



TOWN OF FREMONT 2019 Town Meeting Warrant Article Narrative

**In preparation for Deliberative Session to be held
Monday February 4, 2019 at 7:00 pm at ELLIS SCHOOL
SNOWDATE: Wednesday February 6, 2019**

We hope this information is helpful for your understanding of the issues to be voted upon at the 2019 Annual Town Meeting. If you have specific questions that might be answered in advance of the Deliberative Session on Monday February 4, 2019, please feel free to call our office at 895 2226 x 301 or send an email to Heidi Carlson at FremontTA@comcast.net.

Gene Cordes

Neal Janvrin

Roger A Barham

Fremont Board of Selectmen

The Official Warrant must be written as outlined by NH Statute, and this document includes that language but also additional information on each article to assist you in better understanding the subject matter prior to discussing it at the Deliberative Session.

In our eleventh year of the SB2 Town Meeting, we endeavor to provide additional information to assist voters in making decisions about the many municipal challenges facing the Town. The Official Warrant is reviewed and discussed at the Deliberative Session. Following any changes at that session, a final format of the questions is created, now called the Official Ballot. Following the Deliberative Session, a VOTER GUIDE will be prepared to include any changes from the Deliberative Session and will include all of the material to be voted on at the polls March 12, 2019.

At the Deliberative Session, all of the articles on this Warrant will be discussed. Articles 10 through 26 can be amended by floor vote, and may appear differently on the Official Ballot, depending on actions at the Deliberative Session on February 4th. **We hope to see you at this important, interactive session.**

Final voting on the Official Ballot will take place on Tuesday March 12, 2019 at the Ellis School, 432 Main Street, Fremont NH. Polls are open 7:00 am to 8:00 pm. You can request an absentee ballot for this session by contacting the Fremont Town Clerk. Absentee ballot applications are also available on the Town Clerk page of the website at www.Fremont.nh.gov.

In 2009 Fremont voters decided to have the Selectmen and Budget Committee's tally votes on articles printed, along with those recommendations as outlined by Statute. The type of vote required also appears at the end of each article, such as majority, 2/3 or 3/5 requirements. We have also included here in this narrative, an estimate of what each article reflects as part of the total Town portion of the tax rate. This is only an estimate, and is based on a conservative, but reasonable growth in the Town's assessed valuation and other factors included in the adjustment of the annual tax rate (including exemptions, credits, and revenues). Tax rate history provided as reference information.

You can also refer to full details of tax rate historical information in Town Reports.

Year	Town Portion of the Tax Rate
2012	\$3.41
2013	\$3.86
2014	\$3.58
2015	\$4.37
2016	\$3.89
2017	\$4.44
2018	\$4.77

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

This article will list out all candidates running for an elected office within the Town. There will be a separate ballot for candidates running for Fremont School District offices. Sample ballots will be posted at the Town Hall, Ellis School, Safety Complex, Public Library and the Fremont Post Office for viewing before Election Day. We will also have the candidate listing on the Town's website home page.

If you would like to run for Town or School District Office, the sign-up period is January 23, 2019 through February 1, 2019. You must sign up with the Town Clerk during normal office hours. Office hours include Monday and Friday 9:00 am to 12 noon; Tuesday 7:30 am to 3:00 pm; Wednesday 3:00 to 7:00 pm; Thursday 9:00 am to 5:00 pm. In addition, the Town Clerk and the School District Clerk will be at the Town Hall on the final day, Friday February 1 from 3:00 to 5:00 pm for candidate declaration only.

Town Positions Open in 2019

Selectman: 1 for 3 years

Library Trustee: 1 for 3 years

Budget Committee: 2 for 3 years

Treasurer: 1 for 3 years

Trustee of Trust Funds: 1 for 3 years

Cemetery Trustee: 1 for 2 years

Cemetery Trustee: 1 for 3 years

ARTICLE 2: Are you in favor of the proposed amendment to Article IX Section 908 submitted by the Planning Board for the Fremont Zoning Ordinance as follows:

New Language

~~Removed language~~

Section 908 – Existing Lots

~~Any lot existing at the effective date of this ordinance, lawfully created by deed or recorded plan at the Rockingham County Registry of Deeds, shall be exempt from the lot size, frontage and structure setback standards of this ordinance; provided that each such lot and structure thereon shall comply with the lot size, frontage and structure setback standards in effect at the time of the creation of the lot. Each such lot and structure shall comply with all other provisions of this ordinance. A lot is subject to lot size and frontage requirements at the time the lot was lawfully created by deed or recorded plan at the Rockingham County Registry of Deeds.~~

The lot size requirement by date lot was created:

1971-1986 - 1 Acre

1987-Present - 2 Acres

The road frontage requirement by date lot was created:

1947-1970 - 100'

1971-1986 - 150'

1987-Present - 200'

The structure setback requirement by date lot was created:

1971-1986 - 30' front and 20' sides

1987-Present - 50' front and 30' sides

~~Provided further that~~ **For installation of water supply and septic systems**, lots existing prior to March 5, 1974 shall be exempt from this Article provided that they meet the specifications of the New Hampshire Department of Environmental Services, Water Division, Subsurface Bureau and/or its successor for installation of water supply and septic systems.

The Planning Board recommends this article 6-0-0. (Majority vote required)

ARTICLE 2 INFORMATION: This proposal will amend the Fremont Zoning Ordinance by requiring lots to be subject to the lot size and frontage requirements that existed at the time the lot was lawfully created.

ARTICLE 3: Are you in favor of the proposed amendment to Article XI Section 1101.7 submitted by the Planning Board for the Fremont Zoning Ordinance as follows:

New Language

~~Removed Language~~

~~1101.7 Reconstruction of buildings: Any structure destroyed by fire, explosion, flood, storm, or other Act of God may be rebuilt or reconstructed within one (1) year of its destruction, except, that if a non-conforming use is destroyed to a degree of over fifty (50%) percent as determined by assessed valuation it must, when rebuilt, conform to the terms of this ordinance as to its construction.~~

The Planning Board recommends this article 6-0-0.
(Majority vote required)

ARTICLE 3 INFORMATION: This proposal will amend the Fremont Zoning Ordinance by removing Article XI Section 1101.7 from the Ordinance entirely.

ARTICLE 4: Are you in favor of the proposed amendment to Article XI Section 1102 submitted by the Planning Board for the Fremont Zoning Ordinance as follows:

New Language

~~Removed Language~~

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. An accessory dwelling unit is defined per RSA 674:71 as a residential living unit that is within or attached 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. The accessory dwelling unit must have less bedrooms than the principal unit.

~~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 an interior door be provided between the principal dwelling unit and accessory dwelling unit.

~~G.~~ **F.** Detached accessory dwelling units are prohibited.

- ~~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 recommends this article 6-0-0.
(Majority vote required)

ARTICLE 4 INFORMATION: This proposal will amend the Fremont Zoning Ordinance by allowing Accessory Dwelling Units as a right, rather than by a Special Exception from the Zoning Board. This proposal would also allow accessory dwelling units to be one half of the size of the primary living unit, or 800 square feet, whichever is greater.

ARTICLE 5: Are you in favor of the proposed amendment to Article XI Section 1103 submitted by the Planning Board for the Fremont Zoning Ordinance as follows:

New Language ~~Removed Language~~

Section 1103 – Home Occupation

1103.1 The standards of this Section dealing with home occupations are designed to protect and maintain the residential character of Fremont while permitting certain limited commercial activities which are traditionally carried out in a home. Home occupations that meet all the requirements of this ordinance are exempt from site plan review.

1103.2 Definition: Home occupation is defined as any business, occupation or activity conducted for gain within a residential building, or an accessory building thereto, which is incidental or secondary to the use of such building for dwelling purposes and which does not change the essential residential character of the building. This regulation applies to all zoning districts.

1103.3 Standards:

- A. The home occupation shall be conducted solely by the member(s) of the immediate family that reside(s) in the dwelling unit except that ~~one (1)~~ **two (2)** additional non-residents may also be employed.
- B. ~~No display, other than a name plate not more than one (1) square foot in area, that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling, shall be allowed.~~ **Signs - See Article 16.**
- C. No equipment or process shall be used in a home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to normal senses off the lot if the occupation is conducted in a single family or accessory building; or outside the dwelling unit or accessory building if the occupation is conducted on a lot containing a duplex or multi family unit.
- D. All home occupations shall be conducted entirely within an enclosed building.
- E. No materials or equipment associated with the home occupation shall be stored outside the building.
- F. The following businesses, occupations or activities are specifically prohibited:
1. Motor vehicle and accessory sales or rental, repair and/or painting, including trailer rental or sales.
 2. Medical or dental clinic.

3. Restaurant.
4. **Commercial k**en~~nel~~ **as defined under RSA 466:4, III** and veterinary clinic.
5. Funeral home **as defined in RSA 325:1, IX.**
6. ~~Nursery school, but not family day care, with six or fewer children.~~ **Day care nursery as defined in RSA 170-E:2, IV(d).**
7. Repair shops or service establishments, except the repairs of electrical appliances, typewriters, cameras, or other similar small items.
8. ~~Beauty shops and barber shops, except when customer visits are by appointment only and are limited to no more than two customers in any one hour period. Beauty shops and barber shops allowed under these provisions shall be registered with the appropriate licensing and inspection authorities.~~

H. The home occupation shall not require the regular need for delivery of materials to and from the premises by commercial vehicles over ~~twelve thousand (12,000) lbs GVWR~~ **twenty-six thousand (26,000) lbs GVWR more than one time per week.** The intent is to permit delivery vehicles such as United Parcel Service vehicles but to exclude tractor-trailers and other large, heavy commercial vehicles.

