

Appendix 3.1: General Properties of Soils

Appendix 3.1 General Properties of Soils: Overview of Table 1 Information

The soils table (Table 1) contains a summary of information about the soils found in the Town of Clinton. It is important to note these are general descriptions. Within each major group of soils, smaller areas, or inclusions, of different soils may be found. Depressions and other low areas may support poorly drained soils; upland soils may vary according to local topography and geologic conditions. The soils listed in Table 1 correspond to these general descriptions and are mapped in the Town of Clinton by the Soil Survey of Dutchess County. These soil types, as depicted on the detailed soil maps within the Survey, may not exactly match actual field conditions because of differences in scale. Field examination is necessary to verify soil conditions and types, and accurately describe soils on a particular site.

Soil characteristics such as structure, chemical composition, and depth to water table affect not only the integrity of structures placed upon them, but also the plant communities that in turn provide habitat for animals. Certain rare plants may be associated with particular soil characteristics, including the soil's ability to retain water, and its pH which influences the types of plants and animals that become established at a particular location.

The following explanatory information and definitions are from the Soil Survey of Dutchess County, Hudsonia's Biodiversity Assessment Manual, and the U.S. Army Corps of Engineers Wetland Delineation Manual (1987). This information is provided as an aid to interpretation of the information found in Table 1.

Soil series and map units. A soil series is a group of soils that have profiles that are almost alike, except for differences in texture of the surface layer or of the underlying material. Map units are abbreviations for soil series and phase that appear on the Soil Survey maps. **Soil complex** is a map unit of two or more kinds of soil in such an intricate pattern or so small in area that it is not practical to map them separately at the selected scale of mapping. For example, Dutchess-Cardigan is a common soil complex found in Dutchess County. Generally the letters A-D after the soil series abbreviation refer to the slope. For example, HsA has a slope of 0-3%; HsB is 3-8%, HsC is 8-15%, and HsD is 15-25%.

Phases. A soil phase is a subdivision of soil series based on features that affect its use and management such as slope and stoniness. This column will also identify a **Channery soil**, which is a soil that is by volume more than 15% thin, flat fragments of sandstone, shale, slate, limestone, or schist.

Reaction. (from Biodiversity Assessment Manual): Soil reaction is a measure of the pH, or alkalinity/ acidity of soil. The pH of the substrate influences the types of plants and animals that become established at a particular location. In the Mid-Hudson region, a high pH (alkaline) soil is due to the presence of calcium carbonate (or other calcium salts or carbonate) in the soil, bedrock, surface water, or groundwater. Soils that are circumneutral (pH of 6.6-7.3) often support rare plants and animals. Plant indicators may be used to assess soil alkalinity. In the mid-Hudson valley, these soils are relatively limited in extent.

Organic or Mineral soil. Organic soils are muck or peat. Mineral soil is mainly mineral material and is low in organic material. Its bulk density is greater than that of organic soil.

Depth to bedrock. Generally where soils are shallow (less than three feet depth to bedrock) they are more susceptible to erosion and other disturbance. This is especially significant where slopes are steep.

Depth to water table. The water table is the upper limit of the soil or underlying rock material that is wholly saturated with water. *Water table apparent* is a thick zone of free water in the soil. An apparent water table is indicated by the level at which water stands in an uncased borehole after adequate time is allowed for adjustment in the surrounding soil. *Water table perched* is a water table that stands above an unsaturated zone. In places an upper or perched water table is separated from a lower one by a dry zone.

The water table may lie above a pan, which is a compact, dense layer in a soil that impedes the movement of water and the growth of roots. Examples include hardpan, fragipan, and claypan. Hardpan is a hardened or cemented soil horizon or layer. The soil material is cemented by iron oxide, silica, calcium carbonate or other substances. Fragipan is a loamy, brittle subsurface horizon low in porosity and organic matter, low to moderate in clay content, and high in silt or very fine sand. It appears to be cemented and restricts root growth.

Parent material. This is the unconsolidated organic and mineral material in which soil forms. It includes outwash, till, lacustrine deposits, alluvium, and organic deposits as described previously in this text.

Drainage class. Refers to the frequency and duration of periods of saturation or partial saturation during soil formation; it pertains only to natural soil conditions, and therefore does not include artificial drainage, irrigation, or blocked drainage outlets. **Hydric soils** are noted on the table with drainage class. A hydric soil is one that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions that favor the growth and regeneration of hydrophytic vegetation. Hydric soils that occur in areas having positive indicators of hydrophytic vegetation and wetland hydrology are wetland soils.

Hydrologic soil group. Soils are classified by the Natural Resource Conservation Service into four Hydrologic Soil Groups based on the soil's runoff potential. The four Hydrologic Soils Groups are A, B, C and D with the A group of soils generally representing the smallest runoff potential and with D soils groups representing the greatest. A soil may be assigned to two groups if part of the acreage is artificially drained and part is un-drained. Hydrologic group characteristics affect aquifer recharge rates and sustainable septic system density (see Aquifer recharge section of this Chapter).

Limitations. The soil limitations that are described in the table are based on general information in the Soil Survey of Dutchess County. The Survey states explicitly that this information *“is intended for land use planning, for evaluating land use alternatives, and for planning site investigations prior to design and construction...Because of the map scale, small areas of different soils may be included within the mapped areas of a specific soil. The information is not site specific and does not eliminate the need for onsite investigation of the soils or for testing and analysis by personnel experienced in the design and construction of engineering works.”*

Based on the Dutchess County Soil Survey, soil limitations are described for buildings with basements, local roads and streets, and septic tank absorption fields as follows:

1. **Slight** if soil properties and site features are generally favorable for this use, limitations are minor and easily overcome;
2. **Moderate** if soil properties or site features are not favorable for the indicated use and special planning, design or maintenance is needed to overcome or minimize the limitations;
3. **Severe** if soil properties or site features are so unfavorable or so difficult to overcome that special design, significant increases in construction costs, and possibly increased maintenance are required. Special feasibility studies may be required where soil limitations are severe.

Dwellings with basements. A high water table, flooding potential, shrink-swell potential, and organic layers can cause the movement of footings.

Local roads and streets. Soil strength, shrink-swell potential, frost action potential and depth to high water table affect the traffic supporting capacity.

Septic tank absorption fields. Permeability, high water table, depth to bedrock or a cemented pan, and flooding affect the absorption of effluent as it is distributed into the soil from a septic tank via tiles or perforated pipe. Unsatisfactory performance of absorption fields includes excessively slow absorption of effluent, surfacing of effluent, and hillside seepage can lead to water quality contamination. If sand or gravel or fractured bedrock is less than four feet below the base of the absorption field or slope is excessive, or if the water table is near the surface, groundwater may become contaminated.

Table 1: General Properties of Soils in the Town of Clinton

Soil Series and Map Units	Phases	Re- ac- tion	Or- ganic or Min- eral	Depth to Bed- rock (inches)	Depth to Water Table (feet)	Parent Material	Drain- age Class	Hydro- logic Group	Limitations: Dwelling with basement *	Limitations: local roads and streets *	Limitations: septic tank absorption fields *
Bernardston (BeB, BeC, BeD, BeE)	silt loam	NC	M	>60	1.5-2.0 perched	Glacial till	W	C	Moderate: W (BeB, BeC) Severe: W, SL (BeD, BeE)	Moderate: W, FRA (BeB, BeC); Severe: SL (BeD, BeE)	Severe: PERC (BeB, BeC); PERC, SL (BeD, BeE)
Canandaigua (Ca)	silt loam	C	M	>60	+1-1.0 apparent	Lacus- trine	P-VP Hydric	D	Severe: W	Severe: FRA, W	Severe: W, PERC
Carlisle (Cc)	muck	C	O	>60	+5-1.0 apparent	Organic	VP Hydric	A/D	Severe: P, LSTR, subsides	Severe: P, FRA, subsides	Severe: P, PERC, sub- sides
Copake (CuB, CuC)	gravelly silt loam	C	M	>60	>6.0	Outwash, alluvium	W	B	Slight: (CuB) Moderate: SL (CuC)	Moderate: FRA (CuB); FRA, SL (CuC)	Severe: PF
Copake channery (CwB)	channery silt loam	C	M	>60	3.0-6.0 apparent	Outwash, alluvium	W	B	Severe: FL	Moderate: FRA, FL	Severe: W, PF
Dutchess (DuB, DuC, DuD)	silt loam	NC	M	>60	>6.0	Till	W	B	Slight: (DuB); Moderate: SL (DuC); Severe: SL (DuD)	Moderate: FRA (DuB); FRA,SL (DuC); Severe: SL (DuD)	Moderate: PERC (DuB); PERC, SL (DuC); Severe: SL (DuD)
Dutchess- Cardigan (DwB, DwC, DwD) *	silt loam	NC	M	>60	>6.0	Till	W	B	Slight: (DwB); Moderate: SL (DwC); Severe: SL (DwD)	Moderate: FRA (DwB, DwC); Severe: SL (DwD)	Moderate: PERC (DwB); PERC, SL (DwC); Severe: SL (DwD)
Farmington- Galway (FcB, FcC, FcD) *	silt loam to grav- elly silt loam	C	M	10-20	>6.0	Till	SX-W	C	Severe: DTR (FcB, FcC); DTR, SL (FcD)	Severe: DTR (FcB, FcC); DTR, SL (FcD)	Severe: DTR (FcB, FcC); DTR, FL (FcD)
Farmington-Rock outcrop (FeE) *	outcrop complex	C	M	10-20	>6.0	Till	SX-W	C	Severe: DTR, SL	Severe: DTR, SL	Severe: DTR, SL
Fluvaquents- Udifuvents (Ff)	variable	vari- able	M	>60	0.5-1.5 apparent	Alluvium	SP-VP Hydric	D	Severe: FL, P	Severe: FL, FRA, P	Severe: FL, P, PERC
Fredon (Fr)	silt loam to loam	C	M	>60	0.5-1.5	Outwash	SP-P Hydric	C	Severe: FL, W	Severe: W, FRA	Severe: W, PF

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Galway- Farmington (GfB, GfC, GfD) *	gravelly silt loam, rocky to gravelly loam	C	M	20-40	1.5-3.0 perched	Till	W-MW	B	Severe: DTR, W (GfB, GfC); W, DTR, SL (GfD)	Moderate: W, DTR (GfB); DTR, W, SL (GfC); Severe: SL (GfD)	Severe: DTR (GfB, GfC); STR, W, SL (GfD)
Georgia (GsA, GsB, GsC)	silt loam	C	M	>60	1.5-3.0 perched	Till	MW	C	Severe: W	Severe: FRA	Severe: W, PF
Halsey (Ha)	mucky silt loam to silt loam	C	M	>60	0-0.5 apparent	Outwash	VP Hydric	D	Severe: W	Severe: W, FRA	Severe: W
Haven (HeA)	silt loam to loam	NC	M	>60	<6.0	Outwash	W	B	Slight	Moderate: FRA	Severe: PF
Hoosic (HsA, HsB, HsC, HsD, HsE)	gravelly sandy loam to cobbly loam	NC	M	>60	>6.0	Outwash	X-W	A	Slight for HsA and HsB; Moderate for HsC (SL); Severe for HsD (SL)	Slight for HsA and HsB; Moderate for HsC (SL); Severe for HsD (SL)	Severe: PF (HsA, HsB, HsC); PF, SL (HsD, HsE)
Hoosic channery (HtA, HtB)	channery loam, loam	NC	M	>60	3.0-6.0 apparent	Outwash	X-W	A	Slight	Slight	Severe: PF
Linlithgo (Ln)	silt loam	NC, SC	M	>60	0.5-1.5 apparent	Alluvium	SP	B	Severe: FL, W	Severe: FL, W, FRA	Severe: W, FL, PF
Massena (MnA, MnB)	silt loam	C	M	>60	1.0-1.5 apparent	Till	SP-P	C	Severe: W	Severe: W, FRA	Severe: W, PERC
Nassau-Cardigan (NwB, NwC,NwD*)	very rocky	NC	M	10-40	>6.0	Till	SX	C	Severe: DTR (NwB, NwC); DTR, SL (NwD)	Severe: DTR (NwB, NwC); DTR, SL (NwD)	S Severe: DTR (NwB, NwC); DTR, SL (NwD)
Nassau-rock out- crop (NxE, NxF) *	rock outcrop com- plex	NC	M	0	>6.0	Till	SX	D	Severe: SL, DTR	Severe: SL, DTR	Severe: SL, DTR
Palms (Pc)	muck	C	O	>60	+1-1.0 apparent	Organic	VP Hydric	A/D	Severe: P, subsides	Severe: P, FRA, subsides	Severe: P, PERC, sub- sides
Pawling (Pg)	silt loam	C	M	>60	1.5-2.0 apparent	Alluvium	MW	B	Severe: FL, W	Severe: FL, FRA	Severe: W, PF, FL

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Pits, gravel (Ps)	areas excavated for gravel	-	-	>60	>6.0	-	-	A	Slight	Slight	Severe: PF
Pittstown (PwB, PwC)	silt loam to grav- elly silt loam	NC	M	>60	1.5-3.0 perched	Till	MW	C	Severe: W	Moderate: W, FRA (PwB); W, FRA, SL (PwC)	Severe: W, PERC
Punsit (PzA, PzB)	silt loam	NC	M	>60	0.5-1.5	Till	SP	C	Severe: W	Severe: W, FRA	Severe: W, PERC
Stockbridge (SkB, SkC, SkD)	silt loam to grav- elly silt loam	C	M	>60	>6.0	Till	W	C	Slight: SkB; Moderate: SL (SkC); Severe: SL (SkD)	Slight: SkB; Moderate: SL, FRA (SkC); Severe: SL (SkD)	Severe: PERC (SkB, SkC); PERC, SL (SkD)
Stockbridge- Farmington (SmB, SmC, SmD) *	rocky	C	M	10-20	>6.0	Till	W	C	Slight: SmB; Moderate: SL (SmC); Severe: SL (SmD)	light: SmB; Moderate: SL, FRA (SmC); Severe: SL (SmD)	Severe: PERC (SkB, SkC); PERC, SL (SkD)
Sun (Su)	silt loam to loam, extremely stony	C	M	>60	+1-0.5 apparent	Till	P-VP Hydric	D	Severe: W	Severe: W, FRA	Severe: W, PERC
Udorthents (Ud)	variable	vari- able	M	>60	>3.0	Distur- bance/ Fill	X-SP	A/D	Moderate: W	Moderate: FRA	Severe: W, PERC
Udorthents (Ue)	variable	vari- able	M	>60	1.0-3.0 apparent	Distur- bance /Fill	X-SP	A/C	Severe: W	Moderate: W, FRA	Severe: W, PERC
Wappinger (We)	loam	C	M	>60	3.0-5.0 apparent	Alluvium	W	B	Severe: FL	Severe: FL	Severe: FL, W, PF
Wayland (Wy)	silt loam to mucky silt loam	C	M	>60	+5-1.0 apparent	Alluvium	P-VP Hydric	C/D	Severe: FL, P	Severe: FL, P, LSTR	Severe: P, FL, PERC

Guide to Table Abbreviations

* denotes soil comprised of at several different major soil types; characteristics may vary according to specific site

Reaction:

C. Calcareous, when more than one of at least three layers has a pH >6.5

Table 1: General Properties of Soils in the Town of Clinton

S/C. Somewhat calcareous; when one of multiple layers has a pH >6.5.

NC. Non -calcareous. When all soil layers have a pH <6.5.

Organic/Mineral

M: Mineral; soil that is mainly mineral material and low in organic material. Its bulk density is greater than that of organic soil.

O: Organic; Muck and peat

Drainage Class

X Excessively drained. Water is removed from the soil very rapidly. Very coarse textured, rocky, shallow, or steep soil.

SX Somewhat excessively drained: Water is removed from the soil rapidly. Sandy and rapidly pervious, shallow, or steep soils.

W Well drained: Water is removed from the soil readily but not rapidly. Medium textured soils.

MW Moderately well drained: Water is removed from the soil somewhat slowly during some periods. Wet for a short time during the growing season.

SP Somewhat poorly drained: Water is removed slowly enough that the soil is wet for significant periods during the growing season. Soils with slowly pervious layer, high water table, additional water from seepage or a combination of these

P Poorly drained: Water is removed so slowly that the soil is saturated periodically during the growing season or remains wet for long periods. High water table, slowly pervious layer within the soil profile, seepage or a combination of these.

VP Very poorly drained: Water is removed from the soil so slowly that free water remains at or on the surface during most of the growing season.

Hydrologic Soil Group

A. Soils are sand, loamy sand or sandy loam, with low runoff potential and high infiltration rates even when thoroughly wetted.

B. Soils are silt loam or loam with a moderate infiltration rate when thoroughly wetted.

C. Soils are sandy clay loam. They have low infiltration rates when thoroughly wetted.

D. Soils are clay loam, silty clay loam, sandy clay, silty clay or clay; highest runoff potential, with very low infiltration rates when thoroughly wetted.

Limitations

The abbreviations in all three categories are the same:

W: Wetness

FRA: Frost action (freezing and thawing of soil moisture)

SL: Steep slope

DTR: Depth to rock (bedrock is too near the surface for the specified use)

FL: Flooding

LSTR: Low strength; the soil is not strong enough to support loads

PERC: The slow movement of water through the soil adversely affects the specified use

P: Ponding; standing water on soils in closed depressions. Unless the soil is artificially drained, water can be removed only by percolation or evapotranspiration.

PF: Poor filter; because of rapid permeability, the soil may not adequately filter effluent.

Appendix 3.2: Habitats

Appendix 3.2: Habitats in the Town of Clinton

The following habitats appear on the Town's habitat map; the map has been prepared using modified classification schema from Hudsonia's *Biodiversity Assessment Manual*. The map was delineated from 2004, color infrared photography, on-screen digitization and aerial photography interpretation of NAPP series, black and white photos, 1995.

