

AMHERST PLANNING BOARD
NOTICE OF PUBLIC HEARING
ZONING ORDINANCE

Notice is hereby given that the **AMHERST PLANNING BOARD** will hold a **PUBLIC HEARING** on **WEDNESDAY, December 15, 2021**, starting at **7:00 P.M.** in the **AMHERST TOWN HALL, AMHERST, NH.**

PUBLIC HEARING TO CONSIDER THE PROPOSED AMENDMENTS TO THE AMHERST ZONING ORDINANCE FOR 2022 BALLOT VOTE, AS FOLLOWS:

1. Amend Article IV, Zoning Regulations, Section 4.17 Planned Residential Development (PRD), to add requirements that a feasible baseline density plan be submitted; to include language that describes factors that may be incorporated to maintain rural aesthetic and character; to require documentation to ensure protection of open space; to require documentation to demonstrate any restrictions on housing ownership; to require clusters of dwellings as opposed to frontage lots; to specify that the Board may, but is not required to, grant increased unit density and to cap that increased density at 25% and to provide the rationale for why such increase may be granted; to clarify what land is considered to be open space and that such open space shall be open to the public except in certain circumstances and to limit construction within the open space; and to include reference to the goals of the Master Plan.
2. Amend Article III, General Zoning Provisions, Section 3.18 Conditional Use Permits, Subsection 3.18 C.1.d. to add water usage, septic loading, and stormwater runoff to the list therein, and Subsection 3.18 C.1.e. to add surface water as well as reference to the Floodplain Conservation and Wetland and Watershed Conservation Districts as well as the Aquifer Conservation and Wellhead Protection District, and to add a new Subsection 3.18 C.1.g. to include factors for the Planning Board to consider relevant to the rural aesthetic and character of the town; to amend Section 3.18 C.3.a. to specify a timeframe for subsequent applications to be obtained and for construction to begin following CUP approval; and, to amend Section 3.18 C.3.b. to specify how an extension to the CUP timeframe may be obtained if the requirements in Section 3.18 C.3.a. are not met.
3. Amend Article IV, Zoning Regulations, Sections 4.3 D.3., Residential/Rural Zone, 4.4 D.3., Northern Transitional Zone, and 4.5 E.3., Northern Rural Zone, to add a requirement that on a corner lot accessory buildings require a 50' setback from all the streets bordering the lot.
4. Amend Article IV, Zoning Regulations, Sections 4.3 C.2., Residential/Rural Zone, 4.4 C.2., Northern Transitional Zone, 4.5 D.2., Northern Rural Zone, 4.6 B.2., General Office Zone, 4.7 C.2., Commercial Zone, 4.8 C.2., Limited Commercial Zone, and 4.9 D.2., Industrial Zone, to require frontage to be provided on all sides of a lot that abut a street.
5. Amend Article IV, Zoning Regulations, Section 4.11 Wetland and Watershed Conservation District, Subsection 4.11 J., Article IV, Zoning Regulations, Section 4.13 Aquifer Conservation and Wellhead Protection District, Subsections 4.13 H.1.i., 4.13 I., and 4.13 I.2.d., to require proof of compliance with applicable stormwater regulations as part of a Conditional Use Permit Application, and to refer to Best Management Practices for the vertical separation of a stormwater facility above the seasonal high water table.
6. This housekeeping amendment would amend Articles II, Establishment of Districts, III, General Zoning Provisions, IV, Zoning Regulations, V, Special Exceptions, VI, Administration, VIII, Miscellaneous Provisions, and IX Definitions; Sections 4.3 A.6., 4.4 B.6., 4.5 B.6., 4.6 A.6., 4.7 A.5., 4.8 A.8., 4.9 A.19, 4.13 F.2.a., 4.17 B., 4.20 A.3., and 9.1, to delete reference to the IIHO that was deleted by petition in March 2020; Section 2.1, Division of Town into Districts, to bring out of date district names up to date, correctly name the overlay districts, and remove the list of dates that indicated the original adoption date but not any amendments; Section 3.3, Water Pollution Control Regulations, to delete reference to Water Pollution Control Regulations which was renamed the Septic System Ordinance on 7/27/15; Section 3.4, Signs, Section 3.4 C. and C.1. to change Zoning Office to Office of Community Development; Section 3.4 C.2.a and 3.4 I.2. to change Zoning Official to Building Inspector/Code Enforcement Officer; Section 3.4 D.1. and 4.13 D.1. to change Community Development Office to Office of Community Development; Section 3.4 I.2. to change Administrator to Building Inspector/Code Enforcement Officer; Section 3.4 M.1., 3.6 C., 3.8 C.3., 3.16 H.1., 3.16 J.3., 4.15 B., 4.15 E.2., 4.15 F., 4.15 H., 4.15 I.2., 6.2 A.1., 6.2 B.1., 6.2 B.2., and 6.2 B.3. to change Zoning Administrator to Building Inspector/Code Enforcement Officer; Section 3.4 M.2.c. to change Zoning Officials to Building Inspector/Code Enforcement Officer; Section 3.4

