

ZONING

160 Attachment 2

Appendix B

Regional Project Review Criteria

A. General criteria are as follows:

(1) Soils.

(a) Soils, general.

OBJECTIVE: Prevent accelerated soil erosion and the potential for earth slippage.

GENERAL GUIDELINE: Respect existing natural features such as slope, soil texture and structure; minimize removal of vegetative cover; rapidly revegetate cleared areas; limit cuts and fills; and employ such erosion control devices and measures as are necessary to promptly stabilize slopes and surfaces and to control runoff.

(b) Agricultural soils.

OBJECTIVE: Conserve viable agriculture soils.

GENERAL GUIDELINE: Avoid activities on Class I and Class II agricultural soils and presently in agricultural service which would diminish or preclude continuing use thereof for agricultural purposes.

(2) Topography.

OBJECTIVE: Minimize topographic alterations.

GENERAL GUIDELINE: Minimize excavation, cuts and fills and site grading by employing to advantage existing topographic features; and avoid development activities on steep slopes where environmental damage and costly development problems could result therefrom.

(3) Surface waters.

(a) Water quality and eutrophication.

OBJECTIVE: Maintain or enhance existing physical, chemical and biological water quality characteristics and prevent any undue acceleration of existing rates of eutrophication of bodies of water.

GENERAL GUIDELINE: Maintain wide buffer strips of natural vegetation bordering water bodies; minimize channel disturbance and alterations; preserve shoreline vegetation; minimize hydrologic changes which would result from damming or impounding; avoid introduction of nutrients from the use of fertilizers and from sewage effluent; and avoid introduction of toxic materials to water bodies.

(b) Surface drainage.

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OBJECTIVE: Retain existing surface water drainage and runoff patterns and existing flow characteristics.

GENERAL GUIDELINES: Minimize alterations to existing drainage patterns and drainage courses; preserve drainageways in their natural state; and provide, where necessary, natural ponding areas and other measures designed to provide natural retention of stormwater runoff if development includes a significant area of impervious surface.

(c) Floodplains.

OBJECTIVE: Maintain the storage capacity of floodplains and their existing ability to convey water downstream; and avoid activities in floodplains which will result in dangers to life, safety and property if subjected to flooding.

GENERAL GUIDELINE: Avoid the placement of buildings intended for human habitation, commercial use and industrial use within floodplains; avoid the use of fill to create elevated sites; and within any Flood Hazard Special Zoning District and any Flood Hazard Fringe Special Zoning District conform all development plans to the floodplain regulations contained in Article IX hereof.

(4) Groundwater.

OBJECTIVE: Preserve quality, infiltration rate and levels of groundwater.

GENERAL GUIDELINE: Comply at a minimum with applicable governmental water pollutant discharge restrictions; particularly avoid discharges of effluent potentially degrading to groundwater quality in proximity to major aquifers and aquifer recharge areas; and avoid impairment of aquifer recharge which could result from covering them with impervious surfaces.

(5) Shorelines.

OBJECTIVE: Maintain or enhance the existing physical biological and aesthetic characteristics of the shoreline of all lakes, ponds, rivers and streams.

GENERAL GUIDELINE: Comply at a minimum with applicable governmental shoreline restrictions; minimize construction or development of any kind near or on the shorelines; avoid physical modifications of the shorelines themselves; minimize the removal of vegetation along shorelines; locate buildings so as to be partially screened from the shorelines by natural vegetation; maximize the preservation of stretches of shoreline in a natural, unchanged and undeveloped state.

(6) Mineral resources.

OBJECTIVE: Conserve existing known mineral resources.

GENERAL GUIDELINE: Avoid activities which would preclude present or future use of important mineral resources that may be of economic significance to the region.

(7) Air quality.

OBJECTIVE: Maintain or enhance existing air quality.

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GENERAL GUIDELINE: Adhere to applicable governmental air quality standards; provide adequate air pollution abatement devices; and reduce dust levels caused by construction activities.

(8) Noise levels.

OBJECTIVE: Limit additions to noise levels.

GENERAL GUIDELINE: Adhere at a minimum to applicable governmental noise level standards; utilize noise abatement equipment; and maintain natural buffers such as existing topographic relief and vegetation.

(9) Wetlands.

OBJECTIVE: Preserve the hydrologic, wildlife, vegetational, aesthetic, educational, open space and recreational values of wetlands.

