

# TOWN OF STILLWATER

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



## Town Board

**Planned Development  
Application**

**Fee: \$2000.00**

**Amendment: \$1500**

**(Site Plan and Subdivision Application Fees will be collected separately)**

OFFICE USE ONLY

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: \_\_\_\_\_

Number of proposed lots: \_\_\_\_\_

Zoning District: \_\_\_\_\_

Size of existing lot(s): \_\_\_\_\_ acres, \_\_\_\_\_ acres, \_\_\_\_\_ acres, \_\_\_\_\_ acres

Size of proposed lots: \_\_\_\_\_ acres, \_\_\_\_\_ acres, \_\_\_\_\_ acres, \_\_\_\_\_ acres

For Major Subdivisions range of proposed lots: \_\_\_\_\_ acres - \_\_\_\_\_ acres

Proposed Use:  Commercial  Multi-Family  Single-Family  Other:

Has owner subdivided any portion of the above-described property prior to the date of this application?  Yes  No If yes, indicate number of parcels \_\_\_\_\_ Date: \_\_\_\_\_

Total Proposed Lot Coverage (acres): \_\_\_\_\_

Total Proposed Open Space (acres): \_\_\_\_\_

Does the proposal meet all setback requirement within the zoning district:  Yes  No

Frontage:	Total Proposed Disturbance:
Proposed Building Size: _____SF <input type="checkbox"/> N/A	SWPPP Prepared: <input type="checkbox"/> Yes <input type="checkbox"/> No

**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 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.**

**Meeting with department:**  
 In order to allow the Town and the developer to reach an understanding on basic design requirements prior to detailed design investment, the developer shall schedule a meeting with the department to review the application procedure and requirements.

<b><u>COPIES:</u> The following materials are required:</b>  <b>**Ten (10) printed (and 1 digital) copies of the following materials:</b>	<b>Applicant Initials</b>
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<b><u>APPLICATION FORM</u></b>	
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<b><u>NARRATIVE:</u> Written Description of the proposal to include:</b> <b>Evidence of how the developer's particular mix of land uses meets existing community demands.</b> <b>A general statement as to how common open space is to be owned and maintained.</b> <b>A fiscal impact analysis identifying projected short- and long-term impacts on municipal and school district budgets.</b>	
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<b><u>Objectives:</u></b> <b>The applicant must demonstrate how the application for Planned Development Districting meets the Objectives in Section 210-15, A-H of the Town Zoning Code.</b>	
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<b><u>Considerations:</u></b> <b>The applicant must demonstrate how the application for Planned Development Districting meets the Considerations in Section 210-17, A-L of the Town Zoning Code.</b>	
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<b>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.</b>	
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<p><b>Local Law:</b> A draft of the proposed PDD local law addressing, at a minimum, all matters identified by the Department, its engineers and/or its attorneys regarding the project for review by the Town Board. The draft shall identify all amendments to any existing PDD or other local law or ordinance by annotating the existing text with red-lined proposed changes.</p>	
<p><b>LONG ENVIRONMENTAL ASSESSMENT FORM:</b> Pursuant to the N.Y.S. State Environmental Quality Review Act (SEQRA).</p>	
<p><b>AGRICULTURAL DATA STATEMENT:</b> (If Required) For all projects within Saratoga County Ag District 1 Available at: <a href="https://www.stillwatery.org/building-planning-developement/planning-department/planning-board-forms-and-application/">https://www.stillwatery.org/building-planning-developement/planning-department/planning-board-forms-and-application/</a></p>	
<p><b>MAPS:</b> Size of 22x34 inch maximum should be used when practical *Printed maps must be folded See Map requirements below</p>	
<p><b>DIGITAL COPIES:</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>	
<b>AGENCY MATERIALS</b>	
<p><b>FIRE DEPARTMENT:</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>USPS:</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>	
<b>OFFICE USE ONLY</b>	
<p><b>PUBLIC NOTICE FEE:</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>ENGINEER ESCROW AND LEGAL ESCROW FEES:</b> To be determined following initial review of the application. This fee must be paid prior to placement on an agenda</p>	
<b>Additional copies of any and all materials MAY BE REQUESTED AT ANY TIME</b>	

