



**LAKE • GEORGE
WATERKEEPER®**

PO Box 591, Lake George, NY 12845

Tel: (518) 668-5913 Fax: (518)-668-5915

Email: info@lakegeorgewaterkeeper.org

www.lakegeorgewaterkeeper.org

November 16, 2009

Mr. Greg Smith, Chairman
Town of Bolton Zoning Board of Appeals
4949 Lakeshore Drive
Bolton Landing, NY 12814

**Re: Bailey (200.14-1-16)
V09-53**

Dear Mr. Smith and Members of the Board,

The Lake George Waterkeeper Program has reviewed the submission for the above referenced variance and would like to offer the following comments regarding the application:

Submitted application is incomplete

§150-24 B. states an application for a minor subdivision plat approval shall include the design of all proposed on-site sanitation and water supply facilities, meeting the minimum specification of the State Department of Health and the Town Sanitary Code.

The site map included in the submitted application does not include details regarding the on-site wastewater treatment system (OWTS) or well location for this parcel. Two existing single family dwellings (SFD) are located on this 0.46 acre site. The Town of Bolton's master file for this tax map number reveals that in 2002 four underground holding tanks were proposed for two cabins located behind the primary SFD. One of the cabins is located on its own parcel (200.14-1-17; 0.05 acres) and the other is the subject of this application. The four proposed holding tanks on the 2002 site map are located straddling the property line of both parcels. The Lake George Waterkeeper recommends a subdivision map with detailed information on the wastewater treatment systems and water supplies to determine compliance and adequacy.

§200-48 A. states that an off-street parking space shall be required for all buildings constructed, altered, extended and engaged in use. Each parking space shall be 10 ft wide by 20 ft long and reached by an access drive. A parking space with an access drive to South Beach Ave or an access right of way or easement has not been identified for this proposed lot.

On-Site Wastewater Treatment System is not identified

The OWTS for the primary residence on this parcel should be shown on the site map.

There is no reference to the existing OWTS for the primary residence in this application. In



THE FUND for LAKE GEORGE

2002 a note on the drawing proposing the 4 holding tanks merely states that the septic is on its own separate system, but does not specify its location.

Nonconforming Lot

§200-58 A. states that no new principal building may be created on any nonconforming lot. Although the cabin already exists on Tax Map #200.24-16, if the parcel is subdivided, it becomes the principal building and does not meet the general exceptions to minimum lot area requirements in the Town of Bolton.

Contractual Access

The proposed subdivision does not state whether the new parcel will have contractual access to the lake. The proposed subdivided parcel does not support deeded or contractual access to Lake George due to the required minimum shoreline frontage in RM 1.3 as stated in §200-37 B. (4).

Class B Regional Subdivision

§150-19 - Special review for a Class B Regional Subdivision is required for this subdivision application. Based on the issues discussed, the Lake George Waterkeeper would suggest that the Zoning Board of Appeals seek a recommendation from the Planning Board regarding this proposed subdivision.

In addition, the Lake George Waterkeeper would like the Board to address the potential future impacts from development and if a subdivision is approved, a condition imposed that there be no future expansion of the existing 2 bedroom single story dwelling.

Thank you for discussing the importance of shoreline density and its impacts to Lake George. The Lake George Waterkeeper looks forward to working with the Town of Bolton in defending the natural resources of Lake George and its watershed.

Sincerely,



Kathleen S Lindberg Bozony
Natural Resource Specialist / Lake George Waterkeeper

cc: Kathy Simmes, Supervisor
Brian Grisi, Adirondack Park Agency
Michael White, Lake George Park Commission