

FREMONT SITE PLAN REVIEW REGULATIONS

June 16, 2021 Stormwater Regulations additions
July 7, 2021 Amendments to Chapter 1

~~Language to be removed.~~

Language to be added.

SITE PLAN REVIEW REGULATIONS

TOWN OF FREMONT, NEW HAMPSHIRE
FREMONT PLANNING BOARD



Revised XXXXXXXX

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FREMONT SITE PLAN REVIEW REGULATIONS

These Site Plan Review Regulations were adopted on October 4, 1989 and were subsequently amended and adopted on the following Public Hearing dates:
following a Public Hearing on

~~September 13, 1989~~

~~Revised: Public Hearing and Adopted April 10, 1996~~

~~Revised: Public Hearing and Adopted December 3, 1997~~

~~Revised: Public Hearing and Adopted June 17, 1998~~

~~Revised: Public Hearing and Adopted December 9, 1998~~

~~Revised: Public Hearing and Adopted December 1, 1999~~

~~Revised: Public Hearing and Adopted October 18, 2000~~

~~Revised: Public Hearing and Adopted September 18, 2002~~

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~~Revised: Public Hearing and Adopted March 24, 2004~~

~~Revised: Public Hearing and Adopted September 14, 2005~~

~~Revised: Public Hearing and Adopted December 28, 2005~~

~~Revised: Public Hearing and Adopted for Village District April 12, 2006~~

~~Revised: Public Hearing and Adopted August 6, 2008~~

~~Revised: Public Hearing and Adopted October 22, 2008~~

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~~Revised: Public Hearing and Adopted October 27, 2010~~

~~Revised: Public Hearing and Adopted November 7, 2012~~

~~Revised: Public Hearing and Adopted December 4, 2013~~

~~Revised: Public Hearing and Adopted Month Day, 2021~~

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DEFINITIONS

Many of the word meanings used throughout the Fremont regulations will be consistent with definitions used (as defined) within those New Hampshire RSAs which provide for the powers and authority of the Planning Board. Unless the context otherwise requires, the following definitions shall be used in the interpretation and understanding of these regulations as generated under the jurisdiction of the Fremont Planning Board.

Where terms are not expressly defined throughout, such terms shall have ordinarily accepted meanings such as the context implies. The word shall is mandatory and not optional.

ABUTTER: Means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a manufactured housing park form of ownership as defined in RSA 205-A: 1, II, the term "abutter".

| It includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street or stream from the land under consideration by the local land use board or as amended by RSA 672:3.

APPLICANT: Applicant shall mean the owner of record of the land which is under consideration by a local land use board, including any subsequent owner of record, or the duly authorized, in writing, agent of any such owner.

APPLICATION: Means a completed application under consideration by a local land use board. An application shall not be considered complete until all of the Application Checklist items have been completed and accepted to the satisfaction of the Board in addition to any other requirements of these Regulations.

AQUIFER: See Article XI of the Fremont Zoning Ordinance.

CERTIFIED SOIL SCIENTIST: A person qualified in soil classification and mapping who is certified by the State of New Hampshire.

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DWELLING UNIT: A single unit providing complete independent living facilities for one or more persons, including permanent provisions from living, sleeping, eating, cooking and sanitation. (From IRC 2006).

EASEMENT: An interest in land owned by another person, consisting in the right to use or control the land, or an area above or below it, for a specific limited purpose.

ENGINEER OR SURVEYOR: These terms shall denote the duly designated, legally recognized, New Hampshire licensed engineer or surveyor employed by the applicant as may be pertinent to the actual services to be performed in accordance with the provisions set forth in RSA 310-A, as amended.

FRONTAGE: Means that portion of a lot bordering on a highway, street or right-of-way or as amended by RSA 674:24

LOT: Means a parcel of land at least sufficient in size to meet the minimum requirements for use, coverage and area and to provide required yards and other open spaces. An undersized lot is permissible if it passes state standards for soil conditions and substantially meets the requirements here and if in existence on the date of adoption of this ordinance or as amended by RSA 674:24.

LOT LINE ADJUSTMENT: A lot line adjustment is the adjusting of a common property line(s) or boundaries between adjacent lots, tracts, or parcels for the purpose of accommodating a transfer of land, rectifying a disputed property line location, or freeing such a boundary from any difference or discrepancies. The resulting adjustment shall not create any additional lots, tracts, or parcels, and all reconfigured lots, tracts, or parcels shall contain sufficient area and dimension to meet minimum requirements for zoning and building purposes.

MAJOR REVISION: Any change deemed by the Planning Board to impact previous review and planning and/or cause re-review or additional considerations to the overall proposal. i.e. lot size changes, road location and profile, types or numbers of units, reflection of wetlands, etc.

SUBDIVISION: Means the division of the lot, tract, or parcel of land into 2 or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided or as amended by RSA 672:14.

TOWN ENGINEER: The duly designated engineer of the Town of Fremont. If there is no such official, the consultant or official assigned by the Fremont Planning Board.

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CHAPTER 1

1.1 AUTHORITY

Under the Authority vested in the Fremont Planning Board by the voters of the Town of Fremont, New Hampshire, on March 12, 1988 and in accordance with the provisions of the New Hampshire Revised Statutes Annotated, Chapters 674:43-44, as amended, the Fremont Planning Board adopts the following regulations governing the review of nonresidential site plans, whether or not such development includes a subdivision or resubdivision of the site. These regulations shall be entitled "Site Plan Review Regulations".

1.2 VALIDITY

If any section, clause, provision, portion, or phrase of these regulations shall be held to be invalid or unconstitutional by any court of competent authority and jurisdiction such holding shall not affect, impair or invalidate any other section, clause, provision, portion or phrase of these regulations.

1.3 CONFLICTING PROVISIONS

Whenever the regulations made under the authority hereof differ from those prescribed by the statute, ordinance or other regulations, that provision which imposes the greater restriction or the higher standard shall govern.

1.4 REFERENCES

- A. Fremont Master Plan - Town of Fremont
- B. Land Subdivision Regulations - Town of Fremont
- C. Fremont Zoning Ordinance
- D. Town, State and/or Federal Permits

1.5 PURPOSE

- A. To provide for the safe and attractive development or change or expansion of use of the site and guard against such conditions as would involve danger or injury to health, safety or prosperity by reason of:
 - 1. inadequate drainage or conditions conducive to flooding or property or that of another,
 - 2. inadequate protection for the quality of groundwater,

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3. undesirable and preventable elements of pollution such as noise, smoke, soot particles, or any other discharge into the environment which might prove harmful to persons, structures or adjacent properties,
 4. inadequate provisions for fire safety, prevention and control,
 5. narrowing or widening of streets.
- B. To provide for the harmonious and aesthetically pleasing development of the municipality and its environs.
- C. To provide for open spaces and vegetated areas (green spaces) of adequate proportions.
- D. To provide for the proper arrangement and coordination of suitably located streets so as to accommodate existing and prospective traffic and to afford adequate light, air and access for fire fighting and other safety apparatus and equipment to buildings and be coordinated so as to compose a total convenient system.
- E. To consider and provide for orderly development on the basis of being an integral part of the community; assuring that such development will mesh effectively with the overall community goals and plans.
- F. To include such provisions as will tend to create conditions favorable for health, safety, convenience and prosperity by:
1. Providing for the continuance of the social and economic character of the Town.
 2. Assisting in defining the minimum standards for design and implementation of non-residential use of land.
 3. Conserving the natural beauties and attributes of the topography of the Town and to insure appropriate development with regard to those natural features.
 4. Providing for the protection of available aquifers and to insure the protection and conservation of wetlands.

1.6 SCOPE

The Planning Board is hereby authorized to review and approve or disapprove all site plans for the development, or change or expansion of use of tracts for non-residential uses whether or not such development includes a subdivision or resubdivision of the site.

1.7 MINIMUM NOT MAXIMUM

These regulations shall be interpreted as a minimum requirement and compliance with these minimum requirements in no way obligates the Planning

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Board to approve any particular application solely on that basis. The Planning Board will fully consider all aspects of an application before rendering its decision. This includes all site design and technical aspects of the proposal as well as considerations of the developments impact on the open space, wildlife habitat and other natural resources, on local traffic patterns and on available public utilities, services and municipal resources. Only after the Planning Board is fully satisfied that the proposed project is in the public interest and that it will not prove detrimental to the public health, safety, welfare or prosperity, and provides the appropriate response to the initial purposes as stated in these regulations can the application be approved.

1.8 SITE PLAN REVIEW REQUIRED

The Planning Board shall require site plans to be submitted to it for review by any applicant seeking any of the following:

- A. The development and/or construction of any non-residential use and/or venture with a commercial purpose.
- B. The conversion (change) or enlargement (expansion) of use of any existing non-residential use.
- C. The change within a structure from one permitted use to another permitted non-residential use.
- D. All multi-family dwelling units, which are designed as any structures containing more than two (2) dwelling units, whether or not such development includes a subdivision or resubdivision of the site shall require review and approval for site plan for the development or change or expansion of use of tracts by the Planning Board.

1.9 MINOR SITE PLAN REVIEW

To permit the expedited and cost-effective review of minimal impact developments within Fremont, these regulations provide for minor site plan review applications. For an application to be considered as a minor site plan it must comply with the following:

- A. The applicant must first schedule a pre-application meeting with the Planning Board.
- B. The application must be in full compliance with Fremont Zoning Ordinances.
- ~~C. The application shall be accompanied by a letter submitted by the applicant to the Planning Board attesting to full compliance with Article XVIII Section 8.6~~

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~~of Fremont Zoning Ordinance. The letter shall also state that the proposed plan is consistent with the purposes of Site Plan Review section 1.5.~~

~~D.C.~~ The proposal shall create no impacts that require consideration of mitigation strategies for impacts such as, but not limited to, noise, light, traffic, visual impacts and/or odors.

~~E.D.~~ Appropriate buffers – fencing or natural vegetation - exist between abutting properties.

~~F.E.~~ The character of the area will not be impacted by the proposal. The nature of the property remains consistent relative to architecture, transportation, scale of coverage, scale of building size, and consistency of adjacent uses.

~~G.F.~~ Maximum total floor space of any proposed buildings/structures shall be one thousand (1000) sq feet including the basement.

~~H.G.~~ No proposed alterations to the natural terrain or vegetation at the site is planned (except that which is immediate to the any proposed buildings/structures)

~~I.H.~~ The proposed activity **shall not** be located within:

- i. A flood plain
- ii. Any wetlands or wetland protection district
- iii. One hundred (100) feet of a Prime Wetland

~~J.I.~~ If the Board determines that the impact of the proposed project presents greater than minimum impact, the application shall not be eligible for Minor Site Plan Review.

~~K.J.~~ Minor site plan review applications shall follow the same procedure subject to Section 1.14 ([Applications Procedure](#)) 2 of these regulations.

~~L.K.~~ Required exhibits and fees: Minor site plans are not required to be prepared by a professional engineer or licensed surveyor, but must accurately depict distances, setbacks, and other required information necessary for Board review. Fees shall be paid in accordance with the Town of Fremont fee schedule. The following items shall be shown on the minor site plan unless a waiver(s) is requested:

1. The name and addresses of the property owner, authorized agent, the person or firm preparing the plan, and the person or firm preparing any other data to be included in the plan.
2. Scale, north arrow, and the date prepared.
3. Location of the site (vicinity sketch), street, address, zoning district location, abutting properties and owners, and applicable tax map information.
4. Description of the existing site and proposed changes thereto, including, but not limited to: approximate size (including height) and placement of

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new buildings and accessory structures, new parking and loading areas, new signage, new lighting, new landscaping and the amount of land to be disturbed.

