

# **TOWN OF FREMONT NH 2018 TOWN MEETING WARRANT**

To the inhabitants of the Town of Fremont in the County of  
Rockingham in said State, qualified to vote in Town Affairs:

Pursuant to NH RSA 40:13 II, the First Session of the 2018 Town Meeting (Deliberative Session) shall be held on Monday February 5, 2018 at the Ellis School, 432 Main Street in Fremont New Hampshire at 7:00 pm. The snow date for this session is Wednesday February 7, 2018 at 7:00 pm at the Ellis School.

The Second Session (Voting Session) shall be held on Tuesday March 13, 2018 at the Ellis School, 432 Main Street in Fremont New Hampshire with polls open from 7:00 am to 8:00 pm. All Articles will be voted upon by Official Ballot with any amendments as made at the Deliberative Session.

## *ELECTION OF TOWN OFFICERS*

**ARTICLE 1:** To choose by ballot all necessary Town Officers for the ensuing year.

## *CONSIDER A PLANNING BOARD PROPOSED ZONING ORDINANCE CHANGE*

**ARTICLE 2:** Are you in favor of the proposed amendment to Article VII Section 707 submitted by the Planning Board for the Fremont Zoning Ordinance as follows:

**New Language**                      ~~Removed language~~

### Section 707 – Table of Uses

Districts: C/C = Corporate Commercial District. C H = Commercial Highway District. FUR = Flexible Use Residential District.

P = Permitted, X = Prohibited, CU = Must obtain a Conditional Use Permit from the Planning Board

<b>Use Category</b>	<b>Use</b>	<b>C/C</b>	<b>C H</b>	<b>FUR</b>
Assembly Uses	Motion Picture Theaters	P	P	X
	Symphony and Concert Halls	P	P	X
	Television and Radio Studios with an Audience	P	P	X
	Theaters	P	P	X
	Banquet halls	P	P	X
	Night Clubs	P	P	X
	Restaurants	P	P	CU
	Taverns and Bars	P	P	X
	Amusement Arcades	P	P	CU
	Art Galleries	P	P	CU
	Bowling Alleys	P	P	CU
	Churches	P	P	CU
	Community Halls	P	P	CU
	Courtrooms	P	P	CU
	Dance Halls (no food/drink)	P	P	CU
	Exhibition Halls	P	P	CU

Use Category	Use	C/C	C H	FUR
	Funeral Parlors	P	P	CU
	Gymnasiums (w/o seating)	P	P	CU
	Indoor Swimming Pools	P	P	CU
	Indoor Tennis Courts	P	P	CU
	Lecture Halls	P	P	CU
	Libraries	P	P	CU
	Museums	P	P	CU
	Pool and Billiard Parlors	P	P	CU
	Arenas	P	P	X
	Skating Rinks	P	P	X
	Swimming Pools	P	P	X
	Tennis Courts	P	P	X
	Amusement Park Structures	P	P	X
	Bleachers or Grandstands	P	P	X
	Stadiums	P	P	X
Business Group	Airport Traffic Control Towers	X	X	X
	Animals Hospitals, Kennels and Pounds	P	P	CU
	Banks	P	P	CU
	Barber and Beauty Shops	P	P	CU
	Car Wash	P	P	X
	Civic Administration	P	P	CU
	Clinic, Outpatient	P	P	CU
	Dry Cleaning and Laundries	P	P	X
	Educational Occupancies Above 12th Grade	P	P	CU
	Electronic Data Processing	P	P	CU
	Laboratories	P	P	X
	Motor Vehicle Showrooms	P	P	X
	Post Offices	P	P	CU
	Print Shops	P	P	CU
	Professional Services	P	P	CU
	Radio and Television Stations	P	P	X
	Telephone Exchanges	P	P	CU
Factory Industrial	Moderate-Hazards*	P	X	X
	Beverages, up to 12% alcohol content	P	P	X
	Brick and Masonry	P	P	X
	Ceramic Products	P	P	X
	Foundries	P	P	X
	Glass Products	P	P	X
	Gypsum	P	P	X
	Ice	P	P	X
	Metal Products (fabrication and Assembly)	P	P	X
	<b>Light Manufacturing**</b>	<b>P</b>	<b>P</b>	<b>CU</b>

