



LAKE • GEORGE
WATERKEEPER®

PO Box 591, Lake George, NY 12845

Tel: (518) 668-5913 Fax: (518)-668-5915

Email: info@lakegeorgewaterkeeper.org

www.lakegeorgewaterkeeper.org

June 24, 2010

Mr. Chris Hunsinger, Chairman
Town of Queensbury Planning Board
742 Bay Road
Queensbury, NY 12804

Re: Crowell – 20 Holly Lane (239.12-2-59)
Site Plan Review 12-2010

Dear Mr. Hunsinger:

The above referenced site plan application was personally reviewed in my capacity as a licensed professional engineer and the Lake George Waterkeeper. The Lake George Waterkeeper has concerns about the site plan in relation to buffering and shoreline setback on this shoreline property. The Lake George Waterkeeper requests the Planning Board to apply the Town's regulations, including §179-8-040 Shoreline Buffers and disturbance within 50 feet of the lake, during your deliberations regarding the above referenced site plan application. I am unable to attend this evening's meeting due to a conflict and would like to offer the following comments for the Board:

The applicant should be required to install a shoreline buffer as required by §179-8-020 and 179-8-040. Currently, there is no buffer provided on the shoreline. The property is located in southern portion of Harris Bay where substantial algae growth was observed in the Summer 2009 that can be greatly attributed to a lack of shoreline buffers along the densely developed shoreline. At the June 23, 2010 Zoning Board of Appeals meeting, the Board conditioned the project variances on the installation of a four-tiered shoreline buffer that was to include six trees. The Lake George Waterkeeper supports this condition. The requirement for the installation of a shoreline buffer is a necessity for stewardship of the lake and for the improvement of water quality in Lake George.

The proposed patio is within the shoreline setback as defined by the Adirondack Park Agency and requires a variance. According to §575.4.b of the Adirondack Park Agency Rules and Regulations, "Porches, decks and other structures attached to single family dwellings or to other structures subject to building setback restrictions shall be considered part of the structure for applying the setback restriction." Since the patio is supported by retaining walls and is not flush with existing grade, it appears the shoreline setback dimension should be applied to the patio since it is attached to the principle structure. It should be determined if a variance is required from the APA for the patio as well as the expansion to the structure. It should also be determined if the project is jurisdictional by the APA.



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The amount of hard surfacing for the patio is excessive within close proximity to the lake. The Lake George Waterkeeper supports the use of permeable pavement for the reduction of runoff at the site. However, the increased disturbance and width for the patio construction, removal of soils and construction of retaining walls necessary for grading within the shoreline setback increase the impacts to the lake. There are alternatives available for the patio construction.

The existing on-site wastewater treatment system (OWTS) should be certified for three bedrooms. The OWTS, that we understand has been recently installed, should be certified that it is sized for a three bedroom house (two bedrooms and the den that could be converted in the future as per New York State Department of Health Regulations).

The Lake George Waterkeeper is not opposed to the upgrade and expansion of the existing residence. However, it is my opinion the extent and impact of the disturbance should be minimized and recommends the following to the Town of Queensbury Planning Board: 1) Require the submission of a plan for the installation of a four-tiered shoreline buffer as conditioned by the Zoning Board of Appeals; 2) Require the submission and response of Jurisdictional Inquiry Form to the Adirondack Park Agency regarding the shoreline setback for the patio and jurisdiction of the project under the APA rules for shoreline properties in Moderate Intensity Use Area; 3) Reduce the disturbance of the patio; and 4) Require the certification of the existing OWTS for a three bedroom residence.

The Lake George Waterkeeper looks forward to working with the Town of Queensbury Planning Board to defend the natural resources of Lake George and its watershed. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Chris Navitsky". The signature is written in a cursive, flowing style.

Christopher Navitsky, PE
Lake George Waterkeeper

cc: Brian Grisi – Adirondack Park Agency
Terri Martino – Adirondack Park Agency