

Code Review ~ Draft Summary, May 2008
By Megan Tennerman, Planner, Orange County Dept of Planning

The following text is a summary of a detailed code analysis conducted by the Planning Department; the complete code review may be found in Appendix A of this Plan. This Plan recommends an audit and updated of local codes to promote low impact development design techniques, otherwise known as Better Site Design, which would be done through a roundtable process (see Plan Recommendations). This recommendation is an extension of the code review process; however the roundtable process involves the municipalities in the discussion, recommends a variety of actions that can be taken in order to promote low impact development, and provides an opportunity for municipalities to compare their codes and site design processes to determine what works.

Upon review of the comprehensive plans, zoning codes, subdivision codes, and other relevant land use codes and policies within each municipality, the Orange County Planning Department found the following information. Most of the municipalities within the watershed have comprehensive land-use plans, but not all of those plans include objectives intended to protect the natural resources and open space existing within the municipality. Those that do include those objectives typically protect these resources by mandating wetland and farmland preservation as well as protection measures for existing natural resources and endangered species.

Municipalities within the Moodna Creek Watershed typically encourage good land use practices rather than requiring them. The subdivision and zoning codes for the municipalities within the watershed generally allow but do not require new developments to consider “cluster development” or conservation subdivisions, in which new residences or commercial buildings are clustered together on lots smaller than typically permitted by the zoning regulations, while the remaining land in the subdivision is preserved or protected as open space. Ridgelines or viewsheds are protected only in the Towns of Blooming Grove, Chester, and Cornwall, and only the Towns of Blooming Grove and Cornwall include measures of protection for historic resources and biological habitats.

Water resources are generally well protected in the Moodna Watershed. Several of the municipalities have established overlay zones, where zoning maps show an overlay zone protecting surface water, water supply, or aquifers in the area of the Moodna. Most of the municipalities are concerned with controlling streambank erosion and limiting development on steep slopes, and many municipalities include buffers for wetlands, floodplains, and waterbodies. The Towns of Blooming Grove, Chester, Cornwall, and Warwick all include a 100-foot building setback as measured from the high-water mark of a flowing watercourse, in which no buildings may be constructed, and the Town of Monroe requires a fifty-foot-wide buffer; the Towns of Blooming Grove, Cornwall, and Monroe require the same building setback from the shoreline of lakes and ponds as well. Although many wetlands in the County are protected by the U.S. Army Corps of Engineers and/or the New York State Department of Environmental Conservation, the Towns of Blooming Grove, Chester, Goshen, Monroe, Newburgh, and Warwick and the Village of Woodbury allow for additional wetland protection measures such as additional

buffer area for wetlands, buffers for wetlands not protected by ACOE or DEC, and regulation of activities within wetland areas. All communities in the Moodna Watershed have adopted the Flood Damage Prevention Law as set forth by the DEC. In addition, the Towns of Chester and Goshen have delineated Floodplain and Ponding Area districts on their Official Zoning Maps, and the Village of Woodbury prohibits development in floodways.

Low Impact Development (LID) design techniques, otherwise known as Better Site Design, are a set of design principles and tools for preventing increased flooding in areas where new development projects are planned. Key goals in this approach are to minimize the creation of new impervious surfaces, which block the infiltration of precipitation into the soil and groundwater; reduce the footprint of new development projects and maximize preservation of natural areas; and use stormwater management practices that maximize infiltration of water into the ground onsite, and reduce discharges of stormwater directly to streams or other surface water bodies.

Although none of the municipalities in the Moodna Watershed have adopted these techniques as part of their code, Low Impact Development (LID) is one of the best strategies available to prevent increased flooding and groundwater contamination. Obstacles to using LID stormwater practices include existing local regulations, which typically include many specific requirements for roadway width and design, drainage, curbs, and other infrastructure details for new development projects. These specifications very often conflict with the design principles and specific tools used in low impact design. One solution to this problem is reviewing local codes and ordinances to identify sections that conflict with LID principles, and revising codes where needed to allow or even mandate LID.