Use Category	Use	C/C	C H	FUR
Institutional	Residential Board and Care Facilities	CU	CU	CU
	Assisted Living Facilities	CU	CU	CU
	Halfway Houses	CU	CU	X
	Group Homes	CU	CU	CU
	Congregate Care Facilities	CU	CU	CU
	Social Rehabilitation Facilities	CU	CU	CU
	Alcohol and Drug Centers	CU	CU	X
	Convalescent Facilities	CU	CU	CU
	Hospitals	CU	CU	CU
	Nursing Homes	CU	CU	CU
	Mental Hospitals	CU	CU	CU
	Detoxification Facilities	CU	CU	CU
	Adult Day Care Facilities	CU	CU	CU
	Child Day Care Facilities	CU	CU	CU
Mercantile	Department Stores	P	P	CU
	Drug Stores	P	P	CU
	Markets	P	P	CU
	Motor Fuel-dispensing Facilities	X	X	X
	Retail or Wholesale Stores	P	P	CU
	Sales Rooms	P	P	CU
Residential	Boarding Houses	X	P	CU
	Hotels	P	X	X
	Motels	P	X	X
	Apartment Houses	CU	CU	P
	Convents	CU	CU	CU
	Dormitories	CU	CU	CU
	Fraternities and Sororities	CU	CU	CU
	Monasteries	CU	CU	CU
	Vacation Timeshare Properties	CU	CU	CU
	Single Family Residential	X	X	P
	Duplex Housing	X	X	P
	Multi-family Housing	X	X	P
	Residential/Assisted Living (more than 5 but not more than 16)	X	P	CU
Outdoor/ Recreational Uses	Athletic fields	P	P	CU
	Airfields	CU	CU	CU
	Heliports	P	CU	CU
	Campground	X	X	CU
	Shooting Range	X	X	X
	Golf Course	CU	P	CU

Use Category	Use	C/C	C H	FUR
Accessory Uses	Agricultural Buildings	P	P	P
	Aircraft Hangers (accessory to a residence)	P	P	X
	Barns	P	P	P
	Fences (over 6-feet)	P	P	P
	Grain Silos (accessory to a residence)	P	P	P
	Greenhouses	P	P	P
	Livestock Shelters	P	P	P
	Stables	P	P	CU

\* Moderate and High Hazard storage is based on the definition of said uses in the International Building Code as adopted by the State of New Hampshire, as amended.

**\*\*Light Manufacturing is defined as the processing and fabrication of certain materials and products where no process involved will produce noise, vibration, air pollution, fire hazard or noxious emission which will disturb or endanger neighboring properties. Light manufacturing includes, but is not limited to, the production of the following goods: home appliances; electronic instruments; office machines; precision instruments; electronic devices; time pieces; jewelry; optical goods; musical instruments; novelties; wood products; printed material; lithographic plates; type composition; machine tools; dies and gauges; ceramics apparel; lightweight nonferrous metal castings; film processing; light sheet metal products; plastic goods; pharmaceutical goods; and food products.**

**The Planning Board recommends this article 5-0.  
(Majority vote required)**

*CONSIDER A PLANNING BOARD PROPOSED ZONING ORDINANCE CHANGE*

**ARTICLE 3:** Are you in favor of the proposed amendment to Article X Section 1002 submitted by the Planning Board for the Fremont Zoning Ordinance as follows:

**New Language**

**Removed Language**

**Section 1002 – Permitted Uses**

Subject to Site Plan approval as provided in the Fremont Site Plan Regulations: Small retail shops, with a footprint not larger than ~~seven-ten~~ thousand (7-10,000) square feet for a single structure, eating and drinking establishments where consumption is primarily intended to be on the premises, **light manufacturing with no outside material storage**, professional offices, schools, banks, bakeries, civic, public, institutional facilities, medical offices, clinics, single and townhouse residential uses and personal services, such as, hairdressers. Nearly all of the Village District is within the Aquifer Protection District; therefore uses that are prohibited within the Aquifer Protection District are also prohibited within the Village District, where these two areas overlap.

**The Planning Board recommends this article 5-0.  
(Majority vote required)**

*CONSIDER A PLANNING BOARD PROPOSED ZONING ORDINANCE CHANGE*

**ARTICLE 4:** Are you in favor of the proposed amendment to Article XII Section 1202 submitted by the Planning Board for the Fremont Zoning Ordinance as follows:

## Section 1202 – Floodplain Development Ordinance

**Purpose**

**Certain areas of the Town of Fremont, New Hampshire are subject to periodic flooding, causing serious damages to properties within these areas. Relief is available in the form of flood insurance as authorized by the National Flood Insurance Act of 1968. Therefore, the Town of Fremont, New Hampshire has chosen to become a participating community in the National Flood Insurance Program, and agrees to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended) as detailed in this Floodplain Management Ordinance.**

This ordinance, adopted pursuant to the authority of RSA 674:16, shall be known as the Town of Fremont Floodplain Development Ordinance. The regulations in this ordinance shall overlay and supplement the regulations in the Town of Fremont Zoning Ordinance, and shall be considered part of the Zoning Ordinance for purposes of administration and appeals under state law. If any provision of this ordinance differs or appears to conflict with any provision of the Zoning Ordinance or other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.

The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for Rockingham County" together with the associated Flood Insurance Rate map of the town dated May 17, 2005 which are declared to be a part of this ordinance and are hereby incorporated by reference.

