

**Barrington Conservation Commission**  
**May 12, 2022 7:00 p.m.**  
**IN PERSON LOCATION: Early Childhood Learning Center**  
**77 Ramsdell Lane**  
**Barrington, NH 03825**

**Or Join Zoom Meeting**

<https://us02web.zoom.us/j/82617447874?pwd=U2dSQVVFTUo5MWZ5eU1welZrNkhQZz09>

Meeting ID: 826 1744 7874

Passcode: 392343

One tap mobile

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**MEMBERS PRESENT**

Ken Grossman, Chairman  
Doug Bogen, Vice Chair  
Jack Gale, Treasurer  
Dan Cassidy  
Rob Gibson, Selectboard liaison  
Gary Imbrie, alternate (via zoom)

**ABSENT**

Charlie Tatham, alternate  
Anne Melvin, alternate  
Scott Heron, alternate  
Jenny Stuart

**Call to order** Barrington Conservation Commission (BCC) Chair Ken Grossman called the meeting of May 12, 2022 to order at 7:04.

**Delegation of voting members** Chair Ken Grossman confirmed the presence of members as above, with Gary serving as a voting member.

**Approval of the April 28, 2022 minutes** Approval of the April 28, 2022 minutes has been postponed to the next meeting.

**Treasurer's Report** (Jack Gale)

Previous balance	\$162,909.25
Interest, 30 Apr 22+	\$ 12.80
Additional LUCT	+\$25125.00
<u>Paid : Sharpe Works</u>	<u>- \$145.40</u>
Current balance.	\$187,901.65

**NEW BUSINESS/OLD BUSINESS**

- **Ayer's Lake Final Draft proposal (Dan)** In order to make a motion, Ken stepped down as Chair and Doug Bogen served as acting Chair. **Ken made a motion that the CC support the Ayers Lake Association proposal to preserve and protect the natural resources on Ayers Lake and to communicate the decision to the SB. Jack Gale seconded the motion, which passed unanimously by a roll call vote of four (4) to zero (0), with Dan recusing himself. Imbrie – yes, Grossman – yes, Bogen – yes, Gale – yes.** Ken remarked on the research and work that went into the proposal and stated that it addresses the issues. Doug turned the Chair back to Ken. Ken will send a letter in support of the proposal to the SB. (See proposal below).
- **Clarification of criteria for conserving special places** (Jack) The discussion on criteria will continue at future meetings.  
Potential BCC conservation priorities
  - 1.Lands within or adjacent to the five priority regions on our co-occurrence map. (co-occurrence defn)
  - 2.Lands that protect wetlands and the nature they encompass would be given priority.
  - 3.Lands adjacent to current conserved lands to provide a larger opportunity for more species (animal corridors) and or expand public use of the lands (i.e. trails). Defn: animal corridors
  - 4.Properties with infrastructure present requiring significant stewardship costs will be evaluated closely.
  - 5.Help conservation-minded citizens find a willing partner with the town or other conservation bodies to help preserve their land for future generations.
  - 6.Working with other conservation organizations to expand conserved lands for many species by connecting “corridors” for their use.
  - 7.Conserving lands to ensure water quality, flood control, etc.
  - 8.Conserve lands to improve our town’s resilience to extreme weather and climate change.
  - 9.There would be priority given to lands with public access for recreational activities.
- **Richardson Dam Stakeholders** (Dan) Dan shared the latest plans for the dam reconstruction and noted that the projected cost is higher than the original estimate. Ken brought up the potential for multiple sources of funding.
- **Lands Committee Updates – Homestead project** Rob shared that the SB voted to accept option 3 (parcel goes to auction) as presented by the Lands Committee, but conditions (removal of camps, boats, and rock pile) were added. Also discussed was Lot 248.3 (22 Acres off Union Lake Road), a land-locked town owned parcel which potentially could be joined to the Town Forest.
- **Monitoring** Dan inquired about the procedure for granting permission on easements for a landowner to clear blowdown. Paul Doucette (Liberty Lane) had called Dan asking if the clearing was permitted. Members agreed that this is allowed, but it would be a good idea to have the landowner get in touch with the CC prior to the work. Gary, Dan, and Jack monitored Tubocam.
- **Intent to cut** Lot 235.11 It appears that this cutting has taken place.
- **Trails committee** Jack showed the logo which the Trails Committee has chosen for the Barrington Trails, and CC members gave their approval. Jack shared plans for a Barrington trail trekker program which would allow trail users to share pictures of trails hiked and work toward a trekker certificate/patch. The possibility of trails teeshirts which could go on sale to the public was also mentioned.

