

**TOWN OF FREMONT NH  
2024 TOWN MEETING WARRANT**

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

**Pursuant to NH RSA 40:13 II, the First Session of the 2024 Town Meeting (Deliberative Session) shall be held on Saturday February 3, 2024 at the Ellis School, 432 Main Street in Fremont New Hampshire at 9:00 am. The snow date for this session is Saturday February 10, 2024 at 9:00 am at the Ellis School. \*Note that the School District Session will take place first and the Town Deliberative Session will begin at completion of School session, with a brief intermission.\***

**The Second Session (Voting Session) shall be held on Tuesday March 12, 2024 at the Ellis School, 432 Main Street in Fremont New Hampshire with polls open from 7:00 am to 8:00 pm. All Articles will be voted upon by Official Ballot with any amendments as made at the Deliberative Session.**

**ARTICLE 1 INFORMATION: ELECTION OF TOWN OFFICERS**

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

Budget Committee: 2 for 3 years  
Library Trustee: 1 for 3 years  
Road Agent: 1 for 3 years  
Supervisor of Checklist: 1 for 6 years

Cemetery Trustee: 1 for 3 years  
Moderator: 1 for 2 years  
Select Board Member: 1 for 3 years  
Trustee of Trust Funds: 1 for 3 years

**ARTICLE 2 INFORMATION: PROPOSED ZONING CHANGE.** *This amendment will change all references to "elderly" housing throughout Article 13, Section 1301 to "age-restricted" housing and to change all references to "elderly" citizens or residents to citizens or "residents aged 55 years and older". This will also modify Article 13, Section 1301.2 (General Standards) to remove the explanatory note and revise the name of the state agency that provides housing estimates used to calculate the total number of dwelling units allowed in Fremont in subparagraph B; and to clarify how to calculate the number of bedrooms allowed if the development is located partially within the Aquifer Protection District.*

**ARTICLE 2:** Are you in favor of the proposed amendments to Article 13 (Zoning Proposals 1 and 2) submitted by the Fremont Planning Board for the Fremont Zoning Ordinance as follows:

Existing language

New language

~~Existing language to be removed~~

**ARTICLE 13 – OPEN SPACE ORDINANCES**

**Section 1301 – Elderly Age-Restricted Open Space**

**1301.1 Purpose:** The standards in this section have been established for the purpose of encouraging the construction of ~~elderly~~ age-restricted housing developments (or the conversion

of existing structures into elderly age-restricted housing facilities), which are designed and constructed to meet the unique needs of elderly citizens aged 55 and over, while ensuring compliance with local planning standards, land use policies, good building design, and the requirements for the health, safety and general welfare of the inhabitants of Fremont. Such developments shall not include assisted living and/or extended care facilities.

This Ordinance has also been developed to incorporate open space development components for elderly age-restricted housing projects. The Town of Fremont understands the importance of maintaining open space as a way of preserving rural character, protecting wildlife habitat, and preserving important natural resource areas. In an effort to achieve these goals, this ordinance encourages the placement of elderly age-restricted housing units in relatively compact areas within the development site in order to leave large undeveloped areas free of negative development impacts.

The Town of Fremont recognizes that one aspect of elderly age-restricted housing development is that the housing built will continue to be put to this use in perpetuity, consistent with restrictive covenants and consistent with the provisions of state and federal law that permit housing units to be restricted by age.

This Ordinance is also developed to allow mixed-use development to occur within the project. The standards herein allow service and retail facilities to be developed in conjunction with the creation of elderly age-restricted housing. These mixed uses are allowed and encouraged because of their inherent connection to the needs of elderly age-restricted residents aged 55 or older and because such uses expand the feeling of community within the elderly age-restricted development. This Ordinance is adopted pursuant to the provisions of RSA 674:21 (Innovative Land Use Controls), and the Planning Board is hereby empowered and authorized to administer this Ordinance in conjunction with the Selectmen and building officials of the Town of Fremont.

Pursuant to RSA 674:17, IV, any dimensional or procedural incentive under this elderly age-restricted open space ordinance is deemed applicable to a development of workforce housing as defined in RSA 674:58, IV. Any proposed workforce housing development shall comply with the provisions of the Fremont zoning ordinance, site plan and subdivision regulations with respect to environmental protection, water supply, sanitary disposal, traffic safety and fire and life safety protection.

**1301.2 General Standards:** All elderly age-restricted housing developments shall conform to the following standards:

- A. Elderly age-restricted housing developments shall be permitted as an overlay district thereby allowed anywhere throughout the Town of Fremont. All elderly age-restricted housing developments shall occur on a parcel that is a minimum of twenty (20) acres in size and shall have at least fifty (50) feet of frontage on a Class V road or higher.
- B. The total number of elderly age-restricted housing units approved by the Board under this ordinance in the Town of Fremont shall not exceed fifteen (15) percent of the total dwelling units in the Town of Fremont. ~~(Explanatory note: for example, the 2000 US-Census details 1,201 dwelling units in the Town of Fremont therefore allowing one hundred and eighty (180) elderly units total).~~ The number of dwelling units in the Town of Fremont shall be based on the NH Office of Strategic Initiatives (OSI) Department of Business and Economic Affairs, Office of Planning and Development's most recent estimates.