Map Key:

KSP	Kettle Shrub Pool
LP	Lake or Pond
CBL	Circumneutral Bog Lake
IS	Intermittent Stream
P	Perennial Stream
RC	Riparian Corridor
IWP	Intermittent Woodland Pool
SW	Wetland (includes forested wetland, emergent wetland, fen, acidic bog)
WM	Wet Meadow (includes wet clay meadow)
US	Upland Shrubland (includes shrubby oldfield)
UM	Upland Meadow
UMF	Upland Mixed Forest (includes young woods)
UDF	Upland Deciduous Forest (includes young woods)
UCF	Upland Coniferous Forest
CULT	Cultural
OR	Orchard/Tree Plantation

Areas on the map that are not indicated as particular habitat are considered "developed" land, primarily residential or built, mixed with scattered habitat patches.

These are included in the following more detailed descriptions of habitats found in the Town of Clinton. Descriptions below are from Hudsonia's "Biodiversity Assessment Manual" habitat profiles; cross-references to similar habitats in Edinger's "Ecological Communities of New York State" are listed at the end of each habitat description after "Also". Lists of characteristic or conservation concern species are provided as examples, and are not all-inclusive.

Water-based habitats: Streams, ponds, & wetlands

1. **Perennial stream** (May include: rock bottom, unconsolidated bottom, aquatic bed, rocky shore, unconsolidated shore)

Perennial streams flow most of the time; small streams may dry up during drought. This habitat profile includes stream habitat between the top of both banks; within this are rocky or unconsolidated shores, rocky or consolidated bottom, and aquatic beds. Characteristic aquatic plants include water starwort, Eurasian watermilfoil, wild celery, pondweeds, waterweeds, water purslane and coontails. Bars and banks may support willows, alder, silky dogwood, purple loosestrife, spotted jewelweed, stinging nettle, amaranths, teal lovegrass, toad rush and whitegrass. Species of conservation concern include: winged monkey flower, riverweed, spiny coontail, sable clubtail dragonfly, brookfloater mussel, tadpole madtom, longnose sucker, brook trout, eastern mudminnow, mud sunfish, long tailed salamander, mountain and northern dusky salamanders, northern red salamander, wood turtle, wood duck, American black duck, and Louisiana waterthrush. (Also: midreach stream, rocky headwater stream, marsh headwater stream)

2. Intermittent stream

These small streams flow only seasonally or after precipitation, and often support small pools that persist even when the stream is not flowing. Intermittent stream channels may be up to two meters wide, with substrate varying from clay to cobbles to bedrock. Because of their small size these streams are susceptible to alteration of streambeds or flow/water quality, and these also effect streams and wetlands into which intermittent streams flow. Streams may provide habitat for small fish (blacknose dace and creek chub), insects and snails, and stream salamanders. Species of conservation concern include goldenseal and two dragonfly species- arrowhead spiketail and mocha emerald.

3. Riparian corridor

The riparian corridor habitat includes streambanks, floodplain and uplands/wetlands that directly adjoin a stream. These areas are characterized by high biological diversity and productivity. Characteristic vegetation is extremely varied and includes: sycamore, silver maple, red maple, boxelder, elms, red ah, Anmerican hormbearm, alder, silky dogwood, multiflora rose, common buck thorn, purple loosestrife, hackberry and oaks, with extremely diverse herbaceous wetland and upland species as well. Species of conservation concern include: cattail sedge, diarrhena, Davis' sedge, wingstem, river birch, small flowered agrimony, winger monkey flower, goldenseal, wood turtle, wood duck, red-shouldered hawk, American woodcock, cerulean warbler, river otter. (Also: floodplain forest, oxbow lake)

4. Ponds and lakes

This includes ponds and lakes excavated or dammed in wetlands or streams or uplands, for a variety of purposes including aesthetics, fishing, livestock watering, irrigation, water supply, stormwater detention, wastewater treatment, mining, and road/building construction. They are extremely variable in size; some are dry during drought. Vegetation may include a variety of submerged or emergent species; most common are purple loosestrife, cattail, common reed. Species of conservation concern include: spiny coontail, spotted turtle, Blanding's turtle, wood turtle, northern cricket frog, American bittern, osprey. (Also: artificial pool, farm pond, quarry pond, reservoir, impoundment, sewage treatment pond).

5. Beaver pond

These ponds are created by beaver dams on small to medium perennial streams; they flood portions of the riparian area and accumulate silt, nutrients, and organic matter. Over time, the beavers move on, and the pond fills in, reverting to beaver meadow (silty marsh or wet meadow). Areas surrounding these ponds is at least partially wooded; characteristic vegetation includes red maple, quaking aspen, alder, cattail, common reed, purple loosestrife, tussock sedge, woolgrass, bur-reeds, spatterdock and pond-lily. Species of conservation concern include: spiny coontail, Blanding's turtle, bog turtle, spotted turtle, wood turtle, ribbon snake, great blue heron, wood duck, American black duck, osprey, river otter. (Also: shallow emergent marsh)

6. Forested wetland (Hardwood swamp, red maple swamp)

These wetlands are dominated by hardwood trees or shrubs, notably red maple and red ash, silky dogwood, arrowwood, nannyberry, spicebush, highbush blueberry, winterberry, swamp azalea, and alder, with tussock sedge, fowl meadow grass, wood reedgrass, skunk-cabbage, blue flag, false nettle, marsh marigold, purple loosestrife, violets, royal fern, sensitive fern, cinnamon fern. Less common are American elm, slippery elm, pin oak, swamp white oak, white pine, hemlock topelo, black ash or black birch. Red maple, highbush blueberry, tussock sedge, purple loosestrife form elevated root

crowns (hummocks or tussocks) especially in wetter swamps with fluctuating water levels. Species of conservation concern include: swamp cottonwood, blue-spotted salamander, Jefferson salamander, four-toed salamander, spotted turtle, wood turtle, red-shouldered hawk, American woodcock, prothonotary warbler, Canada warbler barred owl, wood duck. (Also: red maple-hardwood swamp, , silver maple-ash swamp, swamps within floodplain forest)

7. Emergent wetland (Emergent marsh)

Marshes are dominated by non-woody plants and have standing water through all or most of the growing season. Hydroperiod (extent and duration of flooding and water depth) is the main difference between marsh and wet meadow. Marsh habitat may overlap with circumneutral bog lakes, lake and pond edges, fens, wet meadows, and swamps. Characteristic vegetation includes: tussock sedge, common reed, reed canary grass, rice cutgrass, cattail, bur-reed, softstem bulrush, sweetflag, purple loosestrife and smartweeds. Deeper pools may support pond-lily, pondweeds, or bladderworts. Species of conservation concern include: winged monkey-flower, buttonbush dodder, spiny coontail, northern cricket frog, southern leopard frog, Blanding's turtle, spotted turtle, American bittern, least bittern, wood duck, American black duck, northern harrier, king rail, Virginia rail.

8. Intermittent woodland pool (vernal pool)

These are small pools, usually surrounded by forest, that contain standing water during winter and spring but may be dry by mid-summer in most years. They typically provide critical habitat for vernal pool breeding amphibians. The pool's edge is usually fringed by larger trees including red maple, white ash, red ash, tupelo, swamp white oak, hemlock. Hummocks may also include highbush blueberry, swamp azalea, chokeberry, sweet pepperbush, tussock sedge. Small herbaceous plants, mosses and duckweed may also be present. Species of conservation concern include: featherfoil, false hopsedge, Jefferson salamander, four-toed salamander, blue-spotted salamander, marbled salamander, Blanding's turtle, spotted turtle, fairy shrimp, wood duck, American black duck.

9. Wet meadow (Non calcareous)

These wetlands are on non calcareous soils, with soil saturated for all or part of the growing season, may be briefly/shallowly inundated, and are dominated by herbaceous vegetation. Typical vegetation includes reed canary grass, purple loosestrife, common reed, rice cutgrass, soft rush, woolgrass, Joe-Pye-weed, arrowleaf tearthumb, late goldenrod, tall goldenrod, with occasional sparse red maple, willows, alder or silky dogwood. Species of conservation concern include ribbon snake, spotted turtle, Virginia rail, American woodcock, sedge wren, Henslow's sparrow. (Also sedge meadow, successional old field)

10. Wet clay meadow (Calcareous wet meadow)

Similar to fens, these wet meadows may have a variety of water sources and a less specialized plant community, and are sensitive to hydrological changes and degraded water quality (pollutants). These meadows form on clay soils, often former agricultural fields. Characteristic plants include: goldenrods, purple loosestrife, false foxglove, fox sedge, Bush's sedge, grasses, gray dogwood, silky dogwood, northern arrowwood, meadowsweet, alder, and seedling or sapling trees (elm, red ash). Wetter sites support marsh species, while drier sites support species of upland meadow or shrubby oldfields. Species of conservation concern include: Frank's sedge, Bush's sedge, spiny coontail, buttonbush dodder, small-flowered agrimony, downy ground-cherry, winged monkey-flower, small skullcap, wood turtle, sedge wren, American woodcock, vesper sparrow, grasshopper sparrow, Henslow's sparrow. (Also calcareous sedge meadow)

11. Fen (Calcareous low-shrub or sedge fen)

Fens are open, calcareous, shallow wetlands characterized by groundwater seepage and a typical fen plant community including shrubby cinquefoil, yellow sedge, sterile sedge, porcupine sedge, grass-of-Parnassus, spike-muhly, bog goldenrod, alderleaf buckthorn, purple avens, cotton grass, drooping bulrush, autumn and hoary willows, red-osier dogwood. Found on or near calcareous bedrock (limestone, dolostone, marble), on gentle slopes, in basins, or adjoining other wetlands or waterbodies. Some species of conservation concern that use these habitats are: Plants: small flowered agrimony, sedges (Schweinitz's, handsome), bog valerian, ovate spikerush, spreading globeflower, swamp birch, Indian paintbrush. Animals: bog turtle, spotted turtle, ribbon snake, sedge wren, Dion skipper butterfly, and other rare insects. Sensitive to hydrological changes and degraded water quality (pollutants). (Also rich graminoid fen, rich shrub fen, rich sloping fen)

12. Kettle shrub pool

These pools are a type of hardwood swamp, and may resemble intermittent woodland pools (vernal pools). They are deep-flooding, seasonal wetlands on glacial outwash, and are dominated by tall shrubs. Characteristic vegetation includes buttonbush, shrubby willows, highbush blueberry, red maple, purple loosestrife. Other species such as cattail, leatherleaf, and tussock sedge may be dominant in some pools. Spatterdock, submerged aquatic plants, liverwort, and duckweed are also common. Hardwood trees usually form a fringe around the edges of the pool. Species of conservation concern include spiny coontail and buttonbush dodder, blue-spotted salamander, Blanding's turtle (critical habitat) ribbon snake, spotted turtle, American black duck. (Also shrub swamp)

13. Circumneutral bog lake

These lakes are spring-fed, with deep organic substrate and often support floating peat mats. They support vegetation of both acidic bogs and calcareous marshes, with emergent vegetation and abundant pond-lilies. They provide habitat for a number of rare species.

Characteristic plants include pondweeds and coontail, pond lilies, bulrush, floating mats of water willow or cattails, and shorelines dominated by purple loosestrife, water willow, alder, leatherleaf and peat mosses; red maple swamps may occur along shores. Species of conservation concern include: ovate spikerush, bladderworts (floating, hidden-fruit, inflated), spotted pondweed, water-thread pondweed, water-marigold, southern dodder, blue-spotted salamander, four toed salamander, northern cricket frog, Blanding's turtle, bog turtle, spotted turtle, American bittern, least bittern, king rail, river otter. (Also: eutrophic pond, oligotrophic pond)

14. Acidic bog

Bogs are perennially wet, dominated by low shrubs and Sphagnum mosses, with acidic organic soils. Characteristic plants include leatherleaf, cranberries, chokeberries, huckleberries, bog-rosemary, sheep laurel, pitcher plant and roundleaf sundew. Sedges and Virginia chain fern may also be present. Taller shrubs include highbush blueberry, poison sumac, swamp azalea. Species of conservation concern include: pod-grass, four-toed salamander, golden-winged warbler, northern waterthrush, southern bog lemming.

(Also: dwarf shrub bog, highbush blueberry thicket, inland poor fen, medium fen, perched bog)

15. Springs and seeps

Springs and seeps are areas where groundwater discharges to the surface; springs are concentrated discharges, and seeps are diffuse. Discharges may occur on upland at the base of a slope or the edge of a stream, wetland or pond; or, they may occur at the bottom of a pond. Water temperature

of springs and seeps is typically cooler than their surroundings in summer, and warmer in winter. Inflow of mineral rich groundwater is essential to maintenance of water chemistry and may be important for snails, turtles, stoneworts, and other animals and plants. Golden saxifrage may be associated with springs. Species of conservation concern include two dragonfly species (gray petaltail and tiger spiketail), and northern, dusky, and spring salamanders. Springs and seeps are not specifically indicated on the habitat map, though some of them may occur within mapped wetlands.

Upland habitats

1. Upland meadow

These upland open areas include hayfields, pastures, crop fields, herbaceous oldfields, and mowed grassland- all on non-wetland soils. Larger acreages provide critical habitat for grassland-breeding birds. Species of conservation concern include: Bush's sedge, dusted skipper (butterfly), northern harrier, upland sandpiper, sedge wren, eastern bluebird, vesper sparrow, Henslow's sparrow, grasshopper sparrow, bobolink. (Also: cropland, field crops, row crops).

2. Upland shrubland or shrubby oldfield

Fields that are abandoned from crops, livestock grazing, or mowing are known as 'oldfields'. These areas gradually change to support a variety of small trees, shrubs, and patches of herbaceous vegetation, and eventually become young woods. This habitat description focuses on oldfields that are on non wetland soils and are dominated by shrubs. Characteristic vegetation includes: goldenrods, asters, Kentucky bluegrass, orchard grass, little bluestem, gray dogwood, multiflora rose, prickly dewberry, bristly dewberry, northern blackberry, black raspberry, hawthorn, staghorn sumac, smooth sumac, eastern red cedar, gray birch, red maple, black locust, oaks, quaking aspen and white pine. Species of conservation concern include: stiff-leaf goldenrod, small-flowered agrimony, shrubby St. John'swort, devil's bit, dusted skipper butterfly, northern harrier, short-eared owl, northern saw-whet owl, loggerhead shrike, blue-winged warbler, golden-winged warbler, prairie warbler, yellow-breasted chat, clay-colored sparrow, vesper sparrow, grasshopper sparrow, Henslow's sparrow.

3. Cool ravine

These habitats are deep, very narrow ravines with rocky streams at the bottom. Ravine walls may support hardwoods and conifers (hemlock). Other vegetation may include: striped maple, mountain maple, fly honeysuckle, low blueberries, mountain laurel, lichens, mosses and ferns. Species of conservation concern include: Acadian flycatcher, blue-headed vireo, flack-throated green warbler, Blackburnian warbler, Louisiana waterthrush. (Also: hemlock-northern hardwood forest) Cool ravines are not depicted on the habitat map.

4. Upland forest

Upland forests may be deciduous, coniferous or mixed. Generally, deciduous upland forest contains at least 75% or more deciduous tree cover; coniferous upland forest is 75% or more coniferous tree cover and mixed upland forest consists of 25%-75% of either deciduous or coniferous forest. Mature forests of any of these types contain many trees with a diameter at breast height that exceeds 12 inches. Despite their high biodiversity value, few mature forests remain. Characteristic vegetation includes: sugar maple, oaks, American beech, hemlock, shagbark hickory, white ash, basswood, tulip tree, black birch, flowering dogwood, hophornbeam, spice bush, mapleleaf

viburnum, witch hazel, serviceberries. A variety of sedges, wildflowers and ferns includes bellworts, hepatica, rue-anemone, baneberries, black snakeroot, starflower, wood likely, blue cohosh, may apple, twin leaf. Species of conservation concern include: northern goshawk, red-shouldered hawk, eastern wood pewee, Acadian flycatcher, wood thrush, cerulean warbler, black-throated blue warbler, black-throated green warbler, ovenbird. Depending on forest type many additional species may be present. (Also: beech-maple mesic forest, maple-basswood rich mesic forest, oak-tulip tree forest, hemlock-northern hardwood forest).

5. Young woods

These woods are characterized by stands of trees that are almost all less than 12 inches diameter at breast height (eg saplings). Dominant species include sugar maple, black birch and red oak. Young woods commonly grow on former agricultural lands, or clearcut areas. Species of conservation concern include Cooper's hawk and American woodcock. (Also: successional northern/southern hardwoods)

6. Non-calcareous crest, ledge, and talus

These are rocky areas on hills with exposed non-calcareous bedrock, shallow soil, and sparse vegetation. They include ledges, cliffs, and accumulations of small (scree) or large (talus) rock fragments on or at the base of steep slopes. Vegetation may include patches of trees, shrubs, and herbaceous species: red oak, chestnut oak, red maple, sugar maple, basswood, American beech, pitch pine, paper birch, black birch, gray birch, pignut hickory, white ash, hop-hornbeam, pin cherry, mountain ash, service berry, striped maple, white pine, eastern red cedar, scrub oak, low blueberries, huckleberries, chokeberries, Pennsylvania sedge, little bluestem, hairgrass, poverty grass, goldenrods, bristly sarsaparilla, rock cresses and rock polypody, lichens. Species of conservation concern include: mountain spleenwort, Bicknel's sedge, clustered sedge, reflexed sedge, slender knotweed, dittany, Torrey's mountain mint, three butterflies (Edward's hairstreak, northern hairstreak, dusted skipper, eastern box turtle, five-lined skink, black rat snake, northern copperhead, eastern hognose snake, timber rattlesnake, slimy salamander, Fowler's toad, golden eagle, whip-poor-will, Blackburnian warbler, cerulean warbler, worm-eating warbler, small-footed bat. Crest, ledge and talus are not depicted on the habitat map.

7. Calcareous crest, ledge, and talus

While similar to non-calcareous crest, ledge, and talus (CLT), these habitats tend to be more densely vegetated with less exposed rock. Some non-calcareous bedrock may contain enough calcium carbonate to support some of the rare species associated with calcareous CLT. Common trees and shrubs include eastern red cedar, hackberry, basswood, white ash, maples, oaks, Japanese barberry, bladdernut, prickly-ash, round-leaf dogwood, black-haw. Herbaceous indicators of calcareous soils include ebony spleenwort, maidenhair spleenwort (for additional species refer to Hudsonia's Biodiversity Assessment Manual, Appendix Five). Species of Conservation Concern include: side-oats grama, Emmon's sedge, yellow wild flax, Carolina whitlow-grass, devil's bit, yellow harlequin, blazing-star, small-flowered crowfoot, falcate orange tip butterfly, five-lined skink, eastern hognose snake, northern black racer, black rat snake, northern copperhead, timber rattlesnake, long-tailed salamander. Crest, ledge and talus are not depicted on the habitat map.

