

# Chat Transcript, June 24

Additional, followup feedback starts on Page 15

## Me to Everyone

Hi all - can you please double check your mics are muted? Thank you!

**5:28 PM**

## Kate to Everyone

is the TofNE mic muted?

**5:28 PM**

## Me to Everyone

Yes, at the moment.

**5:28 PM**

## Kate to Everyone

thanks.

**5:29 PM**

**Dan Kelleher to Everyone**

It's a call-in user (Caller 01) making all the noise.

**5:29 PM**

**Dan Kelleher to Everyone**

making\*

**5:43 PM**

**trish friedlander to Everyone**

Two items stood out to me as problematic regarding the intent of the Land Use Code Revision Committee and its intention to help promote smart growth and improve environmental standards,

The problematic proposed Changes that I see are:

- 1) Businesses to build expansions farther into the required setback.
- 2) Allow wastewater systems to be installed less than 300 feet from the shoreline if that distance isn't possible.

My Questions:

A) Why are you proposing this changes in the Land use code? Who asked for it?

B)What is the an original reason for the initial set backs as it applies to the buildings and the waste water? I'm sure there was an important reason this was put in.

C)If business don't have abide by the set back, why should residents? And are vacation rentals considered businesses in these proposed changes to the land use code?

**5:56 PM**

**David Bumsted to Everyone**

I also have a question regarding the changes to the septic requirement. Does this weaken the requirement? If its going to be less than 300 feet couldn't a variance be obtained if the property owner could show it was well engineered and safe?

**5:58 PM**

**Kathy Trainor to Everyone**

RE: Marina; are you saying that anyone who owns a dock on Lake Placid will be able to rent out one of their slips under this new Code? Will anyone who leases their home on Lake Placid be allowed to permit their renters to use a slip for their rental boat. If so, this is problematic.

**6:02 PM**

## **mike richter to Everyone**

How are we to read "300 feet back or whatever is possible"? That sounds like whatever is possible. Isn't this rule in place to keep the integrity of the lake (and therefore its value to the entire town) and any deviation puts the health of the water at risk?

**6:04 PM**

## **Karen B. Armstrong to Everyone**

I have the similar questions - does this weaken the wastewater system/shoreline requirement? I so, this is problematic. In addition, what is the reasoning behind the expansions into setbacks for businesses? Is the purpose of setbacks no longer relevant? If businesses are allowed this, will residents be able to do this as well?

**6:05 PM**

## **Jeremy Arnold to Everyone**

I am concerned about wastewater systems existing fewer than 300 feet from shore. I worry about the safety of my camp's drinking water. If there is to be a procedure for exceptions, I feel you must define "greatest extent possible" with pinpoint clarity. Especially the word "possible." Otherwise someone could decide it's not "possible" because they don't feel like spending more money or waiting for a system to be engineered, for instance. When our camp was built 100+ years ago, sand and gravel was trucked to Buck Island in the winter to build up a leech field, which still operates perfectly. So, that proves that much is "possible." Also, if a system does get a waiver to be closer than 300 feet, is there a scientifically valid limit to how close it CAN be to the shoreline before it truly is too potentially dangerous? What is that figure and what do

scientists say about any other distance that is closer than 300 feet? These are the kinds of issues I think shore owners would want to see addressed before we feel comfortable.

**6:06 PM**

**Kate to Everyone**

for income-based housing: when does the 3 year timeframe for averaging start? is it the previous 3 years at time of application?

**6:07 PM**

**Kate to Everyone**

income-based housing: for the 40' structure condition how will the income-based housing be assured after the building is built? when units are sold or rented to new occupants?

**6:08 PM**

**Kate to Everyone**

non-conforming structures: why allow expansion at all if they are no longer conforming? How do the height requirements apply?

**6:08 PM**

## **Martin Shubert to Everyone**

If the 300' set back for septic is a problem, the burden is on the owner. There are alternatives to traditional septic systems. Aerobic septic system treatment are used at sites where a traditional system can not be employed. They are capable of successful treatment of septage on difficult or impossible residential sites. This water of Lake Placid is Very Important to everyone!

**6:10 PM**

## **Kathy Trainor to Everyone**

Residents who live along the LP shore presented the Committee with 16+ recommendations for strengthening the Code in order to protect the health and safety of the Lake. What happened to those suggestions?

**6:12 PM**

## **Robert Trainor to Everyone**

I assume that extensions of boathouses to 35 feet applies only to those boathouses regulated by the new 3 foot from shore DEC requirement. Correct?

