

Lake George Park Commission Moves Forward with Stream Corridor Regulations

By Buzz Lamb

At the May 26 meeting of the Lake George Park Commission at the Holiday Inn in Lake George Village, the Final Generic Environmental Impact Statement (FGEIS) for the adoption of Stream Corridor Management Regulations was approved by the Commissioners.

In anticipation of a large crowd, several rows of chairs were strategi-

cally placed in the large banquet room. But most chairs were empty since only a handful of people attended.

Commissioner James Kneeshaw was the lone dissenter when the motion to approve the FGEIS was presented for a vote. When Chairman Bruce Young opened the floor to the Commissioners for discussion, Kneeshaw expressed concern that there is a very strong public and municipal opposition to the regulations.

"I'm trying to wrestle with this, and in the process I am trying to figure out what the options might be," Kneeshaw said. One of the options Kneeshaw considered was for the Commission to withdraw from the process. "I don't think that's an acceptable solution because the intent of the regulations (to protect Lake George) is embraced by the towns and counties even though they voted to oppose it," he said.

Kneeshaw went on to say that

option number two would be to move forward. "We've had the public hearing and we have responded to those concerns," he said. Kneeshaw said the upside to option number two would be that they could adopt the proposed regulations but the downside would be that the Commission would further the rift between itself and the local municipalities and the general public as well.

"Option number three would be to develop some language (in the

regulations) which would provide cooperation of our local governments," he said. "When we do that, we end up with some rules, maybe not exactly what we have now, which are mutually acceptable and therefore more efficient."

Mike White, Executive Director of the LGPC, said there were some major changes to the Draft Generic Environmental Impact Statement (DGEIS). "There was a lot of uncertainty concerning what defined a stream. One of the significant changes is that what is on the map is what will be regulated. So, with this change there is no separate determination of what a stream might be," he said. "That takes away the uncertainty of what streams and what private property will be affected."

White added that once implemented, all of the aspects of the regulations are to be reconsidered within a three-year window. "That is certainly a reasonable timeframe to conduct a survey of the basin to identify additional candidate streams and to notify people if we consider adding them (streams) and give the public a chance to comment on any revisions to the regulations including any additions or deletions," he said.

White said another significant change to the DGEIS was the addition of a provision for the Commission to grant a waiver in an individual case where an applicant proposes to undertake a project under the standards for existing development and the area within the 35-foot setback is greater than 30 percent of the area of the existing lot of record. "This is another relief valve, in a way, for staff to look at the effect of the regulations on an individual basis," he said.

White added that now that the Commission has approved the FGEIS, public comment will be accepted for a 60-day period which commences when notice of the FGEIS is published.

In other business, the Commission approved and applied for a Class A permit for the Harris Day, approved a resolution to rent a 2 1/2 ton wheel loader truck from Jim Ralston, who has introduced Jim Ralston as a consultant. Chairman Young explained that the Commission no longer has a part-time engineer on staff and therefore decided to hire a consultant to fulfill their need. Ralston said currently his focus will be on site development applications with respect to stormwater regulations.