Comprehensive Plan				
Municipality	Natural Resources Objectives	Public Parkland Objectives	Open Space Plan	Historic or Scenic Objectives
Town of Blooming Grove	<ul style="list-style-type: none"> >Protect open space typical scenic vistas >Protect existing natural resources > Protect rare species and ecosystems 	<ul style="list-style-type: none"> >Protec None listed 	<ul style="list-style-type: none"> >Comp Plan identifies Moodna as a Priority Aquatic System >No separate Town-level Open Space Plan >County Open Space Plan adopted shortly before Comp Plan >Comp Plan states intent to implement County Plan within Blooming Grove 	<ul style="list-style-type: none"> >Recognize, preserve, protect, and celebrate its rich culture and history >Recognize, preserve, protect and celebrate existing resources.
Town of Chester	<ul style="list-style-type: none"> > Maintain black dirt farmland areas and encourage the preservation of prime farmlands. Mandate the preservation of the ridgelines, wetlands, floodplains, stream corridors and natural contours. > Protect and retain all environmental assets when reviewing development projects. 	<ul style="list-style-type: none"> None listed 	<ul style="list-style-type: none"> >Open Space Goals have not been defined at this time 	<ul style="list-style-type: none"> >Consider, protect and retain scenic vistas when reviewing development projects.
Town of Cornwall	<ul style="list-style-type: none"> > Wetland regulations, Stream Preservation regulations and Conservation Easement review are recommended environmental protection initiatives to augment site plan review and subdivision regulations. 	<ul style="list-style-type: none"> > Outdoor recreational uses should be permitted in the PCZ zone. > Provide downtown entry parks at east and west ends on Main Street. > Develop a plan to include the Town Hall park area as a central park for the Town; the Town hall expansion and the proposed park along Angola Road at Route 9W. 	<ul style="list-style-type: none"> >Open Space Goals have not been defined at this time 	<ul style="list-style-type: none"> > Establish historic districts and request Certified Local Government designation. > Design historic district walking/bicycle tour brochure with map as tourism marketing piece.
Town of Goshen	<p>Goals and Objectives, 2003 Comprehensive Plan:</p> <ul style="list-style-type: none"> >Goal #1 Control inefficiencies created by suburban sprawl >Goal #4 Protect and enhance open space and public space >Goal #5 Protect and enhance the agricultural activities and character of the Town >Goal #6 Ensure a development pattern that will provide for sustainable water use >Goal #7 Encourage development that will help create an efficient transportation network 	<ul style="list-style-type: none"> >Develop recreational facilities in the Walkkill River Trailway Area >Town should implement recommendations of Town of Goshen Recreation Study >Town should review its recreational facilities regularly 	<div style="border: 2px solid black; padding: 5px;"> <p>Open Space Plan Priorities:</p> <ol style="list-style-type: none"> 1)Water 2)Farmland - preserve businesses and rural character of the town 3)Scenic - Preserve scenic, historic and cultural resources 4)Recreation - opportunities for outdoor rec. 5)Forest Land - protection and enhancement of water and air 6)Biodiversity - preserve healthy ecosystems </div>	<ul style="list-style-type: none"> >Develop historic preservation ordinance that outlines inclusion criteria and development restrictions
Town of Hamptonburgh	<p>Goals for protection of natural resources are outlined in Zoning CH:150 Article 1 General provisions</p>	<p>Goals for creation of parklands are in CH: 120 Subdivision Regulations Article 9 Recreation Areas and Preservation of Natural Features</p>	<p>Open space Objective: The protection of any other unique or significant feature of the site which the Planning Board determines to be important for historic, recreational, educational, open space or similar purposes</p>	<p>Ch: 120-55 Preservation of Natural Features. The Planning Board shall, wherever possible, establish the preservation of all natural features which add value to residential developments and to the community, such as large trees or groves, watercourses and waterfalls, beaches, historic spots, vistas and similar irreplaceable assets.</p>
Town of Highlands			<p>Open Space Policy Issues:</p> <ul style="list-style-type: none"> >Clustering encouraged, although not mentioned in subdivision or zoning codes >Preservation considerations shall include: size and shape of property relative to its function, proximity to other dedicated open space, habitat value and diversity, passive recreational value, and visual importance 	<ul style="list-style-type: none"> >List of historically and culturally significant resources included in 2005 Comprehensive Plan Update; resources are to be protected from visual impacts of land development to the greatest extent possible
Town of Monroe	<p>Goals for the protection of natural resources are contained within Section VI of the 2005 Comprehensive Plan Update</p>	<ul style="list-style-type: none"> >"Park Development Action Plan" should be created by Town Board >Vest pocket parks may be considered where appropriate 		
Town of Montgomery	<p>Goals for the protection of natural resources are contained within Chapter 9 of the 2004 Comprehensive Plan</p>	<ul style="list-style-type: none"> >Appendix A of 2004 Comprehensive Plan is the 2001 Parkland, Recreation, and Open Space Plan >Developers required to donate parkland or fees >Linear park proposed along Walkkill River bank >Parks proposed for each sector of town >Plains Road proposed park to include closed landfill site 	<ul style="list-style-type: none"> >Open Space Goals have not been defined at this time 	<ul style="list-style-type: none"> >Historic Preservation Goals have not been defined at this time
Town of Newburgh	<p>None listed</p>	<ul style="list-style-type: none"> >Goal: development of Recreation Master Plan 	<ul style="list-style-type: none"> >Goal: development of Open Space Master Plan 	<ul style="list-style-type: none"> >Historic objectives not defined
Town of New Windsor	<p>Objective= Preserve significant natural resources</p>	<ul style="list-style-type: none"> >257-26 Reservation of Land for Public Purposes 	<ul style="list-style-type: none"> > 257-20 General Requirments: See subsection F 	<ul style="list-style-type: none"> >257-20 Existing features which enhance the attractiveness of the site or the community as a whole, such as trees, watercourses, ponds, historic places, stone walls and similar irreplaceable assets, shall be preserved to the greatest extent possible through harmonious design of the subdivision.