**6:12 PM**

## **Martin Shubert to Everyone**

Dark Skies should include outside and inside lighting. Many home have huge glass facades and the interior light spills eveywhere!

**6:19 PM**

## **Kate to Everyone**

Does that not allow the lot that was previously not buildable to be buildable? Also why give the authority to the engineer who is not accountable for living in LP?

**6:19 PM**

## **Robert Trainor to Everyone**

I note that there is a proposed minimum width requirement for roads to align with NY state fire code. What does this include - public and private - including pathways to boathouses/ to the lake. Need to be specific so not abused.

**6:20 PM**

## **Martin Shubert to Everyone**

Its the "As Far As Possible" that is the Problem. 300' is 300'!

**6:22 PM**

## **Jeremy Arnold to Everyone**

What happened within the last decade to drive this proposed change of procedure in granting waivers to wastewater setback requirements? Why is the current procedure problematic?

**6:24 PM**

## **Martin Shubert to Everyone**

As far as Administrative issues, can enforcement be streamlined? If an individual wants to report a possible code violation, can there be email reports and responses?

**6:24 PM**

## **Martin Shubert to Everyone**

Haley is very difficult to hear and understand?

**6:24 PM**

## **mike richter to Everyone**

What problem is the proposed rule change addressing? Are too many camps being denied septic systems? To put the decision in the hands of a person being paid to over-rule the setback rules rather than a zoning board assembled to protect it is a recipe for disaster.

**6:25 PM**

**trish friedlander to Everyone**

will all of these comments be recorded and considered?

**6:26 PM**

**David Bumsted to Everyone**

Mike Richter's point reveals the weakness of the suggested revision. It does weaken the process and therefore the protection.

**6:28 PM**

**Kate to Everyone**

for the 300' admin change: would allowing an engineer, who works for the possible homeowner, to "certify" that the distance is safe Does that not allow the lot that was previously not buildable to be buildable? Also why give the authority to the engineer who is not accountable for living in LP?

**6:29 PM**

**Keith Olsen to Everyone**

Agree with the points made related to reducing the rigor on exceptions. Mike's question is spot on.... is there a number of camps that have been denied to build?

**6:30 PM**

## **Martin Shubert to Everyone**

A Masterplan for a proposed property Must be required. Photos before, during, and after a project must be required. The Building Department needs to have access to all building projects including the lake neighborhoods. Maybe the Building Office could have access to the Electric Department or Fire Department boat to keep track of all that is happening on Lake Placid Lake.

**6:30 PM**

## **Kate to Everyone**

for the 300': seems that there needs to be an objective, scientific and testable / verifiable condition that would allow a septic system to drain less than 300' from shore

**6:35 PM**

## **mike richter to Everyone**

Does this administrative change enhance the protection of the lake, keep it the same, or undermine it? Are there more process changes being considered that may affect water quality?

**6:35 PM**

## **Martin Shubert to Organizers**

Cannot hear Nor understand Haley!

**6:38 PM**

## **Dan Kelleher to Everyone**

My understanding is that there is a purpose to the 300' change that improves lake quality. Houses can be permitted closer than 300' to the lake leaving owners reliant upon pumps to move the effluent further from lake to be 300', often up hill onto systems built on bedrock. These pumps and systems fail at a higher rate than traditional septic systems that don't rely on pumps. If there is not a regular inspection, the lines and pumps moving this effluent could fail dumping effluent into the lake.

**6:48 PM**

## **Kathy Trainor to Everyone**

I agree!

**6:50 PM**

## **D to Everyone**

Agree - the Straight is hard enough for tourist to understand.. There would be safety issues if it was even tighter between docks!

**6:51 PM**

**Rick Relyea to Everyone**

What percentage of shorsline homes are currently receiving waivers from the 300' septic rule?

**6:52 PM**

**Kate to Everyone**

isn't there time for public comment when the recommendations are given to the Boards?

**6:53 PM**

**Kate to Everyone**

Would not the Boards be the group making the final decisions?

**6:53 PM**

**Dan Kelleher to Everyone**

The Town and Village Boards will have a public hearing prior to approving any changes.

**6:54 PM**

## **Richters to Everyone**

Would each of us writing letters and emails to demonstrate the public opinion on the setback issue be helpful to the committee? Is there interest in seeing all of our comments?