MAP/PLAN REQUIREMENTS	
MAP MUST INCLUDE:	Applicant initials
<b>Sketch plan:</b> The application shall include a sketch plan, drawn to scale, though it need not be to the precision of a finished engineering drawing subject to the discretion of the Town Board (drawn to scale at one-inch equals 50 feet or larger)	
Include one sheet showing the overall plan	
The location of the various uses and their areas and dimensions.	
The general outlines of the interior roadway system and all existing rights-of-way and easements, whether public or private, along with all connections to existing roadways	
Delineation of the various residential areas, indicating for each such area its general extent, size and composition in terms of total number of dwelling units, percentage allocation by dwelling unit type (i.e., single-family detached, duplex, townhouse, garden apartments, high-rise), and a general description of the intended market structure (i.e., luxury, middle income, moderate-income, elderly units, family units, etc.), plus a calculation of the residential density in dwelling units per gross acre with calculations of existing base density and any bonus densities proposed. For commercial uses, a delineation of the various commercial areas, indicating for each use the area, total square footage of structures, and a general business plan of the activities to be conducted at the site.	
The open space system with total acreage and percentage of overall plan noted.	
The overall drainage system.	
Topographic map. A topographic map showing contour intervals from the USGS of not more than 10 feet of elevation.	
All existing and proposed boundary lines	
Size in acres of existing and proposed lots	
Existing Zoning Districts and boundaries	
Names and owners of all adjacent properties	
Approximate location of Federal or State regulated wetlands	
Location and design of all proposed site improvements	
Location of the various uses and their areas	
Delineation of proposed uses	
Proposed Open Space system	
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	

**MAP/PLAN REQUIREMENTS**

**Applicant  
initials**

**Standard notes as detailed below\***

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

**\*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.**

**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

## Chapter 210. Zoning

### Article IV. Planned Development Districts

#### § 210-19. Application and approval process.

Whenever any planned development district is proposed or amended, before any permit for the erection of a permanent building in such planned development district shall be granted, and before any subdivision plat or any part thereof may be filed in the office of the Saratoga County Clerk, the developer or his authorized agent shall apply for and secure approval of such planned development district in accordance with the following procedures:

##### B. Approval procedure after receipt of complete application.

(1) Meeting with department. In order to allow the Town and the developer to reach an understanding on basic design requirements prior to detailed design investment, the developer shall schedule a meeting with the department to review the application procedure and requirements.

(2) Professional reviews. Once the application has been deemed complete by the department, the applicant shall submit one complete copy of the application to the department, one complete copy to the engineer(s) for the Town, two complete copies of the application directly to the attorneys for the Town and the number of complete copies for the Town Board members as outlined on the application for review. The applicant shall also make provisions to pay the cost of such reviews in the form of escrow to be established upon initial review of the complete application.

(3) Town Board presentation. The Town Board may require the developer to present the proposed PDD at a regularly scheduled Town Board meeting. If the Town Board determines at any time in its discretion that the proposal does not merit further consideration because it does not meet the objectives, general requirements or considerations of this article, no further action on the application shall be taken. If the Town Board determines that the proposed PDD merits further consideration, the Town Board shall schedule a public hearing on the proposed local law to be conducted at a future Town Board meeting and provide notice of intent to serve as SEQRA lead agency to all foreseeable involved agencies.

(4) Town Board public hearing. The Town Clerk shall publish notice of the public hearing as required by law. At the public hearing, the Town Board will consider comments from the public directed to whether the Town Board should approve, modify, or disapprove the proposed PDD local law.

(5) Optional referral to the Town Planning Board. If the Town Board determines the proposal merits further review after the Town Board public hearing, it may refer the application to the Town Planning Board for its review and advisory recommendation in accordance with the procedure set forth in § 210-19C herein. The Town Clerk shall attach the approved minutes of the Town Board public hearing to the finalized referral resolution and provide both documents to the Department and to the Planning Board Chair. If the Town Board decides to take action on the PDD local law without

referring it to the Town Planning Board for its review and recommendation, the Town Board meeting minutes or a Town Board resolution will reflect the Town Board's rationale for that decision.