Municipality	Natural Resources Objectives	Public Parkland Objectives	Open Space Plan	Historic or Scenic Objectives			
Town of Tuxedo							
Town of Warwick	<ul style="list-style-type: none"> >Protect the natural scenic quality of the Town and environmentally sensitive areas >Protect groundwater and surface water quality >Protect habitats for diversity of existing flora and fauna >Protect wetlands as important environmental resources 	<p>2001 DRAFT OPEN SPACE PLAN</p> <ul style="list-style-type: none"> >Proposed inventory of existing recreation facilities >Proposed drafting of long-range recreation plan >Proposed development of trail system to link existing parkland and provide transportation alternative by creating bicycle, pedestrian, and equestrian trails 	<p>GOALS:</p> <ul style="list-style-type: none"> >Preserve open space in Warwick to maintain the Town's rural character and quality of life. >Plan for sufficient recreational land and facilities. >Cooperate with Villages to plan for open space protection. 	<ul style="list-style-type: none"> >Historic resources inventory included within 2001 Draft Open Space Plan >Scenic resources objectives as outlined in the 2001 Draft Open Space Plan include preservation and protection of existing scenic and historic resources through incentives to property owners, incorporation of elements into new developments, and 			
Town of Woodbury	<p><i>The Town of Woodbury and the newly-formed Village of Woodbury have co-terminus boundaries, with the exception of a small portion of the Village of Harriman. Land-use regulations have been ceded to the Village of Woodbury.</i></p>						
Village of Chester	<p><i>The Village of Cornwall-on-Hudson has no Master Plan or Comprehensive Plan at this time. The former Village of Cornwall prepared a Comprehensive Plan in 1959. A Draft Master Plan is awaiting approval.</i></p>						
Village of Cornwall-on-Hudson							
Village of Goshen							
Village of Maybrook	<p>GOAL:</p> <p>sensitive environmental resources such as steep slopes, wetlands, and groundwater resources.</p>	<p>>Protect</p>	<p>GOAL:</p> <p>mix of facilities to serve all residents</p>	<p>>Provide</p>	<p>GOALS:</p> <ul style="list-style-type: none"> >Consider land annexations in terms of their benefit to future development patterns >Enhance community character through defined Village center and controlled development 	<p>GOAL:</p> <p>and enhance Village's historic resources</p>	<p>>Protect</p>
Village of Monroe	<p><i>The Village of Woodbury has no Master Plan or Comprehensive Plan at this time. The Village is in the process of drafting a new Comprehensive Plan.</i></p>						
Village of South Blooming Grove							
Village of Washingtonville							
Village of Woodbury							

Subdivision and Zoning Codes

Municipality	No. of Districts	Soil-based Zoning?	Overlay Zones	Cluster Developments	Open Space Protection	Net acreage calculations to determine density
Town of Blooming Grove	4	no	>Scenic Gateways Overlay District >Scenic Viewshed Overlay District >Ridgeline Overlay District >Scenic Roads Overlay District >Surface Water Overlay District >Senior Housing Floating Zone	ZONING: 235-48 - > Cluster Development may be approved in all residential districts 235-50 - > Number of cluster lots may not exceed number of feasible conventional lots >Planning Board may require clustering	>Environmentally sensitive land should be preserved >Total building coverage shall not exceed 10% of site's gross land area >30% of site's gross land area shall be used as recreation and/or preserved as open space	Yes
Town of Chester	12	yes	>Floodplain and ponding area environmental sub-district. >Ridge preservation overlay district. >Planned adult community overlay district.	ZONING: 98-20: >Clustering of one- and two-family homes in SR-6 District. 98-25 ->Cluster development may be approved in residential districts. >Cluster development may be required by the planning board if they feel it is necessary. >shall preserve at least 50% of the site's buildable lot area.	>lands comprising approximately 10% of the total area to be subdivided shall be reserved for the creation of parks, playgrounds, or recreational purposes.	No
Town of Cornwall	13	no	>Schunnefunk Agricultural/Scenic Overlay District >Ridge Preservation Overlay District	> SUBDIVISION of LAND 125-5.B.(3): Open-development area subdivision, equivalent to cluster subdivision. > Conservation Subdivision--specific type of clustered subdivision layout within the Agricultural/Scenic Overlay District with minimum 50% land conserved for open space.	125-2.A.(18): > Maximum 10% of gross lot area for permanent parks or other recreation areas required by Planning Board. Minimum area of contiguous open space shall be one acre. Planning Board may approve smaller recreation areas in subdivisions under 10 acres, provided there is a connection to a recreation area on adjacent land. > Fee may be allowed in place of the requirement for parks, playgrounds or other recreation areas if the property is not conducive to such uses. >158-8.1.E.(2) - Schunnefunk Agricultural/Scenic Overlay District - At least 50% of the land within a conservation subdivision plan should be preserved as permanent open space, protected against structural use by the imposition of easements or appropriate covenants and restrictions.	Yes
Town of Goshen	8	yes	>Flood Plain and Ponding Area Overlay District >Stream Corridor and Reservoir Watershed Overlay District >Aquifer Protection Overlay District >Soil Mining Overlay District >Scenic Road Corridor Overlay District	ZONING 97-18: development in the RU is restricted to small-scale, open space and conservation density (avg. lot >20 acres) development. >Environmental Control formula used to calculate minimum permitted lot size. >"constrained land" must be excluded from density calculations for open space developments ZONING 97-15: At least 50% of the total area Zoned HM and HR must be protected as undeveloped open space, implementing the concept of Traditional Neighborhood Development	83-2: 4. Preservation of existing features which are important to the natural, scenic, and historic character of the town or add value to the residential development, such as large trees, watercourses, scenic views, historic places, and similar irreplaceable assets. >Topsoil shall not be removed without the approval of the Planning Board.	Yes
Town of Hamptonburgh	9	no	>Floodplain overlay district - regulation regarding area within the 100 year plain >Airport Overlay District - protection from airplane hazard >Gateway Road Overlay District - preserve Gateway roads historic resources, stone walls and other natural features.	>Conservation Subdivision not required ZONING 150-21: Density bonus given to subdivisions that retain at least 50% of the total land as open space.	>150-21 & 150-15 Open space >= 50% is required for any conservation subdivision or Active Adult age restricted housing	Yes for Senior Citizen Housing
Town of Highlands						
Town of Monroe	11	yes	None	Not mentioned	>OPEN SPACE 34-4 - Developer required to irrevocably offer open space to Town >Restrictive covenants shall be included in offer of dedication	No
Town of Montgomery	16	yes	>Floodplain (sub-district) >Airport (sub-district) >Gateway overlay district >Water supply overlay district	ZONING 75: Planning Board may require cluster development. >Planning Board may establish conditions on the ownership, use and ongoing maintenance of preserved open space.	>SUBDIVISION 200-14.C - If subdivisions result in creation of open space, Planning Board shall impose whatever conditions necessary to assure the preservation of the land for its intended purpose >200-23 - 3 acres of recreation area per 100 dwelling units	No
Town of Newburgh	8	yes	>Airport overlay district. >Professional office overlay district.	ZONING 185-26: cluster development not required.	>185-26.B(3) - If cluster development is proposed, site plan must include adequately designed and managed open space, including recreation areas and/or protection and enhancement of scenic or natural resources	No

