



VILLAGE OF FORT EDWARD

118 Broadway, P.O. Box 345, Fort Edward, N.Y. 12828
Phone (518) 747-4023 Fax (518) 747-0476
www.villageoffortedward.com

AREA VARIANCE APPLICATION

APPLICATION NO: _____ DATE: 8/1/25

FEE PAID: \$65.00 Check

Requirements, Fees and Instructions (Please use dark blue or black ink)

The application must be filled out completely and in every respect with ALL questions answered and ALL required attachments before the ZBA can officially accept the application for processing. If the application is incomplete, it will be returned to you for completion or inclusion of the deficient information.

Use this application for any project which requires an Area Variance and relief from the zoning regulations as they pertain to bulk requirements (setbacks, building coverage, building height, lot size or minimum dimensions, and etc.) by the ZBA.

It is the sole responsibility of the applicant to provide the ZBA with one original and nine (8) copies of the application and all necessary information and documentation concerning this application.

There is \$65.00 filing fee with the submission of each application. This fee is not refundable once presented to the ZBA and shall not be used to cover any other fee, permit, etc.

Unless otherwise specified by the ZBA Board, a decision on any variance shall expire if the applicant fails to obtain any necessary permit or comply with the conditions of such permit or fails to file an extension request within 1 year from the date of authorization thereof.

THIS APPLICATION IS SUBJECT TO REVIEW AND APPROVAL BEFORE ISSUANCE OF A VALID PERMIT FOR YOUR PROJECT. TO ENSURE TIMELY REVIEW OF YOUR APPLICATION PLEASE COMPLETE THIS FORM IN ITS ENTIRETY AND PROVIDE WITH THIS APPLICATION THE FOLLOWING DOCUMENTATION:

- Copy of Deed
- Boundary Survey or Tax Map
- Agricultural Data Statement (as applicable)
- Authorization of Agent (as applicable)
- Site Plan (include as much detail as possible and all existing or proposed conditions on the property must be shown) Must be detailed in accordance with Section 81-9-D.

- **Floor plans and elevations of existing or proposed buildings (as applicable)**
- **EAF (NYSDEC Environmental Assessment Form, Short or Long Form, as applicable)**
- **Information related to the relief requested, as applicable; site layout and dimensions, parking, site access, vehicular maneuvering, traffic, landscaping, screening or buffers, fencing, water, sewer, utilities, cultural resources, endangered species or habitat, wetlands, flood plains, emergency services, fire safety, loading/unloading zones, alternatives, and etc.**

The ZBA meets the third Wednesday of every month (barring holidays) and all applications must be submitted, along with the fee, on or before the first business day of that month. Please confirm deadline dates with the Code Enforcement Office. The completed application and fee is submitted to the Village of Fort Edward, Building & Code Enforcement, 118 Broadway, P.O. Box 345, Fort Edward, NY 12828.

GENERAL INFORMATION

Project Location and Information

Number and Street Address: 48-50 Broadway St.
Zoning District: Commercial / Historic
Tax Map Number: 171.6-3-33
Current Use _____ of _____ the _____ Property/Building: Rentals

Property Owner Identification ☐ Owner is Applicant
Name: Agent of Authorization Attached
Address: _____
City, State, _____ Zip: _____
Phone Number: _____

N/A Contractor/Builder Identification ☐ Contractor is Applicant ☐ TBD
Name: N/A
Address: N/A
City, State, Zip: N/A
Phone Number: N/A

N/A Agent Identification ☒ Agent is Applicant
Name: N/A
Address: N/A Please See Attached
City, State, Zip: N/A
Phone Number: N/A

Description of proposed project:

10x12 Shed to store tenants 2 motorcycles

What relief or variance(s) from the zoning ordinance requirements is(are) being requested?

☒ Setback ☐ Building Coverage ☐ Lot Dimensions or Size ☐ Bldg Height
☐ Other _____ ☐ Other _____

Total Parcel Area: .28 ac or sf

Are there any zoning violations or existing non-conforming conditions on the property?