5. Location of existing and proposed easements, (if any). Copies of such easement language must be submitted to the Board.
6. Location of existing and/or proposed water supply, sewage disposal facilities, gas and/or electric lines, paved areas, structures, (both primary and accessory), driveways, parking areas, and drainage facilities.
7. A completion schedule of all proposed improvements.

1.10 BUILDING PERMITS

No building permit shall be issued by the municipality for the construction or expansion of a building or other facilities subject to these regulations, until final approval is granted by the Planning Board and the municipality is so notified in writing by the Planning Board.

1.11 SIGNS

In the majority of instances the identification of proposed signs will be presented as part of incoming plan sets at the time of acceptance of applications for plan review by the Planning Board. The plans sets may be related to Site Plan Reviews, Subdivision Proposals, and/or Gravel Operations. In all cases detail particular to all proposed signage must accompany the plan sets. This should include detail as to the time durations for any proposed temporary signage as well as the requirements for placement of permanent signage.

The Fremont Zoning Ordinance prohibits the placement of signage without prior Planning Board review; except those authorized without a sign permit as defined the Ordinance.

In some instances, it is possible, that a sign will be requested for placement that is not directly related to one of the formal application and review processes – Site Plan Review, Subdivision Proposal, and/or Gravel Operations. In that instance an applicant may request approval of proposed signage by requesting a meeting with the Planning Board for review of that request. A separate application with an accompanying detailed plan sufficient to determine compliance with the Fremont Sign Ordinance must be made to the Planning Board. Approval must be obtained prior to sign placement. Such an application and review shall be conducted at a regularly held session of the Planning Board.

In all instances approved signs require a building permit issued by the Building Official.

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1.12 MEETINGS~~PROCEDURE~~

Working hours of the Planning Board shall be at regularly scheduled ~~meeting times and shall be posted at the Town Hall, Fremont NHs.~~ A majority of the members or alternates must be present to constitute a meeting. ~~Planning Board meetings and schedules shall be posted at the Town Hall, Fremont NH.~~

1.10.1 ~~REQUESTED MEETING WITH PLANNING BOARD~~

~~A. — A r~~Request to meet with the Planning Board ~~for review~~ must be submitted in writing to the ~~chairman or~~ secretary of the Planning Board ~~to be d.~~

~~B. — Meetings will be~~ scheduled ~~a~~ on the first available open slot of any Planning Board meeting.

~~C. — The~~ secretary of the Planning Board will notify the applicant in writing as to the designated time of the scheduled meeting.

1.10.2 ~~SIGNS~~

~~In the majority of instances the identification of proposed signs will be presented as part of incoming plan sets at the time of acceptance of applications for plan review by the Planning Board. The plans sets may be related to Site Plan Reviews, Subdivision Proposals, and/or Gravel Operations. In all cases detail particular to all proposed signage must accompany the plan sets. This should include detail as to the time durations for any proposed temporary signage as well as the requirements for placement of permanent signage.~~

~~The Fremont Zoning Ordinance, Article XIX prohibits the placement of signage without prior Planning Board review; except those authorized without a sign permit as defined in Section 1.3 of that ordinance.~~

~~In some instances, it is possible, that a sign will be requested for placement that is not directly related to one of the formal application and review processes — Site Plan Review, Subdivision Proposal, and/or Gravel Operations. In that instance an applicant may request approval of proposed signage by requesting a meeting with the Planning Board for review of that request. A separate application with an accompanying detailed plan sufficient to determine compliance with the Fremont Sign Ordinance must be made to the Planning Board. Approval must be obtained prior to sign placement. Such an application and review shall be conducted at a regularly held session of the Planning Board.~~

~~In all instances approved signs require a building permit issued by the Building Official.~~

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1.13 PRE-APPLICATION REVIEW - WORK SESSION

Any individual who anticipates submitting a formal application for a site review approval is encouraged, but is not required, to consult with the Planning Board in one or more than one preliminary consultations prior to the submission of the formal application.

- A. The Planning Board may hold preliminary conceptual consultation and review of the basic concept of any proposal and make suggestions which may be of assistance in resolving problems in meeting requirements during the final consideration of the proposal.
- B. All sessions held prior to the formal acceptance of the application at a Public Hearing for such purpose shall be considered to be preliminary consultations and review only.
- C. The Planning Board may conduct preliminary consultation and review apart from formal consideration and such sessions shall have no bearing on the time limits of acting upon approval or disapproval.
- D. The Board may hold discussions with the applicant or agents and may confer with others whose interest may be affected.
- E. Such sessions shall be directed towards conceptual consultation and suggestions which might be of assistance in resolving problems during final considerations. Discussions should be of conceptual focus and in general terms; such as the desirability of types of developments, roadway systems, interpretations and applications of zoning and/or regulations. Plans may be provided which support conversation and understanding of aspects of the proposal.
- F. Neither the applicant nor the Planning Board shall be bound by the discussions. Material presented to assist the applicant to further meet the development requirements of the Town as expressed in these regulations, other ordinances and/or regulations, and the Town's Master Plan.
- G. The applicant should make a presentation defining the general scope and concept of the intended site plan/subdivision or development and how the land is to be divided and/or used. The entire parcel is to be presented.
- H. The Planning Board may communicate to the applicant in writing any suggestions, recommendations, or other factors that the Board finds prudent and necessary.

1.14 APPLICATIONS PROCEDURE

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Whenever site plan review of proposed development or change or expansion of use is required according to Section 1.8 [\(Site Plan Review Required\)](#):

- A. The completed application as defined in Section 1.1 [53](#) is to be received via [courier or](#) certified mail.
- B. The Planning Board or designee shall perform a preliminary review of the application/[plan](#) for completeness and conformance to requirements.
 1. All applications must conform to the Fremont Zoning Regulations before jurisdiction can be taken by the Planning Board.
 2. If the application submitted conforms to requirements as defined in [Section 1.13](#)[Section 1.15](#) of these regulations a Public Hearing will be scheduled within thirty (30) days of submission. If the application submitted does not conform to requirements as defined in [Section 1.13](#)[Section 1.15](#) of these regulations the applicant or agent will be notified of such incomplete state within thirty (30) days of submission.
- C. The final completed application for approval, together with required fees and drawings or other relevant information shall be filed with the secretary of the Board not less than fifteen (15) days before the meeting.
- D. If the applicant(s) or owner(s) are other than the legal landowners a written authorization for the agent to appear on behalf of the owner must be submitted.
- E. At the Public Hearing the Planning Board shall decide whether to accept the application as complete; subject to the need to produce additional information concerning any impact of the proposed development which could become apparent under further review. In case of disapproval, reasons for disapproval shall be adequately stated.
- F. A duplicate of the application and plans shall be sent to Rockingham Planning Commission for review of completeness prior to filing the application with the Planning Board.
- G. A Town Engineer may be retained to review applications and plans on behalf of the Fremont Planning Board in which case a duplicate copy of the application and plans shall be sent to the Planning Board's Town Engineer for review and comment.
- H. The applicant shall select one of the Planning Board's designated reviewing Town Engineers, otherwise a Town Engineer will be designated from a list pre-approved by the Planning Board on a purely rotational basis in alphabetical order.
- I. All [formal](#) communication and invoicing with the [town consultants including the Rockingham Planning Commission and](#) Town Engineer will be conducted

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through Town Staff.

- J. Prior to site plan review, an escrow account must be established with the Town's Administration Department for consultants including a Town Engineer during the application and final approval processes. An estimate for review services should be provided by the consultant for the purposes of establishing escrow amount. If at any point during the review process the escrow is depleted all work will cease until additional escrow is provided.
- K. The applicant and/or land owner all abutters and anyone whose professional seal or stamp appears on the plan shall be notified of the public hearing and the time and place of such hearing by certified mail, not less than ten (10) days before the date fixed for the hearing, not including the day of public notice and the day of the hearing. Notice of the Public Hearing shall be published in a paper of general circulation and shall be posted in at least two (2) places as pursuant to RSA 675:7.
- L. The Planning Board shall act to approve, conditionally approve, or disapprove a site plan within sixty five (65) days of last major revision submission, or within sixty five (65) days after acceptance of the formal application or request of the Selectmen an extension of no longer than sixty five (65) days.
- M. Major revisions and subsequent submissions may result in a new acceptance date for the application or a re-application and a new acceptance date for the application. An amendment to any existing approved Site Plan Review plan shall be subject to all original conditions and approvals unless otherwise specified.
- N. All decisions of the Planning Board shall be on record in the Town Clerk's office within five (5) business days. A copy of all written communications by Planning Board shall be on file in the Planning Board office.
- O. Notice of Decision, with deed reference, will be recorded at the Registry of Deeds by the Planning Board Secretary or designee at the applicant's expense.

1.15 SUBMISSION AND INFORMATION REQUIREMENTS

- A. Intended site plan must meet all relevant land use regulations in effect at the time of filing.
- B. Provide fees as required in Section 1.25048.
- C. Provide requested waivers as required in Section 1.2803.
- D. Provide a copy of the checklist provided ~~at the beginning of these regulations~~ in the separate application package.

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- E. Provide a typed list of names and addresses anyone whose property physically abuts, or is directly across a street or river from, the subject property of all abutters obtained from the Town records, (to include applicant(s), and anyone whose professional seal or stamp appears on the plan, and the holders of conservation, preservation or agricultural restrictions as defined in RSA 477:45 anyone whose property physically abuts, or is directly across a street or river from, the subject property not more than five (5) days before the date of submittal of the application. The names and addresses of all abutters shall be obtained from the Town records.
- F. Provide a digital copy of the complete application package including all plans and supporting legal documentation.
- G. Provide a minimum of four (4) full size and ten (10) 11" x 17" sets of plans; at least two (2) of the full-size plans will be colored, to the Fremont Planning Board. All copies must have a plat revision system properly noted. All subsequent submissions must reflect proper plat revision. All plans are required to be drawn by a Licensed Land Surveyor licensed in New Hampshire, and in some cases as determined by the Board, stamped by a NH Licensed Professional Engineer.
1. The size and location of all public and private utilities including water lines, sewage facilities, gas lines, power lines, telephone lines, fire alarms connections, underground utilities, but not limited to other utilities.
 2. The location, size and design of proposed signs and other advertising or instructional devices.
 3. The location, type and design of outdoor lighting.
 4. Construction details including but not limited to pavement, walks, steps, curbing, drainage and structures, fire hydrants, signs and lighting, erosion, and sedimentation control techniques.
- H. Provide copies of all required State, Federal, and Town approvals, including, but not limited to: Dredge and Fill, State highway access, Wetlands Board approval.
- I. Provide topography maps indicating buildings, water courses, ponds, streams, standing water, exposed rock ledges, and other significant topography references to include natural and manmade features.
1. Contours shall be depicted at two (2) foot levels, referenced to sea level, reflective of U.S. Geodetic Survey markers.
 2. Clear delineation of wetlands areas must be provided on all topography maps.
 3. Clear delineation of all watershed protection districts must be provided on all topography maps and any septic design plans.
 4. Include lot line setbacks as well as wetland setbacks.
- J. Provide location and results of each test pit and percolation results shall be submitted to the Planning Board. Information summary with respect to soil

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conditions capable of supporting on-site water and waste disposal for each lot will be supplied. Test reference markers shall be put in place and maintained during the review process.