Municipality	No. of Districts	Soil-based Zoning?	Overlay Zones	Cluster Developments	Open Space Protection	Net acreage calculations to determine density
Town of New Windsor	13	no	> Cluster Zone (included in 12 districts) >New Windsor Cantonment Historical Corridor. >Knox Headquarters Historical Corridor.	>Required in Cluster Zone.	> 257-20 General Requirements: See subsection F	as for Senior Citizen Housir
Town of Tuxedo						
Town of Warwick	10	yes	>Land conservation district >Traditional Neighborhood Overlay >Ridgeline overlay >Aquifer Protection >Agricultural Protection Overlay	ZONING 164-41 > Planning board may require cluster subdivision where it finds the following elements present: slopes, water resources, agricultural lands, community water and/or sewer, critical environmental areas, designated open space areas, historic sites or scenic viewsheds. >ZONING 164-41.3: Cluster subdivision lot size calculation based on soil type	2001 DRAFT Open Space Plan - Includes protection measures and plans for the following: >Agricultural areas; Environmental protection >Designated protection areas; Critical Environmental Areas >Open space inventory and index; Subdivision regulations >Conservation Board; Scenic roads and views >Historic preservation; Stewardship recognition >Parks and recreation needs	Yes
Town of Woodbury	<i>The Town of Woodbury and the newly-formed Village of Woodbury have co-terminus boundaries, with the exception of a small portion of the Village of Harriman. Land-use regulations have been ceded to the</i>					
Village of Chester	8	no	None			
Village of Cornwall-on-Hudson	8	no	None	172-17 - Planning board may approve cluster developments. >Number of lots or units shall not exceed number of lots or units allowed by conventional subdivision.	>172-21 - Open space shall be under unified control. >172-23 - Cluster subdivisions must include as common open space or recreational area all land that is not designated for residential , roads, or other public purposes	Yes
Village of Goshen	12					
Village of Maybrook	12	no	>Senior Citizens Housing District (floating zone) >Planned Development (floating zone)	Mentioned in Comprehensive Plan, but not in updated subdivision or zoning codes.	>Maximum 10% of gross lot area may be required by Planning Board to be set aside for recreational purposes. >Fee may be assessed if land is unsuitable for recreational uses.	NA
Village of Monroe						
Village of South Blooming Grove						
Village of Washingtonville	12	yes	None	>175-91.1 - Planning Board may approve clustered subdivisions, and may require cluster subdivisions if in the public interest. >SUBDIVISION 272-52 - Planning Board may approve, in residential zones, with density not to exceed that allowed by traditional subdivision.	>150-16 - Open space of up to 10% of the project site, with a minimum size of three acres, may be required by the Planning Board to be dedicated as open space	No
Village of Woodbury **	10	yes	>Conservation Cluster Development Overlay District	>ZONING 310-31 - Site must be at least 15 acres, open space shall be owned in common.	>272-54 - If cluster subdivisions result in open space available for public use, the Planning Board may regulate the open space as to ownership, maintenance, and use.	No

** = Please note that the Village of Woodbury has adopted and used the Town of Woodbury code, making modifications as necessary.

