

APPLICATION FOR AREA VARIANCE

FOR INTERNAL USE ONLY	
APPLICANT:	<u>Eric Besaw</u>
	APPEAL #: <u>0912</u>
	ZONING DISTRICT: <u>R1</u>
	DATE SUBMITTED: <u>07/01/2026</u>
	DATE ACCEPTED: _____
	HEARING DATE: <u>07/22/2026</u>
☐ SEQR Type 1 ☐ SEQR Type 2 ☐ Unlisted	

APPLICANT INFORMATION:

1. Applicant(s): Eric Besaw
Street Address: 7 Greenway Rd
City, State, Zip: South Glens Falls, NY, 12803
Telephone #: 518-926-8819 Fax #: _____
E-mail Address: Eric.Besaw@gmail.com
2. Agent: _____
Street Address: _____
City, State, Zip: _____
Telephone #: _____ Fax #: _____
E-mail Address: _____
3. Owner: Eric Besaw & Jennifer Besaw
Street Address: 7 Greenway Rd
City, State, Zip: South Glens Falls, NY, 12803
Telephone #: 518-926-8819 Fax #: _____
E-mail Address: Eric.Besaw@gmail.com

RELATIONSHIP TO THE PROPERTY:

OWNER: ☒ Yes ☐ No

LESSEE: ☐ Yes ☐ No

AGENT: ☐ Yes ☐ No

If an agent, please attach an Agent Authorization Form.

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GENERAL PROJECT INFORMATION:

ADDRESS: 7 Greenway Rd TAX MAP #: 49.60-1-28
CURRENT USE: 1 Family Residential ZONING DISTRICT: R1
LENGTH OF TIME OF USE: permanent PROPOSED USE: Shed
RELIEF SOUGHT: Setback variance for shed

AREA VARIANCE REQUEST:

	Required Dimension	Proposed Dimension	Difference	%
Front Yard Setback	<u>30</u>	<u>162</u>	<u>0</u>	<u>0</u>
Side Yard Setback	<u>15</u>	<u>6</u>	<u>9</u>	<u>4060</u>
Rear Yard Setback	<u>30</u>	<u>6</u>	<u>24</u>	<u>80</u>
Lot Area	<u></u>	<u></u>	<u></u>	<u></u>

GENERAL DESCRIPTION OF THE ACTION FOR WHICH AN AREA VARIANCE IS SOUGHT:

I would like to build a 12'x24' shed on the northwest corner of my property. This shed would provide storage for tools & supplies for my local business.

CRITERIA: An area variance may be granted only in the event that **ALL five (5)** of the circumstances listed in § 179-59A are specifically found to exist by the Zoning Board of Appeals and are each so stated in the findings.

- (1) That the strict application of said dimensional requirements would result in a specified practical difficulty to the applicant.
- (2) How substantial the requested variance is in relation to the requirements.
- (3) That the difficulty cannot be alleviated by some practical method feasible for the applicant to pursue.
- (4) That there will be no substantial change in the character of the neighborhood or a detriment to the adjoining properties.

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- (5) That the variance would not be materially detrimental to the purpose of this chapter or to property in the district in which the property is located or otherwise conflict with the description or purpose of the district or the objectives of any plan or policy of the town and that the variance requested is the minimum variance which would alleviate the specific practical difficulty found by the Zoning Board of Appeals to affect the applicant.

Please describe how your circumstance meets ALL five (5) criteria (please attach additional pages as necessary):

Please see attached

Eric Besaw 7 Greenway Rd

(1) Practical difficulty:

The strict application of the setback requirements creates a practical difficulty due to several physical constraints on the property. The lot contains an existing residence, a septic system and leach field, a pool, and mature trees, all of which significantly limit the available buildable area. These features cannot be easily relocated or altered without substantial cost and disruption. As a result, there is no reasonable location on the property that complies with the required 30-foot rear setback and 15-foot side setback while still allowing for the placement of a functional shed.

In addition, I operate a small local business from my home and require adequate storage space for tools, materials, and equipment. The lack of available storage space creates an operational hardship, making the construction of a shed necessary for the reasonable use of my property.

(2) Substantiality of the variance:

While the requested variance does reduce the required setbacks, the overall request is not substantial when evaluated within the context of the property and the surrounding neighborhood. The proposed structure is a modest 12-foot by 24-foot shed, which is consistent in size, scale, and use with typical residential accessory structures found throughout the area. It is not a large or intensive use and is clearly secondary to the primary residential use of the property.

Additionally, although the numerical reduction in setbacks may appear significant, the practical impact is limited due to the location of the shed on the lot. The placement is in a less visible and lower-impact area of the property, and the structure will not alter the open character of the yard or create a sense of crowding. The presence of existing features such as the pool, septic system, and mature trees already defines how the property is used and perceived, and the shed will fit within that established layout without introducing a new or incompatible element.

Importantly, the shed will not increase density, generate additional activity, or create any form of overdevelopment. It will remain a passive storage structure with no utilities or occupancy, and its purpose is limited to supporting residential use and a small home-based business. As such, the requested variance, while measurable in feet, is not substantial in terms of its actual visual, functional, or neighborhood impact.