- K. Provide a plan for the type and location of solid/liquid waste disposal facilities.
- L. Provide an estimate/calculation of the road traveled mileage and route from the local fire and rescue department.
- M. Provide an estimate/calculation of the increased daily average automobile traffic within the Town.
- N. Provide estimates of noise generations.
- O. Provide complete plans and profiles for all internal access ways and parking to include:
 - 1. Curve data, horizontal and vertical at the street center lines
 - 2. Street data at fifty (50) foot intervals, to include cross sections
 - 3. Intersection, turn-around and/or cul-de-sac radii
 - 4. All Storm Drainage design
 - 5. Design of any bridges or culverts
 - 6. Proposed finished grades of streets & adjacent roadsides within the right-of-way.
- P. Provide an architectural rendering showing all elevation views of all proposed buildings and their exterior design. Provide plans reflecting shape, size, height and location of existing structures located on the site and within two hundred (200) feet of the site.
- Q. Provide a parking areas and access plan sufficient for review to ensure compliance to applicable standards as set forth in this document.
 - 1. The location, size, direction of travel, and if appropriate, curbing, paving, and radii of existing and proposed streets, driveways, access ways, and sidewalks within the site and its relationship to the off-site system.
 - 2. The size, location, and layout of all on-site parking, loading facilities, and snow storage areas. The methods and actuals used to provide for directing of traffic patterns and parking.
- R. Provide a landscaping plan sufficient for review to ensure compliance to applicable standards as set forth in this document.
- S. The location, type and size of all proposed landscaping and screening as well as a plan for the retention of existing and significant natural features on the site.
- T. Provide a storm drainage plan, performed by a registered professional engineer, including a plan for the detention and slow release of storm water where necessary, together with supporting calculations. Reference Section

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4.161.21 (Waste Disposal and Water Supply).

- U. Provide plans for erosion and sediment control. No site plan shall be approved without plans for erosion and sediment control plans, unless a written waiver is applied for and approved by the Planning Board.
- V. Traffic analysis: See [Section UX-6](#)
- W. Provide general information and site plan format on all plats:
 - 1. Provide site name, name of property owner of record.
 - 2. Name, address and phone number of sub-divider and surveyor or engineer.
 - 3. Date, north point, plat revision, property map references and reference numbers.
 - 4. Names and addresses of owners of abutting properties.
 - 5. Location and exact dimensions of all property lines.
 - 6. Location, name and width of all existing and proposed streets, rights-of-way or easements.
 - 7. Sheet size in conformance with the requirements of the Rockingham County Register of Deeds. A margin of at least one inch shall be provided outside ruled border lines on three sides and at least two inches along the left side, or as required by the Register of Deeds.
 - 8. A scale of not less than one (1) inch equals one hundred (100) feet.
 - 9. Space for the Planning Board Chairman and Secretary to sign and date the approved plans.
 - 10. Tax map and parcel number, title and deed reference, street address.
 - 11. A locus map (no smaller than one (1) inch equals one thousand (1000) feet showing the location of the site in relation to the surrounding public street system and the zoning districts and boundaries for the site and the area within one thousand (1000) feet of the site.
 - 12. Area, in acres and square feet, of the entire site prior to development. Acreage, square feet and percentage of total area for the following segments of information; Total area, area left in natural state, area of wetlands, recreation area, and area used.
 - 13. Area, in acres and square feet, of the proposed site. Acre, square feet, and percentage of total area for the following segments of information; Total area, area left in natural state, area wetlands, and area used.
 - 14. Clear delineation of wetlands and watershed protection districts peripheral area must be provided. Wetlands shall be delineated by a NH Licensed Wetland Scientist or Soil Scientist.
 - 15. Iron rods, pipes, pins or drill holes must be so noted and placed at all lot corners and angle changes. Street right-of-way shall be marked by a four inch by four inch by thirty six inch (4" x 4" x 36") stone or concrete monument.
 - 16. Location of all land intended for public use and any conditions on such use.
 - 17. Specify the number the type of non-residential units.
 - 18. Specify the water sources to be designated for fire protection and control.

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Define the adequacy of water supply for fire protection.

19. Hours of operation. **The Board reserves the right to revisit and revise the approved hours of operation if and when it deems necessary to do so.**

- X. Other information may be required during the course of the review. Other exhibits or data that the Planning Board may require in order to evaluate adequately the proposed development; such as but not limited to:
1. Information on the composition and quantity of wastewater generated.
 2. Information on air, water or land pollutants discharged.
 3. ~~Special Submissions~~—Erosion and Sediment Control Plans.
 4. Listing of all amounts and description of liquids, inflammables and/or chemicals.
 5. A fiscal study/data relative to the potential impact to the Town may be required during the review process. Special provisions and/or plans may be required if found to bear a financial impact on the Town.
 6. Provide Traffic Impact Analysis
 - a. All proposed site plans shall be reviewed by the Planning Board to ascertain that adequate provisions have been made by the owner/agent for traffic safety and congestion. To facilitate this review, the Planning Board may require the developer to provide a full traffic impact analysis when deemed necessary by the Board due to the size, location or traffic-generating characteristics of the proposal.
 - b. Traffic impact analysis shall address each of the following:
 - i. Traffic circulation and access, including adequacy of adjacent street and intersections, entrances and exits, traffic flow, sight distances, accident statistics, curb cuts, turning lanes and existing or recommended traffic signals.
 - ii. Pedestrian safety and access.
 - iii. Off-street parking and loading.
 - iv. Emergency vehicle access.
 - v. Snow removal adequacy.
 - c. No site plan shall be approved without a traffic impact study and analyses unless a written waiver is applied for and approved by the Planning Board.

1.16 GENERAL REQUIREMENTS FOR SITE REVIEW

- A. Proposed site review plan shall conform to the Zoning Ordinance of the Town of Fremont. If site review regulations and the Zoning Ordinance conflict, the more stringent shall apply.
- B. The Board may require such additional area as may be necessary for each site/lot for on-site sanitary facilities or where the natural slope of the land exceeds those requirements of the Fremont Zoning Ordinance.
- C. The Planning Board may specify areas designated for fire protection and

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control. The developer must show the adequacy of water supply for fire protection.

- D. Attention and conservation is to be given to natural water courses, historic and scenic spots to include large trees, rock walls, exposed rocks, etc, and other community assets, which if preserved will enhance the overall value of the site/subdivision and enrich the neighborhood.
- E. Land of such character that it cannot be safely used for building purposes because of exceptional danger to health or peril from fire, flood or other menace shall not be platted for use.
- F. Utilities shall be installed in accordance with utility standards and requirements in effect at the time. All new utilities shall be installed underground.
- G. Stripping of vegetation, re-grading or other development shall be done in such a way that will minimize soil erosion. Whenever practical, natural vegetation shall be retained, protected and supplemented. An erosion and/or sedimentation control plan and/or temporary vegetation or mulching will be required by the Board where considered necessary; in addition, erosion control plans are required by State statutes for projects disturbing large square footage's of soil, which includes most projects. These plans must be made available to the Planning Board.
- H. Off-site improvements may be required, such as pavement width, deceleration lanes, curbing, signal devices, or otherwise road construction or repair as deemed necessary by the Planning Board.
- I. Access to public streets shall meet the requirements and approval of the New Hampshire Department of Public Works and Highways, and the Town and shall conform to whichever standards are higher.
- J. Landscaping and screening shall be provided with proper regard to adjacent properties, the public highway and within the site, including interior landscaping of parking areas and parking areas access.
- K. Buffer strips of at least a twenty-five (25) foot minimum width, or more, must be provided where a proposed non-residential development abuts residential use properties. Where appropriate, existing vegetation shall be incorporated into the buffer strips or landscaping design. Buffer must contain vegetation which will screen the view from adjacent residential property during all seasons.
- L. Sprinkler Systems: Sprinkler systems shall be installed in all conversions and new construction of all multi-family dwelling and all clustered dwellings of any type. Sprinkler system installation shall be in compliance with the applicable

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NFPA 13D or NFPA 13R.

- M. The developer shall ensure that Fremont feed cable access is brought into the residential site to readily serve all proposed properties.

1.17 ROADS/STREETS, ACCESS DRIVES AND PARKING AREAS

- A. The Planning Board shall approve the design for all proposed access/egress points onto the public way, all points shall provide an adequate sight distance, grade, width and curb. In all cases, the number of points of access to a given street shall be held to a minimum, preferably one, in order to reduce traffic hazards from turning movements and to ease the installation of traffic control devices. The Planning Board may require the construction or the reservation of a right-of-way for a service road which would run parallel to the existing streets.
- B. The Board may require improvements of existing access/egress points (s) to provide adequate and safe flow onto abutting streets.
- C. All parking areas and drives shall be paved if public use is intended.
- D. Driveways and other accesses to a public way whether to be constructed or altered in any way shall require a driveway permit issued by the applicable agent. The agent shall determine, and so state on the permit, any additional terms and specifications required for such construction.
- E. Driveways and other accesses to Class I, III or the State maintained portion of Class II highway shall require the applicant to receive a construction permit from the State.
- F. Streets shall be logically related to the topography so as to produce usable and developable lots, reasonable grades and safe vehicular travel. All streets must be arranged to maximize the aesthetically pleasing characteristics of the land and/or development.
- G. The Board may require improvement of existing access/egress points to provide safe flow onto abutting streets. Off-site requirements may be required, such as, but not limited to, pavement width, deceleration lanes, curbing or signal devices.
- H. Traffic circulation, pedestrian access, parking and loading facilities and emergency and fire access shall be designed and located to ensure safety on the site.
- I. All streets or access ways shall be constructed to Town specifications as set forth in Fremont Subdivision Regulations. All streets shall meet the inspection criteria as defined in the Fremont Subdivision Regulations.

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- J. Provision shall be made to store snow which has been plowed on-site during the winter months, and such provisions shall be shown on the site plan.
- K. Sidewalks must be provided for pedestrian traffic to permit passageway between the entrances of the establishments and parking areas. All such sidewalks must be at least six (6) inches above grade and have protective curbing. The design must include means for access by handicapped persons.
- L. Drives and parking areas must be constructed to the following minimum specifications:
 - 1. Loam and/or yielding material must be removed to a depth of no less than fourteen (14) inches below finished grade.
 - 2. Bank run gravel sub-base of six (6) inches must be applied or compacted, followed by a six (6) inch base of crushed gravel, then compacted and rolled true to grade lines with a roller weighing not less than twelve (12) tons.
 - 3. A two (2) inch binder course and a one (1) inch wearing surface of bituminous concrete pavement must be installed with a self-propelled mechanical spreader and rolled by a tandem roller with not less than two-hundred eighty-five (285) pounds per inch of wheel width.
- M. Parking Lot Pavement Grades:
 - 1. Minimum slopes for all applications shall be one (1%) percent (on a case-by-case basis, designs may be approved using one half of one (0.5%) percent dependent upon the recommendation of the Town's Consulting Engineer and approval by the Planning Board).
 - 2. Maximum slopes for the following applications shall apply:
 - 3. On-Street parking (perpendicular, parallel, diagonal, etc) shall not exceed six (6%) percent in any direction.
 - 4. Off-street parking lots, parking pods or clusters, etc. shall not exceed four (4%) percent slope in any direction.
- N. Prior to placing select gravels, the Town's consulting Engineer shall witness a proof rolling of the graded, compacted subgrade. If any areas show signs of weaving, pumping, or ribboning, the material shall be removed and replaced with stable fill material.
- O. Prior to importing the select gravels an ASTM approved washed sieve must be completed to verify that each gravel meets the specified gradation requirements on the approved plans.
- P. All granular fill placed, to achieve the approved subgrade elevation, bankrun gravel and crushed gravel lifts shall be compacted to at least ninety five (95%) percent of the modified proctor.