Resource Protection

Water Resources

Municipality	Protection of Rivers, Streams, and Lakes	Protection of Wetlands	Protection of Aquifers and Wellheads	Protection of Floodplains
Town of Blooming Grove	>100-foot buffer strip along edge of surface water >Motor vehicle service stations prohibited in Surface Water Overlay District	>100-foot buffer strip along edge of surface water >Motor vehicle service stations prohibited in Surface Water Overlay District	Not mentioned	>100-foot buffer strip along edge of surface water >Motor vehicle service stations prohibited in Surface Water Overlay District
Town of Chester	> 83-24.C.(4) - No structures or buildings within 100 feet of the high-water mark of a stream or within 50 feet of an intermittent stream, other than swales or drainage channels designed for a site. No site disturbance within 50 feet of the high-water mark of a stream or within 25 feet of an intermittent stream. All development or site disturbance within 100 feet of any stream shall be reviewed with the intent of mitigating any adverse water quality issues that could impact the stream.	>all federal wetland shall be provided with a minimum 25 ft buffer. >no building shall be erected within a 100 ft of the high water mark of a stream or within 50 ft of an intermittent stream. >septic systems shall be no closer than 100 ft to a wetland.	> The Comprehensive Plan indicates that there is an Aquifer and Well-head Protection Plan.	ZONING >Floodplain and ponding area environmental sub-district.
Town of Cornwall	> 158-21.H.(3) - No multiple-residence building shall be located within 100 feet of any pond, reservoir, lake or watercourse which is part of a water supply system.	Not specified	Not specified	Not specified
Town of Goshen	Not mentioned	ZONING 97-45 Planning board may require establishment of buffers/other measure to protect any wetland from adverse effects of development in the surrounding area. Stream corridor and Reservoir watershed Overlay District	Not mentioned	>Flood Plain and Ponding Area Overlay District
Town of Hamptonburgh Town of Highlands	Not specified	Not specified	Not specified	>Ch: 54 Flood Damage Protection
Town of Monroe	>50-foot building setback from shoreline or bank of lakes or streams >100-foot septic disposal setback from shoreline or bank of lakes or streams	>Permits required for most land-alteration activities >100 foot buffer; buffer may be increased or decreased by approval authority based on site conditions	Not mentioned	>FLOOD DAMAGE PREVENTION 27B-6 - Areas designated as "special flood hazard" by FEMA are protected >27B-11 - Floodplain development permit required for all development within special flood hazard areas >Floodplain development permits shall include analysis by licensed professional engineers that any new structures shall be floodproofed and that any alteration to the existing watercourse shall maintain or increase the watercourse's flood-carrying capacity
Town of Montgomery	>Mentioned in the 2004 Comprehensive Plan as resources that should be protected. No protection measures specified in code.	>Chapter 120 of the Town of Montgomery Code governs freshwater wetlands	>Mentioned in the 2004 Comprehensive Plan as resources that should be protected. No protection measures specified in code.	>FLOOD DAMAGE PREVENTION 116-6 - Areas designated as "special flood hazard" by FEMA are protected >116-11 - Floodplain development permit required for all development within special flood hazard areas >Floodplain development permits shall include analysis by licensed professional engineers that any new structures shall be floodproofed and that any alteration to the existing watercourse shall maintain or increase the watercourse's flood-carrying capacity
Town of Newburgh	STORMWATER MANAGEMENT 157-6.S - All waterbodies shall be preserved in their natural states to the greatest possible extent; any alteration may require DEC permit	ZONING 185-22 : additional regulation for wetlands and other critical environmental areas including the Chadwick Lake Critical Area of Environmental Concern.	>Not mentioned	ZONING 185-22 : special regulations and procedures for floodplain development.
Town of New Windsor	Not specified	SUB 257-20 : Unique and/or fragile areas, including wetlands shall be preserved as undeveloped open space.	Not Specified	SUB 257-20 .Lands in the floodplain shall be preserved as undeveloped open space.
Town of Tuxedo				
Town of Warwick	>164-22 - 100 foot wide buffer area as measured from the high water mark	ZONING 164-47.6 Town Board has determined it is appropriate to make adjustments to permissible density/area requirements for specific purpose of preserving open space (i.e. greenway corridors, water resources, environmentally sensitive areas, important ecological resources); 164-47.7 Town may acquire for conservation easement an area significant because of its value as a watercourse/water body/freshwater wetland/aquifer recharge area.	WELLHEAD PROTECTION Chapter 159 of the Town of Warwick Code >Regulations for watershed and water supply protection	>FLOOD DAMAGE PREVENTION 89-6 - Areas designated as "special flood hazard" by FEMA are protected >89-11 - Floodplain development permit required for all development within special flood hazard areas >Floodplain development permits shall include analysis by licensed professional engineers that any new structures shall be floodproofed and that any alteration to the existing watercourse shall maintain or increase the watercourse's flood-carrying capacity

Town of Woodbury	<i>The Town of Woodbury and the newly-formed Village of Woodbury have co-terminus boundaries, with the exception of a small portion of the Village of Harriman. Land-use regulations have been ceded to the Village of Woodbury.</i>			
Village of Chester				
Village of Cornwall-on-Hud:	>Chapter 83 of the Village of Cornwall-on-Hudson Code	>Chapter 168 of the Village of Cornwall-on-Hudson Code	Not mentioned	>Chapter 83 of the Village of Cornwall-on-Hudson Code
Village of Goshen				
Village of Maybrook	>171-20: Drainage or stormwater easement over watercourses on subdivision lots.	Not mentioned	Not mentioned	Not mentioned
Village of Monroe				
Village of South Blooming Grove				
Village of Washingtonville	Not mentioned	Not mentioned	Not mentioned	>Floodplains as defined by the 1980 FEMA Flood Insurance Study are protected by Chapter 93 of the Village of Washingtonville Code.
Village of Woodbury	Not mentioned	>Chapter 165 of Village of Woodbury Code governs activities within freshwater wetlands	Not mentioned	> FLOOD DAMAGE PREVENTION Chapter 159 of Village of Woodbury Code - regulates new construction, prohibits development in floodways

