



TOWN OF STILLWATER

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

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

OFFICE USE ONLY

Project # _____

\$250 per lot Fee Paid

Rec'd by: _____ / / 2020

PROJECT INFORMATION

Project Name: _____

Address/Location: _____

APPLICANT/REPRESENTATIVE INFORMATION

Name: _____

Phone: _____

Email: _____

Address: _____

City: _____

State: _____

Zip: _____

Owner (if different from applicant): _____

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)

Number of Deliveries Expected: _____ daily _____ weekly

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

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: _____

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 REQUIREMENTS

DIGITAL COPIES OF ALL MATERIALS ARE MANDATORY. ANY APPLICATION SUBMITTED WITHOUT DIGITAL COPIES OF ALL MATERIALS WILL BE DEEMED INCOMPLETE.

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

The following materials are required:	Applicant Initials	Internal
Application form		
Written Description of the proposal		
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		
Digital Copies***Must be on CD, Jump Drive, or downloadable email format		
Public Notice Fee (When Required) 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		
The following additional items may be necessary following your initial submission:		
Engineering and legal escrow fees To be determined following initial review of the application. This fee must be paid prior to placement on an agenda		

MAP PREPARATION INSTRUCTIONS (IF REQUIRED)

Please prepare a map consistent with Town Zoning depicting the following items consistent with the Town Subdivision Regulations, as well as items outlined in the Town Subdivision Design Standards. Copies of these standards are available at <http://www.ecode360.com/11864758>. The Department reserves the right to request any additional items it deems necessary for review. The Board may, at its discretion, require the submission of additional information not specified within these regulations or standards.

MAP MUST INCLUDE:	Applicant initials	Internal
Site plan drawn to scale at one inch equals 50 feet or larger		
All existing and proposed boundary lines		
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 septic systems		
Location of existing or proposed wells		
Contour intervals when appropriate		
North arrow and site location map		
Standard notes as detailed below		
Approval Block as shown below		

Standard Notes: 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.

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.
2. This proposal includes a total of **[insert parcel area]** ± acres and lies within the Town of Stillwater **[insert zoning district]** zoning district.
 Min lot size: _____ sf
 Min lot width @ bldg line: _____ ft
 Setbacks:
 Front: _____ ft
 Side: _____ ft
 Rear: _____ ft
3. Parcel is identified as tax parcel **[insert tax ID number]**, Town of Stillwater, Saratoga County, New York.
4. The average lot size is **[insert size]** sq. ft.
5. Describe any easements or other restrictions on this property

Town of Stillwater Approval Block:

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