



**LAKE • GEORGE**  
**WATERKEEPER®**

PO Box 591, Lake George, NY 12845  
Tel: (518) 668-5913 Fax: (518)-668-5915  
Email: [info@lakegeorgewaterkeeper.org](mailto:info@lakegeorgewaterkeeper.org)  
[www.lakegeorgewaterkeeper.org](http://www.lakegeorgewaterkeeper.org)

January 19, 2010

Ms. Suzanne B. McSherry  
Adirondack Park Agency  
P.O. Box 99  
Ray Brook, NY 12977

**Re: Zaleckas – Mossy Point Road Subdivision**  
**APA Project No. P2009-103**

Dear Ms. McSherry:

The above referenced subdivision application was personally reviewed in my capacity as a licensed professional engineer and the Lake George Waterkeeper. I would like to offer the following comments and concerns to the Agency for its consideration:

**INCOMPLETE APPLICATION**

**Critical information is missing from the Adirondack Park Agency Forms or failed to be submitted.** The following information should be required prior to any determination on the application:

- Regarding “Subdivision Roads or Driveways”(Item 8, page 6), no typical plan or details for driveway construction, limits of clearing, drainage control plans including ditches and culverts and temporary and permanent erosion control measures are included in the application material as required.
- Regarding “Erosion and Sediment Control Plan” (Item 11, page 8), a note stating “See plans by J. Hutchins, PE, dated 3-25-09 is included but no copies of plans were included in the application material as required.
- Regarding “Stormwater Management Plan” (Item 12, page 9), no information is contained in the application material as required.

In addition, the application is referred to as a 4-lot subdivision. Five lots are being created including the “Garage Lot”, which is separated by a public road from the existing lot it is proposed to be merged with. It would seem the application should be considered a 5-lot subdivision application.

**STORMWATER MANAGEMENT**

**It cannot be determined if stormwater management is possible for the proposed project.** The application lacks information on stormwater management. In addition, it is unclear if the property can adequately manage stormwater due to the apparent shallow depth to groundwater as indicated by the wetlands present, standing water in roadside ditches and pockets of standing water. The project will require a Stormwater Management Plan from the Lake George



Park Commission but this was not indicated on information included in the Application for Major Project. With the existing site constraints, it is unclear if the project could meet the requirements of the Lake George Park Commission Stormwater Management Regulations.

### **LOCAL REGULATIONS**

- 1. The Town of Ticonderoga requires 30 foot front yard setbacks in Medium Density Residential Zoning District.** Lot 3 proposes a 20-foot front setback for the building envelop which does not comply with Town of Ticonderoga regulations.
- 2. The wetland areas (unusable areas) should be excluded from the allowable are for subdivision.** This project includes 2.25 acres of wetlands that should be subtracted from the developable lands for the calculation of allowable principal buildings.

### **GENERAL**

- 1. Enforcement measures regarding the “Undisturbed Areas” should be included in the application.** The “undisturbed areas” for the non-jurisdictional lot (150.83-2-2) appear to have been cleared. It is very likely the “undisturbed areas” for the proposed lots will be cleared resulting in negative impacts unless enforcement measures are implemented.
- 2. Will any lots have contractual access to Lake George?**

The project is proposed in a sensitive environmental area with wetlands present on each lot. Groundwater depth is very shallow, which will prevent infiltration, the required method for stormwater management to meet the requirements of the Lake George Park Commission regulations. This will result in potential negative impacts to water quality. The Lake George Waterkeeper recommends the following regarding the application: 1) A complete application should be submitted including driveway details and erosion and sedimentation plans; 2) A complete stormwater management plan should be submitted in accordance with the Lake George Park Commission Regulations as well as evidence of a Stormwater Management Permit Application; 3) Subsurface soil investigations should be provided for each lot; and 4) Compliance with local zoning regulations including the removal of unusable area for lot density calculations.

The Lake George Waterkeeper Program looks forward to working with the Adirondack Park Agency to defend the natural resources of Lake George and its watershed. Thank you for your consideration.

Sincerely,



Christopher Navitsky  
Lake George Waterkeeper

cc: Terry Martino, Executive Director - Adirondack Park Agency  
John Banta, General Counsel – Adirondack Park Agency  
Michael White, Executive Director – Lake George Park Commission  
Lee Peters, Chairman – Town of Ticonderoga Planning Board  
Town of Ticonderoga Planning Board