## 1202.1 Definition of Terms

The following definitions shall apply only to this Floodplain Development Ordinance, and shall not be affected by, the provisions of any other ordinance of the Town of Fremont.

~~"Area of Shallow Flooding" means a designated A0, AH, or V0 zone on the Flood Insurance Rate Map (FIRM) with a one percent or greater annual possibility of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.~~

~~"Area of Special Flood Hazard" is the land in the floodplain within the Town of Fremont subject to a one percent (1%) or greater possibility of flooding in any given year. The area is designated on the FIRM as Zones A and AE.~~

"Base Flood" means the flood having a one percent (1%) possibility of being equaled or exceeded in any given year.

**"Base Flood Elevation" means the water surface elevation having a one-percent chance of being equaled or exceeded in any given year.**

"Basement" means any area of a building having its floor subgrade on all sides.

"Building" - see "structure".

~~"Breakaway wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation.~~

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operation **or storage of equipment or materials.**

"FEMA" means the Federal Emergency Management Agency.

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.

~~"Flood Elevation Study" means an examination, evaluation, and determination of flood hazards and if appropriate, corresponding water surface elevations, or an examination and determination of mudslide or flood-related erosion hazards.~~

"Flood Insurance Rate Map" (FIRM) means an official map incorporated with this ordinance, on which FEMA has delineated both the special flood hazard areas and the risk premium zones applicable to the Town of Fremont.

**"Flood Insurance Study" means an examination, evaluation, and determination of flood hazards and if appropriate, corresponding water surface elevations, or an examination and determination of mudslide or flood-related erosion hazards. -see "Flood elevation study".**

"Floodplain" or "Flood-prone area" means any land area susceptible to being inundated by water from any source (see definition of "Flooding").

"Flood proofing" means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures and their contents.

"Floodway" - see "Regulatory Floodway".

"Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking and port facilities that are necessary for the loading/ unloading of cargo or passengers, and ship building/repair facilities but does not include long-term storage or related manufacturing facilities.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic Structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register,
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district,
3. Individually listed on a state inventory of historic places in states with historic preservation programs approved by the Secretary of the Interior, or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

- a. By an approved state program as determined by the Secretary of the Interior, or
- b. Directly by the Secretary of the Interior in states without approved programs.

"Lowest Floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

"Manufactured Home" means a structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" includes park trailers, travel trailers, and other similar vehicles placed on site for greater than one hundred and eighty (180) **consecutive days. This includes manufactured homes located in a manufactured home park or subdivision.**

**"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.**

"Mean sea level" means the National Geodetic Vertical Datum (NGVD) of 1929, **North American Vertical Datum (NAVD) of 1988**, or other datum, to which base flood elevations shown on a **community's** Flood Insurance Rate Map are referenced.

**"New construction" means, for the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.**

~~"100-year flood" — see "base flood".~~

"Recreational Vehicle" means a vehicle which is (i) built on a single chassis, (ii) four hundred (400) square feet or less when measured at the largest horizontal projection, (iii) designed to be self propelled or permanently towable by a light duty truck, and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel or seasonal use.

"Regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without **cumulatively** increasing the water surface elevation **more than a designated height.** ~~These areas are designated as floodways on the Flood Boundary and Floodway Map.~~

"Special flood hazard area" means **the land in the floodplain within the Town of Fremont subject to a one percent (1%) or greater possibility of flooding in any given year. The area is designated on the FIRM as Zones A and AE.** ~~an area having flood, mudslide, and/or flood-related erosion hazards, and shown on the FIRM as zones A and AE.~~

~~"Structure" means for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.~~

"Start of Construction" includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within

one hundred and eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure.

**"Structure" means for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.**

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

"Substantial Improvement" means any combination of repairs, reconstruction, alteration, or improvements to a structure in which the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure. The market value of the structure should equal:

1. The appraised value prior to the start of the initial repair or improvement, or
2. In the case of damage, the value of the structure prior to the damage occurring.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term includes structures which have incurred substantial damage, regardless of actual repair work performed. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

**"Violation" means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.**

~~"Water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains.~~

## 1202.2 General Requirements

A. **All proposed development in any special flood hazard area shall require a permit.** The Building Inspector shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is located in a special flood hazard area, all new construction or substantial improvements shall:

1. Be designed (or modified) and adequately anchored to prevent floatation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy,
2. Be constructed with materials resistant to flood damage,
3. Be constructed by methods and practices that minimize flood damages,