**6:55 PM**

## **Kate to Everyone**

two weeks until recommendations go to the Boards - Dean said that earlier

**6:55 PM**

## **mike richter to Everyone**

Who's idea is the 300 foot rule setback rule process change?

**6:55 PM**

## **Dan Kelleher to Everyone**

To "Richters" comment, yes please send in all letters and feedback.

**6:58 PM**

**Me to Everyone**

hbreen@northelba.org

## Followup Feedback:

June 24, 2021

Hello. I was on the zoom call this evening then had to change to a phone call for better reception.

I felt alarmed at the tone of the discussion about this deeply important issue of sewage setback. As Judy Trainor mentioned, it felt that the changes are a done deal, and this was only a formality to half listen to people's concerns.

In changing the stringency of channels one must go through to gain approval, you will remove the oversight necessary to see that our waters are protected. That's our drinking water, our lake. To what end are you streamlining the process? As written, the law becomes something you can easily go around. How can some individual unnamed engineer be counted on to do the right thing?

I fear it will used to crowd lots into smaller spaces, all in the name of a bigger tax base. Is that the aim?

There is a large community of people who stridently oppose this proposed change. I am appalled.

[Valerie Ireland]

June 24, 2021

Hello,

My name is Veronica Richter. My husband Mike and I have been going to Lake Placid since 1985. We own a home in town and a camp on the lake. My husband and I just participated in an information meeting run by the Land Use Committee. The person running the meeting was disinterested in public opinion on rule changes, particularly the septic 300' setback rule. I am writing to you to express our opposition to any variance or relaxing of that rule. All residents who drink water originating from the lake could be impacted by this rule change and by the implications it could hold for previously non developable land. It was quite disheartening to see that building permits have been issued (without a variance) for currently non conforming land and a rule change could result in many more septic systems being built within 300' of the shore. We strongly oppose a change on this issue. We sincerely hope that the individuals on all of the committees act in the best interest of the long term health and vitality of the lake and its water quality. Please consider opposing this change.

Veronica and Mike Richter

June 24, 2021

To Whom it May Concern,

I am writing to voice my concern on the proposed change to the process of granting a permit to build a septic system. While it was repeatedly pointed out that the 300 foot rule still remains, it is unclear why the process of gaining an exception would change. What, exactly, is the proposed process change trying to improve? It appears that entrusting the decision to a landowner's engineer, hired to build the very system in question, is less protective of the lake than having a zoning board objectively consider the merits of the argument. It is difficult to look upon this effort as anything but a way of undermining the rules specifically set up to protect the water quality of the lake. No one associated with this town should need to be reminded that the fortunes of Lake Placid rise and fall with the quality of the surrounding natural environment, none more important than the lake-from drinking water to recreation.

Further, I want to voice my displeasure with the process so far. It has been neither transparent nor democratic. I feel that the concerns of the participants were not considered while the explanations for why this is necessary, the reality of its repercussions, and the next steps were poorly addressed. My hope is that this proposal is not rammed through in a manner that it appears that it is going to be-harming both the lake and the trust in the committee.

If the proposed change will make the lake safer and the process more smooth, then Dean and the committee should have no problem explaining this to the public, taking the time to consider all angles, and the public have no problem getting behind it. Unless and until this happens the answer has to be no.

Sincerely,

Mike Richter

President

June 24, 2021

There was obviously incredible concern over the change in the septic system setback approval process. I understand you are trying to save a step by going straight to rubber stamping the engineer's report for exceptions to the 300' rule, and I understand there are certain cases where allowing less than 300" is to the environmental benefit of the lake, **but it also allows for abuses**. There really should be an independent review,( by someone who is knowledgeable

and unbiased) of engineer's plans that allow systems fewer than 300'. This cost could and should be passed on to the homeowner asking for the exception.

We need to protect our drinking water at all costs, and also our investment in the health of the lake, which benefits all residents. Our town is a draw in part because of our beautiful lake...I think many of us are aware that plenty of economic benefit accrues to our town because of our pristine lake.

Thank you for your consideration, and for your hard work in serving our community.

Best, Lauren Roth

June 24, 2021

Jay,

I am writing to voice my concern on the proposed change to the process of granting a permit to build a septic system. While it was repeatedly pointed out that the 300 foot rule still remains, it is unclear why the process of gaining an exception would change. What, exactly, is the proposed process change trying to improve? It appears that entrusting the decision to a landowner's engineer, hired to build the very system in question, is less protective of the lake than having a zoning board objectively consider the merits of the argument. It is difficult to look upon this effort as anything but a way of undermining the rules specifically set up to protect the water quality of the lake. No one associated with this town should need to be reminded that the fortunes of Lake Placid rise and fall with the quality of the surrounding natural environment, none more important than the lake-from drinking water to recreation.