☐ Yes ☒ No

If yes, please explain: N/A

Is the lot or parcel for the project within 500 feet of a County or State Highway, Right-of-Way or Park, or Municipal Boundary?

☐ Yes ☒ No

If yes, please explain: N/A

Is the lot or parcel for the project within a designated flood plain?

☒ Yes ☐ No

Is the lot or parcel for the project within an area known to contain threatened and/or endangered species to include plants or animals?

☐ Yes ☒ No

Does the lot or parcel for the project consist of or contain designated wetlands?

☐ Yes ☒ No

Is the lot or parcel for the project within close proximity to any designated or important historic properties or cultural resources?

☒ Yes ☐ No

Describe the current condition of the site [buildings, brush, woods, vacant, etc.]:

Minor Brush - mostly clear / vacant

ZONING INFORMATION

Site Development Data

☒ Acres ☐ Sq. Ft.

	Area/Type	Existing	Proposed	Total
A.	Building Footprint	.16	0.16	0.16 .16
B.	Detached Garage	.03	0.02 .02	0.05 .05
C.	Accessory Structure(s)	0	0	0 0
D.	Paved, gravel or other hard surfaced areas	.09	0	0.09 .09
E.	Porches/Decks/Patios	.0009	0	.0009
F.	Lawn or Landscape Areas	.49	0	.49
G.	Forested/Woods/Brush/Vegetated	.07	0	.07
H.	Other: _____			
I.	Other: _____			
TOTAL				+120

Lot, Yard and Height Regulations (Bulk Requirements)

Item	Required	Existing	Proposed
Lot Size (acres)	5000	→	→
Lot Width (ft)	50	50+	50+
Lot Depth (ft)	150	150+	150+
Front Yard (ft)	50 20	20ft +	167ft
Side Yard - One (ft)	7 1/2	7 1/2+	12ft from building
Side Yard - Both (ft)	7 1/2	7 1/2+	58ft
Rear Yard (ft)	30'	→	5ft
Max. Building	35%	22.5%	.3% = 22.83%
Max. Building Height	35		11-12ft
No. of Parking Spaces			N/A
No. Loading Berths			N/A

PROJECT DETAILS

☐ Commercial Project ☒ Residential Project

Type of Project:

- ☒ New Construction
☐ Building Addition
☒ Attached Garage
☐ Conversion/Change of Use
☐ Alteration/Modifications
☐ Repairs/Maintenance
☒ Misc./Equipment/Other: detached garage

Estimated Project Cost: \$2500 - \$3000

Estimated start date of project: 8/28/25

Estimated time to completion: <1 months

N/A UTILITIES

Electrical: ☐ Underground ☐ Overhead _____ amp service
Sewage Disposal: ☐ Onsite Septic ☐ Municipal Sewer
Potable Water: ☐ Private Well ☐ Municipal Water
Combustion Fuel: ☐ Fuel Oil ☐ Propane ☐ Natural Gas ☐ Other: _____

PERMITS/APPROVALS

Please specify what approvals or permits have been/will be obtained as a result of the project;

- | | |
|--|---|
| <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> NYSDEC SPDES Permit-Stormwater |
| <input type="checkbox"/> Subdivision | <input type="checkbox"/> NYSDEC SPDES Permit-Wastewater |
| <input checked="" type="checkbox"/> Site Plan Review | <input type="checkbox"/> NYSDOH Realty Subdivision |
| <input checked="" type="checkbox"/> Area Variance | <input type="checkbox"/> NYSDOH Wastewater System |
| <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Other: _____ | |

N/A Please specify what approvals or permits have been/will be obtained as a result of the project;

- | | |
|--|---|
| <input type="checkbox"/> TOFE Special Use Permit | <input type="checkbox"/> NYSDEC SPDES Permit-Stormwater |
| <input type="checkbox"/> TOFE Subdivision | <input type="checkbox"/> NYSDEC SPDES Permit-Wastewater |
| <input type="checkbox"/> TOFE Site Plan Review | <input type="checkbox"/> NYSDOH Potable Water Well |
| <input type="checkbox"/> TOFE Use Variance | <input type="checkbox"/> NYSDOH Wastewater System |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> | |

NYSDOH Realty Subdivision

Other: _____

N/A SITE PLAN REQUIREMENTS

Will the proposed project include or alter or change site conditions related to the following (check all that apply)?