8. Waste ground

This botanical term refers to habitats that have been highly altered, with mineral soils that lack topsoil or have been otherwise disturbed. Examples include urban vacant lots, areas stripped of vegetation and topsoils, road cuts, abandoned parking lots, dry wetland fill, dry banks of some

constructed wetlands and ponds, unreclaimed surface mines., active private dumps, unreclaimed landfills, post-industrial or commercial sites, other areas with stripped topsoil and little vegetation. Common plants include: ailanthus, black locust, quaking aspen, black birch, Eurasian honeysuckle, common buckthorn, brambles, staghorn sumac, smooth sumac, mullein, knapweeds, white sweet clover, bladder campion, bouncing bet, evening primrose, butter-and-eggs, common reed, purple loosestrife and path rush. Species of conservation concern may include: field dodder, slender pinweed, rattlebox, blunt mountain-mint, slender knotweed, river birch, timber rattlesnake, northern copperhead, eastern hognose snake, American black duck, grasshopper sparrow, Henslow's sparrow. (Also: construction/road maintenance, cultural, gravel mine, artificial lakeshore/riprap, rock quarry, unpaved trail/path). Waste ground is not specifically noted on the habitat map.

9. Cultural

“Cultural” areas are intensively managed, larger estates with lawns, cemeteries, athletic fields, golf courses. These are areas that might become better habitat if left unmanaged over time.

10. Orchards/plantations

Orchards include fruit trees that may be currently under cultivation or recently abandoned, often with a groundcover of grasses. Staghorn sumac, goldenrods and poison ivy are also common. Plantations include hardwoods (red oak, black cherry, white oak, black walnut, black locust), or conifers (spruce/firs- Norway spruce, white spruce, balsam fir, Douglas fir; or pines- white, red, Scotch, pitch or jack). Groundlayer vegetation is usually sparse.

Appendix 3.3: Species of Conservation Concern

Table 1: Plants of Conservation Concern

Appendix 3.3: Species Tables - Aug. 5, 2009

Town of Clinton: 2009

This is a working list, subject to periodic updates.

SCIENTIFIC NAME	COMMON NAME	NY	NYNHP ATLAS	USFWS WETLAND
<i>Agastache nepetoides</i>	yellow giant hyssop	T	Active inventory	FACU
<i>Agrimonia parviflora</i>	agrimony, swamp		Watch list	FAC
<i>Agrimonia rostellata</i>	woodland agrimony	T	Active inventory	FACU
<i>Arethusa bulbosa</i>	dragon's mouth orchid	T	Active inventory	OBL
<i>Arisaema dracontium</i>	green dragon	V		FACW
<i>Asclepias purpurascens</i>	purple milkweed		Active inventory	FACU
<i>Asclepias variegata</i>	white milkweed	E	Active inventory	FACU
<i>Asclepias viridiflora</i>	green milkweed	T	Active inventory	
<i>Asplenium montanum</i>	mountain spleenwort	T	Active inventory	
<i>Aster vimineus</i>	small white aster			
<i>Betula nigra</i>	birch, river	V	Watch list	FACW
<i>Betula pumila</i>	swamp birch	T	Active inventory	OBL
<i>Bidens bidentoides</i>	Delmarva beggar-ticks	R	Active inventory	FACW
<i>Bidens laevis</i>	smooth bur-marigold	T	Active inventory	OBL
<i>Boechera stricta</i>	Drummond's rock cress	E	Active inventory	
<i>Bouteloua curtipendula</i> <i>var.curtipendula</i>	Side-oats grama	E	Active inventory	
<i>Calamagrostis stricta</i> <i>ssp.inexpansa</i>	New England northern reedgrass	T	Active inventory	FACW
<i>Campanulastrum americanum</i>	tall bellflower		Active inventory	FAC
<i>Cardamine douglassii</i>	purple cress		Active inventory	FACW+
<i>Carex albicans</i> <i>var.emmonsii</i>	sedge, Emmons'		Watch list	
<i>Carex amphibola</i>	narrow-leaved sedge	E	Active inventory	FAC

Table 1: Plants of Conservation Concern

Appendix 3.3: Species Tables - Aug. 5, 2009

Town of Clinton: 2009

This is a working list, subject to periodic updates.

SCIENTIFIC NAME	COMMON NAME	NY	NYNHP ATLAS	USFWS WETLAND
<i>Carex backii</i>	Back's sedge	T	Active inventory	
<i>Carex bicknellii</i>	Bicknell's sedge	T	Watch list	FACU
<i>Carex bushii</i>	sedge, Bush's		Watch list	FACW
<i>Carex buxbaumii</i>	brown bog sedge	T	Active inventory	OBL
<i>Carex cryptolepis</i>	northeastern sedge	U	Watch list	OBL
<i>Carex cumulata</i>	sedge, clustered	T	Active inventory	FACU
<i>Carex davisii</i>	sedge, Davis's	T	Active inventory	FAC
<i>Carex formosa</i>	handsome sedge	T	Active inventory	FAC
<i>Carex glaucoidea</i>	sedge, glaucous	E	Active inventory	
<i>Carex merritt-feraldii</i>	Fernald's sedge	T	Active inventory	
<i>Carex muehlenbergii</i> <i>var. enervis</i>	Muhlenberg's sedge		Watch list	
<i>Carex nigra</i>	black sedge	E	Active inventory	FACW+
<i>Carex nigra</i>	black sedge	E	Active inventory	FACW+
<i>Carex retroflexa</i>	sedge, reflexed	E	Active inventory	
<i>Carex retroflexa</i>	reflexed sedge	E	Active inventory	
<i>Carex schweinitzii</i>	Schweinitz's sedge	E	Active inventory	OBL
<i>Carex schweinitzii</i>	Schweinitz's sedge	T	Active inventory	OBL
<i>Carex seorsa</i>	sedge, weak stellate	T	Watch list	FACW
<i>Carex straminea</i>	sedge, straw	E	Active inventory	OBL
<i>Carex straminea</i>	straw sedge	E	Active inventory	OBL
<i>Carex tinctoria</i>	tinged sedge	E	Active inventory	
<i>Carex typhina</i>	sedge, cattail	T	Active inventory	FACW+
<i>Carex willdenowii</i>	sedge, Willdenow's	T	Watch list	NO
<i>Ceratophyllum echinatum</i>	hornwort, prickly; spiny coontail	T	Watch list	OBL
<i>Chamaelirium luteum</i>	fairy wand, devil's bit	T	Active inventory	FAC

Table 1: Plants of Conservation Concern

Appendix 3.3: Species Tables - Aug. 5, 2009

Town of Clinton: 2009

This is a working list, subject to periodic updates.

SCIENTIFIC NAME	COMMON NAME	NY	NYNHP ATLAS	USFWS WETLAND
<i>Corydalis aurea</i>	golden corydalis	T	Active inventory	
<i>Corydalis flavula</i>	yellow harlequin		Watch list	
<i>Crotalaria sagittalis</i>	rattlebox	E	Active inventory	
<i>Cuscuta cephalanthi</i>	button-bush dodder	E	Active inventory	
<i>Cuscuta polygonorum</i>	smartweed dodder	E	Active inventory	
<i>Descuraninia pinnata</i> <i>ssp. brachycarpa</i>	northern tansy- mustard	T	Active inventory	
<i>Desmodium ciliare</i>	little-leaf tick-trefoil	T	Active inventory	
<i>Digitaria filiformis</i>	slender crabgrass	T	Active inventory	
<i>Draba reptans</i>	Carolina whitlow- grass	T	Active inventory	
<i>Elatine americana</i>	waterwort, Ameri- can	E	Active inventory	OBL
<i>Eleocharis ovata</i>	ovate spikerush	E	Active inventory	OBL
<i>Equisetum palustre</i>	marsh horsetail	T	Active inventory	FACW
<i>Equisetum pratense</i>	meadow horsetail	T	Active inventory	FACW
<i>Erigeron philadelphicus</i> <i>var. provancheri</i>	Provencher's flea- bane		Active inventory	FACU
<i>Eriophorum angustifo- lium ssp. scabriuscu- lum</i>	narrow-leaf cotton- grass	E	Active inventory	OBL
<i>Galium concinnum</i>	shining bedstraw	E	Active inventory	UPL
<i>Gentiana saponaria</i>	soapwort gentian	E	Active inventory	FACW
<i>Geum virginianum</i>	avens, rough	E	Active inventory	FAC-
<i>Hedeoma hispida</i>	mock-pennyroyal	T	Active inventory	
<i>Heteranthera reniformis</i>	kidney-leaf mud plantain		Watch list	OBL
<i>Hydrastis canadensis</i>	golden-seal	T	Active inventory	
<i>Hylotelephium tele- phioides</i>	live-forever	E	Active inventory	

Table 1: Plants of Conservation Concern

Appendix 3.3: Species Tables - Aug. 5, 2009

Town of Clinton: 2009

This is a working list, subject to periodic updates.

SCIENTIFIC NAME	COMMON NAME	NY	NYNHP ATLAS	USFWS WETLAND
<i>Hypericum ascyron</i>	great St. John's wort	U	Watch list	
<i>Ipomoea pandurata</i>	wild potato-vine	E	Active inventory	FACU
<i>Iris prismatica</i>	slender blue flag	T	Active inventory	OBL
<i>Isoetes riparia</i>	quillwort, riverbank	E	Active inventory	OBL
<i>Juglans cinerea</i>	butternut	V	Watch list	FACU+
<i>Lactuca floridana</i>	false lettuce	E	Active inventory	FACU-
<i>Lespedeza violacea</i>	bush-clover, violet	R	Watch list	
<i>Liliatris scariosa</i> <i>var.nova-angliae</i>	northern blazing-star	T	Active inventory	
<i>Limosella australis</i>	mudwort	R	Watch list	OBL
<i>Linum medium</i> <i>var.Texanum</i>	southern yellow flax	T	Active inventory	UPL
<i>Linum sulcatum</i>	yellow wild flax	T	Active inventory	
<i>Liparis liliifolia</i>	large twayblade	E	Active inventory	FACU-
<i>Lipocarpa micrantha</i>	dwarf bulrush	E	Active inventory	
<i>Lobelia cardinalis</i>	cardinal flower	V		FACW+
<i>Lupinus perennis</i>	lupine, wild		Watch list	
<i>Luzula echinata</i>	woodrush, spiny		Watch list	FACU
<i>Lycopus rubellus</i>	gypsy-wort	E	Active inventory	NI-OBL
<i>Lysimachia hybrida</i>	lance-leaved looses-trife	E	Active inventory	OBL
<i>Mimulus alatus</i>	winged monkey-flower	R	Watch list	OBL
<i>Oligoneuron rigidum</i> <i>var. rigidum</i>	stiff-leaf goldenrod	T	Active inventory	UPL
<i>Onosmodium virginianum</i>	Virginia false-gromwell	E	Active inventory	
<i>Orontium aquaticum</i>	golden club	T	Active inventory	OBL
<i>Oxalis violacea</i>	wood sorrel, violet	T	Active inventory	

Table 1: Plants of Conservation Concern

Appendix 3.3: Species Tables - Aug. 5, 2009

Town of Clinton: 2009

This is a working list, subject to periodic updates.

SCIENTIFIC NAME	COMMON NAME	NY	NYNHP ATLAS	USFWS WETLAND
<i>Pedicularis lanceolata</i>	lousewort, swamp	T	Active inventory	FACW
<i>Pellaea glabella ssp. glabella</i>	smooth cliff brake	T	Active inventory	
<i>Persicaria careyi</i>	smartweed, Carey's	E	Active inventory	FACW
<i>Pinus banksiana</i>	jack pine	R	Watch list	
<i>Plantago cordata</i>	heartleaf plantain	T	Active inventory	OBL
<i>Platanthera hookeri</i>	orchid, Hooker's	E	Active inventory	FAC
<i>Polygala lutea</i>	orange milkwort	E	Active inventory	FACW+
<i>Polygonum erectum</i>	erect knotweed	E	Watch list	FACU
<i>Polygonum tenue</i>	slender knotweed	R	Watch list	
<i>Populus heterophylla</i>	swamp cottonwood	T	Active inventory	FACW+
<i>Potamogeton hillii</i>	Hill's pondweed	T	Active inventory	OBL
<i>Potamogeton ogdenii</i>	Ogden's pondweed	E	Active inventory	
<i>Potamogeton pulcher</i>	pondweed, spotted	T	Active inventory	OBL
<i>Potamogeton strictifolius</i>	straight-leaf pondweed	E	Active inventory	OBL
<i>Pycnanthemum clinopodoides</i>	basil mountain-mint	E	Active inventory	
<i>Pycnanthemum torrei</i>	Torrey's mountain-mint	E	Active inventory	
<i>Sagittaria montevidensis var. spongiosa</i>	arrowhead, spongy	T	Active inventory	OBL
<i>Sagittaria subulata</i>	arrowhead, strap-leaf		Watch list	OBL
<i>Scheuchzeria palustrisq</i>	pod grass	R	Watch list	OBL
<i>Scleria pauciflora var. carolinianum</i>	few-flowered nutrush	E	Active inventory	FACU+
<i>Scutellaria elliptica var. elliptica</i>	hairy skullcap		Active inventory	
<i>Silene carolinianum ssp. pennsylvanica</i>	wild pink	V	Active inventory	

Table 1: Plants of Conservation Concern

Appendix 3.3: Species Tables - Aug. 5, 2009

Town of Clinton: 2009

This is a working list, subject to periodic updates.

SCIENTIFIC NAME	COMMON NAME	NY	NYNHP ATLAS	USFWS WETLAND
<i>Sparganium natans</i>	Small bur-reed	T	Active inventory	
<i>Sphenopholis pensylvanica</i>	swamp oats	E	Active inventory	OBL
<i>Spiranthes vernalis</i>	spring ladies'-tresses	E	Active inventory	FAC
<i>Symphyotrichum boreale</i>	northern bog aster	T	Active inventory	
<i>Thaspium trifoliatum</i> var. <i>flavum</i>	purple meadow-parsnip		Active inventory	
<i>Trichostema brachiatum</i>	false-pennyroyal		Watch list	
<i>Triglochin palustre</i>	marsh arrow-grass	T	Active inventory	OBL
<i>Trillium cernuum</i>	trillium, nodding	V		FACW
<i>Trillium erectum</i>	trillium, purple	V		FACU-
<i>Trillium grandiflorum</i>	trillium, white	V		
<i>Trillium undulatum</i>	trillium, painted	V		FACU+
<i>Utricularia geminiscapa</i>	hiddenfruit bladderwort		Watch list	OBL
<i>Utricularia minor</i>	lesser bladderwort	T	Watch list	OBL
<i>Valeriana uliginosa</i>	marsh valerian	E	Active inventory	OBL
<i>Verbesina alternifolia</i>	wingstem	T		FAC
<i>Veronicastrum virginicum</i>	culver's root	T	Active inventory	FACU

NY: N.Y.S. lists: Endangered, E; Threatened, T; Rare, R; Exploitably Vulnerable, V

The following groups of species are considered to be vulnerable according to NYS Environmental Conservation Law:

1. All native clubmosses
2. All native ferns except bracken (*Pteridium aquilinum*), hay-scented (*Dennstaedtia punctilobula*), and sensitive (*Onoclea sensibilis*)

NYNHP ATLAS: N.Y.S. Natural Heritage Program- Rare Plant Status Lists. Species whose presence in Ulster County is confirmed or probable.

Several species of *Sphagnum* are designated as special concern by the N.Y. State Natural Heritage Program: *Sphagnum andersonianum*, *S. agermanicum*, *S. cuspidatum*, *S. platyphyllum*, *S. tenellum*, and *S. trinitense*

Table 1: Plants of Conservation Concern

Appendix 3.3: Species Tables - Aug. 5, 2009

Town of Clinton: 2009

This is a working list, subject to periodic updates.

USFWS WETLAND: USFWS Wetland Plant List (National List of Plant Species That Occur in Wetlands: 1988

National Summary Indicator Categories:

OBL (Obligate Wetland) Plants that occur almost always under natural conditions in wetlands (est. probability greater than 99%)

FACW (Facultative Wetland) Plants that usually occur in wetlands (est. probability 67-99%) but occasionally found in nonwetlands

FAC (Facultative) Plants that are equally likely to occur in nonwetlands or wetlands (est. probability 34-66%)

FACU (Facultative Upland) Plants that usually occur in nonwetlands (est. probability 67-99%) but occasionally found

UPL (Obligate Upland) Plants that occur in wetlands in another region, but occur almost always (est. probability greater than 99%)

If a plant species does not occur in wetlands in any region, it is not included on the National List. However, changes in plant names (synonymy) may warrant additional investigation regarding potential wetland indicator status

Table 2: Birds of Conservation Concern

Appendix 3.3: Species Tables - Aug. 5, 2009

Town of Clinton: 2009

This is a preliminary list, subject to update as necessary.