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If the proposed change will make the lake safer and the process more smooth, then Dean and the committee should have no problem explaining this to the public, taking the time to consider all angles, and the public have no problem getting behind it. Unless and until this happens the answer has to be no.

Sincerely,

Mike Richter

June 25, 2021

Dear North Elba Planners,

Thank you for your time in helping Lake Placid plan for the future.

I am concerned about the proposal to allow septic systems less than 300 feet from Placid Lake. Our planners were way ahead of the APA, and more than 50 years ago required septic systems be located more than 300 feet back from the lake. I have argued as a commissioner on the APA that new investment in old camps will be good for water quality because these new owners will be able to afford new septic systems. I am eating my own words in my own back yard as new septic systems are failing on Lake Placid.

Our Camp on Buck Island shares a leach field with two other Camps. It is located 500 feet back from the lake, and the owners brought in gravel and small stones in horse drawn sleds over the ice in 1917 to create a 60' by 60' some 16 feet high leach field. Proper treatment can be done, it is just frightfully expensive.

Variances for septic systems on Lake Placid have been rare over the years because water quality remained paramount for our Village drinking water supply, and most of the island and shoreline camps pump their drinking water directly out of the lake. Yet today camp owners are putting in high tech filter systems, and brushing their teeth with seltzer instead of upgrading failing systems. The discussion to allow pre-existing lots that cannot meet the 300 foot setback, permission from the planning office to vary the law is a mistake. We have numerous

failing systems on Lake Placid right now. We have open ceptic pools. We have numerous leach fields that are spongy even in time of drought, like right now. When these systems are failing, at least there is a 300 foot buffer between the systems and the lake. When systems permitted within the 300 foot setback fail, and we know they will, the buffer is obviously less, and even more likely to contaminate our lake. Discussion was made about 300 feet back may be on ledge so the system should be allowed closer. My answer is to truck or barge in sand and gravel like they did in the old days.

Do we want clearings 100 feet back for septic fields, no we want shoreline buffer, put the septic clearings 300 feet back? I can see it now, my leach field is 100 feet back but is not working well, so can I clear more trees to help my septic field dry out. I'll make my leach field look really nice, make it a nice lawn right down to the shoreline. Wait you have an awesome new rule for lawn maintenance, and shoreline buffer...thank you.

Why did lots with less than 300 foot septic setback availability not sell for so long? It is because people did not believe they could get permission to build their septic in the 300 foot buffer. These non-conforming lots should be for camping, solitude, natural reflection, not intensive use. If the owners of these non-conforming lots 20 years ago knew they could have septic systems, they would never have sold them for such paltry amounts.

We have had engineered state of the art septic systems installed on our lake in the past 10 years that are failing. This is in reference to my statement earlier that new systems will fail. Was it because they were not built to spec? Was it the cost of barging in tandem truck loads of gravel? Was it contractors afraid to tell the landowner of the escalating costs? As a planning tool we should require a video of the installation of the septic showing compliance with the engineered plans. And having the camp owner have their engineer tell our Building Dept the septic is installed to spec is crazy. The land owner should pay an independent engineer like the electric dept requires. There are numerous vacation rentals on the lake that are overloading systems, they are not registered rentals, they are renting to friends or referrals. Covid brought owners here for 5 months, the septic systems could handle a couple of weeks per year of use, but could not keep with the demand placed on them last summer. I am all for Camp use for 2-5 months, but not at the expense of poorer water quality, if you want to live here for 2-5 months make sure your septic is up to snuff.

My sister went on the pump out tour last summer. She has pictures of open ceptic pools, squishy leach fields. She has been advised not to publicize them.

This is not a time to lessen regulations. DEC could not keep up with septic inspections, our Code Officers are pushed to the max at present, and to add site inspections to their lists in the summer is a burden that I do not believe they can keep up with.

Sincerely,

Art Lussi

June 28, 2021

Dear North Elba Planners,

Thank you for helping our town to plan for the future, and for taking the time to better educate stakeholders and concerned citizens about your process and your recommendations.