- | | |
|---|--|
| <input type="checkbox"/> Traffic | <input type="checkbox"/> Lighting |
| <input type="checkbox"/> Runoff/Drainage | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Grading | <input type="checkbox"/> Utilities (electric, gas, water, sewage, etc) |
| <input type="checkbox"/> Impervious | <input type="checkbox"/> Site Access |
| <input type="checkbox"/> Building Coverage | <input type="checkbox"/> Parking |
| <input type="checkbox"/> Signage | <input type="checkbox"/> Landscaping |
| <input type="checkbox"/> Roads/R.O.W. | <input type="checkbox"/> Easements |
| <input type="checkbox"/> Screening/Buffers/Fences | <input type="checkbox"/> Pedestrian Accommodations/Sidewalks |

N/A Additional Comments:

N/A Character/Uses of surrounding or adjacent lands:

AREA VARIANCE CRITERIA

*An Area Variance permits modification of the dimensional standards contained in the Zoning Law, such as setback requirements, lot size, building coverage or frontage requirements, from property which will be utilized for one of the uses permitted by the Zoning Law. The Applicant **MUST** show that the Zoning Law imposes a "practical difficulty" if the variance is not granted, and the granting of the variance will not alter the essential character of the neighborhood or zoning district. In making its determination the Zoning Board shall take into consideration the benefit to the Applicant if the variance is granted as weighed against the detriment to the health, safety, and welfare of the neighborhood or community by the variance.*

1. From which section of the Zoning Law are you requesting a variance?

Chapter 350 Table 2 - A 30ft rear setback is required in the HC. I'm
requesting relief to reduce the rear setback to 5 feet for the 10x12
Shed.

2. You, as the applicant, must prove:

a. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

No undesirable change will be produced. Shed will be at the
rear of lot. Out of view from main road and not visible to most
neighboring properties. It maintains fire separation standards.

b. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.

Due to lot layout & existing structures there is no other
feasible location for the shed that meets all setback requirements.

c. whether the requested area variance is substantial;

While the variance reduces the required 30ft to 5ft the request is
not substantial in context. The shed maintains more than 10 ft
of separation from adjacent structures. Does not create overcrowding

d. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district:

No adverse physical or environmental effects are anticipated.
Small footprint will not affect run-off drainage or landscaping.
Wood Skids with no excavation.

e. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the

area variance.

The difficulty was not self-created. The shape and layout of the lot combined with existing structures and zoning requirements limit the practical placement options for and detached structure.

SIGNATURES

This section shall be signed by the Applicant which is usually the Owner. Where the Applicant is a tenant, contract purchaser, etc., this section shall be signed by such Applicant.

The undersigned, being the Applicant of the foregoing application that is the subject of the foregoing application does hereby state that he/she/it has reviewed the foregoing application including all maps, plats, reports and other documentation supporting same, and that the information provided thereon is true and accurate. The undersigned specifically understands that the Village of Fort Edward Zoning Board of Appeals will rely on the truth and sufficiency of the information provided and the undersigned agrees to indemnify, defend and hold the Village of Fort Edward Zoning Board of Appeals (the "ZBA") and the Village of Fort Edward, its agents, employees and representatives harmless from any and all claims, suits, demands, losses, judgments or orders arising out of the inaccuracy or insufficiency of any of the information supplied by the undersigned or its agents.

The Village of ZBA may employ consultants, legal counsel, professional engineers, and/or inspection services for their assistance and advice in the review of any application before it and for such purposes as the ZBA may require therefor, including but not limited to; on site investigation, evaluation and inspection, verification of the accuracy of information submitted, evaluation of the adequacy of plans, of the sufficiency of submitted reports; flood hazard evaluation; study of the impact of proposals upon the resources and environment of the Village; preparation and/or review of any environmental impact statements; review of the design and layout of improvements; inspection of installed improvements; and such other services or technical assistance as the ZBA shall deem necessary for its review of such application, and for the administration of the Village, County, State, and Federal regulations in relation thereto. The Applicant authorizes the ZBA, as it deems necessary, to employ such assistance and agrees to reimburse the Village for the costs and fees associated with any requested consultants to assist them in their review and consideration of the application, whether it be for either technical or legal purposes. When appropriate the ZBA shall have the authority to request a deposit from the Applicant for the cost and fees associated with consultants in advance of the review.