COMMON NAME	SCIENTIFIC NAME	US	NY	BCC	PIF	SGCN	DEV-SEN	HAB
GREBES, WADING BIRDS, DUCKS								
American bittern	<i>Botaurus lentiginosus</i>		SC			X	X	OU, MSW
American black duck	<i>Anas rubripes</i>				PIF	X	X	MSW, LW
Black-crowned night heron	<i>Nycticorax nycticorax</i>					X		TF, MSW, LW
Blue-winged teal	<i>Anas discors</i>					X		MSW, OU
Least bittern	<i>Ixobrychus exilis</i>		T			X	X	MSW
Wood duck	<i>Aix sponsa</i>				PIF		X	
Pied billed grebe	<i>Podilymbus podiceps</i>		T			X	X	MSW, LC
DIURNAL RAPTORS								
Bald eagle	<i>Haliaeetus leucocephalus</i>	T	T			X		TF, WS, LW
Golden eagle	<i>Aquila chrysaetos</i>		E			X		OU, TF, AM
Broad-winged hawk	<i>Buteo platypterus</i>						X	
Cooper's hawk	<i>Accipiter cooperii</i>		SC			X	X	TF
Red-shouldered hawk	<i>Buteo lineatus</i>		SC			X	X	TF, MSW
Sharp-shinned hawk	<i>Accipiter striatus</i>		SC			X	X	TF
Northern goshawk	<i>Accipiter gentilis</i>		SC			X		TF, AM
Northern harrier	<i>Circus cyaneus</i>		T			X		OU, MSW, LW
Osprey	<i>Pandion haliaetus</i>		SC			X		OU, BW
QUAIL AND GROUSE								
Northern bobwhite quail	<i>Colinus virginianus</i>					X		BW
Ruffed grouse	<i>Bonasa umbellus</i>					X		TF
SHOREBIRDS								
Upland sandpiper	<i>Bartramia longicauda</i>		T	X	PIF	X		OU

Table 2: Birds of Conservation Concern

Town of Clinton: 2009

This is a preliminary list, subject to update as necessary.

COMMON NAME	SCIENTIFIC NAME	US	NY	BCC	PIF	SGCN	DEV-SEN	HAB
American woodcock	<i>Scolopax minor</i>				PIF	X	X	OU, TF
CUCKOOS								
Black-billed cuckoo	<i>Coccyzus erythropthalmus</i>				PIF	X	X	TF
Yellow-billed cuckoo	<i>Coccyzus americanus</i>						X	
OWLS								
Barn owl	<i>Tyto alba</i>					X		OU, TF
Barred owl	<i>Strix varia</i>						X	
Long-eared owl	<i>Asio otus</i>					X		OU, TF
Short-eared owl	<i>Asio flammeus</i>		E	X	PIF	X		OU, MSW
GOATSUCKERS & SWIFTS								
Common nighthawk	<i>Chordeiles minor</i>		SC			X		OU
Whip-poor-will	<i>Caprimulgus vociferous</i>		SC	X	PIF	X		BW
WOODPECKERS								
Pileated woodpecker	<i>Dryocopus pileatus</i>						X	
Red-headed woodpecker	<i>Melanerpes erythrocephalus</i>		SC	X	PIF	X		OU, TF
Yellow-bellied sapsucker	<i>Sphyrapicus varius</i>			X	PIF			
TYRANT FLYCATCHERS								
Eastern wood-pewee	<i>Contopus virens</i>				PIF		X	
Acadian flycatcher	<i>Empidonax virens</i>				PIF			
Great crested flycatcher	<i>Myiarchus crinitus</i>						X	
SHRIKES AND VIREOS								
Loggerhead shrike	<i>Lanius ludovicianus</i>		E	X	PIF	X		OU
Yellow-throated vireo	<i>Vireo flavifrons</i>						X	

Table 2: Birds of Conservation Concern

Appendix 3.3: Species Tables - Aug. 5, 2009

Town of Clinton: 2009

This is a preliminary list, subject to update as necessary.

COMMON NAME	SCIENTIFIC NAME	US	NY	BCC	PIF	SGCN	DEV-SEN	HAB
Red-eyed vireo	<i>Vireo olivaceus</i>						X	
LARKS								
Horned lark	<i>Eremophila alpestris</i>		SC			X		OU
OLD WORLD WARBLERS, THRUSHES								
Gray-cheeked thrush	<i>Catharus minimus</i>							
Swainson's thrush	<i>Catharus ustulatus</i>						X	
Wood thrush	<i>Hylocichla mustelina</i>			X	PIF	X	X	TF
Veery	<i>Catharus fuscescens</i>						X	
Blue-gray gnatcatcher	<i>Poliophtila caerulea</i>						X	
Eastern bluebird	<i>Sialia sialis</i>							
MIMIDS								
Brown thrasher	<i>Toxostoma rufum</i>				PIF	X	X	TF
WOOD-WARBLERS								
Ovenbird	<i>Seiurus aurocapillus</i>						X	
American redstart	<i>Setophaga ruticilla</i>						X	
Bay-breasted warbler	<i>Dendroica castanea</i>			X		X		TF
Black-and-white warbler	<i>Mniotilta varia</i>				PIF		X	
Blackburnian warbler	<i>Dendroica fusca</i>				PIF		X	
Blackpoll warbler	<i>Dendroica striata</i>							
Black-throated blue warbler	<i>Dendroica caerulescens</i>				PIF	X	X	TF
Blue-winged warbler	<i>Vermivora pinus</i>			X	PIF	X	X	OU
Canada warbler	<i>Wilsonia canadensis</i>			X	PIF	X	X	TF
Cape May warbler	<i>Dendroica tigrina</i>					X	X	TF
Cerulean warbler	<i>Dendroica cerulea</i>		SC	X	PIF	X	X	TF
Chestnut-sided warbler	<i>Dendroica pennsylvanica</i>						X	

Table 2: Birds of Conservation Concern

Town of Clinton: 2009

This is a preliminary list, subject to update as necessary.

COMMON NAME	SCIENTIFIC NAME	US	NY	BCC	PIF	SGCN	DEV-SEN	HAB
Golden-winged warbler	<i>Vermivora chrysop- tera</i>		SC	X	PIF	X		OU, MSW
Hooded warbler	<i>Wilsonia citrina</i>						X	
Magnolia warbler	<i>Dendroica magnolia</i>						X	
Northern parula warbler	<i>Parula americana</i>						X	
Palm warbler	<i>Dendroica palmarum</i>							
Prairie warbler	<i>Dendroica discolor</i>			X	PIF	X	X	TF
Tennessee warbler	<i>Vermivora peregrina</i>					X		TF
Worm-eating warbler	<i>Helmitheros vermi- vorus</i>			X	PIF	X	X	TF
Black-throated green warbler	<i>Dendroica virens</i>						X	
Louisiana waterthrush	<i>Seiurus motacilla</i>			X	PIF	X	X	TF
Northern waterthrush	<i>Seiurus novebora- censis</i>						X	
Yellow-breasted chat	<i>Icteria virens</i>		SC			X	X	OU
TANAGERS, CARDINALS, AND ALLIES								
Scarlet tanager	<i>Piranga olivacea</i>				PIF	X	X	TF
Rose-breasted grosbeak	<i>Pheucticus ludovici- anus</i>						X	
SPARROWS AND ALLIES								
Eastern towhee	<i>Pipilo erythrothal- mus</i>				PIF		X	
Field sparrow	<i>Spizella pusilla</i>				PIF		X	
Grasshopper sparrow	<i>Ammodramus sa- vannarum</i>		SC		PIF	X		OU
Henslow's sparrow	<i>Ammodramus hen- slowii</i>		T	X	PIF	X		OU
Savannah sparrow	<i>Passerculus sand- wichensis</i>						X	

Table 2: Birds of Conservation Concern

Appendix 3.3: Species Tables - Aug. 5, 2009

Town of Clinton: 2009

This is a preliminary list, subject to update as necessary.

COMMON NAME	SCIENTIFIC NAME	US	NY	BCC	PIF	SGCN	DEV-SEN	HAB
Vesper sparrow	<i>Poocetes gramineus</i>		SC			X	X	OU
FINCHES								
Purple finch	<i>Carpodacus purpureus</i>				PIF			
ICTERIDS								
Bobolink	<i>Dolichonyx oryzivorus</i>					X	X	OU
Baltimore oriole	<i>Icterus galbula</i>			X	PIF		X	
Eastern meadowlark	<i>Sturnella magna</i>					X	X	OU

US-- Species listed by U.S. Fish and Wildlife Service as threatened or endangered

NY-- Species listed by N.Y. State as threatened, endangered, or special concern

SGCN-- Species of Greatest Conservation Need, as identified by the N.Y. S. Department of Environmental Conservation in "Comprehensive Wildlife Conservation Strategy for New York" 2006.

DEV-SENS-- Development-sensitive species, i.e. species whose populations are declining in response to development and sprawl as identified in "Southern Wallkill Biodiversity Plan: Balancing development and environmental stewardship in the Hudson River Estuary watershed", Metropolitan Conservation Alliance, 2005.

FWS BCC--US Fish and Wildlife Service Birds of Conservation Concern, 2002.

PIF-- Partners in Flight. Birds not listed as threatened or endangered that are at particular risk due to low population size, small range, declining populations, loss of habitat, nest parasitism, and other factors.

HAB-- General habitats as listed in the New York State Department of Environmental Conservation's "Comprehensive Wildlife Conservation Strategy for New York" 2006.

TF: Terrestrial forested-----OU: Open upland-----AM: Alpine meadow-----BW: Barrens/ woodlands

WS: Warm water stream-----MSW: Mineral soil wetland-----LW: Warm water lake

LC: Cold water lake

Table 3: Reptiles of Conservation Concern

Appendix 3.3: Species Tables - Aug. 5, 2009

Town of Clinton: 2009

This is a preliminary list, subject to updates as necessary.

COMMON NAME	SCIENTIFIC NAME	US	NY	SGCN	DEV-SENS	HAB
Spotted turtle	<i>Clemmys guttata</i>		SC	X	X	OU, MSW, TF, WP
Wood turtle	<i>Clemmys insculpta</i>		SC	X	X	OU, TF, CS
Bog turtle	<i>Clemmys muhlenbergii</i>	T	E	X	X	WP, MSW,
Eastern box turtle	<i>Terrapene carolina</i>		SC	X	X	BW
Snapping turtle	<i>Chelydra serpentina</i>			X		OU, LW
Blandings turtle	<i>Emydoidia blandingii</i>	T		X	?	MSW
Smooth greensnake	<i>Opheodrys vernalis</i>			X	?	OU, TF
Northern black racer	<i>Coluber constrictor</i>			X	X	OU, TF
Eastern ribbon snake	<i>Thamnophis s. sauritus</i>			X	X	OU, TF, BW
Black ratsnake	<i>Edaphe obsoleta</i>			X	X	OU, TF
Northern copperhead	<i>Agkistrodon contortrix mokasen</i>			X	X	TF
Eastern hognose snake	<i>Heterodon platirhinos</i>		SC	X	X	OU, BW
Eastern timber rattlesnake	<i>Crotalus horridus</i>		T	X		OU, BW

US-- Species listed by U.S. Fish and Wildlife Service as threatened or endangered

NYS-- Species listed by N.Y. State as threatened, endangered, or special concern

SGCN-- Species of Greatest Conservation Need, as identified by the N.Y. S. Department of Environmental Conservation in "Comprehensive Wildlife Conservation Strategy for New York" 2006.

DEV-SENS-- Development-sensitive species, i.e. species whose populations are declining in response to development and sprawl as identified in "Southern Wallkill Biodiversity Plan: Balancing development and environmental stewardship in the Hudson River Estuary watershed", Metropolitan Conservation Alliance, 2005.

HAB-- General habitats as listed in the New York State Department of Environmental Conservation's "Comprehensive Wildlife Conservation Strategy for New York" 2006.

- TF: Terrestrial forested
- OU: Open upland
- AM: Alpine meadow
- BW: Barrens/ woodlands
- WS: Warm water stream
- CS: Cold water stream
- MSW: Mineral soil wetland
- LW: Warm water lake
- LC: Cold water lake
- WP: Peatlands (wetland)

Table 4: Amphibians of Conservation Concern Appendix 3.3: Species Tables - Aug. 5, 2009

Town of Clinton: 2009

This is a preliminary list, subject to updates as necessary.

COMMON NAME	SCIENTIFIC NAME	US	NY	SGCN	DEV-SENS	HAB
Marbled salamander	<i>Ambystoma opacum</i>		SC	X	X	BW, MSW, VP
Spotted salamander	<i>Ambystoma maculatum</i>				X	MSW, VP
Jefferson salamander	<i>Ambystoma jeffersonianum</i>		SC	X	X	MSW, VP, TF
Blue-spotted salamander	<i>Ambystoma laterale</i>		SC	X	X	TF, BW, MSW, VP
Long-tailed salamander	<i>Eurycea longicauda</i>		SC	X	X	TF, CS
Northern red salamander	<i>Pseudotriton ruber</i>			X	X	CS, MSW
Northern dusky salamander	<i>Desmognathus fuscus</i>				X	
Mountain dusky salamander	<i>Desmognathus ochrophaeus</i>				X	
Four-toed salamander	<i>Hemidactylium scutatum</i>			X	?	TF, WP
Slimy salamander	<i>Plethodon glutinosus</i>				X	
Spring salamander	<i>Gyrinophilus porphyriticus</i>				X	
Southern leopard frog	<i>Rana utricularis sphenoccephalis</i>		SC	X		OU, TF, MSW
Northern cricket frog	<i>Acris crepitans</i>		E	X	X	TF, MSW
Wood frog	<i>Rana sylvatica</i>				X	VP
Gray treefrog	<i>Hyla versicolor</i>				X	
Fowler's toad	<i>Bufo fowleri</i>			X	?	MSW

* Many of these species are vulnerable because of their dependence on wetlands (including vernal pools) or streams for breeding habitat, and their sensitivity to water contamination

US-- Species listed by U.S. Fish and Wildlife Service as threatened or endangered

NYS-- Species listed by N.Y. State as threatened, endangered, or special concern

SGCN-- Species of Greatest Conservation Need, as identified by the N.Y. S. Department of Environmental Conservation in "Comprehensive Wildlife Conservation Strategy for New York" 2006.

DEV-SENS-- Development-sensitive species, i.e. species whose populations are declining in response to development and sprawl as identified in "Southern Wallkill Biodiversity Plan: Balancing development and environmental stewardship in the Hudson River Estuary watershed", Metropolitan Conservation Alliance, 2005.

HAB-- General habitats as listed in the New York State Department of Environmental Conservation's "Comprehensive Wildlife Conservation Strategy for New York" 2006.

TF: Terrestrial forested----OU: Open upland----AM: Alpine meadow----BW: Barrens/ woodlands

WS: Warm water stream----CS: Cold water stream----MSW: Mineral soil wetland

LW: Warm water lake----LC: Cold water lake----WP: Peatlands (wetland)----VP: Vernal pool breeder

Table 5: Mammals of Conservation Concern

Appendix 3.3: Species Tables - Aug. 5, 2009

Town of Clinton: 2009

This is a preliminary list, subject to updates as necessary.

Common Name	Scientific name	US	NY	Regional	SGCN	HAB
Small-footed bat	<i>Myotis leibii</i>		SC		X	OU
Indiana bat	<i>Myotis sodalis</i>	E	E		X	TF
Eastern red bat	<i>Lasiurus borealis</i>			rare	X	TF
Hoary bat	<i>Lasiurus cinereus</i>			rare	X	TF
Silver-haired bat	<i>Lasionycteris</i>			rare	X	TF
Eastern pipistrelle	<i>Pipistrellus subflavus</i>			rare		
River otter	<i>Lutra canadensis</i>			scarce	X	CS, LW, LC
Fisher	<i>Martes pennanti</i>			scarce		
Bobcat	<i>Lynx rufus</i>			vulnerable		
Porcupine	<i>Erethizon dorsatum</i>			rare		
Woodland jumping mouse	<i>Napaeozapus insignis</i>			rare		
Least weasel	<i>Mustela nivalis</i>				X	OU, TF
Least shrew	<i>Cryptotis parva</i>				X	OU
Longtail shrew	<i>Sorex dispar</i>			rare		
Southern bog lemming	<i>Synantomys cooperi</i>			rare		

US-- Species listed by U.S. Fish and Wildlife Service as threatened (T) or endangered (E)

NYS-- Species listed by N.Y. State as threatened (T), endangered (E), or special concern (SC)

SGCN-- Species of Greatest Conservation Need, as identified by the N.Y. S. Department of Environmental Conservation in "Comprehensive Wildlife Conservation Strategy for New York" 2006.

HAB-- General habitat as described in the NYS "Comprehensive Wildlife Conservation Strategy for New York" 2006.