(6) Referral to the County Planning Board/Agency. Any PDD on property within 500 feet of another municipality's boundary, right-of-way or public property shall be referred by the Town Board to the County Planning Board or Agency pursuant to General Municipal Law (GML) § 239-1 or § 239-m. In any such case, the Town Board shall not take final action on the proposed PDD until at least 30 days have passed since the County's receipt of the referral or after receiving the County's report with recommendations, whichever is sooner.

(7) Town Board action. Upon completion of the Town Board's public hearing and receipt of the County Planning Board's/Agency's recommendations (if requested) and receipt of the Town Planning Board's advisory recommendations on whether or not to adopt the local law pursuant to § **210-19C** herein (if requested), the Town Board may approve, approve with modifications, or disapprove the PDD and local law after making a SEQRA determination regarding its potential environmental impacts.

(8) Additional conditions. The Town Board may, if it feels it necessary in order to fully protect the public health, safety and welfare of the community, attach to its resolution approving the local law any additional conditions or requirements for the applicant to meet. Such requirements may include, but are not confined to, visual and acoustical screening, land use mixes, order of construction and/or occupancy, circulation systems, (both vehicular and pedestrian), availability of sites within the area for necessary public services such as schools, fire houses and libraries, or protection of natural and/or historic sites or other physical or social demands and commercial hours of operation (if applicable).

(9) Site plan review. If the PDD and local law are approved and adopted by the Town Board, the applicant will submit the proposal to the Planning Board for site plan and/or subdivision review, and the Planning Board may, in its discretion, schedule a public hearing for that purpose in accordance with § **210-39** of the Town Code.

(10) Reports of final action. If the Town Board adopts the local law approving the PDD:

- (a) The department shall report the final action to the County Planning Agency.
- (b) The Town Clerk shall post and publish notice of adoption of the local law within 10 days of its adoption.
- (c) The Town Clerk shall file the local law with the Department of State within 20 days of adoption.

#### C. Planning Board PDD review procedure (if applicable).

(1) Upon referral by resolution of the Town Board, the Planning Board shall review the referral resolution, the approved minutes of the public hearing, proposed local law and the application materials, and after formal presentation to the Planning Board and in accordance with the objectives, general requirements and considerations in this article, provide the Town Board with an advisory report with recommendation(s) on the proposed PDD local law within the Planning Board's next two scheduled meetings after the Director's provision of all needed materials to the Planning Board. The Planning Board Chair may ask for an extension of time, in writing, from the Town Supervisor for a specified amount of time with defined reason for the request.

(2) A favorable advisory report shall recommend approval of the local law or approval with conditions or modifications and shall include the following findings:

- (a) That the proposal meets the intent and objectives of planned development districting as expressed in §§ **210-14** and **210-15** of this article.
- (b) That the proposal meets all the general requirements and considerations expressed in §§ **210-16** and **210-17** of this article.
- (c) That the proposal is conceptually sound in that it meets a community need and it conforms to accepted design principles in the proposed functional roadway system, land use configuration, open space system and drainage system.
- (d) That there are adequate services and utilities available or proposed to be made available in the construction of the development.
- (e) That the proposal furthers the vision, goals and recommendations of the Town's Comprehensive Plan.

(3) An unfavorable advisory report shall recommend disapproval of the local law and state clearly the reasons therefor and identify which of the findings in § **210-19C(2)** the Planning Board is not able to find in the applicant's favor and why. If appropriate, the Planning Board may also point out to the applicant what might be necessary in order to receive a favorable report from the Planning Board.

D. Post Town Board approval procedures.

- (1) Zoning for Planned Development Districts. If the Town Board grants the adoption of the planned development district local law, the Zoning Map and Town Code shall be so amended.
- (2) Site plan and subdivision approvals. Subsequent to obtaining any rezoning under this article, individual project elements shall be subject to site plan, special use permitting or subdivision approvals, as applicable.