I. The home occupation should not require the need for the on-site, ~~over night~~ **overnight** parking of commercial vehicles **over twenty-six thousand (26,000) lbs GVWR.** If on-site parking of one (1) commercial vehicle, with three (3) axles or more, is necessary, it shall be garaged or screened.

The Planning Board recommends this article 6-0-0.
(Majority vote required)

ARTICLE 5 INFORMATION: *This proposal will amend the Fremont Zoning Ordinance by allowing businesses that operate under the Home Occupation Ordinance to display signs as described in the Sign Ordinance, rather than being limited to a one square foot sign. Additionally, this proposal would allow beauty shops and barber shops to operate as home occupation businesses. Finally, this proposal would prohibit the delivery of materials to a home occupation business by commercial vehicles over twenty-six thousand (26,000) lbs GVWR more than once a week.*

ARTICLE 6: Are you in favor of the proposed amendment to Article IV submitted by the Planning Board for the Fremont Zoning Ordinance as follows:

New Language	Removed Language
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Article 4 – Adoption, ~~and~~ Amendments, **and Definitions**

Section 403 – Definitions: In the interpretation and enforcement of this Ordinance, all words other than those defined specifically below shall have the meanings implied by their context in the Ordinance or their ordinarily accepted meanings. For those words defined within other sections of the Zoning Ordinance, the term definition shall apply only to the section within which the term is located.

- A. **Accessory Use:** A use customarily incidental and subordinate to the principal use and located on the same lot as the principal use.
- B. **Accessory Structure or Accessory Building:** A structure or building customarily incidental and subordinate to the principal structure and located on the same lot as the principal use
- C. **Agriculture:** Any farming activity that involves the cultivation of plants or the raising of livestock – including animals or poultry as defined in RSA 21:34-a.

- D. Agritourism – As defined under RSA 21:34-a as attracting visitors to a farm to attend events and activities that are accessory uses to the primary farm operation, including, but not limited to, eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm.**
- E. Camper trailer/ Motor Home/ Trailer coach:** Any vehicle used or intended to be used for living and/or sleeping purposes which is or may be equipped with wheel or wheels or similar devices for the purpose of transporting the unit.
- F. Building:** Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, foods or materials of any kind.
- G. Duplex:** A building designed and/or used exclusively for residential purposes and containing two principal dwelling units separated by a common party wall. The common party wall shall be within interior residential space, including garage space, and shall separate the interior residential space of the two principal dwelling units.
- H. Dwelling Unit:** Any completed structure or portion thereof designed or used exclusively for residential purposes.
- I. Dwelling Unit, Single-Family:** A detached building designed for or occupied exclusively by one family.
- J. Home Occupation:** Any business, occupation or activity conducted for gain within a residential building, or an accessory building thereto, which is incidental or secondary to the use of such building for dwelling purposes and which does not change the essential residential character of the building.
- K. Impervious Surface:** A modified surface, that cannot effectively absorb or infiltrate water including roofs, decks, patios, paved gravel or crushed stone driveways and parking areas and walkways unless designed to absorb or infiltrate water.
- L. Junk Yard:** Two or more uninspected motor vehicles no longer intended or in condition for legal use on the public highways and/or any machinery, scrap metal or other worn, cast off, or discarded articles of materials ready for destruction or collected or stored for salvage or conversion to some use.
- M. Light Manufacturing:** 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.
- N. Lot:** A certain contiguous tract or parcel of land for which there is a deed recorded at the Rockingham County Registry of Deeds.

- O. Lot Coverage:** All impervious and pervious paved surfaces on a given lot including: paved, bricked or gravel areas, buildings or other structures, decks and patios, and recreational facilities such as tennis courts, in-ground pools or similar amenities.
- P. Lot of Record:** Any lot which, individually or as a part of a subdivision, has been recorded in the Office of the Register of Deeds in Rockingham County.
- Q. Manufactured Housing:** Any land rented for the location, either permanently or temporarily, of one or more manufactured houses, recreational vehicles, travel trailers, tent campers, or other vehicles intended for a similar purpose.
- R. Multi-family Dwellings:** All multi-family dwelling units, which are defined as any structures containing more than two (2) dwelling units.
- S. Non-conforming Lot:** A lot which was lawfully created, but which does not meet the minimum dimensional requirements for frontage and/or lot size within the zoning district in which the lot is located.
- T. Non-conforming Structure:** A structure designed, converted, or adopted for a use prior to the adoption of provisions prohibiting such use in such location.
- U. Non-conforming Use:** Non-conforming use is any use legally existing at the time of enactment of this ordinance, or any of its amendments, which does not conform to the provisions of this ordinance.
- V. Structure:** Anything constructed or erected, the use of which requires a fixed location on or in the ground or requires an attachment to something having a fixed location on the ground. "Structure" under this definition includes, but is not limited to, septic systems, buildings, billboards, carports, porches, swimming pools, tennis courts, and leach fields that are, in whole or in part, constructed above grade. For the purpose of this zoning ordinance, sidewalks, driveways, fences, patios, aboveground fuel tanks, and leach fields that are constructed entirely below grade, are not deemed to be structures.

The Planning Board recommends this article 6-0-0.
(Majority vote required)

ARTICLE 6 INFORMATION: *This proposal will amend the Fremont Zoning Ordinance by adding a definitions section to Article 4, which will be renamed to include definitions. Some of the definitions are already existing in the Zoning Ordinance and are simply being moved to this new section. Other definitions are new to the Zoning Ordinance. All definitions in this proposed section are intended to be used throughout the whole Zoning Ordinance. This has been added for clarity and better understanding of terms.*

ARTICLE 7: Are you in favor of the proposed amendment to Article VII submitted by the Planning Board for the Fremont Zoning Ordinance as follows:

New Language ~~Removed Language~~

Section 704 - Flexible Use Residential District

704.1 - The intent of the Flexible-Use Residential District is to provide for residential development on individual lots, or agricultural use, which can be accommodated on the land without major alterations of

the natural terrain, vegetation, watercourses or surface, and commercial development along connector (non-subdivision) streets.

704.2 By Conditional Use Permit, the Planning Board may allow commercial operations on specific roads identified on the Fremont, NH, Zoning District Map, ~~based on the conditions laid out in Section 703 of this Ordinance. The total maximum square footage of all commercial structures on a single parcel, in the Flexible Use Residential District, is ten thousand (10,000) Square Feet.~~

704.3 Conditional Use Permit Requirements: Pursuant to RSA 674:21, the Planning Board is hereby authorized to grant a Conditional Use Permit in the Flexible Use Residential District for commercial operations provided that the following conditions are found to exist:

A. The total maximum square footage of all commercial structures on a single parcel is no greater than ten thousand (10,000) Square Feet.

B. The entire commercial operation shall be located within 500 feet of the lot frontage within the Flexible Use Residential District. The Planning Board may on a case-by-case basis allow commercial operations to be located further than 500 feet from the lot frontage if the impacts of the use on abutting properties are demonstrated to be sufficiently minimized. Impacts include, but are not limited to, noise, odor, visual impacts, traffic, or safety.

C. The commercial operation shall not result in a change in the essential characteristics of the area or abutting properties on account of the location or scale of buildings, other structures, parking areas, access ways, or the storage or operation of associated equipment or vehicles.

D. The proposed use complies with all other applicable sections of the Zoning Ordinance.

~~**704.3**~~ **704.4** Within the Flexible Use Residential District the Planning Board may grant a Conditional Use Permit for an Open Space Preservation Development, anywhere in the district, as per Article 13, Section 1302 of this Ordinance.

Section 705 - ~~Commercial Highway District~~—Main Street District

705.1 The intent of the ~~Commercial Highway District~~—**Main Street** District is to permit general commercial uses in areas on streets with high traffic volumes and to buffer abutting residential neighborhoods from disturbance and disruption. The maximum square footage of an individual commercial use in the ~~Commercial Highway~~ **Main Street District** is twenty-five thousand (25,000) Square Feet.

705.2 Certain commercial operations may only be allowed by a Conditional Use Permit issued from the Planning Board. See the Table of Uses for a list of the uses that require a Conditional Use Permit.

705.3 Conditional Use Permit Requirements: Pursuant to RSA 674:21, the Planning Board is hereby authorized to grant a Conditional Use Permit in the Main Street District provided that the following conditions are found to exist:

- A. The permit is in the public interest.
- B. There will be no greater diminution of neighboring property values than would be created under any permitted use.
- C. That there are no existing violations of the Fremont zoning ordinance on the subject property.
- D. That the character of the area shall not be adversely affected in the context of:
 - 1. Architecture

2. Transportation
 3. Scale of coverage
 4. Scale of building size
 5. Consistency of uses
- E. That granting the permit will not result in undue municipal expense
 - F. That the proposed use will be developed in a manner compatible with the spirit and intent of the ordinance.
 - G. That the capacity of existing or planned community facilities and services (including streets and highways) will not be adversely impacted.
 - H. That the general welfare of the Town will be protected.
 - I. That the following impacts have been mitigated to the extent practical:
 1. Noise
 2. Light
 3. Transportation
 4. Visual effects
 5. Odor
 - J. Landscaped or other appropriate buffers of sufficient opacity and materials shall be required if deemed reasonably necessary for the welfare of neighboring properties or the Town.

Section 706 - ~~Corporate Commercial District~~ Shirkin Road Commercial District

706.1 The intent of the ~~Corporate Commercial District~~ **Shirkin Road Commercial District** is to provide areas for corporate business parks, research and development, light-manufacturing, processing, assembly, wholesaling, and transportation-oriented activities and related services such as trucking and warehousing providing that such uses are determined not to be injurious or hazardous to the public health, safety, and/or welfare. Furthermore, the intent of the district is to reserve suitable land for the location of new industry and to enhance economic development and employment.