GENERAL GUIDELINE: Avoid development in marshes, bogs, swamps and periodically inundated lands or on lands immediately adjacent thereto, if such development could result in environmental damage to the marsh, bog, swamp or periodically inundated land.

(10) Aquatic communities.

OBJECTIVE: Protect generally the existing natural aquatic plant and animal communities and preserve rare and endangered aquatic plant and animal species.

GENERAL GUIDELINE: Preserve key spawning areas, nursery grounds, food sources and food source areas; preserve habitats of rare and endangered plant and animal species; maintain adjacent vegetated areas generally as habitats and buffer zones; minimize shoreline alterations such as beach construction and emplacement of docks, rafts, boat launching facilities and breakwaters; and avoid introduction of toxic materials and nutrients to water bodies.

(11) Terrestrial vegetation.

(a) Vegetation, general.

OBJECTIVE: Preserve or quickly restore terrestrial vegetation.

GENERAL GUIDELINE: Minimize clearing of vegetation in light of development objectives; avoid clearing vegetation where damage will result to remaining vegetation from such factors as wind, erosion and frost; and protect remaining vegetation during the construction period.

(b) Rare and endangered terrestrial plant species.

OBJECTIVE: Preserve rare and endangered terrestrial plant species.

GENERAL GUIDELINE: Locate development and other intensive human activities so as to protect the location and habitats of rare and endangered plant species and allow for the continuing propagation of these species.

(c) Productive commercial forest land.

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OBJECTIVE: Conserve productive forest lands.

GENERAL GUIDELINE: Avoid impairment of productive forest lands for commercial forest production by employing sound forestry practices and by employing such planning techniques as clustering of development.

(12) Fragile ecosystems at higher elevations.

OBJECTIVE: Minimize disturbances of fragile ecosystems at higher elevations.

GENERAL GUIDELINE: Avoid development at elevations of 2,500 feet or more.

(13) Terrestrial wildlife.

(a) Terrestrial wildlife, general.

OBJECTIVE: Maximize the preservation of terrestrial wildlife species.

GENERAL GUIDELINE: Preserve key wildlife habitats, such as deer wintering yards, nesting areas, productive feeding areas and important vegetation transition areas; and maintain wildlife diversity to the extent possible in view of project objectives by maintaining a diversity of habitat.

(b) Rare and endangered terrestrial wildlife species.

OBJECTIVE: Preserve rare and endangered terrestrial wildlife species.

GENERAL GUIDELINE: Locate development and other intensive human activities so as to protect the location and habitats of rare and endangered terrestrial wildlife species and allow for the continuing propagation of the species.

(14) Aesthetics.

(a) Aesthetics, general.

OBJECTIVE: Preserve and enhance, where possible, impact of the project upon the existing aesthetic qualities of the project site and its environs.

GENERAL GUIDELINE: Utilize existing vegetation and topographical features, and employ careful siting methods so as to minimize the visual impact of all development activities.

(b) Scenic vistas.

OBJECTIVE: Maintain the scenic qualities of views from vistas designated in the Adirondack Park State Land Master Plan.

GENERAL GUIDELINE: Avoid visibility of buildings and other development and land use alterations generally from vistas by employment of vegetative screening, existing topography and careful siting methods.

(c) Travel corridors.

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OBJECTIVE: Preserve the scenic qualities of views from public roads and trails and from boat and canoe routes.

GENERAL GUIDELINE: Employ vegetative screening, existing topography and careful siting methods to minimize the visual impact of buildings and other development and land use alterations.

(15) Open space.

(a) Open space, general.

OBJECTIVE: Maintain the open space character of the project site, adjacent land and surrounding areas.

GENERAL GUIDELINE: Preserve vegetative screening and existing topography and employ clustering and careful siting methods, where appropriate, to minimize the impact of development activities and land use alterations on open space; and preserve undeveloped areas as large as possible in view of project objectives.

(b) Outdoor recreation.

OBJECTIVE: Maintain the quality and availability of land for outdoor and open space recreational purposes.

GENERAL GUIDELINE: Provide on the project site sufficient open space areas for outdoor recreational use by those persons who will use the proposed project, taking into account the existing recreational resources available in the area; and locate buildings and other development so as not to interfere with those areas to be used as hiking, bicycling and cross-country-skiing trails, as well as trailbike, jeep, all-terrain-vehicle and horse trails, playgrounds, picnic areas, campgrounds, parks, beaches and similar uses.

