(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~ xx
~~Town~~
Village of Stillwater

Local Law No. 4 of the year 19 94

A local law relating to site development of new or modified residential or commercial parks or estates within the Village of Stillwater
(Insert Title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

~~County~~
~~City~~ xx
~~Town~~
Village of Stillwater as follows:

Section 1. Preamble. The Village of Stillwater hereby enacts this local law to provide for the regulation of certain land development within the boundaries and to encourage the most appropriate use of land, and to further protect and conserve the value of property and promote the health, safety and general welfare of the inhabitants of this community, notwithstanding any provision of general, special or local law to the contrary. To that end, this local law is to provide a procedure for the planned development of new or modified residential or commercial parks or estates in which certain economies of scale, or creative architecture or planning concepts may be utilized by a developer that will provide for the sound development and ordered growth of the Village of Stillwater.

Section 2. Definitions. As used in this local law the following terms shall have the following meanings:

1. "Village" shall mean the Village of Stillwater, Saratoga County, State of New York.

2. "Board of Trustees" shall mean the board of trustees of the Village of Stillwater.

3. "Developer" shall mean the legal or beneficial owner or owners of all of the land proposed to be included in a residential or commercial park or estate.

4. "Residential park or estate" shall mean a contiguous area of land upon which a developer proposes to build or modify more than one new residential dwelling.

5. "Commercial park or estate" shall mean all newly constructed sites or existing sites to be modified for commercial or industrial use.

6. "Development permit" shall mean a permit issued by the Board of Trustees under the provisions of the resolution, permitting a developer to develop a residential or commercial park or estate in accordance with the application, the concept development plan and conditions, if any, upon which such permit is granted.

Section 3. Procedure for planned development districts.

1. To develop any new residential or commercial park or estate or to modify an existing residential or commercial park or estate in the village, a developer shall apply for a development permit to the Board of Trustees. Such forms as shall be prescribed by the Board of Trustees shall be made availbale upon request from the office of the village clerk. Such application shall be submitted to the Board of Trustees at any regular meeting therof, and shall be accompanied by a $200.00 filing fee, together with a concept development plan for the purpose of providing the Board of Trustees and the developer with a flexible design concept that may be readily changes as deemed necessary.

2. A concept development plan shall contain:

(a) a site plan containing a drawn outline of the proposed design

concept of the project, locating all buildings, their height and bulk, the location of parking features of historic concern, landscaping elements, streets, watercourses, drainage ditches and other natural features and water and sewer lines. Said drawings to be stamped by a licensed engineer or architect; and

(b) a narrative description of the proposed project, addressing its scope of operation, purpose and impact on the immediate neighborhood, including any effects upon schools, traffic generation, population, utilities and aesthetics; and

(c) any additional requirements, information and/or drawings as may be required at any time by the Board of Trustees.

3. The Board of Trustees shall provide applicant with the opportunity to discuss the application submitted with the Board of Trustees at such meeting.

Section 4. Board of Trustees; powers and procedures.

1. The Board of Trustees shall review all such applications and may request the applicant to furnish more accurate site data pertaining to the boundaries of the proposed planned development, information relative to the topography and sub-soil conditions, and any additonal requirements it determines reasonably necessary to protect the ordered growth and sound development of the village. In reviewing such application, the Board of Trustees shall also consider the following:

(a) The need for the proposed land use in the proposed location;

(b) The existing character of the neighborhood in which the use would be located;

(c) The location of principal and accessory building on the site in relation to one another;

(d) The pedestrian circulation and open space in relation to structures or commercial sites;

(e) The traffic circulation feature within the site, and the amount, location and access to automobile parking areas;

(f) The height and bulk of buildings and their relation to other structures in the vicinity;

(g) The proposed location, type and size of display signs, driveways, loading zones for commercial sites and landscaping;

(h) The safeguards provided to minimize possible detrimental effects of the proposed use on adjacent properties and the neighborhood in general; and,

(i) Such other requirements as the board may consider necessary.