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- Q. Sufficient areas shall be provided for easy access into and out of the parking spaces.
1. All parking lot designs must consider the current ADA regulations, as required by the State of NH. Should a conflict arise between these standards referenced in ~~Tables 1.15.M-1 and 1.15.M-2-1~~ and 2 below and in the ADA, the more stringent shall apply.
 2. The applicant must demonstrate that appropriate space has been provided has been for anticipated delivery needs.
- R. The following parking lot design standards shall be used:
1. The designs of smaller, separated parking lots are encouraged, rather than large contiguous parking lots. Additionally, during design review, the Board may request that some or all of the parking be designed to the rear of the site, so the building and other improvements assist in providing a permanent visual screen for the parking area.
 2. All parking areas within ten (10) feet of any property line may, at the discretion of the Planning Board, be required to have a curb or tire bumper no less than four (4) feet from the lot lines for property protection.
 3. Any fixture used to illuminate any parking area shall be so arranged as to direct the light away from the street and away from adjoining premises used for residential purposes.
 4. Parking areas shall be so designed that backing or maneuvering can be safely and adequately accomplished on the premises. If requested, a plan showing the movements of applicable vehicles must be provided for review and approval. A buffer of at least eighteen (18") inches must be provided between all curb lines, buildings, and parking spaces and the overhang of the subject vehicle.
 5. All spaces perpendicular or diagonal to sidewalks shall have wheel stops installed to limit vehicular encroachment into the sidewalk and provide a minimum three foot wide travel way. Other options may include a wider sidewalk, or a grass strip between the stop/curbing and the sidewalk.

Table 1. Individual Parking Spaces: ~~Table 1.15 M-1~~

Description	Width	Length
Grocery markets, building supply stores or warehouses and any other commercial application where it can be demonstrated to the board that the use of carts or carriages to move goods to parked vehicles:	10'	22'
Professional park/office building or similar use where it can be demonstrated to the board that the majority of the vehicles are employees and the cycling parking rate is low:	9'	18'
Retail or similar use where it can be	10'	20'

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demonstrated to the board that a high cycling parking rate is assumed:		
Within a retail use, employee parking that is physically separated and properly signed as "employee parking only":	9'	18'
Residential site plans:	10'	20'

Table 2. Parking Isle Widths: ~~Table 1.15 M-2~~

Description	Width
All two-way travel applications:	24'
All one-way travel applications:	18'

~~S.~~ T.S. ~~Parking Lot Landscaping / Screening:~~

T.S. The purpose of this section is for screening between lots. All or some of the requirements in this section may be required at the discretion of the Planning Board.

1. Front landscaping areas are intended to enhance the appearance of the use on the lot but not to screen the use from view. A front landscaped area shall be required. The required landscaped area shall be covered with grass or other ground cover and shall include trees and shrubs all of which shall be selected to withstand salt and other typical roadside pollution. At a minimum, one shade tree having a caliper of two (2) inches and a height of six (6) feet shall be planted for each fifty (50) feet or fraction thereof of lot frontage.
2. Where lot size and shape or existing structures make it feasible to comply with a front landscape area for landscaped parking area, the Planning Board may substitute planters, plant boxes for pots containing trees, shrubs and/or flowers to comply with the intent of this regulation.
3. In all commercial and industrial zones, the required front yard, except for the driveway, shall be landscaped a minimum of ten (10) feet back from the front lot line. View from public streets of large parking lots should be screened with low two and one half (2 ½) foot to four (4) foot evergreen shrubs, densely twigged deciduous shrubs, evergreen trees, mounds, berms, walls, or a combination thereof, provided that adequate sight distance is maintained.
4. Buffer areas shall contain sufficient existing vegetation as approved by the Planning Board or be planted with evergreen type plantings of such height, spacing and arrangement as, in the judgment of the Planning Board, will effectively screen the activity on the lot from the neighboring residential area. At a minimum the planting shall consist of trees six (6) feet in height planted at intervals of ten (10) feet on center. Non-evergreen plantings may be included to supplement evergreen planting, but not to take its place.
5. An earthen berm, wall or fence of location, height, design, and material approved by the Planning Board may be proposed to be substituted for

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- any portion of the required planting and/or buffer area requirements. All plants in the buffer area shall be permanently maintained by the owner\ occupants so as to maintain a dense screen year-round.
6. A landscaped area shall be provided along the perimeter of any parking area except where the parking area is functionally integrated with adjoining parking areas on abutting lots. The landscaped area shall have a minimum dimension of five (5) feet, shall be planted with grass or shrubs, and shall include at least one deciduous tree of not less than two (2) inch caliper, at least 6 feet in height for every fifty (50) feet along the perimeter of the parking area.
 7. When the proposed use on a site presents the potential for obtrusive sound or noise pollution to adjoining lots, appropriate sound buffering shall be incorporated into the site design. The use of walls, berms, fencing, dense plantings, or a combination thereof may be required.
 8. Landscape areas shall be provided within parking areas to provide visual and climatic relief from broad expanses of pavement. In addition to the front landscaped area and buffer area requirements, parking areas shall comply with the following minimum standards.
 9. All uses providing twenty (20) or more off-street parking spaces shall have at least five (5%) percent of landscaped open area within the paved portion of the parking area. This does not include perimeter planting.

1.18 ~~5-4~~ OFF-STREET PARKING

- A. In all districts, in connection with every manufacturing business, institutional, recreational, residential or any other use, there shall be provided, at the time any new building or structure is erected, off-street parking spaces for automobiles in accordance with the requirements set forth herein.
- B. Any change of use of a premise, or expansion of building size, to non-residential use and/or multi-family use, or to another substantially different non-residential use, or any expansion of the number of such multi-family or non-residential uses, shall provide off-street parking as required herein.
- C. Except that the Planning Board may grant reductions in required off-street parking spaces in conjunction with its site plan review if the applicant submits proposals for shared parking spaces or increases parking lot screening. The intent of this provision is to grant discretionary review authority to the Planning Board in order to promote the conservation of open space lands and increase parking lot buffers without increasing the use of on-street parking.
 1. Size and Access: Each off-street parking space shall be rectangular, nine feet by nineteen feet exclusive of access drives or aisles, and shall be of usable shape and condition.
 2. Number of Parking Spaces Required: The number of off-street parking spaces, to the extent of floor area devoted to each specific use, shall be as set forth in the Off-Street Parking Schedule 5.6.4.

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3. Off-Street Parking: Off-street parking areas shall be screened from adjoining residential properties in accordance with Article 5.9.1 General Landscaping Regulations – Unenclosed Uses.

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D. Off-Street Parking Schedule:

USE	REQUIRED PARKING SPACES
Boarding and Rooming Houses	1 for each sleeping room
Churches	1 for each 3.5 permanent seats
Community Buildings and Social Halls	1 for each 200 square feet of floor area
Dwelling Units	2 for each dwelling unit plus one (1) additional space for guest parking for each two (2) multi-family dwelling units.
Elderly Housing	1 for each dwelling unit
Healthcare District	2.8 spaces per bed for hospital. 4 spaces for 1,000 sq. ft of out patient facilities (excluding storage, utility and maintenance
Home Occupations	1 for each 200 square feet, or part of floor space used for home occupation
Manufacturing Plants, Research or Testing Laboratories	1 for each employee in the maximum working shift
Motels, Hotels	3 for each 2 units
Office	1 space for each 250 square feet of floor space
Professional/Tech Park	3 for each 1,000 sq. ft. of gross floor area
Restaurants, Bars and Night Clubs	1 for each three seats
Retail Stores, Store Groups, Shops, other than offices, etc.	1 space for each 200 square feet of floor space
Schools - Elementary and Junior High	1 for each 15 classroom seats
Schools - Senior High	1 for each 5 classroom seats
Schools - Private Dormitories	1 for each 4 beds
Theater	1 for each 3.5 seats
Wholesale Establishments or Warehouses	1 for each employee in the maximum shift; the total parking area shall not be less than 25 percent of the building floor area

E. Off-Street Loading: In any district, in connection with every building, or building group or part thereof thereafter erected and having a gross floor area of over 4,000 square feet or more, which is to be occupied by manufacturing, or commercial uses or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained, on the same lot with such building, off-street loading berths or unloading berths. The required number of loading/unloading berths shall be

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determined in accordance with the applicable terms of the 'Site Plan Review Regulations.

1.19 ~~5~~-DARK SKIES

A. Lighting Requirements - All public and private outdoor lighting associated with Site Plan Review installed in the Town of Fremont shall comply with the requirements specified below.

B. Purpose - The intent of this regulation is to maintain the rural character of Fremont, in part by preserving the visibility of night-time skies, and to minimize the impact of artificial lighting on nocturnal wildlife. This regulation recognizes the importance of lighting for safety and security while encouraging energy efficiency, and promotes good neighborly relations by preventing glare from outdoor lights from intruding on nearby properties or posing a hazard to pedestrians or drivers.

C. Definitions

DIRECT LIGHT: Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

FIXTURE: The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

LAMP: The component of a luminaire that produces the actual light.

LUMINAIRE: A complete lighting assembly that includes the fixture and its lamp or lamps.

FLOOD OR SPOTLIGHT: Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

GLARE: Light emitting from a luminaire with intensity great enough to reduce a viewer's ability to see and, in extreme cases, causing momentary blindness.

HEIGHT OF LUMINAIRE: The height of a luminaire shall be the vertical distance from the ground directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.

IESNA: Illuminating Engineering Society of North America.

INDIRECT LIGHT: Direct light that has been reflected or has scattered off of other surfaces.

LIGHT TRESPASS: The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

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LUMEN: A unit of luminous flux. One foot candle is one lumen per square foot. For the purposes of this regulation, the lumen-output values shall be the initial lumen output rating of a lamp.

OUTDOOR LIGHTING: The night-time illumination of an outside area or object by any manmade device located outdoors that produces light by any means.

TEMPORARY OUTDOOR LIGHTING: The specific illumination of an outside area or object by any manmade device located outdoors that produces light by any means for a period of less than seven (7) days with at least one hundred and eighty (180) days passing before being used again.

D. Outdoor Lighting Design

1. Any luminaire emitting more than eighteen hundred (1800) lumens (with seventeen hundred (1,700) lumens being the typical output of a one hundred (100)-watt incandescent bulb) shall be fully shielded so as to produce no light above a horizontal plane through the lowest direct light-emitting part of the luminaire. (Such fixtures usually are labeled Dark Sky Certified or Compliant.)
2. Any luminaire with a lamp or lamps rated at a total of *more than* eighteen hundred (1800) lumens, and all flood or spotlights with a lamp or lamps rated at a total of *more than* nine hundred (900) lumens, shall be mounted at a height equal to or less than the value $3 + (D/3)$ where D is the distance in feet to the nearest property boundary. The maximum height of the luminaire shall not exceed twenty (20) feet.
3. Any luminaire with a lamp or lamps rated at eighteen hundred (1800) lumens *or less*, and all flood or spot lights with a lamp or lamps rated at nine hundred (900) lumens *or less*, may be used without restriction to light distribution or mounting height, except that, to prevent light trespass, if any flood or spot light is aimed, directed or focused so as to cause direct light from the luminaire to be directed toward residential buildings on adjacent or nearby land, or to create glare perceptible to pedestrians or persons operating motor vehicles on public ways, the luminaire shall be redirected, or its light output reduced or shielded, as necessary to eliminate such conditions.
4. Any luminaire used to illuminate a public area such as a street or walkway shall utilize an energy efficient lamp such as a low-pressure sodium lamp, high pressure sodium lamp or metal halide lamp. Mercury vapor lamps shall not be used due to their inefficiency and high operating costs and toxic mercury content.
5. Luminaires used in public areas such as roadway lighting, parking lots and for exterior building illumination shall be designed to provide the minimum illumination recommended by the IESNA in the most current edition of the IESNA Lighting Handbook.
6. To protect light-sensitive wildlife habitats, artificial lighting in or on the periphery of areas identified as such by the NH Fish and Game

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Department shall be minimized and fully shielded to prevent any emission above a horizontal plane through the lowest light-emitting part of a luminaire.

