

Town of Charlton

Subdivision Application and Review Guide

date 12/14/06, effective 1/1/07, rev p4 SEQRA 03/17/14

This guide describes the process that the planning board uses to review an application to subdivide parcels of land within the Town of Charlton. We have attempted to describe the review process in considerable detail, however, individual applications may contain specific problems not anticipated in this guide, and so some modification of the following process may be necessary.

The law that applies to the subdividing of property is found in the Town's subdivision regulations (August 10, 1976 plus revisions). A copy of those regulations can be obtained from the Town Clerk.

Included in this packet are: the subdivision application (Part 1 and Part 2), short environmental assessment form, agricultural data statement and control form, neighbor list form [for Public Hearing notification], standard map notes, and map of the agricultural district.

All materials submitted to the Planning Board for review are to be delivered to the Town Clerk's office.

Office hours are: Monday through Friday - 9 AM to 1 PM
Tuesday evening - 6 PM to 8 PM
Saturday - 9 AM to Noon
closed Saturdays during July and August
phone number at the Clerks office - 384-0152 x 201

Assistance: Susan York, Clerk – Planning Board, is available to answer questions and assist in the preparation of applications, and can be reached at 399-3797.

The Planning Board meets the 3rd Monday of the month - except for December when the Board does not meet. Meetings start at 7:30 p.m.

WHO NEEDS A SUBDIVISION?

A subdivision is required for any proposed division of any parcel (or lot) into two or more lots. Each resulting lot will require a separate deed and separate tax number. If the proposed action is simply to move lot lines to alter the shape of two or more adjoining parcels, this action must also be presented to the planning board, but the process is simplified.

Only the property owner, or a person legally authorized to act on behalf of the owner, may be an applicant for a subdivision.

TYPES OF SUBDIVISIONS

In the Town of Charlton there are three types of subdivision: Major, Minor, and Exempt with the differences being: 1) the number of lots created, 2) any change in town services that may be required as a result of the subdivision, and 3) the amount of information required to be supplied to the planning board.

- Major subdivision is one that results in five (5) or more lots or a subdivision that requires any new street or extension of municipal facilities. Any subdivision not classified as an Exempt or Minor subdivision is a Major subdivision.
- Minor subdivision is one that results in three (3) or four (4) lots and does not require any modification to town facilities or streets.
- Exempt subdivision is one that results in two (2) lots and does not require any modification to town facilities or streets. (While not technically a subdivision, a proposed action that involves only the movement of lot lines is handled under the category of exempt subdivision. Some of the following steps are omitted for this action.)

Any lots created from a parcel that had been previously subdivided within the last fifteen (15) years shall be counted in the total number when determining the type of subdivision appropriate to this application. This applies to all such lots whether or not they have been sold, rented or offered for sale or rent. No application fees are due for those lots created previous to this application.

PURPOSE OF SUBDIVISION REVIEW

The Planning Board has the task of insuring that all subdivisions conform to Town Zoning Ordinance. The Planning Board does not approve the creation of lots that violate some provision of the zoning law. Examples of why a proposed lot might not comply with the Zoning Ordinance would be insufficient frontage or acreage. When an application that does not conform to the Zoning Ordinance is presented to the Planning Board, it will be denied. If an applicant wishes to pursue a subdivision plan that does not conform to the Zoning Ordinance, they must first obtain a variance from that provision of the Zoning Ordinance from the Zoning Board of Appeals. A approval by the Zoning Board of Appeals only allows the process to proceed before the Planning Board. The Planning Board considers each application on its own merits.

If a subdivision plan conforms to the Zoning Ordinance, it does not mean that the proposed plan will necessarily be approved. The Planning Board also considers other issues. Among them are: safety, traffic, wetlands, water supply, possible effects on neighboring properties, sanitary waste disposal, storm water management, etc. The Planning Board will, however, attempt to work with an applicant to create a subdivision consistent with the purpose of the Zoning Ordinance.

STEP 1 PRE-APPLICATION CONFERENCE WITH THE PLANNING BOARD

This step is not required, but most applicants find it helpful. It may also speed up the review process.

The purpose of this meeting is to allow the applicant to present the basic concept of the project so that he/she may obtain input from the Planning Board before doing surveys and preparing detailed engineering drawings. This meeting provides an opportunity for the applicant to ask

questions about the review process and to incorporate the Planning Board's comments about the project early in the review process.

Step 1 requires twelve [12] copies of the following information:

- Sketch Plan of the proposed subdivision.

The sketch need be only approximately to scale. It should show roads, streams, ponds, wetlands, and approximately how the land would be divided. Please use a scale that can clearly present this information.