2. Within ninety days of the Board of Trustees' receipt of such application from a Developer, the Board of Trustees shall make a report of its findings and recommendations to the Developer. If within such ninety day period, the Board of Trustees determines that an amended application, a modification to such concept development plan and/or a more detailed site plan is necessary or advisable, the board shall immediately advise the applicant who shall have 30 days from the receipt of said request to comply herewith. At the expiration of said 30-day period, the board shall again review said application, together with whatever items the applicant may have submitted pursuant to the board's request, and the board shall, within 30 days thereafter, make a report of its findings and recommendations to the developer.

3. For purposes of this section, a request by the Board of Trustees for a modified concept development plan or a more detailed site plan may include, but not

be limited to, such items as:

(a) A title of the drawing, including name and address of applicant and persons responsible for preparation of such drawing;

(b) A north arrow, scale and date;

(c) The boundaries of the property plotted to scale;

(d) Any existing watercourses, wetlands and floodplains;

(e) A grading and drainage plan, showing existing contours;

(f) Any provisions for pedestrian access;

(g) The location, design and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls and fences;

(h) A description of the method of securing public water and location, design and construction materials of such locations;

(i) A description of the method of sewage removal and location of design and construction materials of such facilities;

(j) The location of fire and other emergency zones, including the location of fire hydrants;

(k) The location, design and construction materials of all energy distribution facilities, including electrical, gas and solar energy;

(l) The location, size and design and construction materials of all proposed signage;

(m) The location and proposed development of all buffer areas, including indication of existing and proposed vegetative cover;

(n) The location and design of outdoor lighting facilities;

(o) A designation of the amount of building area proposed for retail

sales or similar commercial activity, if applicable;

(p) A general landscaping plan;

(q) Any other elements integral to the proposed development, as considered necessary by the board, including identification of any state or county permits required for the project's execution; and

(r) Any approvals of the New York State Department of Environmental Conservation and/or the New York State Department of Health.

4. For purposes of this section, the Board of Trustees, where applicable, may impose the following requirements relating to streets and utilities;

(a) Streets shall be of sufficient width, suitably located, and adequately constructed to accommodate the prospective traffic and afford access for fire fighting, snow removal and other road maintenance equipment. The arrangement of streets shall be such as to cause no undue hardship to adjoining properties and shall be coordinated so as to compose a convenient system, including:

(i) Street right-of-way not less than fifty (50) feet in width.

(ii) Pavement in the center of the right-of-way not less than twenty-two (22) feet wide.

(iii) Provision for surface drainings.

(iv) Minimum thickness - 12" compacted gravel subbase.

(v) Pavement - Plane mix of 2½" base and 1½" wearing surface.

(vi) Grades - 0.50% minimum slope; 9% maximum slope.

(vii) Dead end streets - maximum length from intersection 800 feet. Minimum radius for turnaround of emergency vehicles 70

feet.

(b) Whenever possible, underground utilities shall be placed in the street right-of-way between the paved roadways and street line to simplify location and repair of lines when they require attention. The developer shall install underground service connections to the property line of each lot into which a residential or commercial park or estate may have been subdivided for each required utility before the street is paved, including:

(i) Water mains connected to the nearest approved points on the village water system with taps and lateral at each occupancy;

(ii) Installation of fire hydrants shall be in conformity with all requirements of standard thread and nut as specified by the New York Fire Insurance Rating Organization and the Division of Fire Safety of the State of New York;

(iii) Sanitary sewers connected to the nearest point on the village sewerage system with laterals to each occupancy or to the curb lines opposite each proposed future occupancy;

(iv) Lighting facilities shall be in conformance with the lighting system of the Village, if any. Such lighting standards and fixtures shall be installed by the developer after aapproval by the appropriate power company and authorized electrical inspector as appropriate. Street lights must be provided at dead ends and at intersections.

(c) Applicant, prior to final approval, must present to the village

a letter of credit, performance or security satisfactory to the village attorney in the amount of 100% of the estimated budget for constructing all works in the proposed right-of-way.

(d) Utilities in the street right-of-way and streets upon improvement and completion shall be deeded to the village.

Section 5. Public hearing; action by Board of Trustees.

1. The Board of Trustees shall cause a public hearing to be held on the question of the application as soon as feasible, provided notice of the hearing is given as provided pursuant to the provisions of Section 21-2100 of the Village Law.