7. Whenever practicable, outdoor lighting installations shall include timers, dimmers, and/or motion-sensors to reduce overall energy consumption and eliminate unneeded lighting, particularly after 11 p.m.
8. Moving, fluttering, blinking, or flashing, neon or tubular lights or signs shall not be permitted, except as temporary seasonal holiday decorations. Signs may be illuminated only by continuous direct white light with illumination confined to the area of the sign and directed downward.
9. Luminaires mounted on a gas station canopy shall be recessed in the ceiling of the canopy so that the lens cover is recessed or mounted flush with the ceiling of the canopy and fully shielded. Luminaires shall not be mounted on the sides or top of the canopy, and the sides or fascia of the canopy shall not be illuminated.

E. Exemptions

1. Luminaires used for public-roadway illumination may be installed at a maximum height of twenty-five (25) feet and may be positioned at that height up to the edge of any bordering property.
2. All temporary emergency lighting needed by the police, fire or other emergency services, as well as all vehicular luminaires, shall be exempt from the requirements of this regulation.
3. All hazard warning luminaires required by federal regulatory agencies are exempt from the requirements of this article, except that all such luminaires used must be red and must be shown to be as close as possible to the federally required minimum lumen output requirement for the specific task.
4. Luminaires used primarily for signal illumination may be mounted at any height required to ensure roadway safety, regardless of lumen rating.
5. Seasonal holiday lighting and illumination of national and state flags shall be exempt from the requirements of this regulation, providing that such lighting does not produce glare on roadways and neighboring residential properties.
6. Installations existing prior to the enactment of this regulation are exempt from its requirements. However, any changes to an existing lighting system, fixture replacements, or any grandfathered lighting system that is moved, must meet these standards.

F. Temporary Lighting - Any temporary outdoor lighting for construction or other purposes that conforms to the requirements of this article shall be allowed. Non-conforming temporary outdoor lighting may be permitted by the planning board after considering:

1. The public and/or private benefits that will result from the temporary lighting.

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2. Any annoyance or safety problems that may result from the use of the temporary lighting.
 3. The duration of the temporary non-conforming lighting.
- G. Public Area and Roadway Lighting - Installation of any new public area or roadway lighting fixtures other than for traffic control shall be permitted only by decision of the planning board, following a duly noticed public hearing.

1.20 STORMWATER MANAGEMENT STANDARDS

1. Purpose, Goals and Definitions

1. The purpose of post construction stormwater management standards is to provide reasonable guidance for the regulation of stormwater runoff to protect local natural resources from degradation and prevent adverse impacts to adjacent and downstream land, property, facilities, and infrastructure. These standards regulate discharges from stormwater and runoff from land development projects and other construction activities to control and minimize increases in stormwater runoff rates and volumes, soil erosion, stream channel erosion, and nonpoint source pollution associated with stormwater runoff.
2. The goal of these standards is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public in the Town of Fremont. This regulation seeks to meet that goal through the following objectives:
 - a. Minimize increases in stormwater runoff from any development to reduce flooding, siltation and streambank erosion and maintain the integrity of stream channels.
 - b. Minimize increases in nonpoint source pollution caused by stormwater runoff from development which would otherwise degrade local water quality.
 - c. Minimize the total volume of surface water runoff which flows from any specific site during and following development to not exceed the pre-development hydrologic condition to the maximum extent practicable as allowable by site conditions.
 - d. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management controls and to ensure that these management controls are properly maintained and pose no threat to public safety or cause excessive municipal expenditures.
 - e. Protect the quality of groundwater resources, surface water bodies and wetlands.

3. Definitions

- a. “Surface Waterbody” is defined, in accordance with RSA 485-A, as a perennial and seasonal streams, lakes, ponds, and tidal waters within the jurisdiction of the state, including all streams, lakes, or ponds

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bordering on the state, marshes, water courses, and other bodies of water, natural or artificial.

2. Minimum Thresholds for Applicability

1. The post-construction stormwater management standards apply to any development or redevelopment project which are subject to Site Plan Review and disturbs more than 15,000 square feet or disturbs more than 2,500 square feet within 100 feet of a surface water body.
2. For sites that disturb less than 15,000 square feet, the Planning Board may grant an exemption if the amount of the total site impervious cover created does not exceed 1,000 square feet. When an exemption is granted by the Planning Board, the following standards will be applied to these projects as conditions of approval.
 - a. All runoff from new impervious surfaces and structures shall be directed to a subsurface filtration and/or infiltration device or properly discharged to a naturally occurring or fully replanted and vegetated area with slopes of 15 percent or less and with adequate controls to prevent soil erosion and concentrated flow.
 - b. Impervious surfaces for parking areas and roads shall be minimized to the extent possible (including minimum parking requirements for proposed uses).
 - c. All runoff generated from new impervious surfaces shall be retained on the development site and property.
 - d. Determination of compliance with standards (a.-c. above) will be made by the Planning Board on a case-by-case basis as site conditions and constraints will differ greatly between various development proposals.
 - e. The following activities are considered exempt from preparing and submitting a stormwater management plan:
 - i. Agricultural and forestry practices located outside wetlands and surface water setbacks and/or buffers.
 - ii. Resurfacing and routine maintenance of roads and parking lots.
 - iii. Exterior and interior alterations and maintenance to existing buildings and structures.

3. Stormwater Management for New Development

1. All proposed stormwater management practices and treatment systems shall meet the following performance standards.
 - a. Stormwater management and erosion and sediment control practices shall be located outside any specified buffer zones unless otherwise approved by the Planning Board. Alternatives to stream and wetland crossings that eliminate or minimize environmental impacts shall be considered whenever possible.
 - b. Low Impact Development (LID) site planning and design strategies are encouraged to be used to the maximum extent practicable (MEP) to reduce stormwater runoff volumes, protect water quality, and maintain predevelopment site hydrology. LID techniques have the goals of protecting water quality, maintaining predevelopment site hydrology.

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LID techniques that preserve existing vegetation, reduce the development footprint, minimize, or disconnect impervious area, and use enhanced stormwater best management practices (BMP's) (such as rain gardens, bio retention systems, tree box filters, and similar stormwater management landscaping techniques) shall be incorporated into landscaped areas. Capture and reuse of stormwater is strongly encouraged. The applicant must document in writing why LID strategies are not appropriate when not used to manage stormwater.

- c. All stormwater treatment areas shall be planted with native plantings appropriate for the site conditions: trees, grasses, shrubs and/or other native plants in sufficient numbers and density to prevent soil erosion and to achieve the water quality treatment requirements of this section.
- d. All stormwater installations and areas that receive rainfall runoff must be designed to drain within a maximum of 72 hours for vector control.
- e. Salt storage areas shall be fully covered with permanent or semi-permanent measures and loading/offloading areas shall be located and designed to not drain directly to receiving waters and maintained with good housekeeping measures in accordance with NH DES published guidance. Runoff from snow and salt storage areas shall enter treatment areas as specified above before being discharged to receiving waters or allowed to infiltrate into the groundwater. See NHDES published guidance fact sheets on road salt and water quality, and snow disposal at <http://des.nh.gov/organization/commissioner/pip/factsheets/wmb/index.htm>.
- f. Surface runoff shall be directed into appropriate stormwater control measures designed for treatment and/or filtration to the MEP and/or captured and reused onsite.
- g. All newly generated stormwater from new development shall be treated on the development site. Runoff shall not be discharged from the development site to municipal drainage systems or privately owned drainage systems (whether enclosed or open drainage) or to surface water bodies and wetlands in rates greater than discharged under existing conditions (developed condition or undeveloped condition). A development plan shall include provisions to retain natural predevelopment watershed areas on the site by using the natural flow patterns.
- h. Runoff from impervious surfaces shall be treated to achieve at least 80% removal of Total Suspended Solids and at least 60% removal of both total nitrogen and total phosphorus using appropriate treatment measures, as specified in the NH Stormwater Manual. Volumes 1 and 2, December 2008, as amended (refer to Volume 2, page 6, Table 2.1 Summary of Design Criteria, Water Quality Volume for treatment criteria) or other equivalent means. Where practical, the use of natural, vegetated filtration and/or infiltration practices or subsurface gravel

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wetlands for water quality treatment is preferred given its relatively high nitrogen removal efficiency. All new impervious area draining to surface waters impaired by nitrogen, phosphorus or nutrients shall be treated with stormwater BMP's designed to optimize pollutant removal efficiencies based on design standards and performance data published by the UNH Stormwater Center and/or included in the latest version of the NH Stormwater Manual. Note: The Anti-Degradation provisions of the State Water Quality Standards require that runoff from new development shall not contribute additional pollutant loads to existing water body impairments.

- i. Measures shall be taken to control the post-development peak rate runoff so that it does not exceed pre-development runoff. Drainage analyses shall include calculations comparing pre- and post-development stormwater runoff rates (cubic feet/second) and volumes (cubic feet) for the 1-inch rainstorm and the 2-year, 10-year, 25-year, and 50-year 24-hour storm events. Similar measures shall be taken to control the post-development runoff volume to infiltrate the groundwater recharge volume GRV according to the following ratios of Hydrologic Soil Group (HSG) type versus infiltration rate multiplier: HSG-A: 0.4; HSG-B: 0.25; HSG-C: 0.1; HSG-D: 0.00. For sites where infiltration is limited or not practicable, the applicant must demonstrate that the project will not create or contribute to water quality impairment. Infiltration structures shall be in locations with the highest permeability on the site.
 - j. The design of the stormwater drainage systems shall provide for the disposal of stormwater without flooding or functional impairment to streets, adjacent properties, downstream properties, soils, or vegetation.
 - k. The design of the stormwater management systems shall account for upstream and upgradient runoff that flows onto, over, or through the site to be developed or re-developed, and provide for this contribution of runoff.
 - l. Whenever practicable, native site vegetation shall be retained, protected, or supplemented. Any stripping of vegetation shall be done in a manner that minimizes soil erosion. development impervious surfaces, buildings and structures; surface water bodies and wetlands; drainage patterns, sub-catchment and watershed boundaries; building setbacks and buffers, locations of various hydrologic group soil types, mature vegetation, land topographic contours with minimum 2-foot intervals and spot grades where necessary for sites that are flat.
2. Submission Requirements for Stormwater Management Report and Plans
 - a. The Stormwater Management Plan (SMP) shall include a narrative description and a Proposed Conditions Site Plan showing all post-development proposed impervious surfaces, buildings and structures; temporary and permanent stormwater management elements and BMP, including BMP GIS coordinates and GIS files; important

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hydrologic features created or preserved the site; drainage patterns, sub-catchment and watershed boundaries; building setbacks and buffers; proposed tree clearing and topographic contours with minimum 2-foot intervals. The plans shall provide calculations and identification of the total area of disturbance proposed on the site (and off site if applicable) and total area of new impervious surface created. A summary of the drainage analysis showing a comparison of the estimated peak flow and volumes for various design storms (see Table 1. Stormwater Infrastructure Design Criteria) at each of the outlet locations shall be included.