Resource Protection

Municipality	Historic Preservation	Other Resource Protection Guidelines Ridgeline or Viewshed Protection	Biodiversity or Habitat Assessment
Town of Blooming Grove	>Preservation objectives defined in Comp Plan	>Development applications must include visual assessment of property and minimize clearing, grading, and filling activities	>Preservation objectives defined in Comp Plan
Town of Chester	>Preservation objectives not defined	> 83-24.C.(7) - Ridgelines and slopes shall be preserved to the greatest extent possible in conformance with § 98-26 of the Zoning Law. > 98-26 Ridge Preservation Overlay - The Town has enacted regulations in order to protect the important visual and aesthetic resources in the Town.	>Biodiversity and Habitat objectives not defined
Town of Cornwall	>Preservation objectives defined in Comp Plan	>125-2(19) - Other existing features, such as watercourses and falls, scenic vistas, historic spots and similar irreplaceable assets, shall be preserved, insofar as possible, through harmonious design of the subdivision. >158-8.1 - Protect and preserve existing scenic qualities within Schunnemunk Agricultural/Scenic Overlay District. Planning Board shall have the option of requiring Conservation Subdivision Design. > 158-25.1 - Ridge Preservation Overlay District (contains all land in the MCR and APR Districts) - New structures requiring a building permit shall be located to the maximum practical extent so as not to be visible from any point on a state, county or interstate highway, or such structures shall be made to blend unobtrusively into the hillside. The Building Inspector shall refer such applications for building permit to the Planning Board for special permit review pursuant to this chapter. The Planning Board shall rec	>Biodiversity and Habitat objectives defined in Comp Plan via recommendation for wetland regulations, stream preservation regulations, and conservation easement review.
Town of Goshen	>Preservation objectives not defined	>Preservation objectives not defined	>Biodiversity and Habitat objectives not defined
Town of Hamptonburgh	>150-1 To identify and preserve historic buildings and structures and adjacent land areas and other historic and prehistoric resources so that the future population of the Town may know and further Hamptonburgh's heritage	To preserve and protect scenic areas within the Town and to enhance the visual appearance of the Town of Hamptonburgh as a whole > 150-9 LL No. 2-2003 Gateway Road Overlay District	>150-1 To protect wetlands, groundwater recharge areas, streams, rivers and other water bodies from siltation, erosion and pollution and to protect their wildlife habitat characteristics, wherever possible
Town of Highlands	>Preservation objectives outlined in Comp Plan	>Preservation objectives outlined in Comp Plan	>Biodiversity and Habitat objectives not defined
Town of Montgomery	>LANDMARKS AND HISTORIC DISTRICTS 157-2 - Historic Preservation Commission created by Town Board >157-4 - Certificate of appropriateness required for any alteration to a designated historic property	>Preservation objectives not defined	>Biodiversity and Habitat objectives defined in Comp Plan via recommendation for wetland regulations, stream preservation regulations, and conservation easement review.
Town of Newburgh	>Preservation objectives not defined	>Preservation objectives outlined in Comp Plan	>Biodiversity and Habitat objectives not defined
Town of New Windsor	>Preservation objectives not defined	>Preservation objectives not defined	>Objectives outlined in Chapter 249-2
Town of Tuxedo	>Preservation objectives outlined in 2001 Draft Open Space Plan	>Preservation objectives outlined in 2001 Draft Open Space Plan	>Preservation objectives outlined in 2001 Draft Open Space Plan
Town of Warwick	<i>The Town of Woodbury and the newly-formed Village of Woodbury have co-terminus boundaries, with the exception of a small portion of the Village of Harriman. Land-use regulations have been ceded to the Village of Woodbury.</i>		
Town of Woodbury	>Preservation objectives not defined	>Preservation objectives not defined	>Preservation objectives not defined
Village of Chester	>Preservation objectives not defined	>Preservation objectives not defined	>Preservation objectives not defined
Village of Cornwall-on-Hudson	>Preservation objectives not defined	>Preservation objectives not defined	>Preservation objectives not defined

Municipality	Historic Preservation	Ridgeline or Viewshed Protection	Biodiversity or Habitat Assessment
Village of Goshen			
Village of Maybrook	>Preservation objectives not defined	>Preservation objectives not defined	>Preservation objectives not defined
Village of Monroe			
Village of South Blooming Grove			
Village of Washingtonville	>Preservation objectives not defined	>Preservation objectives not defined	>Preservation objectives not defined
Village of Woodbury	>Preservation objectives not defined	>ZONING 310-13 - All areas with natural elevation above 600 feet are designated as "critical environmental areas"	>Preservation objectives not defined