4. Be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- B. Where new or replacement water and sewer systems (including on-site systems) are proposed in a special flood hazard area the applicant shall provide the Building Inspector with assurance that these systems will be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems will be located to avoid impairment to them or contamination from them during periods of flooding.
- C. For all new or substantially improved structures located in special flood hazard areas, the applicant shall furnish the following information to the Building Inspector:
1. The as-built elevation (in relation to **NGVD mean sea level**) of the lowest floor (including basement) and include whether or not such structures contain a basement.
  2. If the structure has been floodproofed, the as-built elevation (in relation to **NGVD mean sea level**) to which the structure was floodproofed.
  3. Any certification of floodproofing.
- The Building Inspector shall maintain for public inspection, and shall furnish such information upon request.
- D. The Building Inspector shall not grant a building permit until the applicant certifies that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U. S. C. 1334.
- E. In riverine situations, prior to the alteration or relocation of a watercourse the applicant for such authorization shall:
1. Notify the Wetlands **Board Bureau** of the New Hampshire **Department of Environmental Services Department** and submit copies of such notification to the Conservation Commission, in addition to the copies required by the RSA **483-A:1-b 482-A:3**.
  2. The applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Conservation Commission, including notice of all scheduled hearings before the Wetlands **Board Bureau** (and notice of local wetlands hearings)
  3. The applicant shall submit to the Building Inspector, certification provided by a registered professional engineer, assuring that the flood carrying capacity of an altered or relocated watercourse can and will be maintained.
- F. **Along watercourses with a designated Regulatory Floodway no encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the proposed encroachment would not result in any increase in flood levels within the community during the base flood discharge.**
- G. The Building Inspector shall obtain, review, and reasonably utilize any floodway data available from Federal, State, or other sources as criteria for requiring that all development located in Zone A meet the following floodway requirement:

“No encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway that would result in any increase in flood levels within the community during the base flood discharge.”

- H. **In special flood hazard areas the Building Inspector shall determine the 100-year base flood elevation in the following order of precedence according to the data available:**
1. **In Zone AE, refer to the elevation data provided in the community's Flood Insurance Study and accompanying FIRM.**
  2. **In ~~unnumbered A zones~~ Zone A, the Building Inspector shall obtain, review, and reasonably utilize any ~~one hundred (100)-year~~ base flood elevation data available from any federal, state or other source including data submitted for development proposals submitted to the community (i.e. subdivisions, site approvals). In Zone A where a base flood elevation is not available or not known, the base flood elevation shall be at least 2 feet above the highest adjacent grade.**
- I. The Building Inspector's ~~one hundred (100)-year~~ base flood elevation determination will be used as criteria for requiring **in special flood hazard areas zone A** that:
- a. All new construction or substantial improvement of residential structures have the lowest floor (including basement) elevated to or above the ~~one hundred (100)-year~~ base flood elevation.
  - b. That all new construction or substantial improvements of non-residential structures have the lowest floor (including basement) elevated to or above the ~~one hundred (100)-year~~ base flood level elevation; or together with attendant utility and sanitary facilities, shall:
    - i. Be floodproofed so that below the ~~one hundred (100)-year~~ base flood elevation the structure is watertight with walls substantially impermeable to the passage of water,
    - ii. Have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy, and
    - iii. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of construction are in accordance with accepted standards of practice for meeting the provisions of this section.
  - c. All manufactured homes to be placed or substantially improved within special flood hazard areas shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the ~~one hundred (100)-year~~ base flood elevation; and be securely anchored to resist floatation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
  - d. All recreational vehicles placed on sites within Zones ~~A1-30, AH~~ and AE shall either:
    - i. Be on the site for fewer than one hundred and eighty (180) consecutive days
    - ii. Be fully licensed and ready for highway use **(on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions);** or
    - iii. Meet all standards **of Section 1202.2(l)(c) for manufactured homes. Section 60.3(b) of the National Flood Insurance Program Regulations and the elevation and anchoring requirements for manufactured homes in paragraph (c)(6) of Section 60.3.**

- e. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding are permitted provided they meet the following requirements:
  - i. The enclosed area is unfinished or flood resistant, usable solely for the parking of vehicles, building access or storage,
  - ii. The area is not a basement, **and**
  - iii. Shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: a minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.

### 1202.3 Variances and Appeals

- A. Any order, requirement, decision or determination of the Building Inspector made under this ordinance may be appealed to the Zoning Board of Adjustment as set forth in RSA 676:5.
- B. If the applicant, upon appeal, requests a variance as authorized by RSA 674:33, I (b), the applicant shall have the burden of showing in addition to the usual variance standards under state law:
  - 1. That the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense.
  - 2. That if the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result.
  - 3. That the variance is the minimum necessary, considering the flood hazard, to afford relief.
- C. The Zoning Board of Adjustment shall notify the applicant in writing that: (i) the issuance of a variance to construct below the base flood level will result in increased premium rates for flood insurance up to amounts as high as twenty-five (25) dollars for one hundred (100) dollars of insurance coverage and (ii) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with a record of all variance actions.