It was evident in last Thursday's information session that there is a disconnect between the planning commission and the lakefront property owners regarding the building code and its regulation of septic systems. If I understood Mr. Dietrich correctly, there is an established procedure to request/receive a variance to install a new septic system within 300 feet of the shoreline. My understanding is that the proposed change to the building code modifies this procedure, changing the gatekeeper for the variance from the ZBA to the planning office.

Judging by the remarks on the zoom session and letters from neighbors submitted to this board, many view this procedural change as a net loosening of the existing regulations. There is a fear that this revision will result in more non-conforming systems being built and that the variance process will become less public and less transparent. It is unclear to me from the discussion thus far whether this is a misconception or a likely outcome of the proposed change. But I do believe that any change to the code that could result in an increase in the number of septic systems operating within 300 feet of the shoreline is a threat to the lake, and as such the possibility of such changes should be carefully considered and widely discussed. Likewise, I believe that an increase in septic variances granted, particularly those which make previously unbuildable lots become buildable, will have long-range detrimental effects to the quality of the water of Placid Lake.

I understand that the commission has limited its scope of the current code revision to procedures and administration rather than focusing on the standards themselves, but the lake community is expressing a strong desire for more stringent septic standards to protect the lake. A timeline for the second piece of the code revision - that of the standards themselves - could help bridge the disconnect.

I also want to weigh in on working hours for construction. I understand that the planning commission is recommending that the hours during which construction is allowed be conformed town-wide. My current understanding is that construction is permitted between the hours of 7:00 AM and 9:00 PM seven days a week in some areas, while the Main Street district has more restrictive hours of 7:00 AM to 7:00 PM and only on weekdays. I feel that conforming the entire town to the Main Street district hours would put undue burden on me and my neighbors in our efforts to upkeep our homes.

For most of my life the majority of our routine maintenance work, which is constant and necessary to keep my nearly 100 year old house standing, has been performed by workers during their off-hours. These people have full time construction jobs and do caretaking for me (and my neighbors) as an additional enterprise during their downtime. As such, much of the small project/repair work happens on Saturdays, while larger projects happen in the off-season when our neighbors, for the most part, are not around to be disturbed. I certainly would prefer that my neighbors have their work done in the off-season when possible and practical, regardless of the time or day of the week, versus during the summertime. I also think that given the short building season, allowing more opportunity to get things done regardless of the season will help everyone finish projects within a more reasonable timeframe. I believe that limiting the work hours - and therefore the people available to do necessary work - to achieve a "standard" across the districts will be detrimental to the overall state of repair of my neighborhood. I think a seasonal component to the regulations for seasonal neighborhoods is a reasonable consideration.

Thank you again for your time and effort in this process.

Best,

Antonia Ness

June 28, 2021

Dear North Elba Committee,

I am writing about the proposal to allow septic systems less than 300 feet from the lake. I have overseen the SOA pump out on the lake for the last 6 years and before that was on the committee and attended the pump out for 3 years. I have seen more failing septic systems that I can count on my hands. I have watched grey water run down hills directly into the lake where people were swimming. I have seen a water tank sitting directly next to a failed and full tank of sewage. There are shared systems on the lake with cracked cement tanks which are leaking into the ground. Old pits dug and sewage being pumped up into them. I can guarantee I have pretty much seen every kind of septic system new and very old. Working well and failing.

However here lies the problem with the removal of the 300-foot set back. Even with a working up to date system, we cannot control nature. With heavy rains and use, these leach fields can become saturated quickly and it does take time for them to dry out. When you locate them too close to water sources if there is any kind of blow out that grey water travels quickly and far. I have been witness to this not in just other people's systems but to my own as well.

We have two side by side properties on the lake and at purchase time had a shared system between four properties. When we discovered our tank had cracked our neighbors and ourselves did the responsible thing and separated and replaced all systems. One of our properties like the one that was granted a permit recently does not have the amount of land to meet the set back. So, we hired a lawyer and granted an easement on our next-door property to allow a septic field and meet the code requirements. A few years later we noticed a blow out on one of our septic fields. I was frantic as the grey water was flowing at a good rate and had it not been for the 300ft set back it would have made its way to a stream and into the lake.

I cannot imagine that the town would in any way want to jeopardize the water quality of its town drinking water or the incredible trout population which we have been told by our Lake Management Plan Team in 50 years from now will be only 1 of 7 Lakes to have a Rainbow Trout.

I understand the problem with purchased properties that do not have enough land or new lots being sold that do not as well. The existing properties should be able to obtain an easement just like utilities do to ensure a safe system.

