

**TOWN OF WOLFEBORO  
CONSERVATION COMMISSION  
May 18, 2020  
APPROVED MINUTES**

**Members Present:** Roll call: Lenore Clark – yes (acknowledged there is no one present with her), Chairman, Dan Coons – yes (acknowledged there is a person present with him), Vice-Chairman, – yes , Art Slocum – yes (acknowledged there is no one present with him), Brian Gifford – yes (acknowledged there is no one present with him), Jeff Marchand – yes (acknowledged there is no one present with him), Warren Muir – yes (acknowledged there is a person present with him), Members, Nancy Byrd – yes (acknowledged there is no one present with her), Alternate.

**Members Absent:** Dave Senecal, Selectmen’s Representative, Ed Roundy, Member, Sarah Silk, Alternate.

**Staff Present:** Lee Ann Hendrickson, Administrative Secretary.

*Chairman Clark opened the virtual meeting at 11:04 AM.*

*Chairman Clark appointed Nancy Byrd, Alternate, to sit in for Ed Roundy, Member.*

Brian Gifford noted that he has been re-appointed to the Commission however, has not yet been sworn in and therefore, cannot vote.

**I. Discussion Items**

**a. Sewall Woods Easement; Executory Interest**

Lenore Clark stated the Commission has been asked by the Wolfeboro Cross Country Ski Association to be the Executory Interest Holder of the Sewall Woods Easement.

Warren Muir asked if the easement deed defines the size of the building and the purpose of such. He questioned future liability relative to the Town and Conservation Commission assuming responsibility if the Association were to dissolve.

Nancy Byrd requested clarification as to the meaning of executory interest.

Lenore Clark replied that if the Association were to dissolve the Commission would then take over all responsibility of the easement.

Jeff Marchand asked if the land and the building are both included in the easement deed or if there are two easement documents.

Art Slocum replied one deed/document.

Staff reported that Jim Nupp informed her that there is one deed and such includes both the warming hut, parking area and access. She stated the deed includes the following language; *“Should WCCSA cease to exist, then the rights transferred herein shall be transferred to another like-minded conservation entity, such as the Lakes Region Conservation Trust, or the Wolfeboro Conservation Commission.”*

Art Slocum stated the Wolfeboro Cross Country Ski Association needs to put aside funds for the future maintenance of the building.

Jeff Marchand agreed.

The Commission discussed potential future improvements that may be necessary and requiring a dedicated fund with a minimum amount of funding to be maintained to address those future improvements and/or maintenance. The Commission noted the existing building has some form of heat source and the Association is intending to replace the roof.

**It was moved by Jeff Marchand and seconded by Warren Muir to assume executory interest in an easement held by the Wolfeboro Cross Country Ski Association for Tax Map 217-166, 25 Clow Road, Wolfeboro, NH with the stipulation that the Wolfeboro Cross Country Ski Association establish and maintain an escrow account in the amount of 10,000.00 for the maintenance and/or improvements to the warming hut, parking area and/or access area to Sewall Woods to which the Wolfeboro Conservation Commission is named as Executory Interest holder.**

***Discussion of the motion:***

Dan Coons recommended an amendment to the motion to include the language “not less than \$10,000” and “any future expansion of the existing structure (known as the warming hut) shall require approval from the Conversation Commission.”

Jeff Marchand and Warren Muir agreed to the amendment; noting the motion shall read as follows.

**It was moved by Jeff Marchand and seconded by Warren Muir to assume executory interest in an easement held by the Wolfeboro Cross Country Ski Association for Tax Map 217-166, 25 Clow Road, Wolfeboro, NH, with the stipulation that the Wolfeboro Cross Country Ski Association establish and maintain an escrow account of not less than 10,000.00 for the maintenance and/or improvements to the warming hut, parking area and/or access area to Sewall Woods to which the Wolfeboro Conservation Commission is named as Executory Interest holder. In addition, any future expansion of the existing warming hut shall require approval from the Wolfeboro Conversation Commission. Roll call vote: Lenore Clark - yes, Art Slocum - yes, Warren Muir – yes, Jeff Marchand – yes, Nancy Byrd - yes, Dan Coons - yes. The motion passed (6-0).**

**II. Other Business**

**Whiteface Mountain Conservation Easement Deed**

Art Slocum stated the Land Bank has not reviewed such.

**III. Correspondence**

N/A

**It was moved by Warren Muir and seconded by Dan Coons to adjourn the May 18, 2020 Conservation Commission meeting. All members voted in favor. The motion passed.**

*There being no further business before the Commission, the meeting adjourned at 11:56 AM.*

Respectfully Submitted,

*Lee Ann Hendrickson*

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