

## TOWN OF FREMONT NH 2007 TOWN MEETING MINUTES

**FIRST SESSION FOR VOTING: TUESDAY MARCH 13, 2007 TO BE HELD AT THE FREMONT SAFETY COMPLEX AT 425 MAIN STREET IN FREMONT NH**

**TIME: 8:00 AM to 7:00 PM**

Neal Janvrin Assistant Town Moderator opened the first session of the 2007 Fremont Town Meeting at 8:00 am at the Fremont Safety Complex, 425 Main Street. The Town and School Warrants were read. Thirty-five Absentee Ballots were received by 2:00 pm. The signatures were verified and the ballots cast. No other absentee ballots were received by 5:00 pm. The polls closed at 7:00 pm. Counting of the ballots began with the aid of an Accu-Vote counting machine. Write-in votes were tallied by hand.

There are 2,574 registered voters. This number includes 35 new registrants on Election Day. There were a total of 901 votes cast, including the 35 absentee ballots. The results of the election are as follows:

**ARTICLE 1:** To choose by ballot all necessary Town Officers for the ensuing year. Miscellaneous write-in votes and write-ins of less than five votes are not reported here. A full election report, including every write-in is available at the Town Clerk's office.

### Selectman – 3 years

Donald W Gates Jr	726
Tom McGall	33
Other Write Ins	22

**Donald Gates Jr declared the winner**

### Road Agent – 1 year

Guerwood Holmes	719
Charles Forsythe	6
Other Write Ins	32

**Guerwood Holmes declared the winner**

### Trustee of the Trust Funds - 3 years

Patricia J Martel	734
Write Ins	10

**Patricia Martel declared the winner**

### Moderator – 1 year

Robert Rydeen	35
Andy Kohlhofer	23
Annmarie Scribner	15
Other Write Ins	65

**Robert Rydeen declared the winner**

### Library Trustees – 3 years

Eric G Abney	722
Write Ins	7

**Eric Abney declared the winner**

### Treasurer – 3 years

Troy Dunbar	633
Write Ins	11

**Troy Dunbar declared the winner**

### Budget Committee – 2 for 3 yrs

Patricia J Martel	692
-------------------	-----

### Cemetery Trustee - 3 years

Roger Anderson	18
----------------	----

Andy Kohlhofer	88
Other Write Ins	35

**Patricia Martel and Andy Kohlhofer declared the winners**

Leon Holmes Sr	7
Other Write Ins	53

**Roger Anderson declared the winner**

Supervisors of Checklist - 6 years

Neal R Janvrin	741
Write Ins	18

**Neal R Janvrin declared the winner**

Town Clerk – 3 years

Lori A Holmes	494
Katherine Arsenault	389
Write Ins	1

**Lori A Holmes declared the winner**

Cemetery Trustee - 1 year

Robert Stackpole	27
Roger Anderson	13
Dick Rand	11
Other Write Ins	71

**Robert Stackpole declared the winner**

Tax Collector – 3 years

Annmarie Scribner	504
Kimberly Dunbar	148
Jeanne Nygren	121
Christine Goudin	27
Write Ins	7

**Annmarie Scribner declared the winner**

Cemetery Trustee - 2 years

Richard Rand	27
Other Write Ins	53

**Richard Rand declared the winner**

**ARTICLE 2:** Are you in favor of adopting the Fremont New Hampshire Zoning District Map and Zoning District Ordinance inclusive of an Open Space Preservation Ordinance as follows:

## **II.1 ESTABLISHMENT OF DISTRICTS**

The Town of Fremont is hereby divided into the following Zoning Districts: Flexible-Use Residential, Commercial Highway, Corporate/Commercial and existing Districts which include the Fremont Village District, Wetlands and Watershed Protection District and the Aquifer Protection District.

## **II.2 LOCATION**

The Flexible-Use Residential, Commercial Highway, Corporate/Commercial and the Fremont Village District are shown on the Fremont New Hampshire Zoning District Map dated December 13, 2006 kept by the Town Clerk as the official Zoning Map. The areas of the districts include tax map parcels as depicted on the Zoning Map. The Wetlands and Watershed Protection District and the Aquifer Protection District are overlay-zoning districts. The lands included thereon are as defined in Article IX, Wetland and Watershed Protection District and in Article XI, the Aquifer Protection District.

## **II.3 INTERPRETATION OF DISTRICT BOUNDS**

The location of district boundary lines shown upon the Zoning Map shall be determined as follows

- II.3.1 Where a boundary is shown as following a street or utility, the boundary shall be the centerline thereof unless otherwise indicated.
- II.3.2 Where a boundary is shown as following a watercourse, the boundary shall coincide with the centerline thereof as said centerline existed at the date of the Zoning Map.
- II.3.3 Where a boundary apparently follows a property line, it shall be interpreted as such. Such property line shall be interpreted as one existing at the time of enactment of this Ordinance. If any boundary as surveyed shall be different than as shown on the Zoning map, such surveyed boundary shall control.

## **II.4 FLEXIBLE USE RESIDENTIAL DISTRICT**

### **II.4.1 Purpose:**

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.

- II.4.1.1 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 II.8 of the Fremont Zoning 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.

- II.4.1.2 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 II.10 of this Ordinance.

## **II.5 COMMERCIAL HIGHWAY DISTRICT**

### **II.5.1 Purpose:**

The intent of the Commercial Highway 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 is twenty five (25,000) Square Feet.

- II.5.1.1 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.

## II.6 CORPORATE COMMERCIAL

### II.6.1 Purpose:

The intent of the Corporate / 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.

II.6.1.1 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.