Resource Protection						
Stormwater Drainage Guidelines						
Municipality	Local Law Governing Stormwater Drainage	Local Law Punishing Illicit Discharge	Erosion and Sediment Control	Steep Slopes	Tree Preservation	Clearing, Filling, and Grading
Town of Blooming Grove	>Included in 1988 Subdivision Code	>Included in 1988 Subdivision Code as part of Stormwater Drainage law	>New development shall not increase runoff downstream of the project site to an unsustainable level >Drainage easements shall be provided where necessary.	Not mentioned	>LL1998-3 prohibits removal of trees having a diameter of 12 inches or greater without ZBA approval	>Clear cutting prohibited without recommendation of a professional forester and prior approval by the ZBA
Town of Chester	> Included in 2007 Subdivision Code and 2004 Zoning Code.	> Included in the 2004 Zoning Code.	Subdivision of Land 83-25 Sediment basins/debris basins installed/maintained to remove sediment from runoff waters on lands undergoing development. Design standards/specs must follow New York Guidelines for Urban Erosion and Sediment Control.	ZONING 98-25: Cluster developments shall preserve steep slopes as open space.	SUB: 83-24: In no case shall a tree with a diameter of 12 inches or more be removed without the approval of the planning board.	Grading and clearing activities must be approved by the Planning Board in the Ridge Preservation Overlay
Town of Cornwall	> 125-2.A.(23) - Developer shall be required to carry away any spring- or surface water that may exist onsite. Any culvert or other drainage facility shall be large enough to accommodate potential runoff from its entire upstream drainage area. > 158-19 - Site development plan review - That all drainage which may be the result of any new construction shall be reasonably contained on subject property or that an acceptable plan be approved by the Planning Board for diversion to an off-site drainage system or watercourse. The downstream effects of site drainage shall be evaluated in accordance with the town's requirements.	Not mentioned	>158-20 - Erosion and sedimentation controls shall be in accordance with Guidelines for Erosion and Sediment Control in Urban Areas of New York State by United States Department of Agriculture Soil Conservation Service and shall be the minimum requirements.	Not mentioned	>125-2(19) - In general, existing trees over 12 inches in diameter shall be preserved by the subdivider. > 158-8.1.C.(1) - Maintain a one-hundred-foot scenic buffer strip along public roadways for commercial forestry activities within the Schunnenmunk Agricultural/Scenic Overlay District.	> 125-2.A.(20) - Any topsoil removed from its natural position during grading shall be replaced to its previous depth, except in streets, driveways and foundation areas. > 158-25.1.D.(2) - Ridge Preservation Overlay District - The Planning Board shall consider: The location of the building and nonstructural accessories, and any tree clearing required. Tree clearing performed to accommodate such construction shall be minimized and shall avoid creating significant discontinuity in the surrounding vegetation cover, particularly avoiding situations where a treeline at the peak of a ridge is interrupted so that the backdrop of sky protrudes through such opening.
Town of Goshen	>97-65.K - Drainage facilities shall be required for all developments, of appropriate size for project watershed >Projects must show individual lot drainage to be approved by Planning Board	>Contained within Chapter 97-65.K	97-42 EROSION AND SEDIMENT CONTROL: >developer must submit a plan that demonstrates compliance with stated control practices COMPREHENSIVE PLAN:> Drainage Controls(p.32) Zero Runoff, currently only required for black dirt areas, should be expanded to other areas of the town. >Erosion and Sediment Control : The town should encourage designs which will avoid potential difficulties and preserve natural drainage to the greatest extent possible.	>Alteration of steep slope areas poses potential risks of erosion, sedimentation landslides, and the degradation of scenic views. >Requirements imposed for the development of areas with a slope that is in excess of 25%	>97-65.J - Removal of trees over eight inches in diameter at breast height (four feet from average ground level) must be approved by Planning Board >Vegetation to be retained to the maximum possible extent	>97-65 - Clearing, grading, and filling activities require permit, erosion control plan, tree removal plan showing all trees over 8 in. diameter at breast height proposed to be removed, grading plan and any necessary DEC permits
Town of Hamptonburgh	LL No. 6-2007 Ch: 115 Stormwater Management and Erosion and Sediment Control	>115-12 Enforcement; penalties for offenses	115-7 Stormwater pollution plan	>120-67 Driveways must get planning board approval to exceed 10% slope and in no circumstance can the slope exceed 12% >150-15 When calculating net lot area for active adult communities the lot area consisting of slopes => 25% must be multiplied by .75	>150-9 In the Gateway Overlay District all trees exceeding 4 inches in diameter need approval to be removed. >120-55 A conscious effort shall be made to preserve all worthwhile trees. >120-65 It is required that shade trees be preserved or furnished at the expense of the owner of a subdivision, along both sides of a road with in a subdivision located at no more than 40 foot intervals	> 15-12 Clearing and grading performance standards: All land disturbance clearing and grading activities in all districts shall be carried out with due and deliberate care in order to minimize soil loss and air and water pollution resulting from soil erosion; to encourage the rapid restoration and revegetation of the site; to minimize negative visual impacts or damage to highway drainage systems; and to avoid the creation of hazardous road conditions due to the spread of gravel, stones or soil on public roads.
Town of Highlands						
Town of Monroe	>Chapter 27B of the Town of Monroe Code governs flood damage prevention >Chapter 33 of the Town of Monroe Code governs storm sewers	>Chapter 27B of the Town of Monroe Code governs flood damage prevention >Chapter 33 of the Town of Monroe Code governs storm sewers	>Chapter 44 of the Town of Monroe Code governs soil erosion and sedimentation control	>Not mentioned	>ZONING 57-79 - Preservation of existing trees onsite to the greatest extent possible >Trees to be used as sound barriers and visual screening >57-81 Preservation of trees over eight inches in diameter at four feet off the ground >57-83 - Tree plan required	>Not mentioned
Town of Montgomery	>Section 235-10 of the Zoning Code of the Town of Montgomery contains regulations for stormwater management and erosion and sediment control	>SUBDIVISION 200-23.F - Subdivision shall preserve natural terrain of site to greatest possible extent >No topsoil shall be removed from site >200-24.F - Developer shall minimize area of land exposed at any given time and the amount time during which land is exposed >Temporary vegetation, siltation barriers, silt traps, and sediment basins shall all be used as necessary to protect land during development and to remove sediment from runoff waters >Permanent vegetation shall be installed as soon as is practical	>Section 235-10 of the Zoning Code of the Town of Montgomery contains regulations for stormwater management and erosion and sediment control	>Not mentioned	>SUBDIVISION 200-23.F - Conscious effort shall be made to preserve all worthwhile trees and shrubs onsite >No trees eight inches in diameter measured at three feet above the ground shall be removed except for road construction >Tree preservation is further governed by Chapter 218 of the Town of Montgomery Code	>200-23.F - Clearing shall be limited to a maximum of 5000 square feet per lot for residential development