I will be pumping out on the Lake again this year for two full days sometime in the first two weeks of August. I invite you to come along and witness the reality of situation. It is an eye-opening experience and I promise you once you see the systems for yourself it will become a priority for the town.

Sincerely,

Lendy Barnard

July 7, 2021

To Supervisor Rand, Mayor Devlin, Mr. Dietrich, Ms. Breen, Members of the Board, Council and Committees,

The Town of North Elba/Village of Lake Placid appointed a Land Use Code Steering Committee in 2020 to study and recommend Code updates. On June 24th they held a public meeting to speak about their work and to receive public comment.

On its face it was good government at work. A committee was established, meetings were held, recommendations were drafted and a public meeting was convened. But, we respectfully submit, it wasn't good government at all. We acknowledge that a 'good government' box was checked by virtue of having a meeting but much more is required and expected from those who bear the burden and honor of public service.

Even in a small town and village there are competing interests on a variety of subjects. Some of those competing interests may be driven by political, commercial and environmental differences/interests/priorities, to name a few. This is a fact of life in Lake Placid and in towns across this country. But when so much of the subject matter of what this Committee is considering directly impacts Lake Placid lake, good governance requires at a minimum that those most immediately effected by the recommendations be given an actual seat at the Committee table and be able to fully participate in the fact gathering, internal debate, deliberations and formation of the recommendations coming from the Committee. That did not happen, either by design or inadvertence, but before proceeding further it is imperative that this be remedied.

For local government to be effective it must ensure that the diverse views of the community are openly and honestly aired and considered. The public meeting on June 24th was no substitute for the specificity and transparency required when undertaking such significant changes to the Land Use Code. The community has not seen the specific language of even the Committee's draft proposal and learned that it would not be forthcoming until formally proposed to the Town and Village for a vote. Some revisions proposed by the Committee would actually weaken current regulations. Specifically, current setback for septic systems is 300 feet from the shoreline. The Committee proposes to "allow wastewater systems to be installed less than 300 feet from the shoreline if that distance isn't possible". The explanation made for this change centered around administrative 'efficiency'. This provides little comfort when the safety of the entire community's drinking water is at stake. Why would this Committee even consider changing such a provision in the Code - so the Town can issue approvals more expeditiously? Clearly, there is more to be learned about this and other Committee recommendations.

Boat traffic, tourism, and shoreline development have increased significantly over the past ten years. The Lake is a key driver for this increase in popularity because of its beauty and water quality. It is critical that this very fragile asset be protected into the future.

Current Shoreland Overlay standards are inadequate; enforcement is inconsistent; fines and penalties imposed are insufficient to encourage compliance.

Overuse and misuse of the Lake should be addressed in any revision that affects the health and safety of the Lake. Code revision is a serious undertaking that cannot be rushed and decided in whole or part, out of the public eye. The Committee must listen to the many voices of the Lake Placid community who simply want to protect the Lake.

It is not too late for inclusion and transparency. Stakeholders -- with yearlong access to the shoreline, intimate knowledge of the issues that directly affect the Lake, and experience in writing the regulations to protect the Lake -- must be appointed to the Committee considering Code revision.

Respectfully submitted,

Andrew Bogle

Ann O'Leary

Ashley Kasperzak

Barbara Renninger

Barbara Walden

Beth Edgley

Bruce C. Long

Camilla Jenkins

Caroline Pence

Catherine McGraw

Cathy Sloan

Chappy Cox

Christina Keblusek

Deborah D. Long

Diane Reynolds

Donna Scharfe

Edith Weber

Eve Bogle

Georgia Jones

Horst Weber

Jaideep Khanna

James Richter

Jeffrey Ross Vomrich

Jim Shea

Judy Shea

Kate Fish

Katherine Volmrich

Kathleen Trainor

Kevin Otero

Kristen Scarlett

Laura Trainor

Linda Friedlander

Mark Wilson

Martha O'Leary

Martin Shubert

Mary Shubert

Mike Richter

Molly Hann

Nancy Haneman

Nevton Dunn

Parmelee Tolkan

Patricia Cox

Petra Weber

Randy Scharfe

Robert Hunsicker

Robert Trainor

Samantha Renninger

Sara Jane DeHoff

Scott Renninger

Scotty McGraw

Stuart Hemsley

Teresa Brady

Thomas Jenkins

Thomas Walden, III

Tom Richter

Tyler Eaton

Valerie Ireland

Veronica Richter

June 29, 2021

I just received a copy of Kathy Trainor's letter and want to express to you directly my support for the letter's concerns. Our lake cannot be replaced. There are already concerns about milfoil and overuse. As we can see across the world it is easier to protect vital resources than to try and clean them up after they have been abused. The lake in particular and the Adirondacks in general are seeing a great uptick in use, possibly even overuse. Sadly many of the new owners and visitors do not understand the fragility of the ecosystem and have not been respectful of the environment and regulations already in place. (Note clear cutting out on West Lake).

