisture supply needed to produce sustained high yields of crops in an economic manner if it is treated and managed according to acceptable farming methods. In general, prime farmland has an adequate and dependable water supply from precipitation or irrigation, a favorable temperature and growing season, an acceptable level of acidity or alkalinity, an acceptable content of salt or sodium, and few or no rocks. Its soils are permeable to water and air. Prime farmland is not excessively eroded or saturated with water for long periods of time, and it either does not flood frequently during the growing season or is protected from flooding.

Principal Building or Structure: A building in which is conducted the principal use of the lot on which it is located.

Principal Use: The building where the main use of the lot is conducted.

Private Airfield: A place where small, single engine, propeller driven, fixed-wing aircraft can land and take off. This does not include facilities for jets and helicopters.

Private Kennel: A facility in which no more than four dogs are housed, groomed, bred, boarded, or trained for personal use and not for compensation.

Professional Office: The office of a member of a recognized profession maintained for the conduct of that profession.

Prohibited Use: A use that is not permitted in a zoning district.

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Public Assembly: Any area where large numbers of individuals collect to participate or to observe programs of participation. The most common include, but are not limited to, auditoriums, stadia, gymnasiums, field houses, theater, banquet rooms, or comparable facilities.

Public Utility: A closely regulated enterprise with a franchise for providing to the public a utility service deemed necessary to the public health, safety, and welfare including all uses deemed to be a public utility by New York State. Other uses may be a public utility if it provides a service that is essential to the public health, safety and general welfare, is regulated by a government agency, is granted an exclusive or near exclusive franchise for a specific geographic area, and is required to provide service to all who apply within their franchised area.

Quarry: Excavating and removing rock, stone, ore, minerals and similar materials from the subsurface.

Radioactive Material: Any material in any form that emits radiation spontaneously, excluding those radioactive materials or devices containing radioactive materials which are exempt from licensing and regulatory control pursuant to regulations of the New York State Department of Labor or the United States Nuclear Regulatory Commission.

Rain Garden: a shallow planted depression designed to retain or detain stormwater before it is infiltrated or discharged downstream.

Recharge: the replenishment of underground water reserves.

Recreation, Outdoor: A commercial use designed and equipped principally for the conduct of sports and leisure time activities, whether or not membership to said activity is required. Outdoor activities including but not limited to ball fields, tennis and racquet courts, swimming, bike trails, hiking, playing fields, batting cages, driving ranges, and similar outdoor activities conducted on a commercial or fee basis. Golf courses are regulated as a separate use.

Recreational Business: A place designed and equipped for the conduct of sports and leisure time activities for profit.

Recreational Vehicle: A vehicular portable structure designed as a temporary dwelling for travel, recreational and vacation use.

Recycling Facility (Small): A neighborhood drop-off point for the temporary storage of glass, plastic, or paper recyclables and where no processing of recyclables takes place.

Recycling/Transfer Facility (Large): A facility in which glass, plastic or paper recyclables are separated and processed, reprocessed or treated to return such products to a condition in which they may be used again in new products.

Research Laboratory: A building or group of buildings, in which are located facilities for scientific research, investigation, experimentation, or testing where products are not manufactured, serviced, repaired, displayed, or sold.

Residence, Residential: A building, or any part of a building, which contains living and sleeping accommodations for permanent occupancy. 'Residence', therefore, includes all one-family, multi-family, boarding, fraternity and sorority houses. However, 'residences' shall not include transient accommodations, such as hotels, motels and hospitals, or that part of a building containing both

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residences and other uses which is used for any non-residential uses, except accessory uses for residences.

Resort, Resort Hotel, Resort Ranch, Resort Lodge: An area of land on which is located a hotel or group of buildings containing living and sleeping accommodations hired out for compensation, which has a public lobby serving guests and contains one or more dining rooms and recreation facilities. These are self-contained uses that attempt to provide for all or most of a vacationer's wants while remaining on the premises, such as food, drink, lodging, sports, entertainment, and shopping.

Restaurant: An establishment where food and drink are prepared, served and consumed, mostly within a principal building. See also Outdoor Restaurant, Take Out Restaurant, and Temporary Retail Food Establishment.

Restaurant, outdoor: any part of a food establishment located outdoors, not used for any other purposes, and open to the sky with the exception that it may have a retractable awning or umbrellas, and may contain furniture, including tables, chairs, railings, and planters that are readily moveable.