C. The maximum number of bedrooms allowed on a site is three (3) per acre of upland, and shall be calculated as follows:

1. Subtract very poorly and poorly drained soils, alluvial soils, and soils with slopes greater than twenty-five (25%) percent from the total parcel acreage.
2. Subtract ten (10%) percent of the remaining land for roads and utilities.
3. Multiply the resultant acreage by three (3) bedrooms to get the maximum number of bedrooms allowed on the site.

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

If the development is located within the Aquifer Protection District the number of bedrooms allowed per acre of upland is two (2). For development proposals located partially within the Aquifer Protection District, the number of bedrooms allowed per acre may be apportioned. The apportionment shall be based on a hydrogeologic study which shall be performed by an engineer or hydrogeologist registered in the State of New Hampshire. Such a study shall be conducted by, and at the expense of, the landowner.

D. Dwelling units shall be specifically designed to provide housing for elderly residents restricted to the age of fifty-five (55) years old or older. Units shall have a maximum of two (2) bedrooms, may not exceed thirty-five (35) feet in height, and may be either one (1) or two (2) stories. Buildings shall be separated by a minimum space of thirty-five (35) feet. This spatial relationship may be required to be larger if the Planning Board review finds that this standard results in inadequate light and air between structures. No building shall exceed more than six (6) individual units per structure. No individual unit shall exceed fifteen hundred (1,500) square feet of living space, and no single-family building shall exceed fifteen hundred (1,500) square feet in living space.

E. Adequate on-site space shall be provided for off-street parking for two (2) vehicles per dwelling unit.

F. Building massing and style shall be distinctly residential in character, drawing on historical design elements that are consistent with rural New England architecture and which feature characteristics such as pitched roofs, clapboard or shingle siding, raised panel exterior doors and divided light windows. All such elderly age-restricted housing developments shall be designed and constructed to compliment and harmonize with the surrounding areas, particularly with regard to the size and scale of the development and its prominence and visibility to the community generally and to surrounding neighborhoods in particular.

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

H. Dwelling units may be owner-occupied or rented. However, all permanent residents of all elderly age-restricted housing units shall be at least fifty-five (55) years of age.

- I. The design and site layout of all such elderly age-restricted housing developments shall compliment and harmonize with the rural character of the Town of Fremont, shall maximize the privacy of dwelling units and preserve the natural character of the land.
- J. All such elderly age-restricted housing developments shall make provision for pedestrian access (including amenities such as benches, street and path lighting, sidewalks, and crosswalks) within the development and, to the extent possible, to off-site community facilities.
- K. Each development shall incorporate the construction of a common/community facility to be used for homeowners' association meetings or general community activities. This facility can be incorporated into one of the housing structures or it can be a stand-alone building. For developments of less than twenty (20) dwelling units this community facility is encouraged but not required.
- L. All such elderly age-restricted housing developments shall be landscaped to enhance their compatibility with surrounding areas, with emphasis given to the utilization of natural features wherever possible. The Planning Board may require a plan developed by a landscape architect be prepared for each development.
- M. The perimeter of the areas of housing or mixed-use development within the site shall be treated with a landscaped buffer zone of a minimum of twenty-five (25) feet which may consist in whole or in part of existing natural grown vegetation.
- N. The Planning Board shall require that all roads within the development -- whether owned privately or not -- be built according to Town standards.
- O. The Planning Board retains the right to approve the specific road and structure layouts for the purpose of the health, safety, and welfare of the town as well as for efficiency and aesthetic variety and quality of design.
- P. The applicant shall demonstrate that all units have been designed to meet the needs and applicable accessibility requirements of the elderly as reflected in the HUD's Fair Housing Accessibility Guidelines.
- Q. All units shall be built in accordance with applicable federal, state, and local building codes.

**1301.3 Common Land/Open Space:** In every elderly age-restricted housing development, common land/open space shall be set aside and covenanted to be maintained permanently as open space. The required amount of open space for all elderly age-restricted housing developments shall be calculated as follows:

- A. No less than thirty-three (33%) percent of the gross upland area of the development shall be allocated to open space. Upland area is defined as all soils with slopes less than twenty-five (25 %) percent, and excludes poorly and very poorly drained soils, alluvial soils (subject to flooding), and water bodies. The Planning Board will review each proposal with an eye toward ensuring that the proposed common areas are contiguous, disapproving proposals that carve the open space into small segments that do not achieve the goals defined in the Purpose Section above. It is recommended that sixty (60%) to eighty (80%) percent of the common areas should be contiguous.

In calculating common/open space area the following shall not be included: public right-of-way, alluvial, very poorly and poorly drained soils, soils with slopes over twenty-five (25%) percent, and parking lots.

Use of Common Land: Such common land shall be restricted to open space recreational uses such as parks, swimming pools, tennis courts, golf courses, the common meeting facility (found in Section 1301.2.K), or conservation. While the setbacks, front, rear, and side, are considered part of the common land, none of the above uses shall be allowed within these areas, nor any other uses that would disturb the natural vegetation within these areas. Ninety (90%) percent of the common/open space shall remain undisturbed. These restrictions of the use of the common land (including the landscaped buffered area) shall be stated in the covenants running with the land.