706.2 Certain commercial and industrial operations may only be allowed by a Conditional Use Permit issued from the Planning Board. See the Table of Uses for a list of the uses that require a Conditional Use Permit.

706.3 Conditional Use Permit Requirements: Pursuant to RSA 674:21, the Planning Board is hereby authorized to grant a Conditional Use Permit in the Shirkin Road District provided that the following conditions are found to exist:

- A. The permit is in the public interest.
- B. There will be no greater diminution of neighboring property values than would be created under any permitted use.
- C. That there are no existing violations of the Fremont zoning ordinance on the subject property.
- D. That the character of the area shall not be adversely affected in the context of:
 1. Architecture
 2. Transportation
 3. Scale of coverage
 4. Scale of building size
 5. Consistency of uses
- E. That granting the permit will not result in undue municipal expense
- F. That the proposed use will be developed in a manner compatible with the spirit and intent of the ordinance.
- G. That the capacity of existing or planned community facilities and services (including streets and highways) will not be adversely impacted.
- H. That the general welfare of the Town will be protected.
- I. That the following impacts have been mitigated to the extent practical:
 1. Noise
 2. Light

3. Transportation
 4. Visual effects
 5. Odor
- K. Landscaped or other appropriate buffers of sufficient opacity and materials shall be required if deemed reasonably necessary for the welfare of neighboring properties or the Town.

Section 707 Residential District

707.1 The intent of the Residential District is to provide areas for residential uses of single-family and duplexes that allow for sufficient area to provide necessary water needs and sewage disposal from on-site systems. Multi-family dwellings are also allowed, with approved Conditional Use Permit, in areas where the neighborhood character of surrounding residential properties is maintained. This district includes areas where agriculture, agritourism and other open land uses are appropriate and natural conditions make the land unsuitable for intense development.

707.2 Conditional Use Permit Requirements: Pursuant to RSA 674:21, the Planning Board is hereby authorized to grant a Conditional Use Permit in the Residential District for multi-family dwellings provided that the following conditions are found to exist:

- A. The proposal meets the additional setback and frontage requirements under Article 9 – Lot requirements.**
- B. The multi-family dwellings shall not result in a change in the essential characteristics of the area or abutting properties.**
- C. The proposed use complies with all other applicable sections of the Zoning Ordinance.**

The Planning Board recommends this article 6-0-0.
(Majority vote required)

ARTICLE 7 INFORMATION: *The proposal to the zoning districts includes:*

- 1. Changes to the district boundaries to appear on the Fremont, NH Zoning District Map (Article 7, Section 701-703). The extent of the changes can be viewed on the proposed Zoning District Map.*
- 2. Renaming the Corporate-Commercial Zoning District to the Shirkin Road Commercial District.*
- 3. Renaming the Commercial-Highway District to the Main Street District.*
- 4. Including existing Conditional Use Permit criteria for certain uses in the Commercial- Highway and Corporate-Commercial Districts for clarity.*
- 5. Expanding the Commercial-Highway District to extend onto portions of Red Brook Road, Danville Road, and on the northern side of Main Street towards the Brentwood/Fremont town line.*
- 6. Addition of a "Residential District" that is currently undefined in the existing zoning. Allowed uses include residential uses and agricultural uses. The proposal includes a Conditional Use Permit requirement and criteria for establishing multi-family housing within the Residential District.*
- 7. Addition of criteria for issuing a Conditional Use Permit for commercial uses within the Flexible Use District.*
- 8. Better representing on the Zoning District Map which parcels are within the proposed Flexible Use District.*

ARTICLE 8: Are you in favor of the proposed amendment to Article VII Section 708 and Article VIII submitted by the Planning Board for the Fremont Zoning Ordinance as follows:

New Language

~~Removed Language~~

Section 707- 708 - Table of Uses

The types of uses designated as “Permitted Uses”, “Conditional Use” and “Prohibited” in the following table are necessarily broad and general in many cases. The Planning Board will consider specific applications and whether the proposed use(s) meets the general definition or the definition as listed Section 403 into one or more of the uses listed below.

Uses listed in the following table as “Prohibited” are considered inconsistent with the goals for development in one or more districts within Fremont as expressed in the Master Plan, beyond the capacity of the Town’s infrastructure or incompatible with abutting properties and resources. Any use not listed or not found to meet the definition of the “Permitted” and “Conditional Use” uses listed below shall be considered “Prohibited”. “Prohibited” may only be allowed after receiving a variance from the Zoning Board of Adjustment as described in Section 1702.

Districts: SR = Shirkin Road Commercial District.

FUR = Flexible Use Residential District.

P= Permitted, CU= Conditional Use Required, X = Prohibited

MS = Main Street District.

R= Residential District.

Use Categories	Zoning Districts			
	SR	MS	FUR	R
Restaurants and Bars	P	P	CU	X
Assembly/ Function Halls	P	P	CU	X
Government Buildings	P	P	P	P
Indoor Recreational Facilities	P	P	CU	X
Retail, Service and Office Uses	P	P	CU	X
Animals Hospitals and Kennels	P	P	CU	X
Schools and Educational Institutions	P	P	CU	CU
Motor Vehicle Showrooms	P	P	X	X
Motor Fuel-dispensing Facilities	X	X	X	X
Professional Services	P	P	CU	X
Industrial Uses	P	X	X	X
Light Manufacturing	P	P	CU	X
Residential Board and Care Facilities	CU	CU	CU	CU
Assisted Living Facilities	CU	CU	CU	CU
Hospitals and Medical Facilities	CU	CU	CU	X
Nursing Homes	CU	CU	CU	CU
Adult Day Care Facilities	CU	CU	CU	X
Child Day Care Facilities (6 or more children)	CU	CU	CU	X
Hotels, and Motels	P	P	CU	X
Bed & Breakfasts	P	P	CU	CU
Single Family Residential	X	P	P	P
Duplex	X	P	P	P
Multi-family Dwellings	X	CU	P	CU
Residential/Assisted Living (more than 5 but not more than 16)	X	CU	CU	CU
Campground	X	X	CU	X
Outdoor Shooting Range	X	X	X	X
Outdoor Recreational Facilities	P	P	CU	CU
Agriculture	P	P	P	P
Agritourism	P	P	P	P

ARTICLE 8 - CONDITIONAL USE PERMIT

Pursuant to RSA 674:21, the Planning Board is hereby authorized to grant a Conditional Use Permit to allow for a conditional use in accordance with the restrictions and requirements of ~~this section~~ **Articles 7 and 8**. A Conditional Use Permit may not establish a use specifically prohibited by this Ordinance.

Section 801 - Purpose

~~This section is to provide a conditional method to permit commercial uses that are consistent with the intent of the underlying zoning district, as indicated by the Table of Uses in Article 7, Section 707 of this Ordinance. A conditional use permit application shall be administered by the Planning Board to insure that conditional use opportunities do not adversely impact neighboring properties, and are consistent with the health, safety and welfare of the public.~~

~~Section 802 - Conditional Use Permits~~

~~All commercial development in the Flexible Use Residential District, and uses within other districts that require a Condition Use Permit, shall obtain a conditional use permit from the Planning Board. The conditional use permit shall clearly set forth all conditions of approval and shall clearly list all plans, drawings and other submittals that are part of the approved use. Everything shown or otherwise indicated on a plan or submittal that is listed on the conditional use permit shall be considered to be a condition of approval. Construction shall not deviate from the stated conditions without approval of the modification by the Planning Board. **Note: Moved to Section 704**~~

~~Section 803~~ **802- Application Procedure**

Applications for conditional use permits shall be made in accordance with the procedures set forth in the Site Plan Review Regulations of the Planning Board. Applications shall comply with all requirements of the Site Plan Review Regulations and Subdivision Regulations, as applicable.

~~Section 804~~ **803- Approval of Applications**

A conditional use permit shall be issued only if an applicant complies with all of the requirements of this ordinance. The Planning Board may condition its approval of the developments on reasonable conditions necessary to accomplish the objectives of this section or of the Fremont Master Plan, Zoning Ordinance, or any other federal, state, town resolution, regulation, or law, including a reduction in allowed density, or reasonable increase in required frontage, setbacks, or any other requirement if necessary to accomplish said objectives.

~~Section 805~~ **804 – General**

The conditional use development provisions of this ordinance provide applicants with an alternative development approach intended to promote flexibility and innovation in land planning. These regulations that have been established are intended to be a minimum consideration of allowable impacts. Each tract of land possesses different, unique development characteristics and limitations, and the use allowed on any particular tract will be a function of innovative land planning and building design interacting with the special characteristics and limitations of the site.

~~Section 806~~ **805 – Standards for Approval**

All standards as listed in **Article 7 and** below must be met or impacts mitigated to the satisfaction of the Planning Board prior to the granting of a Conditional Use Permit.

- A. The permit is in the public interest.
- B. There will be no greater diminution of neighboring property values than would be created under any permitted use in the Flexible Use Residential District.
- C. That there are no existing violations of the Fremont zoning ordinance on the subject property.
- D. That the character of the area shall not be adversely affected in the context of:
 1. Architecture
 2. Transportation
 3. Scale of coverage

4. Scale of building size
5. Consistency of uses
- E. That granting the permit will not result in undue municipal expense
- F. That the proposed use will be developed in a manner compatible with the spirit and intent of the ordinance.
- G. That the capacity of existing or planned community facilities and services (including streets and highways) will not be adversely impacted.
- H. That the general welfare of the Town will be protected.
- I. That the following impacts have been mitigated to the extent practical:
 1. Noise
 2. Light
 3. Transportation
 4. Visual effects
 5. Odor
- L. Landscaped or other appropriate buffers of sufficient opacity and materials shall be required if deemed reasonably necessary for the welfare of neighboring properties or the Town.