Restaurant, take-out: An establishment where food and/or beverages are sold in a form ready for consumption, where all or a significant part of the consumption takes place outside the confines of the restaurant, and where ordering and pickup of food may take place from an automobile.

Retail Business: Establishments engaged in the selling or rental of goods or merchandise (usually to the general public for personal use or household consumption or use, although, they may also serve businesses and institutional clients) and in rendering services incidental to the sale of such goods.

Retail Sales, Outdoor: The display and sale of products and services, primarily outside of a building or structure, including vehicles; garden supplies, flowers, shrubs, and other plant materials; gas, tires, and motor oil; food and beverages; boats and aircraft; farm equipment; motor homes; burial monuments; building and landscape materials; and lumberyards.

Retreat/Conference Center: A facility used for conferences, seminars, or periods of seclusion, retirement, or solitude, with accommodations for sleeping, food preparation and eating, recreation, entertainment, resource facilities, meeting rooms, fitness and health facilities, and serves primarily for conference or retreat guests.

Reverse Curve: A street constructed with two curves bending in opposite directions.

Ridge Top or Ridgeline: The long, narrow crest or horizontal line of hills or mountains, usually at the highest elevation.

Riding Academy: Any establishment where horses are kept for riding, driving or stabling for compensation. According to New York State AML, riding academies are not considered farm operations.

Right to Farm Law: A State, County, or local law passed that states that an agricultural practice used on land subject to an agricultural assessment shall not constitute a private nuisance, when an action is brought by a person, provided such agricultural practice constitutes a sound agricultural practice pursuant to an opinion issued upon request by the commissioner of NYS Department of Agriculture and Markets.

Right-Of-Way: The property of a circulatory facility. (See Street Width)

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Road, Primary: Where the subject property has frontage on two or more roads, this refers to the road that is used most intensively (e.g. has the greater volume of vehicular traffic). This usually corresponds to the public road classification and size, assuming county roads receive greater traffic than local roads, and that State highways have greater traffic volumes than county roads.

Road, Private: An access drive or roadway, privately owned and maintained, and not meant for use by the general public and that accesses two or more principal uses, that may exist, or that may exist in the future, and that have not been accepted by the Town as a public road

Road, Right-of-Way: A strip of land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by a street, sidewalk, road shoulder, crosswalk, railroad, utility line, oil or gas pipeline, water line, sanitary storm sewer, or other similar uses.

Road, Secondary: Where the subject property has frontage on two or more roads, this refers to the second (or least) most intensively used road (See Road, Primary).

Road: A public thoroughfare or right-of-way dedicated, deeded or condemned for use as such, which affords the principal means of access to abutting property.

Roof Line: The highest portion of the outside top covering of a building or structure. Flat roofs also have a roof line even when there is no pitch and the surface of the roof is generally parallel to the ground.

Rural Character: Describes the features and qualities of Ancram's physical and natural landscape that were shaped by current and past economic activities such as agriculture, mining, forestry and low density residential uses, interspersed with open, working agricultural landscapes and scenic views. Concentrations of population and structures exist in a limited way in the hamlets, but Ancram's land is predominantly used for agriculture: as pastures, cropland and woodlands. Ancram does not have an extensive street grid or transportation network, and has limited pedestrian walkways other than narrow often unpaved rural roads. Our hamlets typically have a fairly well defined border and buffer of undeveloped open spaces and agricultural lands, and are located at key road crossings, near important civic structures such as places of worship, or adjacent to historically important natural features like streams. Our hamlets have a diverse mix of lot size and architectural styles. Historic structures from various periods in the community's life are present. Outside these hamlets, residents typically occupy a range of residential types such as estates, farms and a variety of residences including old farmhouses, newly built modern homes, modular's, manufactured homes and trailers. Evidence of current and past agricultural activity is present, including but not limited to crop fields, hay fields, livestock pastures, corrals, orchards, farm buildings, stone walls, windbreaks, hedgerows, and woodlots. Farm equipment noise and farm smells are a daily fact of rural life. Most local roadways tend to be narrow with limited driveways or crossroads, and rural roads tend to be lined with trees, fences, or stone walls.