### II.7 TABLE OF USES

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

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

Use Category	Use	C/C	C H	FUR
<b>Assembly Uses</b>	Motion Picture Theaters	P	P	X
	Symphony and Concert Halls	P	P	X
	Television and Radio Studios with an Audience	P	P	X
	Theaters	P	P	X
	Banquet halls	P	P	X
	Night Clubs	P	P	X
	Restaurants	P	P	CU
	Taverns and Bars	P	P	X
	Amusement Arcades	P	P	CU
	Art Galleries	P	P	CU
	Bowling Alleys	P	P	CU
	Churches	P	P	CU
	Community Halls	P	P	CU
	Courtrooms	P	P	CU
	Dance Halls (no food/drink)	P	P	CU
	Exhibition Halls	P	P	CU
	Funeral Parlors	P	P	CU
	Gymnasiums (w/o seating)	P	P	CU
	Indoor Swimming Pools	P	P	CU
	Indoor Tennis Courts	P	P	CU
	Lecture Halls	P	P	CU
	Libraries	P	P	CU
	Museums	P	P	CU
	Pool and Billiard Parlors	P	P	CU

Use Category	Use	C/C	C H	FUR
	Arenas	P	P	X
	Skating Rinks	P	P	X
	Swimming Pools	P	P	X
	Tennis Courts	P	P	X
	Amusement Park Structures	P	P	X
	Bleachers or Grandstands	P	P	X
	Stadiums	P	P	X
<b>Business Group</b>	Airport Traffic Control Towers	X	X	X
	Animals Hospitals, Kennels and Pounds	P	P	CU
	Banks	P	P	CU
	Barber and Beauty Shops	P	P	CU
	Car Wash	P	P	X
	Civic Administration	P	P	CU
	Clinic, Outpatient	P	P	CU
	Dry Cleaning and Laundries	P	P	X
	Educational Occupancies Above 12th Grade	P	P	CU
	Electronic Data Processing	P	P	CU
	Laboratories	P	P	X
	Motor Vehicle Showrooms	P	P	X
	Post Offices	P	P	CU
	Print Shops	P	P	CU
	Professional Services	P	P	CU
	Radio and Television Stations	P	P	X
	Telephone Exchanges	P	P	CU
<b>Factory Industrial</b>	Moderate-Hazards	P	X	X
	Beverages, up to 12% alcohol content	P	P	X
	Brick and Masonry	P	P	X
	Ceramic Products	P	P	X
	Foundries	P	P	X
	Glass Products	P	P	X
	Gypsum	P	P	X
	Ice	P	P	X
	Metal Products (fabrication and Assembly)	P	P	X
<b>Institutional</b>	Residential Board and Care Facilities	CU	CU	CU
	Assisted Living Facilities	CU	CU	CU
	Halfway Houses	CU	CU	X
	Group Homes	CU	CU	CU
	Congregate Care Facilities	CU	CU	CU
	Social Rehabilitation Facilities	CU	CU	CU
	Alcohol and Drug Centers	CU	CU	X

<b>Use Category</b>	<b>Use</b>	<b>C/C</b>	<b>C H</b>	<b>FUR</b>
	Convalescent Facilities	CU	CU	CU
	Hospitals	CU	CU	CU
	Nursing Homes	CU	CU	CU
	Mental Hospitals	CU	CU	CU
	Detoxification Facilities	CU	CU	CU
	Adult Day Care Facilities	CU	CU	CU
	Child Day Care Facilities	CU	CU	CU
<b>Mercantile</b>	Department Stores	P	P	CU
	Drug Stores	P	P	CU
	Markets	P	P	CU
	Motor Fuel-dispensing Facilities	X	X	X
	Retail or Wholesale Stores	P	P	CU
	Sales Rooms	P	P	CU
<b>Residential</b>	Boarding Houses	X	P	CU
	Hotels	P	X	X
	Motels	P	X	X
	Apartment Houses	CU	CU	P
	Convents	CU	CU	CU
	Dormitories	CU	CU	CU
	Fraternities and Sororities	CU	CU	CU
	Monasteries	CU	CU	CU
	Vacation Timeshare Properties	CU	CU	CU
	Single Family Residential	X	X	P
	Duplex Housing	X	X	P
	Multi-family Housing	X	X	P
	Residential/Assisted Living (more than 5 but not more than 16)	X	P	CU
<b>Outdoor/ Recreational Uses</b>	Athletic fields	P	P	CU
	Airfields	CU	CU	CU
	Heliports	P	CU	CU
	Campground	X	X	CU
	Shooting Range	X	X	X
	Golf Course	CU	P	CU
<b>Accessory Uses</b>	Agricultural Buildings	P	P	P
	Aircraft Hangers (accessory to a residence)	P	P	X
	Barns	P	P	P
	Fences (over 6-feet)	P	P	P
	Grain Silos (accessory to a residence)	P	P	P
	Greenhouses	P	P	P

Use Category	Use	C/C	C H	FUR
	Livestock Shelters	P	P	P
	Stables	P	P	CU

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

II.7.1 The uses in the table above are based on a list of uses provided in the International Building Code (IBC). The IBC has been adopted by the State of New Hampshire as the statewide building code.

## II.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. A Conditional Use Permit may not establish a use specifically prohibited by this Ordinance.

II.8.1. 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 Section II.7 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.

II.8.2 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.

II.8.3 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.

II.8.4 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.

- II.8.5 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.
- II.8.6 Standards for approval - All standards 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:
    - i. Architecture
    - ii. Transportation
    - iii. Scale of coverage
    - iv. Scale of building size
    - v. 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:
    - i. Noise
    - ii. Light
    - iii. Transportation
    - iv. Visual effects
    - v. 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.

II.8.7 Any Conditional Use Permit shall expire if: (1) substantial construction shall not have begun within one 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

II. 8.8 A. The provisions of Article II, Sections 5, 6, 7 & 8 and Article II, Section 4 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.

B. All other existing non-conforming uses not lawfully existing as defined in Paragraph A 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.

## **II.9 Home Occupations**

### **II.9.1 Purpose:**

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.

### **II.9.2 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.

### **II.9.3 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) additional non-resident 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.

- c. No equipment or process shall be used in a home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectible 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. No materials or equipment associated with the home occupation shall be stored outside the building.
- e. 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) Kennel and veterinary clinic.
  - 5) Funeral home.
  - 6) Nursery school, but not family day care, with six or fewer children.
  - 7) Repair shops or service establishments, except the repairs of electrical appliances, typewriters, cameras, or other similar small items.
  - 8) Beauty shops and barbershops 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 barbershops allowed under these provisions shall be registered with the appropriate licensing and inspection authorities.
- f. 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. The intent is to permit delivery vehicles such as United Parcel Service vehicles but to exclude tractor-trailers and other large, heavy commercial vehicles.
- g. The home occupation should not require the need for the on-site, over-night parking of commercial vehicles. If on site parking of commercial vehicles, with three (3) axles or more, is necessary it shall be garaged or screened.

## **II.10 Open Space Preservation Ordinance**

### **II.10.1 General Description.**

- a. General Concept: An Open Space Preservation Development (hereinafter OSPD) shall mean a residential development in which the buildings and accessory uses are located more closely together with reduced lot sizes, into one or more groups. All land not included in the building lots or street rights-of-way shall be dedicated as permanently preserved open space. The overall housing density shall not exceed that which could be built under a conventional development plan, unless otherwise permitted as provided below. All OSPD's

shall be serviced by water and sewage disposal systems in compliance local and State regulations.

