

# LAKE GEORGE MIRROR.

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## APA Asserts Jurisdiction in Lake George Subdivision

By Mirror Staff

A proposed 190-lot subdivision overlooking Lake George known as Forest Ridge will need a permit from the Adirondack Park Agency before it can be developed, officials say.

When the Lake George Planning Board approved the subdivision in 2006, it did so without coordinating its review with the Agency.

The Planning Board acknowledged that the subdivision fell within the APA's jurisdiction when it rescinded its approval last year, and a March, 2009 decision by Supreme Court Judge David Krogman invalidating the town's approval granted jurisdiction to the APA.

According to court documents, the APA requested "an order enjoining the developer from undertaking any further subdivision until he receives either an Agency permit or a non-jurisdictional determination."

The developer's initial application failed to document the presence of wetlands or the ultimate size of the subdivision, an APA attorney stated.

"We hope that with the APA

involved a comprehensive review will be undertaken and a sound stormwater management plan will be incorporated on these lands and that we'll see a much better subdivision in the future" said Lake George Waterkeeper Chris Navitsky, who initiated a lawsuit against the Planning Board in 2008 on the grounds that it violated state laws when it approved the project.

Navitsky alleged that the town failed to administer its own stormwater management regulations and segmented its environmental reviews. Krogman accepted those claims in his March decision.

The developer, Rolf Ronning, said that he was in negotiations to sell the property to investors, and was unlikely to be involved in any future development of the property.

Navitsky said Krogman's decision had a significance extending beyond the Forest Ridge subdivision.

"We hope that this legal victory will be a wake-up call to the Town to improve the way in which it does business when it administers stormwater management regulations and reviews subdivisions," he said.

In the absence of changes in the town's review procedures, Navitsky said, the Adirondack Park Agency is likely to seek jurisdiction over other Lake George projects.

"Poorly regulated subdivisions and poor administration of stormwater regulations by local governments have contributed to the steady decline in the water quality of Lake George," said Navitsky.

See APA Page 21.