(3) No feasible alternative:

There is no feasible alternative location that would allow for the construction of the shed while meeting zoning requirements. Relocating the shed to a compliant location would interfere with the septic system, pool area, existing structures, or require the removal of mature trees, which would be both costly and undesirable. Given these limitations, the requested location represents the only practical and reasonable placement.

(4) No adverse impact to neighborhood:

The proposed shed will not adversely affect the character of the neighborhood or neighboring properties. Sheds are common accessory structures in the area and are consistent with the residential nature of the neighborhood. The structure will be used for storage only and will not generate noise, traffic, or any other disturbances. Its placement will be low-impact and not visually intrusive. The proposed location for the shed is currently overgrown with invasive bittersweet and poison ivy, this would improve the overall aesthetics of my yard. The neighbor behind my property would still have a buffer of woods between his yard and my shed.

(5) Minimum variance necessary:

The requested relief—to reduce the rear and side setbacks to 6 feet—represents the minimum variance necessary to accommodate the constraints of the property and allow for reasonable use. The size and location of the shed have been carefully considered to minimize the need for greater relief while still achieving a functional outcome. No larger or more intrusive variance is being requested than what is strictly necessary.

Current Location of proposed shed:



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CHECKLIST OF VARIANCE APPLICATION COMPLETENESS:

As per §149-57 of the Zoning Chapter of the Town Code, the following information shall be supplied by the applicant with any variance application:

Please complete the checklist of required application elements:

- ☒ 1. Map of the property with a scaled site plan and/or elevations necessary to show the proposed project for which the variance is sought.
- ☒ 2. Complete narrative response addressing each of the criteria as specified in this application.
- ☒ 3. Financial documentation demonstrating the reasonableness of financial return on the property.
- ☒ 4. Completed and signed Part 1 of the appropriate Environmental Assessment Form. Paper copies are available at the Building Department in Town Hall or electronically at <https://www.dec.ny.gov/permits/6191.html>.
- ☒ 5. Additional information requested by the Zoning Board of Appeals.

Please return the original application, with all four pages intact, along with ten (10) paper copies and an electronic copy, including required information and documentation. The electronic copy may be submitted on a flash drive or emailed to biclerk@townofmoreau.org.

NOTE: The application will not be scheduled on the Zoning Board of Appeals agenda until all paper and electronic copies have been received by the Town Building Department.

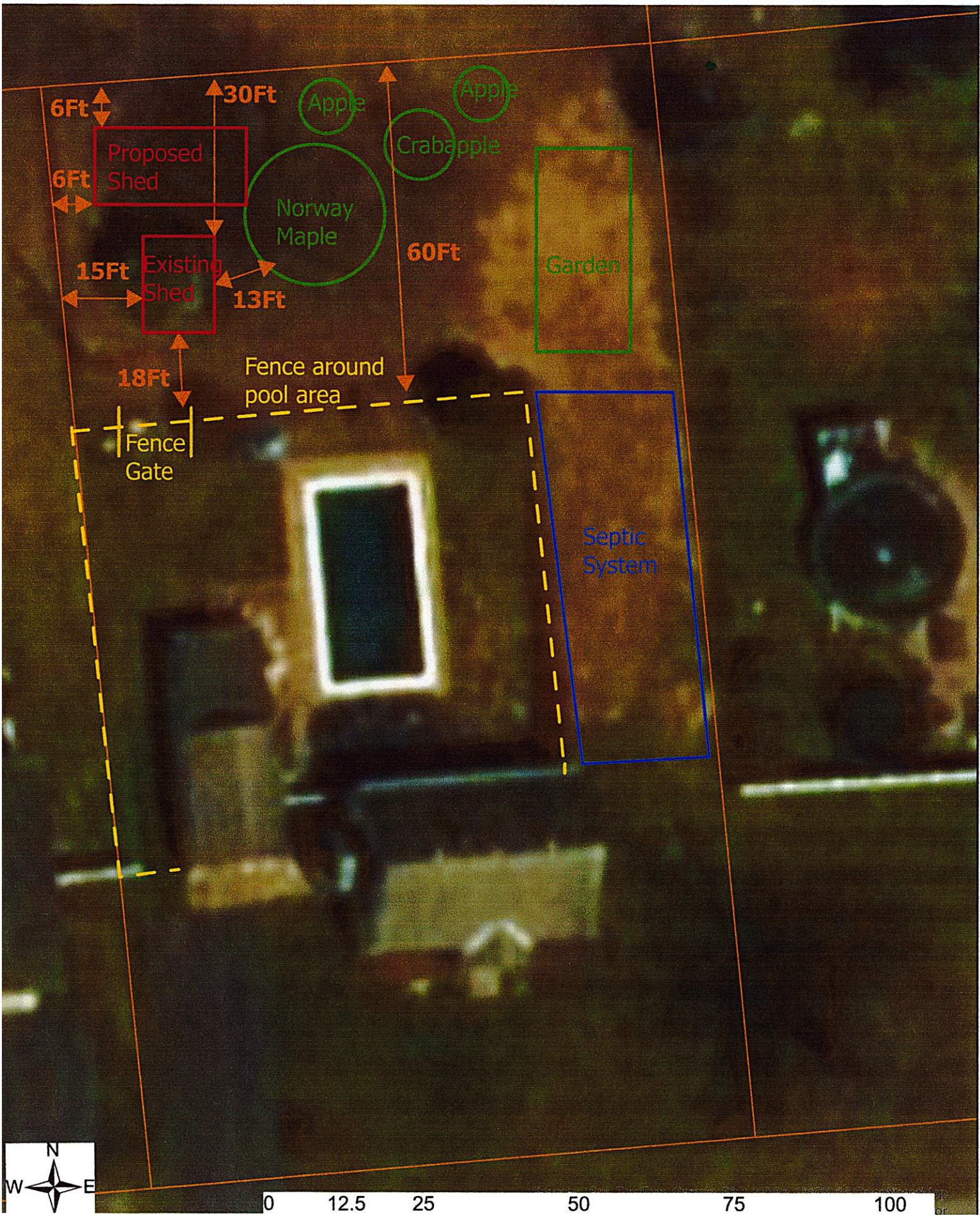
Also note that the information to be provided is not limited to the space on this form. If additional space is needed, please use separate sheets and indicate the enclosure number or page number for the attached sheets in the related space provided on this application.

