

**AMHERST PLANNING BOARD**  
**NOTICE OF PUBLIC HEARINGS**  
**ZONING ORDINANCE & BUILDING CODE**

Notice is hereby given that the **AMHERST PLANNING BOARD** will hold a **PUBLIC HEARING** on **WEDNESDAY, December 6, 2023**, 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 2024 BALLOT VOTE, AS FOLLOWS:**

1. Amend Article IV, Zoning Regulations, Section 4.9 Industrial Zone, to delete the 80' height allowance for uninhabited structures and require all structures in the district to be a maximum of 50' in height.
2. Amend Article IV, Zoning Regulations, Section 4.3 D.3., Residential/Rural Zone, to add the word "either" to the first line of the last sentence.
3. Amend Article IV, Zoning Regulations, Section 4.10 Flood Plain Conservation District, to amend Section 4.10 C., Definitions, to add new definitions of Base Flood Elevation, and Flood Opening; to amend the definitions of Mean Sea Level, Substantial Improvement, and Water Surface Elevation; to delete the definitions of Functionally Dependent Use, and One Hundred Year Flood; to add a new Section 4.10 D., Permit Requirements and renumber the following sections; to amend Section 4.10 E.8. to specify the details of a recreational vehicle and the standards to follow for placement in the Flood Plain Conservation District; to amend Section 4.10 H., to refer to mean sea level instead of the National Geodetic Vertical Datum (NGVD) and to refer to the Office of Community Development instead of the Zoning Department; to amend Section 4.10 K., to refer to the base flood elevation instead of the one hundred year flood elevation and add how to determine the base flood elevation in Zone A; to amend Section 4.10 L., to refer to the base flood elevation instead of the one hundred year flood elevation; to amend Section 4.10 N., to add Zone AE; to amend Section 4.10 O.3.a. to specify that the openings required are "flood openings"; and to amend Section 4.10 P.2. to include the correct statutory reference and add a new sub-section 4. requiring that variances in the Flood Plain Conservation District be maintained and reported to FEMA as required.
4. Amend Article IX, Definitions, Section 9.1 Meaning of Certain Words, Wetland(s), to update the citations to reference documents, Vernal Pool, Vernal Pool -- Primary Vernal Pool Indicators, and Vernal Pool -- Secondary Vernal Pool Indicators to reference the correct NH Administrative Rules; and Article IV, Zoning Regulations, Section 4.11 Wetland and Watershed Conservation District, to amend Section 4.11 F., District Boundaries, to include language moved from the definition of Wetland(s) describing the Town's wetland classifications and the method for classification of wetlands that extend over property lines, to include language moved from the definition of Vernal Pool Tiers describing how to identify Tier One and Tier Two vernal pools, and to refer to the definitions section.
5. This housekeeping amendment would amend Article IV Zoning Regulations, Section 4.4 Northern Transitional Zone, Section 4.4 B.9. Permitted Uses to delete #9 Other Development and renumber existing #10 as #9; and to change all references from Accessory Apartments to Accessory Dwelling Units in Sections 3.5 Accessory Apartments, Section 4.3 Residential/Rural Zone, 4.3 A.10., Section 4.4 Northern Transitional Zone, newly numbered, 4.4 B.9., Section 4.5 Northern Rural Zone, 4.5 B.9., Section 4.7 Commercial Zone, 4.7 A.9., Section 4.8 Limited Commercial Zone, 4.8 A.12., Section 4.14 Workforce Housing, 4.14 E.2.b., and Article IX Definitions, Section 9.1 Meaning of Certain Words.

**Copies of the full text of the 2024 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](http://www.amherstnh.gov).**

11/22/23

AMHERST PLANNING BOARD