- Brief narrative of the proposed subdivision that includes:
 - All contact information, date, owner and location of land, and tax SBL# of land.
 - Intentions for the lots proposed and also mention any future subdivision plans for this property that will not be included in this application.
 - Discuss any other subdivision activity that involved this property during the last 15 years.
 - For major and minor subdivision please include a declaration about the intended use of the land during the subdivision review process (e.g. logging, farming, filling, grading, road bed preparation, etc.). Only those activities included in the declaration and agreed to by the Planning Board may be conducted on the property during the review process.

This information must be submitted to the Town Clerk's office at least 14 days prior to the meeting. Applications received after that cut-off date will be held until the next regularly scheduled Planning Board meeting.

If the information presented is not complete an additional submittal to the Planning Board may be required. The Planning Board may request a site walkover and access for the town engineer to obtain additional information.

When the Planning Board decides that it does not need more information, they will inform the applicant of any concerns they may have about the subdivision and the next appropriate step in the application process.

The SEQR process

This section explains a step that must be taken by the Planning Board. According to New York State law, no action can be taken by the Planning Board on any application for a subdivision until after the Board complies with the requirements of the State Environmental Quality Review Act (SEQR). The purpose of SEQR is to insure that the Planning Board gives full consideration to all environmental consequences at the earliest possible time in the review process.

The Planning Board must:

- 1) identify the lead agency for the application. Generally, this will be the Planning Board since it is the agency principally responsible for any approvals.
- 2) Determine if there is the potential for significant adverse environmental effects resulting from the project. In SEQR language, this means the Planning Board must determine if the project will be a "Type 1 Action" (projects, listed in the law, that are presumed to be more likely to have a significant environmental effect) or will be an "Unlisted Action" (all other projects not excluded by the law). To assist the Planning Board in making this determination, it is

necessary for the applicant to fill out one of the two environmental assessment forms and submit it with the Preliminary Application (see **STEP 2**).

- a) Applicants for a major subdivision are requested to fill out the full environmental assessment form. The applicant should fill out part 1.
- b) The short environmental assessment form will generally be used for the minor and exempt subdivisions, although the Planning Board may request a full environmental assessment form after more information about the project becomes available. Initially, the applicant should fill out part 1 of the short environmental assessment form.

The Planning Board will complete the form in a timely fashion and will make a decision about the potential for the project to create a “significant” or “not significant” impact on the environment. If a significant impact is considered possible, the applicant will be required to prepare an environmental impact statement. If no significant environmental impact is anticipated, the Planning Board will issue a “negative declaration” and the SEQR process ends here. The Planning Board may issue a “conditional negative declaration” the conditions of which will become part of any future approval. However, if information suggesting a possible significant impact becomes known to the Planning Board after the Board has made a negative declaration, it may, at its discretion, amend the negative declaration. This amendment may require the preparation of an environmental impact statement.

Effective October 7, 2013, the NYS Department of Environmental Conservation adopted new “Short” and “Full” Environmental Assessment forms (EAF). The new forms are designed to work with the new EAF workbooks and EAF Mapper. We ask that you use this new process in completing your EAF for your application by using www.dec.ny.gov/permits/6191.html.

STEP 2 PRELIMINARY APPLICATION

This step requires an application fee. The fee is calculated from the net number of new lots proposed. For each new lot created, the sum of \$300.00 shall be submitted to the Town Clerk with the completed application. For example, if one lot is proposed to be subdivided into three parcels, the application fee will be \$600.00 (three lots after subdivision minus one original lot = 2 new lots times \$300.00 each). Planning Board review will not begin until this fee is paid. The fee is not refundable if the final approved subdivision has fewer lots than originally proposed, the applicant withdraws the application, or even if the proposal is denied by the Planning Board. Therefore, it is not in the interest of the applicant to propose more lots than are suitable for the property. If the final subdivision contains more lots than presented in the Preliminary Application, an additional \$300.00 will be required for each additional lot. If the proposed action is a lot line shift, and no new lots are created, a \$300.00 application fee will be required unless waived by the Planning Board.

The application must be submitted to the Town Clerk’s Office at least 14 days prior to the meeting to be on the agenda for that meeting. Applications received after that cut-off date will be held until the next regularly scheduled meeting. The applicant will remain on the agenda as long as regular progress on the application is occurring until the final subdivision is approved or denied. If, due to inaction by the applicant, no progress is made on the application for 3 months,

the applicant will be removed from the agenda. They will need to notify the Planning Board at least 14 days prior to a meeting that they wish to be back on the agenda.

If the Pre-Application Conference was not held, this will be the first step in the process. In this case, please include the last three bullet items required in **Step 1**.

Presented below are items of information required by the Planning Board. If this information is included in the original application, it can speed up the review process, so it is beneficial to the applicant to make the application as complete as possible.