#### II.10.2 Purposes. The purposes of OSPD are to:

- a. Maintain and preserve rural character of the Town of Fremont by allowing an alternative residential development option which preserves areas of open space, provides for visual buffers from existing roads and residential development, and permits agricultural or conservation opportunities on parcels of open space.
- b. Preserve large, contiguous parcels of open space throughout the town and as described in the Fremont Master Plan. Preserve this undeveloped land in its existing natural state in order to protect valuable land and water resources for conservation, forestry, agriculture, aquifer recharge, watershed protection, wildlife habitat, outdoor recreation, scenic and historic values, beyond the extent provided by existing regulations.
- c. Provide for a diversity of housing types, opportunities, and styles, which add recreational and aesthetic amenities to new neighborhoods.
- d. Enable economical and efficient street, utility, and public facility installation, construction and maintenance, and more efficient provision of municipal services.
- e. Provide for connected corridors of open land throughout town for preservation of habitat, environmental resources, and public enjoyment, where feasible.
- f. Protect scenic vistas and undeveloped expanses along the Town's roadways, including open space vistas from within the proposed development.

#### II.10.3 Permitted Uses:

- a. Single-family detached dwellings on parcels greater than six (6) acres.
- b. On parcels greater than twelve (12) acres, duplex units or multi-family attached dwellings not exceeding four (4) dwellings per building shall be permitted. At least seventy (70%) percent of the proposed units within a development must consist of single-family detached dwellings. Additionally, units shall be interspersed in such a way to prevent a concentration of any one housing type in any portion of the OSPD.
- c. Accessory uses, including residential additions, garages, sheds, fences, and pools.
- d. Open space uses are limited to non-commercial parks, conservation and recreation areas, and agriculture and forestry.
- e. For a list of prohibited uses within OSPD, see Table of Uses in this Ordinance.

#### II.10.4 Authority.

Pursuant to NHRSA §674:21, the Planning Board (Board) is hereby given the authority to grant a Conditional Use Permit in accordance with the criteria of this section. The Board shall be authorized to deny an application that does not meet the express purposes and intent of this Section. Approvals may be granted with or without conditions

#### II.10.5 Conditional Use Permit.

Findings: The Planning Board may approve a Conditional Use Permit for an OSPD upon finding that it complies with the purposes and standards of this Section and is superior in design to a conventional subdivision with regard to protection of natural features and scenic resources of the site. The Board may attach reasonable conditions to the approval in order to secure the intents and purposes of this Section.

Standards for approval: The Board shall consider the following criteria in making its decision. All standards below must be met or impacts mitigated to the satisfaction of the Board prior to the granting of a Conditional Use Permit.

- a. The permit is in compliance with this ordinance and is in the public interest and will protect the general welfare of existing and future citizens.
- b. The character of the area shall not be adversely affected. This determination, to be made by the Planning Board, shall be made by considering the following aspects of the surrounding area.
  - 1) Consistency of architecture, except for single-family detached development, determined through analysis of the following:
    - Roof pitches;
    - Siding types;
    - Architectural styles of residential structures;
    - Proportional aspects of facades, building locations on lots;
  - 2) Transportation, determined through analysis of the following:
    - Access for safety vehicles onto the site, within the site, and to individual houses;
    - Capacity of nearby and affected intersections, and transportation corridors;
    - Cost for municipality to maintain roadways;
    - Layout, width, and construction of roadways on the site;
    - Proposed streets have been aligned to provide vehicular access to each house in a reasonable and economical manner. Lots and streets have been laid out to avoid or minimize adverse impacts on open space areas and to provide views of, and access to the open space from the lots.
  - (3) Protection of natural resources, determined through analysis of the following:

Environmentally sensitive areas, including but not limited to, wetlands, floodplains, shore land buffers, wildlife corridors, and significant groundwater resources;  
Maintenance of view sheds and other visually appealing aspects of the site;

- (4) Protection of cultural resources, determined through analysis of the following:
  - Existing or potential trail ways for pedestrian travel;
  - Historic buildings or significant historical landscapes;
  - Existing or potential agricultural uses of the site.
- c. Granting the permit will not result in municipal expenses, which would exceed that of a conventional subdivision.
- d. The proposed development will be constructed in a manner compatible with the spirit and intent of the Fremont Master Plan and Zoning Ordinance.
- e. The capacity of existing or planned community facilities and services (including streets and highways) will not be adversely impacted. Mitigation of these impacts by the developer can be considered in granting a conditional use permit.
- f. That the Open Space preserved as part of the development complies with purpose and intent of this Section and the specific requirements of Section 9.

#### II.10.6 General Provisions.

The Open Space Preservation development provisions of this ordinance provide applicants with an alternative development approach intended to promote flexibility and innovation in land planning. Within this context, the ordinances that are established are intended to be a minimum consideration of allowable impacts.

#### II.10.7 Review and Approval Process.

- a. Evaluation and approval of an OSPD shall be by the Board in accordance with the purposes, standards and guidelines set forth in this Section and the Fremont Subdivision Regulations.
- b. Pre-Application Meetings: Prior to the submission of any final plans, applicants are required to prepare conceptual plans under both conventional and OSPD regulations, review these plans with the Board at a regularly-scheduled meeting. The conceptual design process for an OSPD should start with a delineation of the most valuable natural resources and open space attributes of the site. Potential house locations, lot lines, road alignments and drainage facilities should then be configured so as to accomplish the protection and preservation of these resources and attributes. For full details on pre-application meeting can be found in the Fremont Subdivision Regulations.

## II.10.8 Density Standards.

- a. **Maximum Permitted Lots:** The number of lots or homes must be equal to or less than the number allowed for a conventional subdivision, unless otherwise provided below. No increased density will be allowed unless in accordance with this Section. A Yield Plan shall be prepared in accordance with the conventional subdivision Regulations to determine the total number of lots or homes allowed. The Yield Plan must contain adequate information for the Board to accurately determine the number of homes that could be constructed using conventional subdivision standards. Any land area used in the calculation of allowed homes or lots in an approved OSPD shall not thereafter be eligible as contributing land area in any subsequent development proposal.
- b. **Unbuildable Lots:** For the purposes of determining the number of lots allowable under this Section, there shall be excluded from the number of lots shown on such conventional subdivision layout all lots which the Board finds are not reasonably buildable, whether by reason of excessive development or site preparation costs due to remote proposed location, poorly-drained soils or steep slopes; sanitary disposal, drainage or water supply requirements; limited or unusually-configured buildable area, the permitting requirements of the State or a combination of the above. In consideration of the foregoing, the Board may consider recommendations of the Town Engineer, Conservation Commission, or any appropriate state agencies.
- c. **Density Bonus -** The Board may award the development a density bonus not to exceed fifteen (15) percent of the number of lots achievable under a conventional yield plan to developments on parcels of twenty (20) acres or more.