- B. Access to open space/common land. Such common land shall have suitable access via a trail, within the development.
- C. Protection of Common Land. Open space, common areas, common facilities, private roadways, and other features within the elderly age-restricted housing development shall be protected by covenants running with the land and shall be conveyed by the property owners to a homeowner's association so as to guarantee the following:
1. The continued use of land for the intended purposes.
  2. Continuity of proper maintenance for those portions of the development requiring maintenance.
  3. The availability of funds required for such maintenance.
  4. Recovery for loss sustained as a result of casualty, condemnation or otherwise.
  5. Creation of a homeowner's association or tenancy-in-common or similar form of ownership, with automatic membership and obligation of the residents of the elderly age-restricted housing development upon conveyance of title or lease to single dwelling units. Home Owner's Association, tenancy-in-common, or similar form of ownership shall include lien provisions and shall be subject to review and approval by the Planning Board.

**1301.4** It shall be the responsibility of the developer/builder of each such elderly age-restricted housing development to establish a Home Owner's Association and to prepare and adopt appropriate Articles and By-Laws which are to be submitted in advance to the Planning Board and Town Counsel for their review and approval. In preparing the Articles and By-Laws, particular consideration shall be given to accommodating the unique needs of the elderly - citizens aged 55 and over and to ensuring that residents of such developments are guaranteed adequate and appropriate services. The creation of the Home Owner's Association and the Articles and By-Laws shall be at the sole expense of the developer/builder and the costs of the review by the Planning Board and Town Counsel shall also be borne by the developer/builder. Any association formed for the purpose of elderly age-restricted housing must have stipulated in their By-Laws and Declaration of Covenants that the Association will at all times be in compliance with current Fremont Ordinances governing elderly age-restricted housing.

The Applicant/Owner shall incorporate a written enforcement mechanism satisfactory to the Planning Board and its legal counsel whereby on an annual basis, a written age-based age-based census of the existing Occupants shall be provided to the Board of Selectmen. Upon any

change in ownership or tenancy, the age of any new Occupants shall be given to the Board of Selectmen within thirty (30) days of tenancy/ownership changes.

**1301.5 Mixed Use Component:** Each ~~elderly~~ age-restricted housing development is encouraged to incorporate retail and /or service facilities. All proposals must comply with the Site Plan Review Regulations of the Town of Fremont as well as building design criteria found in this Ordinance.

**1301.6** The Planning Board shall maintain and exercise the authority to approve or disapprove all proposed ~~elderly~~ age-restricted housing developments. The Planning Board shall act reasonably in exercising such discretionary authority but shall take into consideration such factors, for example, as: the health, safety and general welfare of the citizens of Fremont; the aesthetic impact on immediately surrounding areas; whether the design is adequate to meet the unique needs of ~~elderly residents aged 55 and over~~; whether the Articles and By-Laws operate to serve the unique needs of ~~elderly residents aged 55 and over~~; the burdens created by additional demands on Town services; and whether the proposed development complies with the requirements of this ~~Elderly Age-Restricted~~ Housing Ordinance, as well as, with the requirement of Fremont's Zoning Ordinance and Subdivision and Site Plan Regulations.

**1301.7** Residency restrictions for residential projects approved under the ~~Elderly Age-Restricted~~ Housing Ordinance shall be accomplished by restrictions recorded in deeds, Condominium Declarations, and/or other documents recorded at the Rockingham County Registry of Deeds. All deeds and covenants shall be subject to review by Town Counsel at the sole expense of the developer/builder and shall be approved by the Planning Board. Covenants shall expressly provide that they may be specifically enforced by the Town, whether by injunctive relief or otherwise. Covenants shall be signed by the Planning Board and shall contain language specifying that Board approval is required for any subsequent changes to the covenants. Covenants shall expressly provide that they shall not be amended or modified, nor waivers granted there under, without the prior written approval of the Planning Board.

**1301.8** The following terms shall have the following meanings for the purpose of interpreting these ~~Elderly Age-Restricted~~ Housing Regulations:

- A. ~~Elderly Age-Restricted~~ Housing Development: Housing contained in a development intended for occupancy by people fifty-five (55) years of age and older, and which features predominantly small single-family units, apartments and/or condominiums.
- B. Bedroom: a room with an interior door and a closet.

**1301.9** This ordinance shall be reviewed annually by the Planning Board to ascertain whether the balance between the number of standard residential dwelling units and ~~elderly~~ age-restricted housing units continues to reflect the stated goals of the Fremont Master Plan and the community's long-term planning intentions.

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

**ARTICLE 3 INFORMATION:** *PROPOSED ZONING CHANGE. This proposal will amend the Fremont Zoning Ordinance to add definitions in Article 4, Section 403 for Self-Storage Facility and Warehouse; and to amend the Table of Uses in Article 7, Section 708 to include the newly defined uses of Self-Storage Facility and Warehouse, and to indicate in which districts they are allowed, under what conditions they are allowed, and in which districts they are prohibited.*

**ARTICLE 3:** Are you in favor of the proposed amendments to Zoning Ordinance Articles 4 and 7 (Zoning Proposal 3) submitted by the Fremont Planning Board for the Fremont Zoning Ordinance as follows:

Existing language

New language

~~Existing language to be removed~~

#### **ARTICLE 4 - ADOPTION AND AMMENDMENTS**

##### **Section 403 – Definitions**

SELF-STORAGE FACILITY: A commercial building or group of buildings containing separate, individual, and private storage spaces of varying sizes available for lease or rent for varying periods of time.