Please provide fifteen [15] copies of the following information, unless otherwise noted. Most documents are distributed to all parties involved in the review process, including referrals:

- Completed Subdivision Application Form, parts 1 and 2.
- Narrative, if not already provided for the Pre-application Conference.
- Three [3] copies of the deed(s) involved in the project. Note any covenants or restrictions listed on the deed.
- Short or Long Environmental Assessment Form (Planning Board will indicate which form will be needed at the pre-application conference).
- Agricultural Data Statement (if lot is in agricultural district, within 500 feet of a farm operation that is located in an agricultural district, or is located on a county road - see form and map in this packet). If required, the Clerk - Planning Board, will forward this statement, along with application paperwork, to the Saratoga County Planning Board.
- Survey maps - Professionally prepared and signed survey maps are required for applications. Select a scale which will allow the entire parcel to be shown on one sheet (sheets should be not less than 8 ½ x 14 inches and not more than 30 x 42 inches). All drawings shall include a "revision block" with space for revision number, date, and description of any changes. **See pages 8 through 10 for standard notes and signature block that will be required on the final maps. Standard notes are also listed on page 12**

Show the following information:

- Adjacent roads and proposed road cuts
- Proposed lot lines after subdivision and include dimensions of each lot
- All existing buildings on the property, with dimensions from lot lines
- All existing septic systems on the property
- Show culverts, public water lines, and sewer lines
- Identify all actively farmed areas
- Location of proposed new roads (if any)
- Elevation contours every 2 feet
- Wetlands (state or federal)
- Locations of stone fences or other physical boundary evidence
- Locations of existing wells (dug or drilled)
- Locations of existing springs, streams, and ponds
- Locations and results of any perc or deep hole tests (if any)
- Additional information requested by the Planning Board at the Pre-Application Conference
- Completed Neighbor List form - List all owners of property that are contiguous, adjacent to, or across an established road from the proposed boundaries of the subdivision. Include all active farms within 1500 feet for a minor subdivision or 2500 feet for a major subdivision. The tax records and maps at Town Hall assist in the preparation of this list. The Tax Roll

contains the tax map numbers, names and addresses of the property owners, along with Property Class values [100 series is farming, 200 series is family residential, 300 series is vacant]

Each applicant is required to establish an escrow account to pay for any reviews of the application by the town engineer. The town engineer works on behalf of the Town of Charlton, not for the applicant. It is common for the Planning Board to refer major and minor subdivision applications to the town engineer, but exempt applications may also be sent to the town engineer if deemed appropriate by the Planning Board. After initial review of the preliminary application by the engineer, he will estimate the amount of money that the applicant will need to put into the account. Further review will continue only after the account is created. The bookkeeper for the Town of Charlton will assist the applicant with setting up the account. If, as the engineering review proceeds, more money is needed, the applicant will be notified by the Town of Charlton. A positive balance must be maintained in the applicant's escrow account at all times. Failure to maintain a positive balance in the account will delay further review and Planning Board action. The account will be used for review of the Preliminary Application and for review of the Final Plan. Any escrow money not expended will be returned to the applicant. The Town of Charlton maintains all escrow accounts.

If the Planning Board does not formally hear from the applicant and if the application is inactive for a period of 6 months, the application will be considered withdrawn. If this happens, or if the applicant actually withdraws the application, fees and money spent to that time on the review will not be returned. Money in the escrow account (if any) will be returned to the applicant. If the applicant returns at a later date with a proposal for the same property, the application will be considered as a new application. This means that the process will have to start over including payment of all application fees.

Before the application can proceed to the next step, the Planning Board will make two determinations:

- 1) the application is complete (including all appropriate forms). If an environmental impact statement is required, it must be submitted to the Planning Board and determined to be complete.
- 2) the subdivision concept, as modified if necessary, is approved.

If the Planning Board decides that it needs to have consultation from the Saratoga County Planning Board, the Planning Board will send a copy of the application to the County.

All work by the town engineer appropriate to the Preliminary Application must be received by the Planning Board before it determines the application to be complete. If the Planning Board decides that it needs to have consultation from the Saratoga County Planning Board, the Planning Board will send a copy of the application to the County. In this case, a reply from the County Planning Board is necessary before the Planning Board will make a determination about the completeness of the application.

Only after the Planning Board makes these determinations will the Planning Board schedule a Public Hearing to be held at its next regularly scheduled meeting (the hearing may be waived for an exempt subdivision). The application process does not continue until the Planning Board makes these two determinations.

Those town residents most likely to be affected by the subdivision must be notified before the Public Hearing. The applicant is responsible for: 1) filling out a post card (obtained from the Town Clerk) for each of the neighboring properties listed in the application, and 2) returning the cards, along with sufficient postage, to the Town Clerk at least 10 days prior to the Public Hearing. The Planning Board may require an expanded notification procedure if the project may have a significant impact on more than just the immediate neighborhood. The applicant will be told by the Planning Board if additional property owners must be notified about the Public Hearing.

