

H. Ridgeline Protection

1. Intent:

- a. Consistent with its Comprehensive Plan, the Town of Ancram seeks to maintain the rural, scenic character of the Town by preserving important scenic views. The purpose of this section is to protect the Town's scenic, rural character by minimizing the overall disturbance and visual impacts to ridgelines that have been designated for protection based upon their topographical prominence and scenic importance when viewed from publicly accessible locations.
- b. These protections permit principal and accessory structures to be built on parcels containing designated ridgelines. It is not the intent of the Town of Ancram to render any lot unbuildable due to these ridgeline protection standards. If the size of a parcel or its topography, coupled with these ridgeline protection standards, does render a lot unbuildable, the Planning Board may use the waiver authority granted by Section XIII B6 of this ordinance and establish mitigation measures to enable the structure to be built while also ensuring that these protection standards are upheld to the maximum extent practicable.

2. Application:

- a. The following standards shall be met for all new structures, except non-commercial wind power facilities and telecommunications towers, located on or within 300 feet of ridgelines designated on the Town of Ancram Ridgeline Identification and Protection Map. Each designated ridgeline plus 300 feet on each side of the ridgeline shall constitute a Ridgeline Protection Overlay District (RPOD).
- b. For wind turbines and telecommunication towers within an RPOD, all requirements of Local Law #5 of 2011 and Local Law #1 of 2011 shall be met and negative impacts to the visual character of the RPOD shall be mitigated to the maximum extent feasible.
- c. If, when siting a structure or building envelope within an RPOD, an applicant believes that the ridgeline designated on the Ridgeline Identification and Protection Map does not coincide with the topographical ridgeline at the highest elevation or does not coincide with the apparent ridgeline as viewed from publicly accessible locations, the applicant may provide to the Planning Board at the applicant's expense a survey or other credible evidence that substantiates the applicant's belief. Alternatively, the applicant may request the Planning Board conduct a site visit to verify that the proposed structure or building envelope will meet the intent and standards of this section. The Planning Board has the authority to determine whether such evidence or site visit provides sufficient basis to officially adjust the location of the ridgeline as shown on the Ridgeline Identification and Protection Map.

3. Standards: Within an RPOD, the following standards shall be met:

- a. Where a designated ridgeline is forested, the continuity of the tree canopy when viewed from publicly accessible locations shall not be disturbed. Development shall not produce an area in which trees and native vegetation have been removed to an extent that causes a structure to be silhouetted against the skyline or removes natural screening of the structure.

- b. Clearing of existing vegetation shall be limited to the minimum necessary for the building envelope. Trees, shrubs, and other indigenous vegetation shall be retained to reduce erosion and preserve the natural character of the RPOD.
- c. Forested vegetation shall be maintained to screen the structure and help it blend with the surrounding natural environment, except that tree trimming and removal shall be allowed to create view tunnels and view corridors to open views from the structure.
- d. Exterior colors of the sides and roof of structures shall blend with the natural environment of the surrounding RPOD so as to minimize the structure's visibility from publicly accessible locations.
- e. The top of the structure's roof shall not be higher than the designated ridgeline unless the structure is fully screened by existing vegetation when viewed from publicly accessible locations and conditions are placed on the approval to ensure that said vegetation is not removed. All conditions required by the Planning Board shall be included in both the Planning Board's approval resolution and as a plat note added to the final approved plan.
- f. To maintain dark skies and minimize light pollution, exterior lights shall not exceed 0.2 foot-candles at adjacent property lines and shall be fully shielded and angled so that all light is directed downward. Illumination and glare shall not extend beyond property boundaries.
- g. Road and driveway shall be constructed so as to minimize erosion and clearing of vegetation.
- h. Where the designated ridgeline is not forested, and the proposed building envelope is on land that consists entirely of open fields or on land covered only with vegetation not more than ten (10) feet high,
 - (1) All intents and standards cited above in 3 (b), (d), (f) and (g) shall be applied.
 - (2) The top of the structure's roof shall not be higher than the designated ridgeline unless trees and shrubs are planted of such height, size, density, and species that will effectively and immediately screen the proposed structure from view at publicly accessible locations and conditions shall be placed on the approval to ensure that said vegetation is not removed. The structure shall blend with the natural environment at that location so that it is as unobtrusive as possible when viewed from publicly accessible locations. All conditions required by the Planning Board shall be included in both the Planning Board's approval resolution and as a plat note added to the final approved plan.
 - (3) Whenever feasible, the building envelope shall minimize adverse impacts by being sited along the edges of open fields, especially if any woodland is adjacent, to enable new development to be visually absorbed by the natural landscape.
- i. Within an RPOD, cupolas, chimneys, satellite dishes, and antennas shall be the only portion of a structure allowed to project above the roofline. When any of these features are proposed to be placed in a manner that is above the top of the roofline, the applicant shall provide to the Planning Board plans or drawings that accurately depict them in proportion to the structure and in relation to the ridgeline.
 - (1) A cupola is an ornamental structure placed in a prominent position on the top of a roofline or dome. Cupolas shall not contain habitable living space (e.g., office, studio, den, bedroom).
 - (2) Cupolas shall not be constructed primarily of glass or other reflective material and shall not be lit to the extent that more than 0.2 foot-candles of light emanating from the cupola are perceptible at the property boundary.
 - (3) Cupolas that are constructed primarily of glass or reflective material shall be considered part of the roofline and shall be subject to the same screening requirements as all other parts of the structure pursuant to this section.

(4) The height and bulk of a cupola shall not be obtrusive against the skyline. Cupolas shall be considered part of the roofline and shall be subject to all screening requirements of this section if their height is more than eight (8) feet above the top of the roof and if the cupola's bulk dimension, calculated as length of cupola times width in square feet, occupies more than ten percent (10%) of the square footage of the structure's total roof area. Total roof area comprises all roof surfaces of the structure.

4. Remediation for Unapproved Cutting

- a. Within a RPOD, during construction of an approved development, if a landowner removes trees or vegetation beyond that approved by the Planning Board, such approval shall be deemed a violation of this section and shall result in the suspension of the building permit and/or denial of Certificate of Occupancy for the construction project unless the trees and vegetation have been restored to the satisfaction of the Planning Board.
- b. Within a RPOD, after construction is completed, removal of screening trees and vegetation shall constitute a violation of this section and shall result in violations and penalties pursuant to Section VII, Administration and Enforcement, of this law.