The community shall (i) maintain a record of all variance actions, including their justification for their issuance, and (ii) report such variances issued in its annual or biennial report submitted to FEMA's Federal Insurance Administrator.

**The Planning Board recommends this article 4-1.**  
(Majority vote required)

### *CONSIDER A PLANNING BOARD PROPOSED ZONING ORDINANCE CHANGE*

**ARTICLE 5:** Are you in favor of the proposed amendment to Article XIII Section 1301.2 of the Elderly Open Space Ordinance submitted by the Planning Board for the Fremont Zoning Ordinance as follows:

**New Language**

~~Removed Language~~

Section 1301.2 – General Standards: All elderly housing developments shall conform to the following standards:

- A. Elderly housing developments shall be permitted as an overlay district thereby allowed anywhere throughout the Town of Fremont. All elderly housing developments shall occur on a parcel that is a minimum of twenty (20) acres in size and shall have at least fifty (50) feet of frontage on a Class V road or higher.
- B. The total number of elderly housing units approved by the Board under this ordinance in the Town of Fremont shall not exceed ~~ten (10)~~ **fifteen (15)** percent of the total dwelling units in the Town of Fremont. (Explanatory note: for example, the 2000 US Census details 1,201 dwelling units in the Town of Fremont therefore allowing one hundred and twenty (120) elderly units total). **The number of dwelling units in the Town of Fremont shall be based on the NH Office of Strategic Initiatives (OSI) most recent estimates.**
- C. The maximum number of bedrooms allowed on a site is three (3) per acre of upland, and shall be calculated as follows:
  - 1. Subtract very poorly and poorly drained soils, alluvial soils, and soils with slopes greater than twenty-five (25%) percent from the total parcel acreage.
  - 2. Subtract ten (10%) percent of the remaining land for roads and utilities.
  - 3. Multiply the resultant acreage by three (3) bedrooms to get the maximum number of bedrooms allowed on the site.

The allowed number of units may be grouped or dispersed over the non-open space areas in any fashion within the limits imposed by this ordinance and existing septic system siting requirements.

If the development is located within the Aquifer Protection District the number of bedrooms allowed per acre of upland is two (2).

- D. Dwelling units shall be specifically designed to provide housing for elderly residents fifty five (55) years old or older. Units shall have a maximum of two (2) bedrooms, may not exceed thirty-five (35) feet in height, and may be either one (1) or two (2) stories. Buildings shall be separated by a minimum space of thirty-five (35) feet. This spatial relationship may be required to be larger if Planning Board review finds that this standard results in inadequate light and air between structures. No building shall exceed more than six (6) individual units per structure. No individual unit shall exceed fifteen hundred (1,500) square feet of living space, and no single-family building shall exceed fifteen hundred (1,500) square feet in living space.
- E. Adequate on site space shall be provided for off-street parking for two (2) vehicles per dwelling unit.
- F. Building massing and style shall be distinctly residential in character, drawing on historical design elements that are consistent with rural New England architecture and which feature characteristics such as pitched roofs, clapboard or shingle siding, raised panel exterior doors and divided light windows. All such elderly housing developments shall be designed and constructed to compliment and harmonize with the surrounding areas, particularly with regard to the size and scale of the development and its prominence and visibility to the community generally and to surrounding neighborhoods in particular.

Except as provided for by this Elderly Housing ordinance, all such elderly housing developments shall comply in all respects with the Town of Fremont's Zoning Ordinance, Site Plan Review Regulations and/or Subdivision Regulation.

**The Planning Board recommends this article 5-0.**  
(Majority vote required)

*CONSIDER A PROPOSED ZONING ORDINANCE CHANGE SUBMITTED BY PETITION*

**ARTICLE 6:** By Petition: Are you in favor of the proposed amendment to Article XI Section 1102 submitted by petition for the Fremont Zoning Ordinance as follows:

We, the undersigned registered voters of the Town of Fremont, do hereby request to remove the ~~strikethrough~~ and add the **bold** to the Fremont Zoning Ordinance Article 11 Section 1102:

**Section 1102 –Accessory Dwelling Units**

~~1102.1 By Special Exception~~ **One** (1) accessory dwelling unit is allowed within, or as an addition to, single family dwellings, **or unattached dwelling per RSA 674:71**. An accessory dwelling unit is defined ~~per RSA 674:74~~ as a residential living unit that is within ~~or attached~~, **attached, or detached per the provisions of Section 1102.1.G** to a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.