STEP 3 - PUBLIC HEARING

A Public Hearing is held so that individuals other than Planning Board members can express their feelings and contribute additional pertinent information about the proposed project. The Public Hearing is usually scheduled to start at 7:00 PM on the same dates as scheduled Planning Board meetings. Other meeting arrangements may be made for controversial projects.

At the Public Hearing, the applicant will describe the proposed project. At the conclusion of the presentation, the Planning Board will open the floor for discussion and comment from those wishing recognition to speak. The Planning Board chair will direct questions to the appropriate person and will limit the time allowed for individual comments, should this be necessary. Members of the Planning Board will then be given the opportunity to question the applicant or anyone who has made comments before the Planning Board. No action will be taken on the application at the Planning Board meeting that immediately follows the Public Hearing.

The Planning Board will hold the Public Hearing open until the start of its next regularly scheduled meeting to allow for written comments sent to the Planning Board.

As a general rule, the Planning Board will make its decision within sixty-two (62) days after the date of the public hearing on the preliminary plat. Actions of the Planning Board will be:

- Approve the Preliminary Application and recommend that the applicant proceed to the Final Plan, or
- Approve the Preliminary Application with conditions. The applicant can proceed to the Final Plan after the conditions are met as determined by the town engineer, or
- Denial of the Preliminary Application. The applicant is free to reapply but the application will be treated as a new application. Application fees and funds expended from the escrow account will not be returned.

If the Planning Board approves the Preliminary Application with conditions, the applicant shall submit revised documents, showing compliance with the conditions in **Step 4**. Also, if comments from the County or any other agency require any revisions to the Preliminary Application, the appropriate documents shall be revised when preparing the Final Plan.

STEP 4 - FINAL PLAN

The applicant can now prepare the final proposal to the Planning Board. In addition to the revisions required above, it is beneficial to the applicant to consider making modifications to the

Preliminary Application as recommended by the Planning Board. After the applicant receives approval from the Planning Board to prepare the final plat plan, the applicant has 6 months to prepare the final plan. If the applicant fails to submit the final plan to the Planning Board within this time, the preliminary plan approval is automatically revoked.

All project specific details requested by the Planning Board must be supplied in the final plan. Those details which must be supplied will depend on the project and will be identified by the Planning Board.

At a minimum, all projects will require the following additional information:

updated survey map showing any changes from the originally submitted map, possible locations for dwellings and septic fields, results of soil perc tests, sufficient information (certified by a licensed land surveyor) giving complete descriptions of each proposed lot with reference to one or more substantial markers as approved by the town engineer.

If water is to be supplied by a water district, include a statement from the town engineer that sufficient water is or is not currently available at the site.

If the access road is a New York State highway or a County highway, the map shall show proposed road cuts. The Planning Board will forward a copy of the map to the Saratoga County Planning Board for review. The application will not become complete until the County Planning Board reports to the Town Planning Board approval of the road cuts as submitted.

If site improvements (e.g. roads) are proposed, please consult the sections IX and X in the subdivision regulations for requirements about performance bonds and design standards.

Larger and more complicated projects may require additional information. For example: a traffic study if the Planning Board decides that the potential increase in traffic volume is significant, or a storm water management plan, or any other information deemed relevant by the Planning Board.

When the Final Application has been determined to be complete (including all appropriate forms):

- 1) the Planning Board may determine the final plan to be in substantial agreement with the approved preliminary plan and a second public hearing is not needed. After the Planning Board has determined the Final Application to be complete, it has 62 days to act. or
- 2) the Planning Board decides that the final plan is not substantially the same as the approved preliminary plan, and will schedule a second public hearing to be held at the next regularly scheduled meeting after this determination is made. The format of the second Public Hearing will be the same as the first Public Hearing. The Planning Board may require modifications to the final plat before proceeding to act on the application. After the Planning Board has received any requested modifications to the final plan, it has 62 days to act.

Actions of the Planning Board will be:

- Accept the Final Plan as presented, or
- Accept the Final Plan with conditions. The applicant can proceed to the next step after the conditions are met as determined by the town engineer, or
- Denial of the Final Plan. The applicant is free to reapply but the application will be treated as a new application. Application fees and funds expended from the escrow account will not be returned.

STEP 5 - FILING

The Town of Charlton requires that a "Park Fee" of \$1,200.00 be paid to the town for each new approved lot created in the process of subdivision. For example: if one lot was subdivided into three lots, a Park Fee of \$2,400.00 will be payable to the Town for the two new lots created.