Brandon Burke
Owner/Applicant

7/31/25
Date

Where the above Applicant is NOT the Owner (i.e., where the applicant is a contract purchaser or tenant), then the following must be executed by the Owner of the Property [Do not sign if Owner is the Applicant above]:

The undersigned is the lawful owner of the property which is the subject of the foregoing application and consents to the application and any and all conditions that might be imposed by the ZBA concerning said application. This application may be treated as if the owner himself/herself/itself submitted same. The applicant as noted on this application has my permission to agree to any reasonable conditions and to otherwise take such actions as are necessary to obtain the approval for the proposal requested herein.

P. J. ...
Owner/Applicant

08.05.25
Date

If the applicant or owner has an agent such as an attorney, engineer, design consultant, or employee, the following must be executed. Must be executed for each agent appearing before the Zoning Board of Appeals:

The undersigned, being the applicant of the attached application, does hereby authorize the following person and/or firm, to represent me with regard to the foregoing application at all meetings before the ZBA and further promise to the ZBA that said person and/or firm has the authority to make statements and representations on my behalf to the V ZBA and to agree to conditions of said ZBA.

Designated Agent	<u>N/A</u>	
Agent's firm	<u>N/A</u>	
Address	<u>N/A</u>	
Phone	<u>N/A</u>	Fax <u> </u>



VILLAGE OF FORT EDWARD

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Phone (518) 747-4023

AUTHORIZATION OF AGENT

Property Owner's should use this form to designate and/or authorize someone other than themselves to represent them or to authorize them to file for approval(s) and/or permits on their behalf. Please submit a separate form for each designated project related representative or agent.

Property Information

Tax Parcel ID Number: 171.6-3-33
Street Address: 48-50 Broadway Fort Edward NY 12828

Actions(s): Check all that apply

- ☐ Use Variance
- ☒ Area Variance
- ☐ Special Use Permit
- ☒ Site Plan Review
- ☐ Subdivision of Land
- ☐ Sign Permit
- ☐ Other _____

I, Stanislaw Pisklak, the current owner of the above referenced property, hereby designate Brandon Burke to act as my representative/agent regarding the above specified actions.

Date: 08.05.25

Name: Stanislaw Pisklak

Signed: 

Phone: 413 262-5328

Official Address: 166 north rd westfield MA 01085

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 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: <i>Construction of 10x12 detached Sled motorcycle Storage</i>			
Project Location (describe, and attach a location map): <i>1/8-50 Broadway St. Parcel Map attached</i>			
Brief Description of Proposed Action: <i>Construction of a small detached 10x12 Sled for private storage of motorcycles & tools. No business activity. Seeking Variance for rear setback and Site Plan review due to zoning constraints.</i>			
Name of Applicant or Sponsor: <i>Brandon Burke</i>		Telephone: <i>518-760-2091</i>	
		E-Mail: <i>brandonbke6545@gmail.com</i>	
Address: <i>50 Broadway St. Apt B4. Fort Edward NY 12828</i>			
City/PO: <i>Fort Edward</i>		State: <i>New York</i>	Zip Code: <i>12828</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: <i>Area Variance and Site Plan Review from Village of Fort Edward Zoning Board</i>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>.85</i> acres	
b. Total acreage to be physically disturbed?		<i>.005</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>.85</i> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" 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, a. A permitted use under the zoning regulations?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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: <u>no electricity</u>	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>N/A - Shed</u>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>Shed</u>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 checked="" 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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? <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: <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

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: <u>N/A</u>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: <u>N/A</u>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: <u>N/A</u>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Branden Berke</u> Date: <u>8/1/25</u> Signature: <u>[Signature]</u>		

**Warranty Deed with Lien Covenants
(Individual and Corporation)**

This Indenture, made the 7 day of MAY, 2010,

between **VAN DYK & SONS, LLC**, 43 Henderson Lane, Salem, New York 12865,

party of the first part, and

MILLS PROPERTIES, LLC, 429 Lisk Avenue, Staten Island, New York 10303,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of 1.00 dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Village of Fort Edward, Town of Fort Edward, County of Washington and State of New York and more particularly described in Schedule A annexed hereto.