**Open Space Bonus.** If the proposed development meets or exceeds any of the following criteria, a density bonus shall be awarded in the amount of five (5) percent, unless otherwise noted. The maximum bonus awarded any application under this Ordinance shall be fifteen (15) percent.

- 1) **Public Access Bonus -** Where the public is granted access to the open space, the development may be awarded a density bonus of five (5) percent. The nature of public access required to satisfy this bonus is pedestrian traffic. The instrument granting access, acceptable to the Planning Board, may reasonably restrict the use of motorized vehicles.
- 2) **Existing roadway buffer.** Where the development has more than two hundred and fifty (250) feet of frontage on existing public roadways, and a two hundred and fifty (250) foot undisturbed buffer is provided, this bonus may be applied.
- 3) **Open fields.** If the development protects existing open fields that are visible from public roadways and greater than five (5) acres in size, a

bonus of five (5) percent shall be granted. The development must provide for the protection of these resources in perpetuity.

II.10.9 Open Space Standards.

- a. General: All land not utilized for road rights-of-way or building lots shall be dedicated as permanently preserved open space.
- b. Minimum Required Open Space: At least fifty (50) percent of the upland portion of the site must be reserved in perpetuity as common open space. At least fifty (50) percent of the open space must consist of soils with slopes less than fifteen (15) percent. Open space dedicated in excess of the minimum required area may contain any percentage of wetland soils or steep slopes.
- c. Purposes: Open space shall be used solely for non-commercial recreation, conservation, agriculture or forestry purposes by residents and/or the public. Where appropriate, multiple use of open space is encouraged. At least half of the required open space may be required by the Planning Board to be left in a natural state. The proposed use of the open space shall be specified in the application. If several uses are proposed, the plans shall specify what uses will occur, and where they shall be located on site. The Planning Board shall have the authority to approve or disapprove particular uses proposed for the open space.
- d. Open Space Layout: Open space shall be arranged to protect valuable natural and cultural environments such as stream valleys, wetland buffers, unfragmented forestland and significant trees, wildlife habitat, open fields, scenic views, trails, and archeological sites and to avoid development in hazardous areas such as floodplains and steep slopes.
- e. Open space shall be designed in larger blocks of land, preferably as part of an integrated open space network, laid out to be contiguous with open space areas of similar character (whether permanently-preserved or not) on adjacent parcels. Where feasible, these parcels shall be linked by trails. Contiguous open space shall generally be more than three (3) acres in area, at least two hundred (200) feet in width, and shall have a length-to-width ratio of no greater than four-to-one, except where intended to buffer linear features such as watercourses and wetlands, or designed as trail links. Fragmentation, or the creation of long, thin strips of open space, shall be avoided. Where open space directly adjoins private lots, it shall be demarcated with logical, straightforward boundaries such as existing rock walls, tree lines, topographic breaks, a roadway or path, or post-and-rail fencing.
- f. Protection, Ownership and Management: All common open space shall be permanently protected by covenants and restrictions in perpetuity and approved by the Conservation Commission. Restrictions shall provide for periodic inspection of the open space by the Town. A management plan may be required by the Planning Board which describes how existing woods, fields,

meadows or other natural areas shall be maintained in accordance with good conservation practices, as recommended in the manual Identifying and Protecting New Hampshire's Significant Wildlife Habitat, NH Fish & Game and UNH Cooperative Extension. The Planning Board may require further legal review of any documents submitted, the cost of which shall be borne by the applicant. Open Space shall be conveyed by the applicant to:

- (1) A homeowners association or other legal entity under New Hampshire State Statutes. The developer is responsible for the maintenance of the open space and other facilities to be held in common until such time as the homeowners association is capable of assuming such responsibility. Thereafter, the members of the association shall share the cost of maintaining the open space. The Planning Board shall require the applicant to provide documentation that the homeowner's association is an automatic (mandatory) association that has been established prior to the conveyance of any lots within the subdivision; or
  - (2) To a non-profit organization, the principal purpose of which is the conservation of open space; or
  - (3) Subject to approval of the Planning Board and Board of Selectmen, may be dedicated to the Town of Fremont with a trust clause insuring that it be maintained as open space.
- g. Maintenance of Open Space: In any case where open space is not conveyed to the Town, the Town shall be granted an easement over such land sufficient to ensure its perpetual maintenance as conservation or recreation land. Such easement shall provide that in the event the trust or other owner fails to maintain the open space in reasonable condition, the Town may, after notice to the lot owners and public hearing, enter upon such land to maintain it in order to prevent or abate a nuisance. The cost of such maintenance by the Town shall be assessed against the properties within the development and/or to the owner of the open space. The Town may file a lien against the lot or lots to ensure payment of such maintenance expenses.
- h. Identification of Open Space and Access: The Planning Board may require placement of surveyed bounds sufficient to identify the location of the open space and other reasonable markers to denote the location of access points to the open space and/or trails.
- i. Excess Open Space: The Board may allow open space in excess of the minimum requirements to be unrestricted by a conservation easement provided that use of the open space is limited by deed covenant to non-commercial parks, conservation and recreation areas or commercial agriculture and forestry.
- j. Recreation Lands: Where appropriate to the topography and natural features of the site, the Planning Board may require that at least two (2) acres of the



open space shall be of a shape, slope, location and condition to provide an informal field for active recreation for the residents of the subdivision.

- k. External Buffer: A minimum buffer of undisturbed vegetation at least fifty (50) feet in width from the outer perimeter of the land subject to the application shall be maintained; where no vegetation exists, the Board may require tree planting to create a visual buffer. This fifty (50) foot buffer shall be maintained in a naturally vegetated state to screen and buffer the development and may account for up to twenty five (25) percent of the minimum required open space.