- b. The SMP shall describe the general approach and strategies implemented, and the facts relied upon, to meet the goals of Section 1.20, A and C.: The SWP shall include design plans and/or graphical sketch(es) of all proposed above ground LID practices.
 - c. The SMP shall include calculations of the change in impervious area, pollution loading and removal volumes for each best management practice, and GIS files containing the coordinates of all stormwater infrastructure elements (e.g. catch basins, swales, detention/bioretention areas, piping).
 - d. The SMP shall include a description and a proposed Site Plan showing proposed erosion and sediment control measures, limits of disturbance, temporary and permanent soil stabilization measures in accordance with the NHDES Stormwater Manual Volume 3 (most recent version) as well as a construction site inspection plan including phased installation of best management practices and final inspection upon completion of construction.
 - e. The SMP shall include a long-term stormwater management BMP inspection and maintenance plan (see Section 1.20.E) that describes the responsible parties and contact information for the qualified individuals who will perform future BMP inspections. The inspection frequency, maintenance and reporting protocols shall be included.
 - f. The SMP shall describe and identify locations of any proposed deicing chemical and/or snow storage areas. SMP will describe how deicing chemical use will be minimized or used most efficiently.
 - g. In urbanized areas that are subject to the EPA MS4 Stormwater Permit and will drain to chloride-impaired waters, any new developments and redevelopment projects shall submit a description of measures that will be used to minimize salt usage, and track and report amounts applied using the UNH Technology Transfer Center online tool (<http://www.roadsalt.unh.edu/Salt/>) in accordance with Appendix H of the NH MS4 Permit.
3. General Performance Criteria for Stormwater Management Plans.
- a. All applications shall apply site design practices to reduce the generation of stormwater in the post-developed condition, reduce overall impervious surface coverage, seek opportunities to capture and

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reuse and minimize and discharge of stormwater to the municipal stormwater management system.

b. Water Quality Protection.

- i. All stormwater runoff generated from new development or redevelopment shall not be discharged directly into a jurisdictional wetland or surface water body without adequate treatment.
- ii. All developments shall provide adequate management of stormwater runoff and prevent discharge of stormwater runoff from creating or contributing to water quality impairment.

c. Onsite groundwater recharge rates shall be maintained by promoting infiltration through use of structural and non-structural methods. The annual recharge from the post development site shall maintain or exceed the annual recharge from pre-development site conditions. Capture and reuse of stormwater runoff is encouraged in instances where groundwater recharge is limited by site conditions All stormwater management practices shall be designed to convey stormwater to allow for maximum groundwater recharge. This shall include, but not be limited to:

- i. Maximizing flow paths from collection points to outflow points.
- ii. Use of multiple BMPs.
- iii. Retention of and discharge to fully vegetated areas.
- iv. Maximizing use of infiltration practices.
- v. Stormwater System Design Performance Standards.

d. Stormwater system design, performance standards and protection criteria shall be provided as prescribed in Table 1 below. Calculations shall include sizing of all structures and best management practices, including sizing of emergency overflow structures based on assessment of the 100-year 24-hour frequency storm discharge rate.

e. The sizing and design of stormwater management practices shall utilize new precipitation data from the Northeast Region Climate Center (NRCC) or the most recent precipitation atlas published by the National Oceanic and Atmospheric Administration (NOAA) for the sizing and design of all stormwater management practices. See the NRCC website at <http://precip.eas.cornell.edu/>.

f. All stormwater management practices involving bioretention and vegetative cover as a key functional component must have a landscaping plan detailing both the type and quantities of plants and vegetation to be in used in the practice and how and who will manage and maintain this vegetation. The use of native plantings appropriate for site conditions is strongly encouraged for these types of stormwater treatment areas. The landscaping plan must be prepared by a registered landscape architect, soil conservation district office, or another qualified professional.

4. Spill Prevention, Control and Countermeasure (SPCC) Plan.

Any existing or otherwise permitted use or activity having regulated substances in amounts greater than five gallons, shall submit to the local

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official such as Fire Chief, Emergency Response Official a SPCC plan for review and approval. The Plan will include the following elements:

- a. Disclosure statements describing the types, quantities, and storage locations of all regulated substances that will be part of the proposed use or activity.
- b. Owner and spill response manager's contact information.
- c. Location of all surface waters and drainage patterns.
- d. A narrative describing the spill prevention practices to be employed when normally using regulated substances.
- e. Containment controls, both structural and non-structural.
- f. Spill reporting procedures, including a list of municipal personnel or agencies that will be contacted to assist in containing the spill, and the amount of a spill requiring outside assistance and response.
- g. Name of a contractor available to assist in spill response, contaminant, and cleanup.
- h. The list of available clean-up equipment with instructions available for use on-site and the names of employees with adequate training to implement containment and clean up response.

D. Stormwater Management for Redevelopment

1. Redevelopment (as applicable to this stormwater regulation) means:

- a. Any construction, alteration, or improvement that disturbs existing impervious area (including demolition and removal of road/parking lot materials down to the erodible subbase) or expands existing impervious cover by any amount, where the existing land use is commercial, industrial, institutional, governmental, recreational, or multifamily residential.
- b. Any redevelopment activity that results in improvements with no increase in impervious area shall be considered redevelopment activity under this regulation if capital cost of improvements is greater than 30% of the assessed property value.
- c. Any new impervious area over portions of a site that are currently pervious.

The following activities are not considered redevelopment unless they meet the above criteria in section D.1.b.:

- Interior and exterior building renovation.
- Resurfacing of an existing paved surface (e.g. parking lot, walkway or roadway).
- Pavement excavation and patching that is incidental to the primary project purpose, such as replacement of a collapsed storm drain.
- Landscaping installation and maintenance.

2. Redevelopment applications shall comply with the requirements of Sections C.2 Submission Requirements for Stormwater Management Report and Plans, C.3 General Performance Criteria for Stormwater Management Plans, and C.4 Spill Prevention, Control and Countermeasure (SPCC) Plan.

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3. For sites meeting the definition of a redevelopment project and having less than 60% existing impervious surface coverage, the stormwater management requirements will be the same as other new development projects. The applicant must satisfactorily demonstrate that impervious area is minimized, and LID practices have been implemented on-site to the MEP.
4. For sites meeting the definition of a redevelopment project and having more than 60% existing impervious surface area, stormwater shall be managed for water quality in accordance with one or more of the following techniques, listed in order of preference:
 - a. Implement measures onsite that result in disconnection or treatment of 100% of the additional proposed impervious surface area and at least 30% of the existing impervious area and pavement areas, preferably using filtration and/or infiltration practices.
 - b. If resulting in greater overall water quality improvement on the site, implement LID practices to the MEP to provide treatment of runoff generated from at least 60% of the entire developed site area.
5. Runoff from impervious surfaces shall be treated to achieve at least 80% removal of Total Suspended Solids and at least 60% removal of both total nitrogen and total phosphorus using appropriate treatment measures, as specified in the NH Stormwater Manual. Volumes 1 and 2, December 2008, as amended (refer to Volume 2, page 6, Table 2.1 Summary of Design Criteria, Water Quality Volume for treatment criteria) or other equivalent means. Where practical, the use of natural, vegetated filtration and/or infiltration practices or subsurface gravel wetlands for water quality treatment is preferred given its relatively high nitrogen removal efficiency. All new impervious area draining to surface waters impaired by nitrogen, phosphorus or nutrients shall be treated with stormwater BMP's designed to optimize pollutant removal efficiencies based on design standards and performance data published by the UNH Stormwater Center and/or included in the latest version of the NH Stormwater Manual. Note: The Anti-Degradation provisions of the State Water Quality Standards require that runoff from development shall not contribute additional pollutant loads to existing water body impairments.
6. All newly generated stormwater from redevelopment shall be treated on the development site. Runoff shall not be discharged from a redevelopment site to municipal drainage systems or privately owned drainage systems (whether enclosed or open drainage) or to surface water bodies and wetlands in rates greater than discharged under existing conditions (developed condition or undeveloped condition).
7. Off – site mitigation allowance: In cases where the applicant demonstrates, to the satisfaction of the Planning Board, that on-site treatment has been implemented to the MEP or is not feasible, off-site mitigation will be an acceptable alternative if implemented within the same

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subwatershed, within the project's drainage area or within the drainage area of the receiving water body. To comply with local watershed objectives the mitigation site would be preferably situated in the same subwatershed as the development and impact/benefit the same receiving water. Off-site mitigation shall only be approved by the Planning Board with the following conditions:

- a. The Conservation Commission has been given the opportunity to advise the Planning Board regarding the proposed off-site mitigation.
- b. The off-site mitigation shall be equivalent to no less than the total area of impervious cover NOT treated on-site. Treatment of the impervious area shall comply with all standards of this regulation.
- c. An approved off-site location must be identified, the specific management measures identified, and if not owned by the applicant, with a written agreement with the property owner(s) and an implementation schedule developed in accordance with planning board review. The applicant must also demonstrate that there is no downstream drainage or flooding impacts that would result from not providing on-site management for large storm events.

E. Stormwater Management Plan and Site Inspections

1. The applicant shall provide that all stormwater management and treatment practices have an enforceable operations and maintenance plan and agreement to ensure the system functions as designed. This agreement will include all maintenance easements required to access and inspect the stormwater treatment practices, and to perform routine maintenance as necessary to ensure proper functioning of the stormwater system. The operations and maintenance plan shall specify the parties responsible for the proper maintenance of all stormwater treatment practices. The operations and maintenance shall be provided to the Planning Board as part of the application prior to issuance of any local permits for land disturbance and construction activities.
2. The applicant shall provide legally binding documents for filing with the Registry of Deeds which demonstrate that the obligation for maintenance of stormwater best management practices and infrastructure runs with the land and that the Town has legal access to inspect the property to ensure their proper function or maintain onsite stormwater infrastructure when necessary to address emergency situations or conditions.
3. The property owner shall bear responsibility for the installation, construction, inspection, and maintenance of all stormwater management and erosion control measures required by the provisions of these regulations and as approved by the Planning Board, including emergency repairs completed by the Town.

F. Stormwater Management Plan Recordation

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1. Stormwater management and sediment and erosion control plans shall be incorporated as part of any approved site plan. A Notice of Decision acknowledging the Planning Board approval of these plans shall be recorded at the Registry of Deeds. The Notice of Decision shall be referenced to the property deed (title/book/page number) and apply to all persons that may acquire any property subject to the approved stormwater management and sediment control plans. The Notice of Decision shall reference the requirements for maintenance pursuant to the stormwater management and erosion and sediment control plans as approved by the Planning Board.
2. The applicant shall submit as-built drawings of the constructed stormwater management system following construction.

G. Inspection and Maintenance Responsibility

1. Select Board or their designated agent shall have site access to complete inspections to ensure compliance with the approved stormwater management and sediment and erosion control plans. Such inspections shall be performed at a time agreed upon with the landowner.
 - a. If permission to inspect is denied by the landowner, municipal staff or their designated agent shall secure an administrative inspection warrant from the district or superior court under RSA 595-B Administrative Inspection Warrants. Expenses associated with inspections shall be the responsibility of the applicant/property owner.
 - b. If violations or non-compliance with a condition(s) of approval are found on the site during routine inspections, the inspector shall provide a report to the Planning Board documenting these violations or non-compliance including recommend corrective actions. The Planning Board shall notify the property owner in writing of these violations or non-compliance and corrective actions necessary to bring the property into full compliance. The Planning Board, at their discretion, may recommend to the Select Board to issue a stop work order if corrective actions are not completed within 10 days.
 - c. If corrective actions are not completed within a period of 30 days from the Planning Board or Board notification, the Planning Board may exercise their jurisdiction under RSA 676:4-a Revocation of Recorded Approval.
2. The applicant shall bear final responsibility for the installation, construction, inspection, and disposition of all stormwater management and erosion control measures required by the Planning Board. Site development shall not begin before the Stormwater Management Plan receives written approval by the Planning Board.
3. In the event a property owner refuses to repair infrastructure that is damaged or is not functioning properly, the Town retains the right but

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not the obligation and accepts no responsibility, to repair or maintain stormwater infrastructure if a property is abandoned or becomes vacant.

