



**LAKE • GEORGE**  
**WATERKEEPER®**

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February 24, 2011

Mr. Keith Hanchett, Chairman  
Town of Lake George Planning Board  
Old Post Road  
Lake George, NY 12845

**Re: Amersi (251.07-1-52)**  
**Site Plan 26-2010 – modification after the fact**

Dear Mr. Hanchett,

The Lake George Waterkeeper Program has reviewed the *Proposed Site Plan and Improvements - 2/8/11* for the above referenced after the fact modification to the approved Site Plan 26-2010 (due to excessive disturbance during construction). We once again recommend that the Planning Board fully evaluate the impacts of disturbance on this site, and add conditions to protect water quality when discussing this modification.

**Area of disturbance**

The actual 'limits of disturbance' have now been appropriately submitted to the Planning Board. As previously stated, the disturbance is a much larger area than what had been presented to the Board on 12/7/10. Removal of large, mature trees on steep slopes with underlying ledge rock exposes the soil for erosion, and planting vegetation in these conditions is very difficult to reestablish. In order to ensure success in reestablishing vegetation (including trees, shrubs and groundcover), special care must be provided.

Detail of *Section B - B' (Proposed Site Plan and Improvements - 2/8/11)* illustrates that the slope within the area of disturbance will be reinforced with blasted rock fill. With this entire sloped area covered with large rocks, no native vegetation will be able to be planted or seed itself in the future. Several white pines and hemlocks have been identified to be planted on only the upslope and down slope of the disturbed area, but in fact the entire area should be vegetated and not covered with rocks. Trees, shrubs, and a variety of groundcover should be planted to replace the removed mature vegetation that naturally stabilized the slope. Deep roots hold soils in place on steep slopes. With time, restoring this site to a natural condition should be the goal. Natural, non-structural slope stabilization measures should be installed to increase vegetation in this area.



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### **Replacement of soil**

The revised grading plan proposes a 5' cut in the expanded disturbance area. This will remove all of the available soil which is necessary for the establishment of the replaced trees. The applicant should address how the trees will be planted on the extremely limited soils available after the 5' cut on steep slopes.

### **Replacement of trees**

The proposed *Planting Schedule* includes 18 small, immature trees to replace the 22+ large, mature trees with accompanying undergrowth that were unfortunately removed on the site (the trees that existed are identified on the Proposed Site Plan dated 9/14/10). The *Planting Schedule* for this disturbed area should be increased to include additional large shrubs, perennials and groundcover. A landscape bond should be requested to guarantee the survival of newly planted trees and vegetation.

To further compare the impact of removing mature trees on steep slopes with ledge rock (in addition to the fact that reestablishing vegetation in these conditions is very difficult), a 30 year old sugar maple tree, for example, might be 6 - 8 inches in diameter and 30 - 35 feet in height. The 4 inch caliper sugar maples (AS) that are on the *Planting Schedule* (which are on the *Planting Schedule* but not identified on the Site Plan), are half this size with no established root structure. The root system of a mature sugar maple is deep and branching, and the 100+/- year old trees that were removed on this site were holding the soils on the steep slope.

### **Shoreline buffer**

The existing parcel with homes upslope of Lake George has a limited shoreline buffer. A large expanse of lawn with steep slopes to the lake does not promote appropriate infiltration and treatment of stormwater runoff. The approved site plan included a small "vegetated planting buffer", which cannot be considered a protective, functioning buffer for the 550 ft shoreline.

The "supplemental planting related to the dock approval" has been included with the revised planting plan for the shoreline, and is insufficient. Only 21 small shrubs (2 and 3 ft in height at maturity) are being proposed to supplement existing vegetation on the shoreline around the marina, and although the planting plan indicates that only "suitable native species" are included, 10 of the small shrubs proposed for the shoreline planting, the compact *Pfitzer junipers*, are not native to this region and should be substituted. In addition, it was stated to the Commissioners at the Lake George Park Commission meeting on January 25, 2011 that based on "...the approval of the Town of Lake George..." the applicant is "...planning to install vegetative screening to soften the view..." This is confusing, because based on the submitted *Planting Schedule*, the proposed new shrubs along the marina's shoreline will never "soften the view" with vegetative screening, as they are species that grow no more than 2 and 3 ft in height.

Due to the increased disturbance in close proximity of the shoreline, a substantial replanting plan should be provided and should include a mixed height canopy of trees, larger shrubs, perennials and groundcover. The Town of Queensbury §179-8-040 *Shoreline Buffers* requires that a minimum 15 ft wide vegetative shoreline buffer be planted on all shorelines within Queensbury's Waterfront Residential District to "...minimize, and in some cases eliminate nonpoint source pollution." Their regulations state that "...turf does not protect water quality as well as a natural buffer, because shallow rooted grass has a minimal ability to filter nutrients and sediment..."

### **Stormwater management plan**

Despite attempts to clarify the report, the extremely high applied infiltration rate has yet to be defined. To refresh, the applied infiltration rate for the stormwater design was greater than the infiltration rate for the septic system design. In addition, the stormwater management plan

should be revised to be consistent with the revised disturbance area. Additional stormwater management should be required to mitigate increased runoff from the enlarged area of disturbance.

### **Soil investigation information**

A condition of approval for the site plan required a test pit be provided in the area of the dry well. This information has not been provided. Therefore, it has not been determined if the stormwater management plan is acceptable.

### **Onsite wastewater treatment system**

The proposed grinder pump with secondary containment structure appears to be located within 40 ft of Lake George. The Town of Lake George Consolidated Health District Regulations requires 100 ft setback for septic tanks and 50 ft setback for effluent lines. In addition, it was stated in the February 8, 2011 letter to Keith Hanchett, Chairman, that because the Lake George Park Commission was not in favor of the restroom located in the boathouse, the marina restroom would be located in the original Rockledge residence structure. Will a bathroom for non-marina use continue to exist in the boathouse? Both of these issues should be discussed by the Planning Board.

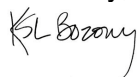
### **Fertilizer and pesticide restrictions**

A restriction of fertilizer and pesticide use on this property should be conditioned with this and all construction approvals. Excess nutrients are feeding the algae and aquatic plants in Lake George, resulting in massive algal blooms.

In conclusion, the Lake George Waterkeeper recommends that the Planning Board discuss the following issues prior to an approval to continue construction on this project: 1) The area of disturbance and subsequent planting plan should be clearly identified and the sloped areas to be filled with blasted rock should be evaluated to include vegetative plantings; 2) Soils within the proposed grading (including the proposed 5' cut) should adequately support newly planted trees; 3) The proposed replacement trees do not compare with previous site conditions and should be supplemented with additional native trees, shrubs and groundcover; 4) The shoreline should include a more substantial buffer with a mixed height canopy of native trees, shrubs, perennials and groundcover; 5) Stormwater management should be revised to include the disturbance area; 6) A test pit was conditioned to be provided in the area of the dry well and has not been done; 7) Location of the proposed grinder pump is within setback limits to Lake George; and 8) Use of fertilizers and pesticides should be prohibited on this shoreline property.

The Lake George Waterkeeper looks forward to working with the Town of Lake George Planning Board to defend the natural resources of Lake George and its watershed. Thank you for your consideration of these issues.

Sincerely,



Kathleen S Lindberg Bozony  
Natural Resource Specialist / Lake George Waterkeeper

cc: Town of Lake George Planning Board members  
Salim Amersi  
Dennis MacElroy  
Jim Connelly – Adirondack Park Agency  
Michael White – Lake George Park Commission