Section ~~807~~ 806 – Permit Expiration

Any Conditional Use Permit shall expire if: (1) substantial construction shall not have begun within one (1) year of the date of issuance of such permit; or, (2) if the use is discontinued for any reason for more than two (2) years. In such cases, a new application for a Conditional Use Permit must be completed and approved

Section ~~808~~ 807 – Existing Uses

The provisions of Article 7, ~~Sections 704 through 707~~ and Article 8 shall not apply to any lawfully existing use. ~~within the Corporation/Commercial District or the Flexible Use District.~~ The term “lawfully existing” shall mean any lawful pre-existing non-conforming use which predated the adoption of the Site Plan regulations or which has received Town of Fremont Planning Board Site Plan Review approval under the Site Plan Regulations.

All other existing non-conforming uses not lawfully existing as defined above, shall be required to make application for relief, permit or approval as shall be required, within one (1) year from the date of the adoption of this Ordinance.

The Planning Board recommends this article 6-0-0.
(Majority vote required)

ARTICLE 8 INFORMATION: *The proposal to the table of uses includes:*

- *Clarifying which uses are permitted, permitted by Conditional Use Permit, or prohibited.*
- *Renaming the Zoning Districts as reflected in the proposed zoning district amendments.*
- *Replace the existing table of uses (originally from the International Building Code Use Categories) with a simpler list of uses. The overall intent was to maintain the same allowed uses/prohibited uses. The exception is that currently airfields, heliports and aircraft hangers are currently permitted or permitted with a Conditional Use Permit in some districts. These uses have been removed from the list and would be considered “prohibited” unless they were considered accessory uses/structures to a principal use/structure.*

ARTICLE 9: Are you in favor of the proposed amendment to Article XII Section 1203 submitted by the Planning Board for the Fremont Zoning Ordinance as follows:

Section 1203 – Aquifer Protection District

New language

~~Removed language~~

To be moved to a new section, no changes proposed

1203.1 Pursuant to RSA 674:16-21, the Town of Fremont adopts an Aquifer Protection District and accompanying regulations in order to protect, preserve and maintain potential groundwater supplies and related groundwater recharge areas within a known aquifer identified by the Town. The objectives of the aquifer protection district are:

- To protect the public health and general welfare of the citizens of the Town of Fremont.
- To prevent development and land use practices that would contaminate or reduce the recharge of the identified aquifer.
- To promote future growth and development of the Town, in accordance with the Master Plan, by insuring the future availability of public and private water supplies.
- To encourage uses that can appropriately and safely be located in the aquifer recharge areas.

1203.2 General: The provision of the Aquifer Protection District shall be administered by the Planning Board. All development proposals, other than single or two-family residential construction not involving the subdivision of land, shall be subject to subdivision and/or site plan review and approval in accordance with Planning Board rules and regulations. Such review and approval shall precede the issuance of any building permit by the Town.

1203.3 Enforcement: The Board of Selectmen shall be responsible for the enforcement of the provisions and conditions of the Aquifer Protection District.

1203.4 Definitions: **The following definitions shall apply only to this Aquifer Protection District and shall not be affected by the provisions of any other ordinance of the Town of Fremont.**

Animal Feedlot: A commercial agricultural establishment consisting of confined feeding areas and related structures used for the raising of livestock. An animal feedlot shall be considered one on which more than five (5) animals are raised simultaneously.

Aquifer: For the purpose of this Ordinance, aquifer means a geologic formation, group of formations, or part of a formation **of rock, sand, or gravel** that is capable of yielding quantities of groundwater usable for municipal or private water supplies.

Dwelling Unit: A building or that portion of a building consisting of one (1) or more rooms designed for living and sleeping purposes, including kitchen and sanitary facilities and intended for occupancy by not more than one family or household.

Gasoline station: means that portion of a property where petroleum products are received by tank vessel, pipeline, tank car, or tank vehicle and distributed for the purposes of retail sale of gasoline.

Groundwater: All the water below the land surface in the zone of saturation or in rock fractures capable of yielding water to a well.

Groundwater Recharge: The infiltration of precipitation through surface soil materials into groundwater. Recharge may also occur from surface waters, including lakes, streams and wetlands.

Impervious: not readily permitting the infiltration of water.

Impervious surface: a surface through which regulated substances cannot pass when spilled. Impervious surfaces include concrete unless unsealed cracks or holes are

present. Earthen, wooden, or gravel surfaces, or other surfaces which could react with or dissolve when in contact with the substances stored on them are not considered impervious surfaces.

Junkyard: an establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk or for the maintenance or operation of an automotive recycling yard. The word does not include any motor vehicle dealers registered with the director of motor vehicles under RSA 261:104 and controlled under RSA 236:126.

Leachable Wastes: Waste materials, including solid wastes, sludge and agricultural wastes that are capable of releasing contaminants to the surrounding environment.

Mining of Land: The removal of geologic materials such as topsoil, sand and gravel, metallic ores, or bedrock to be crushed or used as building stone.

Non-Conforming Use: Any lawful use of buildings, structures, premises, land or parts thereof existing as of the effective date of this Ordinance, or amendment thereto, and not in conformance with the provisions of this Ordinance, shall be considered to be a non-conforming use.

Non-Municipal Well: Any well not owned and operated by the Town of Fremont or its agent.

Outdoor storage: storage of materials where they are not protected from the elements by a roof, walls, and a floor with an impervious surface.

Public water system: a system for the provision to the public of piped water for human consumption as defined by RSA 485:1-a.

Recharge Area: The land surface area from which groundwater recharge occurs.

Regulated substance: petroleum, petroleum products, regulated contaminants for which an ambient groundwater quality standard has been established under RSA 485-C:6, and substances listed under 40 CFR 302, excluding substances used in the treatment of drinking water or waste water at department approved facilities.

Sanitary protective radius: The area around a public water supply well which must be maintained in its natural state as required by Env-Dw 301 or 302 (for community water systems); Env-Dw 405.14 and 406.12 (for other public water systems).

Seasonal high water table: The depth from the mineral soil surface to the upper most soil horizon that contains 2 percent or more distinct or prominent redoximorphic features that increase in percentage with increasing depth (as determined by a licensed Hydrogeologist, Soils Scientist, Wetlands Scientist, Civil or Environmental Engineer or other qualified professional approved by the Planning Board). Alternately, the shallowest depth measured from ground surface to free water that stands in an unlined or screened borehole for at least a period of seven consecutive days.

Secondary containment: a structure such as a berm or dike with an impervious surface which is adequate to hold at least 110 percent of the volume of the largest regulated-substances container that will be stored there.

Septage: Liquid or solid waste generated by septic disposal systems. Septic waste containing wash water, gray waters, human feces, excrement, dregs, sediment, grease, oils and any other waste generated in a domestic septic disposal system.

Sludge: Residual materials produced by the sewage treatment process.

Solid Waste: Any discarded or abandoned material including refuse, putrescible material, septage, or sludge, as defined by New Hampshire Solid Waste Rules He-P 1901.03. Solid waste includes solid, liquid, semi-solid, or contained gaseous waste material resulting from residential, industrial, commercial, mining, and agricultural operations and from community activities.

Stratified-drift aquifer: A geologic formation of predominantly well-sorted sediment deposited by or in bodies of glacial meltwater, including gravel, sand, silt, or clay, which contains sufficient saturated permeable material to yield significant quantities of water to wells.

Structure: Anything constructed or erected, except a boundary wall or fence, the use of which requires location on the ground or attachment to something on the ground. For the purposes of this Ordinance, buildings are structures.

Toxic or Hazardous Materials: Any substance or mixture of such physical, chemical, or infectious characteristics as to pose a significant, actual or potential hazard to water supplies, or other hazard to human health, if such substance or mixture were discharged to land or waters of this Town. Toxic or hazardous materials include, without limitation, volatile organic chemicals, petroleum products, heavy metals, radioactive or infectious wastes, acids and alkalies, and include products such as pesticides, herbicides, solvents and thinners, and such other substances as defined in New Hampshire Water Supply and Pollution Control Rules, Section Env-Dw 902 in New Hampshire Solid Waste Rules Env-Sw 103.12), and in the Code of Federal Regulations 40 CFR 261. ~~Wastes generated by the following commercial activities are presumed to be toxic or hazardous, unless and except to the extent that anyone engaging in such an activity can demonstrate the contrary to the satisfaction of the Planning Board:~~

- ~~• Airplane, boat and motor vehicle service and repair;~~
- ~~• Chemical and bacteriological laboratory operation;~~
- ~~• Dry cleaning;~~
- ~~• Electronic circuit manufacturing;~~
- ~~• Metal plating, finishing and polishing;~~
- ~~• Motor and machinery service and assembly;~~
- ~~• Painting, wood preserving and furniture stripping;~~
- ~~• Pesticide and herbicide application;~~
- ~~• Photographic processing;~~
- ~~• Printing.~~

Wellhead protection area: The surface and subsurface area surrounding a water well or wellfield supplying a community public water system, through which contaminants are reasonably likely to move toward and reach such water well or wellfield.

1203.5 District Boundaries

- A. Location: The Aquifer Protection District is defined as the area shown on the map entitled Fremont New Hampshire – Surface Water Resources, Aquifer Protection, Flood Zone and Zoning District Map: March 2013 and any updates located in the Planning Office.