#### II.10.10 Standards for Building Lots and Site Design

- a. Lot Shape and Size: House lots and building envelopes should generally be square or rectangular in shape and contain adequate upland area to accommodate average-sized houses and typical amenities such as garages, pools and sheds, including reasonable areas for expansion of these buildings. The minimum lot size shall be no less than three quarters ( $\frac{3}{4}$ ) of an acre or thirty two thousand six hundred and seventy (32,670) square feet per dwelling unit.
- b. Frontage: The minimum lot frontage shall be one hundred (100) feet. In the case of duplexes and multi-family structures, the setback shall be increased by ten (10) per family dwelling unit. In no case shall there be less than one hundred (100) feet of lot width at the building line. (see table below)
- c. Yards: For all dwelling units, the minimum front yard setback shall be twenty (20) feet; the minimum side yard setback shall be fifteen (15) feet; and the minimum rear yard setback shall be thirty (30) feet. In the case of duplexes and multi-family structures, the setback shall be increased by five (5) per family dwelling unit. All garages, sheds and pools must also meet these setbacks. (see table below)

	Single Family, Detached	Duplex	3- Family	4-family
Frontage	100'	120'	130'	140'
Front Setback	20'	30'	35'	40'
Side Setback	15'	25'	30'	35'
Rear Setback	30'	40'	45'	50'

#### II.10.11 Other Standards:

The layout and configuration of lots, homes, streets and open space is subject to the approval of the Planning Board. The layout must demonstrate preservation of open land in furtherance of the stated purposes of this Section, without detracting from the character of the neighborhood and without seriously diminishing the value of surrounding property.

- a. Development Location: Residences should be grouped in locations so that scenic views and vistas will remain unblocked, particularly as seen from public

roads; prime agricultural soils, wildlife habitat and shoreline areas will be protected; stone walls, historic sites and their environs will be preserved; and significant natural features such as, but not limited to, vernal pools, prime wetlands, aquifers, older-growth trees, unique geologic formations and ridgelines will be protected. Wherever possible, structures should be located within any wooded upland on the parcel, or along the far edges of open fields and so that silhouettes of structures will be below the ridgeline or hilltop or, if the site is wooded, the building silhouettes will be lower than the existing canopy height. New structures should be screened from view from public roads with a buffer of existing trees or new plantings.

- b. The maximum number of house lots compatible with good design shall abut the open space and all house lots shall have reasonable physical and visual access to the open space through internal roads, sidewalks or paths.
- c. Development along existing scenic roads and the creation of new driveway openings on existing roadways shall be minimized or avoided altogether.
- d. Pedestrian Access/Circulation: Open space shall be laid out in conjunction with existing and proposed streets, sidewalks and lots so that the greatest degree of internal pedestrian circulation and access from the lots to both on-site and off-site open space is achieved. Access to the open space must be clear and direct, and arranged in a manner that does not conflict with the actual or apparent use of private lots.
- e. Landscaping: Common areas (such as community greens, cul-de-sac islands, and along both sides of new streets) shall be landscaped with deciduous shade trees. The minimum caliper of trees along roadways shall be three (3) inches measured at a point six (6) inches above the root ball, and spaced every one hundred (100) feet along the road right-of-way. Species shall be salt tolerant.
- f. All utilities servicing the Open Space Preservation Development shall be placed underground.

The Planning Board recommends this article.

**YES - 473**

**NO - 346**

**Article passed by ballot vote.**

**ARTICLE 3:** Are you in favor of amending **ARTICLE VIII Section 3** of the Fremont Zoning Ordinance to replace "Whoever violates any of the provisions of the regulations of this ordinance shall be punished upon conviction by a fine not exceeding two hundred seventy-five dollars (\$275) for each day of violation with "Whoever violates any of the provisions of the regulations of this ordinance shall be *subject to RSA 676:17*".

The Planning Board recommends this article.

**YES - 522**

**NO - 292**

**Article passed by ballot vote.**

**ARTICLE 4:** Are you in favor of adopting a new Zoning Article XVII in accordance with RSA 674:35,I, to authorize the Fremont Planning Board to require preliminary subdivision design review. The Subdivision Regulation regarding the requirements of such review to be prepared and adopted by the Fremont Planning Board.

The Planning Board recommends this article.

**YES - 579**

**NO - 239**

**Article passed by ballot vote.**

**ARTICLE 5:** In accordance with NH RSA 155-A, are you in favor of amending **ARTICLE V Section 1** of the Fremont Zoning Ordinance to read as follows: *"All dwellings and structures shall meet the requirements in the New Hampshire State Building Code,"* and delete Fremont Zoning Article V Section 10 as it would be included in the amended Section 1.

The Planning Board recommends this article.

**YES - 570**

**NO - 246**

**Article passed by ballot vote.**

**ARTICLE 6:** By petition: "Shall the Town of Fremont, New Hampshire vote to allow absentee ballot voting at the annual Town Meetings by adopting all the provisions of RSA 40:13, "The Official Ballot Voting Law," on all issues before the Town of Fremont NH? This article to be voted on; the second Tuesday of March, 2007."

The Selectmen do not recommend this article.

**YES - 515**

**NO - 351**

**Article defeated by ballot vote.**

**Needed 520 votes to pass. A 3/5-majority vote is required to pass.**

**SECOND SESSION: SATURDAY MARCH 17, 2007 TO BE HELD AT THE ELLIS SCHOOL AT 432 MAIN STREET IN FREMONT NEW HAMPSHIRE TIME: 5:00 PM**

Moderator Scribner called the second session of the Fremont Town Meeting to order at 5:10 pm at the Ellis School on Saturday, March 17, 2007.

She introduced the head table. Present were Selectmen Donald Gates Jr, Peter Bolduc, Gene Cordes, Town Administrator Heidi Carlson, Town Clerk Lori Holmes and Town Counsel John Ryan. There were approximately 125 residents present.

Moderator Scribner lead the Pledge of Allegiance followed by a moment of silence in honor of our military troops currently serving and those who have served in the past.

She then read the rules of order for the meeting.

The Selectmen then made a presentation to Mary & Ruth Anderson. Mary retired as Tax

Collector this year. The Selectmen presented her with a plaque for her 27 years of service. Ruth received a bouquet of flowers for her years of service as the Deputy Tax Collector.

The Selectmen then acknowledged Matthew Thomas for his 29 years of service as a Supervisor of the Checklist.

A presentation was then made to Jack and Marilyn Baker who are the recipients of the 2006 Annual Town Report Appreciation Award. Marilyn was unable to attend, but Jack accepted a plaque on behalf of the both of them.

