



KEY DATES:

- Tuesday, May 10: NHDES Drinking Water Source Protection Workshop; Grappone Conference Center, Concord. Info at www.agwt.org.
- Friday, June 24: NH Lakes Congress; Castleton Banquet and Conference Center, Cobbetts Pond, Windham. Info @ 603-226-0299.
- Various Dates and Times: Marine Patrol Boater Safety Education Courses. Info @ 888-254-2125.

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OSSIPEE LAKE REPORT

Volume 10, Issue 2 • April – June 2011

HOW MUCH DOES MILFOIL CONTROL COST? WHO PAYS? WHO SHOULD?

OSSIPEE – Invasive variable milfoil is a permanent problem for the state, and by some measures we're winning the war on it.

New Hampshire has one of the best-organized, best-managed exotic species programs in the nation, with boater awareness campaigns that have nearly flat-lined new infestations, and an ever-growing list of state-sanctioned control methods ranging from suction harvesting to chemical treatments.

But by one measure we're not only losing the milfoil war, we don't yet have a credible battle plan. More than 40 years after the indestructible weed was found in state waters, and five years after a UNH/Antioch study

warned that it poses a significant economic and recreational threat, New Hampshire still lacks a permanent funding plan for milfoil control.

Instead, funding remains an ad hoc process relying on a chancy patchwork of public and private initiatives, many of which require annual approval by voters. Worse, each year more of the cost of milfoil control is shifted from Concord to towns like Freedom, Ossipee and Effingham – towns already struggling to make ends meet.

How did local lake communities like ours end up being financially responsible for removing milfoil from state-owned lakes? What is the true cost of milfoil control

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When the ice sheet moved offshore, it created an irresistible opportunity for a very early spring swim. Thanks to Freedom resident Ingrid Carlson-Dewitt for this timeless photo from her lake scrapbook.

A SMOOTH TRANSITION TO CONDO STATUS FOR LAKEFRONT LANDING MARINA

By Larissa Mulkern

OSSIPEE — Why rent when you can buy a lifetime of vacation heaven? Ossipee residents Mike and Lois Sweeney had rented a boat slip and dock from Lakefront Landing Marina and Campground on Ossipee Lake for the past six years. But when the boat slips and campsites were recently condominiumized, they jumped at the chance to purchase his little slice of Ossipee Lake.

"What brings us back year after year is it's

one of the nicest locations there is," Mike said. "When you come out of the marina onto the lake you're surrounded by mountains. It's beautiful. And no matter where you are, there's great fishing," he added.

The Sweeneys were among the first regulars to purchase a boat slip and dock condominium unit. They already own a home ten minutes away from the lake, but if they didn't, Mike says he would have bought a campsite, too.

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LAKEFRONT LANDING NOW CONDOMINIUMIZED

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"To me, it was just a good, sound investment." He says the \$30,000 investment in a lakefront dock is a great selling point if he ever does put his home up for sale.

"Once you buy a boat, you may as well give it away for free, but a dock will be a very good, positive selling point on this house."

Lakefront Landing Marina and Campground owner Wayne Killam purchased the business in October 2005 after retiring from the collision repair business. He and his wife Nancy had rented there in the past, when it was known as Lord's Landing.

"What I saw was a diamond in the rough," he said. "It's a beautiful location." After he bought the campground, he spent the next three years upgrading the grounds and docks, the convenience store, and the campsites.

"There are more boats on Ossipee Lake than there are slips or rentals, so I could see the potential there," he said. The Lakefront Landing Convenience store offers a place to buy soft serve ice cream, gasoline for those boat rides, beverages and other items.

Lakefront Landing had a faithful clientele. "Seven campers have been coming here for 25 years. I added five people and they stayed. We had a full campground."

What Killam found, however, was that he was spending more time working at the campground than enjoying the lake and his family. As enjoyable as mingling with his clientele and his chores may have been, Killam said he was working seven days a week from May 12 to October 15. "It was tough," he said.

When local developer Larry Spellman approached him about a potential condominium project at Lakefront Landing a couple of years ago, the timing was right.

"He said 'I have an idea that would work for both of us. I'm a developer – there have never been docks sold on the lake. Why don't we work together,'" said Killam.