WAREHOUSE: A building used primarily for storage whether or not involving the wholesaling or retailing of such products principally off the premises.

#### **ARTICLE 7 – ZONING MAP AND DISTRICTS**

##### **Section 708 – Table of Uses**

	<b>Zoning Districts</b>			
	<b>SH</b>	<b>MS</b>	<b>FUR</b>	<b>R</b>
<u>Self-Storage Facility</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Warehouse</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>

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

*ARTICLE 4 INFORMATION: PROPOSED ZONING CHANGE. This will add a new Article 15, Solar Ordinance to the Fremont Zoning Ordinance to include definitions, a table of uses for multiple types of solar structures or arrays, and to indicate in which districts they are allowed, under what conditions they are allowed, and in which districts they are prohibited.*

**ARTICLE 4:** Are you in favor of the proposed adoption of Article 15 Solar Ordinance (Zoning Proposal 4) submitted by the Fremont Planning Board for the Fremont Zoning Ordinance as follows:

#### **ARTICLE 15 Solar Ordinance**

##### **Section 1501**

##### **Purpose and Authority**

This solar energy system ordinance is enacted in accordance with RSA 674:17(I)(j) and the purposes outlined in RSA 672:1-III-a as amended. The purpose of this ordinance is to accommodate solar energy systems and distributed generation resources in appropriate locations, while protecting the public's health, safety, and welfare. The Town intends to facilitate the State and National goals of developing clean, safe, renewable energy resources in accordance with the enumerated polices of NH RSA 374-G and 362-F that include national security and economic and environmental sustainability. Consideration of the Town's scenic views, historic properties, property values, and rural character will be used to minimize potential

impacts. The provisions of the Solar Energy System Ordinance shall be administered by the Planning Board.

## **Section 1502                      Applicability**

The requirements of this ordinance shall apply to all roof-mounted and ground-mounted solar energy systems modified or installed in the Town of Fremont after the date of its enactment.

## **Section 1503                      Definitions**

- A. **Rated Nameplate Capacity:** The maximum rated output of electric power production of the photovoltaic system in watts of Alternating Current (AC).
- B. **Solar Collection System:** Includes all equipment required to harvest solar energy to generate electricity. The Solar Collection System includes storage devices, power conditioning equipment, transfer equipment, and parts related to the functioning of those items. Solar Collection Systems include only equipment up to (but not including) the stage that connection is made to the utility grid or site service point. The solar collection system may be roof mounted or ground mounted and may be either small, medium, large, or very large as defined by this ordinance.
- C. **Solar Land Coverage** - is defined exclusively for the purposes of calculating the footprint of the land area occupied by the components of a solar collection system. The Solar Land Coverage is the land area that includes all components of the solar collection system including but not limited to mounting equipment, panels, and other ancillary components of the system. This definition does not include access roads or fencing and is not to be interpreted as a measurement of impervious surface as defined in this ordinance.
- D. **Solar Collection System, Roof-mounted:** A Solar collection system that is mounted on the roof of a building or structure; may be of any size (small-, medium, large, or very large scale as defined by this ordinance). Roof mounted systems shall be excluded from calculations for solar land coverage. **Solar Collection system, ground mounted:** A solar collection system that is structurally mounted to the ground and is not roof-mounted; may be of any size (small-, medium- large-scale or very large-scale as defined by this ordinance).
- E. **Solar Collection System, Small-Scale:** A solar collection system that occupies 500 square feet of solar land coverage or less with a rated nameplate capacity of 10 kW AC or less.
- F. **Solar Collection System, Medium-Scale:** A solar collection system that occupies more than 500 square feet but less than 1 acre of solar land coverage with a rated nameplate capacity of about 100 kW AC or less.
- G. **Solar Collection System, Large-Scale:** A Solar Energy System that occupies more than 1 acre but less than 5 acres of solar land coverage with a rated nameplate capacity of 1 MW AC or less.
- H. **Solar Collection System, Very Large-Scale:** A solar energy system that occupies more than five acres of solar land coverage with a rated nameplate capacity of greater than 1 MW AC.

## **Section 1504 Allowed Uses (Table of Districts)**



<b>System Type</b>	<b>SH</b>	<b>MS</b>	<b>FUR</b>	<b>R</b>
Roof-mounted solar collection system	P	P	P	P
Small-scale ground mounted solar collection system	P	P	P	P
Medium-scale ground mounted solar collection system	P	CUP	CUP	CUP
Large-scale ground-mounted solar collection system	CUP	CUP	X	X
Very large-scale ground-mounted solar collection system	CUP	CUP	X	X

P = Use permitted by right with building permit. CUP = Use permitted by Conditional Use Permit.  
X = Use prohibited.

### **Section 1505 Site Plan Application and Review**

- A. Roof-mounted systems and small-scale ground-mounted systems are permitted with a building permit and not subject to Site Plan Review unless such systems are to be incorporated in a development that requires site plan review.
- B. Medium, large-scale and very large-scale ground mounted systems are subject to site plan review.
- C. Solar energy systems for municipal use are exempt from land use regulations pursuant to RSA 674:54.