~~A Special Exception shall be granted by the Zoning Board of Adjustments only upon finding by this Board that it meets the provisions and conditions of this section.~~

**1102.2 Requirements**

- ~~A.~~ The owner of the single family dwelling to which the accessory dwelling unit is being created must occupy one of the dwelling units as the owner's principal place of residence.
- ~~B.~~ The living area of the accessory dwelling unit shall be a maximum of **one half the living unit or eight hundred (800) square feet, whichever is greater.**
- ~~C.~~ ~~No more than two (2) bedrooms are permitted in the accessory dwelling unit.~~
- ~~D.~~ **C.** The owner shall provide evidence to the Building Official that septic facilities are adequate to service the accessory dwelling unit. Such evidence shall be in the form of certification by State of N.H. licensed septic system designer.
- ~~E.~~ **D.** The accessory dwelling unit shall be designed such that the appearance of the building remains that of the single family dwelling. Any new entrances shall be located on the side or rear of the building. There shall be at least one independent means of egress to the outside or to a common space.
- ~~F.~~ **E.** The principal dwelling unit and accessory dwelling unit must share common water, septic, electric facilities, and, **if the accessory dwelling unit is attached**, an interior door be provided between the principal dwelling unit and accessory dwelling unit.
- ~~G.~~ **F.** Detached accessory dwelling units are prohibited, **except in a structure that has had an occupancy permit for more than five (5) years or was built before January 2010.**
- ~~H.~~ **G.** Off-street parking must be available for a minimum of four automobiles ~~for the entire structure~~. In no case shall an accessory dwelling unit be permitted to have a separate driveway or separate garage to accommodate its occupant(s).
- ~~I.~~ **H.** All Fremont Zoning Ordinances shall be applicable.
- ~~J.~~ **I.** All building and Renovation Permits, including Occupancy Permits, shall be required. ~~Upon receiving approval from the Zoning Board of Appeals and prior to receiving a building permit, the applicant shall demonstrate to the authorized official that the applicant has recorded the special exception decision with Rockingham Registry, indexed under the name of the property owner.~~
- ~~1102.2 Variances to this special exception may not be granted.~~

**The Planning Board's motion to recommend this Ordinance change did not pass.**  
**The final vote was 2-3. (Majority vote required)**

*CONSIDER A PROPOSED ZONING ORDINANCE CHANGE SUBMITTED BY PETITION*

**ARTICLE 7:** By Petition: Are you in favor of the proposed amendment to Article XVI submitted by petition for the Fremont Zoning Ordinance as follows:

**We, the undersigned registered voters of the Town of Fremont, do hereby request to replace Zoning Article 16 with the following:**

**ARTICLE 16 – SIGNS**

**1600.1 – Purpose**

This ordinance regulates all new or materially altered signs in the Town of Fremont.

- A. The primary purpose of a sign is to convey information.
- B. The primary purpose of this ordinance is to insure motorist and pedestrian safety while allowing property owners to convey information to the public.

**1600.2 – Definitions**

- A. Sign: Any material conveying information which is attached to the exterior of a structure, a pole, or some object such as a rope or wire between structures, poles, or the ground shall be considered a sign and subject to the provisions of this ordinance.
- B. Commercial: Any lot in Commercial Highway District, Corporate Commercial District, Fremont Village District, and commercial operations with a Conditional Use Permit laid out as per Article 7, Section 704.2 of this Ordinance.

**1600.3 – Signs Authorized Without A Permit**

- A. Small Signs: Signs less than three (3) square feet do not require a permit.
- B. Temporary Signs: Signs that would be allowed with a permit, but remain in place for no longer than seven (7) days during any ninety (90) day period.
- C. Flags fifteen (15) square feet or smaller.

**1600.4 – Prohibited Signs**

- A. Signs in the Right-of-Way: No signs shall be allowed in the Town or State Right-of-Way.
- B. Highly Reflective and Fluorescent Signs. Signs made wholly or partially of highly reflective materials and/or fluorescent or day-glow painted signs.
- C. It shall be unlawful to affix, attach, or display any advertisement upon any object of nature, utility pole, telephone booth, or highway sign.
- D. Animated, moving, flashing, intensely lighted signs and signs that emit audible sound, noise, or visible matter.

**1600.5 – Additional Sign Regulations**

- A. Setbacks. All signs must be set back at least ten (10) feet from all property lines. A sign must not impair a motorist's visibility of oncoming traffic.
- B. Illumination. All external light sources shall be dark sky compliant.
- C. Size and Quantity.
  - 1. Residential use. One (1) on-site, twelve (12) square foot sign (attached or freestanding) is permitted. The freestanding sign and supporting structure may not exceed six (6) feet in height.
  - 2. Commercial (single business). One (1) on-site, thirty (30) square foot sign (attached or freestanding) is permitted. The freestanding sign and supporting structure may not exceed ten (10) feet in height.