BEING the same premises conveyed by Jonathan M. Van Dyk to Van Dyk & Sons, LLC by deed dated February 28, 2005 and recorded in the Washington County Clerk's Office on March 3, 2005 Book 1888 at Page 64.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the costs of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

AND the party of the first part covenants as follows:

FIRST. That the party of the second part shall quietly enjoy the said premises;

SECOND. That said party of the first part will forever warrant the title to said premises.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

Doc#: 00062347
Bk: 2832 Pg: 96

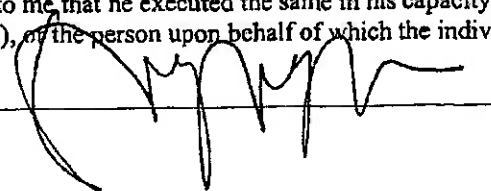
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

VAN DYK & SONS, LLC., by JONATHAN M. VAN DYK, Member

IN PRESENCE OF:

STATE OF NEW YORK)
COUNTY OF Washington) ss.:

On the 7 day of May in the year 2010, before me, the undersigned, personally appeared JONATHAN M. VAN DYK, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he executed the same in his capacity(ies), and that by his signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



DONALD P. MCPHEE
Notary Public, State of New York
No. 02MC5041536
Qualified in Washington County
Commission Expires April 3, 2011

R&R:

Schedule A Description

Page 1

"ALL THAT TRACT OR PARCEL OF LAND together with improvements thereon situate in the Village of Fort Edward, County of Washington and State of New York being parts of Lots 4 and 5 in the Second Allotment of Bayard's Patent, as follows:

BEGINNING on the westerly side of the (now abandoned) Champlain Canal and southerly sixteen (16) feet from the point where a cedar post formerly stood in the southeast corner of the old burying yard; running thence South eighty-three (83) degrees thirty (30) minutes West, one chain and forty six links (1.46 ch.) to a stake; thence South twelve (12) degrees forty-five (45) minutes East, two (2) chains to the north line of Lot No. 4 in said second allotment and the northeast corner of Lot No. 11 of the small lots into which Lot No. 4 is divided; thence above two directions and courses are as the needle pointed August 3, 1859; thence South two degrees six (6) minutes West, fifty-three (53) feet; thence south eighty-nine (89) degrees forty-five (45) minutes West, nineteen and six tenths (19.6) feet to an iron pin located in the southerly line of a lot formerly owned by Townsend J. Potter; thence South six (6) degrees thirty-two (32) minutes West, one hundred twenty-six (126) feet to the north line of Broadway Street. The last three directions and courses are as surveyed September 4, 1899. Thence southerly along the east side of Broadway to the intersection of the east side of Broadway and the north side of the Aqueduct; thence northeasterly eleven (11) feet more or less to the lands owned by the State of New York; thence northerly along the lands of the State of New York to the place of beginning. The lot hereby intended to be conveyed is bounded on the east by lands formerly of the State of New York comprising the now abandoned Champlain Canal; on the north by the lands formerly claimed to be owned by Julia Baldwin, southerly of and adjacent to the old Fort Edward graveyard; on the west by lands formerly of Julia Baldwin, Folly Decker, Townsend J. Potter and Anna J. Brodie, and on the south and on the west by Broadway. Being the same lands conveyed by James Archie Reid, and Lina A. Reid, his wife, to John F. Hager by deed dated December 15, 1928 and recorded in the Washington County Clerk's Office on December 17, 1928 in Liber 196 of Deeds at page 520.

EXCEPTING from the above described premises all that tract or parcel of land as was conveyed by John F. Hager to the Village of Fort Edward by deed dated August 30, 1955 and recorded in the Washington County Clerk's Office on September 9, 1955 in Book 338 of Deeds at page 493.

