

# TOWN OF STILLWATER

BUILDING, PLANNING & DEVELOPMENT DEPARTMENT  
 881 HUDSON AVE, STILLWATER, NY 12170  
 (518) 664-6148, EXT. 215



## Planning Board

**Home Occupation  
 Application  
 Fee: \$250.00**

<b>OFFICE USE ONLY</b>	
Project # _____	
Total Fee Paid \$ _____	Rec'd by: _____
DATE: ____ / ____ / 20__	

### PROJECT INFORMATION

Project Name: \_\_\_\_\_  
 Address/Location: \_\_\_\_\_

### APPLICANT/REPRESENTATIVE INFORMATION

**\*ALL INFORMATION IN THIS SECTION IS REQUIRED FOR A COMPLETE APPLICATION**

Name: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### Owner (if owner is different from applicant, owner authorization section must be completed and signed)

Name: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### SITE INFORMATION

Parcel Identification (SBL) # of all lots included: \_\_\_\_\_  
 Size of Lot: \_\_\_\_\_ Zoning District: \_\_\_\_\_  
 Proposed use/sales/service: \_\_\_\_\_  
 Total Area of building to be occupied (Not to exceed 30% of floor space): \_\_\_\_\_

Hours of Operation:

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours							

Number of employees: Full-time \_\_\_\_\_ Part-time \_\_\_\_\_ Seasonal \_\_\_\_\_ (Note: Maximum of 3 employees are permitted)

Signage proposed: \_\_\_\_\_ SF (Note: all signs must conform to Article XI of Chapter 210 of the Zoning Code)

**SIGNATURES**

I, the undersigned, have thoroughly read and understand the application and the list of items to be shown on the plans and documents for review and I consent to all the requirements as set forth in the application.

Signature: \_\_\_\_\_ Date \_\_\_\_\_

**AUTHORIZATION TO ACT AS AGENT (OWNER AUTHORIZATION)**

In the event that the owner of the property desires to have another individual act as his/her authorized representative in support of this application the following statement must be completed and signed:

I, \_\_\_\_\_, owner of the above referenced lot(s) hereby designates \_\_\_\_\_ as my agent regarding this application for review.

Signature: \_\_\_\_\_ Date \_\_\_\_\_

**APPLICATION CRITERIA**

**The following criteria must be met to meet the minimum requirements for a Home Occupation:**

§ 210-95 **Home occupations.**

**A. Purpose.** It is the purpose of this section to regulate the operation of home occupations to ensure that the home occupation remains secondary or incidental to the residential use. The right of property owners to be free of nuisances caused by certain home occupations is recognized. Only those uses will be allowed which:

- (1) Ensure compatibility of home occupations with other uses permitted in residential districts.
- (2) Maintain and preserve the character of residential neighborhoods.
- (3) Are incidental to the use of the premises as a residence.

**B. Home occupation characteristics.** Home occupations that will have no impact on the surrounding neighborhood are characterized by the following criteria:

- (1) There is minimal exterior evidence of the occupation.
- (2) The business may have up to three employees. The business may have additional employees who do not work on premises and only occasionally visit the premises.
- (3) The business may have customer traffic normal and consistent to the type of occupation.
- (4) There may be occasional deliveries to or from the home occupation in addition to routine mail and incidental package delivery.
- (5) Equipment, other than normally used in household, domestic, or general office use, may be used within the home and within accessory buildings.

**C. Standards.** Home occupations shall meet the following criteria:

- (1) **Floor area.** The home occupation shall not occupy more than 30% of the gross floor area of the combined total of the dwelling unit and all accessory buildings on the parcel.
- (2) **Number of occupations per dwelling.** No more than one home occupation shall be permitted within any single dwelling unit, including accessory buildings.

(3) Limitations on nonresidents. The individual primarily responsible for the home occupation shall reside in the dwelling unit.

(4) Hours of operation. In no case shall a home occupation be open to the public at times earlier than 8:00 a.m. or later than 9:00 p.m.

(5) Storage. There shall be no storage of equipment and supplies or parking of more than one business vehicle associated with the home occupation unless stored within allowed accessory building(s) which are, individually or in total, subservient to the scale of the dwelling unit.

(6) Signage. A home occupation may have a sign in compliance with Article XI of this chapter.

(7) Prohibited uses. Automotive sales and service, automobile body shops, automotive repair, and small engine repair are all considered to be detrimental to a residential neighborhood and are not allowed as home occupations.

(8) Whenever the scale and scope of a home occupation exceed the requirements for a home occupation as defined in the Residential Code of New York State, the requirements of the Building Code of New York State will apply.

**D. Procedures.**

(1) Site plan review. Every home occupation shall be required to make application for project approval in accordance with the procedures for site plan review as outlined in Article VI. Any site plan approvals granted to a home occupation shall not be transferable from person to person or from address to address.

(2) Preexisting home occupations. A home occupation in existence on or before the date of adoption of the Town's initial Zoning Ordinance shall be considered grandfathered and allowed to continue. Any expansion of a preexisting grandfathered home occupation shall be subject to review in accordance with the provisions of this section.

**E. Inspections.** The Code Enforcement Officer shall have the right at any time, upon reasonable request, to enter and inspect the premises of the home occupation for safety and compliance purposes.