3. Commercial (multiple businesses). One (1) twelve (12) square foot, attached sign per business and one (1) freestanding sign per lot are permitted. The freestanding sign and supporting structure may not exceed twenty-five (25) feet in height or one hundred fifty (150) square feet in total area (measured from the ground to the top of the sign).
4. Mixed Use. One (1) on-site thirty (30) square foot sign (attached or freestanding) is permitted. The freestanding sign and supporting structure may not exceed ten (10) feet in height.

**The Planning Board recommends this article 3-2.**  
(Majority vote required)

*2018 OPERATING BUDGET – This Article includes all Department operating expenses, exclusive of other Warrant Article requests.*

**ARTICLE 8:** Shall the Town of Fremont raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$2,962,671? Should this article be defeated, the default budget shall be \$2,893,632 which is the same as last year, with certain adjustments required by previous action of the Town of Fremont or by law or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. Note: This operating budget warrant article does not include appropriations contained in ANY other warrant articles.

**The Selectmen recommend this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 8-0.** (Majority vote required)

***HIRE AN ADDITIONAL FULL-TIME POLICE OFFICER.** This article would approve hiring another officer for the Fremont Police Department. This would be the sixth full-time officer for the Town. The estimated tax rate impact of this article is \$0.09. If this is approved, the cost for a full year of this officer in 2019 would be approximately \$90,000. If passed, this would become part of future operating and default budgets.*

**ARTICLE 9:** To see if the Town will vote to raise and appropriate the sum of thirty-seven thousand two hundred seventy-two dollars (\$37,272) to hire a new full-time police officer. This sum covers five months of wages and benefits and necessary gear, equipment and required testing for the officer. If approved, this funding will remain as part of the operating and default budget in future years.

**The Selectmen recommend this appropriation 3-0.**  
**The Budget Committee does not recommend this appropriation 6-2.**  
(Majority vote required)

***CONTRIBUTION TO THE LIBRARY BUILDING EXPENDABLE TOWN TRUST FUND.** The estimated tax rate impact of this article is \$0.01.*

**ARTICLE 10:** To see if the Town will vote to raise and appropriate the sum of five thousand dollars (\$5,000) to be placed in the Library Building Maintenance Expendable Town Trust Fund.

**The Selectmen recommend this appropriation 3-0.**

**The Budget Committee recommends this appropriation 8-0.**  
(Majority vote required)

*CONTRIBUTION TO THE FIRE TRUCK CAPITAL RESERVE FUND. The estimated tax rate impact of this article is \$0.12.*

**ARTICLE 11:** To see if the Town will vote to raise and appropriate the sum of fifty thousand dollars (\$50,000) to be placed in the Fire Truck Capital Reserve Fund.

**The Selectmen recommend this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 8-0.**  
(Majority vote required)

*CONTRIBUTION TO THE BRIDGE CAPITAL RESERVE FUND. The estimated tax rate impact of this article is \$0.06.*

**ARTICLE 12:** To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be placed in the Bridge Construction and Reconstruction Capital Reserve Fund.

**The Selectmen recommend this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 8-0.**  
(Majority vote required)

*CONTRIBUTION TO THE HIGHWAY EQUIPMENT CAPITAL RESERVE FUND. The estimated tax rate impact of this article is \$0.06.*

**ARTICLE 13:** To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be placed in the Highway Equipment Capital Reserve Fund.

**The Selectmen recommend this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 8-0.**  
(Majority vote required)

*FUNDING HIGHWAY PAVING AND IMPROVEMENTS TO BEEDE HILL ROAD. The estimated tax rate impact of this article is \$0.52.*

**ARTICLE 14:** To see if the Town will vote to raise and appropriate the sum of two hundred thirteen thousand ninety-four dollars (\$213,094) to grind, shim and pave the Town portion of Beede Hill Road (3,620 feet) and tie in to the North Road work, and do associated shoulder work and driveway paving tie-ins.

**The Selectmen recommend this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 8-0.**  
(Majority vote required)



*FUNDING HIGHWAY PAVING AND IMPROVEMENTS TO RED BROOK ROAD. The estimated tax rate impact of this article is \$0.40.*

**ARTICLE 15:** To see if the Town will vote to raise and appropriate the sum of one hundred sixty-two thousand seven hundred ten dollars (\$162,710) to reclaim, do extensive drainage work, and pave Red Brook Road (3,580 feet) and do associated shoulder work and driveway paving tie-ins.

**The Selectmen recommend this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 5-3.**  
(Majority vote required)

*FUNDING THE MOSQUITO CONTROL PROGRAM. The estimated tax rate impact of this article is \$0.12.*

**ARTICLE 16:** To see if the Town will vote to raise and appropriate the sum of forty-nine thousand five hundred fifty dollars (\$49,550) to continue the Public Health Mosquito Control Program.