Spellman had successfully developed and

condominiumized Camp Weetamoe in 2006, where he now lives and serves as president of the condo association. Over the years, he's owned real estate and rental property. Eventually, he got into the condominium conversion type of subdividing primarily because it was less invasive and costly than traditional development of raw land.

"It's not as invasive as land blasting for a new road," he said. "There's a pre-existing situation. We're really just changing the form of ownership," said Spellman.

Spellman and Killam soon formed a team of experts for the Lakefront Landing Project that included Engineer Jim Rines, president of White Mountain Survey Company, Inc., of Ossipee, and Attorney Randy Walker of Walker & Varney law firm in Wolfeboro. "We used the best of the best," said Killam.

"The four of us literally got into the car, went to Concord and explained [to NH DES] what we wanted to do. The whole key was we didn't want to over-

develop – we just wanted to be able to sell those 44 slips," said Killam. The site was also approved for the 12 campsites and the main owner's cottage near the convenience store.

Killam said the process overall went very smoothly. "Once the state gave us their stamp of approval, we went back to the town," said Killam. "The town officials were very good. They listened to us. Looked at our plans," he said.

The town approved the plan once it was understood the sites would not be expanded. "We said 'fine,' we don't want to build any new buildings," he said. Under the new agreement, Spellman will run the marina dock rentals and the convenience store and Killam will run the campground during the season.

The 410 Rule Hoop

It was Rines who dealt with the NH Department of Environmental Services on the lake level issue currently being discussed by the



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LAKE REPS TO FOCUS ON MILFOIL COSTS

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around the state? Who is paying and who isn't? And what are our elected officials doing to create a credible plan for the long-term?

These are among the questions that will be discussed at Ossipee Lake Alliance's biennial Lake Representatives Forum in June at Freedom's Calumet Conference Center.

The focal point of the event will be a presentation of the results of a study that the Alliance commissioned to quantify milfoil control spending in the state - a study Alliance Executive Director David Smith says is long overdue.

"We know that each year far more milfoil control money is requested from the state than is available. But we don't know how the affected lake communities are making up the difference or even if they are," Smith said.

"We think the research study will help elected officials understand the full dimensions of the problem."

Alliance Board Member Bob Reynolds, who is managing the milfoil study, said the cost to control milfoil in the Ossipee Lake system has surpassed \$160,000 with the state paying less than 15% of the total. Town milfoil funds and local contributions have paid the rest.

Moreover, Reynolds said the state's percentage could go lower, noting that Hollis Republican State Representative Dick Drisko last November sponsored a bill that would have enabled municipalities to impose a direct fee on shore-front property owners to create a fund dedicated to controlling milfoil on public lakes.

"That bill failed," Reynolds said, "but that doesn't mean the idea is dead."

The Lake Representatives Forum is an event for representatives of the lake's property owner associations and businesses, state and local elected officials, and representatives from other lake associations around the state. For more information, contact Susan Marks at smarks@ossipeelake.org.

MARINA AND CAMPGROUND NOW CONDO UNITS

Continued from previous page

state Legislature. The Lakefront Landing conversion project was ground-breaking in that it served as a perfect example of how the state's claim of ownership of shorefront to the 410-foot elevation rule could be problematic.

"The issue here was that some of the campsites were below the 410-foot elevation, but above the elevation of 407.25 feet. The state claims ownership to the 410 foot level, so the issue is you have these campsites physically on the ground and can enjoy them year round; Larry and Wayne have a deed to them, but the state claims ownership.

Larry couldn't convey what he didn't own," said Rines. "If you followed it, the 410-foot contour line came way up into the property," affecting three or four of the campsites.

The state agreed to drop the reference line back to the 407.25 feet, per Rines' suggestion. As for the dock condominiums, because the docks are on waters owned by the state, a person can't buy the dock itself but can purchase a deed on the mailbox that goes to the dock and slip.

"Because that portion is on lake, you can get a title to that and there is a right assigned to the mailbox to use a slip," he explained.

Selling points

Imagine not having to mow the lawn or otherwise maintain a lakefront vacation spot. Spell-

man said the advantages of owning a condominium include the free time an owner gains by leaving the work to someone else.

"You own, but you don't have the maintenance work. All amenities are there, but you don't worry about cutting grass," he said.