After the Final Plan has been approved by the Planning Board, and the Planning Board chair has been authorized to sign the completed plans by a vote of the Board, the applicant shall submit to the Planning Board two mylar and two paper copies of the Final Plan showing all conditions, restrictions, and covenants required by the Planning Board. Any procedural requirements for operations during construction that are placed on the subdivision by the Planning Board must be submitted in writing and signed by the owner of the property and the applicant, if they are not the same. The applicant will be provided with a sheet describing the Saratoga County requirements for filing a subdivision map.

If the project requires approval by the New York State Department of Environmental Conservation, the New York State Health Department, and/or any other agency, the chair of the Planning Board will not sign any plans until those agencies have affixed their stamp and signature.

If any of the lots created in this subdivision are wholly or partially within an agricultural district, the mylars and copies of the Final Plan shall prominently show the following statement of the "right to farm" disclosure notice:

When any purchase and sale contract is presented for the sale, purchase, or exchange of real property located partially or wholly within an agricultural district, the prospective grantor shall present to the prospective grantee a disclosure notice which states the following:

"It is the policy of this state and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This disclosure notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust, and odors."

Such disclosure notice shall be signed by the prospective grantor and grantee prior to the sale, purchase, or exchange of such real property.

Receipt of such disclosure notice shall be recorded on a property transfer report form prescribed by the state board of real property services as provided for in section 333 of the real property law.

To make the mylar official, it must be signed by the chair of the Planning Board. The following text for the signing block must be included on the mylar:

<p>THE TOWN OF CHARLTON PLANNING BOARD Approved by Resolution of the Planning Board of the Town of Charlton, New York on the _____ day of _____, 20____, subject to all requirements and conditions of said Resolution. A change, erasure, modification, or revision of the Plot as approved shall void the approval. Signed this _____ day of _____, 20____ by _____ Planning Board Chair</p>

One mylar and one paper copy of the approved subdivision will be returned to the applicant. If the applicant wishes additional mylars or copies signed and returned to them, they may submit them at this time. It should be noted that these documents will not be signed until all outstanding fees have been paid. These include Park Fee, engineering fees, and if the approved final plan has more lots than were in the Preliminary Application, \$300 per additional lot will be due at this time.

The applicant must submit the signed mylar to the County Clerk's office within 62 days of approval. If the applicant fails to file with the County within the specified time, the approval expires. An extension of this time period may be given at the discretion of the Planning Board.

If significant progress is not made on the approved project within 3 years from the date of project approval (see Section 265.A of Town Law), the applicant will be notified that the approval is withdrawn and the project must again be presented to the Planning Board before the project can continue. An extension for a fixed time period may be granted, allowing the project to continue (only one will be granted to the project). If no extension is granted, the approval for the project will remain withdrawn, the project will be terminated and the most practical way to return the original lot to pre-project conditions will be determined by the Planning Board. This condition on the project will be applied to Major subdivisions only.

TOWN OF CHARLTON
Saratoga County

FEE SCHEDULE

Effective: January 1, 2007

The Town Board, Zoning Board of Appeals or Planning Board may refer an application to its private consultants for review. Such consultants may include an engineer, planning consultant or other specialist necessary for the Board(s) to make an informed decision. Expenses incurred by the Town of Charlton for this purpose shall be fair and reasonable and shall be reimbursed to the Town by the applicant in the amount of the actual expense incurred.

Each Board may require the establishment of an escrow account at the commencement of an application for the purpose of reimbursing the expenses referenced above. In the event the escrow is depleted prior to any final approval or issuance of a required permit, additional monies must be deposited before the processing of the application will be continued.

Applicants are required to pay all fees, charges and escrow requirements in full prior to the issuance of any permits or the signing of any final subdivision map mylars.

APPLICATION FEES

PLANNING BOARD

Subdivisions

Exempt - Minor	\$300.00 per lot (Nonrefundable)
Major Subdivisions	\$300.00 per lot (Nonrefundable)
Site Plan Review	\$300.00 (Nonrefundable)
Lot Line Adjustments	\$300.00 or Planning Board may waive application fee
Park Fee	\$1200.00 per lot (Payable prior to signing of Mylar)

See the separate Town schedule for the full list of fees.

Town of Charlton Planning Board
Standard Notes Required on Survey Maps
08/10/07

Well Note:

“All building permits for dwelling units shall be contingent upon the construction of a water well with adequate flow capacity and acceptable potability in accordance with the requirements of the New York State Department of Health.”

Septic Note:

“Prior to the issuance of a building permit, a plan prepared by a licensed professional engineer showing the proposed sanitary disposal system, percolation tests, and details shall be submitted to the building inspector. The plan should be certified by the design engineer as meeting the requirements of Appendix 75-A of the New York State Department of Health and the Town of Charlton. Where non-conventional systems such as alternative systems, shallow systems and built-up systems are planned, the individual plans are to be approved by the New York State Department of Health and the construction, as built, is to be certified by a licensed professional engineer prior to issuance of the certificate of occupancy.”