Moderator Scribner then read the results of the Election for Town and School Officials held on Tuesday, March 13, 2007.

**ARTICLE 7:** To hear the report of the Budget Committee and take any action the Town deems necessary.

Gene Cordes moved Article 7. Peter Bolduc seconded.

Kevin Zukas, Vice Chairman of the Budget Committee spoke about the budget season and about how the budget process works. He stated that all department heads did a fine job trying balance the needs of the various departments while keeping the taxpayer in mind.

There was no further discussion. **Article 7 passed by voice vote.**

**ARTICLE 8:** To see what sum of money the Town will vote to raise and appropriate for general municipal operations, exclusive of all other warrant articles. The Selectmen recommend two million four hundred twenty-one thousand one hundred twenty-five dollars (\$2,421,125) and the Budget Committee recommends two million four hundred twenty-two thousand one hundred forty-four dollars (\$2,422,144). (Majority vote required.)

Moderator Scribner announced that she received a petition for a secret ballot for Article 8, Article 21 and Article 22. She stated that she spoke with the petitioners and they did agree to a hand count in place of a secret ballot. The Town Clerk verified the signatures on the petition.

Gene Cordes moved Article 8. Peter Bolduc seconded.  
Peter Bearse asked which budget number was being voted on.

Gene Cordes moved to recommend the Selectmen's budget number of \$2,421,125.

Peg Pinkham encouraged voters to support the Budget Committee's recommended budget number.

Kevin Zukas gave explanation as to why the Selectmen's number and the Budget Committees number were different. He stated that the new police cruiser that was going to

be purchased and the set up of this new cruiser was the difference between the two recommendations.

Jeff Rowell asked if the explanation he read in the Town Report stating that the difference in the numbers was due to an increase in the Town Clerk's salary was incorrect.

Kevin Zukas then apologized for speaking incorrectly. He stated that his explanation about the new police cruiser was incorrect and that the difference in numbers was because the Budget Committee recommended a different salary number for the Town Clerk than the Selectmen did.

A hand count was taken for the Selectmen's recommended budget. **Article 8 passed by hand count. YES - 73 NO - 40**

**ARTICLE 9:** To see if the Town will vote to raise and appropriate the sum of one hundred thirteen thousand dollars (\$113,000) to be placed in existing Capital Reserve Funds for the following purposes. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

- a. Police Cruiser \$15,500
- b. Radio Communication Equipment \$5,000
- c. Fire Truck \$12,500
- d. Highway Equipment \$20,000
- e. Highway Building \$15,000
- f. Property Revaluation \$25,000
- g. Town Hall Renovations \$20,000

Gene Cordes moved Article 9. Peter Bolduc seconded.

Peter Bearse asked if the Police cruiser was a Capital Reserve item or a budget item.

Heidi Carlson, Town Administrator explained that the new Police cruiser is a Capital Reserve purchase.

Tom Fontana verified by stating the \$15,500 will be taken from the Capital Reserve Fund.

Bob Stackpole asked if line F, \$25,000 for Property Revaluation is an ongoing occurrence.

Heidi Carlson replied yes it is. A revaluation has to be done every five years.

Peter Bearse stated that the figures for line A - G do not add up to \$113,000.

Heidi Carlson re-added the numbers and they do add up to \$113,000.

Peg Pinkham stated that her timing may not be correct, but she felt that Article 8 was not closed, that article 8 should be discussed further.

Moderator Scribner stated that they would finish Article 9, then re-review Article 8.

Don Miller asked if line G - \$20,000 Town Hall Renovations was for preventative maintenance or if there was major repair work that needed to be done.

Gene Cordes answered that it was a Reserve Fund for Town Hall renovations, specifically to address the basement renovations.

Ann Beliveau called the question. Gary Peters seconded. **Article 9 passed by voice vote.**

Peg Pinkham made a motion to reconsider Article 8. Ida Keane seconded.

Peg Pinkham said she felt the voters might be confused about Article 8 because of the way it was first presented. She felt Article 8 should be re-opened for discussion to answer any questions anyone may have and to better explain the differences in the two recommended budgets.

Steve Jackson said there are two numbers in Article 8. Which number did we vote on?

Gene Cordes clarified that a vote for reconsideration must be taken before any discussion can take place.

Peg Pinkham stated she felt there should be discussion first, before a vote is taken.

**The vote to reconsider Article 8 failed.**

**ARTICLE 10:** To see if the Town will vote to raise and appropriate the sum of ten thousand dollars (\$10,000) to be placed in the existing Town Buildings Repair and Maintenance Expendable Trust Fund. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

Gene Cordes moved Article 10. Peter Bolduc seconded.

**There was no discussion. Article 10 passed by voice vote.**

Dave Barker made a motion to restrict reconsideration of Article 8. Rick Butler seconded.  
**Motion passed by voice vote.**

**ARTICLE 11:** To see if the Town will vote to raise and appropriate the sum of thirty-two thousand fourteen dollars (\$32,014) to purchase and equip a 2007 police cruiser for the Fremont Police Department and to authorize the withdrawal of up to twenty-two thousand dollars (\$22,000) from the Police Cruiser Capital Reserve Fund to offset the purchase price.

The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

Peter Bolduc moved Article 11. Gene Cordes seconded.

Neal Janvrin gave an explanation as to how the Police cruisers are replaced and the rotation cycle of the cruisers.

**Article 11 passed by voice vote.**

**ARTICLE 12:** To see if the Town will vote to raise and appropriate the sum of twenty-eight thousand dollars (\$28,000) for the purpose of a radio communication system at the Fremont Safety Complex Fire/EMS and emergency services and to authorize the withdrawal of twenty-eight thousand dollars (\$28,000) from the Radio Communication Capital Reserve Fund to offset the purchase price. The Selectmen recommend this appropriation and the Budget Committee does not recommend this appropriation. (Majority vote required.)

Gene Cordes moved Article 12. Peter Bolduc seconded.

Peter Bearse asked if consideration has been given to consolidating communications between the Police and Fire Departments.

Dave Barker stated that communications are compatible, but this new equipment will make it interchangeable among all departments. It would establish a base station in town instead of another location, and would be usable no matter who or where the dispatching center is.

Don Miller asked if there were a Base Station in town would we need to fund an operator to man the equipment.

Dave Barker replied that the Fire Rescue Department would continue to use the Raymond Dispatch Center. Currently the Police Department uses Rockingham Dispatch.