ALSO CONVEYING all that piece or parcel of land being a portion of abandoned canal land of the old Champlain Canal, situate, lying and being in the Village and Town of Fort Edward, County of Washington and State of New York bounded and described as follows: BEGINNING at a pipe on the Blue Line of the old Champlain Canal, said pipe being Blue Line Point No. 777, running thence North 26 degrees 17 minutes West, 363.13 feet to the Blue Line Point No. 775; thence continuing on the Blue Line North 25 degrees 46 minutes West, 161.84 feet to a pipe on the south boundary of the old State Street Cemetery lot; thence North 71 degrees 57 minutes East, 11.83 feet along said south cemetery line to a pipe on the back line of the retaining wall of the old Champlain Canal; thence along said back line of the retaining wall and said line continued, South 24 degrees 54 minutes East, 169.90 feet to a pipe; thence South 28 degrees 50 minutes East, 325.92 feet along the back line of the retaining line to a pipe; thence continuing on said back line South 29 degrees 36 minutes East, 41 feet to a pipe; thence South 59 degrees 25 minutes West, 25 feet to a pipe in the Blue Line of the old Champlain Canal; thence North 30 degrees 24 minutes West, 15.21 feet along said Blue Line to the point and place of beginning. The lands hereinabove described adjoin existing lands of John F. Hager on the east. All bearings refer to the true meridian and this description is according to a survey and map made by Frank J. Doerkhoefer, P. E. License No. 11778 dated August 22, 1955. Together with the right to continue to keep and maintain the supporting posts of a shed roof now constituting the most easterly portion of the existing gristmill of the grantor, a part of which mill stands on the land last above described, standing upon and supported by the retaining wall of the old canal above referred to, so long as the said gristmill building and the said shed roof shall exist, as well as the right to have said shed roof in its present form overhang such retaining wall for a similar period. Being the same lands and rights conveyed by the Village of Fort Edward to John F. Hager by deed dated September 1, 1955 and recorded at said Clerk's Office September 7, 1955 in Liber 338 of Deeds at page 465.

EXCEPTING from the above described premises all that tract or parcel of land as was conveyed by Walter C. Dolloph and Alice O. Dolloph to John N. Boucher and Helene Boucher by deed dated August 31, 1972 and recorded in the Washington County Clerk's Office on January 19, 1973 in Book 435 of Deeds at page 995.

Shed Proposal 7-22-25

Brandon Burke

50 Broadway St. Apt. B4, Fort Edward NY, 12828

10 ft x 12ft Shed x 7 ft high.

Project Overview

I'm proposing a 10 x 12 shed located between Canal St. and Sate Street on Mill's Properties. The structure will be used primarily for the storage of 2 motorcycles and tools.

Intended Use

The shed will function as a small, detached garage, used to store motorcycles and tools.
No business will be conducted from the shed.

Dimensions

- 10 ft x 12ft
- Height – 7 ft wall with 10 ft peak
- Foundation – Wood skids
- Materials – wood framing, modern prefab walls, shingles, small window.

Location:

This shed will sit on the back property near the rear property line.

Set Back Property Lines:

Front Property Line: 15 ft+

Right Side: 15 ft+

Left Side: 15 ft +

Rear Side: 5 ft from Rear Property Line (Variance Requested)

From Structure: 15 ft.

Shed Storage:

2 motorcycles

Tools

Will be built on skids to take when tenant moves.

Reason for Variance Request

Due to the narrow layout of the lot and the location of the existing building, it is not possible to place the shed within the required 15-foot rear setback and still maintain safe distances from other structures and property lines. The proposed shed location avoids all other setback violations, maintains 10+ feet of fire separation from existing buildings, and places no burden on neighboring properties.

Hardship Explanation

Strict enforcement of the 15-foot rear yard setback would create an unnecessary hardship by limiting the only practical location for placing the shed on this lot. This variance would allow reasonable use of the property without affecting neighboring properties or the public interest.

10x12 ft GAERDEN SHED PLAN