Right to Farm Note:

“It is the policy of this state and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food and other products, and also for its natural and ecological value. This notice is to inform prospective residents that farming activities occur within the Town. Such farming activities may include, but not be limited to, activities that cause noise, dust, smoke and odors.”

Curb Cut Note:

“A curb cut permit from the (*NYS Department of Transportation / Saratoga County Department of Public Works / Town of Charlton Highway Department*) will be necessary for access to (*Highway Road*) prior to any construction. The applicant must provide a copy of this permit to the Town of Charlton Zoning Officer as part of any building permit application.”

Wetlands Note:

“A review of the NYS Article 24 Freshwater Wetlands Map shows that DEC wetlands are present. Disturbance of this lot will require disposition from DEC regarding the presence of regulated wetlands and the appropriate buffer. A disturbance permit or reconfiguration of planned uses may be necessary.”

TOWN OF CHARLTON
SUBDIVISION APPLICATION FORM - PART 1
Information about the property as it now exists

property owner(s): _____ as listed on the deed

owner's address: _____

address of proposed subdivision (if different from owner's address): _____

owner's phone number: _____

applicant name (if different from the owner): _____
(if the applicant is a party with a purchase agreement, include a copy of the purchase agreement)

applicant address: _____

applicant phone number: _____

consultant name _____

consultant address _____

consultant phone number _____

tax map number(s): _____ size of property (acres): _____
(include block and lot numbers if available)

road frontage (feet): _____ on (name of road): _____

road frontage (feet): _____ on (name of road): _____

distance to nearest intersection (feet): _____ name of cross street: _____

zoning district: residential _____ residential/agricultural _____ agricultural _____

does property have an agricultural exemption: _____ or a conservation easement: _____
special use permit: _____ or a variance: _____

if yes to any of the above, please provide permit/variance number, date of issuance, and stipulations

area of (acres): state wetlands _____ federal wetlands _____ flood plain _____
(if this information is not known now, it will have to be obtained before the final plan will be complete)

stream name(s) and classification(s) _____

was this property the result of a subdivision within the last 15 years? _____
if yes, when and by whom: _____

Describe current uses of the property: _____

TOWN OF CHARLTON
SUBDIVISION APPLICATION FORM - PART 2
Information about the proposed subdivision

purpose of proposed subdivision: _____

number of proposed lots: _____ (application fee is \$300 / new lot created - see review guide)

size of minimum proposed lot (acres) _____ proposed lot with minimum road frontage (feet) _____

are new roads proposed? _____ if yes, how long (feet) _____

proposed source of potable water _____

proposed method of sewage disposal _____

does the proposed subdivision comply with Zoning Ordinance Requirements for all lots? _____

Consult the review guide for material which must accompany this application. A list of required material is found in Step 2 - Preliminary Application.

SIGNATURE OF APPLICANT _____ DATE _____

Print name: _____

PLANNING BOARD USE ONLY

Date application received by Town: _____ Amount of application fee paid \$ _____

signature of town official accepting fee _____

Planning Board Case # assigned to application: _____ Date of first hearing: _____

Date escrow account created: _____

**TOWN OF CHARLTON: SARATOGA COUNTY
BUILDING & ZONING FEE SCHEDULE**

Effective: April 1, 2012

The Town Board, Zoning Board of Appeals or Planning Board may refer an application to its private consultants for review. Such consultants may include an engineer, planning consultant or other specialist necessary for the Board(s) to make an informed decision. Expenses incurred by the Town of Charlton for this purpose shall be fair and reasonable and shall be reimbursed to the Town by the applicant in the amount of the actual expense incurred.

Each Board may require the establishment of an escrow account at the commencement of an application for the purpose of reimbursing the expenses referenced above. In the event the escrow is depleted prior to any final approval or issuance of a required permit, additional monies must be deposited before the processing of the application will be continued.

Applicants are required to pay all fees, charges and escrow requirements in full prior to the issuance of any permits or the signing of any final subdivision map Mylar's.