Ancram's rural character also embodies a quality of life based upon traditional rural landscapes, activities, lifestyles, and values. Ancram is characterized by a balance between the natural environment and human uses with low-density residential dwellings, farms, forests, mining areas, outdoor recreation and other open space activities. Ancram's rural character can also be defined as the patterns of land use and development:

- a. In which open space and natural landscapes are preferred over built-up environments;
- b. In which clean air and dark skies are prized and protected;

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- c. That foster traditional rural lifestyles, rural- based economies, and opportunities to both live and work in rural areas;
- d. Which values the nature of farming and the role it plays in the community, and accepts the sounds and smells of a working farm;
- e. That provide visual landscapes that are traditionally found in rural areas and communities;
- f. That are compatible with the use of the land by wildlife and for fish and wildlife habitat;
- g. That generally do not require extensive municipal services; and
- h. That are consistent with the protection of natural surface water flows and ground water and surface water recharge and discharge areas.

Sandwich Sign: A temporary self-standing sign or advertising display made of plywood or other solid material and designed or intended to be displayed only for the period of time the business is open or event taking place.

Sawmill: An operation using a mill to produce lumber products from raw uncut timber obtained onsite or offsite to be sold for commercial purposes.

School/Educational/Training Facility, Public or Private: A building or part thereof which is designed, constructed, or used for instruction or education including, but is not limited to elementary, parochial, private, secondary or vocational schools, and public higher education facilities, colleges, or universities. It shall also mean a business organized to operate for a profit, or an organization that operates not-for-profit offering instruction and training in a trade, service or art.

Scenic Corridor Overlay Zone: A zoning district established by the Town of Ancram to regulate land uses in a designated location, usually along one or more roads and having been identified as being scenic.

Scenic Viewshed: That portion of land included in the Town of Ancram Comprehensive Plan as being scenic including, but not limited to the designated Scenic Overlay District and other areas where scenic resources contribute significantly to the overall rural character of the Town and possess attributes which the community seeks to preserve and enhance.

Scrap or Salvage Yard: A facility or area for storing, selling, dismantling, shredding, compressing, or salvaging scrap ferrous metal materials. A salvage yard includes the storing, dismantling, compressing or salvaging of any junk motor vehicles.

Screening: Vegetation, fencing, or earthen materials used to block visibility toward and/or away from a site. Screening may also be used to lessen noise, lighting or visual impacts from a particular site or from adjacent land uses.

Secondary Conservation Area: The area delineated in a conservation subdivision to have secondary resource areas to be conserved including, but not limited to agricultural lands, healthy woodlands holding important ecological functions such as soil stabilization and protection of streams, hedgerows and other vegetation features representing the site's rural past, historic structures or sites, and visually prominent features such as knolls, or hilltops.

Sediment Control: measures that prevent eroded sediment from leaving the site.

Sediment: Soils or other surficial materials transported by surface water as a product of erosion. Sedimentation occurs when there is a deposition of sediment and silt in drainage-ways,

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watercourses and water bodies which may result in pollution, murkiness, accumulation, and blockage.

Seep: Hydrogeologically sensitive location where groundwater flows back to the surface over a diffuse area, having no well-defined origin. Seeps have low flow rate and rarely have enough volume of water to form a stream. A significant characteristic of a seep is that the water is cooler than typical surface waters in the summer and warmer in the winter, which is a significant characteristic important to plants and animals.

Self Storage Facility: One or more buildings consisting of self-contained units that are leased or owned for the storage of business or household goods. Existing structures such as barns may be suitable for use as a self-storage facility subject to a special use permit.

Self Storage Pod: A large container designed and rented or leased for the temporary storage of commercial or residential household goods, that does not contain a foundation or wheels for movement. Examples of this use include piggyback containers that can be transported by mounting on a chassis, and “POD” type boxes that can be transported on a flatbed or other truck; but do not include prefabricated sheds that are not designed for transport after erection, or commercial trailers used by construction or other uses in the regular performance of their business.

Senior Citizen Housing: Multifamily housing designed for older people. This includes adult retirement community, assisted living facility, continuing care retirement community, and retirement community types of structures.

Sensitive Environmental Features and Areas: Refers to natural resource locations that have a high potential for significant damage or degradation from direct or cumulative impacts arising from new development or shifts in existing land uses. Some sensitive environmental features and areas have been inventoried, mapped or identified as being locally, regionally, nationally or globally significant for its rarity and/or degree of vulnerability. Typical examples include but are not limited to: wetlands, streams/river corridors, steep slopes, floodplains, highly erodible soils, and aquifer recharge and discharge areas, and habitats of rare or endangered species.