**The Selectmen recommend this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 8-0.**  
(Majority vote required)

*CONTRIBUTION TO THE HISTORIC MUSEUM CAPITAL RESERVE FUND. The estimated tax rate impact of this article is \$0.04.*

**ARTICLE 17:** To see if the Town will vote to raise and appropriate the sum of fifteen thousand dollars (\$15,000) to be placed in the Historic Museum Renovation Capital Reserve Fund.

**The Selectmen recommend this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 6-2.**  
(Majority vote required)

*DESIGNATE THE SELECTMEN AS AGENTS TO EXPEND FROM THE HISTORIC MUSEUM CAPITAL RESERVE FUND. There is no tax rate impact of this article.*

**ARTICLE 18:** To see if the Town will vote to designate the Board of Selectmen as agents to expend from the Historic Museum Renovation Capital Reserve Fund established in 2008.

**The Selectmen recommend this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 6-2.**  
(Majority vote required)

*CONSIDER AMENDING THE ELDERLY EXEMPTION INCOME AND ASSET LIMITS. We have no way to estimate the potential number of new applications which may be eligible once this is amended to an increased income limit. Using the current census of eligible elderly exemptions, the change in the amount of the exempted valuation is \$120,000. This proposed change reflects minimal increases in the income and asset limitations to account for inflation, and in the assessed valuation of property, which has not been adjusted since 2006 (for the 2005 revaluation).*

**ARTICLE 19:** To see if the Town will vote under the provisions of RSA 72:39-a to modify the elderly exemptions from property tax in the Town of Fremont based on assessed value, for qualified taxpayers, to be as follows: for a person 65 years of age up to 75 years \$60,000; for a person 75 years of age up to 80 years \$80,000; for a person 80 years of age or older \$100,000. To qualify, the person must have been a new Hampshire resident for at least 3 consecutive years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married to each other for at least 5 consecutive years. In addition, the taxpayer must have a net income in each applicable age group of not more than \$30,000 or, if married, a combined net income of less than \$40,000; and own net assets not in excess of \$50,000 excluding the value of the person's residence.

**The Selectmen recommend this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 7-1.**  
(Majority vote required)

*CONSIDER AMENDING THE VETERAN CREDIT ALLOWANCE FOR FREMONT IN LIGHT OF NEW LEGISLATION. We have no way to estimate the potential number of veterans who would be eligible once this is amended. Currently there are 209 veteran Tax Credits resulting in a net reduction of \$104,500.*

**ARTICLE 20:** Shall the Town of Fremont adopt the provisions of RSA 72:28-b, All Veterans' Tax Credit? If adopted, the credit will be available to any resident, or the spouse or surviving spouse of any resident, who served not less than 90 days on active service in the armed forces of the United States and as honorably discharged or an officer honorably separated from services and is not eligible for and is not receiving a credit under RSA 72:28 or RSA 72:35. If adopted, the credit granted will be \$500, the same amount as the standard or optional veterans' tax credit voted by the Town under RSA 72:28.

**The Selectmen recommend this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 8-0.**  
(Majority vote required)

*CONSIDER SUPPORTING A NEW SOCIAL SERVICE AGENCY. The estimated tax rate impact of this article is \$0.01. If approved, this would become part of future operating and default budgets.*

**ARTICLE 21:** To see if the Town will vote to raise and appropriate the sum of three thousand five hundred dollars (\$3,500) to support One Sky Community Services, a new social service agency request. If approved, this agency would become one of the agencies approved annually within the operating budget for the Town.

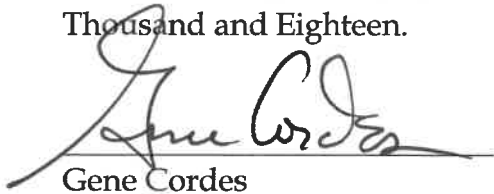
**The Selectmen recommend this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 7-1.**  
(Majority vote required)

*CONSIDER A PETITION ARTICLE TO REQUIRE LEGAL ACTIONS TO BE PUBLISHED ANNUALLY IN THE TOWN REPORT.*

**ARTICLE 22:** By Petition: Shall the Voters of the Town of Fremont, New Hampshire, vote to require that a "list" of any and ALL, current, ongoing or SETTLED – Law Suits, Litigations, Legal Actions, Legal Proceedings, Legal Cases, Legal Claims, Legal Actions, or "out of Court Settlements" that have been filed AGAINST and/or BY, the Town of Fremont N.H., during any part of the Town Budget Year, (January 1st – December 31st), be Published in every "Annual Report" of the Town of Fremont N.H. and, that the "list" shall conform with all New Hampshire "Right to Know Laws," and "Freedom of Information Act" (F.O.I.A.) request Laws?

(Majority vote required)

Given under our hands and seal this 18th day of January in the Year of Our Lord Two Thousand and Eighteen.



Gene Cordes



Neal R Janvrin



Roger A Barham

**Selectmen ~ Town of Fremont New Hampshire**