The Aquifer Protection District is a zoning overlay district which imposes additional requirements and restrictions to those of the current ordinances. In all cases, the more restrictive requirement(s) shall apply.

- B. Recharge Areas: For the purpose of this Ordinance, the primary recharge area for the identified aquifer is considered to be co-terminus with the Aquifer and the High Potential to Yield Groundwater areas. No secondary recharge area has been identified at the time of enactment.
- C. Appeals: Where the bounds of the identified aquifer or recharge area, as delineated, are in doubt or in dispute, any landowner aggrieved by such delineation may appeal the boundary location to the Planning Board. Upon receipt of such appeal, the Planning Board shall suspend further action on development plans related to the area under appeal and shall engage, at the landowner's expense, a qualified hydrogeologist to prepare a report determining the proper location and extent of the aquifer and recharge area relative to the property in question. The aquifer delineation shall be modified by such determination subject to review and approval by the Planning Board.

1203.6 Performance Standards

The following Performance Standards apply to all uses in the Aquifer Protection District unless exempt under Section 1203.8.I:

- A. For any new or expanded uses that will render impervious more than 15 percent or more than 2,500 square feet of any lot, whichever is greater, a stormwater management plan shall be prepared which the Planning Board determines is consistent with New Hampshire Stormwater Manual Volumes 1-3, December 2008, NH Department of Environmental Services.
- B. Conditional uses as defined under Section 1203.8.F shall develop stormwater management and pollution prevention plans and include information consistent with *Developing Your Stormwater Pollution Prevention Plan: A Guide for Industrial Operators* (US EPA, Feb 2009) The plan shall demonstrate that the use will:
 - 1. Meet minimum stormwater discharge setbacks between water supply wells and constructed stormwater practices as found within the *Innovative Land Use Planning Techniques: A Handbook for Sustainable Development*, Section 2.1 Permanent (Post Construction) Stormwater Management, (NHDES, 2008 or later edition)
 - 2. Minimize, through a source control plan that identifies pollution prevention measures, the release of regulated substances into stormwater;
 - 3. Stipulate that expansion or redevelopment activities shall require an amended stormwater plan and may not infiltrate stormwater through areas containing contaminated soils without completing a Phase I Assessment in conformance with ASTM E 1527-05, also referred to as All Appropriate Inquiry (AAI);
 - 4. Maintain a minimum of four feet vertical separation between the bottom of a stormwater practice that infiltrates or filters stormwater and the average seasonal high water table as determined by a licensed hydrogeologist, soil scientist, engineer or other qualified professional as determined by the Planning Board.
- C. Animal manures, fertilizers, and compost must be stored in accordance with *Manual of Best Management Practices for Agriculture in New Hampshire*, NH Department of

Agriculture, Markets, and Food, (June 2011) and any subsequent revisions; NH Department of Agriculture, Markets and Food (DAMF) may be consulted to help determine whether a particular facility is in compliance with the agriculture BMPs. NH DAMF may order property owners to develop a nutrient management plan when state BMPs related to manure or fertilizers are not followed and RSA 431:35 authorizes local health authorities and NHDES to enforce the plan.

- D. All regulated substances stored in containers with a capacity of five gallons or more must be stored in product-tight containers on an impervious surface designed and maintained to prevent flow to exposed soils, floor drains, and outside drains;**
- E. Facilities where regulated substances are stored must be secured against unauthorized entry by means of a door and/or gate that is locked when authorized personnel are not present and must be inspected weekly by the facility owner;**
- F. Outdoor storage areas for regulated substances, associated material or waste must be protected from exposure to precipitation and must be located at least 100 feet from surface water or storm drains, at least 75 feet from private wells, and outside the sanitary protective radius of wells used by public water systems;**
- G. Secondary containment must be provided for outdoor storage of regulated substances in regulated containers and the containment structure must include a cover to minimize accumulation of water in the containment area and contact between precipitation and storage container(s);**
- H. Containers in which regulated substances are stored must be clearly and visibly labeled and must be kept closed and sealed when material is not being transferred from one container to another;**
- I. Prior to any land disturbing activities, all inactive wells on the property, not in use or properly maintained at the time the plan is submitted, shall be considered abandoned and must be sealed in accordance with We 604 of the New Hampshire Water Well Board Rules.**
- J. Blasting activities shall be planned and conducted to minimize groundwater contamination. Excavation activities should be planned and conducted to minimize adverse impacts to hydrology and the dewatering of nearby drinking water supply wells**
- K. All transfers of petroleum from delivery trucks and storage containers over five gallons in capacity shall be conducted over an impervious surface having a positive limiting barrier at its perimeter.**

1203.7 Spill Prevention, Control and Countermeasure (SPCC) Plan

Conditional uses, as described under Section 1203.8.F, using regulated substances shall submit a spill control and countermeasure (SPCC) plan to the Health Office who shall determine whether the plan will prevent, contain, and minimize releases from ordinary or catastrophic events such as spills, floods or fires that may cause large releases of regulated substances. It shall include:

- A. A description of the physical layout and a facility diagram, including all surrounding surface waters and wellhead protection areas.**
- B. Contact list and phone numbers for the current facility response coordinator(s), cleanup contractors, and all appropriate federal, state, and local agencies who must be contacted in case of a release to the environment.**

- C. A list of all regulated substances in use and locations of use and storage;
- D. A prediction of the direction, rate of flow, and total quantity of regulated substance that could be released where experience indicates a potential for equipment failure.
- E. A description of containment and/or diversionary structures or equipment to prevent regulated substances from infiltrating into the ground. A list of positions within the facility that require training to respond to spills of regulated substances.
- F. Prevention protocols that are to be followed after an event to limit future large releases of any regulated substance.

1203.8 Use Regulations

- A. Minimum Lot Size: Minimum lot size within the Aquifer Protection District shall be three (3) acres. Lots containing up to four (4) units shall contain an additional eighteen thousand (18,000) square feet per unit. Lots containing five (5) or more units shall contain an additional thirty thousand (30,000) square feet per unit. No lot shall have more than one (1) residential structure regardless of the number of dwelling units.
- B. Hydrogeologic Study: For development proposals within the Aquifer Protection District, a hydrogeologic study shall be performed by an engineer registered in the State of New Hampshire or a registered hydrologist. This study shall evaluate the development's impacts to groundwater within both the parcel to be developed and the surrounding land. The groundwater quality beyond the property lines of said site shall not be degraded by polluting substances such as nitrates, phosphates, bacteria, etc. Larger lots may be required based on the findings of said study.

This information will be required for proposed subdivisions of four (4) lots or greater. For subdivisions of three (3) lots or less the Planning Board will determine, on a case-by-case basis, the need for a hydrogeologic study. Particularly sensitive sites may include areas that have septic systems in close proximity to wells or may contain excessively drained soils or steep slopes.

- C. Maximum Lot Coverage: Within the Aquifer Protection District, no more than ~~10 percent (10%)~~ **fifteen percent (15%)** of a single lot, or more than 2,500 square feet of impervious surface may be rendered impervious to groundwater infiltration.
- D. Prohibited Uses: The following uses are prohibited in the Aquifer Protection District except where permitted to continue as a non-conforming use:
 1. Disposal of solid waste including brush or stumps.
 2. Storage and disposal of hazardous waste.
 3. Disposal of liquid, septage or leachable wastes except that from one or two-family residential subsurface disposal systems or as otherwise permitted as a conditional use.
 4. Subsurface storage of petroleum and other refined petroleum products except for propane and natural gas.
 5. **The development or operation of gasoline stations.**
 6. Industrial uses which discharge contact type process waters on-site. Non-contact cooling water is permitted.
 7. Outdoor unenclosed storage or use of road salt or other de-icing chemicals.
 8. Dumping of snow containing de-icing chemicals brought from outside the district.
 9. Animal feedlots. (*see definitions = five (5) or more animals*)
 10. **The development or operation of a junkyard**
 - ~~11. Automotive service and repair shops, junk and salvage yards.~~
 12. All on site handling, disposal, storage, processing or recycling of hazardous or toxic materials.
 - ~~13. Drycleaning or Laundry facilities.~~

E. Permitted Uses: The following activities may be permitted provided they are conducted in accordance with the purposes and intent of this Ordinance:

1. Land development, per the Fremont Zoning Ordinance, except as prohibited in Article 12, Section ~~1203.6.D~~ **1203.8.D**.
2. Activities designed for conservation of soil, water, plants and wildlife.
3. Outdoor recreation, nature study, boating, fishing and hunting where otherwise legally permitted.
4. Normal operation and maintenance of existing water bodies and dams, splash boards and other water control, supply and conservation devices.
5. Foot, bicycle, and/or horse paths and bridges.
6. Maintenance, repair of any existing structure, provided there is no increase in impermeable surface above the limit established in Article 12, Section 1203.6.C.
7. Farming, gardening, nursery, forestry, harvesting and grazing, provided that fertilizers, herbicides, pesticides, manure and other leachables are used **in accordance with the NH Department Agriculture, Markets, and Food best management practices and appropriately at levels that** will not cause groundwater contamination and are stored under shelter.