The campsite condos require a \$400 annual association fee that includes maintenance to the common areas. The association fee for the dock is \$200 a year, which includes getting the docks in and out for the season.

All the campsites have water, electric and underground high-speed Broadband cable access. Killam said the sites don't have traditional telephone lines, but who uses land lines on vacation anymore?

The sites range in size and price, starting from \$49,900 to \$69,999 for the site closest to the lake. The boat slips range in price from \$19,900 to \$34,900.

Killam said currently there are three sites with separate campers on them already that the existing owners would like to sell. The least expensive unit is \$7,500, and there is also a larger, newer unit for \$18,000.

Killam said he's already received a favorable response - and potential buyers - at two RV and camping shows he's attended recently.

"It's a nice project," said Rines. "It gives people an opportunity to own affordable access to the lake."

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Hello Susan,

Thank you for your thank you note for our contribution. I have had an Ossipee Lake connection since I was about five years old. We lived in Massachusetts and spent every weekend and every summer on Green Mountain road where my aunt lives today. We spent every day either swimming, boating or fishing on the lake.

I now live in New Jersey but travel often to the lake where I have rented

the same home for more than thirty years. My children have all grown up vacationing both summer and winter. We are on the no wake area between Broad and Leavitt Bay. Now that my



children have grown and we have grandchildren we all travel back to the lake each June for several weeks together. My wife and I can be seen riding around the lake area in our microcar, a blue 1960 Isetta.

I wish we were closer to the lake. We have come close to buying on the lake several times, but having several businesses it is hard to own a home anywhere but here in New Jersey. I am very happy though to know that there is an organization that is dedicated to preserving the lake so that my children and now their children can enjoy what Ossipee Lake has offered to me and to the generations before me.

Again, thank you for your note. It would be nice to meet some of the people who are involved in this group at some point.

Jim Dietterich



IN SPRING, THE COMMON YELLOWTHROAT

Editor's Note: The following article originally appeared in the Country Ecology column of the Conway Daily Sun and is reprinted with the author's kind permission.

By David Eastman

TAMWORTH — If you are out enjoying a nature walk or paddle this spring, perhaps in one of our local wetland preserves leading into the lake or owned by NH Audubon - such as the Hoyt Sanctuary in Eaton, or the Lovejoy along Route 16 in Albany - you may encounter the common yellowthroat.

This small warbler is quite stunning to see at first, because its raccoon-like mask makes the male bird look like a little bandit. He skulks along, just above the water's

edge, sulking that you have intruded into his wetland habitat.

Common yellowthroats are quite curious, and will appear and reappear from the margins of their boggy retreats, especially if you make a "pishing" sound with your lips kissing the back area of your thumb.

Restlessly investigating your presence, they move wren-like, darting about like a feathered mouse through the low tangle of reeds and cattails in the marsh.

This is one of the most abundant warblers, and your patience will be rewarded, if you play the game and outlast the impatience of the tiny, bright-eyed bird with its evasive qualities and disdain for our presence!

Male yellowthroats hold their tails up like wrens do, and scold vigorously all the while you are held spellbound—by the lemon-yellow coloration of his throat, which contrasts with the broad black mask over the little black eyes sparkling with excitement.

At the top of the head is a subtle bluish-white band to complete the bird's startling plumage, before shading to olive-brown upperparts on the back and wings. Their plumage characteristics commonly make for great bird photographs in this digital age!

The females have no such mask, and are zealously incubating the eggs in a bulky nest, only a foot or so over wet ground - somewhere out

there in the undergrowth before you. She will leave her nest unobtrusively, and perform no distraction display when she does.

Common yellowthroats are actually very numerous, but if you are not walking about in their wet, swampy terrain at the edges of brooks, marshes, or meadows, you may not see this fugitive creeping from shadow to leaf.

This bird may be maddeningly difficult to see, frustrating even the most patient birdwatcher. But they are there - for the call of the yellowthroat is heard more often than the bird is seen. Common yellowthroats make "Witchity-witchity-wich" rollicking calls, and although no two sound exactly alike, it is one of the easiest birdcalls to learn.



The rhythmic trill varies slightly from bird to bird, but it also seems that no two ornithologists have described the emphatic song the same way, either. Some say it calls, "I beseech you, I beseech you," or "What-cha-see, what-cha-see, what-cha-see."