BUILDING PERMITS

1 & 2 Family Dwellings	\$14.00 per 100 square ft (\$90.00 min)
Multiple Dwellings	\$14.00 per 100 square ft (\$90.00 min)
Additions	\$14.00 per 100 square ft (\$90.00 min)
Porches & Decks	\$14.00 per 100 square ft (\$90.00 min)
Detached Garages	\$14.00 per 100 square ft (\$90.00 min)
Accessory Buildings	\$14.00 per 100 square ft (\$90.00 min)
Commercial Buildings	\$14.00 per 100 square ft (\$90.00 min)
Permit Renewal	\$90.00
Swimming Pools	\$90.00
Miscellaneous	\$90.00
Solid/Liquid Fuel Burning Devices: With/Without Chimney	\$90.00
Certificates of Use/Occupancy	No Charge
Electrical Inspections	Determined on an Individual Basis

ZONING FEE

Percolation Tests	\$90.00	
Septic System Inspections New/Repair/Replace	\$90.00	Escrow Account may be required For Engineering Review
Signs	\$90.00	
Driveway Curb Cut Permit (Town Roads)	\$90.00	
Copy of Zoning Ordinance	\$20.00	
Copy of Subdivision Ordinance	\$15.00	
Service Fee	\$90.00	

APPLICATION FEES

PLANNING BOARD

Subdivisions:

Exempt-Minor	\$300.00 per lot (Nonrefundable)
Major subdivisions	\$300.00 per lot (Nonrefundable)
Site Plan Review	\$300.00 per lot (Nonrefundable)
Lot Line Adjustment	\$300.00 or determined by Planning Board
Park Fee	\$1200.00 per lot (Payable prior to signing of Mylar)

Zoning Board of Appeals

Variance	\$300.00
Interpretation	\$100.00
Exceptional Use Permit	\$300.00
Amendment to Exceptional Use Permit	\$300.00
Temporary Certificate Of Use/Occupancy	\$300.00
Other	\$300.00

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO	YES
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO	YES
3.a. Total acreage of the site of the proposed action?		_____ acres		
b. Total acreage to be physically disturbed?		_____ acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres		
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland				

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?			
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation service(s) available at or near the site of the proposed action?			
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing potable water: _____	NO	YES	
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing wastewater treatment: _____	NO	YES	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
b. Is the proposed action located in an archeological sensitive area?			
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
16. Is the project site located in the 100 year flood plain?	NO	YES	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES	
If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES			
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)



Disclaimer

The New York State Department of Environmental Conservation has added a link to a translation service developed by Microsoft Inc., entitled Bing Translator, as a convenience to visitors to the DEC website who speak languages other than English.

Additional information can be found at DEC's Language Assistance Page.

State Environmental Quality Review Act (SEQR) Forms

All Downloadable SEQR Forms are PDF Files

The following Environmental Assessment Forms (Appendices A and B) should be used (as of October 7, 2013) for applications to be submitted to reviewing, funding or approving agencies. **If you are new to filling out the EAFs or using the EAF Mapper, or have questions about how to use them, we recommend that you begin with the Environmental Assessment Form (EAF) Workbooks.** EAF forms can be filled out and saved with Acrobat Reader.

- EAF Mapper Application (will generate partially filled-in EAFs)
The EAF Mapper Application is an Internet-based Geographic Information System (GIS) specifically designed to facilitate the NY State Environmental Quality Review (SEQR) process by answering geographic or place-based questions on the Short and Long Environmental Assessment Forms (EAFs). The EAF Mapper will provide its results by directly filling out many place-based questions in Part 1 of an electronically fillable SEAF or FEAF form and returning the partially completed form to the applicant or sponsor to finish.
If you are using the EAF Mapper, do not complete any part of a PDF for either the SEAF or FEAF first. Rather, start with the EAF Mapper and wait for the program to fill in the various answers, then save the document to your computer and continue completing the forms from there. If you start a PDF before running the EAF Mapper, any information entered will be lost when the program applies its GIS data. Help in using the EAF Mapper application is located on the EAF Mapper Application's main page next to "feedback". Additional guidance can be found in the EAF Workbook, under the subsection "Using the EAF Mapper".
- Short Environmental Assessment Form (SEAF) (172 KB) (*Appendix B to 6 NYCRR 617.20*)
- Full Environmental Assessment Form (FEAF) (*Appendix A to 6 NYCRR 617.20*)
 - FEAF Part 1 (502 KB)
 - FEAF Part 2 (564 KB)
 - FEAF Part 3 (65 KB)

- Notice of Complete Draft EIS / Final EIS (24 KB)

- Notice of Completion of Draft EIS and Notice of SEQR Hearing (68 KB)

- SEQR Findings Form (82 KB)

- ENB SEQR Notice Publication Form (72 KB)

More about State Environmental Quality Review Act (SEQR) Forms:

Frequently Asked Questions Regarding the SEQR Environmental Assessment Forms - Answers to questions related to the new (2013) Environmental Assessment Forms, the related EAF Workbooks, and the EAF Mapper

AGRICULTURAL DATA STATEMENT AND CONTROL FORM

Town of _____ Tax Parcel No. _____
(section) - (block) - (lot)

Consolidated Agricultural District No. 1 or 2 Street Name _____
(circle)

NOTE: Section 283-a of the Town Law (effective July 1, 1993) requires that any application for a Special Permit, Site Plan Approval, Use Variance or Subdivision Approval **on property within an Agricultural District containing a farm operation, OR on property with boundaries within five hundred (500) feet of a farm operation that is located in an Agricultural District**, include an Agricultural Data Statement. **ALL** applications requiring an Agricultural Data Statement must be referred to the Saratoga County Planning Board in accordance with amended section 239-m and 239-n of the General Municipal Law (effective July 1, 1993).