F. Conditional Use Permit

1. The following uses are permitted with a Conditional Use Permit (in compliance with Town Zoning Ordinance):
 - a. Industrial and commercial uses not otherwise prohibited in Article 12, Section ~~1203.6~~ **1203.8.D**
 - b. Multi-family residential development. (Minimum lot size to be determined by using Article 9 and substituting three (3) acres instead of two (2) acres).
 - c. Sand and gravel excavation and other mining provided that such excavation or mining is not carried out within eight (8) vertical feet of the seasonal high water table and that periodic inspections are made by the Planning Board or its agent to determine compliance.
 - d. **Storage, handling, and use of regulated substances in quantities exceeding 55 gallons or 660 pounds dry weight at any one time, provided that an adequate spill prevention, control and countermeasure (SPCC) plan, in accordance with Section 1203.7, is approved by the Health Officer, Fire Chief, Code Enforcement Officer or other Town designated agent.**
 - e. **Any use that will render impervious more than 15 percent or 2,500 square feet of any lot, whichever is greater.**
2. The Planning Board may grant a Conditional Use Permit for those uses listed above only after written findings of fact are made that all of the following are true:
 - a. The proposed use will not detrimentally affect the quality of the groundwater contained in the aquifer by directly contributing to pollution or by increasing the long-term susceptibility of the aquifer to potential pollutants;
 - b. The proposed use will not cause a significant reduction in the long-term volume of water contained in the aquifer or in the storage capacity of the aquifer;
 - c. The proposed use will discharge no waste water on site other than that typically discharged by domestic waste water disposal systems and will not involve on-site storage or disposal of toxic or hazardous wastes as herein defined;
 - d. The proposed use complies with all other applicable sections of this ~~Article 12~~ **Section 1203**

3. The Planning Board may require that the applicant provide data or reports prepared by a professional engineer or hydrologist to assess any potential damage to the aquifer that may result from the proposed use. The Planning Board shall engage such professional assistance as it requires to adequately evaluate such reports and to evaluate, in general, the proposed use in light of the above criteria. Costs incurred shall be the responsibility of the applicant.
4. **In granting such approval, the Planning Board must first determine that the proposed use is not a prohibited use (as listed in Section 1203.8.D of this Ordinance) and will be in compliance with the Performance Standards in Section 1203.6 as well as all applicable local, state and federal requirements. The Planning Board may, at its discretion, require a performance guarantee or bond in an amount and with surety conditions satisfactory to the Board, to be posted to ensure completion of construction of any facilities required for compliance with the Performance Standards.**

Move existing Section G to new Section 1204 – Septic System and Installation

Note: No changes are proposed to this section

- ~~H.~~ **G.** Design and Operations Guidelines. Where applicable the following design and operation guidelines shall be observed within the Aquifer Protection District:
1. Safeguards. Provision shall be made to protect against toxic or hazardous materials discharge or loss resulting from corrosion, accidental damage, spillage, or vandalism through measures such as: spill control provisions in the vicinity of chemical or fuel delivery points; secured storage areas for toxic or hazardous materials; and indoor storage provisions for corrodible or dissolvable materials. For operations which allow the evaporation of toxic or hazardous materials into the interiors of any structures, a closed vapor recovery system shall be provided for each such structure to prevent discharge of contaminated condensate into the groundwater.
 2. Location. Where the premises are partially outside of the Aquifer Protection Overlay Zone, potential pollution sources such as on-site waste disposal systems shall be located outside the Zone to the extent feasible.
 3. Drainage. All runoff from impervious surfaces shall be recharged on the site, and diverted toward areas covered with vegetation for surface infiltration to the extent possible. Dry wells shall be used only where other methods are not feasible and shall be preceded by oil, grease, and sediment traps to facilitate removal of contaminants.
 4. ~~Inspection. All special exceptions granted under Section 5.h. of this Article shall be subject to twice annual (2) inspections by the Building Inspector or other agent designated by the Selectmen. The purpose of these inspections is to ensure continued compliance with the conditions under which approvals were granted. A fee for inspection shall be charged to the owner according to a fee schedule determined by the Selectmen.~~
- ~~I.~~ **H.** Non-Conforming Uses
1. ~~Any non-conforming use may continue and may be maintained, repaired and improved, unless such use is determined to be an imminent hazard to public health and safety. No non-conforming use may be expanded, changed to another non-conforming use, or renewed after it has been discontinued for a period of twelve (12) months or more.~~

- ~~2. Any non-conforming lot of record existing before the effective date of this Article may be used in accordance with Article 12, Section 1203.6 B-F.~~
- 3. Existing non-conforming uses may continue without expanding or changing to another non-conforming use, but must be in compliance with all applicable state and federal requirements, including Env-Wq 401, Best Management Practices Rules.**

~~J.~~ **I. Exemptions** The following uses are exempt from the specified provisions of this ordinance as long as they are in compliance with all applicable local, state, and federal requirements:

- 1. Any private residence is exempt from all Performance Standards provided it does not have a home occupation using regulated substance in greater than or equal to five (5) gallon storage containers.**
- 2. Any business or facility where regulated substances are stored in containers with a capacity of less than five gallons is exempt from Section 1203.6, Performance Standards, sections E through H;**
- 3. Storage of heating fuels for on-site use or fuels for emergency electric generation, provided that storage tanks are indoors on a concrete floor or have corrosion control, leak detection, and secondary containment in place, is exempt from Performance Standard E;**
- 4. Storage of motor fuel in tanks attached to vehicles and fitted with permanent fuel lines to enable the fuel to be used by that vehicle is exempt from Performance Standards E through H;**
- 5. Storage and use of office supplies is exempt from Performance Standards E through H;**
- 6. Temporary storage of construction materials on a site where they are to be used is exempt from Performance Standards E through H if incorporated within the site development project within six months of their deposit on the site;**
- 7. The sale, transportation, and use of pesticides as defined in RSA 430:29 XXVI are exempt from all provisions of this ordinance;**
- 8. Household hazardous waste collection projects regulated under NH Code of Administrative Rules Env-Hw 401.03(b)(1) and 501.01(b) are exempt from Performance Standards E through H;**
- 9. Underground storage tank systems and aboveground storage tank systems that are in compliance with applicable state rules are exempt from inspections under Section 1203.8.J of this ordinance.**

~~K. Effective Date: This Article shall become effective upon passage at Town Meeting March 1988.~~

~~L.~~ **J. Maintenance and Inspections**

- A. For uses requiring Planning Board approval for any reason, a narrative description of maintenance requirements for structures required to comply with Performance Standards shall be recorded so as to run with the land on which such structures are located, at the Registry of Deeds for Rockingham County. The description so prepared shall comply with the requirements of RSA 478:4-a.**
- B. Inspections may be required to verify compliance with Performance Standards. Such inspections shall be performed by the Code Enforcement Officer at reasonable times with prior notice to the landowner.**
- C. All properties in the Aquifer Protection District known to the Code Enforcement Officer as using or storing regulated substances in containers with a capacity of five gallons or more, except for facilities where all regulated substances storage is exempt from this Ordinance under Section 1203.8. I, shall be subject to inspections under this Article.**

- D. The Board of Selectmen may require a fee for compliance inspections. The fee shall be paid by the property owner. A fee schedule shall be established by the Board of Selectmen as provided for in RSA 41-9:a.**

Section 1204 Septic System Design and Installation

In addition to meeting all local and state septic system siting requirements, all new on-lot waste water disposal systems installed in the District shall be designed by a Sanitary Engineer licensed in New Hampshire. These systems shall be installed under the supervision of said engineer. The Planning Board or its agent shall inspect the installation of each new system prior to covering and shall certify that the system has been installed as designed.

Septic systems are to be constructed in accordance with the most recent edition of the "The State of New Hampshire Subdivision and Individual Sewage Disposal System Design Rules" as published by the New Hampshire Water Supply and Pollution Control Division.

However, the following more stringent requirements shall apply to all septic system construction:

- 1. There will be no filling of wetlands allowed to provide the minimum distance of septic to wetlands. (Ws 1007.04)*
- 2. The seasonal high water table will be at least two (2) feet below the original ground surface during all seasons of the year (instead of six (6) inches). (Ws 1015.01(a)).*
- 3. There will be at least three (3) feet of natural permeable soil (instead of two (2) feet) above any impermeable subsoil. (Ws 1015.01(b)).*
- 4. There will be at least four (4) feet of natural soil (instead of three (3) feet) above bedrock. (Ws 1015.01(b)).*
- 5. Standards for fill material: Fill material consisting of organic soils or other organic materials such as tree stumps, sawdust, wood chips and bark, even with a soil matrix shall not be used. The in-place fill should have less than fifteen (15%) percent organic soil by volume. The in-place fill should not contain more than twenty five (25%) percent by volume of cobbles six (6) inch in diameter). The in place fill should not have more than fifteen percent (15%) by weight of clay size (.002 mm and smaller) particles. The fill should be essentially homogeneous. If bedding planes and other discontinuities are present, detailed analysis is necessary.*

The Planning Board recommends this article 6-0-0.
(Majority vote required)

ARTICLE 9 INFORMATION: *This proposal will amend the Fremont Aquifer Protection Ordinance by allowing new uses in the District while requiring businesses in the district to participate in an inspection program and to ensure Best Management Practices are being followed. The goal is to enhance the protection of groundwater while allowing more business uses in the Aquifer Protection District.*

ARTICLE 10: *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 \$3,103,730? Should this article be defeated, the default budget shall be \$3,033,630, 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.*

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

ARTICLE 10 INFORMATION: *This is the total of all operating budgets for the Town, excluding warrant articles, reviewed at the annual Public Budget Hearing on January 9th. The full budget detail can be found on the State Form MS 737, which is available on the Town's website and will be part of the 2018 Annual Town Report. Copies are also available at the Selectmen's Office and on the website. The tax impact of this operating budget is \$0.17 more than the default budget and includes some important decisions about the Town's waste disposal contract as well as the Town's operating costs.*

With SB2, this master budget article includes the Budget Committee recommendation of \$3,103,730. This is up from the appropriated budget in 2018 of \$2,965,471. Revenues are also up, and this offsets the budget, thus making the tax rate impact of the 2019 proposed operating budget approximately \$0.11 more overall from 2018. This does not include any Warrant Articles voted separately. Each additional tax rate impact is listed with articles that appropriate money.