Furthermore if there is a push to move septic closer to the shoreline perhaps that is a sign that that particular piece of property should not be a candidate for development. I hope that you will take my concerns to heart and listen to the citizens that are asking for a seat at the table and a voice.

Parmelee Tolkan



June 29, 2021

Dear North Elba and Lake Placid Planners,

I write on behalf of the Shore Owners' Association of Lake Placid, an organization dedicated to preserving the natural beauty of Lake Placid. One of our core concerns is maintaining the high water quality of Lake Placid.

At the public hearing of The Land Use Code Revision Committee we were informed that the Committee was not suggesting comprehensive changes to the Land Use Code but rather a small collection of minor adjustments. One of these is apparently to change the septic set back requirements in the Shoreland Overlay District from 300 feet to "300 feet or whatever is possible". The Committee suggested that they do not see this as a substantive change but rather as a change in administrative procedure.

We see it differently and view the proposed change as a material weakening of the regulation of septic systems on Lake Placid. Currently systems with leach fields less than 300 feet from shore can be approved, but that approval is from an independent party with fiduciary obligations to the public. The proposed revision would allow the landowner's engineer to certify that the septic system meet the requirements of "what is possible". Not every lot is suitable for building and this change in regulation evinces an attitude that every lot is developable if what is done is "all that is possible". That attitude undermines the stated goals of the Shoreland Overlay District, which states:

*The waters of Mirror and Placid lakes are critical resources to the community and essential to the local economy. Their pure waters are known for clarity, low nutrients, potability and aesthetics. They enhance the identity and appeal of the community and are a focal point for essential retail and tourism based commerce. Of critical importance is the use of*

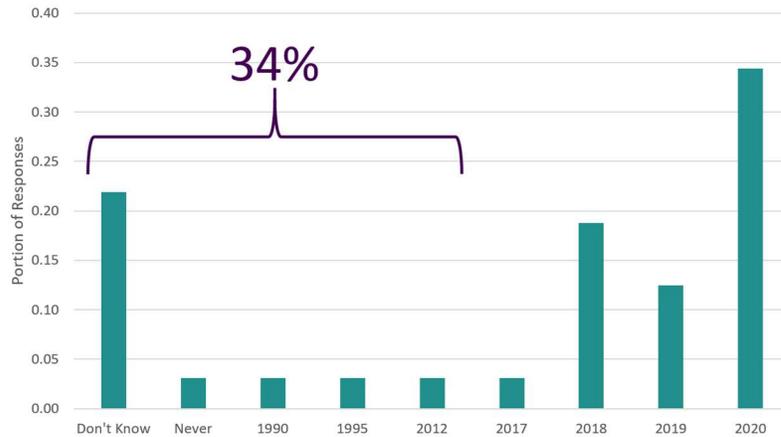
*Placid Lake as a source of municipal drinking water and drinking water for many private residences. In addition, the waters of the lakes offer valuable habitats for fish, wildlife and plants that depend on existing environmental quality and habitat characteristics. The shallow water areas, often in proximity to new development, provide a specialized wildlife habitat important for such ecological functions as spawning areas for fish, feeding areas for waterfowl, sources of invertebrates and plant material in the aquatic food chain. To protect water quality, sustain wildlife habitats, prevent bank erosion, and maintain scenic values, all lands identified on the Town's Shoreland Overlay Map, as well as all properties fully or partially within 100 ft. of the shoreline of any lake, pond or river within the Town or Village, shall address the following standards prior to any permit approval for any land development, including single-family homes, within these areas."*

Now is not the time to weaken our regulations impacting water quality, but rather to strengthen them and increase their enforcement. With our focus on preserving the critical resource of Placid Lake, the SOA commissioned and funded a Lake Management Plan from the Adirondack Watershed Institute of Paul Smith's College and the Ausable River Association. We have received their Interim Report, which we will share with you in the near future.