## **CASES BEFORE THE PLANNING BOARD**

No new cases

## **Public Concerns**

ANY OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE COMMISSION

## **COMMITTEE REPORTS**

A. Lands Committee, Trails Committee, Lake Associations

B. Isinglass River, Oyster River and Lamprey River Local Advisory Committees.

Gary stated that the Isinglass River Committee is asking the DES ISF River Prioritization Program to give the Isinglass River a priority listing due to the proposed work on Round Pond.

**Sightings:** The birds are back. Sighted were flickers, broad-winged hawks, blue-headed vireos, a ruby-crowned kinglet, a palm warbler, a towhee, orioles, and hummingbirds. Also making an appearance was a snapping turtle.

The meeting was adjourned at 8:48.

Respectfully submitted,  
Pat Lenzi

Proposal to address environmental issues along Daniel Cater Road in Barrington, New Hampshire

Overview: Daniel Cater Road, if proposed today, would never be built. Environmental concerns and permitting would not allow it. However, the reality is that it exists and the reasons why it would not have been built are now manifest. The Ayers Lake community is petitioning the Barrington Conservation Commission to assist us in urging the leadership of the Town of Barrington to take action.

We are primarily driven to be good stewards of the lake and, whenever possible, attempt to preserve its high-quality water and abundant wildlife. We recognize and treasure that this is a community resource for boating, fishing, swimming, and other recreational activities. We are very aware that if the quality of the water is degraded by pollution or invasive species, then nearly ALL of these activities will largely cease or, at least, their enjoyment will be degraded. The degradation of the lake's water clarity and quality would also adversely affect the property values of the lakeside and adjacent homes, which would result in a significant reduction in property tax revenue.

Issues:

Daniel Cater Road is approximately ½ mile long. It is unpaved, and at no point is its width equal to other heavily trafficked roads in Barrington. The road has several sharp and blind corners where the lake is immediately adjacent (less than 4 feet) and homes/hillside on the opposite side. The road frequently shows heavy erosion and it is not uncommon for cars to be 'skidded' around corners. The runoff from this road affects the quality of the water as noted by high levels of chloride ions in our three times each summer, annual water testing. While there are certainly other sources for this contamination, the road's extremely close proximity to the water makes the road one undeniable source of contamination. Additionally, portions of the road at Pond Hill Road are in need of drainage repair. For example, a collapsing headwall in the culvert that drains downslope Pond Hill Road at the intersection that crosses Daniel Cater Road flows directly into the brook that feeds Ayers Lake. Drainage ditches along Pond Hill Rd drain directly into Little Long Pond and carry eroded dirt from the ditches during heavy rain. Another informal carry-in launch at Little Long Pond on Pond Hill Road is eroding directly into the same brook that feeds Ayers Lake.

Sections of Daniel Cater Road directly on the shore of Ayers Lake have minimal vegetative buffers.

There is a portion of the road, where the Camp Fireside property ends and the town property begins, that is used as a boat launch. At no time, ever, has this been designated as an official access to the lake. In fact, it is little more than an eroded part of the road that is sporadically maintained. Issues include:

Any precipitation that falls on the road is diverted by the erosion DIRECTLY into the lake, carrying all the sediments, de-icing salt, and pollution left by travelers on the road. During the summer of 2021, Ayers Lake experienced its first recorded cyanobacteria blooms. Gravel road erosion is a potential source of phosphates and other pollutants. Following is a quote from NH Lakes.org Director Andrea LaMoreaux; **"Polluted runoff water: The access site slopes from the dirt road toward the lake. Several observations indicate the access site funnels runoff water polluted with sediment and dirt into the lake. Sand and dirt washed into lakes smothers critical wildlife habitat areas, contributes to bottom "muck" which may favor the growth of invasive plants, and carries in phosphorus, the nutrient that can fuel excessive plant and algal growth and cyanobacteria growth that may be toxic to humans and wildlife."**

This access is extremely tight and, to use it, a vehicle and trailer must completely obstruct all vehicular traffic including emergency vehicles. This blockage occurs several times a day during the non-frozen months.