Signature

Eric Besaw
Applicant (print)


Applicant (sign)

06/30/2026
Date



Short Environmental Assessment Form

Part 1 - Project Information

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 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							
Eric Besaw							
Name of Action or Project: Build a 12x24 shed							
Project Location (describe, and attach a location map): 7 Greenway Rd South Glens Falls, NY 12803, northwest corner of property							
Brief Description of Proposed Action: Build a 12x24 foot shed on my property.							
Name of Applicant or Sponsor: Eric Besaw		Telephone: 518-926-8819					
		E-Mail: ericbesaw@gmail.com					
Address: 7 Greenway Rd							
City/PO: South Glens Falls		State: NY	Zip Code: 12803				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
3. a. Total acreage of the site of the proposed action?		.41 acres					
b. Total acreage to be physically disturbed?		.0066 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.0066 acres					
4. Check all land uses that occur on, are adjoining or near the proposed action:							
☐ Urban ☒ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban)							
☒ Forest ☒ Agriculture ☐ Aquatic ☐ Other(Specify):							
☐ 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?	NO	YES	
If Yes, identify:	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	☒	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
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: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ 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 or 500-year flood plain?	NO ☒	YES ☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO ☒ ☒ ☒	YES ☐ ☐ ☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	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 ☐
21. Is the project located within, or within 1/2 mile of, a disadvantaged community? If No, could impacts from the project affect a disadvantaged community? If Yes to either question in 21, answer the following question. a. Identify the potential pollution impacts of the project, either direct or indirect, that may occur within the disadvantaged community (e.g., wastewater discharges, air emissions, noise, odors, solid or hazardous waste generation or management): _____	NO ☒ ☒	YES ☐ ☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Eric Besaw</u> Date: <u>06/30/2026</u> Signature: <u>[Signature]</u> Title: <u>Owner</u>		

TOWN OF MOREAU ACCESSORY APPLICATION

LOCATION Information

Job Site Address 7 Greenway Rd
 Approx. Cost of Work \$ 5000

Tax Map ID# 49.60-1-28
 Zoning District R1

OWNER Information

Owner's Name (PRINT) Eric Besaw
 Address If different from above _____

Phone # 518-926-8819
 Email EricBesaw@gmail.com
Eric Besaw 06/30/2026
 Owner's Signature Date

CONTRACTOR information (if Applicable)

Name of Company (PRINT) _____
 Address _____

Phone # _____
 Email _____

PERSON RESPONSIBLE FOR CODE COMPLIANCE: Eric Besaw

PROPOSED STRUCTURE (CHECK ONE)	1 st FLOOR Sq. Ft.	2 nd FLOOR Sq. Ft.	TOTAL Sq. Ft.	
☐ Detached Garage				STRUCTURE SIZE: <u>12</u> x <u>24</u> PROPERTY SIZE: <u>.41 Acre</u> SETBACKS: FRONT <u>162</u> BACK <u>6</u> SIDES <u>6</u> x <u>82</u> CORNER LOT: (CIRCLE ONE) YES or <u>(NO)</u> IS STRUCTURE HEATED: (CIRCLE ONE) YES or <u>(NO)</u>
☐ Pole Barn				
☐ Gazebo				
☒ Shed	<u>288</u>			
☐ Carport				
☐ Roof				
☐ OTHER: _____				

☒ I affirm that, the information I've given on this application is correct and complete and I understand that the Town will rely on this information in making its decision

Applicant Name (PRINT): Eric Besaw Applicant Name (SIGN): Eric Besaw

OFFICIAL USE ONLY

Permit Fee: \$ _____ Issue Date: ____/____/____ Expire Date: ____/____/____ Permit #: _____

Building Inspector: _____ Date Approved: _____

Zoning Coordinator Approval: _____