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October 22, 2007

Mr. Chris Hunsinger, Chairman
Town of Queensbury Planning Board
742 Bay Road
Queensbury, NY 12804

Re: Solomon – 67 Knox Road
Site Plan 53-2007

Dear Mr. Hunsinger:

I have reviewed the submission for the above referenced site plan application. It is very troubling the project has been allowed to progress to this point with the numerous non-compliances and potential areas of impact to the community and the lake. I would like to offer the following comments for the record:

1. The Lake George Waterkeeper was notified of the clearing of the property in late May 2007 and forwarded photographs to the Town of Queensbury on May 25, 2007 regarding compliance with stormwater regulations. I was informed the Town had no problem with the proposed construction and clearing limits and the stormwater plan was covered. The stormwater plan and report submitted does not comply with Town Code. For example, the applicant's engineer incorrectly analyzes a two-year storm event to determine the required volume based on flow rates. Additionally, the corresponding plans are very difficult to read, at best and it is difficult to determine the actual system proposed.
2. The project should be classified as a major stormwater project based on the amount of disturbance (>17,000 sf basically the entire property and the adjoining properties), the slope of the site and the location within a critical environmental area. The Planning Board has been informing all applicants of the need to develop major stormwater designs for projects within the critical environmental areas along Lake George.
3. The applicant's engineer utilizes stormwater runoff coefficients which indicate runoff in post-development conditions (runoff coefficient of 61) will be less than pre-development conditions (runoff coefficient of 65) in non-pervious areas. It is very hard to comprehend that a forest with mature pine trees (claimed to be woods/grass cover) will produce more runoff than a completely cleared and striped property, compacted by construction equipment with 2" turf installed (claimed to be undisturbed).
4. The application states the runoff from the impervious area will be treated by a vegetated filter strip on the "lower undisturbed portion" of the site. First, the lower portion of the site has been completely disturbed and altered. For proper functioning of a vegetative filter strip, the following must occur:

- Sheet flow is required for the filter strip to maintain a velocity low enough to properly treat stormwater. The plan proposes concentrated flows from two discharge points.
 - Slopes should not exceed 2-5% to maintain a velocity low enough to allow sediments to be removed. The existing slopes are 18%.
 - It is very important to have infiltrative soils, which are not present. The site soils have been completely stripped and compacted with construction equipment. In addition, turf has been applied which has extremely shallow roots and will does not provide sufficient infiltrative capabilities for treatment.
5. There has been no calculations provide regarding the reduction of flow volumes as required by the Town's Stormwater Management Ordinance.
 6. The plan proposes to direct runoff onto adjoining properties without any management creating erosive conditions.
 7. There are no soil investigations (deep test pit and percolation) for the areas proposed for stormwater management.
 8. Regarding on-site wastewater treatment, there are several areas of non-compliance with Town Code:
 - §136-9.B states no sewage disposal fill may be located within 200 feet of the shorelines of Lake George. The system proposes the installation of fill with a retaining wall to support the absorption field.
 - §136-9.C states no leaching facility will be permitted within 200 feet of the mean high water mark of a lake, pond, river or stream if the percolation rate is zero to three minutes per inch. According to the plan, the percolation rate is three minutes.
 - §136-10.B(2) states the maximum allowable natural grade surface slope for built-up systems shall be 10%. The existing grade at the location of the absorption field is 30%.
 - §136-9.D states the absorption field is required to be 20' from a dwelling. The absorption field is proposed 12 feet from the dwelling.
 9. There is no information on the location of the referenced percolation test or deep hole test. In addition, there is no depth indicated for the deep hole test which is important since the plan proposes to remove 2 feet of soil in areas of the absorption field, which could also impact the percolation test results.

This is a project where the activities performed by the applicant would not have permitted by this Planning Board – a clear cut of a mature forest adjacent to Lake George, complete failure to properly address stormwater management, complete failure to properly address erosion and sedimentation control and the development of a site which cannot provide adequate wastewater treatment. The project has impacted the water quality to Lake George through sedimentation, increased nutrients from clear cutting and removal of soils as well as impacts to adjoining properties. It is hard to understand how the Town allowed the project to proceed to this point despite being informed as early as late May. Although there has been substantial completion of the project, the Planning Board should review this application as if there has been nothing constructed and determine how the site can be developed within the Town Code. It should not be pressured by potential economic concerns from an applicant who was aware of land development process.

I look forward to continue working with the Town of Queensbury Planning Board in the defense of Lake George and its watershed. Thank you for your consideration of these comments.

Sincerely,



Christopher Navitsky, PE
Lake George Waterkeeper

