



**LAKE • GEORGE
WATERKEEPER®**

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December 29, 2008

Mr. James Underwood, Chairman
Town of Queensbury Zoning Board of Appeals
742 Bay Road
Queensbury, NY 12804

**Re: Derocker (239.7-1-11)
AV 82-2008**

Dear Mr. Underwood,

The Lake George Waterkeeper has reviewed the submission for the above referenced proposed subdivision and would like to offer the following comments for consideration regarding this variance:

- 1. The requested subdivision of 0.95 acres within WR-1A zoning (Lot 1 of 0.55 acres and Lot 2 of 0.40 acres) is substantial, as the existing lot is already nonconforming.** Subdivision of this lot is significant because the cumulative impacts of increased density within close proximity to Lake George can be substantial. The Town of Queensbury zoning requires one acre zoning on Knox Road, and this should not be compromised in order to maximize density on the shoreline. The magnitude of the variance will only facilitate additional development on undersized lots and create the need for future variance requests.
- 2. The Town of Queensbury Chapter A183: Subdivision of Land requires that proper provision be made for sanitary sewage.** The existing on-site wastewater treatment system (OWTS) is not shown on the plan. This system should be detailed and certified. Design information for the proposed OWTS should be provided, including percolation, deep test pit and a layout to determine if adequate treatment can be provided as well as required compliance with local and state regulation.
- 3. Floor Area Ratio (FAR) calculations have not been submitted to determine if a variance would also be required if the lots are further developed.** Subdivision of this parcel would encourage more construction on an otherwise densely populated peninsula.

Thank you for discussing this important issue, as each variance is decided on its own merit, and expectations change as variances are granted. Pre-existing, nonconforming lots should not become more nonconforming, therefore this variance to subdivide should not be approved. The Lake George Waterkeeper appreciates working with the Town of Queensbury Zoning Board of Appeals in defending the natural resources of Lake George and its watershed.

Sincerely,

Kathleen SL Bozony
Natural Resource Specialist / Lake George Waterkeeper

cc: Brian Grisi – Adirondack Park Agency
Michael White – Lake George Park Commission



THE FUND for LAKE GEORGE