



**LAKE • GEORGE**  
**WATERKEEPER®**

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August 16, 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 the 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 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.** The Planning Board required the submission of a planting plan in the tabling action at the June 24, 2010 meeting. Additionally, the Zoning Board of Appeals 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. Unfortunately, the application material currently lacks the shoreline buffer information.

**The proposed patio is within the shoreline setback as defined by the Adirondack Park Agency and requires a variance.** The Lake George Waterkeeper raised this issue and requested a determination from the Town of Queensbury Zoning Administrator on the application of shoreline setback to patios. Our interpretation was supported by the Adirondack Park Agency, who informed the Town of Queensbury of its misinterpretation of its Zoning Code. Based on this information, the applicant should be required to obtain a variance for the proposed patio.

**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,



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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 Lake George Waterkeeper supports the request of the Planning Board to have the applicant certify that the OWTS is sized for three bedrooms. The application material currently lacks the certification.

**It should be determined if the project is jurisdictional to the Adirondack Park Agency.** We continue to believe that the project is jurisdictional by the APA for the expansion of nonconforming structure within the shoreline setback. Given the greater resources available at the APA to review this project, we urge the Town to withhold action until an APA permit is issued.

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 applicant apply for a variance for the patio within the shoreline setback 3) Reduce the disturbance of the patio; 4) Require the certification of the existing OWTS for a three bedroom residence; 5) Certify there is adequate area for the stormwater infiltration trenches along the rear of the house to be constructed and function properly; and 6) Require the applicant submit a Jurisdictional Inquiry Form to the APA.

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