

## TOWN OF FREEDOM

Freedom Planning Board  
Thursday, June 17, 2021  
7:00 p.m. Freedom Town Hall

The meeting was called to order at 7 pm by Anne Cunningham. Present are: Beth Earle-Alternate, Paul Olzerowicz, Anne Cunningham, Bill Elliott, Les Babb-Selectmen's Representative, Pam Keith, Jeff Nicoll-Alternate, Jeffrey Towle (7:04 pm)Melissa Donaldson-Recording Secretary. Jean Marshall is also present. Carol McIntire is absent.

Review minutes of the May 20, 2021 meeting – Spell out what the CIP stands for (Capital Improvements Program) Pam made a motion to approve as corrected, Bill seconded. APPROVED

Jean offered to check with the State regulations regarding fire codes.

Cluster Development – Pam introduced information she received from Harrison Kantzler of the Mount Washington Valley Housing Coalition. We will wait to see what they come up with as a proposed plan for cluster housing. Discussion ensued regarding Habitat for Humanity housing. Jeff suggested speaking to the folks who did the cluster development in Wolfeboro. Zoning along Route 153 is discussed. Pam will ask Barry to speak with Joe Berry about possibly being interviewed by someone on this Board.

Duplexes – Anne introduced information she compiled regarding duplexes. Jeff spoke of converting large older homes into duplexes. Jean mentioned reduced frontage requirements for duplexes as opposed to single units that each require their own frontage. Jean will speak to Lakes Region Planning Commission to see if they have any information on the desirability of duplexes. Bill will speak to Gerard Costantino. Jeff will speak with Paul Wheeler for his opinions on duplexes and cluster developments. Anne will speak with Susan.

Short Term Rentals – the Selectboard would like to regulate short term rentals on a limited basis. The amount of bedrooms should determine how many people are in the home. Fire safety inspections are favored. Limits on the amount of days for rental can help regulate the investment property purchases. Enforcement would require hiring someone. License costs could help pay for this expense. The Selectboard will be compiling information about the number of short term rentals in town. The Planning Board will need to craft an ordinance in order to regulate this issue. Beth spoke about possibly requiring a copy of the homeowners insurance declarations. Beth will do some research on this topic. This will be discussed further in July.

The August meeting will be a forum for feedback on housing issues. Anne suggested having this meeting on a weekend day, rather than a Thursday evening. Sunday, August 22 at 2 pm is suggested, and Anne will email this possibility to the Board. The 8<sup>th</sup> of August is also mentioned as a possibility.

Public Comment – Jean mentioned that she found the varied opinions of the Board and the reasons for them fascinating. She is impressed with the different ideas.

Other Business that can properly come before the board – Beth spoke about the DES Environmental fact sheet and how to get information out to everyone. It cannot be sent in tax bills, and is costly to mail on its own.

Many of the concerns about short term rentals can be addressed under standards imposed by the licensing.

Les made a motion to adjourn at 8:01 pm, Jeffrey seconded. The meeting was adjourned.

Respectfully submitted,  
Melissa Donaldson  
Recording Secretary

June mins.

Duplexes

**Fremont, NH**

Definition of a Duplex: A building designed and/or used exclusively for residential purposes and containing two principal dwelling units separated by a common party wall. The common party wall shall be within interior residential space, including garage space, and shall separate the interior residential space of the two principal dwelling units.

**Section 707 - Residential District**

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

**707.2** Conditional Use Permit Requirements: Pursuant to RSA 674:21, the Planning Board is hereby authorized to grant a Conditional Use Permit in the Residential District provided that the following conditions as listed below are met:

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

The permit is in the public interest

- A. There will be no greater diminution of neighboring property values than would be created under any permitted use in the Residential District.
- B. That there are no existing violations of the Fremont zoning ordinance on the subject property.
- C. That the character of the area shall not be adversely affected in the context of:
  - 1. Architecture
  - 2. Transportation
  - 3. Scale of coverage
  - 4. Scale of building size
  - 5. Consistency of uses
- D. That granting the permit will not result in undue municipal expense
- E. That the proposed use will be developed in a manner compatible with the spirit and intent of

the ordinance.

F. That the capacity of existing or planned community facilities and services (including streets and highways) will not be adversely impacted.

G. That the general welfare of the Town will be protected.

H. That the following impacts have been mitigated to the extent practical:

1. Noise
2. Light
3. Transportation
4. Visual effects
5. Odor

I. 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.

Districts: SH = Shirkin Road Commercial District. MS = Main Street District. FUR = Flexible Use Residential District. R= Residential District.