M.1. to change Board of Appeals to Board of Adjustment; Section 3.7 A.2., 3.18 D., 5.2 D., 6.2 C.1., 6.2 D.1., 6.2 D.3.a., to change Administrative Official to Building Inspector/Code Enforcement Officer; Section 3.8 A. to change reference to the Historic District and the Wetland and Watershed Conservation Overlay Districts and to change Zoning Administrator to Board of Selectmen; Section 3.8 C.3.b. and 3.8 C.3.b.i. to refer to new permits not renewals; Section 3.15 D.1.f., 3.15 D.2.g., 3.15 D.3.j., and 3.15 F.3. to change Planning Director to Director of Community Development; Section 4.10 D., 4.10 E., 4.10 F., 4.10 G., 4.10 H., 4.10 H.1., and 4.10 H.2. to change Zoning Department to Office of Community Development; Section 4.10 H.5. to require the applicant to provide floodway data rather than the Office of Community Development doing so; Section 4.10 I., 4.10 I.2. and 4.10 J. to require the applicant to provide 100-year floodplain data rather than the Office of Community Development doing so; Section 4.10 N.1. to change Building Inspector to Building Inspector/Code Enforcement Officer; Section 4.14 G.c.i. to add Subdivision as well as Non-Residential Site Plan Review; Section 4.14 G.c.ii. to delete the Note that refers to the Affordable Housing Suitability ordinance that no longer exists; Section 4.14 H. to change Zoning Administrator to Planning Board; Section 4.15 E.1. to delete reference to a zoning permit which does not exist and to break the second sentence into two for clarity; Section 4.19 C. to change the definition of Impact Fee to match RSA 674:21 V.; Section 5.2 A.1.6. to refer to the correct overlay district; Section 5.2 A.2. to change Amherst Zoning/Planning Office to Office of Community Development; to delete Section 6.2 D.3.b.; Section 6.3 D. to change reference to a one year prohibition on refiling an application that is denied to finding that there is a material change in circumstances or a material difference in use; Section 6.3 E.2. to add reference to equitable waivers of dimensional requirements and to change Administrative Official to Office of Community Development; Section 8.1 to delete the word morals; Section 8.2 to delete the 1963 date from the short title by which the Zoning Ordinance shall be known; Section 9.1 to amend the Accessory Apartment definition to refer to detached structures, to delete the definition of Administrative Official since that position no longer exists, to update the Best Management Practices definition to refer to the NH Stormwater Manual, to change the Home Occupation definition to match that in Section 3.15, to delete the definition of Veterinary Clinics from the definition of Kennel, to change the definition of Multi-Family Housing to match the state definition, and to add a definition of Veterinary Clinic.

Copies of the full text of the 2022 Amendments to the Amherst Zoning Ordinance proposed by the Planning Board are available free of charge from the Office of Community Development during regular business hours, are posted at the Town Hall for viewing purposes only, and can be found on the Town of Amherst website www.amherstnh.gov.

11/23/21

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