



LAKE • GEORGE
WATERKEEPER®

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March 12, 2009

Mr. Greg Smith, Chairman
Town of Bolton Zoning Board of Appeals
4949 Lakeshore Drive
Bolton Landing, NY 12814

Re: Lynch (186.15-1-30)
V09-05

Dear Mr. Smith:

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

- 1. Demolishing an existing cottage and replacing with a 4 bedroom single-family dwelling (SFD) should require Site Plan Review.** §200-65. (c) states that the Zoning Board of Appeals may impose reasonable conditions as directly related to the proposed use of the property which shall minimize any adverse impact such variances may have on the neighborhood or community. Conditions for variances for any new structure on a shoreline parcel should include a stormwater management plan with the planting of rain gardens and a shoreline buffer. Shoreline parcels without appropriate shoreline buffering and have lawns to the lake and expansive impervious surfaces (large rooftops and driveways) do not promote infiltration and treatment of stormwater runoff, allowing sediment and nutrients to enter the lake.
- 2. An accessory structure requires a use permit if it exceeds 1500 sq ft.** Per §200-14;- Schedule of Use Regulations, Type II – Uses Permitted by Special Use Permit - #12) Accessory structure containing more than 1,500 sf of floor space. The proposed square footage for the single-family dwelling (SFD) is 2240 sq ft, which exceeds the 1,500 sf in *Permitted Accessory Uses* and will therefore require a *Special Use Permit* from the Town of Bolton.
- 3. The proposed area for the new septic field may also require a variance.** The construction of a new on-site wastewater treatment system (OWTS) for the cottage has been drawn on the property line, which would require a variance for setback relief. In addition, its proposed construction is on the only section of the existing lot that has mature vegetation, including large trees, which should be encouraged to remain intact by both the Zoning Board of Appeals and the Planning Board. The OWTS should be permitted in its

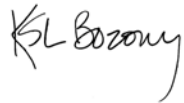


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proposed location only if all other areas on the property are determined not to support an OWTS due to soils and/or setbacks.

Thank you recognizing the need to condition all construction within the Critical Environmental Area of Lake George with the requirement for appropriate stormwater management and OWTS. The Lake George Waterkeeper looks forward to working with the Town of Bolton in defending the natural resources of Lake George and its watershed.

Sincerely,

A handwritten signature in black ink, appearing to read "KL Bozony". The signature is written in a cursive, somewhat stylized font.

Kathleen S Lindberg Bozony
Natural Resource Specialist / Lake George Waterkeeper

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