Following are some highlights and changes within each of the operating budgets:

4130 Executive: Proposed wage increases of 2%. This budget covers all operating costs of the Selectmen's Office.

4140 Town Clerk Tax Collector: Full year of 3 extra hours for the clerical assistant. This budget covers operating costs of the Clerk/Collector Office.

4141 Election & Registrations: Decreased from 2018 based on just one Town/School election in March. This budget covers election costs of Moderator, Ballot Clerks, Supervisors of Checklist, ballot tally machine programming, supplies and maintenance, printing and producing all necessary checklists, and printing of local ballots.

4151 Financial Administration – Other: Includes the Treasurer's salary and supplies; Budget Committee clerical costs and administration, Trustees of Trust Funds expenses, and annual professional audit of all Town financial records. This is level funded.

4152 Reappraisal of Property: In 2016 the Selectmen signed a new 5-year contract for assessing services which includes a cyclical update process. This covers all of the Town's contracted assessing, the utility contract (to appraise all utility properties); tax assessing software & maintenance, tax mapping services, web-hosting of tax maps and all assessing data, and NH AAO dues. The cyclical process will balance out annual costs and reduce the 5th year revaluation cost that we have seen over the past few revaluation cycles. The budget is down \$8,000 because those funds will be removed from the existing Capital Reserve Fund. That reduction will end when the CRF is depleted and the full sum returns to the operating budget.

4155 Personnel Administration: This budget covers personnel costs related to wages (FICA & Medicare) as well as employee benefits such as insurance. There is a full year of the Highway position voted from part-time to full-time in 2018 included.

4191 Planning & Zoning: This covers all of the office functions, administration and clerical support to the Planning Board and Zoning Board of Adjustment. The office is currently staffed at approximately 18-20 hours per week including 3-4 evening meetings per month. There is a slight increase in the Circuit Rider Planner contract. The Board continues to work on updating Ordinances and Regulations.

4194 Government Buildings: This budget covers the maintenance of the Town Hall, Safety Complex, Highway Shed, Museum, Meetinghouse and Historic Building. The Safety Complex needs annual fire suppression system maintenance; alarm systems maintenance, etc. We have seen a slight increase in the cost of propane and oil. Fully functioning automatic generators now in service at the Complex, Hall and HW Shed. Maintenance staff proposed 2% wage increase.

4195 Cemeteries: This covers care and maintenance of Town-owned cemeteries, the largest of which are Leavitt and Village. Cemetery Sexton position for full year included, which has been a great improvement in recordkeeping and providing assistance with lot sales, burials, etc. Substantial project work done in 2018 with funding from Trust Fund Perpetual Care. Superintendent position has also been helpful for administration and organizing all maintenance work. Staff 2% wages included. Additional project work planned at Leavitt Cemetery.

4196 Insurance: Town's long-time carrier closed 06/30/2016 and the town underwent an intense and long RFP process, awarding the contract to the only other municipal pooled risk carrier in NH. Selectmen have entered into a multi-year contract to minimize annual increases.

4210 Police Department: Clerical wage adjusted to allow for 2% wage increase; uniformed officer matrix adjusted for 2.5% wage increase plus added matrix adjustment in 2018 to combat turnover. We lost 2 officers in 2018, setting the Department back 6-8 months and using OT to get shifts covered. The budget covers all operating costs of the personnel and equipment needed to staff and run the Police Department. Includes lease payment on cruisers, fuel, vehicle and equipment maintenance.

4220 Fire Rescue Department: Covers all personnel costs of the Compensation Program; maintenance of apparatus and equipment, fire and EMS gear, uniforms, supplies and training. Increase in gear costs to replace four sets of aged out protective gear. Also includes full year funding of an increase from 2018 in the weekend duty stipend. Working on growth and recruitment to address growing needs and call volume.

4240 Building Inspection: Wage increase, with estimated 26-28 hours per week of services from the Building Inspector/Code Enforcement Officer. Budget includes training, mileage reimbursement and minimal office supplies.

4290 Emergency Management: Includes minimal allowance for supplies and contract services in the event of a major weather event (flood, ice storm, etc); small increase for annual PM service contract on all generators.

4312 Highway Department: Wages adjusted to allow for 2% increase. FT position approved in 2018 budgeted for a full year. Budget down \$14,000 from 2018 and includes final paving on Red Brook Road, several other maintenance and upkeep projects. Continued focus on road updates, and additional funding will be necessary to address bridge deficiencies at the Sandown Road Overflow (at Sandown town line) in addition to the budgeted guardrail work.

4323 Solid Waste Collection: This is the largest change in the operating budget for 2019. The Town's contract with Waste Management expired 12/31/18 and an interim 4 month contract extension was signed to allow for voters to review and approve the new agreement Selectmen are constructing with WM. The contract was bid in the Fall of 2018 with resultant lowest responsible bid from WM.

4324 Solid Waste Disposal: Reduction in tipping fees due to negotiated contract through 53-B District; planned increase in the amount of solid waste based on current averages per month. Continued need for recycling bins. This includes bi-annual Bulky Day expenses. WM Contract no longer provides for dumpsters for bulky, so to continue that service we need additional funding.

4414 Animal Control: Wage adjusted for 2% increase. Covers all costs associated with Animal Control services including supplies, training, truck fuel and maintenance.

4415 Health: Covers a small stipend for Health Officer and costs of the office, including training and annual dues to the NH Health Officer's Association; and water testing. New for 2019 is a small proposed stipend of \$125 for the Deputy Health Officer.

4442 Direct Assistance: General payments for assisted persons. Budget increase of \$50 for Coordinator stipend.

4445 Vendor Payments to Social Service Agencies: Each of these payments supports a social service agency that provides service to Fremont residents, usually at a reduced or sliding fee scale.

4520 Parks & Recreation: Plan to run a full camp program in 2019 with some changes to scheduling, more field trips (primarily educational) with slight increase in wages proposed to maintain more experienced staff members. Care and maintenance of the ballfields and playground comprises \$23,920 of the proposed budget, and FAA provides additional manpower support. This includes returning maintenance staff who maintained all facilities for 16 hours per week, dealing with the many areas of fields and parks to care for. Planned improvements to some fields, focused in 2019 on lighting needs. \$2,928 covers Town events such as the Easter Egg Hunt, Halloween and Christmas Tree Lighting events; and Playgroup.

4550 Library: This budget covers all staffing, books, and programs of the Fremont Public Library and maintenance of the building. Employee wage increases at 2% are supported in this recommendation, and a full year of the Aide position voted in 2018. Several building maintenance items remain the focus for repair and a building evaluation done in 2018 is being implemented to prioritize and plan for building maintenance and upkeep. Contract oil price up slightly and a constant need to refresh collections.

4610 Conservation Commission: The Commission oversees natural resources of the Town and reviews and comments on projects and proposals involving wetlands and. There is a need for some additional clerical services, and money for training and dues has been refreshed with some new membership. The budget requested will provide additional training, new trail maps for kiosks and ongoing trail maintenance.

4711-4721 Debt Service: Reduction in principal and interest payments on debt due to age of notes. The Safety Complex bond was retired in 2017.

The difference between the Selectmen and Budget Committee's proposed operating budget is \$31,388 not recommended by the Budget Committee. It is the Budget Committee's recommendation that moves forward for voter consideration. The total estimated tax impact of the operating budget as proposed is \$3.56. This is approximately \$0.30 more than the operating budget approved in 2018. The increase in revenues and overall assessed valuation have helped manage the tax rate impact of the operating budget.

*All tax impact estimates are per \$1,000 of valuation. The number of veteran credits, exemptions, and amount of overlay (which affect the final rate) are estimated for the purposes of establishing tax rate changes. These current estimates of Overlay, Exemptions and Veteran Credits add about \$0.31 to the tax rate which is similar to last year. We have seen new Veteran Credits with the adoption of the "All Veteran" tax credit in 2018. We are also assuming a conservative but reasonable amount of growth in the total assessed valuation of the Town, which is the largest component of the formula used to set the tax rate. **All tax rate impacts are estimates.***

The estimated tax impact is shown for each of the Warrant Articles in the narrative portion. If the proposed budget and all Warrant Articles as proposed by the Town pass, the Town's portion of the tax rate is estimated to increase approximately \$0.42 per thousand from the actual current town rate of \$4.77 per thousand. Each of the Warrant Articles can be considered on its own merit. As a cumulative total, the Warrant Articles equate to approximately \$1.31 on the tax rate. The impact of each individual Article is included with each rationale. Our estimates are conservative. Any excess revenue collected in 2018 will also help to reduce the tax rate in 2019.

ARTICLE 11: To see if the Town will vote to raise and appropriate the sum of forty-one thousand three hundred eighty-six dollars (\$41,386) 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 2-6.
(Majority vote required)

ARTICLE 11 INFORMATION: *This article would approve hiring another officer for the Fremont Police Department. This would be the sixth full-time officer for the Town, to bring the staffing levels closer to recommended national standards. If this is approved, the cost for a full year of this officer in 2020 would be approximately \$94,670. If passed, this would be part of the operating and default budget in future years. The estimated tax rate impact of this article is \$0.10.*

ARTICLE 12: To see if the Town will vote to raise and appropriate the sum of sixty-six thousand dollars (\$66,000) to have the ability to fund Fire and EMS coverage at night and on weekends. This sum covers nine months of wages and benefits to create incentive for Fremont Fire Rescue Department personnel to be on call for evening and weekend hours. 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 recommends this appropriation 8-0.
(Majority vote required)

ARTICLE 12 INFORMATION: *This article would approve funding for evening and weekend coverage of Fire and EMS incidents for the Town as scheduling permits. The 2019 estimated tax rate impact of this article is \$0.16. If this*

is approved, the cost for a full year of this coverage in 2020 would be approximately \$95,775 (including wages and employer taxes). If passed, this service would become part of future operating and default budgets. This includes a minimum wage of \$7.25 for all on-call time coverage hours. The purpose of this article is to create an incentive for members to commit to being in Fremont and available for calls during evening and weekend hours when Raymond Ambulance staffing is also home on call.