Separation Distance: Distance between the two closest points of reference between two facilities, structures, uses or properties (e.g. the distance between an on-site septic system absorption field and a well).

Septage: The contents of a septic tank, cesspool, or other individual wastewater treatment work which receives domestic sewage wastes.

Septic System: A on-site sewage disposal system (designed as a simple gravity or alternative system), which consists of a septic tank and septic field, in which waste material is distributed through a network of tile fields following a process in the septic tank where solids are settled out of the waste.

SEQRA (State Environmental Quality Review): Review of an application according to the provisions of the State Environmental Quality Review Act, 6NYCRR, Part 617 (Statutory Authority: Environmental Conservation Law, Section 8-0113), which incorporates the consideration of environmental, social and economic factors into the planning, review and decision-making processes of state, county and local government agencies.

Service Business: An establishment primarily engaged in providing assistance, rather than products, to individuals, business, industry, government, and other enterprises. Service businesses include, but

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are not limited to: personal services (examples include beauty salons, massage, instruction, counseling, repair, funeral); business/contractual services (examples include janitorial services/property maintenance, excavation, plumbing/heating, consulting); and professional services (examples include physicians, engineers, legal, financial).

Setback: The distance in feet between the building or other use and any lot line or designated point.

Sewage: The combination of human and household waste with water which is discharged to the home plumbing system.

Sewer: Any pipe or conduit used to collect and carry away sewage or stormwater runoff from the generating source to treatment plants. A sewer system is devices for the collection, treatment, and disposal of sewage of multiple dwellings and may be privately or publicly operated.

Shared Access Way: A means of physical approach for vehicular or pedestrian traffic into or out of a location that is shared and used by one or more different parcels of land.

Shopping Center: A group of commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, and with provision for goods delivery separated from customer access.

Shooting Preserve: Wholly enclosed lands where the release and taking of propagated domestic game birds by shooting is allowed from September 1- April 15. A shooting preserve may or may not have a minimum acreage requirement, depending upon its classification as either a Class A or Class B shooting preserve as per DEC regulations. All lands used for a shooting preserve must be one contiguous block with the boundaries posted with appropriate signs in accordance with State Environmental Conservation Law section §11-2111 (Posting; service of notice), §11-1903 (Shooting Preserves), and NYCRR 6 NYCRR Part 153 Preserve License, 6 NYCRR Part 154 Domestic Waterfowl, and 6 NYCRR Part 175 Special License and Permits: Definitions and Uniform Procedures.

Sight Distance: The length of an unobstructed view from a particular access point to the farther visible point of reference on a roadway. Used in these regulations as a reference for unobstructed road visibility.

Sign: Any structure or part thereof, or any device attached to a structure or painted or represented on a structure which shall display or include any lettering, wording, model, drawing, picture, banner, flag, insignia, device, marking, or representation used as, or which is in the nature of an announcement, direction or advertisement. A sign includes a bill board, neon tube, fluorescent tube, or other artificial light or string of lights, outlining or hung upon any part of a building or lot for the purposes mentioned above, but does not include the flag or insignia of any nation or of any governmental agency or of any political, educational, charitable, philanthropic, civic, professional, religious, or similar organization, campaign, drive, movement or event which is temporary in nature.

Sign Advertising: A sign which directs attention to a business, commodity, service or entertainment conducted, sold, or offered else-where than on the premises and only incidentally on the premises if at all.

Sign Area (Face Area): The area within the shortest lines that can be drawn around the outside perimeter of one side of a sign including all decorations and lights, but excluding the supports if they are not used for advertising purposes. Total face area is when all faces of the sign are counted in

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computing the area. Any neon tube, string of lights, or similar device shall be deemed to have minimum dimensions of one foot.

Sign, Banner: A temporary sign made of cloth or similar material that is used to to advertise an event, season, community, neighborhood, or district and is sponsored by a recognized community agency or organization.

Sign, Building Mounted: A sign that is wholly dependent upon a building for support and that is mounted parallel to the building façade.