Part I: Agricultural Data Statement

Name of Applicant _____

Mailing Address _____

Description of Project _____

Names and addresses of those owners of land within Consolidated Agricultural District No. _____ that contain farm operations AND are located within five hundred (500) feet of the project property:

1. _____

2. _____

3. _____

4. _____

5. _____

Attach to this form a copy of a tax map showing the site of the proposed project relative to the locations of farm operations identified above. **Farm Operations** are defined as "...the land used in agricultural production, farm buildings, equipment and farm residential buildings" according to Section 301, Article 25 AA of the Agricultural and Markets Law.

Part II: Submission and Evaluation (to be completed by Municipal Review Agency)

Type of Submission (Check appropriate type)

Use Variance ___ Special Use Permit ___ Site Plan Review ___ Subdivision Review ___

Municipal Review Authority (Check appropriate agency)

Zoning Board of Appeals ___ Planning Board ___ Town Board ___

Part III: Notice Provision (to be completed by Municipal Review Agency)

Consistent with Section 283-a(3) of the Town Law, written notice of the application described in Part I has been provided to the owners of land identified in the Agricultural Data Statement.

Date Notice Mailed _____

Part IV: Notice to County Planning Board (to be completed by Municipal Review Agency)

Consistent with Section 283-a(5) of the Town Law, the Clerk of the Municipal Review Authority identified in Part II must refer all applications requiring an Agricultural Data Statement to the County Planning Board.

Date Referred to County Planning Board _____

Use Agricultural Data Statement Referral Form

NOTICE

Regarding Disclosure Notice to Prospective Purchasers

As of July 1, 1999:

1. **When any purchase and sale contract is presented** for the sale, purchase, or exchange of real property located partially or wholly within an agricultural district, the prospective grantor shall present to the prospective grantee a disclosure notice which states the following:

"It is the policy of this state and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This disclosure notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors."

- 1a. Such disclosure notice shall be signed by the prospective grantor and grantee prior to the sale, purchase or exchange of such real property.
2. Receipt of such disclosure notice shall be recorded on a property transfer report form prescribed by the state board of real property services as provided for in section three hundred thirty-three of the real property law.

Town of Charlton

Application for Subdivision - List of Neighboring Property Owners

In order for a Preliminary Application for a subdivision to be considered complete, a list is required that details all owners of property that are contiguous, adjacent to, or across an established road from the proposed boundaries of the subdivision. Tax Map Numbers, Names, and Addresses are required. Include all active farms within 1,500 feet for a minor subdivision or within 2,500 feet for a major subdivision. Property Class numbers in the 100 series indicate farms and crop land.

Owner _____ Applicant _____

Tax Map # (s) on request for subdivision

Tax Map #	Property Class	Name (s)	Address

Signature of Preparer _____ date _____

Town of Charlton
Application for Subdivision - List of Neighboring Property Owners

In order for a Preliminary Application for a subdivision to be considered complete, a list is required that details all owners of property that are contiguous, adjacent to, or across an established road from the proposed boundaries of the subdivision. Tax Map Numbers, Names, and Addresses are required. Include all active farms within 1,500 feet for a minor subdivision or within 2,500 feet for a major subdivision. Property Class numbers in the 100 series indicate farms and crop land.

Owner _____ Applicant _____

Tax Map # (s) on request for subdivision

Tax Map #	Property Class	Name (s)	Address

Signature of Preparer _____ date _____

AFFIDAVIT TO BE COMPLETED BY OWNER

STATE OF NEW YORK)

)ss:

COUNTY OF _____)

_____, being duly sworn, deposes and says that he/she is the owner and/or developer of the real property subdivision known as _____, which subdivision is herewith submitted to the Town Planning Board of the Town of Charlton, New York, for its approval, pursuant to the Town Law of the State of New York and other statutes and ordinances in such cases made and provided.

That deponent has authorized _____, to appear on his/her behalf in order to make application for subdivision approval and to obtain all approvals relating thereto.

Deponent states that, from his/her actual knowledge, the map or plan as submitted herewith is true and correct in every detail and correctly sets forth the owners of adjoining lands.

That this affidavit is made as an inducement to the Town of Charlton Planning Board for approval of the aforesaid subdivision plat.

Signed _____

Sworn to before me this

_____ day of _____, 200__

Notary Public

Town of Charlton Agricultural District 002



1 inch = 1 miles