You can decide for yourself a good phonetic description after personally hearing the yellowthroat's call. Then you will recognize this bird's presence when near any wetland habitat it is thriving in.

This industrious, tiny, yellowish warbler needs only about an acre for nesting territory, where it feeds its young dependents spiders, grasshoppers, and caterpillars of all types - including the gypsy moth - and eats grubs, plant lice, beetles, and more to feed voracious appetites. A very useful bandit, after all.

Do you have low-lying open land that is wet? Along with preserving the nesting habitat of intriguing species like the common yellowthroat and indigo bunting - which is the most northerly of all the beautiful buntings - you should permit wetland brush and plants to grow in a rough pasture's low areas for another good reason.

These native forage shrubs will filter out the nutrients from any animal manure seeping into a water course. Allowing dense thickets to grow within this drainage area not only

"Common yellowthroats are quite curious and will appear and reappear from the margins of boggy retreats."

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SPRING AND YOUR SEPTIC SYSTEM

Editor's Note: The following article is courtesy of the New Hampshire Lakes Association and appeared in the February issue of their Shorelines publication.

CONCORD — Welcomed signs of spring are all around us—birds are singing, snow banks are shrinking, and 'ice-out' guessing contests have sprung up across the state. Another sure sign for many of us that spring has arrived is the 'bald-spot' in the snow cover has appeared in our yard—right over where the septic tank is located.

Sometimes, spring rainstorms bring way too much water way too fast - more than the still partially-frozen ground can absorb and the swollen streams and rivers can safely carry away. Combined with runoff water from melting snow, floods can occur that can cause major headaches for people in homes with household wastewater treatment systems.

A traditional household septic system has two main parts - a septic tank and a drainage field (commonly referred to as a 'leach field'). A septic tank holds approximately two days worth of household wastewater and it traps solids. A leach field receives the partially-treated septic tank effluent and discharges the effluent below the surface of the ground into the soil where it is further broken-down and treated by natural processes.

Proper and efficient leach field performance relies on the soil's ability to treat and disperse wastewater. Under 'normal' conditions, the soil is relatively dry and contains oxygen, allowing it to effectively treat wastewater by

removing disease-causing bacteria and other contaminants. Throughout winter, the normal use of water in a house keeps the soil around the septic tank and leach field from freezing and allows the system to function properly.

When the area above or surrounding the leach field becomes waterlogged, the soil becomes waterlogged and oxygen is not available to breakdown the waste. This causes the septic system to malfunction. As a result, contaminants and pathogens pollute the groundwater and nearby lakes and rivers. In addition, the septic tank fills up with water, which can cause the wastewater to back up into the house—this is the effect that can cause serious headaches for homeowners and their families.

The New Hampshire Department of Environmental Services recommends that you know the location of your septic tank and leaching area. Inspect your tank yearly and have the tank pumped as needed and at least every three years. Don't flush bulky items such as disposable diapers or sanitary pads into your system, and don't flush toxic materials such as paint thinner, pesticides, or chlorine.

Repair leaking fixtures promptly, and be conservative with your water use and use water-reducing fixtures wherever possible.

To learn more about septic systems, visit the New Hampshire Department of Environmental Services' website at des.nh.gov/organization/divisions/water/ssb/index.htm. This article was adapted from the Summer 2006 issue of Pipeline, a publication of the National Environmental Services Center.

FOSTERING A HABITAT FOR YELLOWTHROATS

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sets up some minor wetland habitat for open-space birds that utilize this cover specifically, it also cleans up the water eventually reaching a nearby lake or pond.

Nutrients must be screened out of all streams draining a watershed, or they will fertilize the larger water body. Phosphorous concentrations, even in minute amounts, lead to algae blooms in a lake and speed up eutrophication. That's "aging of the lake," in layman's terms, and means decreasing water clarity for recreational use.

It's important to consider nutrient flow in the watershed either going into plant tissue of land plants, or into aquatic botany.

So, think about that brushy slough being somewhat like hydro-ponic gardening--and let it be nesting habitat for yellow-throats,

indigo buntings, and many other songbirds that utilize such strips.

And, don't forget, a lot of that shrubbery will provide good, plentiful food in later months, creating beneficial soft mast for the migrating birds. It may also be the only wetland cover you'll ever have on the land.