Sign, Business: A sign which directs attention to a business or profession conducted on the premises. A 'For Sale' sign or a 'To Let' sign relating to the property on which it is displayed shall be deemed a 'business sign'.

Sign, Directly Illuminated: A sign which incorporates any artificial lighting as an inherent part or feature or which depends for its illumination on transparent or translucent material or electricity or radioactive or gaseous material or substance.

Sign, Directional: Signs limited to directional messages such as 'one way,' 'entrance,' and 'exit.'

Sign, Flashing: An illuminated sign on which the artificial lighting is not maintained stationary or constant in intensity and color at all times while in use.

Sign, Freestanding: A sign that is attached to, erected on or supported by some structure such as a pole, mast, frame, or other structure that is not itself an integral part of or attached to a building or other structure having a principal function other than the support of the sign.

Sign, Ground Mounted: A freestanding sign, other than a pole sign, in which the entire bottom is in contact with or is close to the ground.

Sign, Height of: The distance from the ground level, measured from the mid-point of the base of the sign, to the top of the sign.

Sign, Illuminated: A sign designed to give forth any artificial light, or designed to reflect such light deriving from any source which is intended to cause such light or reflection.

Sign, Indirectly Illuminated: A sign illuminated with a light so shielded that no direct rays there from are visible elsewhere than on a plot where such illumination occurs. If such illumination is thus visible, such sign shall be deemed to be a directly illuminated sign. Indirectly illuminated signs have artificial light separated from and not an intrinsic part of the sign itself.

Sign, Portable: Any device on wheels or stand that is designed to be easily moved, the purpose of which is to display a sign.

Sign, Projecting: A sign that is wholly or partly dependent on a building for support and that projects more than 12 inches away from such building.

Sign, Representational: Any three-dimensional sign which is built so as to physically represent the object advertised.

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- Sign, Roof:** A sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top edge or roof line of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.
- Sign, Temporary:** A sign that advertises or gives direction to a business or activity that will terminate in seven (7) days.
- Sign, Window:** A permanent sign that is painted or mounted onto a windowpane, or that is hung directly inside a window solely for the purpose or effect of identifying any product or businesses from the sidewalk or street.
- Single Ownership:** Possession of land under single or unified control, whether by sole, joint, common or other ownership or by a lease having a term of not less than 30 years, regardless of any division of such land into parcels for the purpose of financing.
- Site Plan:** A rendering, drawing, or sketch prepared to specifications and containing necessary elements, as set forth in this law, which shows the arrangement, layout and design of the proposed use of a single parcel of land as shown on said plan. Site Plan Review is the process, pursuant to Section VII of this ordinance.
- Sketch Map:** Conceptual maps, renderings, and supportive data describing the project proposed by the applicant for the initial review. May be used by the applicant as the basis for preparing the site plans for Planning Board review.
- Slaughterhouse:** a place where animals are butchered for food.
- Slope:** The vertical distance, in feet, between the highest elevation of a lot or development and the lowest elevation of a lot or development, divided by the horizontal difference between these two elevations, in feet, said horizontal distance ordinarily to be the natural course of stormwater runoff.
- Sludge:** The solid, semi-solid, or liquid waste generated from a waste processing facility, but does not include the liquid stream of effluent.
- Soils of Statewide Importance:** This is land, in addition to prime and unique farmlands, that is of statewide importance for the production of food, feed, fiber, forage, and oil seed crops. Criteria for defining and delineating this land are determined by New York State. Generally, additional farmlands of statewide importance include those that are nearly prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some may produce as high a yield as prime farmlands if conditions are favorable. In some states, additional farmlands of statewide importance may include tracts of land that have been designated for agriculture by state law.
- Solid Waste:** Material as defined in 6 NYCRR Part 360, including any garbage, refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility and other discarded materials including solid, liquid, semi-solid, or contained gaseous material, resulting from industrial, commercial, mining and agricultural operations, and from community activities, but not including solid or dissolved materials in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit. Discarded materials that are being beneficially used pursuant to 6 NYCRR Part 360-1.15 are not considered solid waste.

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SPDES General Permit for Construction Activities GP-O2-01: A permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to developers of construction activities to regulate disturbance of one or more acres of land.

Special Use Permit: A land use which is deemed permissible within a given zoning district or districts, but which may have the potential to exhibit characteristics or create impacts incompatible with the purposes of such district. The special use shall, therefore, be subject to approval by the Planning Board in accordance with conditions set forth for such use, as well as other applicable provisions of this law.