OU- open upland

TF-- terrestrial forested

LW-- warmwater lake

LC-- coldwater lake

CS-- coldwater stream

WS-- warmwater stream

rare or scarce: Regionally rare or scarce as described in Hudsonia's "Biodiversity Assessment Manual"

Appendix 7.1: Maintenance History of Town Roads

Appendix 7.1: Maintenance History of Town Roads

Hardtop Road	Maintenance	Dates
Allen Road	Base applied	1963, 1965
	Resurfaced	1967, 1970, 1974, 1977, 1981
	Macadam	1995, 1998, 1999
	Culvert replacement	As needed
Bartles Landing	Macadam	1995
Breezy Hill	Macadam	1999
Browning Road	Base applied	1954, 1955
	Resurfaced	1967, 1971, 1975, 1983
	Macadam	1989
Brown's Pond Road	Blacktopped	1994
	Resurfaced	2008
	Box culvert	1995
Camp Drive	Base applied	1968
	Resurfaced	1972, 1977, 1984, 1992
	Macadam	2002
Clinton Avenue	Macadam	1998
Clyde Court	Applied by developer	1991, 1992
Cookingham Drive (East and West)	Applied by developer	1967
	Resurfaced	1970, 1974, 1979, 1984, 1991
	Macadam	1997
Creek Road (North and South)	Resurfaced	1979, 1994, 1998
North Creek Road	Macadam	2002
	Resurfaced	2009
South Creek Road	Macadam	1992
	Bridge replacement	1996
East Fallkill Road	Base applied, topped	1964, 1968
	Resurfaced	1972, 1976, 1980, 1985, 1993
	Coarse binder applied	2003
	Removed rock outcrop	2004
Eighmyville Road	Macadam	2008
	Resurfaced	2008
	Removed rock outcrop	2007
	Resurfaced	2009
Electronic Lane	Resurfaced	1961, 1969, 1972, 1980, 1985
	Intersection reconfigured	1996
	Macadam	1996
Fiddler's Bridge Road	Base applied	1956, 1958, 1962
	Resurfaced	1962, 1963, 1966, 1982, 1999
	Macadam	1987, 1988, 1989
	Crack sealed	2001
	Bridge replacement	1985, 1991
Field Road	Oil and stone	2002
Fifth Avenue	Applied by developer	1953
	Blacktopped	1995
Firehouse Lane	Applied by developer	Unknown
	Oil and stone	1970, 1976
	Blacktopped	1998
Fourth Avenue	Applied by developer	1953
	Blacktopped	1996
Fox Run	Part macadam	1998

Hardtop Road	Maintenance	Dates
Friend's Way	Applied by developer	1977
	Resurfaced	1991
	Blacktopped	1999
George Court	Applied by developer	1976
	Resurfaced	1983, 1991
	Blacktopped	2002
Grissom Place	Applied by developer	1964
	Resurfaced	1968, 1972, 1979, 1984, 1991
	Blacktopped	1999
Halstead Road (west)	Grader patched	1999
Hampton Court	Applied by developer	
	Resurfaced	1983, 1991
	Blacktopped	1998
Heritage Road	Applied by developer	1977, 1981
	Resurfaced	1983, 1991
	Blacktopped	1999
Hibernia Road	Blacktopped	1951
	Resurfaced	1959, 1962, 1966, 1969, 1971, 1976, 1980
	Blacktopped	1984, 1985
	Resurfaced	1993
	Applied by developer	1977
Hickory Hill Road	Resurfaced and blacktopped	1991
	Blacktopped	1960
Jamieson Hill Road	Resurfaced	1970, 1976, 1980, 1991
	Resurfaced	1993, 1998
Lake Drive	Grader patched	2001
	Blacktopped	2007
	Applied by developer	1953
Lakeview Drive	Blacktopped	1995
	Blacktopped	1968
Lake Pleasant Drive	Resurfaced	1972, 1980, 1987
	Blacktopped	1994
	Resurfaced	1996
	Box culvert	1992
	Applied by developer	1991
Lauren Lane	Base	1967
	Topped	1968
	Resurfaced	1971, 1977, 1980, 1984, 1992
	Blacktopped	2000
	Applied by developer	1967
Long Pond Road	Resurfaced	1969, 1973, 1977, 1982, 1988
	Blacktopped	1998
	Bridge replacement	2004
	Base	1966
	Topped	1967
Maple Lane	Resurfaced	1970, 1979, 1984
	Blacktopped	1994
	Realigned intersection	1994
	Resurfaced	1997
	Topped	1957
Meadowbrook Lane (East and West)	Resurfaced	1963, 1968, 1972, 1981

Hardtop Road	Maintenance	Dates
	Sealed	1982, 1983
	Resurfaced	1986, 1993
	Blacktopped	1996
	Resurfaced	2009
Meadows Court	Applied by developer	1991, 1992
Mills Cross Road	Resurfaced	1979
	Blacktopped	1992
	Bridge rebuilt with Hyde Park	1996
	Resurfaced	2009
Mountain View Road	Intersection reconfigured	1994
	Blacktopped	1997, 1999
	Large culvert	1994
	Removed ledge	2004
Nine Partner's Road	Base	1965
	Topped	1969
	Resurfaced	1973, 1974, 1980
	Blacktopped	1985
	Sealed	1986
	Resurfaced	1997
Old Bull's Head Road	Topped	1965
	Resurfaced	1968, 1982, 1993, 2003
	East end closed, beavers	19??
Parkview Drive	Applied by developer	
	Resurfaced	1991
	Blacktopped	2002
Pumpkin Lane	Base, topped	1953, 1954
	Resurfaced	1960, 1969, 1970, 1974, 1980, 1984, 1985, 1988, 1991
	Blacktopped	1994, 1996, 1998
	Bridge replacement	2002
Ruskey Lane	Base, topped	1959, 1960
	Resurfaced	1960, 1969, 1973, 1983, 1994
	Blacktopped	1991, 2003
	Resurfaced, Fallkill to Sodom	2005
Ryan Court	Applied by developer	
	Resurfaced	1991
	Blacktopped	1999
Rymph Road	Sealed	1983, 1984, 1985, 1986
	Blacktopped	1996, 1998
	Resurfaced	2005
Schoolhouse Road	Base: Co. Rt. 14 north	1957, topped 1957
	Base Rhynders Rd. south	1969, topped 1970
	Resurfaced	1963, 1968, 1972, 1973, 1979, 1985
	Blacktopped	1992, 1993
	Resurfaced	1995
Schultz Hill Road, in sections	Base	1956, 1963, 1964, 1970, 1985
	Topped	1957, 1964, 1965, 1971, 1986
	Resurfaced	1962, 1967. 1968, 1971, 1972, 1974, 1977, 1979, 1982, 1986,
	Blacktopped	1993, 1994
	Box culvert	1997

Hardtop Road	Maintenance	Dates
Schultzville Road	Topped	1964
	Resurfaced	1968, 1971, 1975, 1982, 1993
	Blacktopped	1997, 1999
	Resurfaced	2001
	Reclamation	2008
Seelbach Lane	House to house blacktopped	2004
Shadblow Lane	Primed and surfaced	1974
	Resurfaced	1975, 1980, 1987
	Bridge project complete	1983
	Resurfaced	1987, 2005
	Blacktopped	1997, 1998
Sodom Road	Base and topped	1959, 1960
	Resurfaced	1964, 1969, 1973,, 1983
	Blacktopped	1992
	Resurfaced	1994
Spooky Hollow Road	Resurfaced	1994, 1998
	Grader patched	2001
	Resurfaced	2002
	"Clay's Flat" resurfaced	2004
Spruce Lane	Applied by developer	1973
	Resurfaced	1977, 1981, 1984, 1991, 1995
	Blacktopped	1999
Story Lane	Applied by developer	1967
	Resurfaced	1988
	Blacktopped	1998
Sunset Trail: Rt. 14 to #140	Base and topped	1985
	Resurfaced	1986
Sunset Trail: Horseshoe to Breezy	Blacktopped	1999
	Resurfaced	2002
Talleur Lane	Base and topped	1966
	Resurfaced	1970, 1980, 1991
	Blacktopped	1999
Tobin Drive	Applied by developer	1967
	Resurfaced	1969, 1973, 1980, 1987
	Blacktopped	1997
Traver Road	Blacktopped	2009
	Resurfaced	2009
Upper Meadows Drive	Applied by developer	2006, 2007
Wesley Lane	Blacktopped	1996
Willow Lane	Sealed	1984
	Resurfaced	1985, 1986
	Blacktopped	1998
Woodlea Road	Sealed	1983
	Resurfaced	1984, 1985, 1986
	Blacktopped	1999

**Appendix 8.1: Property Type Classification and
Ownership Codes (Assessor's Manual)**

New York State Office of Real Property Services	ASSESSOR'S MANUAL Data Collection and Maintenance of Property Inventories - RFV	SECTION APP-B	PAGE i
		DATE	9/01/06

PROPERTY TYPE
CLASSIFICATION AND OWNERSHIP CODES



NEW YORK STATE OFFICE OF REAL PROPERTY SERVICES

This document exists in the Assessor's Manual, as Appendix-B of the Residential-Farm-Vacant section. Additional copies may be obtained from the New York State Office of Real Property Services, WA Harriman State Campus, Albany, New York 12227 (Telephone: (518) 474-1764).

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Residential	3.00
Vacant Land.....	5.00
Commercial	7.00
Recreation and Entertainment	14.00
Community Services.....	17.00
Industrial	19.00
Public Services	22.00
Wild Forested, Conservation Lands and Public Parks	27.00

WATERFRONT / PROPERTY OWNERSHIP CODES:
What are they and how are they used?

Property Type Classification Codes were originally developed to describe the primary use of each parcel of real property on an assessment roll. They were not designed to describe land having water frontage or the type of ownership of parcels. A need exists for ownership codes to describe land having water frontage or the type of ownership of parcels. A need exists for a field which can describe land having any significant water frontage and/or special forms of ownership, such as association, condominium, cooperative and time share. These kinds of ownership, and land that includes water frontage, may exist in many classes of property, for instance residential, commercial, recreation, etc. They may be found in various types of construction ranging from single detached units to high rise buildings to extended docking complexes.

Rather than create duplicate codes for all property types where ownership can vary, with or without water frontage ownership codes have been developed to be used with existing property type codes. The waterfront ownership codes should be used only for those properties meeting the following definitions.

For those using the New York State Real Property System (RPS) the waterfront/ownership field is located on the property description and location update screen.

There are nine ownership codes:

- A - **Association (without waterfront):** The parcel is individually owned without any water frontage and, in addition, the owner of the parcel shares ownership with other members of the association in the ownership of common areas (i.e., land, lake frontage, docks, pools, tennis courts, etc.). The common areas should also have this code.

- B . **Association (without waterfront):** The parcel is individually owned with water frontage and, in addition, the owner of the parcel shares ownership with other members of the association in the ownership of common areas (i.e., land, lake frontage, docks, pools, tennis courts, etc.). The common areas should also have this code.

- C - **Condominium (without waterfront):** The property is held in condominium form of ownership without any water frontage. Typically a

unit is individually owned, and an interest is owned in the land and in common improvements.

- D . **Condominium (with waterfront)**: The property is held in condominium form of ownership with water frontage. Typically a unit is individually owned, and an interest is owned in the land and in common improvements
- P - **Cooperative (without waterfront)**: The property is held in cooperative form of ownership without any water frontage. The unit and improvements are not individually owned. Individuals own shares in the corporation which owns the entire property. The share defines the unit and its liabilities.
- Q . **Cooperative (with waterfront)**: The property is held in cooperative form of ownership with water frontage. The unit and improvements are not individually owned. Individuals own shares in the corporation which owns the entire property. The share defines the unit and its liabilities.
- T - **Time Share (without waterfront)**: There are multiple owners of the property, each with the right to use a specific unit for a specific time period annually. There is no water frontage.
- U . **Time Share (with waterfront)**: There are multiple owners of the property, each with the right to use a specific unit for a specific time period annually. There is water frontage.
- W . Property not held in any of these forms of ownership but having water frontage requires a “W” to signify the presence of water frontage.

Property not held in any of these forms of that does not have water frontage requires no waterfront/ownership code.

The following are examples of the use of the waterfront/ ownership code in conjunction with the property class codes:

A condominium located in a two story building with eight units and no water frontage would be coded as 411-C.

A single family townhouse held in condominium form of ownership and with water frontage would be classified as a 210-D. If the above townhouse were owned in fee simple in an association, it would be coded 210-B.

A piece of land best suited for improvement for residential or seasonal purpose with significant water frontage would be classified as a 311-W.

**HOW TO LOCATE THE PROPER
PROPERTY TYPE CLASSIFICATION CODE**

The New York State Office of Real Property Services has developed a simple and uniform classification system to be used in assessment administration in New York State.

The system of classification consists of numeric codes in nine categories. Each category is composed of divisions, indicated by the second digit, and subdivisions (where required), indicated by a third digit. The nine categories are:

Category	Description
100 Agricultural	- Property used for the production of crops or livestock.
200 Residential	- Property used for human habitation. Living accommodations such as hotels, motels, and apartments are in the Commercial category - 400.
300 Vacant Land	- Property that is not in use, is in temporary use, or lacks permanent improvement.
400 Commercial	- Property used for the sale of goods and/or services.
500 Recreation & Entertainment	- Property used by groups for recreation, amusement, or entertainment.
600 Community Services	- Property used for the well being of the community.

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700	Industrial	-	Property used for the production and fabrication of durable and nondurable man-made goods.
800	Public Services	-	Property used to provide services to the general public.
900	Wild, Forested, Conservation Lands & Public Parks	-	Reforested lands, preserves, and private hunting and fishing clubs

The table shown below is part of the coding structure in the Recreation and Entertainment Category. This table demonstrates how to decide what code to use when a property is either clearly described or inadequately described.

500	-	Recreation and Entertainment	(Category)
530	-	Amusement Facilities	(Division)
531	-	Fairgrounds	
532	-	Amusement Parks	(Subdivisions)
533	-	Game Farms	
534	-	Social Organizations	

The number "0" has been reserved to fill in the coding structure where description of a property is inadequate to assign a code at the division level, subdivision level or where it was not necessary to establish a subdivision level.

A Recreation and Entertainment facility that cannot be classified at a division level, should be coded "500" (category).

An amusement facility that is not a fairground, amusement park, game farm, or a social organization should be coded "530" (division).

A fairground should be coded "531" (subdivision).

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100 - AGRICULTURAL

105 - Agricultural Vacant Land (Productive)

Land used as part of an operating farm. It does not have living accommodations and cannot be specifically related to any of the other divisions in the agricultural category. Usually found when an operating farm is made up of a number of contiguous parcels.

110 - Livestock and Products

111 - Poultry and Poultry Products: eggs, chickens, turkeys, ducks and geese

112 - Dairy Products: milk, butter and cheese

113 - Cattle, Calves, Hogs

114 - Sheep and Wool

115 - Honey and Beeswax

116 - Other Livestock: donkeys, goats

117 - Horse Farms

120 - Field Crops

Potatoes, wheat, hay, dry beans, corn, oats, and other field crops.

129 - Acquired Development Rights

Land for which development rights have been acquired by a governmental agency (e.g., certain agricultural lands in Suffolk County).

100 - AGRICULTURAL (cont.)

- 130 - Truck Crops - Mucklands
Muckland used to grow potatoes, sugar beets, onions, snap beans, tomatoes, cabbage, lettuce, cauliflower, sweet corn, celery, etc.
- 140 - Truck Crops - Not Mucklands
Nonmuckland used to grow onions, snap beans, tomatoes, cabbage, lettuce, cauliflower, sweet corn, celery, carrots, beets, peas, etc.
- 150 - Orchard Crops
 - 151 - Apples, Pears, Peaches, Cherries, etc.
 - 152 - Vineyards
- 160 - Other Fruits
Strawberries, raspberries, dewberries, currants, etc.
- 170 - Nursery and Greenhouse
Buildings, greenhouses and land used for growing nursery stock, trees, flowers, hothouse plants, mushrooms, etc.
- 180 - Specialty Farms
 - 181 - Fur Products: mink, chinchilla, etc.
 - 182 - Pheasant, etc.
 - 183 - Aquatic: oysterlands, fish and aquatic plants
 - 184 - Livestock: deer, moose, llamas, buffalo, etc.
- 190 - Fish, Game and Wildlife Preserves

200 - RESIDENTIAL

- 210 - One Family Year-Round Residence
A one family dwelling constructed for year-round occupancy (adequate insulation, heating, etc.).

NOTE: If not constructed for year-round occupancy, see code 260.

This following property classification code changes will be established beginning with the 2007 assessment roll. Please make the necessary changes now, as you update your assessment roll.

~~215- One Family Year-Round Residence with Accessory Apartment~~
A one family, year round residence with a secondary self contained dwelling unit. Accessory apartments are usually contained within or added to the principle residence and are often occupied by immediate family members.

- 220 - Two Family Year-Round Residence
A two family dwelling constructed for year-round occupancy.
- 230 - Three Family Year-Round Residence
A three family dwelling constructed for year-round occupancy.
- 240 - Rural Residence with Acreage
A year-round residence with 10 or more acres of land; it may have up to three year-round dwelling units.
- 241 - Primarily residential, also used in agricultural production
- 242 - Recreational use
- 250 - Estate
A residential property of not less than 5 acres with a luxurious residence and auxiliary buildings.

- 260 - Seasonal Residences
Dwelling units generally used for seasonal occupancy; not constructed for year-round occupancy (inadequate insulation, heating, etc.). If the value of the land and timber exceeds the value of the seasonal dwelling, the property should be listed as forest land (see category 900).
- NOTE:** If constructed for year-round occupancy, see code 210.
- 270 - Mobile Home
A portable structure built on a chassis and used as a permanent dwelling unit.
- 271 - Multiple Mobile Homes
More than one mobile home on one parcel of land; not a commercial enterprise.
- 280 - Residential - Multi-Purpose / Multi-Structure
- 281 - Multiple Residences
More than one residential dwelling on one parcel of land. May be a mixture of codes 210's, 220's and 230's, or all one type.
- 283 - Residence with Incidental Commercial Use
A residence which has been partially converted or adapted for commercial use (e.g. residence with small office in basement). Primary use is residential

300 - VACANT LAND

This following property classification code changes will be established beginning with the 2004 assessment roll. Please make the necessary changes now, as you update your assessment roll.

<u>New Description</u>	<u>New Class</u>	<u>Old Class</u>	<u>Old Description</u>
Dropped		313	Waterfront Vacant Lots
Dropped		316	Waterfront Land Including a Small Improvement (not used for living accommodations)

310 - Residential

311 - Residential Vacant Land
Vacant lots or acreage located in residential areas

312 - Residential Land Including a Small Improvement (not used for living accommodations)
Includes a private garage on a parcel of land separate from the residence. Does not include a small garage where space is being rented out (see code 439).

314 - Rural Vacant Lots of 10 Acres or Less
Located in rural residential areas.

315 - Underwater Vacant Land
Underwater land, in a seasonal residential area, not owned by a governmental jurisdiction.

300 - VACANT LAND320 - Rural

321 - Abandoned Agricultural Land
Nonproductive; not part of an operating farm.

322 - Residential Vacant Land Over 10 Acres
Located in rural areas.

323 - Other Rural Vacant Lands
Waste lands, sand dunes, salt marshes, swamps, rocky areas, and woods and brush of noncommercial tree species not associated with forest lands.

330 - Vacant Land Located in Commercial Areas

331 - Commercial Vacant with minor improvements

340 - Vacant Land Located in Industrial Areas

341 - Industrial Vacant with minor improvements

350 - Urban Renewal or Slum Clearance
Vacant lots or acreage undergoing urban renewal or slum clearance; improvements must be abandoned.

380 - Public Utility Vacant Land
Public utility company vacant lands.

400 - COMMERCIAL410 - Living Accommodations411 - Apartments414 - Hotel415 - Motel416 - Mobile Home Parks (trailer parks, trailer courts)

The mobile homes are usually owner occupied but the land and facilities are rented or leased. (See code 270 for individual mobile homes.)

417 - Camps, Cottages, Bungalows

Usually rented on a seasonal basis.

418 - Inns, Lodges, Boarding and Rooming Houses, Tourist Homes, Fraternity and Sorority Houses

Sleeping accommodations with or without meals or kitchen privileges.

420 - Dining Establishments421 - Restaurants

Facilities which serve full course meals with or without legal beverages.