### **Section 1506 Standards for Roof Mounted and Small-Scale Ground-Mounted Solar Energy Systems**

Roof-mounted systems and small-scale ground-mounted systems are permitted, unless they are determined by the Fremont Building Inspector to present public health and safety risks including, but not limited to, weight load, wind resistance, emergency access and proximity of a ground-mounted system to nearby buildings.

### **Section 1507 Standards for Medium, Large and Very Large-Scale Solar Energy Systems**

- A. **Utility connections:** The location of all equipment to be installed on site including utility connection point(s) and equipment shall be identified. To the maximum extent practical all wiring associated with the utility connection shall be underground.
- B. **Safety:** The solar system owner or project applicant shall provide a copy of the Site Plan Review application to the Fremont Fire Chief for review and comment.
- C. **Visual Impact:** Reasonable efforts, as determined by the Planning Board, shall be made to minimize undue visual impacts to neighboring properties by preserving native vegetation, plantings, or other appropriate measures.
- D. **Land Clearing, Soil Erosion, and Habitat Impacts:** Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of ground-mounted solar energy systems or as otherwise prescribed by the Fremont Site Plan Regulations. Ground-mounted facilities shall minimize mowing to the extent practicable. Removal of mature trees shall be avoided to the extent possible. Native, pollinator-friendly seed mixtures shall be used to the extent possible. Herbicide and pesticide use shall be minimized. No prime agricultural soil or significant volume of topsoil shall be removed from the site for installation of the system. Following construction, cleared land areas must be restored with native species that are consistent

with the use of the site as a solar collection system (such as slow growth or low ground cover).

- E. **Fencing:** Fencing shall be installed as required by the National Electric Code or Utility. Additional security or fencing may be required if the location of the system presents a safety concern for abutting land uses.
- F. **Dimensional Requirements (Height):** Height: Roof-mounted solar collection systems are exempt from building height requirements. In Residential and Flexible Use Residential Districts, ground mounted systems shall not exceed twelve (12) feet in height when oriented at maximum tilt, except that the maximum height is twenty-two feet for systems set back at least thirty feet from the property line. In all other zoning districts, ground-mounted solar energy systems shall comply with the applicable building height requirements of the district in which they are located.
- G. **Dimensional Requirements (Setbacks):** Solar energy systems shall adhere to applicable structure setbacks set forth in the district in which the system is located, except, small and medium-scale solar energy systems, that are accessory to a principal building or structure may be set back no more than 50% of the otherwise required front, side, and rear setbacks. All ground-mounted solar energy systems in residential districts shall be installed either in the side or rear yards to the extent practicable.
- H. **Dimensional Requirements (Lot coverage):** Solar energy systems shall not be included in calculations for impervious surface coverage as defined in Article 904.
- I. **Removal:** Solar energy systems that have reached the end of their useful life or that have been abandoned consistent with this ordinance shall be removed. The owner or operator shall physically remove the installation no more than 365 days after the date of discontinued operations. The owner or operator shall notify the Fremont Building Inspector by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:
- J. **Abandonment:** Solar Energy Systems shall be deemed to be abandoned if operations have discontinued for more than 6 months without written consent of the municipality (such as for reasons beyond the control of the owner/operator). An abandoned system shall be removed, and the site restored within 12 months of abandonment.
- K. **Bonding and Security for Removal:** The Planning Board shall approve the amount of security that represents the cost for removal and disposal of abandoned solar collection facilities if a facility is abandoned, and the facility owner is unwilling or unable to remove the facility and restore the site in accordance with this section. The amount of the security shall be based upon the actual removal cost plus 15%, based on information provided by the applicant and certified by a professional civil or structural engineer, licensed in New Hampshire, every five years from the date of the Planning Board's approval of the plan. If the cost has increased more than fifteen percent, the owner of the facility shall provide additional security in the amount of the increase. Bonding and surety shall be consistent with the provisions in the Subdivision or Site Plan Review Regulations.

#### **Section 1508 Solar Energy System Conditional Use Permit**

Pursuant to RSA 674:21, the Planning Board is hereby authorized to grant a Conditional Use Permit for a solar collection system provided that the following conditions as listed are met:

- A. The use is specifically authorized by Section 1504 of the Ordinance as a conditional use.
- B. The proposed use complies with all other applicable sections of the Zoning Ordinance.

- C. The proposed use will be developed in a manner compatible with the spirit and intent of the ordinance.
- D. The use will not endanger the health, safety, and welfare of the public.
- E. The proposed use will not result in undue municipal expense.
- F. The proposed use will not adversely affect the capacity of existing or planned community facilities and services (including streets and highways).

The Planning Board may require that the applicant provide data or reports prepared by a professional engineer to assess any potential damage to the environment or impact the safety and general welfare of the community 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 considering the above criteria. Costs incurred shall be the responsibility of the applicant.

In granting a conditional use permit for a solar collection system, the Planning Board may impose any reasonable conditions or restrictions deemed necessary to carry out the intended purpose of this ordinance.