(16) Adjoining and nearby land uses.

(a) Surrounding land uses, general.

OBJECTIVE: Minimize incompatibility of new development with the character of adjoining and nearby land area.

GENERAL GUIDELINE: Take into account the existing and potential land uses in the vicinity of the project site, in determining what new land use activities are suitable for the project site; avoid new intensive development in open space areas; and avoid substantially altering existing residential and other land use patterns.

(b) Adjacent state land.

OBJECTIVE: Preserve the wild and natural character of adjacent state lands designated as wilderness, primitive or canoe by the Adirondack Park State Land Master Plan.

GENERAL GUIDELINE: Minimize development activities which would materially impair in the wilderness attributes of these state lands; design and construct development that is located within 1/8 mile of these state lands so as to minimize its visual and aural impact in these wilderness-like areas, thereby ensuring the continued compatibility of state and private types of ownership.

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(17) Wild, scenic and recreational study rivers.

OBJECTIVE: Protect or enhance the natural qualities of any river designated to be studied for possible inclusion in the state's wild, scenic or recreational river system.

GENERAL GUIDELINE: Maintain buffer zones and existing vegetation along designated study rivers; avoid intensive development within 1/4 mile of such rivers; minimize alterations to such rivers and their banks; and preserve the free-flowing character of such rivers.

(18) Historic sites.

OBJECTIVE: Protect archaeological sites, historic sites and unique historical structures for their educational and cultural value to the area, region or state.

GENERAL GUIDELINE: Preserve and restore archaeological sites, historic sites and unique historic structures to the extent warranted by their respective significance; avoid land uses and development on adjoining and nearby lands which would be incompatible with the significance of such sites and structures.

(19) Special interest areas.

OBJECTIVE: Preserve special interest areas such as unique natural features and their surrounding environs.

GENERAL GUIDELINE: Avoid physical and aesthetic alteration and impairment of the natural condition of unique physical features such as gorges, waterfalls and interesting geological formations; provide for their continuing protection; utilize these special interest areas as assets to development.

(20) Government considerations.

(a) Service and finance.

OBJECTIVE: Fully explore and assure the ability of government to provide governmental services and facilities made necessary by the project.

GENERAL GUIDELINE: Phase development activities to a level commensurate with the financial capability of the various levels of government to provide the governmental services and facilities that will be generated by the development, such as transportation systems, schools, health care, sewage and solid waste disposal systems, water supply systems and fire and police protection; require that, as nearly as possible, the balance between the cost of public services required to adequately serve the development as compared with the anticipated tax and other revenues to be generated by the development be favorable at each level of government or taxing jurisdiction affected by the project; and include in development plans provisions to maintain or improve existing services and alleviate any potential adverse impact upon the ability of the government to provide services and facilities.

(b) Regulation.

OBJECTIVE: Conform development activities to all applicable governmental rules and regulations.

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GENERAL GUIDELINE: Comply with all applicable ordinances, rules and regulations of all governmental agencies with responsibilities for such activities, including those of towns and villages, counties, the State Department of Health and Environmental Conservation and the Adirondack Park Agency.

(21) Public utilities and community resources.

OBJECTIVE: Assure the adequacy of such public utility services and community resources as shall be necessary for the project.

GENERAL GUIDELINE: Avoid excessive demands on the capabilities of public utilities, such as electricity and communication services; and avoid necessity for major uncompensated increases in community services and activities, such as recreational facilities, social, cultural and health services, and transportation facilities.

B. The principal development activities associated with a project to be considered in connection with the determination required by §§ 160-40 through 160-43 and referred to in § 160-45 hereof, together with representative means for avoiding undue adverse impact, include the following:

(1) Streets and roads.

OBJECTIVE: Design and construct roads and streets to provide safe and convenient access without causing undue adverse impacts on natural and public resources.

GENERAL GUIDELINE: Conform street and road alignments with existing topography and vegetation; avoid steep slopes, abrupt curves and excessive cuts and fills; provide adequate road surfacing and roadbed drainage; preserve existing drainage patterns; and design streets and roads so as to minimize the impacts of construction and maintenance practices.

(2) Siting and construction of buildings.

OBJECTIVE: Design, site and construct buildings to best serve their intended functions and to minimize impact on existing natural and public resources.