422 - Diners and Luncheonettes

Usually year-round facilities with counter service and limited seating

423 - Snack Bars, Drive-Ins, Ice Cream Bars

Usually seasonal, with window and/or car service, possibly limited counter service (e.g., A & W Root Beer, Tastee Freeze Ice Cream, etc.).

424 - Night Clubs

Facilities which feature an extensive menu, legal beverages and live entertainment.

400 - COMMERCIAL (cont.)

- 425 - Bar
Facilities which serve only legal beverages, not food.
- 426 - Fast Food Franchises
Year-round, with counter service, limited menus and a drive-up window (e.g., McDonald's, Burger King, etc.).
- 430 - Motor Vehicle Services
 - 431 - Auto Dealers - Sales and Service
Includes truck or farm machinery dealerships, auto or truck rental agencies, motor home sales and service facilities, etc.
 - 432 - Service and Gas Stations
Sell gasoline and/or provide minor repairs and services.
 - 433- Auto Body, Tire Shops, Other Related Auto Sales
Specialized auto equipment and repair (e.g., Goodyear Tire Center, Firestone Stores, etc.).
 - 434 - Automatic Car Wash
Car is pulled through a series of cleaning processes.
 - 435 - Manual Car Wash
Car is driven into a stall; revolving brushes rotate around the car (semiautomatic).
 - 436 - Self-Service Car Wash
Usually a multi stall structure featuring a car owner operated coin system with spray type hoses for washing and rinsing a car.

400 - COMMERCIAL (cont.)

437 - Parking Garage
Usually a multistory structure with elevators and/or ramps, used mainly for car storage.

438 - Parking Lot
A commercial open parking lot for motor vehicles.

439 - Small Parking Garage
A garage with two or more stalls, usually found in a residential area, being rented for parking.

440 - Storage, Warehouse and Distribution Facilities

This following property classification code changes will be established beginning with the 2004 assessment roll. Please make the necessary changes now, as you update your assessment roll.

<i><u>New Description</u></i>	<i><u>New Class</u></i>	<i><u>Old Class</u></i>	<i><u>Old Description</u></i>
Fuel Storage and Distribution Facilities	441	441	Gasoline, fuel, Oil, Liquid Petroleum Storage and/or Distribution
“	441	442	Bottled Gas, Natural Gas Facilities
“	441	445	Coal Yards, Bins
Mini Warehouse (Self Service Storage)	442	NA	
Open – Not Used	445		

400 - COMMERCIAL (cont.)

- 441 - Fuel Storage and Distribution Facilities
Facility for fuel storage and distribution including gasoline, oil, liquid petroleum bottled gas, natural gas, and coal.

- 442 - Mini Warehouse (Self Service Storage)
This use reflects the partitioned warehouse space used for multiple tenant self service storage.

- 443 - Grain and Feed Elevators, Mixers, Sales Outlets

- 444 - Lumber Yards, Sawmills

- 446 - Cold Storage Facilities
Used for perishables, produce or other items.

- 447 - Trucking Terminals

- 448 - Piers, Wharves, Docks and Related Facilities

- 449 - Other Storage, Warehouse and Distribution Facilities.

400 - COMMERCIAL (cont.)450 - Retail Services451 - Regional Shopping Centers

Multi occupant facilities with ten or more stores, usually featuring a large department store or two, and ample paved parking.

452 - Area or Neighborhood Shopping Centers

Smaller shopping facilities which usually feature a junior department store, several other stores, and ample parking; may include a supermarket.

453 - Large Retail Outlets

These facilities are usually complemented by a large supermarket and have ample parking (e.g., Ames, Wal-mart, etc.).

454 - Large Retail Food Stores

These facilities usually belong to a chain and sell food and sundry items (e.g., Price Chopper, Hannaford, Topps, Wegmans, P&C, Big M, etc.).

455 - Dealerships - Sales and Service (other than auto with large sales operation)

Boats (also refer to code 570), snowmobiles, garden equipment, etc.

460 - Banks and Office Buildings461 - Standard Bank/Single Occupant462 - Drive-In Branch Bank463 - Bank Complex with Office Building464 - Office Building465 - Professional Building

400 - COMMERCIAL (cont.)470 - Miscellaneous Services471 - Funeral Homes472 - Dog Kennels, Veterinary Clinics473 - Greenhouses474 - Billboards475 - Junkyards480 - Multiple Use or Multipurpose

A building readily adaptable, with little physical change, for more than one use or purpose.

481 - Downtown Row Type (with common wall)

Usually a two or three story older structure with retail sales/services on the first floor and offices and/or apartments on the upper floors; little or no on-site parking.

482 - Downtown Row Type (detached)

The same type of use as in code 481, above, but this is a separate structure without party walls.

483 - Converted Residence

A building usually located in a residential area, which has been partially converted or adapted for office space (e.g., a doctor's or dentist's office with an apartment upstairs).

484 - One Story Small Structure

Usually a modern, one occupant, building adaptable for several uses (e.g., retail clothing store, small office, warehouse, pet shop, etc.).

400 - COMMERCIAL (cont.)

- 485 - One Story Small Structure - Multi occupant
Usually partitioned for two or more occupants,
such as a liquor store, drug store, and a
laundromat; limited parking on site.
- 486 - Minimart
Combination snack bar, market and gas
station.

500 - RECREATION AND ENTERTAINMENT510 - Entertainment Assembly511 - Legitimate Theaters

Used primarily for live presentations of the performing arts (opera, drama, musicals, symphonies, ballet, etc.).

512 - Motion Picture Theaters (excludes drive-in theaters)513 - Drive-In Theaters514 - Auditoriums, Exhibition and Exposition Halls515 - Radio, T.V. and Motion Picture Studios520 - Sports Assembly521 - Stadiums, Arenas, Armories, Field Houses522 - Racetracks

Used for auto, horse, motorcycle, go-cart, or drag racing.

530 - Amusement Facilities531 - Fairgrounds532 - Amusement Parks533 - Game Farms534 - Social Organizations

Elks, Moose, Eagles, and Veterans' Posts, etc., whose primary purpose is social activities for members.

500 - RECREATION AND ENTERTAINMENT (cont)540 - Indoor Sports Facilities541 - Bowling Centers542 - Ice or Roller Skating Rinks543 - YMCA's, YWCA's, etc.544 - Health Spas545 - Indoor Swimming Pools546 - Other Indoor Sports
Tennis courts, archery ranges, billiard centers, etc.550 - Outdoor Sports Activities551 - Skiing Centers
May include sleeping and dining facilities;
not ski facilities of resort complexes.552 - Public Golf Courses
May include other associated sports facilities
and/or dining facilities.553 - Private Golf Country Clubs
Includes those with other sports and dining
facilities.554 - Outdoor Swimming Pools555 - Riding Stables556 - Ice or Roller Skating Rinks (may be covered)557 - Other Outdoor Sports
Driving ranges, miniature golf, tennis, baseball,
batting ranges, polo fields, etc.

500 - RECREATION AND ENTERTAINMENT (cont)

- 560 - Improved Beaches
Improvements include bath houses, parking facilities, etc.
- 570 - Marinas
Improvements include docks and piers, boat storage facilities, repair shops, etc.
- 580 - Camps, Camping Facilities and Resorts
 - 581 - Camps
Used by groups of children and/or adults.
 - 582 - Camping Facilities
Improved areas/parks with accommodations for tents, campers or travel trailers or RV's.
 - 583 - Resort Complexes
Dude ranches, resort hotels with sports facilities, etc.
- 590 - Parks
 - 591 - Playgrounds
 - 592 - Athletic Fields
 - 593 - Picnic Grounds

600 - COMMUNITY SERVICES610 - Education611 - Libraries612 - Schools

General, elementary and secondary.

613 - Colleges and Universities614 - Special Schools and Institutions

Used for the physically or mentally impaired.

615 - Other Educational Facilities620 - Religious630 - Welfare631 - Orphanages632 - Benevolent and Moral Associations633 - Homes for the Aged640 - Health641 - Hospitals642 - All Other Health Facilities650 - Government651 - Highway Garage

Used for the storage and maintenance of highway equipment by any governmental jurisdiction; includes associated land.

652 - Office Building

Owned by any governmental jurisdiction; includes associated land.

600 - COMMUNITY SERVICES (cont.)

- 653 - Parking Lots
Owned by any governmental jurisdiction; includes land and appurtenant structures such as open single level lots as well as multilevel parking garages.

- 660 - Protection
 - 661 - Army, Navy, Air Force, Marine and Coast Guard, Installations, Radar, etc.
 - 662 - Police and Fire Protection, Electrical Signal Equipment and Other Facilities for Fire, Police, Civil Defense, etc.

- 670 - Correctional
Used by any governmental jurisdiction for housing within the criminal justice system.

- 680 - Cultural and Recreational
 - 681 - Cultural Facilities
Museums, art galleries, etc.
 - 682 - Recreational Facilities
Nature trails, bike paths, etc.

- 690 - Miscellaneous
 - 691 - Professional Associations
 - 692 - Roads, Streets, Highways and Parkways, Express or Otherwise (if listed) Including Adjoining Land
 - 693 - Indian Reservations
 - 694 - Animal Welfare Shelters
 - 695 - Cemeteries

700 - INDUSTRIAL

A parcel including an office building on land located adjacent to or near an automobile assembly plant and used principally by the automobile manufacturer for its own offices should be coded as industrial under the appropriate division below. However, if such building is used principally by tenants leasing space therein, the parcel should be coded as commercial.

Also, an office building used principally by an industrial concern but located remote from its manufacturing plant should be coded as commercial rather than industrial (e.g., office buildings in Manhattan occupied principally by industrial companies whose manufacturing activities are located elsewhere throughout the country).

Parcels used for research aimed primarily at improving products should be coded as industrial, while parcels used for marketing research should be coded as commercial.

This following property classification code changes will be established beginning with the 2004 assessment roll. Please make the necessary changes now, as you update your assessment roll.

<i><u>New Description</u></i>	<i><u>New Class</u></i>	<i><u>Old Class</u></i>	<i><u>Old Description</u></i>
High Tech Manufacturing and Processing	712	NA	
Light Industrial Manufacturing and Processing	714	NA	
Heavy Manufacturing and Processing	715	NA	
Mining and Quarrying	720	721	Sand and Gravel
“	720	722	Limestone
“	720	723	Trap Rock
“	720	724	Salt
“	720	725	Iron and Titanium
“	720	726	Talc
“	720	727	Lead and Zinc
“	720	728	Gypsum
“	720	729	Other

- 710 - Manufacturing and Processing
- 712 - High Tech. Manufacturing and Processing
These buildings are used as research laboratories with a high percentage of office/laboratory space. The construction costs of these facilities are higher than other warehouse/manufacturing facilities reflecting their architectural design, super adequate upgrades, and more comprehensive finish.
- 714 - Light Industrial Manufacturing and Processing
These structures may have been built for a specific manufacturing process. They feature high ceilings and open construction which allows for good workflow.
- 715 - Heavy Manufacturing and Processing
These are large area structures design and built for production. They will have extensive concrete foundations for industrial equipment and a high voltage electrical system.
- 720 - Mining and Quarrying
This category includes parcels used in or necessary adjunct to the provision of mining and quarrying, i.e., sand and gravel, limestone, trap rock, salt, iron and titanium, talc, lead and zinc, gypsum, and other mining and quarrying.
- 730 - Wells
- 731 - Oil - Natural Flow (for production)
- 732 - Oil - Forced Flow (for production)
- 733 - Gas (for production)
- 734 - Junk
- 735 - Water used for Oil Production
- 736 - Gas or Oil Storage Wells

740 - Industrial Product Pipelines
Pipelines used by nonutility companies, and not in Special Franchise.

741 - Gas

742 - Water

743 - Brine

744 - Petroleum Products

749 - Other

800 - PUBLIC SERVICES

This category includes, but is not limited to, parcels used in or as a necessary adjunct to the provision of public services. Therefore, a parcel which include a building used principally by a telephone company for accounting or customer billing should be coded in this category.

Similarly, parcels which are used to store, garage or repair motor vehicles and/or equipment used in providing these public utility services should be coded in the appropriate division below.

820 - Water**821 - Flood Control**

Land used for the accumulation, storage or diversion of water for flood control purposes only.

822 - Water Supply

Land used for the accumulation, storage, transmission or distribution of water for purposes other than flood control or production of electricity (e.g., aqueducts and pipelines).

823 - Water Treatment Facilities**826 - Water Transmission - Improvements****827 - Water Transmission - Outside Plant**

800 - PUBLIC SERVICES (cont.)

- 830 - Communication
Includes all telephones, telecommunications, telegraph, radio, television and CATV property.
- 831 - Telephone
Telephone and telecommunications land, buildings, towers, antennae, etc., except cellular telephone towers - see 837
- 832 - Telegraph
- 833 - Radio
- 834 - Television other than Community Antenna Television
- 835 - Community Antenna Television CATV Facility
CATV land, buildings, antennae, towers, etc.
- 836 - Telephone Outside Plant
Poles, wires, cable, etc.
- 837 - Cellular Telephone Towers
- 840 - Transportation
- 841 - Motor Vehicle
Land used in the provision of transportation services by motor vehicles (e.g., bus terminals, taxicab garages, truck terminals and warehouses, etc.). Does not include public highways, bridges, tunnels, subways and property used in the maintenance (except by persons providing transportation services), manufacture and sale of motor vehicles.

800 - PUBLIC SERVICES (cont.)

- 842 - Ceiling Railroad
Real property for which the State Board establishes the maximum taxable assessed value.
- 843 - Nonceiling Railroad
- 844 - Air
- 845 - Water
Land used for water transportation (e.g., canal).
- 846 - Bridges, Tunnels and Subways
- 847 - Pipelines
Pipelines used by utility companies for the transportation of petroleum products.

NOTE : This code will be deleted once the Utility Company Assessment Roll Standards (UCARS) have been adopted. After that the appropriate Pipeline designation should be chosen from the 740 series.

- 850 - Waste Disposal
Does not include facilities used exclusively for the disposal of waste from an industrial process, which should be coded as industrial property.
- 851 - Solid Wastes
Incinerators and waste compacting facilities. Does not include landfills and dumps (see code 852).
- 852 - Landfills and Dumps
- 853 - Sewage Treatment and Water Pollution Control
- 854 - Air Pollution Control

800 - PUBLIC SERVICES (cont.)

- 860 - Special Franchise Property
Real property for which the State Board establishes assessments.
- 861 - Electric and Gas
- 862 - Water
- 866 - Telephone
- 867 - Miscellaneous
- 868 - Pipelines
- 869 - Television
- 870 - Electric and Gas
- 871 - Electric and Gas Facilities
General electric and gas facilities, buildings, and land including offices, garages, service centers, etc.
- 872 - Electric SubStation
- Electric Power Generation Facilities
Includes all land and facilities associated with electric generating stations, i.e. power plant equipment, reservoirs, dams, power house, penstock pipe, waterway structures, etc.
- 873 - Gas Measuring and Regulation Station
- 874 - Electric Power Generation Facility - Hydro
- 875 - Electric Power Generation Facility - Fossil Fuel
- 876 - Electric Power Generation Facility - Nuclear
- 877 - Electric Power Generation Facility - Other Fuel

800 - **PUBLIC SERVICES**

880 - Electric and Gas Transmission and Distribution

882 - Electric Transmission Improvement

883 - Gas Transmission Improvement

884 - Electric Distribution - Outside Plant Property

885 - Gas Distribution - Outside Plant Property

900 - WILD, FORESTED, CONSERVATION LANDS AND PUBLIC PARKS

910 - Private Wild and Forest Lands except for Private Hunting and Fishing Clubs

This division includes all private lands which are associated with forest land areas that do not conform to any other property type classification, plus plantations and timber tracts having merchantable timber.

911 - Forest Land Under Section 480 of the Real Property Tax Law

912 - Forest Land Under Section 480-a of the Real Property Tax Law

920 - Private Hunting and Fishing Clubs

930 - State Owned Forest Lands

931 - State Owned Land (Forest Preserve) in the Adirondack or Catskill Parks Taxable Under Section 532-a of the Real Property Tax Law

932 - State Owned Land Other Than Forest Preserve Covered Under Section 532-b, c, d, e, f, or g of the Real Property Tax Law

- 900 - WILD, FORESTED, CONSERVATION LANDS AND PUBLIC PARKS (cont.)
- 940 - Reforested Land and Other Related Conservation Purposes
 - 941 - State Owned Reforested Land Taxable Under Sections 534 and 536 of the Real Property Tax Law
 - 942 - County Owned Reforested Land
 - 950 - Hudson River and Black River Regulating District Land
 - 960 - Public Parks
 - 961 - State Owned Public Parks, Recreation Areas, and Other Multiple Uses
 - 962 - County Owned Public Parks and Recreation Areas
 - 963 - City/Town/Village Public Parks and Recreation Areas
 - 970 - Other Wild or Conservation Lands
 - 971 - Wetlands, Either Privately or Governmentally Owned, Subject to Specific Restrictions as to Use
 - 972 - Land Under Water, Either Privately or Governmentally Owned (other than residential - more properly classified as code 315)
 - 980 - Taxable State Owned Conservation Easements

900 - WILD, FORESTED, CONSERVATION LANDS AND PUBLIC PARKS (cont)

990 - Other Taxable State Land Assessments

991 - Adirondack Park Aggregate Additional Assessments (Real Property Tax Law, Section 542(3))

992 - Hudson River-Black River Regulating District Aggregate Additional Assessments (Environmental Conservation Law, Section 15-2115)

993 - Transition Assessments for Taxable State Owned Land (Real Property Tax Law, Section 545)

994 - Transition Assessments for Exempt State Owned Land (Real Property Tax Law, Section 545).