4. Landowners shall be responsible for submitting an annual report to the Planning Board by September 1 every three years, with the first report due within three years of the receipt of an Occupancy Permit. The report shall be signed and stamped by a qualified professional engineer of the landowner's choice that all stormwater management and erosion control measures are functioning per the approved stormwater management plan. The report shall note if any stormwater infrastructure has needed any repairs other than routine maintenance and the results of those repairs. If the stormwater infrastructure is not functioning per the approved stormwater management plan the landowner shall report on the malfunction in their report and include detail regarding when the infrastructure shall be repaired and functioning as approved.

If no report is filed by September 1 in the year the report is due, the Select Board or their designated agent shall have site access to complete routine inspections to ensure compliance with the approved stormwater management and sediment and erosion control plans. Such inspections shall be performed at a time agreed upon with the landowner.

Table 1. Stormwater Infrastructure Design Criteria

<u>Design Criteria</u>	<u>Description</u>
<u>Water Quality Volume (WQV)</u>	$WQV = (P)(R_v)(A)$ $P = 1 \text{ inch of rainfall}$ $R_v = \text{unitless runoff coefficient, } R_v = 0.05 + 0.9(I)$ $I = \text{percent impervious cover draining to the structure converted to decimal form}$ $A = \text{total site area draining to the structure}$
<u>Water Quality Flow (WQF)</u>	$WQF = (q_u)(WQV)$ $WQV = \text{water quality volume calculated as noted above}$ $q_u = \text{unit peak discharge from TR-55 exhibits 4-II and 4-III}$ <u>Variables needed for exhibits 4-II and 4-III:</u> $I_a = \text{the initial abstraction} = 0.2S$ $S = \text{potential maximum retention in inches} = (1000/CN) - 10$ $CN = \text{water quality depth curve number}$ $= 1000 / (10 + 5P + 10Q - 10[Q^2 + 1.25(Q)(P)]^{0.5})$ $P = 1 \text{ inch of rainfall}$ $Q = \text{the water quality depth in inches} = WQV/A$ $A = \text{total area draining to the design structure}$
<u>Groundwater Recharge</u>	$GRV = (A_i)(R_d)$ $A_i = \text{the total area of effective impervious surfaces that will exist on}$

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<u>Volume (GRV)</u>	<u>the site after development</u> <u>R_d = the groundwater recharge depth based on the USDA/NRCS hydrologic soil group, as follows:</u> <u>Hydrologic Group R_d (inches)</u> <u>A 0.40</u> <u>B 0.25</u> <u>C 0.10</u> <u>D 0.00</u>
<u>Channel Protection Volume (CPV)</u>	<u>If the 2-year, 24-hour post-development storm volume <i>does not increase</i> due to development then: control the 2-year, 24-hour post-development peak flow rate to the 2-year, 24-hour predevelopment level.</u> <u>If the 2-year, 24-hour post-development storm volume <i>does increase</i> due to development then: control the 2-year, 24-hour post-development peak flow rate to ½ of the 2-year, 24-hour pre-development level or to the 1-year, 24-hour pre-development level.</u>
<u>Peak Control</u>	<u>Post-development peak discharge rates shall not exceed pre-development peak discharge rates for the 10-year and 50-year, 24-hour storms</u>
<u>EIC and UDC</u>	<u>%EIC = area of effective impervious cover/total drainage areas within a project area x 100</u> <u>%UDC = area of undisturbed cover/total drainage area within a project area x 100</u>

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1.21 WASTE DISPOSAL AND WATER SUPPLY, AND DRAINAGE

- A. It must be shown that sewage disposal systems can comply with the requirements of RSA 149-E and with such rules and regulations as may be established by the New Hampshire Water Supply and Pollution Control Commission and the Town of Fremont.
- B. The Board may require approval for individual lot/site sewage disposal systems. The Board may also require an acceptable plan indicating location of such systems.
- C. It must be shown that on-site well systems can comply with the existing Fremont Zoning Ordinance and State Water Pollution Control and/or Department of Environmental Services regulations.
- D. The proposed site may require an appropriate water supply source for the purpose of fire prevention and control. The water supply system must be such that it will provide for hydrant hook up with roadway access. Cisterns type and size must be stated. Hydrants must be such as to provide for strategic placement. Hydrant locations will meet set back requirements in

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effect at the time. A site-specific design and review must be submitted to and approved by the Rockingham County Conservation District. Proper right-of-way easement rights must be supplied for maintenance of piping and water source. Sufficient off- street access/parking of no less than fifteen (15) feet deep by twenty (20) feet in length must be provided.

- E. The manner of safe waste disposal must be specified on the site plan. Litter and/or garbage collection and holding areas must be secured. All outdoor storage areas and trash receptacles must be located or screened to prevent visibility from within the parking area and neighboring properties. The use of either fencing or hedges is permitted; however, as a condition of approval, the Planning Board may require earth berms and plantings of shrubs and/or trees.

~~F. An adequate surface storm water drainage system must be provided. Storm drainage shall be carried to existing watercourses or connect to existing storm drains where feasible. Necessary easements must be obtained for all off-site drainage ways and shall be shown on the plan. No increase in surface run-off shall be permitted if such run-off passes beyond the property lines unless adequate provisions such that connections to existing watercourses and/or storm drains are provided.~~

~~G. Storm sewers and drainage facilities must be based upon a design flow with a minimum return interval of a twenty-five (25) year/ twenty-four (24) hour storm. Retention structures, such as holding ponds, sedimentation ponds, etc, must be designed to fifty (50) year/twenty-four (24) hour storm standards. (Reference~~

~~H. Urban Hydrology for Small Watersheds, Technical release #55, as amended).~~

~~I. Leaching (French, trench or dry well, etc) type drains shall not be allowed for the purpose of draining surface water from any street that will, or has the potential to, become the property of the Town.~~

1.212 SPECIAL FLOOD PROTECTION PROVISION

- A. If any part of the area of the proposed site plan or development lies within the boundaries of the Special Flood Hazard Area, as shown on the map on file in the Planning Board Office the following special criteria shall apply:
- B. Any such identified area shall be so noted on all presentations and final plats.
- C. Total acreage and square footage shall be noted as a part of the total area and as part of individual building lots.

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- D. Drainage and drainage structures shall be constructed in a manner to accommodate a so-called one hundred (100) year interval flood.
- E. Systems for the supply of water or the discharge of wastewater shall be constructed in a way which will prevent the infiltration of floodwater and contamination of water supplies or backup of wastewater from a one hundred (100) year interval flood.
- F. The site shall be so laid out that sites for buildings will either:
- G. Not be located in the flood hazard area, or if a building is to be located within the flood hazard area, it shall be constructed in such a fashion that neither the structure nor its essential utilities will be harmed by a one hundred (100) year interval flood.
- H. Restrictions necessary to achieve the goals of this Section shall be placed on the plan or shall accompany the plan in writing and be referenced by it on the plan.

1.2~~23~~ SITE PLAN DEVELOPMENT AGREEMENT

The Applicant is required to enter into and execute the most recent version of the Town of Fremont Site Plan Development Agreement with the Planning Board, prior to final approval of the plan and prior to the commencement of any construction activities.

1.2~~34~~ SITE PLAN COMPLIANCE MONITORING~~—2~~

- A. The Planning Board shall require the site construction for residential and commercial site plans to be monitored by the Town's consulting Engineer.
- B. The Applicant shall submit the required surety for review and approval and provide the estimated monitoring escrow.

C. All costs relating to the site plan compliance monitoring by the Town's Consulting Engineer shall be the responsibility of the Applicant/Developer and will be paid from escrow funds held by the Town.

- C.D. The Planning Department shall schedule a preconstruction meeting. The following shall attend:
- 1. Applicant/Owner
 - 2. Design Engineer
 - 3. Contractor
 - 4. Applicable Town Department Heads
 - 5. Town's Consulting Engineer

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D.E. Prior to scheduling the preconstruction meeting the applicant shall provide to the Town:

1. The required copies of approved plans
2. The site plan compliance monitoring escrow
3. Acceptable form of surety
4. Estimated construction schedule, completed by the Applicant's Contractor
5. Stamped shop drawings for applicable structures (fire cisterns, box culverts, retaining walls, etc.)
6. Technical specifications for applicable materials.
- 5.7. Copies of all state, federal or regional permits as required by others.

E.F. The Town's Consulting Engineer shall monitor the following items (but not limited to), on a part-time basis or as needed to ensure compliance:

1. Erosion control (construction entrance, silt fence, etc)
2. ~~Clearing-Stumping~~ and grubbing
3. Cuts and fills
4. Subgrade
5. Drainage
6. Gravels
7. Pavement and pavement striping
8. Guardrail
9. Retaining walls
10. Site lighting
11. Landscaping
12. Off-site improvements
13. As-Built review
14. Other (as applicable, per project)

F.G. Design Changes – Any proposed changes to the approved plans must be proposed to the Town prior to constructing the revised improvements. The Town staff must approve the proposed changes; however, if the proposed changes are deemed to be significant, by the Staff, the Applicant may be required to present the changes to the Planning Board for their approval. All changes, technical in nature shall be subject to review by the Town's Consulting Engineer. Minor, technical changes may be approved in the field by the Town's consulting engineer.

G.H. Building Permit issuance – Prior to the Town issuing building permit(s) for the project, the Town's Consulting Engineer shall visit the subject site and provide a written recommendation to the Planning Board regarding the adequacy of the vehicular access to the building site for inspection and safety/emergency vehicles. The access road and/or travel way to the building site must be at gravel grade, compacted and graded. All underground utility crossings must be installed and no trenching / excavation may be conducted

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within the travel way and/or access through the site, blocking access for inspections and/or safety vehicles and personnel.

~~H.I.~~ Surety reductions or release – See Subdivision Regulations

~~I.J.~~ Certificate of Occupancy (CO) issuance – The Town's Consulting Engineer shall issue a memo recommending the issuance of the CO(s) for the project. Prior to issuing the memo, all site work shall be completed. The only item that may be incomplete, due to winter weather constraints is the required landscaping or revegetation required for land stabilization. If the landscaping is not complete, the applicant must agree, in writing, to install the landscaping during the following spring growing season. Additionally, the written agreement must recognize that if the landscaping is not installed by the agreed date, the Town will use the project surety to have the landscaping installed by an independent contractor.

~~J.~~ ~~All costs relating to the site plan compliance monitoring by the Town's Consulting Engineer shall be the responsibility of the Applicant/Developer and will be paid from escrow funds held by the Town.~~

1.245 FEES

~~A.~~ ~~An application~~ Site Plan Review fee consistent with the Town of Fremont Fee Schedule shall accompany each application for site review.

~~Elderly Housing: See Town of Fremont Fee Schedule.~~

~~A.B.~~ An application fee consistent with the Town of Fremont Fee Schedule shall accompany each application for minor amendments and waivers to any approved Site Plan Review.

~~B.C.~~ An application shall include an additional fee consistent with the Town of Fremont Fee Schedule per abutter, applicant and anyone whose professional seal or stamp appears on the plan for the costs of all notice requirements including the cost of postage for certified mail, reproduction costs and any publication and/or posting costs shall accompany each application.

~~C.D.~~ The Planning Board may require the applicant to pay costs of special investigative studies which may be necessary for the Planning Board to evaluate properly the impact of a proposed site plan/subdivision.

~~D.E.~~ The applicant, by written agreement with the Board at the time of application, or by virtue of the application, shall pay all costs to defray expenses incurred by the Board for engineering assistance or consultation

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regarding the proposed site plan/sub-division. These costs shall be paid during the review of the site plan/subdivision, depending on nature of the cost and subsequent activities, but is required prior to approval and signing of the final plat. A prepayment in the form of a cash escrow for estimated contract services must be provided.