There is currently NO mechanism to examine boats prior to launch and even to drain contaminated bilge water to a safe place. This puts the lake in extreme peril as it is a shallow and generally warm lake. Invasive species in New Hampshire lakes are increasingly common (the New Hampshire Department of Environmental Services currently counts 71 New Hampshire lakes infested with variable milfoil, for example). With an un-monitored boat launch that is not constructed to state standards, the introduction of invasive species such as variable milfoil is a matter of when, not if. Many of the communities in New Hampshire dealing with variable milfoil and other invasive species are spending tens of thousands of dollars annually to keep the invasive

species under control. Eradicating them completely is next to impossible. Once a lake is contaminated, wildlife, recreation, and property values are severely impacted – permanently. For more information, see <https://www.des.nh.gov/home-and-recreation/boating-and-fishing/invasive-species>.

Directly adjacent to this washed-out section of the road, Camp Fireside has their beach with children playing in the immediate area of the launch point. Power boats transiting the launch must cross the area used by swimmers. The dangers are obvious. The area opposite to this launch point is made up of wetlands. There is no space to safely park or turn around vehicles.

Although the boat launch on Daniel Cater Road is not subject to RSA 233-A or the rules promulgated thereunder by Fish and Game because the boat launch is not owned or controlled by the State, the laws applicable to State-controlled boat launches illustrate the inadequacy of the boat launch on Daniel Cater Road. For example, under Fis 1603.01,

A public boat access area, or any portion thereof, shall be temporarily closed or restricted to use if the executive director or his or her designee finds such action reasonably necessary to: (1) Construct, install, replace, repair, or maintain the physical capital improvements of the public boat access area; (2) Protect against a specific risk to public health or safety; (3) Reduce actual or threatened vandalism; or (4) Protect the natural and historical resources, or other features of the public boat access area.

[and]

If the public boat access area is filled to capacity, the area shall be closed to entry by additional vehicles and trailers for parking until such time as additional parking is available.

Pursuant to this rule, if this were a State-controlled boat launch, it would be closed until such measures are taken to protect the public health and safety and water quality, and the parking area would be found to be inadequate. Best practices for the stewardship of the lake would be to treat the Daniel Cater Road boat launch in accordance with DES guidance and in accordance with how Fish and Game treats State-controlled boat launches under RSA 233-A and the administrative rules promulgated under that statute.

Solutions:

We offer these opportunities to address these problems aware that some may encounter some level of resistance. Again, the priority must be to protect the lake and adapt our activities to accommodate that protection.

- A. Repair the road at the launch so that water flows AWAY from the lake. This would include the repair of the banking, including the rocky slope used as a boat launch, such that it is stable and not prone to wash outs.
- B. Take steps to ensure that the repaired launch area doesn't become immediately eroded due to continuing boater access.
- C. In the event the access does become eroded, the launch should be restricted to carry in water craft only. (RSA 271:20-a does not prevent the town from restricting access. This statute is merely a definition of "public access." Also, its plain language states that it applies to legal passage over "land owned or controlled by a state agency." The launch on Daniel Cater Road is not owned by a state agency.)
- D. Install ditch rock weirs or rip rap to reduce run-off velocity on the roadsides of Pond Hill Road.
- E. Stabilize the roadside at the carry-in access at Little Long Pond.
- F. Repair the culvert that crosses Daniel Cater Rd at Pond Hill Rd.
- G. Preserve and re-establish vegetation along Daniel Cater Rd along the shore of Ayers Lake.

Summary, we believe that this proposal is in the best long-term interest of everyone in town. The lake residents are doing what we know to do to help preserve this treasure but we need leadership in the town to move forward. We stand ready to assist in any way that we can.

Signed,

Peter Cruz, President, Ayers Lake Association