Spring: Hydrogeologically sensitive location where groundwater flows back to the surface at a single point. Such flows can be small or large, and can form headwaters of streams. A significant characteristic of a spring is that the water is cooler than typical surface waters in the summer and warmer in the winter, which is a significant characteristic important to plants and animals.

Stable: A structure that is used for the shelter or care of horses and cattle.

Stabilization: The use of practices that prevent exposed soil from eroding.

Stacking Lanes: Off- street temporary parking space specifically provided for vehicles to park behind one another while waiting for drive-up customer assistance. This type of parking is required for bank window tellers, fast food restaurants, cash wash bays, etc.

Start of Construction: The initiation of any physical alteration of the property, excluding planning and design, during any phase of a project and shall include land preparation, such as clearing, grading and filling, installation of roads, excavation for a basement, footings, foundations, or the erection of temporary forms. Start of construction also includes any work for which a valid building permit is required.

Steep Slope: Land areas where the slope exceeds 15%.

Stop Work Order: Issued by the Zoning Enforcement Officer for nonconformance of this local law or by the Code Enforcement Officer or Building Inspector for nonconformance with the New York State Building Code. When a stop work order is issued, the owner of the affected property, the permit holder, and any other person performing, taking part in, or assisting in the work shall immediately cease all work that is the subject of the stop work order.

Storage: The holding or safekeeping of goods in a warehouse or other depository to await the happening of some future event or contingency which will call for the removal of the goods. Existing structures such as barns may be suitable as storage facilities subject to a special use permit.

Stormwater Management Facility: One or a series of stormwater management practices installed, stabilized and operating for the purpose of controlling stormwater runoff.

Stormwater Management: The use of natural features, or structural or non-structural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources and the environment.

Stormwater Pollution Prevention Plan (SWPPP): a plan for controlling stormwater runoff and pollutants from a site during and after construction activities.

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Stormwater Runoff: flow on the surface of the ground, resulting from precipitation.

Stormwater: Rainwater, surface runoff, snowmelt and drainage.

Story, Half: That portion of a building situated above a full story and having at least two opposite exterior walls meeting a sloping roof at a level not higher above the floor than a distance equal to one-half the floor-to-ceiling height of the story below.

Story: That part of a building comprised between a floor and the floor or roof next above it. (See Attic, Basement and Cellar)

Stream: Perennial and intermittent water courses identified through site inspection and US Geological Survey maps. Perennial streams are those depicted on a USGS map with a solid blue line. Intermittent streams are those depicted on a USGS map with a dotted blue line.

Stream Buffer: A 100' area extending along both sides of a water course, measured from the edge of the waterway, and any adjacent wetlands, floodplains or slopes where clearing, soil removal or disturbance, filling, dumping, ditching, storage and use of pesticide or herbicides, placement of septic systems, and placement of dwellings, other kind of development, mining, and commercial logging are prohibited in order to protect water quality and ecological health of streams.

Streamside Vegetated Buffer: A 25' area, measured from the edge of the waterway, of undisturbed vegetation designed to conserve the areas immediately adjacent to streams and rivers extending along both sides of a water course and any adjacent wetlands, floodplains or slopes.

Street Tree: A tree growing or planted along a road.

Street Width: The width of the right-of-way or the distance between property lines on opposite sides of a street.

Street: An existing public way or private way which affords principal means of access to abutting properties and is suitably improved; or a proposed way shown on a plat approved by the Town Planning Board and/or recorded in the office of the County Clerk.

Structure: Anything constructed or built, any edifice or building of any kind, which requires location on the ground or is attached to something having a location on the ground, including, but without limitation, buildings, stadiums, display stands, storage bins, signs, reviewing stands, gasoline pumps, mobile dwellings (whether mobile or stationary at the time), fences, swimming pools, covered patios, towers, poles, sheds, signs, tanks, etc., except outdoor areas such as paved areas and walkways.

Subdivision review: A process where the Planning Board reviews and approves all new lots to be created in the town.

Subsidized Rental Unit: Assistance toward rental or purchase price from public or private agency. This is different from "affordable housing" (see affordable housing definition above).

