

*The following article is written by Larissa Mulkern and is reprinted from the January 28, 2010 issue of the Carroll County Independent.*

OSSIPEE — State officials by all accounts are amenable to revising the mean high water mark for Ossipee Lake property owners, according to Select board member Harry Merrow and State Rep. Mark McConkey (R-Freedom).

Updating the public at Monday's board of selectmen meeting, Merrow said he and McConkey were headed to Concord this week to follow up on a situation that has land ownership implications for shorefront homeowners.

Last month, the Ossipee Lake Alliance facilitated a meeting with top state officials including Rene Pelletier of the Department of Environmental Services, the Attorney General's office, and select board members from bordering towns.

Back in the 1930s, the high water mark for Ossipee Lake was set at 410 feet. The state owns the lakes and the land under it. For homeowners like Bob Reynolds of the Ossipee Lake Alliance, this number presents a problem – his entire property is under the 410-foot mark.

The select board did vote unanimously to support the change in high water mark to 407 feet. "I believe we can get it with the towns' consensus," said Merrow.

In his presentation, Merrow affirmed that the Ossipee board believes the mark should be revised to 407 feet for a number of reasons, including: The height of Ossipee Lake is regulated by a dam. The natural high water mark elevation should be the high water elevation before the dam was constructed.

[Also] The original dam was built in the 1800s and it was probably impossible to determine the elevation at that point in time. A 1937 plan of Ossipee Lake shows a gauge elevation at 401.84 feet at what appears to be the bottom of the dam and a bolt just upstream of the dam at 407.03 feet.

The height of the lake over the years has occurred by increasing the water levels in the lake by regulating the dam. (Merrow provides a copy of a 1774 map of the layout of the town noting the size of the lake and bays – the current water level is much higher.)

Current lake levels are kept much higher than they were in the 1950s and 1960s.

McConkey said he first became aware of the problems of the 410-foot mark when he was working as a septic system designer several years ago. Many homeowners were building systems that were technically beneath the high water mark and under the lake.

He said other companies like Land Tech and White Mountain Survey encountered similar situations with homeowners.

"I started investigating what could be done," he said, adding that the Ossipee Lake Alliance became involved and gathered the state officials for last month's productive meeting.

"The state realizes it's an issue," he said. "If you own the property and the buildings and existing walkways (within the shoreline protection rules) you are not permitted to do anything," he said. McConkey said he believed that the Legislature might be able to revise the high water mark this year.

"It's been agreed ... that 410 is the wrong elevation. The 407 foot range is a reasonable place to start," he said.