Matthew Thomas asked for an explanation of why the Selectmen recommend this article, but the Budget Committee does not.

Kevin Zukas spoke on behalf of the Budget Committee. He said the Budget Committee felt that funding could come from elsewhere.

Gene Cordes explained that at budget time, department heads put together a budget, present it to the Selectmen along with rationale for why they need or require the items requested in the budget. The Selectmen support this article because the department heads presented a rational explanation at budget time of why it was needed.

Dick Heselton explained that depending on location, ie: the school or the library, their portables will not reach Raymond Dispatch. Also, depending on location of where a

firefighter may live, the fire pagers will not work to alert the firefighter of a call. Heselton said how precious the volunteers were to the Department.

Yvonne Ouellette called the question. Kimberly Jones seconded.

Matthew Thomas called a point of order. Someone was standing at the microphone wanting to speak when the question was called.

Neal Janvrin was allowed to speak. He encouraged the voters to support this article, indicating he felt it was a life safety issue.

Yvonne Ouellette called the question. Kimberly Jones seconded.

**Article 12 passed by voice vote.**

**ARTICLE 13:** To see if the Town will vote to raise and appropriate the sum of forty-six thousand four hundred dollars (\$46,400) to continue with a Public Health Mosquito Control Program and fund the program for the coming year. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

Gene Cordes moved Article 13. Peter Bolduc seconded.

Anne Beliveau asked if the Town was extending its control program.

Gene Cordes explained the program, what was done last year and the plans for this year. He said yes, it did include broadening the program.

Heidi Carlson stated that there would be more monitoring and more testing done this year. The budget figure does include \$2,000 for one emergency spraying of the ball fields, school, and a couple of town buildings, if that became necessary.

**Article 13 passed by voice vote.**

**ARTICLE 14:** To see if the Town will vote to raise and appropriate the sum of fifty thousand dollars (\$50,000) to shim pave and do associated shoulder work, on North Road from Leavitt Road to Old Ridge Road; and a section closer to the Brentwood line; and Shirkin Road (approximately 400 feet) from the Epping Town line into Fremont. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

Gene Cordes moved Article 14. Peter Bolduc seconded.

**There was no discussion on this article. Article 14 passed by voice vote.**

Anne Beliveau made a motion to restrict reconsideration of Articles 9, 10, 11, 12, 13, and 14. Gene Cordes seconded. **Motion passed by voice vote.**



**ARTICLE 15:** To see if the Town will vote to raise and appropriate the sum of five hundred dollars (\$500) in support of the Court Appointed Special Advocates of NH (CASA NH). The Selectmen recommend this appropriation and the Budget Committee does not recommend this appropriation. (Majority vote required.)

Gene Cordes moved Article 15. Peter Bolduc seconded.

Peg Pinkham asked if someone was here from CASA to speak to the voters.

Neal Janvrin explained what CASA represents and how there were three delicate juvenile cases in Fremont last year that used CASA advocates to assist in matters involving children.

Peg Pinkham advocated what a valuable program CASA is. The assistance that it provides to families is valuable. She hoped for better representation from CASA next year. She encouraged all voters to support the program.

Heidi Carlson stated that a letter was sent from the Town asking CASA for information about its program, and to have a representative at our meeting. CASA sent a response letter to the Town explaining the program and apologized for not sending representation to assist the Town to better understand what CASA does, but that they were overwhelmed this year with similar requests and did not have sufficient personnel to get out to each town meeting.

**Article 15 passed by voice vote.**

**ARTICLE 16:** To see if the Town will vote to raise and appropriate the sum of fifteen thousand two hundred eight-five dollars (\$15,285) for the purchase of an AutoPulse System and all associated equipment for the Fremont Fire Rescue Department. The Selectmen recommend this appropriation and the Budget Committee does not recommend this appropriation. (Majority vote required.)

Gene Cordes moved Article 16. Peter Bolduc seconded.

Lisa Maffei, Rescue Squad Department Head, gave a brief explanation of what the machine is, how it works, and what it does to assist rescuers performing CPR.

Kevin Zukas explained why the Budget Committee did not recommend this article. He stated that the Budget Committee weighed the cost of the machine vs. the number of times the machine would possibly be used.

Neal Janvrin spoke in favor of the machine. He gave a brief explanation of how it works.

Kevin Zukas explained why in his professional opinion as an EMT, he did not feel this machine was necessary.

Peg Pinkham stated that the Budget Committee would like to support this article but felt more information; more research, more investigation was necessary before making this purchase.

Mary Jo Holmes asked if the Raymond Ambulance was equipped with the AutoPulse machine. Lisa Maffei replied that Raymond Ambulance was not equipped with this type of machine.

Kevin Zukas stated there were no other ambulances in the area with this type of equipment.

Don Miller spoke in favor of this article.

The voice vote could not be determined. A hand vote was required. **Article 16 passed by hand card count. YES - 81 NO - 18**

**ARTICLE 17:** By Petition: "Shall the Town of Fremont NH vote to create a Capitol (sic) Reserve Fund for the purpose of live broadcasting of Selectmen's meetings on Comcast Channel 22 and further to raise and appropriate the sum of four hundred dollars (\$400.00) to be placed in said fund." The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required).

Gene Cordes moved Article 17. Peter Bolduc seconded.

Keith Stanton explained that the \$400 was to assist with the Town's live broadcastings of meetings.

Kimberly Jones asked what the percentage was of residents that had Comcast.

Gene Cordes said that there are a few locations in Town where residents do not have access to cable. Old Ridge Road is one of the roads, but the number totals were not available at that time.

Peter Bearse said this article is to help Fremont residents to better understand their Town's Government through live broadcasts. He encouraged everyone to support this article.

Matthew Thomas stated that there are a few towns in the area that do not broadcast the meetings of the various local boards. He had concerns regarding volunteers doing the tapings. He said that if we appropriate the money he hoped that the interest would not fade and leave the town without someone to man the camera. He encouraged residents to educate themselves about town government and town business by attending public hearings, attending the various meetings, and reading your local newspaper and the newsletter.

Keith Stanton stated that the Town had a cable committee a few years ago but somehow that committee disbanded.

Gene Cordes replied that in 2002 the Town Meeting voted to form a cable committee. The committee was to report back to the Town at the 2003 Town meeting. The committee fulfilled its duty of filing that report to the Town.

Steve Jackson suggested that the Town tape the meetings, put them on DVD's and CD's and any resident who is interested can get a copy from the Town.