Substantial Construction (or Substantively Commenced): Any land use activity in which the lot has been cleared, graded, and the building's foundation and structure initiated.

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Surface Waters of the State of New York::lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic ocean within the territorial seas of the state of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction. Storm sewers and waste treatment systems, including treatment ponds or lagoons which also meet the criteria of this definition are not waters of the state. This exclusion applies only to man-made bodies of water which neither were originally created in waters of the state (such as a disposal area in wetlands) nor resulted from impoundment of waters of the state.

Swimming Pool: A water-filled enclosure, permanently constructed or portable, having a depth of more than 18 inches below the level of the surrounding land, or an above-surface pool, having a depth of more than 30 inches, designed, used, and maintained for swimming and bathing. A private swimming pool is an accessory use to a residence for the exclusive use of the occupants of the residential building and their guests.

Tannery: a place or building where skins and hides are tanned.

Temporary Certificate: Authorization for a land use activity for a limited period of time.

Temporary Garage and Lawn Sale: A temporary, private sale of household goods, furniture, clothing and other similar articles from a lawn, garage, or other accessory structure on a residential property for no more than 15 days per calendar year.

Temporary Retail Food Establishment: A retail food establishment that operates at a fixed location for a temporary period of time in connection with a fair, carnival, circus, picnic, concert, or public exhibition Hot dog stands or other similar peddler carts that sell food shall also be considered a temporary retail food establishment.

Temporary Living Quarters: A structure, camping unit, or campground used for a limited period of time that is measured in days to several months.

Temporary Roadside Stand: See Farm Stand.

Total Face Area: The total sign area including all sides of a sign.

Traditional Character of the Community: Describes the qualities and attributes of Ancram's physical and visual landscapes that embody the varied events, traditions and personalities of its past. Traditional character describes the architectural variety, style and scale of the Community, including color, proportion, form, and architectural detail. The physical layout of the Community, the landscape patterns, the pre-automobile network of roads, and other scenic and economic elements also contribute to Ancram's traditional character. Among these elements are active agricultural operations with low density residential development interspersed with denser population centers such as the hamlets, roads and windbreaks lined with old mature trees, stone walls, deep rural setbacks, and small/irregular field or pasture dimensions. Ancram's traditional character is strengthened by the presence of historic farmhouses, barns and out-buildings from the periods of its settlement by farmers in the 1700's and early 1800s. Our traditional character is also boosted by the presence of sites related to NY State and Federal Historic Register listed properties. Also see Rural Character, Historic Character.

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Traditional Neighborhood Design: A development pattern that reflects the characteristics of small, older communities of the late 19th and early 20th centuries. Traditional neighborhood designs result in communities that are characterized by mixed of housing types, small scale non-retail commercial businesses, grid street patterns, pedestrian circulation, intensively-used open spaces, and buildings with consistent architectural character.

Transmission Tower: A support structure used to hold high voltage electrical wires and transformers.

Transmission Facility: A structure housing wires and equipment used to transmit electrical or phone signals.

Use: This term is employed in referring to the purpose for which any building, other structure or land may be arranged, designed, intended, maintained, or occupied; and any occupation, business activity, or operation conducted (or intended to be conducted) in a building or other structure or on land.

Use, Accessory: A use or structure which is incidental to, but associated with, the principal use such as a separate garage or shed, fencing, and recreational facilities (e.g. pool, tennis court, etc.).

Use, Principal: The specific purpose for which land or a building is designed, arranged or intended or for which it is or may be occupied or maintained.

Variance, Area: A variance from the area and bulk requirements or supplementary regulations of a related character (such as amount, size, location of design or access, off-street parking, landscaping, signs) to authorize on a specific lot a permitted use which could not feasibly be established without relief from one or more of the dimensional requirements pertaining to the district.

Variance, Use: A variance from the use regulations to allow the establishment on a specific lot of a use otherwise prohibited in the district.

Vegetation: Indigenous or introduced trees, shrubs, vines, ground covers, and herbaceous materials.

Vernal pools: A wetland in a small, shallow depression within an upland forest. Vernal pools have a physical isolation from navigable bodies of water, do not support fish and provide essential breeding habitat for certain amphibians and invertebrates. Vernal pools are flooded in spring or after a heavy rainfall, but are usually dry during summer and fill again in autumn. In the winter vernal pools may be frozen over after having been filled with fall rains. In the spring, usually around mid-March through April, the pools melt and amphibians begin to lay their eggs there.