Appendix 8.2: Glossary of Terms and Phrases

APPENDIX 8.2

GLOSSARY OF TERMS AND PHRASES

[Source “Primer for Local officials and Citizens”, John R. Nolon, copyright 1998 by Land Use Law Center Pace University School of Law; re-printed for use in this plan courtesy of Pace University School of Law]

1. **Accessory Apartment.** An accessory apartment is a second residential unit that may be contained within an existing single-family home, garage, or carriage house. An accessory apartment is usually required to be a complete housekeeping unit that can function independently with separate access, kitchen, bedroom, and sanitary facilities.
2. **Accessory Use.** An accessory use is the use of land that is subordinate, incidental to, and customarily found in connection with the principal use allowed on a lot by the zoning law. A garage is incidental to the principal use of a lot as a single-family residence and customarily found on a single-family parcel.
3. **Action.** An action is, under the State Environmental Quality Review Act, any project or physical activity that is directly undertaken, funded, or approved by a state or local agency that may affect the environment. Actions include planning and policy-making activities and the adoption of rules and regulations that may affect the environment.
4. **Administrative Body.** Administrative bodies are created by local legislatures to undertake administrative functions such as the review of applications for site plans, subdivisions, and special use permits. See “Reviewing Board.”
5. **Adult Use.** An adult use is a business that provides sexual entertainment or services to customers. Adult uses include: X-rated video shops and bookstores, live or video peep shows, topless or fully nude dancing establishments, combination book/video and “marital aid” stores, non-medical massage parlors, hot oil salons, nude modeling studios, hourly motels, body painting studios, swingers clubs, X-rated movie theaters, escort service clubs, and combinations thereof.
6. **Advisory Opinion.** An advisory opinion is a report by a local administrative body, which does not have the authority to issue permits or adopt laws and regulations, prepared for the consideration by a local body that does.
7. **Aesthetic Resources.** Natural resources such as open vistas, woods, scenic viewsheds, and attractive man-made settings whose appearance is an important ingredient in the quality of life in a community.
8. **Affordable Housing.** Housing developed through some combination of zoning incentives, cost-effective

construction techniques, and governmental subsidies that can be rented or purchased by households who cannot afford market rate housing in the community.

9. **Agency.** An agency, under the State Environmental Quality Review Act (SEQRA), is any state or local agency, including zoning boards of appeals, local legislatures, planning boards, and, under certain circumstances, even building inspectors, that make discretionary decisions that may affect the environment. These agencies are subject to SEQRA regulations whenever taking an "action."

10. **Aggrieved Party.** Only aggrieved parties may appeal a reviewing body or local legislature's land use decision to the courts. The decision must result in some demonstrable harm to the party that is different from the impact of the decision on the community as a whole.

11. **Agricultural Land Protection.** Any law, regulation, board, or process that has as its objective the preservation of farming on land dedicated to agricultural use. Examples include agricultural zoning, farmland preservation boards, property tax relief for farmers, and anti-nuisance laws.

12. **Agricultural Zoning District.** An agricultural zoning district is a designated portion of the municipality where agricultural uses are permitted as-of-right and non-farm land uses are either prohibited or allowed subject to limitations or

conditions imposed to protect the business of agriculture.

13. **Amortization of Nonconforming Uses.** Nonconforming uses that are particularly inconsistent with zoning districts within which they exist and not immediately dangerous to public health or safety may be terminated or amortized within a prescribed number of years. This amortization period allows the landowner to recoup some or all of his investment in the offensive nonconforming use.

14. **Appellate Jurisdiction.** A zoning board of appeals has appellate jurisdiction to review determinations of the zoning enforcement officer. Denials of building permits and determinations that proposed land uses do not meet the zoning law's standards may be appealed to the zoning board of appeals. Land use decisions of the zoning board of appeals, planning board, and local legislature may be appealed to the courts, which exercise appellate jurisdiction over them.

15. **Approval.** An approval is a discretionary decision made by a local agency to issue a permit, certificate, license, lease, or other entitlement or to otherwise authorize a proposed project or activity.

16. **Architectural Review Board.** An architectural review board is a body that reviews proposed developments for their architectural congruity with surrounding developments and either renders an

advisory opinion on the matter or is authorized to issue or deny a permit. Its review is based upon design criteria or standards adopted by the local legislature.

17. **Area Variance.** This is a variance that allows for the use of land in a way that is not permitted by the dimensional or physical requirements of the zoning law. This type of variance is needed when a building application does not comply with the setback, height, lot, or area requirements of the zoning law. For example, if an owner wants to build an addition to a house that encroaches into the side-yard setback area, that owner must apply to the zoning board of appeals for an area variance.

18. **Article 78 Proceeding.** An Article 78 Proceeding refers to an article of the Civil Practice Law and Rules that allows aggrieved persons to bring an action against a government body or officer. This device allows review of state and local administrative proceedings in court.

19. **As-of-Right.** An as-of-right use is a use of land that is permitted as a principal use in a zoning district. In a single-family district, the construction of a single-family home is an as-of-right use of the lot.

20. **Buffer.** A buffer is a designated area of land that is controlled by local regulations to protect an adjacent area from the impacts of development.

21. **Building Area.** The building area is the total square footage of a parcel of land that is allowed by the regulations to be covered by buildings and other physical improvements.

22. **Building Code.** The building code is the Uniform Fire Prevention and Building Code, as modified by local amendments. This code governs the construction details of buildings and other structures in the interests of the safety of the occupants and the public. A local building inspector may not issue a building permit unless the applicant's construction drawings comply with the provisions of the building code.

23. **Building Height.** The building height is the vertical distance from the average elevation of the proposed finished grade along the wall of a building or structure to the highest point of the roof, for flat roofs, or to the mean height between eaves and ridge, for gable, hip, and gambrel roofs.

24. **Building Inspector.** The building inspector is the local administrative official charged with the responsibility of administering and enforcing the provisions of the building code. In some communities the building inspector may also be the zoning enforcement officer.

25. **Building Permit.** A building permit must be issued by a municipal agency or officer before activities such as construction, alteration, or expansion of buildings or

improvements on the land may legally commence.

26. **Bulk Regulations.** Bulk regulations are the controls in a zoning district governing the size, location, and dimensions of buildings and improvements on a parcel of land.
27. **Bulk Variance.** See "Area Variance."
28. **Capital Budget.** The capital budget is the municipal budget that provides for the construction of capital projects in the community.
29. **Capital Project.** Capital projects are construction projects including public buildings, roads, street improvements, lighting, parks, and their improvement or rehabilitation paid for under the community's capital budget.
30. **Cellular Facility.** An individual cell of a cellular transmission system that includes a base station, antennae, and associated electronic equipment that sends to and receives signals from mobile phones.
31. **Central Business District (CBD).** The central business district is the traditional business core of a community, characterized by a relatively high concentration of business activity within a relatively small area. The CBD is usually the retail and service center of a community. Because of its compactness, there is usually an emphasis on pedestrian traffic in the CBD.
32. **Certificate of Occupancy.** A certificate of occupancy is a permit that allows a building to be occupied after its construction or improvement. It certifies that the construction conforms to the building code and is satisfactory for occupancy.
33. **City Council.** See "Local Legislature."
34. **Cluster Subdivision.** A cluster subdivision is the modification of the arrangement of lots, buildings, and infrastructure permitted by the zoning law to be placed on a parcel of land to be subdivided. This modification results in the placement of buildings and improvements on a part of the land to be subdivided in order to preserve the natural and scenic quality of the remainder of the land.
35. **Components.** Components are elements of a comprehensive plan that are suggested by state law.
36. **Comprehensive Plan.** A comprehensive plan is a written document that identifies the goals, objectives, principles, guidelines, policies, standards, and strategies for the growth and development of the community.
37. **Condition.** A condition is a requirement or qualification that is attached to a reviewing board's approval of a proposed development project. A condition must be complied with before the local building inspector or department can

issue a building permit or certificate of occupancy.

38. **Conditional Use Permit.** See “Special Use Permit.”

39. **Conditioned Negative Declaration (CND).** Under the State Environmental Quality Review Act, a CND is a negative declaration issued by a “lead agency” for an “unlisted action.” This involves an action that, as initially proposed, may result in one or more significant adverse environmental impacts but, when mitigation measures are required by the lead agency to modify the proposed action, no significant adverse environmental impacts will result.

40. **Conservation Advisory Council (CAC).** A CAC is created by the local legislature to advise in the development, management, and protection of the community’s natural resources and to prepare an inventory and map of open spaces.

41. **Conservation Board.** Once the local legislature has reviewed and approved an open space inventory and map, it may designate the Conservation Advisory Committee as a Conservation Board and authorize it to review and comment on land use applications that affect community open space.

42. **Conservation Easement.** A conservation easement is a voluntary agreement between a private landowner and a municipal agency or qualified not-for-profit corporation

to restrict the development, management, or use of the land. That agency holds the interest and is empowered to enforce its restrictions against the current landowner and all subsequent owners of the land.

43. **Conservation Overlay Zones.** In conservation overlay zones, the legislature adopts more stringent standards than those contained in the underlying zoning districts as necessary to preserve identified resources and features in need of conservation or preservation.

44. **Critical Environmental Area (CEA).** A CEA is a specific geographic area designated by a state or local agency as having exceptional or unique environmental characteristics. In establishing a CEA, the fragile or threatened environmental conditions in the area are identified so that they will be taken into consideration in the site-specific environmental review under the State Environmental Quality Review Act.

45. **Cumulative Impact Analysis.** In conducting an environmental review of a proposed project, its negative impacts on the environment may be considered in conjunction with those of nearby or related projects to determine whether, cumulatively, their adverse impacts are significant and require the preparation of an Environmental Impact Statement.

46. **Decision.** A decision is the final determination of a local reviewing body, or administrative agency or

- officer regarding an application for a permit or approval.
47. **Deed Restrictions.** A covenant or restriction placed in a deed that restricts the use of the land in some way. These are often used to insure that the owner complies with a condition imposed by a land use body.
48. **Density Bonus.** See "Incentive Zoning."
49. **Density.** Density is the amount of development per acre on a parcel permitted under the zoning law. The density allowed could be four dwelling units per acre or 40,000 square feet of commercial building floor per acre, for example.
50. **Determination.** A determination is a decision rendered by an officer or administrative body on an application or a request for a ruling.
51. **Development Overlay Zones.** In development overlay zones, the legislature may provide incentives, such as waivers of certain zoning requirements or density bonuses, for developers who build the type of development desired.
52. **District.** A district is a portion of a community identified on the locality's zoning map within which one or more principal land uses are permitted along with their accessory uses and any special land uses permitted by the zoning provisions for the district.
53. **Dwelling Unit.** A dwelling unit is a unit of housing with full housekeeping facilities for a family.
54. **Easement.** An easement involves the right to use a parcel of land to benefit an adjacent parcel of land, such as to provide vehicular or pedestrian access to a road or sidewalk. Technically known as an easement appurtenant.
55. **Eminent Domain.** Eminent domain is the government's right to take title to private property for a public use upon the payment of just compensation to the landowner.
56. **Enabling Act.** An enabling act is legislation passed by the New York State Legislature authorizing counties, cities, towns, and villages to carry out functions in the public interest. The power to adopt comprehensive plans, zoning ordinances, and land use regulations is delegated to towns, villages, and cities under the Town Law, Village Law, General City Law, and Municipal Home Rule Law.
57. **Environment.** The environment is defined broadly under the State Environmental Quality Review Act to include the physical conditions that will be affected by a proposed action, including land, air, water, minerals, flora, fauna, noise, resources of agricultural, archeological, historic or aesthetic significance, existing patterns of population concentration, distribution, or growth, existing community or neighborhood character, and human health.

58. **Environmental Assessment Form (EAF).** An EAF, as used in the State Environmental Quality Review Act process, is a form completed by an applicant to assist an agency in determining the environmental significance of a proposed action. A properly completed EAF must contain enough information to describe the proposed action, its location, purpose, and potential impacts on the environment.
59. **Environmental Impact Statements (EIS).** An EIS is a written “draft” or “final” document prepared in accordance with the State Environmental Quality Review Act. An EIS provides a means for agencies, project sponsors, and the public to systematically consider significant adverse environmental impacts, alternatives, and mitigation strategies. An EIS facilitates the weighing of social, economic, and environmental factors in the planning and decision-making process. A draft EIS (DEIS) is the initial statement prepared by either the project sponsor or the lead agency and circulated for review and comment before a final EIS (FEIS) is prepared.
60. **Environmental Quality Review.** The process that reviewing boards must conduct to determine whether proposed projects may have a significant adverse impact on the environment and, if they do, to study these impacts and identify alternatives and mitigation conditions that protect the environment to the maximum extent practicable.
61. **Environmental Review.** The State Environmental Quality Review Act requires local agencies that review applications for land use approvals to take a hard look at the environmental impact of the proposed projects. Where the proposed project may have a significant adverse impact on the environment the agency must prepare an environmental impact statement before approving the project. The adoption of comprehensive plans, zoning amendments, and other land use regulations are also subject to environmental review.
62. **Exclusionary Zoning.** When a community fails to accommodate, through its zoning law, the provision of affordable types of housing needed to meet proven regional housing needs, that community is said to practice exclusionary zoning.
63. **Executive Session.** An executive session is a meeting, or portion of a meeting, that is closed to the public because the topics to be discussed involve real estate, litigation, or sensitive personnel matters.
64. **Facilitation.** A process of decision-making guided by a facilitator who insures that all affected individuals and groups are involved in a meaningful way and that the decisions are based on their input and made to achieve their mutual interests. Facilitators may be neutral outside third parties or community leaders

trained or experienced in the process.

65. **Family.** One or more persons occupying a dwelling as a single housekeeping unit.
66. **Final Plat Approval.** The final plat approval is the approval by the authorized local reviewing body of a final subdivision drawing or plat that shows the subdivision, proposed improvements, and conditions as specified in the locality's subdivision regulations and as required by that body in its approval of the preliminary plat.
67. **Floating Zone.** A floating zone is a zoning district that is added to the zoning law but that "floats" until an application is made to apply the new district to a certain parcel. Upon the approval of the application, the zoning map is amended to apply the floating district to that parcel of land.
68. **Floodplain.** A floodplain is the area on the sides of a stream, river, or watercourse that is subject to periodic flooding. The extent of the floodplain is dependent on soil type, topography, and water flow characteristics.
69. **Floor Area Ratio (FAR).** FAR is the gross floor area of all buildings permitted on a lot divided by the area of the lot. In zoning, the permitted building floor area is calculated by multiplying the maximum FAR specified for the zoning district by the total area of the parcel. A permitted FAR of 2 would allow the construction of 80,000

square feet of floor space on 40,000 square feet of land (40,000 x 2 = 80,000).

70. **Freedom of Information Law.** The Freedom of Information Law requires that the public be provided access to governmental records, including local land use documents, such as photos, maps, designs, drawings, rules, regulations, codes, manuals, reports, files, and opinions. Public access may be denied if it would constitute an invasion of privacy.
71. **Freshwater Wetlands Regulation.** These are laws passed by federal, state, and local governments to protect wetlands by limiting the types and extent of activities permitted within wetlands. These laws require landowners to secure permits before conducting many activities, such as draining, filling, or constructing buildings.
72. **Frontage.** Zoning laws typically require that developable lots have a specified number of linear feet that front on a dedicated street. A 100-foot frontage requirement means that a lot must have 100 linear feet on the side of the parcel that fronts on a street.
73. **Goals.** Goals are broad statements of ideal future conditions that are desired by the community and contained in the comprehensive plan. For example, a community may have a goal of "providing an ample stock of affordable housing."

74. **Group Home.** Group homes are residences for a variety of special populations in need of supervised living facilities. Individuals residing in group homes may be mentally or physically disabled, recovering substance abusers, teenaged mothers, or victims of domestic violence. Able-bodied elderly persons, college students, young professionals, and other people not related by blood, marriage, or adoption might also form groups that wish to live together. When such groups of unrelated persons seek housing in a single-family home, the question arises as to whether they are a “family” entitled to live in a residential unit in a single-family zoning district.

75. **Historic District.** An historic district is a regulatory overlay zone within which new developments must be compatible with that of the architecture of the historic structures within the districts. Alterations and improvements of historic structures must be made with minimum interference with the historic features of the building. The local legislature establishes standards that a historic preservation commission uses to permit, condition, or deny projects proposed in historic districts.

76. **Historic Preservation Commission.** An historic preservation commission is established to review proposed projects within historic districts for compliance with standards established for new development or

alteration or improvement of historic buildings and landmarks.

77. **Home Occupation.** A home occupation is a business conducted in a residential dwelling unit that is incidental and subordinate to the primary residential use. Regulations of home occupations usually restrict the percentage of the unit that can be used for the occupation, exterior evidence of the business, and the amount of parking allowed and traffic generated.

78. **Home Rule Authority.** Home rule authority gives local governments the power to adopt laws relating to their local property, affairs, and government, in addition to the powers specifically delegated to them by the legislature. The Municipal Home Rule Law gives a municipality the authority to regulate for the “protection and enhancement of its physical and visual environment” as well as for the “government, protection, order, conduct, safety, health, and well being of persons or property therein.” Zoning laws may also be adopted under home rule authority.

79. **Implementation Plan or Measures.** Implementation plans coordinate all the related strategies that are to be carried out to achieve the objectives contained in the comprehensive plan. An implementation plan answers the questions: *who, what, where, and how.*

80. **Incentive Zoning.** Incentive zoning is a system by which zoning incentives are provided to

developers on the condition that specific physical, social, or cultural benefits are provided to the community. Incentives include increases in the permissible number of residential units or gross square footage of development, or waivers of the height, setback, use, or area provisions of the zoning ordinance. The benefits to be provided in exchange may include affordable housing, recreational facilities, open space, day care facilities, infrastructure, or cash in lieu thereof.

81. **Infrastructure.** Infrastructure includes utilities and improvements needed to support development in a community. Infrastructure includes water and sewage systems, lighting, drainage, parks, public buildings, roads and transportation facilities, and utilities.
82. **Intermunicipal Agreements.** Intermunicipal agreements are compacts among municipalities to perform functions together that they are authorized to perform independently. In the land use area, localities may agree to adopt compatible comprehensive plans and ordinances, as well as other land use regulations, and to establish joint planning, zoning, historic preservation, and conservation advisory boards or hire joint inspection and enforcement officers.
83. **Involved Agency.** An agency that has jurisdiction by law to fund, approve, or directly undertake an action, but does not have the primary responsibility for that action as does with the lead agency

under the State Quality Environmental Review Act.

