



**LAKE • GEORGE**  
**WATERKEEPER®**

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July 15, 2010

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

**Re: Grasso – Forest Road (226.19-1-39)**  
**Site Plan Review 28-2010**

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 extent of disturbance within and removal of a protective buffer in close proximity to wetlands. The Lake George Waterkeeper requests the Planning Board to apply the Town's regulations, specifically §147-11 regarding stormwater management within the Lake George watershed, during your deliberations regarding the above referenced site plan application. I would like to offer the following comments for the Board:

**Stormwater Management**

**The Planning Board should require a major stormwater plan for the project.** §147-11.E.2.b states minor projects can be treated as major projects when “the site lies within or substantially contiguous to any of the following ... [b] A wetland.” This project proposes to clear and construct a road and well within 15 feet of a wetland. In addition, the Town has required a major stormwater plan for projects located within 500 feet of Lake George, which is designated as a Critical Environmental Area. Therefore, a major stormwater plan should be required for maximum stormwater treatment.

**Plans do not comply with Town Stormwater Regulations for infiltration.** If the project is considered a minor stormwater project, §147-11.I.2.a states “All water from newly created impervious areas which would otherwise run off the parcel shall be directed to an infiltration device.” However, the applicant's agent indicated the proposed eave trenches are not for infiltration. If this is the case, a variance is required from the Town Stormwater Management Regulations.

**The plan fails to provide stormwater management for the road.** According to the design, access to the site is provided by the extension of the Town Road and will be completed by the Town. Regardless of the entity responsible for the construction of the site access, stormwater management must be provided for all newly created impervious surfaces. No stormwater



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management is proposed for the road extension and this cannot be segmented from the project. In addition, the Town of Queensbury Highway Department has a Memorandum of Understanding with the Lake George Park Commission regarding stormwater management on highway activities and the construction of a new road requires stormwater management.

**Not all stormwater is directed to stormwater controls.** The majority of the site driveway will not be collected and will not receive stormwater treatment. This runoff must be directed to stormwater controls as per the Town Code.

**Additional soils testing should be required.** The only test pit for the project, which is located where the wastewater treatment system is proposed, indicates "Compact soil @56" ". The eave trenches along the rear of the house are proposed in areas of 4' to 5' cuts which will put the base of the trench 7' to 8' below existing grade. This will be well below the compact soil layer that will prevent infiltration. Additional soil testing should be provided to determine whether soils are acceptable for stormwater management and that proper separation is present.

#### **On-Site Wastewater Treatment System (OWTS)**

**Proposed OWTS is undersized for number of bedrooms.** The proposed residence has 2 bedrooms, an office with a walk-in closet and a basement. New York State Department of Health Design Handbook states "Expansion attics, basements, sleeping porches, dens and recreation rooms, which may be converted to additional permanent bedrooms in the future should be considered in calculating design flow." Additionally, it was my understanding the Town of Queensbury considered rooms with closets that could be closed off with a door as bedrooms. It appears the OWTS should be designed for a minimum of 3 bedrooms.

**The proposed OWTS is a fill system as per Queensbury Town Code and must meet all requirements of §136.** The Queensbury Code defines a fill system as any sewage disposal system which involves earth fill above natural grade level. The maximum allowable grade is 10%.

**Maximum side slopes on OWTSs are 3:1 for a minimum length of 20 feet.** Although the system proposed is not a fill system according to New York State Department of Health, it is creating a side slope below the proposed absorption system to accommodate grading for the residence. NYSDOH Regulations state "The edge of material shall be tapered at a slope of no greater than one vertical to three horizontal with a minimum 20 foot taper." The proposed system creates a slope of one to two for a distance of 10 feet and could result in seepage.

**The well should be relocated to minimize potential impacts to the wetlands from construction and to remove the potential influence from surface drainage from adjoining OWTS.**

The Lake George Waterkeeper is concerned about the extent of disturbance in this critical environmental area and the potential negative impacts from the proposal. I recommend the following to the Town of Queensbury Planning Board: 1) Require a major stormwater management plan; 2) Infiltration must be provided as required by Town Code; 3) Require stormwater management for the proposed road; 4) All stormwater should be directed to stormwater controls; 5) Require additional soil testing; 6) Design wastewater flow should be increased for all potential bedrooms; 7) Meet requirement of §136; 8) Side slopes must meet NYSDOH requirements and 9) Relocate the well to protect the wetlands from drilling waste and surface runoff.

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 style with a large, stylized initial "C".

Christopher Navitsky, PE  
Lake George Waterkeeper

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