



**LAKE • GEORGE
WATERKEEPER®**

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December 9, 2009

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

**Re: McPartlon (200.14-1-46)
V09-60**

Dear Mr. Smith and Members of the Board,

The Lake George Waterkeeper Program has reviewed the submission for an after the fact variance and offers the following for consideration by the Board:

ONSITE WASTEWATER TREATMENT SYSTEM (OWTS)

Although the application states that the gazebo is in the best location based on the proximity of the existing well and OWTS, these services are not identified on the site map. The July 19, 2004 Zoning Board of Appeals minutes state that the septic tank and a septic line are located in the area between the house and the garage, which is the location for the gazebo. The Lake George Waterkeeper recommends that the application include information on the OWTS to determine if the gazebo has an impact on the system.

INCREASED IMPERVIOUS SURFACES

The cumulative impact of increased impervious coverage within the stream corridor should be discussed for this stream setback variance request. The application states that variances were granted in 1992 for a shed located 30 ft from the stream and again in 2004 for a garage within 45 ft from the stream. Prior approved variances do not ensure the granting of additional variances, as each variance application should stand on its own. The Lake George Waterkeeper recommends that in order to mitigate the effects of impervious surfaces constructed within the stream corridor, a naturally vegetated stream buffer is necessary to protect the stream. Stormwater management, such as the use of rain gardens between the structures and the stream, should also be a condition for this variance.



THE FUND for LAKE GEORGE

Thank you for discussing the potential water quality impacts from construction within a stream corridor. The Lake George Waterkeeper looks forward to working with the Town of Bolton Zoning Board of Appeals to defend 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: Kathy Simmes, Supervisor
Brian Grisi, Adirondack Park Agency
Michael White, Lake George Park Commission