



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

March 4, 2009

Mr. Keith Hanchett, Chairman
Town of Lake George Planning Board
26 Old Post Road
Lake George, NY 12845

Re: Caldwell Sewer District Connections

Dear Mr. Hanchett:

I would like to thank the Town of Lake George Planning Board for discussing the issue of the availability of sewer connections within the Caldwell Sewer District at your March 3, 2009 meeting. During my public comments for the BBD Albany, LLC application, I referred to connections which were allocated to previously approved projects as well as previous discussions the Board had regarding this issue. I would like to take this opportunity to provide that information to you and the Board.

The number of connections for the Caldwell Sewer District was determined in October 2005 from the Village of Lake George and further defined by Mayor Robert Blais in a May 17, 2006 correspondence where it is stated:

“Please refer to my letter of October 20, 2005 wherein we (Village of Lake George) advised that we would not accept additional flows from more than 49 private residential units and one drugstore.”

Copies of these letters are enclosed. This number was determined by the three subdivisions which were currently under review by the Town of Lake George (John Carr’s Birch Ave Townhouse (18), Mountains Edge Subdivision (16) and Cora Court Subdivision (15)).

There were several scenarios which the Village pursued to increase the capacity of the Village Wastewater Treatment Plant but nothing was successful. This prompted Mayor Blais to inform the Town of Lake George Planning Board in December 2007:

“... our capacity limitations at the Treatment Plant concerning new applications to the Caldwell Sewer District remains the same.”

The Lake George Waterkeeper has raised this concern regarding the available sewer connections on several occasions to the Town Board, Zoning Board and Planning Board:

- March 1, 2007 Zoning Board of Appeals meeting regarding Area Variance #1-2007 (Wilson) where Mr. Hickey stated “sewer connections were out there” and that they would be taken away from existing applications.
- March 6, 2007 Planning Board meeting regarding Site Plan #42-2006 (Studio Motel) where the Town allotted 4 credits to this project.



THE FUND for LAKE GEORGE

- March 7, 2007 Lake George Waterkeeper correspondence copied to the Town of Lake George Town Board and Planning Board regarding the Caldwell Sewer District connections.
- December 27, 2007 Lake George Waterkeeper correspondence copied to the Town of Lake George Town Board and the Planning Board providing an update on the Caldwell Sewer District.
- January 14, 2008 Town of Lake George Town Board meeting where a moratorium on sewer connections by the Town Board was requested. Supervisor Tessier stated “There are no new connections granted without permission granted by the Village. The Village is in control of the connections”.

I would like to provide the following tabulation of the connections which have been approved through the Town of Lake George since the limitation of connections:

Project	# of Connections Allocated	Approval Status
Carr Birch Ave Townhouse	18	PB Approved 6/20/06
Mountains Edge – Michelli Dr.	16	PB Reapproved 10/2/07
Holiday Inn – 3 rd Floor Expansion	5	PB Approved 11/8/06
39 Cedar Lane – Density Variance	1	ZBA Approved 3/1/07
Studio Motel Expansion	4	PB Approved 6/5/07
Brookside Townhouses	5	PB Approved 12/18/07
1093 Group, LLC (Trustco mall)	2	PB Approved 12/18/07
TOTAL CONNECTIONS APPROVED	51	

As indicated in the above table, the number of connections approved by the Town of Lake George exceeds the total of the connections allocated by the Village of Lake George to the Caldwell Sewer District. Town representatives have felt there are connections available because the allocated connections to the Birch Avenue Townhouses and Mountains Edge subdivision have not been built. However, during the October 2, 2007 Planning Board meeting, the Board determined it could not reallocate the 16 sewer credits which were granted to the Mountains Edge subdivision when it was previously approved. Copies of the minutes are enclosed. Based on this precedent, the Town cannot continue the shell game of taking connections away from one approval and granting to another applicant.

The Board should be aware of one question present on the Environmental Assessment Form required to be completed as per the State Environmental Quality Review Act under Impacts to Water – “Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity”. Clearly, the Town has exceeded the allowable number of connections and there is inadequate capacity for the treatment of wastewater for current and future applications of projects located within the Caldwell Sewer District.

Should you have any questions regarding this information, please feel free to contact me to discuss the matter in future detail. The Lake George Waterkeeper would like to thank the Town of Lake George Planning Board for their efforts on defending the natural resources of Lake George and its watershed.

Sincerely,



Christopher Navitsky, PE
Lake George Waterkeeper

cc: Town of Lake George Planning Board
Hon. Lou Tessier – Town of Lake George Supervisor
Town of Lake George Board
Hon. Robert Blais – Village of Lake George Mayor
Robb Hickey – Town of Lake George Zoning Administrator