Keep cutting out the hardwood tree species that will eventually appear, to keep the patch at reasonable heights to the eye, and which allows these berry-producing shrubs to fully take over.

In addition to writing for the Conway Daily Sun, Dave Eastman broadcasts "Country Ecology" four times weekly on WMWV, 93.5 FM. For consultation, additional information, and to purchase his writings., visit his website at www.countryecology.com. Illustration © Lana Hays.

REVISITING THE COMPREHENSIVE SHORELAND PROTECTION ACT

By David Packard

CONCORD — It was a great idea with an unfortunate name. The Comprehensive Shoreland Protection Act (CSPA) was a means for the State to protect New Hampshire's water resources. But it was given a name that suggested to everyone — especially fans of big government, environmentalists, and property owners — that the Act would mandate how waterfront property owners could use their own lands. To some extent it did exactly that.

But the CSPA had a very specific purpose and it wasn't to make people resent the intrusion of NH government into the enjoyment of their lakeside homes and yards. The laudable goal was to maintain the quality of our lakes and ponds through shoreland conservation. If water quality becomes degraded, then property values decline and the recreational and ecological value of a lake or pond is compromised.

New Hampshire contains over 900 bodies of water that are ten acres and larger. You may have learned in a long ago civics class that the State of New Hampshire owns those lakes and ponds along with the "land" beneath the water up to the high water mark. But the State can not gate all these water bodies and prevent their use.

To the contrary, our State holds them in trust for use by the public while permitting all reasonable uses for the benefit of both the shorefront property owner and the public at large. Shorefront property owners are accorded certain privileges such as the privilege to "wharf out" over the public water, or to have a swim raft or a mooring.

We all recognize the public's recreational enjoyment of NH waters is important for both personal and economic reasons. However, the most critical consideration is that more than half of our residents rely on surface waters for their drinking water. The State recognizes that certain uses of the shoreland can impair that water quality and are prohibited.

The CSPA was enacted in 1991 to protect water quality by setting minimum standards and requirements for the development, use and subdivision of waterfront land. The intent of the CSPA was to prevent soil and other pollutants from entering a lake or pond, thereby protecting water quality.

Soil, pollutants such as fertilizers, and the unintended discharge from faulty septic systems provide nutrients to a lake that decrease water clarity, quality, and also increase plant and algae growth. These in turn degrade the ecological, recreational, aesthetic and economic value

of our public waters. A natural, vegetated buffer zone adjacent to the water consisting of trees, shrubs and ground cover — not just lawns — is the single most effective strategy in preventing surface run-off from rains or melting snow.

Rules require that dwellings be set back fifty feet from the waterline and that the amount of impervious surfaces — building roofs, driveways, walkways, patios and the like can be no more than 20% of the property's area. However, allowances are made if the property owner adds runoff protections.

These are reasonable constraints to maximize the amount of ground available to absorb rainwater which prevents runoff into the lake. Unfortunately, this rule favors large properties where greater expanses of land are available to remain in an undeveloped state. Owners with small lots have limited options.

While some may consider the CSPA an unnecessary burden on shorefront property owners due to its regulations and restrictions, it is important to remember that the CSPA has been the only statute that protects this vital natural resource for both the waterfront property owner and the general public.

It was intended to balance "best practices" with the rights of property owners. On one hand there were significant new restrictions such as limiting the cutting of vegetation, but the Act also grandfathered all existing structures and developments of waterfront properties.

Clean water is the most precious resource that our citizens possess. This becomes ever more important as our population grows. Once a water body degrades and becomes choked with vegetation it requires tremendous resources to bring it back.

It has been 20 years since the original Act and the time has come to review the original aspects of the CSPA to determine what has worked well and consider changes to those requirements that have either failed to protect our natural resources or created unintended burdens on homeowners. The concept behind the CSPA is simply stewardship of the shorelands by private property owners to preserve our lakes for everyone.

The Legislature must reformulate the CSPA into the Comprehensive Water Quality Protection Act that continues the mission of improving and sustaining New Hampshire's lakes and rivers.

David Packard is a Board Member of the N.H. Lakes Association.



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- Spring's Common Yellowthroat
- Revisiting the Shoreland Protection Act

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