#### **Section 1508.1 Conditional Use Permit Information Requirements:**

Applications for a solar collection system conditional use permit shall be made in writing to the planning board. In addition to applicable site plan application requirements, the following supplemental information shall be submitted with the Conditional Use Permit application:

- A. A Detailed plan showing the following:
  - i. Property lines and physical and natural features of the site, including (but not limited to) roads, waterbodies, wetlands, floodplains, etc.
  - ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures.
- B. Blueprints or drawings of the solar energy system showing the proposed layout of the system, any potential shading from nearby structures, proposed lighting, the distance between the proposed solar collector and all property lines and existing on-site buildings and structures, and the tallest finished height of the solar collector.
- C. Documentation of the major system components to be used, including the panels, mounting system, and inverter(s).
- D. Name, address, and contact information of the proposed system installer, owner, applicant, and all co-proponents or property owners, if any; and
- E. A one- or three-line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods.

#### **Section 1508.2 Other Required information:**

- A. Landscaping Plan showing the location, height and spacing of existing vegetation to be preserved and areas where new planting will be required. Buffer areas shall contain sufficient existing vegetation as approved by the Planning Board or be planted with evergreen type plantings of such height, spacing and arrangement as, in the judgment of the Planning Board, will effectively screen the solar energy system from neighboring areas.
- B. Stormwater management plan in accordance with the standards of Section 1.20 of the Fremont Site Plan Regulations.
- C. Operation and Maintenance Plan (for large and very large-scale ground mounted systems): The applicant shall submit a plan for the operation and maintenance of the solar energy system, which shall include measures for maintaining safe access to the

installation, stormwater controls, as well as general procedures for operational maintenance of the installation.

- D. Emergency Response Plan (for large and very large-scale ground mounted systems): The solar energy system owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Fremont Fire Chief. All means of shutting down the solar energy system shall be clearly described in the plan. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

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

ARTICLE 5 INFORMATION: 2024 OPERATING BUDGET – This Article includes all Department operating expenses, exclusive of Warrant Articles. The estimated tax impact of the operating budget is expected to be approximately \$0.20 to \$0.25 over the current year once we set the 2024 tax rate. This estimate accounts for anticipated valuation changes, as well as other changes that will occur in the coming year to exemptions and credits of all types.

**ARTICLE 5:** 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 \$4,452,620? Should this Article be defeated, the default budget shall be \$4,286,089 which is the same as last year, with certain adjustments required by previous action of the Town of Fremont or by law or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

Note: This operating budget Warrant Article does not include appropriations contained in ANY other Warrant Articles.

**The Select Board recommends this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 6-1.**  
(Majority vote required)

ARTICLE 6 INFORMATION: CONTRIBUTION TO THE BRIDGE CAPITAL RESERVE FUND. This savings account will fund bridge replacement work. The Martin Road Bridge replacement has been engineered and is currently being reviewed by NH DOT. The Town became eligible for reimbursement from NH Bridge Aid in July 2022. The State is reviewing the final design and the Town has done an RFQ for Construction Engineering Services. The work will be bid shortly. Work must continue to progress on the bridge replacement or we will lose our share of the Bridge Aid funding and be forced to pay for it fully through taxation. This fund is being used to make payments until we are reimbursed our first 80% (of the design engineering costs paid from 2014 to the present). Following bid award, we will be eligible to submit for another Bridge Aid disbursement of half the construction costs. Those funds will be used to pay expenses until the next disbursement can be collected. Bridge Aid covers 80% of the total project cost (thus taxpayers fund 20%). The estimated tax rate impact of this Article is \$0.18. The 12/31/2023 balance in the fund is \$240,725.42.

**ARTICLE 6:** To see if the Town will vote to raise and appropriate the sum of one hundred thousand dollars (\$100,000) to be placed in the Bridge Construction and Reconstruction Capital Reserve Fund.

**The Select Board recommends this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 7-0.**  
(Majority vote required)

***ARTICLE 7 INFORMATION: CONTRIBUTION TO THE HIGHWAY EQUIPMENT CAPITAL RESERVE FUND.** This savings account helps fund the cost of replacement Highway Department equipment. While we have recently replaced major equipment but feel saving for future needs continues to be important and helps to balance long term effects on the tax rate. The estimated tax rate impact of this Article is \$0.04. The 12/31/2023 balance in the fund is \$47,696.69.*

**ARTICLE 7:** 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 Select Board recommends this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 7-0.**  
(Majority vote required)

***ARTICLE 8 INFORMATION: CONTRIBUTION TO THE FIRE TRUCK CAPITAL RESERVE FUND.** This savings account helps fund the cost of replacement fire apparatus to create a more balanced tax rate. The estimated tax rate impact of this article is \$0.09. The 12/31/2023 balance in the fund is \$12,763. We have not yet deducted the \$305,000 voted in 2023 as a payment on the current fire truck, which is due to be delivered in the summer of 2024.*

**ARTICLE 8:** 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 Select Board recommend this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 7-0.**  
(Majority vote required)

***ARTICLE 9 INFORMATION: CONTRIBUTION TO THE TOWN EXPENDABLE TRUST FUND FOR COMPUTER REPLACEMENTS.** This savings account is used for server replacement so that the periodic of replacement of the Town's two servers is not as much of an impact on the annual operating budget. This Article is funded from unexpended operating budget appropriations in 2023 and has no further tax impact in 2024. The 12/31/2023 balance in the fund is \$20,672.36.*

**ARTICLE 9:** To see if the Town will vote to raise and appropriate the sum of four thousand dollars (\$4,000) to be placed in the Fremont Computer Equipment Expendable

Trust Fund previously established. This sum to come from Unassigned Fund Balance. No additional amount to be raised from taxation.