ARTICLE 13: Article 13: To see if the Town will vote to establish a Computer Equipment Expendable Trust Fund per RSA 31:19-a, for the purpose of maintenance, repair or purchase of computer equipment and to raise and appropriate four thousand dollars (\$4,000) to put in the fund; and further to name the Board of Selectmen as agents to expend.

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

ARTICLE 13 INFORMATION: *This would create a savings account whereby a small part of the cost for server replacements could be set aside annually so that the every five-year cost of replacement is not as much impact on the operating budget. The estimated tax rate impact of this article is \$0.01.*

ARTICLE 14: 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)

ARTICLE 14 INFORMATION: *This fund is used for repair/replacement of building maintenance items (HVAC systems, well, roof, etc.) with funds set aside in savings annually. This fund was established in 2015 to plan for future building repairs and maintenance that are needed as the building ages (built in 2001). The Library has an extensive HVAC system that will need maintenance and repairs at some point. There is currently \$12,214 in the fund. The estimated tax rate impact of this article is \$0.01.*

ARTICLE 15: To see if the Town will approve the Board of Selectmen entering into a five (5) year contract through 12/31/2023 with Waste Management for the curbside collection, transport and disposal of solid waste and recyclables from the Town of Fremont with an annual increase of 3%. Based on the current price, this is estimated to be an average annual increase of \$8,923 over the life of the contract. The contract will require the Town to continue to use Waste Management and will require Waste Management to provide services at a guaranteed price. The 2019 cost of \$284,370 is included in the operating budget, Article 10, and no additional funds are raised by this Article for 2019.

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

ARTICLE 15 INFORMATION: This article would approve the Board of Selectmen entering into a five-year contract for trash and recycling collection. Trash and recycling collection services were bid in the Fall of 2018 and this contract proposal is the lowest price option for the Town. Due to changes in the default budget law, the Town is being asked to approve the contract so that the contract terms can be part of the Town's operating and default budget in future years of the contract. There is no tax rate impact of this article in 2019; and the contract will reflect a 3% annual increase and account for increases for occupancy permits for new units in future years of the contract. If the contract does not pass, the Town will have to consider reduced services or will cut down on other services to be able to fund trash collection of some kind.

Articles 16, 17 and 18 request funding for four existing Capital Reserve Funds with each purpose specified. Money voted will add to what has already been set aside. These funds accrue over time and are then used to offset the cost of larger capital purchases when needed. **Saving money in Capital Reserve Funds helps to balance the tax rate by reducing the impact of one-time large expenditures**

ARTICLE 16: 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)

ARTICLE 16 INFORMATION: This is an annual savings account to pay for the large purchases of fire apparatus. The estimated tax rate impact of this article is \$0.12. This article saves toward replenishing the Fire Truck Capital Reserve Fund after the expense paid in 2015 for our newest truck. The Department continues to be behind with regard to fire truck replacement, and is due for another truck to replace another old unit in the fleet. The cost of fire apparatus is expensive, and saving some every year will greatly help to reduce the one-time impact of these purchases. There is currently \$152,520 in this fund.

ARTICLE 17: 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)

ARTICLE 17 INFORMATION: This is an annual savings account to pay for the reconstruction of red listed bridges in Fremont. The estimated tax rate impact of this article is \$0.06. We do anticipate making emergency repairs to the Sandown Road Overflow bridge based on a letter received from the State of NH on January 10, 2019. There is currently \$117,053 in this fund. This article will need to be amended at Deliberative Session.

ARTICLE 18: 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)

ARTICLE 18 INFORMATION: This is an annual savings account to pay for the capital purchase or replacement of highway equipment. The estimated tax rate impact of this article is \$0.06. There is currently \$50,282 in this fund.

ARTICLE 19: To see if the Town will vote to raise and appropriate the sum of two hundred seventy-nine thousand three hundred eighty-eight dollars (\$279,388) to grind, reclaim and pave Chester Road from Sandown Road to the Chester Town Line (6,970 feet) 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)

ARTICLE 19 INFORMATION: This article authorizes expense to improve and repave Chester Road from the intersection of Sandown Road to the Chester line. The estimated tax rate impact of this article is \$0.67.

ARTICLE 20: 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 7-1.
(Majority vote required)

ARTICLE 20 INFORMATION: This article requests funding to continue the mosquito control program, which has been in place since 2008 in Fremont. The contractor has again offered the program with no increase in cost for 2019. The Selectmen have placed this article on the warrant so that the community can have an opportunity to consider it annually and decide whether or not to proceed this year with a town-wide program. The program is consistent with what was done in year past and allows for up to two emergency sprayings of public lots at the Complex and Library, and ball fields at Memorial Park and Ellis School.

The overall mosquito control program is a comprehensive program beginning with surveillance, monitoring, and trapping and testing of adult mosquitoes; to treatment of larvae (a major focus of an effective control program) through adult stages. The 2019 program, if approved, would begin after Town Meeting. The estimated tax rate impact of this article is \$0.12.

ARTICLE 21: To see if the Town will vote to designate as Town Forest, in accordance with NH RSA 31:110, the following parcels of land: 04-018 and 02-151-001.

The Selectmen recommend this article 3-0.
The Conservation Commission recommends this article 4-0.
The Budget Committee recommends this article 7-0-1.
(Majority vote required)

ARTICLE 21 INFORMATION: This would add two small parcels to the Oak Ridge Town Forest and make them subject to the Town Forest Ordinance. There is no tax impact of this article. These parcels were acquired by the Town in 2018.

ARTICLE 22: To see if the Town will vote to establish a Cemetery Maintenance Trust Fund pursuant to RSA 31:19-a and RSA 289:2-a. The money received from the sale of cemetery lots in Fremont cemeteries shall be placed in the Fund and shall be used along with any interest thereon for the maintenance of cemeteries; and further to name the Board of Selectmen as agents to expend from this fund upon recommendation of the Cemetery Trustees.

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

ARTICLE 22 INFORMATION: *This would create a new savings account whereby money from the sale of cemetery lots would be set aside and used to offset cemetery maintenance expenses or larger projects, or in case of an emergency repair or maintenance item that is not in the annual operating budget. Over time, as money accumulates in this fund, it can be used to offset some of the annual budget that is raised by taxation and funded as more of a user fee. There is no tax impact of this article.*

ARTICLE 23: By Petition: To see if the Town will vote to change the method of compensation (RSA 41:25) for the Town Clerk Tax Collector from salary to statutory fees. This article is in effect until rescinded by the legislative body at a future town meeting.

The Selectmen do not recommend this article 3-0.
The Budget Committee does not recommend this article 7-0-1.
(Majority vote required)

ARTICLE 23 INFORMATION: *This article would change the current compensation plan for the Town Clerk Tax Collector from an annual salary to statutory fees.*

ARTICLE 24: By Petition: To see if the Town will vote, for increased accountability, are you in favor of changing the term of the tax collector/clerk from 3 years to one year, beginning at the end of the 3 year term of the tax collector/clerk elected 2 years ago?

The Selectmen do not recommend this article 3-0.
The Budget Committee does not recommend this article 7-0-1.
(Majority vote required)

ARTICLE 24 INFORMATION: *This article would change the current term of the elected position of Town Clerk Tax Collector from three years to one year. If approved by voters, this would become effective at voting in March 2020. There is no tax impact of this article in 2019.*

ARTICLE 25: By Petition: To see if the Town will vote, pursuant to RSA 673:2, II(b), the planning board members shall be elected positions and shall be elected according to the procedure in RSA 673:2, II (b)(1) at the next town meeting.

The Selectmen do not recommend this article 3-0.
The Budget Committee does not recommend this article 5-0-3.
(Majority vote required)

ARTICLE 25 INFORMATION: This article would change the current status of Planning Board member terms from appointed by the Board of Selectmen to elected. If approved by voters, this would become effective at voting in March 2020. If approved, in 2020 six members of the Planning Board would be elected in staggered 3 year terms (ie: two for one year; two for two years; and three for two years). Moving forward two would be elected each year. The seventh member of the Board is a Selectmen's designed Ex-Officio representative. There is no tax impact of this article.

ARTICLE 26: By Petition: To see if the Town will vote that the tax collector/clerk shall be compensated by a base annual salary of seventeen thousand dollars (\$17,000) and, in addition, the clerk shall submit a notarized invoice for fifty percent (50%) of statutory fees collected while present in the town office to the treasurer. A notarized invoice given to the treasurer for any statutory fees collected while the tax collector/clerk was not present in the town office of the tax collector shall be considered a theft of assets under RSA 41:16-c and grounds for removal of the tax collector/clerk.

The Selectmen do not recommend this article 3-0.
The Budget Committee recommends this article 4-3-1.
(Majority vote required)

ARTICLE 26 INFORMATION: This article would change the current compensation plan for the Town Clerk Tax Collector from an annual salary to a combination of salary and fees.

**Please be sure to attend the Town Deliberative Session on Monday,
February 4, 2019 at Ellis School at 7:00 pm.
(Snow date: Wednesday February 6, 2019)**

Check the Town website for further information and details at: www.Fremont.nh.gov