Municipality	Local Law Governing Stormwater Drainage	Local Law Punishing Illicit Discharge	Erosion and Sediment Control	Steep Slopes	Tree Preservation	Clearing, Filling, and Grading
Town of Newburgh	STORMWATER MANAGEMENT Chapter 157 of the Town of Newburgh Code >Postdevelopment stormwater runoff required to be equal to predevelopment runoff	>157-9 - Maintenance is the responsibility of the developer or the homeowners' association >Town shall be granted easements in order to take over maintenance if necessary	>Contained within Stormwater Management code	ZONING 300-16 Steep slopes (applicable prior to development) (1) Not more than 50% of land area of that portion of each lot that is proposed to be disturbed may be counted as part of any lot area if subject to the following: a. For residentially zoned properties, slopes over 30%. b. For nonresidentially zoned properties, slopes over 20%. (2) No construction shall be permitted on that portion of a lot with a slope in excess of 40%. (3) No portion of land area of that portion of a lot with a slope in excess of 50% may be counted as part of the minimum lot area of a parcel	>SUB Establishment of all natural features such as large trees or groves, watercourses and waterfalls, beaches, historic spots, stone walls, vistas and similar irreplaceable assets. >ZONING preservation of all trees dbh (diameter at breast height) eight inches or larger	>CLEARING AND GRADING Chapter 83, Town of Newburgh Code >Permits required for all work within wetlands or within one-hundred-foot wetland buffer
Town of New Windsor	LL # 2-2004 Chapter 249 of Town Code, Storm Water Management and Stormwater Pollution Prevention	Included under LL 2--2004 Chapter 249-4 Prohibited discharges and 249-13 Enforcement	Require the implementation of sound Storm Water Management and Soil Erosion and Sediment Control Practices to be implemented on subdivisions, site plans, and construction sites. Included in Chapter 257 Subdivision of land Article 3 Design Standards	SUB 257-20 : Steep slopes in excess of 20% as measured over a ten-foot interval, unless appropriate engineering measures concerning slope stability, erosion and resident safety are taken shall be preserved as undeveloped open space	SUB 257-20 : Significant trees or stands of trees, large trees approaching the diameter of the known largest trees or species or clumps of trees that are rare to the area or of particular horticultural or landscape value shall be preserved as undeveloped open space	257 Article 4 Submission of proposed grading plan and stabilization techniques and review by the Planning Board
Town of Tuxedo						
Town of Warwick	No stormwater management provisions in Town of Warwick code	No stormwater management provisions in Town of Warwick code	SUBDIVISION: >Developer shall provide effective sediment control measures. >all primary drainage channels which are located within or immediately adjacent an improvement or a subdivision shall be protected by the developer. ZONING 164-43: All building site development activities within the Town of Warwick shall have erosion and sediment control measures that meet the most current version of the New York Guidelines for Erosion and Sediment Control.	SUB 137-23 Subdivision design shall preserve, insofar as possible, the natural terrain and natural watercourses, improvements, drainage areas	TREE AND TOPSOIL REMOVAL; GRADING AND EXCAVATING >150-5.A - Preservation of all trees eight inches in diameter or larger	TREE AND TOPSOIL REMOVAL; GRADING AND EXCAVATING >150-6.G - Preservation of natural drainages >Prevention of soil erosion
Town of Woodbury	<i>The Town of Woodbury and the newly-formed Village of Woodbury have co-terminus boundaries, with the exception of a small portion of the Village of Harriman. Land-use regulations have been ceded to the Village of Woodbury.</i>					
Village of Chester						
Village of Cornwall-on-Hudson	> Included within 1986 Subdivision Code	>Included in 1986 Subdivision Code as part of Stormwater Drainage law	>139-17(H) - Replacement of topsoil required following grading activities.	>172-12 through 16 - Site development and subdivision shall preserve steep slopes to the maximum extent possible. >Areas onsite with slopes greater than 25% shall be subtracted from gross lot area when calculating developable land.	>172-14.3A.(8)(c) - Vegetation plan required, showing trees to be removed and trees to be replanted.	>172-14.2 - Cuts, fills, and other grading activities shall conform to standards as set forth in this section.
Village of Goshen						
Village of Maybrook	>Section 171-20 of the Subdivision Code	Not mentioned	Not mentioned	Not mentioned	>171-19: Planning Board may require preservation of any natural feature which adds value to the development or community, such as large trees, woods, watercourses, etc.	Not mentioned
Village of Monroe						
Village of South Blooming Grove						
Village of Washingtonville	>Chapter 93 of Village of Washingtonville Code	>Chapter 93 of Village of Washingtonville Code	>New development prohibited in flood areas as defined by the 1980 Flood Insurance Study conducted by FEMA	Not mentioned	Not mentioned	>Cuts and fills prohibited in flood areas.
Village of Woodbury	>Chapter 310 of Village of Woodbury Code requires Stormwater Pollution Prevention Plans in accordance with state, county, and local laws >Chapter 267 of Village of Woodbury Code	>Chapter 267 of Village of Woodbury Code >Chapter 185 of Village of Woodbury Code	>Chapter 267 of Village of Woodbury Code governs erosion and sediment control.	Not mentioned beyond protection for ridgelines within Village.	>Chapter 286 address tree retention for new subdivisions and site developments >Environmental Conservation Commission determines trees to be retained and replanting of trees to be removed	Not mentioned