



LAKE • GEORGE
WATERKEEPER®

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March 18, 2009

Mr. James Underwood, Chairman
Town of Queensbury Zoning Board of Appeals
742 Bay Road
Queensbury, NY 12804

Re: Debaron (239.18-1-47)
AV 11-2008

Dear Mr. Underwood and Members of the Board,

The Lake George Waterkeeper has reviewed the submission for the above referenced proposed variance and would like to offer the following comments for consideration:

1. **The Town of Queensbury Planning Board (PB) has discussed the stormwater management plans as submitted and expressed concern regarding information that is lacking from the plan.** No positive recommendation was made by the Planning Board to the Zoning Board of Appeals (ZBA) regarding the variance approvals needed to proceed with development activity. The PB noted that information regarding test pits, separation to bedrock and existing vegetation needed to be addressed prior to determining the ability to adequately manage stormwater.
2. **The following information is necessary to determine the final stormwater management design and should be provided prior to ZBA approvals:**
 - a. **The percolation rate applied should be verified.**

The stormwater management design is based on an infiltration rate of 6 in/hr. The base of the infiltration trench is within 6" of bedrock. Would the limited depth to bedrock, which is less than the requirement in the Stormwater Management Ordinance, affect the infiltration rate?
 - b. **The effectiveness of the infiltration trench location should be evaluated.**

The infiltration trench will be located close to the foundation and could be impacted from construction and potential blasting. With the depth of the proposed foundation, will there be foundation drainage and will that impact the infiltration trench?
 - c. **The stormwater management treatment must be enhanced if the separation to the lake is being minimized.**

Infiltration treatment is based on contact time with soils. This proposal reduces the contact with soils in half. Therefore, enhanced treatment such as amended soils should be added at a minimum. In addition, vegetation should be required to be planted on the site for increased nutrient uptake.

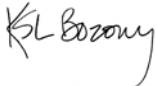


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3. **This 0.35 acre pre-existing lot located in WR-3A is a non-compliant lot and needs special development considerations for site plan approval.** Although the Floor Area Ratio (FAR) calculation does not exceed the limits of the property, use of non-buildable or constrained land in the calculation on this steep slope to the lake may indicate that the lot is too small for the proposed house and all supporting infrastructure. The use of a FAR calculation is applied to determine if the total proposed living space and related necessary infrastructures can be reasonably supported on a particular parcel. The necessary infrastructure includes land required for appropriate wastewater treatment and stormwater management. A variance has been granted for the use of two 2000 gal Holding Tanks for new construction (eliminating the land required for an absorption field), but the reduced available buildable land may be an issue that cannot be compromised when adequately designing stormwater management.
4. **There should be a required “no disturbance” zone conditioned with variance approvals.** This zone should be shown on the final plan and delineated in the field prior to any disturbance on the site.
5. **PB Site Plan Review (SPR) is recommended before construction, although all potential issues regarding development on this parcel in relation to anticipated environmental impacts should precede SPR.**

Thank you for discussing construction within a Critical Environmental Area (CEA) and the cumulative effects development has on Lake George. The Lake George Waterkeeper looks forward to working with the Town of Queensbury Zoning Board of Appeals in defending the natural resources of Lake George and its watershed.

Sincerely,



Kathleen SL Bozony
Natural Resource Specialist / Lake George Waterkeeper

cc: Brian Grisi – Adirondack Park Agency
Michael White – Lake George Park Commission