

# Judge blocks subdivision

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QUEENSBURY — The Lake George Waterkeeper has won a lawsuit against the town of Lake George concerning the approval of the Forest Ridge subdivision.

The decision strikes down the town's previous approval of the subdivision and follows a June 2008 decision in which Warren County State Supreme Court Judge David Krogman suspended approval of the subdivision.

"We saw history and this was a clear instance of the town just disregarding the State Environmental Quality Review procedure, Lake George Park Commission procedures and the town's own

codes," said Lake George Waterkeeper Chris Navitsky.

The subdivision is located on Tuesdale Hill Road about three miles north of Lake George village.

In June 2008, the judge gave the town 90 days to come up with records supporting its decision. Town officials asked for several extensions, then the town rescinded its own approval, Navitsky said.

"Which again justifies our claims because the town would not have rescinded if we weren't right," Navitsky said. "Those forms did not exist. They did not do the proper review."

The Lake George Waterkeeper's concerns were focused on stormwater and environmental quality review

issues," Navitsky said. "I haven't seen the decision," said Rolf Ronning, developer of the project.

Lake George Supervisor Lou Tessier also said Tuesday night he had not yet seen the decision.

The judge allowed four existing lots to remain, because of the timing of the sales, while the remainder of the subdivision has been overturned, Navitsky said.

"That's what I was concerned about. I was concerned those people who bought lots one through four were going to have some legal difficulties," Ronning said. "You could not bring undo hardship to these homeowners."

Navitsky is working with the landowners on stormwa-

ter management.

The town, he said, is failing to live up to its responsibilities on stormwater management.

"Basically, we had tied up the properties. They could not build on those. And now that this decision has been reached, we have decided to work with the landowners, since the town of Lake George is not enforcing their own regulations," Navitsky said.

Last year, the state attorney general and the Adirondack Park Agency joined the Lake George Waterkeeper in the action against the town. "We're pleased that the judge recognized the town did not follow the State Environmental Quality Review Act. His decision substantiated our claims," Navitsky said.