84. **Judicial Review.** Judicial review is the oversight by the courts of the decisions and processes of local land use agencies. It is governed by special statutory provisions that limit both actions against governmental bodies, in general, and against local land use decisions, in particular. The applicable rules of judicial review depend on the type of local body that is involved and the type of action that is challenged. The courts in New York have adopted fairly liberal rules of access to the courts, typically allowing adjacent and nearby property owners and associations of residents to challenge land use decisions that affect them in some special way.
85. **Jurisdictional Defect.** When a legislative action or a land use determination is taken without following a mandated procedure, such as referral to a county planning agency or the conduct of environmental review, the action or determination suffers from a jurisdictional defect and is void. Without following mandated procedures public bodies do not have jurisdiction to act.
86. **Land Trust.** A land trust is a not-for-profit organization, private in nature, organized to preserve and protect the natural and man-made environment by, among other techniques, holding conservation easements that restrict the use of real property.

87. **Land Use Law.** Land use law encompasses the full range of laws and regulations that influence or affect the development and conservation of the land. This law is intensely intergovernmental and interdisciplinary. In land use law there are countless intersections among federal, state, regional, and local statutes. It is significantly influenced by other legal regimes such as environmental, administrative, and municipal law.
88. **Land Use Regulation [Local].** Local land use regulations are laws enacted by the local legislature for the regulation of any aspect of land use and community resource protection, including zoning, subdivision, special use permit or site plan regulation, or any other regulation that prescribes the appropriate use of property or the scale, location, or intensity of development.
89. **Landmark Preservation Law.** A landmark preservation law designates individual historical or cultural landmarks and sites for protection. It controls the alteration of landmarks and regulates some aspects of adjacent development to preserve the landmarks' integrity.
90. **Lead Agency.** The lead agency is the "involved agency" under the State Environmental Quality Review Act that is principally responsible for undertaking, funding, or approving an action. The lead agency is responsible for determining whether an environmental impact statement is required in connection with the action and for the preparation and filing of the statement if one is required.
91. **Local Board.** See "Reviewing Body."
92. **Local Law.** Local law is the highest form of local legislation. The power to enact local laws is granted by the constitution to local governments. Local laws, in this sense, have the same quality as acts of the state legislature, both being authorized by the state constitution. They must be adopted by the formalities required for the adoption of local laws.
93. **Local Legislature.** The local legislature adopts and amends the comprehensive plan, zoning and land use regulations, and sometimes retains the authority to issue certain permits or perform other administrative functions. The local legislature of a city is typically called the City Council, of a village, the Village Board of Trustees, and of a town, the Town Board.
94. **Lot Area.** Lot area is the total square footage of horizontal area included within the property lines. Zoning laws typically set a minimum required lot area for building in each zoning district.
95. **Lot.** A lot is a portion of a subdivision, plat, tract, or other parcel of land considered as a unit for the purpose of transferring legal title from one person or entity to another.

96. **Master Plan.** The term master plan is used synonymously by many to refer to the comprehensive plan. The statutory, official name for the community's written plan for the future is the comprehensive plan.
97. **Mediation.** Mediation is a voluntary process of negotiation, generally used when a dispute exists among two or more parties, conducted by a trained mediator who works with all parties involved so that their true interests are identified and a resolution is achieved that responds effectively and fully to those interests.
98. **Minutes.** The minutes typically cover the important discussions, facts found, and actions taken at a meeting. The Open Meetings Law requires that the minutes provide a record of motions, proposals, and actions.
99. **Mitigation Conditions.** Conditions imposed by a reviewing body on a proposed development project or other action to mitigate its adverse impact on the environment.
100. **Mixed Use.** In some zoning districts multiple principal uses are permitted to coexist on a single parcel of land. Such uses may be permitted, for example, in neighborhood commercial districts, where apartments may be developed over retail space.
101. **Moratorium.** A moratorium suspends the right of property owners to obtain development approvals while the local legislature takes time to consider, draft, and adopt land use regulations or rules to respond to new or changing circumstances not adequately dealt with by its current laws. A moratorium is sometimes used by a community just prior to adopting a comprehensive plan or zoning law, or major amendment thereto.
102. **Multifamily Housing.** Most zoning maps contain districts where multifamily housing is permitted by the zoning law. Under the district regulations, buildings with three or more dwelling units are permitted to be constructed, such as garden apartments or multiple story apartment buildings.
103. **Municipal Clerk.** The municipal clerk is the public official authorized by the local legislature to keep official records of the legislative and administrative bodies of the locality. Final determinations of reviewing boards ordinarily must be filed with the municipal clerk.
104. **Negative Declaration ("neg dec").** A "neg dec" is a written determination by a lead agency, under the State Environmental Quality Review Act, that the implementation of the action as proposed will not result in any significant adverse environmental impacts. A "neg dec" concludes the environmental review process for an action.
105. **Nonconforming Buildings.** A building that was constructed prior to the adoption of the zoning law or

zoning amendment that is not in accordance with the dimensional provisions, such as building height or setback requirements, of that law or amendment.

106. **Nonconforming Use.** A nonconforming use is a land use that is not permitted by a zoning law but which already existed at the time the zoning law or its amendment was enacted. Most nonconforming uses are allowed to continue but may not be expanded or enlarged.

107. **Notice.** Notice requirements are contained in state and local statutes. They spell out the number of days in advance of a public hearing that public notice must be given and the precise means that must be used. These may include publication in the official local newspaper and mailing or posting notices in prescribed ways. Failure to provide public notice is a jurisdictional defect and may nullify the proceedings.

108. **Objectives.** Objectives are statements of attainable, quantifiable, intermediate-term achievements that help accomplish goals contained in the comprehensive plan. For example, an objective would be to achieve “the construction of 50 units of affordable housing annually until the year ____.”

109. **Official Map.** The official map is the adopted map of a municipality showing streets, highways, parks, drainage, and other physical features. The “Official Map” is final and conclusive with

respect to the location and width of streets, highways, drainage systems, and parks shown thereon and is established to conserve and protect the public health, safety, and welfare.

110. **Open Meetings Law.** The Open Meetings Law is a state statute that requires local legislative, administrative, and quasi-judicial bodies to open all of their meetings to members of the public. This law applies to all meetings where a majority of the board members are present, except those meetings that are held as executive sessions.

111. **Ordinance.** An ordinance is an act of a local legislature taken pursuant to authority specifically delegated to local governments by the state legislature. The power of villages to adopt ordinances was eliminated in 1974. Technically, therefore, villages do not adopt, amend, or enforce zoning ordinances. Zoning provisions in villages are properly called zoning laws.

112. **Original Jurisdiction.** When an aggrieved party must appeal a determination to a quasi-judicial or judicial body in the first instance that body has original jurisdiction over that matter. The zoning board of appeals, for example, has original jurisdiction to hear appeals of the determinations of the zoning enforcement officer.

113. **Overlay Zone.** An overlay zone is a zone or district created by the local legislature for the purpose of conserving natural

resources or promoting certain types of development. Overlay zones are imposed over existing zoning districts and contain provisions that are applicable in addition to those contained in the zoning law.

114. **Parcel.** A piece of property. See "Lot."

115. **Planned Unit Development.** A planned unit development is an overlay zoning district that permits land developments on several parcels to be planned as single units and contain both residential dwellings and commercial uses. It is usually available to landowners as a mixed use option to single uses permitted as-of-right by the zoning ordinance.

116. **Planning Board/Commission.** Planning boards must consist of 5 to 7 members. Planning boards may be delegated reviewing board functions and a variety of advisory functions, including the preparation of the comprehensive plan, drafting zoning provisions, or suggesting site plan and subdivision regulations, in addition to other functions. One important purpose of the planning board's advisory role is to provide an impartial and professional perspective on land use issues based on the long range needs of the community contained in the comprehensive plan or other local policy documents.

117. **Plat.** This is a site plan or subdivision map that depicts the arrangements of buildings, roads, and other services for a development.

118. **Police Power.** The police power is the power that is held by the state to legislate for the purpose of preserving the public health, safety, morals, and general welfare of the people of the state. The authority that localities have to adopt comprehensive plans and zoning and land use regulations is derived from the state's police power and delegated by the state legislature to its towns, villages, and cities.

119. **Positive Declaration ("pos dec").** A positive declaration is a written determination by a lead agency, under the State Environmental Quality Review Act, that the implementation of the action as proposed is likely to have a significant adverse impact on the environment and that an environmental impact statement will be required.

120. **Preliminary Plat Approval.** Preliminary plat approval is the approval by the authorized local administrative body of a preliminary subdivision drawing or plat that shows the site conditions, subdivision lines, and proposed improvements as specified in the locality's subdivision regulations.

121. **Principal Use.** A principal use is the primary use of a lot that is permitted under the district regulations in a zoning law. These regulations may allow one or more principal uses in any given district. Unless the district regulations allow mixed uses, only one principal use may be made of a

single lot, along with uses that are accessory to that principal use.

122. **Public Hearing.** These hearings afford citizens affected by a reviewing board's decision an opportunity to have their views heard before decisions are made. State statutes require that public hearings be held regarding the application for a variance or a subdivision approval. Public hearings regarding site plan applications and draft environmental impact statements may be required as a matter of local practice.

123. **Public Services.** Public services are those services provided by the municipal government for the benefit of the community, such as fire and police protection, education, solid waste disposal, street cleaning, and snow removal.

124. **Quasi-Judicial.** A term applied to some local administrative bodies that have the power to investigate facts, hold hearings, weigh evidence, draw conclusions, and use this information as a basis for their official decisions. These bodies adjudicate the rights of the parties appearing before the body. The zoning board of appeals serves in a quasi-judicial capacity when it hears appeals from the determination of the local zoning enforcement officer.

125. **Record.** Local boards must keep a detailed record of their deliberations in making decisions on site plan and subdivision applications and the issuance of variances and special permits.

These records may be kept in narrative form rather than in verbatim transcript form. A clerk or secretary hired by the municipality often manages these records. The records should include the application and reports, studies, documents, and minutes of the board meetings.

126. **Recreational Zoning.** Recreational zoning is the establishment of a zoning district in which private recreational uses are the principal permitted uses. The types of recreational uses permitted include swimming, horse back riding, golf, tennis, and exercise clubs open to private members who pay dues and user fees or to the public on a fee basis.

127. **Recusal.** A term used when a board member has a conflict of interest and must abstain from voting on any issues relating to that private interest. The board member is said to be recusing himself from all deliberations on the matter.

128. **Redaction.** Redaction is done when a public record contains sensitive, private, or confidential information that is taken out of the document, or redacted, in a way that does not distort the meaning of the record. The practice of striking or otherwise taking out this type of material is called redaction.

129. **Regulatory Takings.** A regulatory taking is a regulation that is so intrusive that it is found to take private property for a

public purpose without providing the landowner with just compensation.

130. **Resolution.** A resolution is a means by which a local legislature or other board expresses its policy or position on a subject.

131. **Restrictive Covenant.** An agreement in writing and signed by the owner of a parcel of land that restricts the use of the parcel in a way that benefits the owners of adjacent or nearby parcels. See "Conservation Easement."

132. **Reviewing Board.** The administrative body charged with responsibility for reviewing, approving, conditioning, or denying applications for a specific type of land use such as variance, special use permit, or site plan or subdivision approval.

133. **Rezoning.** An act of the local legislature that changes the principal uses permitted on one or more parcels of land or throughout one or more zoning districts. Rezoning includes the amendment of the zoning map, as well as the use provisions in the district regulations applicable to the land that is rezoned.

134. **Role of County Government.** Functions carried out by county government that affect land use include the adoption of land use plans, public health reviews of plans for water supply and sewage disposal, planning reviews of certain local land use decisions, the development of county roads and projects including parks, the

creation of Environmental Management Councils, Farmland Protection Boards, Soil and Water District Boards, and other entities, and the provision of technical and coordination sources in the land use area.

135. **Scoping.** A process under the State Quality Environmental Review Act by which the lead agency identifies the potentially significant adverse impacts related to the proposed use and how they are to be addressed in an Environmental Impact Statement (EIS). This defines the scope of issues to be addressed in the draft EIS, including the content and level of detail of the analysis, the range of alternatives, the mitigation measures needed, as well as issues that do not need to be studied. Scoping provides a project sponsor with guidance on matters that must be considered and provides an opportunity for early participation by involved agencies and the public in the review of the proposal.

136. **Screening.** The act of placing landscape features, such as trees, bushes, shrubs, or man-made screens, such as fences or berms, to reduce the impact of development on nearby properties.

137. **SEQRA.** The State Environmental Quality Review Act requires local legislatures and land use agencies to consider, avoid, and mitigate significant environmental impacts of the projects that they approve, the plans or regulations they adopt, and the projects they undertake directly.

138. **Setback.** A setback restriction requires that no building or structure be located within a specified number of feet from a front, side, or rear lot line.
139. **Sign Regulation.** Local laws that regulate the erection and maintenance of signs and outdoor advertising with respect to their size, color, appearance, movement, illumination, and placement on structures or location on the ground.
140. **Site Plan.** A site plan shows the proposed development and use of a single parcel of land consisting of a map and all necessary supporting material.
141. **Special Exception Permit.** See "Special Use Permit."
142. **Special Use Permit.** Special uses are allowed in zoning districts, but only upon the issuance of a special use permit subject to conditions designed to protect surrounding properties and the neighborhood from the negative impacts of the permitted use. Also called conditional use permit, special exception permit, and special permit.
143. **Spot Zoning.** The rezoning of a single parcel or a small area to benefit one or more property owners rather than carry out an objective of the comprehensive plan.
144. **Statute of Limitations.** A law that requires that an aggrieved party file a legal action in a quasi-judicial or judicial forum within a specified period or lose the right to file that action. Regarding many land use determinations, the period begins from the date the determination is filed with the municipal clerk.
145. **Strategies.** A set of actions to be undertaken to accomplish each objective contained in a comprehensive plan. To obtain the objective of "50 units of affordable housing" the plan may include as strategies: (1) Form a housing trust fund, and (2) Allow for accessory apartments in residential units.
146. **Subdivision Plat.** See "Plat."
147. **Subdivision.** The subdivision of land involves the legal division of a parcel into a number of lots for the purpose of development and sale. The subdivision and development of individual parcels must conform to the provisions of local zoning which contain use and dimensional requirements for land development.
148. **Taking.** See "Regulatory Taking."
149. **Town Board.** See "Local Legislature."
150. **Transfer of Development Rights.** Provisions in a zoning law that allow for the purchase of the right to develop land located in a *sending area* and the transfer of

these rights to land located in a *receiving area*.

151. **Type I Action.** This is an action, under the State Environmental Quality Review Act, that is more likely to have a significant adverse impact on the environment than unlisted actions. They are listed as Type I Actions in the regulations of the DEC Commissioner. *See also* "Action."

152. **Type II Action.** This is an action that is not subject to environmental review under the State Environmental Quality Review Act. Type II Actions are listed in the regulations of the DEC Commissioner. These actions have been determined not to have a significant impact on the environment or to be exempt from environmental review for other reasons. *See also* "Action."

153. **Unlisted Actions.** These are all of the actions that are not listed as "Type I" or "Type II" actions for the purposes of the State Environmental Quality Review Act process. These actions are subject to review by the lead agency to determine whether they may cause significant adverse environmental impacts.

154. **Use Districts.** *See* "Zoning District."

155. **Use Variance.** A variance that allows a landowner to put his land to a use that is not permitted under the zoning law. This type of variance may be granted only in cases of unnecessary hardship. To prove unnecessary hardship, the

owner must establish that the requested variance meets four statutorily prescribed conditions. If a parcel of land is zoned for single-family residential use and the owner wishes to operate a retail business, the owner must apply to the zoning board of appeals for a use variance.

156. **Variance.** This is a form of administrative relief that allows property to be used in a way that does not comply with the literal requirements of the zoning ordinance. There are two basic types of variances: use variances and area variances.

157. **Vested Rights.** Vested rights are found when a landowner has received approval of a project and has undertaken substantial construction and made substantial expenditures in reliance on that approval. The landowner's right to develop has vested and cannot be taken away by a zoning change by the legislature.

158. **Village Board of Trustees.** *See* "Local Legislature."

159. **Watershed.** A geographical area within which rain water and other liquid effluents seep and run into common surface or subsurface water bodies such as streams, rivers, lakes, or aquifers.

160. **Wetlands.** Wetlands may be either freshwater or tidal. They are typically marked by waterlogged or submerged soils or support a range of vegetation peculiar to wetlands. They provide numerous

benefits for human health and property as well as critical habitat for wildlife and are generally regulated by either federal, state, or local laws.

the zoning enforcement officer who determines whether proposals are in conformance with the use and dimensional requirements of the zoning law.

161. Zoning Board of Appeals.

Under state statutes, a zoning board of appeals must be formed when a local legislature adopts its zoning law. They must consist of three to five members. The essential function of the zoning board of appeals is to grant variances. In this capacity it protects landowners from the unfair application of the laws in particular circumstances. The zoning board of appeals also hears appeals from the decisions of the zoning enforcement officer or building inspector when interpretations of the zoning ordinance are involved.

164. Zoning Law or Ordinance.

State law allows city councils and town boards to adopt zoning regulations by local law or ordinance. Since 1974, village boards of trustees have not had the authority to adopt legislation by ordinance, only by local law. Technically, zoning regulations adopted by villages are zoning laws. Only city and town legislatures may adopt zoning ordinances. Zoning regulations, however, are often referred to as zoning ordinances regardless of these technical distinctions.

162. Zoning District. A zoning district is a portion of the community designated by the local zoning law for certain kinds of land uses, such as single-family homes on lots no smaller than one acre in size or neighborhood commercial uses. Only these primary permitted land uses, their accessory uses, and any special uses permitted in the zoning district may be placed on the land in that portion of the community.

165. Zoning Map. This map is approved at the time that the local legislature adopts a zoning ordinance. On this map, the zoning district lines are overlaid on a street map of the community. This map divides the community into districts. Each district will carry a designation that refers to the zoning code regulations for that district. By referring to this map, it is possible to identify the use district within which any parcel of land is located. Then, by referring to the text of the zoning code, it is possible to discover the uses that are permitted within that district and the dimensional restrictions that apply to building on that land. The zoning map, implemented through the text of the zoning law, constitutes a blueprint

163. Zoning Enforcement Officer.

This is the local administrative official who is responsible for enforcing and interpreting the zoning law. The local building inspector may be designated as the zoning enforcement officer. Land use applications are submitted to

for the development of the community
over time.