View Corridor: The strategic removal of selected groupings of trees and other vegetation from a forested area to allow for long views from doors and windows of a structure.

Viewscape: A unique view to or from a particular point.

Visual Impact Analysis: A process used to analyze the visibility of a project, structure, building, or use from a variety of points or locations. NYS DEC publishes guidance documents that outline procedures for conducting such an analysis.

Warehouse: A building or part of a building no larger than 20,000 square feet including existing structures such as barns, for storing of goods, wares, and merchandise. A public warehouse is used primarily for the storage of goods and materials and is available to the general public for a fee.

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Private warehouse is a building used for the storage of goods and materials for a particular commercial establishment.

Water, Ground: Water that infiltrates into the ground, accumulating and saturating the spaces in earth material.

Water, Surface: Water contained in streams, rivers, ponds, wet areas, lakes, and other water-bodies and watercourses, or that drains across land.

Water-body: Any natural or man-made body of water, such as a pond, lake, wetland, or wet area which does not necessarily flow in a definite direction or course.

Watercourse: a permanent or intermittent channel or stream or other body of water, either natural or man-made, which gathers or carries surface water.

Watershed: The area which is a drainage basin for a particular freshwater body.

Waterway: a channel that directs surface runoff to a watercourse or to the public storm drain.

Way: A thoroughfare, however designated, permanently established for passage of persons or vehicles.

Wetlands: Lands and submerged lands commonly called, but not limited to swamps, marshes, sloughs, bogs, flats, pools, vernal pools, fens, natural ponds, kettle ponds, wet meadows, lakes, and streams supporting aquatic or semi-aquatic vegetation as defined and used by the NYS Department of Environmental Conservation (DEC) and US Army Corps of Engineers (ACOE). The US ACOE or NYS DEC is the governing body for matters affecting wetlands, depending on the size of those wetlands. If wetland is less than 12.4 acres, US Army Corps of Engineers definition shall apply; If 12.4 acres or larger, NYS Department of Environmental Conservation definition shall apply.

Wind Turbine: Any mechanism designed for the purpose of converting the kinetic energy of wind into electrical or mechanical energy.

Wind Power Facility, Non-Commercial (NWPF):

1. When not used in connection with farm operation, an NWPF is defined as a single wind turbine with a generating capacity of 27.5 kW or less designed solely for on-site power consumption except that unused or excess power may be sold to an electrical utility company in accordance with the provisions of Section 66-l of the New York State Public Service Law.
2. When used in connection with “farm operation” as such is defined in Section 301, subdivision 11 of the New York State Agriculture and Markets Law (NYSAML), an NWPF is considered an on-farm building and is further defined as a single wind turbine designed solely for on-site power consumption as governed by the NYSAML and/or Section 66-l of the New York State Public Service Law.

Wind Power Tower: The support structure to which a nacelle and rotor blade are attached.

Wind Power Tower Height: The height from the original grade of the land to the highest point of any part of the wind turbine including the top of the blade when it is in the vertical position.

Workforce housing: Housing that is economically feasible for families whose income level is categorized as moderate within the standards set by HUD or a local housing agency.

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Yard, Front: A yard extending across the full width of the lot and lying between the front lot line of the lot and the nearest point of the building.

Yard, Required: That portion of the open area of a lot extending open and unobstructed from the ground upward, along a lot line for a depth or width as specified by the bulk regulations of the district in which the lot is located. No part of such yard shall be included as part of a yard or other open space similarly required for buildings on another lot.

Yard, Side: A yard situated between the building and the side line of a lot and extending from the front yard rear line (or from the front lot line, if there is no required front yard) to the rear yard front line or rear lot line).

Yard, Rear: A yard extending across the full width of the lot and lying between the rear lot line of the lot and the nearest point of the building.

ZBA (The Zoning Board of Appeals): The board designated by the Town to consider requests for variances to and interpretations of the Town Zoning Law.

Zoning Enforcement Officer: The administrative officer designated to administer the zoning law and issue zoning related permits.

Zoning Permit: A document signed by the Zoning Enforcement Officer and as a condition precedent to the commencement of a use or the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a structure or building, which acknowledges that such use, structure, or building complies with the provisions of the Ancram zoning law or authorized variance.