GENERAL GUIDELINE: Blend buildings with existing topography and their surrounding environs; avoid steep slopes; minimize grade alterations; and avoid complex costly engineering solutions of site problems with potentially excessive environmental impacts.

(3) Sewage disposal.

OBJECTIVE: Select, design and locate sewage disposal systems to provide adequate treatment of effluent and to avoid contamination of surface or ground water.

GENERAL GUIDELINE: Comply with all state and local health standards; adhere at a minimum to the Adirondack Park Agency Act's setback requirements for water bodies; employ proven design criteria for sewage disposal systems in proper working order.

(4) Storm drainage.

OBJECTIVE: Design, locate and construct storm drainage systems so as to maintain existing drainage patterns in a natural state and to minimize adverse hydrologic effects.

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GENERAL GUIDELINE: Provide adequate drainage for building sites and roads; avoid altering drainage patterns to the extent possible; utilize natural drainageways for handling stormwater runoff and preserve all natural surface water retention areas such as wetlands, bogs and marshes; and minimize runoff by such other methods as preserving vegetative cover and avoiding the creation of unnecessary or extensive impervious surfaces.

(5) Water supply.

OBJECTIVE: Locate, design and construct water supply systems so as to provide an adequate supply of potable water without adversely affecting existing water usage patterns or creating adverse effects with regard to aquifers and subsurface drainage patterns.

GENERAL GUIDELINE: Comply with all state and local health standards with regard to the design, location, construction and maintenance of water supply systems.

(6) Solid waste disposal.

OBJECTIVE: Provide for the storage, collection, transportation and disposal of solid waste in a manner which will minimize air, water and visual pollution and in a manner which will not create hazards to the health and welfare of people or wildlife.

GENERAL GUIDELINE: Comply with all applicable state and local standards for the disposal of solid waste; utilize community solid waste disposal areas and recycling facilities; adequately screen disposal areas; locate disposal areas on deep, moderately permeable, well-drained soils and at sufficient distances from water bodies so as to prevent contamination thereof; and avoid locating disposal areas on steep slopes.

(7) Pesticides and herbicides.

OBJECTIVE: Avoid all use of pesticides, herbicides and other biocides potentially detrimental to natural systems.

GENERAL GUIDELINE: Strictly adhere to applicable regulations regarding type, quantity and techniques of application of pesticides, herbicides and other biocides; prevent direct application of pesticides, herbicides and other biocides to surface waters or wetlands or in a manner which may cause contamination thereto.

(8) Shoreline development.

OBJECTIVE: Design and construct development along shorelines so as to maintain existing aesthetic and ecological characteristics thereof and to avoid all significant impairment of these qualities.

GENERAL GUIDELINE: Adhere at a minimum to the shoreline restrictions of the Adirondack Park Agency Act¹ and the provisions of the Environmental Conservation Law and all local laws; maximize preservation of undeveloped shorelines by such methods as clustering and preservation of shoreline vegetation; minimize construction of docks and boathouses on shorelines; and minimize aesthetic alterations to shorelines as viewed from water bodies and surrounding areas.

¹ Editor's Note: See Executive Law § 800 et seq.

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(9) Noise.

OBJECTIVE: Minimize noise insofar as practicable.

GENERAL GUIDELINE: Employ such measures as appropriate site selection, appropriate construction methods and maintenance of natural cover for a buffering effect; and adhere at a minimum to applicable governmental noise level standards.

(10) Signs.

OBJECTIVE: Avoid signage that detracts from aesthetic and scenic qualities.

GENERAL GUIDELINE: Limit signs to the extent necessary to adequately inform viewers concerning the activities to which they relate; utilize signs which are appropriate to the character of the area in which they are located; avoid use of signs of excessive size, of signs that are insufficiently set back from natural and man-made travel corridors and of signs containing moving parts or flashing lights.

(11) Utilities.

OBJECTIVE: Locate, design, construct and maintain utilities so as to efficiently accomplish project objectives and preserve natural and public resources.

GENERAL GUIDELINE: Locate utilities underground, if feasible, and in such a way that alignments are compatible with existing topography and vegetation; minimize visual impacts on surrounding areas by maintaining and preserving as much vegetative cover as possible and utilizing existing topography; and minimize maintenance practices such as herbicide spraying which could have adverse environmental impacts on terrestrial and aquatic ecosystems.