**APPLICATION PREPARATION CHECKLIST**

**\*Applications must be submitted along with the Application Fee and deemed complete by the department to be considered for placement on an agenda. Incomplete applications will not be accepted and will be returned to the applicant. Exclusion of any required materials will result in the delay of project review.**

**COPIES: The following materials are required:**

**\*\*Fifteen (15) printed (and 1 digital) copies of the following materials:**

**Applicant  
Initials**

**APPLICATION FORM**

**NARRATIVE: Written Description of the proposal to include:**

**Evidence of how the developer's particular mix of land uses meets existing community demands.**

**A general statement as to how common open space is to be owned and maintained.**

**How the plan is in conformance with the Town's Comprehensive Plan**

**A fiscal impact analysis identifying projected short- and long-term impacts on municipal and school district budgets.**

<p><b>If new structures are proposed to the exterior of your property, please provide a printed map showing the proposed changes. Refer to page 5 for instructions***Printed maps must be folded</b></p>	
<p><b>MAPS: (If Required)</b>  Size of 22x34 inch maximum should be used when practical *Printed maps must be folded  See Map requirements below</p>	
<p><b><u>DIGITAL COPIES:</u></b>  Digital copies are mandatory. Any applications submitted without digital copies shall be deemed incomplete.  *Must be on USB Drive or downloadable email format</p>	
<p><b>AGENCY MATERIALS</b></p>	
<p><b><u>FIRE DEPARTMENT:</u></b> One full set of materials (printed or digital) mailed directly to:  Arvin Hart Fire Company  PO Box 288, Stillwater, NY 12170</p>	
<p><b><u>USPS:</u></b> A layout plan must be submitted to the appropriate Post Office for approval of the mailbox (mail receptacle) locations. Contact the post office that will be providing service for their preferred contact information</p>	
<p><b>OFFICE USE ONLY</b></p>	
<p><b><u>PUBLIC NOTICE FEE:</u></b>  The cost of this fee will be determined by the Planning Board based on the number of notifications required and must be submitted no later than 14 days prior to the meeting</p>	
<p><b><u>ENGINEER ESCROW AND LEGAL ESCROW FEES:</u></b>  To be determined following initial review of the application. This fee must be paid prior to placement on an agenda</p>	
<p><b>Additional copies of any and all materials MAY BE REQUESTED AT ANY TIME</b></p>	

<p><b>MAP/PLAN REQUIREMENTS ( If Required)</b></p>	
	<p><b>Applicant initials</b></p>
<p><b>MAP MUST INCLUDE:</b></p>	
Site plan drawn to scale at one-inch equals 50 feet or larger.	
All existing and proposed boundary lines	
Size in acres of existing and proposed lots	
Include one sheet showing the overall plan	
All existing and proposed easements and Rights of Way	
Existing Zoning Districts and boundaries	
Names and owners of all adjacent properties	
Street names for any existing or proposed roadways	
Federal or State regulated wetland delineations	
Location and design of all proposed site improvements including drainage, retaining walls, berms, fencing, etc.	
Location of existing or proposed waste water treatment	

Location of existing or proposed water supply	
Location of the various uses and their areas	
Delineation of proposed uses	
Proposed Open Space system	
Overall drainage system	
Topographic map with intervals of 10ft	
North arrow and site location map	
Phasing Plan if the development is to be phased a general indication of how the phasing is to proceed. Whether or not the development is to be phased, the sketch plan of this section shall show the intended total project.	
Total area of proposed disturbance	
One sheet with full site layout displayed	
<b>MAP/PLAN REQUIREMENTS</b>	
	<b>Applicant initials</b>
<p><b>Standard notes as detailed below*</b></p> <div style="border: 1px solid black; padding: 10px;"> <ol style="list-style-type: none"> <li>1. This property may border a farm, as defined in the Town of Stillwater Local Law #1 of the year 1997. Residents should be aware that farmers have the right to undertake farm practices which may generate dust, odor, smoke, noise and vibration.</li> <li>2. This proposal includes a total of <b>[insert parcel area]</b> ± acres and lies within the Town of Stillwater <b>[insert zoning district]</b> zoning district.  Min lot size: _____ sf   Min lot width @ bldg line: _____ ft   Setbacks:  Front: _____ ft  Side: _____ ft  Rear: _____ ft</li> <li>3. Parcel is identified as tax parcel <b>[insert tax ID number]</b>, Town of Stillwater, Saratoga County, New York.</li> <li>4. The average lot size is <b>[insert size]</b> sq. ft.</li> <li>5. Describe any easements or other restrictions on this property</li> </ol> </div> <p><b>*Standard Notes:</b> The following notes are the minimum requirement on all plats. Additional notes may be necessary as defined in the Town Subdivision Design Standards, Section 1.12 or as requested by the Planning Board.</p>	

Approval Block as shown below:

**TOWN OF STILLWATER PLANNING BOARD APPROVAL**

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE TOWN OF STILLWATER,  
NEW YORK, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ SUBJECT TO ALL  
REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGES, ERASURES,  
MODIFICATIONS OR REVISIONS OF THIS PLAT, AS APPROVED, SHALL VOID THIS  
APPROVAL SIGNED THE \_\_\_\_\_ DAY OF \_\_\_\_\_,20\_\_\_\_  
BY \_\_\_\_\_

PLANNING BOARD CHAIRMAN