**The Select Board recommends this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 6-1.**  
(Majority vote required)

ARTICLE 10 INFORMATION: CONTRIBUTION TO THE LIBRARY BUILDING EXPENDABLE TOWN TRUST FUND. This savings account is used to fund larger repair/replacement of building maintenance items with funds set aside in savings annually. This Article is funded from unexpended operating budget appropriations in 2023 and has no further tax impact in 2024. The 12/31/2023 balance in the fund is \$13,025.92.

**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 Library Building Maintenance Expendable Town Trust Fund previously established. This sum to come from Unassigned Fund Balance. No additional amount to be raised from taxation.

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

ARTICLE 11 INFORMATION: INCREASE THE SALARY FOR THE ELECTED POSITION OF TOWN CLERK TAX COLLECTOR. This represents a 3% salary increase for the Town Clerk Tax Collector. The estimated tax rate impact of this Article is less than \$0.01.

**ARTICLE 11:** To see if the Town will authorize an increase in the Town Clerk Tax Collector's annual salary by one thousand one hundred ninety-four dollars (\$1,194) to be a total of forty thousand nine hundred seventy-four dollars (\$40,974); and further to raise and appropriate the sum of one thousand one hundred ninety-four dollars (\$1,194) for this purpose.

**The Select Board recommends this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 6-1.**  
(Majority vote required)

ARTICLE 12 INFORMATION: FUNDING THE MOSQUITO CONTROL PROGRAM. This will continue an annual program in Fremont for mosquito control, primarily with larval treatment in wetland areas. The estimated tax rate impact of this Article is \$0.06.

**ARTICLE 12:** To see if the Town will vote to raise and appropriate the sum of thirty-four thousand dollars (\$34,000) to continue the Public Health Mosquito Control Program.

**The Select Board recommends this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 4-3.**  
(Majority vote required)

**ARTICLE 13 INFORMATION: FUND THE TOWN EXPENDABLE TRUST FUND FOR FUTURE PARKS & RECREATION IMPROVEMENTS.** This Article would add to the Town Expendable Trust Fund created in 2023 for the purpose of structural amenities. This might include a pavilion, field improvements such as gates or fencing, or playground equipment as examples. Use of these funds in the future will include a Town Meeting vote. There is no additional tax impact of this Article for 2024. The 12/31/2023 balance in the fund is \$5,032.54.

**ARTICLE 13:** To see if the Town will vote to raise and appropriate the sum of five thousand dollars (\$5,000) to be placed in the Parks & Recreation Expendable Trust Fund previously established. This sum to come from Unassigned Fund Balance. No additional amount to be raised from taxation.

**The Parks & Recreation Commission recommends this Article 4-1.**  
**The Select Board recommends this appropriation 3-0.**  
**The Budget Committee recommends this appropriation 6-1.**  
(Majority vote required)

**ARTICLE 14 INFORMATION: DISCONTINUE OLD CAPITAL RESERVE FUNDS.** This Article would close out old Capital Reserve Funds with small balances and return the money to the Town's General Fund to offset the tax rate in 2024. The revenue generated is less than -\$0.01 on the tax rate.

**ARTICLE 14:** To see if the Town will vote to discontinue the following Capital Reserve Funds:

Fund Name	Date Created	12/31/2023 Balance
Property Assessment	1995	\$1,599.88
Library	1979	\$112.66
Police Cruiser	1984	\$103.26

Said funds, with accumulated interest to date of withdrawal are to be transferred to the municipality's general fund.

**The Select Board recommends this Article 3-0.**  
**The Budget Committee recommends this Article 7-0.**  
(Majority vote required)

**ARTICLE 15 INFORMATION: CLOSE OUT AN OLD CAPITAL RESERVE FUND.** This Article would close out the Rescue Vehicle Capital Reserve Fund. DRA has required us to write two separate articles, so the transfer of said funds will be put into the Fire Truck Capital Reserve Fund in Article 16. There is no tax impact of this Article, it simply transfers funds from one savings account to another. We are using an estimate of \$2,600 to make the appropriation exact, and a round number acceptable to DRA.

**ARTICLE 15:** To see if the Town will vote to discontinue the Rescue Vehicle Capital Reserve Fund, created in 2001 and transfer said funds with accumulated interest to date of withdrawal to the municipality's general fund.

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

ARTICLE 16 INFORMATION: APPROPRIATE FUNDS FROM THE DISCONTINUED RESCUE VEHICLE CAPITAL RESERVE FUND TO THE FIRE TRUCK CAPITAL RESERVE FUND. This Article will take the funds from discontinued Article 15 and place the money in the Fire Truck CRF. There is no tax impact of this Article.

**ARTICLE 16:** To see if the Town will vote to raise and appropriate the sum of two thousand six hundred dollars (\$2,600) to be added to the Fire Truck Capital Reserve Fund previously established. This sum to come from Unassigned Fund Balance. No additional amount to be raised from taxation.

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

ARTICLE 17 INFORMATION: CHANGE THE NAME AND PURPOSE OF A CAPITAL RESERVE FUND. This Article would better reflect our combined Fire Rescue Department and include Fire and Rescue/EMS future apparatus. There is no tax impact of this Article.