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

Use Categories	Zoning Districts			
	SR	MS	FUR	R
Single Family Residential	X	P	P	P
Duplex	X	P	P	P
Multi-family Dwellings	X	CU	P	CU

## ARTICLE 9 – LOT REQUIREMENTS

### Section 901 – New and Expansion of Existing Structures

Any new structure or expansion of existing structure intended for any use shall be set back from the street property line at least fifty (50) feet. In the case of multiple family dwelling structures, the setback shall be increased by an additional five (5) feet per family dwelling unit (Example: 50 feet + ({# of dwelling units} X 5 feet) = front lot line setback). And that any such structure shall be set back from the side and rear lot lines by at least thirty (30) feet except in the case of multiple family dwelling structures, this set back shall be increased by an additional ten (10) feet per family dwelling unit. (Example: 30 feet + ({# of dwelling units} X 10 feet) = side and rear lot line setback). (See also Article 12, Section 1201.6.D)

### Section 902 – Frontage

Every building lot shall have a minimum contiguous lot frontage on Federal, State and Town highways of two hundred (200) feet provided that where lots are located on exterior side of a curving street the minimum road frontage shall be no less than one hundred (100) contiguous feet, provided that the average width of the lot measured across its center shall be two hundred (200) feet. Building lots on which multiple family dwellings are located shall have an additional frontage of twenty (20) feet per family unit when less than five (5) family units and forty (40) feet per family unit when five (5) or more family units are considered. i.e.: (two hundred (200) plus twenty (20) multiplied by the number of family units) or (two hundred (200) plus forty (40) multiplied by the number of family units). No lot line shall be less than one

hundred (100) feet and each lot shall have no less than four (4) lot lines.

**Section 903 – Lot Size**

- A. All lots created after 1986 shall be a minimum of two (2) acres (87,120 square feet) in area, except for lots serving two (2) or more dwelling as outlined in Section 903.B below.
- B. Any new or legally existing lot serving two (2) or more dwellings shall be a minimum of two (2) acres (87,120 square feet) in area and shall be increased by twelve thousand (12,000) square feet per dwelling unit when less than five (5) units and by twenty thousand (20,000) square feet per dwelling when five (5) or more dwelling units.

Number of Dwelling Units	Minimum Lot Size (square feet)	Acres
1	87,120	2.00
2	99,120	2.28
3	111,120	2.55
4	123,120	2.83
5	167,120	3.84
6	187,120	4.30
7	207,120	4.75
8 or more	227,120 sq. feet, plus 20,000 sq. feet for each additional dwelling unit.	5.21 plus 20,000 sq. feet for each additional dwelling unit.
See also Article 12, Section 1201.6.C. for additional lot sizing requirements.		

**Section 1302 - Open Space Preservation Development**

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 with local and State regulations.

Purposes. The purposes of OSPD are to:

- A. Maintain and preserve the 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.
- B. Development, and permits agricultural or conservation opportunities on parcels of open space.
- C. 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 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.

- D. Provide for a diversity of housing types, opportunities, and styles which add recreational and aesthetic amenities to new neighborhoods.
- E. Enable economical and efficient street, utility, and public facility installation, construction and maintenance, and more efficient provision of municipal services.
- F. Provide for connected corridors of open land throughout town for preservation of habitat, environmental resources, and public enjoyment, where feasible.
- G. Protect scenic vistas and undeveloped expanses along the Town's roadways, including open space vistas from within the proposed development.

**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.

**Setbacks**

	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'

**Meredith, NH**

Definitions: DWELLING, TWO FAMILY - A single residential building containing two dwelling units designed for occupancy by not more than two families.

Duplex/Two-family dwellings are allowed either by right or special exception in most districts

Duplex/Two-Family Dwellings - The criteria for granting a Special Exception for "duplex/two-family dwellings" shall include the following additional criteria:

- a. Density requirements shall not be applicable provided the lot meets the minimum lot size required in the applicable zoning district.
- b. Two-family units shall be attached.
- c. Two-family units may be created either through conversion of an existing structure or through new construction.
- d. Off-street parking shall be provided in accordance with the Zoning Ordinance.
- e. Parking shall be surfaced in a manner generally consistent with the neighborhood.
- f. Parking spaces required pursuant to this section shall not be constructed within the applicable front setback.

- g. Proper provisions for sewage disposal (to meet State and local septic 57 criteria), water supply and surface drainage.

**Wakefield, NH**

**Permitted Uses**

	Residential I	Residential II	Residential III
Single-Family Dwelling	Permitted	Permitted	Permitted
Two-Family Dwelling (Duplex)	Permitted	Permitted	Permitted
Multi-Family Dwelling	Permitted	Not permitted	Permitted

Single-family duplexes and multi-family can qualify as workforce and/or elderly affordable housing.

**Ossipee, NH**

**Definition: DWELLING, TWO FAMILY:** A residential building designed for or occupied by two families living independently of each other in individual dwelling units, commonly referred to as a duplex.

Allowed in Village, Residential, Corridor, and Rural districts.

Zone	Minimum Lot Frontage (ft.)	Front Setback	Side/Rear Setback	Maximum Lot Coverage %	Minimum Lot Size
Village	80	10	15	50	10,000 sq. ft.
Residential	200	40	25	25	44,000 sq. ft.
Rural	200	40	25	25	1 acre
Corridor	400	50	50	25	4 acres