Keith Stanton said that someone has put \$850 of their own money into the current videotaping that is being done; and over 200 hours of time taping meetings.

Kenn Jones commented that the cable company should be providing the video equipment at no cost to the town.

Linda Stanton asked what was the date of the meeting when then Budget Committee and the Selectmen recommended this article.

Gene Cordes said it was February 6, 2007, the night of the Budget Committee's Public Hearing.

Keith Stanton called the question. Anne Beliveau seconded. **Article 17 failed by voice vote.**

**ARTICLE 18:** To see if the Town will vote to designate the Board of Selectmen as agents to expend from the Highway Equipment Capital Reserve Fund established in 2002. The Selectmen recommend this article. (Majority vote required).

Gene Cordes moved Article 18. Peter Bolduc seconded.

Peter Bearse asked why make the Selectmen the agents.

Gene Cordes answered that it allows the Selectmen to respond to the needs of the Town throughout the year. With the current authorization, expenses from it must wait until Town Meeting can authorize them.

Heidi Carlson stated that the Road Agent, Guerwood Holmes, asked for this warrant article in order to be able to replace a worn out piece of equipment outside of the annual Town Meeting schedule.

Peter Bearse asked if the authority could be given to the Road Agent.

Heidi Carlson stated that the way the law is written, only the Selectmen or the legislative body can be given that authority.

Dick Heselton called the question. Matthew Thomas seconded. **Article 18 passed by voice vote.**

**ARTICLE 19:** To see if the Town will vote to designate as Town Forests, in accordance with NH RSA 31:110, the following parcels of land:

Oak Ridge	Map 4 Lots 004, 008, 009, 010, 011, 012, and 016
Glen Oakes	Map 2 Lot 156.002.001

The Selectmen and the Conservation Commission recommend this article.

Peter Bolduc moved Article 19. Anne Beliveau seconded.

Gene Cordes made a motion to amend article 19 to read, To see if the Town will vote to designate as Town Forests, in accordance with NH RSA 31:110, the following parcels of land, to be managed by the Fremont Conservation Commission.

Oak Ridge	Map 4 Lots 004, 008, 009, 010, 011, 012, and 016
Glen Oakes	Map 2 Lot 156.002.001

Anne Beliveau seconded the amendment. **Article 19 as amended passed by voice vote.**

**ARTICLE 20:** To see if the Town will vote to accept deeded title to the Phase II portion of Tuck Drive (1,926.36 feet) and all of Godfrey Lane (2,779.35 feet) as designated on Plans # D-31397 and D-31333 from W Turner Porter Jr/Ingalls Lane Realy LLC, with a two year maintenance bond to be held by the Town in the amount of \$75,545. (Majority vote required.)

Gene Cordes moved Article 20. Peter Bolduc seconded.

Heidi Carlson stated that the Town's Engineer and the Town's Road Agent have sent letters to the Town indicating that these roads are ready to be accepted, and the bond is on file with the Town.

**Article 20 passed by voice vote.**

**ARTICLE 21:** By Petition: To see if the Town will go on record in support of effective actions by the President and the Congress to address the issue of climate change which is increasingly harmful to the environment and economy of New Hampshire and to the future well being of the people of Fremont. These actions include:

1. Establishment of a national program requiring reductions of US greenhouse gas emissions while protecting the US economy.
2. Creation of a major national research initiative to foster rapid development of sustainable energy technologies thereby stimulating new jobs and investment.

In addition, the Town of Fremont encourages New Hampshire citizens to work for emission reductions within their communities, and we ask our Selectmen to consider the appointment

of a voluntary energy committee to recommend local steps to save energy and reduce emissions. The record of the vote on this article shall be transmitted to the New Hampshire Congressional Delegation, to the President of the United States, and to declared candidates for those offices.

Peter Bolduc moved Article 21. Gene Cordes seconded.

Bob Larson gave a brief explanation of what this article means and why he put forth this petition.

Neil Rowland said he does not support this article. He questions the myths about global warming.

Bob Larson spoke giving many examples of global warming and how it is affecting the world. Larson said that 180 NH towns had this question on their warrant. Of those, 130 have voted on it to date, and 121 of those have passed the article.

Joe Nicolazzi also spoke about global warming and the impact it is having on the world.

Renee King called the question. Gene Cordes seconded. This article was a hand count as part of a Citizen's Petition submitted at the beginning of the meeting.

**Article 21 passed by hand vote. YES - 90 NO - 16**

Matthew Thomas made a motion to restrict reconsideration of articles 15, 16, 17, 18, 19, 20, and 21. Gary Peters seconded. **Motion to constrict reconsideration passed by voice vote.**

**ARTICLE 22:** To transact any other business that may legally come before this meeting.

Gene Cordes moved Article 22. Peter Bolduc seconded. There was no discussion.

A hand count was taken as part of the Citizen's Petition submitted at the beginning of the meeting.

**Article 22 passed by hand count. YES - 90 NO - 1**

Lori Holmes made a motion to adjourn. Gene Cordes seconded.

Unanimous vote in the affirmative. The meeting was adjourned at 6:50 pm.

Respectfully submitted,

Lori A. Holmes

Town Clerk

On Saturday, March 17, 2007 at 4:45 pm, The Town Clerk received a petition for recount for Warrant Article 6. Signatures were verified as registered voters in the Town of Fremont.

The Town Clerk notified all petitioners by mail that the recount would be held on Monday, March 26, 2007 at 6:30 pm at the Fremont Safety Complex at 425 Main Street Fremont New Hampshire.

Members of the Board of Recount consisted of Selectmen Gene Cordes and Peter Bolduc, Moderator Robert Rydeen, Moderator on Election Day Neal Janvrin and Town Clerk Lori Holmes.

Community members present were Matthew Thomas, Keith Stanton, Linda Stanton, Elaine McGall, Tom McGall and Peter Bearse.

The recount began at 6:35. The seal on the package that contained the ballots was broken and the counting of ballots began. All 901 cast ballots from the Tuesday, March 13, 2007 Election were individually inspected by each member of the Board of Recount.

The recount ended at 9:00 pm. The results are as follows:

YES - 516

NO - 353

BLANKS - 31

CHALLENGED - 1

3/ 5 majority needed to pass. Total number tallied between the yes and no votes is 869. The number of yes votes needed to pass is 521.

Article 6 was defeated.

The ballots were placed back in their original container and then sealed. These ballots shall be kept for 60 days from the date of recount.

Respectfully submitted,

Lori A. Holmes  
Town Clerk