2. Within 10 days subsequent to the public hearing, the Board of Trustees shall issue a written determination either approving the application, or approving the application subject to certain conditions or modifications to be followed, and directing the village clerk to issue a development permit, or, rejecting the application.

Section 6. Enforcement

1. No building permit may be issued, unless and until a development permit has been issued, if applicable to a project.

2. The Board of Trustees may appoint an individual to keep the board informed as to whether the requirements of this local law are being met, and such appointee shall file all records of the Board of Trustees with the village clerk. Such appointee may also be required to report to the Board of Trustees periodically as to matters pertaining to this local law including any violations of this local law.

Section 7. Applicability.

1. The provision of this local law shall not apply to any building for

which construction commenced prior to the effective date hereof unless such construction is not completed within a period of two years from such effective date.

Section 8. This local law shall take effect immediately upon its filing in the Office of the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 19 94 of the ~~(County)(City)(Town)~~(Village) of Stillwater was duly passed by the Board of Trustees on November 15 19 94, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19___ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19___, and was (approved)(not disapproved)(repassed after
(Name of Legislative Body)
disapproval) by the _____ and was deemed duly adopted on _____ 19___,
(Elective Chief Executive Officer*)
in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19___ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19___, and was (approved)(not disapproved)(repassed after
(Name of Legislative Body)
disapproval) by the _____ on _____ 19___. Such local law was
(Elective Chief Executive Officer*)
submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19___, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referndum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19___ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19___, and was (approved)(not disapproved)(repassed after
(Name of Legislative Body)
disapproval) by the _____ on _____ 19___. Such local law was subject to
(Elective Chief Executive Officer*)
permissive referendum and no valid petition requesting such referendum was filed as of _____ 19___, in accordance with the applicable provisions of law.

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*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. **(City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19___ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19___, became operative.

6. **(County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19___ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19___, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Marcia L. Parker

~~Clerk of the County Legislature, City Clerk, or Officer~~
~~designated by local legislative body~~
Village Clerk, Village of Stillwater

(Seal)

Date: November 16, 1994

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF Saratoga

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

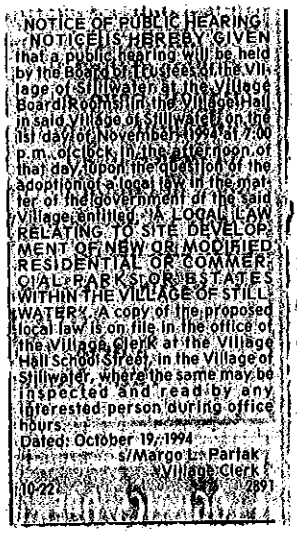
Signature

Village Attorney, Village of Stillwater
Title

~~County~~
~~City~~
~~Town~~ of Stillwater
Village

Date: November 16, 1994

State of New York, } ss.:
CITY AND COUNTY OF SCHENECTADY



NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Trustees of the Village of Stillwater at the Village Board Rooms in the Village Hall in said Village of Stillwater on the 1st day of November 1994 at 7:00 p.m. o'clock in the afternoon of that day, upon the question of the adoption of a local law in the matter of the government of the said Village, entitled, "A LOCAL LAW RELATING TO SITE DEVELOPMENT OF NEW OR MODIFIED RESIDENTIAL OR COMMERCIAL PARKS OR ESTATES WITHIN THE VILLAGE OF STILLWATER". A copy of the proposed local law is on file in the office of the Village Clerk at the Village Hall School Street, in the Village of Stillwater, where the same may be inspected and read by any interested person during office hours.
Dated: October 19, 1994
s/Margo L. Partak
Village Clerk
10-22 2891

Mary Meyer

of the City of Schenectady, being duly sworn, says that he/she is principal clerk *in the office of the Daily Gazette Co., published in the City of Schenectady and that the notice/advertisement, of which the annexed is a printed copy, has been regularly published in The Daily Gazette and/or Sunday Gazette as follows:*

1 insertion October 22, 1994

Mary Meyer

Sworn to before me this 24th *day of* October *19* 94

LISA J. BALDWIN
COMMISSIONER OF DEEDS
My commission expires 12/31/95

Lisa J. Baldwin
NOTARY PUBLIC

2M—3-93