**ARTICLE 17:** To see if the Town will vote to change the name of the Fire Truck Capital Reserve Fund, to the Fire Rescue Apparatus Capital Reserve Fund; and to change the purpose from fire truck to any fire rescue apparatus the Fire Rescue Department would purchase.

**The Select Board recommends this Article 3-0.**  
**The Budget Committee recommends this Article 7-1 .**  
(Two-thirds vote required)

ARTICLE 18 INFORMATION: DISCONTINUE AN OBSOLETE EXPENDABLE TRUST FUND. This Article would close out an old and now obsolete Expendable Trust Fund that was previously used for the DARE Program. This curriculum is no longer active. The residual balance (as of 12/31/2023 is \$917.67) and any further accrued interest, will be returned to the Town's General Fund to offset the tax rate in 2024. The revenue generated is less than -\$0.01 on the tax rate.

**ARTICLE 18:** To see if the Town will vote to discontinue the DARE Expendable Trust Fund, created in 2016. Said funds, with accumulated interest to date of withdrawal are to be transferred to the municipality's general fund.

**The Select Board recommends this Article 3-0.**  
**The Budget Committee recommends this Article 7-0.** (Majority vote required)



**ARTICLE 19 INFORMATION:** *APPROVE THE SELECT BOARD ENTERING A NEW TRASH & RECYCLING COLLECTION CONTRACT. This Article would approve the Select Board entering into a five year contract for trash and recycling collection. This contract was renegotiated for a five-year extension with Waste Management, with the added option on January 1, 2024 for a 64 gallon recycling toter to be delivered to all households. This was thought to be a great option, at a reasonable cost for the Town given pricing increases globally. In order for the contract changes to be supported in future years default budgets, the Town's voters are asked to approve this Article. The estimated tax rate impact of this article is shown in Article 5; and would be reflected in 5% annual increases and increases for occupancy permits for new units in future years of the contract. If the contract does not pass, the Town will have reduced services or will cut down on other services to be able to fund trash collection of some kind. The contract is available on the Town's website (Trash & Recycling Page); or at the Select Board's Office.*

**ARTICLE 19:** To see if the Town will approve the Select Board entering into a five (5) year contract through 12/31/2028 with Waste Management for the curbside collection, transport and disposal of solid waste, recyclables, and bulky waste from the Town of Fremont with an annual increase of 5% plus an adjustment for additional housing units (currently \$206.88 with a 5% annual multiplier) and a fuel adjustment based on an established baseline of \$4.00 per gallon. 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 2024 cost of \$304,908 is included in the operating budget, Article 5, and no additional funds are raised by this Article for 2024. The contract calls for a blended value for recycling which fluctuates based on the market and quality of recycling efforts, and will also provide a 64 gallon recycling toter to each household.

**The Select Board recommends this Article 3-0.  
The Budget Committee recommends this article 6-0.  
(Majority vote required)**

**ARTICLE 20 INFORMATION:** *DESIGNATE PARCEL 04-077 AS A TOWN FOREST. This Article would add parcel 04-077 to the Town Forest designation, making it subject to the Town Forest Ordinance. The parcel was purchased by the Town in 2023 with grants and funds from the Conservation Commissions Land Use Change Tax Fund. The parcel abuts the Glen Oaks Town Forest and is accessible from Copp Drive. The parcel is approximately 25 acres. There is no tax impact for this Article.*

**ARTICLE 20:** To see if the Town will vote to designate as Town Forest, in accordance with NH RSA 31:110, the following parcel of land: 04-077.

**The Select Board recommends this Article 3-0.  
The Conservation Commission recommends this Article 4-0.  
The Budget Committee recommends this Article 6-1.  
(Majority vote required)**

**ARTICLE 21 INFORMATION:** *CREATE A TOWN COMMITTEE TO CELEBRATE THE 250<sup>TH</sup> ANNIVERSARY OF AMERICA. This Article would provide for a Committee to be established to plan celebration events and activities appropriate for America's 250<sup>th</sup> Birthday in the year 2026. There is no tax impact in 2024.*

**ARTICLE 21:** To see if the Town will vote to form an America 250<sup>th</sup> 1776-2026 Celebration Committee of five members, for Fremont to officially observe this milestone in American History. The obligations of the Committee will cease 06/30/2027.

**The Select Board recommends this Article 3-0.**  
**The Budget Committee recommends this Article 6-0.**  
(Majority vote required)

**ARTICLE 22 INFORMATION: CHANGE THE NAME AND PURPOSE OF AN EXPENDABLE TRUST FUND.** This Article would better reflect the use of this savings account toward milestone celebrations in Fremont, NH or US history. It was originally created to fund the 250<sup>th</sup> Anniversary of the Town in 2014, and would plan to be used next for some local celebrations in 2026 around the Birthday of the USA. There is no tax impact of this Article.

**ARTICLE 22:** To see if the Town will vote to change the name and purpose of the 250<sup>th</sup> Celebration Expendable Trust Fund to the Town Commemorative Events Expendable Trust Fund.

**The Select Board recommends this Article 3-0.**  
**The Budget Committee recommends this Article 7-1.**  
(Two-thirds vote required)

Given under our hands and seal this 11th day of January in the Year of Our Lord Two Thousand and Twenty-Four.

  
\_\_\_\_\_  
Gene Cordes

Select Board

Town of Fremont

  
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Roger A Barham