E.F. All Town activities and cost shall be reimbursed to the Town of Fremont at the then going rate for such service within the Town.

F.G. The Planning Board shall require that the construction of industrial, commercial and residential site plans to be monitored by the Town's Consulting Engineer. The Planning Board shall also require that the applicant of any site or subdivision plan, approved by the Board, provide funds for construction monitoring; all professional fees and expenses associated with the work shall be borne by the applicant. Such monitoring may include construction on the site, according to the approved plan, the construction of any off-site improvement approved as part of the plan and review of revised plans, as-built plans, and applicable field changes. Such monitoring may include the construction of buildings, utilities, roads, and/or any other construction that in the opinion of the Planning Board requires monitoring for compliance with the approved plan and Town regulations. The construction monitoring shall be provided by a consultant(s) hired by the Town after funds have been made available by the applicant. Any judgment as to the adequacy of such construction shall be made by the Town.

G.H. Site Plan Compliance Monitoring Account – An escrow account must be established with the Town's Administration Department for monitoring of construction work in progress, for compliance with the approved plan and related work. If at any point during the construction process the escrow is depleted all construction will cease until additional escrow is provided.

1.256 BONDING

A performance bond in the **AMOUNT AND FORM** agreeable by the Board of Selectmen and approved by Town Counsel shall be posted to cover proposed improvements, including, but not limited to roadways, landscaping, drainage facilities, etc. No more than fifty (50%) percent of any performance bond filed with Town shall be released to the developer prior to the completion and acceptance by the Town of all bonded activities/improvements. All improvements must be completed within one (1) year of occupancy within the site unless otherwise previously agreed to by the Planning Board. All improvements must be completed within two years of the date of the building permit unless otherwise previously agreed to by the Planning Board. The Town of Fremont shall have the power to enforce such bonds through all appropriate remedies. No bond shall be released without the written consent of the Planning Board. Bonds shall be reviewed prior to issuance of CO, or annually at a

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[minimum](#).

1.267 FILING AND RECORDING THE FINAL PLAT

- A. The drawings shall be certified by a registered land surveyor or engineer and shall be clearly and legibly drawn.
- B. The drawings shall be of a scale of not more than one hundred (100) feet to the inch.
- C. Adequate space shall be provided on the map for the necessary endorsement by the proper authorities.
- D. A margin of at least one inch shall be provided outside ruled border lines on three sides and at least two (2) inches along the left side, or as required by the Registry of Deeds.
- E. The size of the sheets shall conform to the requirements of the Registry of Deeds of Rockingham County for filing.
- F. Sufficient data acceptable to the Planning Board to determine readily the location, bearing and length of every line, lot line, boundary line, and be able to reproduce such lines on the ground.
- G. All dimensions shall be bound to hundredths of a foot and bearings to at least half minutes. The error of closure shall not exceed one (1) to ten thousand (10,000).
- H. All Mylars to be recorded must be pre-approved by the Rockingham Registry of Deeds.
- I. No later than three (3) business days after the date of final approval the Planning Board Secretary or assigns shall transmit the approved and signed plans of the final plat for filing to the Fremont Planning Board/Town of Fremont. A minimum of four (4) copies of the signed plan/plat shall be provided. Final plat must contain attested approval by the Fremont Planning Board. Such copies must be submitted to and received by the Town of Fremont **PRIOR TO ANY SUBSEQUENT ACTIVITY WITHIN THE SITE.**
- J. The applicant/developer shall supply six (6) additional copies of the microfilm reduced size productions of the filed plat for use by emergency departments in the Town during development and familiarization of new streets, accesses and structures.
- K. The applicant will be responsible for all recording assessments and fees.
- L. Notice of Decision to be recorded at the Registry of Deeds and reference the

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Deed.

1.278 WAIVER

- A. The Planning Board, at a public hearing for which proper notice has been given, may waive such requirements of the foregoing regulations as it determines:
 - 1. Pose an unnecessary hardship to the applicant and;
 - 2. Are not a requisite to the interest of public health, safety, general welfare and;
 - 3. Which do not conflict with the spirit and intent of the regulations, and;
 - 4. Do not conflict with the Fremont Zoning Ordinance (or a variance has been granted by the Board of Adjustment).
- B. When making its determination as to any waiver, the board shall take into consideration the prospective character of the development and of abutting properties. Special circumstances and conditions relating to a particular site plan/subdivision must be evident.
- C. When the applicant desires the waiver of any submission requirement of the foregoing Regulations, he shall include, at the time of application, a request in writing therefore with a statement of reasons for such request, with the application for approval. The Planning Board may reject all and any requests.
- D. Costs for any additional public hearing held for the purpose of such waivers shall be assessed to the applicant.

1.298 APPROVAL

The board shall act upon the site plan/subdivision in one of the following ways:

- A. Approval
- B. Disapproval
- C. Conditional Approval upon completion to the satisfaction of the Board of required improvements and/or conditions.

1.3029 FINES

The provisions of RSA 676:17 shall be applicable.

FREMONT SITE PLAN REVIEW REGULATIONS

CHAPTER 2: FREMONT VILLAGE DISTRICT SITE PLAN REVIEW REGULATIONS

FREMONT VILLAGE DISTRICT: The intent of the following design standards is to provide additional criteria for development within the Fremont Village District. These standards will serve to ensure that new development within the Fremont Village District is compatible with the community's vision of a walkable Town center, by promoting high standards of design that will encourage the preservation of Fremont's rural character and enhance the overall quality of life through well-integrated mixed-use development that incorporates business, retail, and residential structures into a village setting.

2.1 ARCHITECTURE

- A. Structures in the Fremont Village District shall be architecturally compatible and be designed to visually integrate the development and uses within the district. Building styles shall be Georgian, Federal, Greek, Colonial-Cape, Colonial Revival or Victorian.
- B. Architectural details shall also be visually compatible with vernacular New England architectural styles and building materials, and be designed to complement nearby historic buildings.
- C. Buildings within the Fremont Village District are required to have variations in building mass, elevation, and architectural features in order to give each building within the Fremont Village District a distinct character.
- D. Architectural materials, features and the articulation of a façade of a building are to be continued on all sides visible from a publicly traveled street or walkway.
- E. The front façade of a building shall face onto a street or square. All buildings except accessory structures should have their main entrance open on a street or square.
- F. All utility cable/telephone boxes shall be unobtrusively located on the least publicly accessed side of the building.
- G. Building positions shall relate to adjacent existing and proposed structures.

2.2 MOTOR VEHICLE CIRCULATION

- A. Motor vehicle circulation shall be designed to minimize conflicts with pedestrians and bicyclists.

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- B. Rights-of-ways and vehicular access easements are encouraged to vary in dimension and/or alignment. Each street will be separately detailed in the final construction plans.
- C. Streets shall enhance the visual impact of common open spaces and prominent and historic buildings.
- D. Street design and layout shall promote connectivity.
- E. Streets are to be classified as a local street or collector street. (design specification can be found in Fremont Subdivision Regulations) Local streets shall provide primary access to residential and mixed use areas. Collector streets provide the primary access to the Fremont Village District. Traffic calming designs are encouraged as well as on-street parking (parallel or diagonal) to slow traffic.
- F. All collector and local streets shall have pedestrian sidewalks.
- G. Granite or cobblestone curbing is required on all local and collector street designs.

2.3 PEDESTRIAN CIRCULATION

- A. All plans shall incorporate safe and convenient pedestrian access to open spaces, as well as residential areas, commercial buildings, and parking lots within the development and shall provide connections to existing trails and walkways adjacent to the district.
- B. All sidewalks shall be designed with considerations to pedestrian safety, handicapped access, and visual quality.
- C. The following provisions apply to all streets bordered with sidewalks;
 - 1. Sidewalks in all areas. Clear and well-lit walkways shall connect building entrances to adjacent public sidewalks and associated parking lots. Such walkways are to be a minimum of five (5) feet in width.
 - 2. Accessibility. Sidewalks are to comply with the applicable requirements of the Americans with Disabilities Act.
 - 3. Crosswalks. Intersections of sidewalks with streets are to be designed with clearly defined edges. Crosswalks shall be well-lit and clearly marked with contrasting paving materials and/or with striping.
 - 4. Streetlights along sidewalks shall be designed to a pedestrian scale.
- D. All plans shall achieve a sense of human scale and interest that encourages activity and walking throughout the district.

2.4 PARKING LOTS

- A. Parking areas should be located to the side and rear of buildings.

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- B. When possible, parking areas are to be shared with adjacent buildings. Large parking areas are discouraged.
- C. Provisions for the parking of bicycles in locations that are safely segregated from automobile traffic shall be included in all parking lots.
- D. Parking areas shall include defined landscaped strips along public sidewalks and open space, as appropriate.
- E. Appropriately sized landscaped islands shall be used to separate large parking areas. Shade trees are encouraged within parking lots and the surrounding areas.

2.5 OPEN SPACE

- A. Each Fremont Village District proposal shall incorporate an appropriate amount of land as open space designated for recreational use. The land can vary in size and use, ranging from small pocket parks and playgrounds to larger greens or commons.
- B. Open space shall be integrated into the overall design of the development with careful thought as to access. The location of the open space shall enhance the layout of buildings and streets throughout the district.
- C. Recreational areas shall be furnished with walkways, benches, lights, playgrounds and landscaping as required.
- D. Where non-residential uses in the Fremont Village District abut existing residential uses, additional buffers beyond the required fifty (50) foot buffer may be necessary.

2.6 LANDSCAPING

- A. A landscaped buffer strip may be required between adjoining uses within the Fremont Village District. This buffer strip is to be planted with combinations of groundcovers, trees, and shrubs of appropriate heights
- B. Trees within the buffer shall be of one or more of the following: Hickory, Norway Maple, Oak, Hemlock, Elm, Blue Spruce, Frasier Fir, Balsam Fir or Ash.
- C. Exposed storage areas, service areas, utility buildings and truck loading areas are to be screened from adjacent properties using plantings, fences, and other methods compatible with the goals of these standards.

2.7 SIGNS

- A. General. All signs must be consistent with the overall design of the development, and should be constructed of wood, granite, painted cast metal,

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bronze, brass, or other material consistent with the materials used in the building's façade or fixtures. Plastic panel rear-lighted signs are not permitted. Billboards are not permitted. Signs employing mercury vapor, low pressure and high-pressure sodium, and metal halide lighting are not permitted.

- B. Unique and interesting designs are encouraged in the lettering and graphics of each sign. Signs may be attached to the building and project outward from the wall so long as the sign does not project outward from the wall to which it is attached more than eighteen (18) inches. Projecting signs must be at least ten (10) feet above the ground. Signs attached to the front façade shall not exceed the dimensions of the façade.
- C. Height. The maximum permitted height of signs is fifteen (15) feet above the front sidewalk elevation, and shall not extend above the base of the second floor windowsill, parapet, eave, or building façade.
- D. Freestanding signs shall only be permitted where the business is not attached to any other buildings.
- E. Street address numbers shall be clearly marked in any new development and included in the design of the front façade or signage of individual buildings.

2.8 SIDEWALKS

- A. Sidewalks are required along all road frontages of new development. The width of the sidewalk shall be consistent with the prevailing pattern in the immediate neighborhood, provided that no new sidewalk shall be less than five (5) feet wide. Sidewalks shall be at least six (6) inches above grade and have protective curbing. Design must include access by handicapped persons.

2.9 FREMONT VILLAGE DISTRICT DEVELOPMENT PLAN

- A. The Fremont Village District will only be achieved through the coordination and the cooperation of the multiple stakeholders including developers, landowners, applicants, municipality and citizens. Each proposal that comes before the Planning Board needs to demonstrate how their plan will bring together previous and future development within The Fremont Village District.