As part of the Plan, AWI/ARA conducted a survey of top areas of concerns. Septic systems were the third most cited concern after removal of invasive species and water quality (to which it is linked). Approximately 50% of Shore Owner's and 55% of visitors listed septic systems as an area of concern. Additionally, as anyone familiar with our annual Pump-Out program, for which the SOA carries the cost of the barge, there is clear evidence of failing septic systems polluting Lake Placid. Both Lendy Barnard, who organizes the Pump Out program, and Art Lussi, have written to you about this. What I can add is that our records indicate that 34% of lake-access-only Camps have either not been pumped out in the last 5 years or the owner does not know when they were last pumped out and nearly 10% have not been pumped out in the last 25 years.

The distribution of pump out dates is illustrated in the below chart.

## DATE OF LAST SEPTIC PUMP OUT



We do not know what the Land Use Code Revision Committee will recommend, but we oppose any recommendation that will serve to weaken the regulation of septic systems on Lake Placid, including any recommendation that allows for septic systems to be placed within 300 feet of shore based only on the landowner's engineer's attestations. Rather we encourage the Town and Village to support us in our efforts to ensure that septic systems on Lake Placid are designed and maintained so as not to threaten the water quality of the Lake.

Very truly yours,

David W. Bumsted  
President  
The Shore Owners' Association of Lake Placid

RECEIVED  
7/6/21

TO: Town of North Elba and Village of Lake Placid Land Use Code Review Committee

WE THE UNDERSIGNED BRING YOUR ATTENTION TO THE FOLLOWING:

We are against changing the 300' setback for septic fields. We do not want the removal of the review process of variances for septic requirements.

Further, we request that shorefront taxpayers, with yearlong access to the shoreline, knowledge of the issues that directly affect the Lake, and experience in writing standards to protect the Lake, be represented on the Committee.

Further, we request notice be established for all those affected by decisions regarding the Lake, including shorefront residents and organizations concerned with the health of the Lake.

Thank you for your attention to this matter.

Signed,

Patrick McDonald

Haley McDonald

TO: Town of North Elba and Village of Lake Placid Land Use Code Review Committee

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We request that shorefront taxpayers, with yearlong access to the shoreline, knowledge of the issues that directly affect the Lake, and experience in writing standards to protect the Lake, be represented on the Committee.

We request notice by email be sent to all those affected by decisions regarding the Lake, including shorefront residents and organizations concerned with the health of the Lake.

Thank you.

Signed, (online or in person)

A.D. Bissell  
Andrew Bogle  
Ann O'Leary  
Ashley Kasperzak  
Barbara Renninger  
Barbara Walden  
Beth Edgley  
Bruce C. Long  
Camilla Jenkins  
Caroline Pence  
Catherine McGraw  
Cathy Sloan  
Chappy Cox  
Christina Keblusek  
Cree Scudder  
David Bumsted  
Deborah D. Long  
Diane Reynolds  
Donna Scharfe  
Doug Stewart  
Edith Weber  
Ellen McMillin  
Ethan Andrzejewski  
Eve Bogle  
Georgia Jones  
Horst Weber

Jaideep Khanna  
James Richter  
Jeffrey Ross Vomrich  
Jim Shea  
John McMillin  
Joseph Schoonver  
Judith Knecht  
Judy Shea  
Kate Fish  
Katherine Volmrich  
Kathleen Trainor  
Kevin Otero  
Kristen Scarlett  
Laura Trainor  
Lees Divine  
Linda Friedlander  
Mark Wilson  
Martha O'Leary  
Martin Shubert  
Mary Shubert  
Michael Holmes  
Mike Richter  
Mike Takach  
Molly Hann  
Nancy Haneman  
Ned Scudder  
Newton Dunn  
Nicole Andrzejewski  
Parmelee Tolkan  
Patricia Cox  
Patricia Holmes  
Petra Weber  
Randy Scharfe  
Robert Hunsicker  
Robert Trainor  
Samantha Renninger  
Sandy Edgerton Bissel  
Sandy Kaplan  
Sara Jane DeHoff  
Sara Jane DeHoff  
Scott Renninger  
Scotty McGraw  
Susie Divine

Stacy Takach  
Stuart Hemsley  
Susan Andrzejewski  
Susan Gandy  
Teresa Brady  
Thomas Jenkins  
Thomas Walden, III  
Tom Richter  
Tyler Eaton  
Valerie Ireland  
Veronica Richter  
Woodrow Gandy