

Town News

In accordance with NH RSA 675:3, the Amherst Planning Board held a Public Hearing on Wednesday, December 17, 2014. The purpose of the public hearing was to discuss proposed amendments to the Amherst Zoning Ordinance published in the December 2nd and 16th issues of *The Amherst Citizen* and available in complete form at www.amherstcitizen.com.

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- ii. The applicant may select at least one model based on the quality and quantity of market-derived information that is available, reliable, timely, and verifiable;
 - iii. The applicant shall support model conclusions with a Discounted Cash Flow (DCF) analysis, "Cash Flow Analysis", or other such analysis determined by the Planning Board as acceptable evidence of model reliability;
 - iv. The applicant shall certify compliance with industry standard practices for the use of such models.
- c. The applicant shall provide a current land value appraisal, executed purchase contract, or purchase option contract to validate land valuation or cost, wherein appraisals shall measure current land value as though vacant and available for its highest and best use, which is economically feasible, socially acceptable, legally permissible, and physically possible at the time of application.
5. "Cash Flow Analysis" means a study of the anticipated movement of funds into or out of an investment. (NH CHAPTER Rab 100.01: (i); as amended)
 6. "Commercial" means a type of real property, which is used or intended to be used for any purpose other than one to four family residential use. (NH CHAPTER Rab 100.01: (m) as amended)
 7. "Completed Project" means the project development is sufficiently complete to have all occupancy permits.
 8. "Feasibility Analysis" means a study of the cost-benefit relationship of an endeavor. (NH CHAPTER Rab 100.01: (r); as amended)
 9. "Investment Analysis" means a study that reflects the relationship between acquisition price and anticipated future benefits of a real estate investment. (NH CHAPTER Rab 100.01: (t); as amended)
 10. "Market Analysis" means a study of real estate market conditions for a specific type of property. (NH CHAPTER Rab 100.01: (w); as amended)
 11. "Market Value" as defined by "The Appraisal of Real Estate, 13th Ed.", The Appraisal Institute; as amended: "The most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress."
- J. FINAL DETERMINATION. The Planning Board may determine after testimony, examination, independent review, and deliberation of market evidence and/or independent findings that the Planning Board deems useful and reliable may make one of the following findings:
1. Allow the unit density proposed by the applicant;

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2. Determine that increasing the unit density is necessary to accommodate a successful implementation of Workforce Housing, or;
 3. Determine that a lower unit density will not diminish the economic viability of the Workforce Housing application.
- 6. Integrated Innovative Housing Ordinance** – The proposed amendment deletes the existing Section 4.16 Open Space Plan and replaces it with a new section 4.16, Integrated Innovative Housing Ordinance and allows for implementation of the Workforce Housing, Planned Residential Housing and Elderly Housing Ordinances by Conditional Use Permit and includes insertions and deletions throughout the ordinance for consistency.
- Proposed Revisions:
- Amend** Section 3.18, Conditional Use Permits by with the underlined insertions as follows:
- 3.18.C.1.A That the property is in conformance with the dimensional requirements of the zone, or meets Planning Board standards for the reduction in dimensional requirements, and that the proposed use is consistent with the Amherst Master Plan.
- Amend** Section 4.3.A Permitted Uses with the deletions and underlined insertions as follows: ~~6. Open Space Plan (See Art. IV, Sec. 4.16)~~ 6. Integrated Innovative Housing (see Article IV, Section 4.16)
- Move** Section 4.3.B.3 in its entirety to a new Section 4.20, amended with the underlined insertions as follows:
- Section 4.20 Elderly Housing
- B. Single or multi- unit residential developments which comply with the Federal Definition of Elderly Housing are allowed by conditional use permit (Section 3.18) and shall be required to meet any standards set forth in that section. subject to the following:
7. Each structure may be a single dwelling unit or a cluster of units containing from two (2) to twelve (12) dwelling units.
 8. Net tract density shall be a minimum of one-half (1/2) acre for each dwelling unit, and the entire tract of land on which a development is situated shall contain not less than fifteen (15) acres.
 9. If off-site drinking water is available and on-site soils are classified by the NHDES as Group I or II then the net tract density in units shall be limited to a maximum of six (6) bedrooms per acre and the minimum tract size shall be reduced to seven and one-half (7 1/2) acres.
 10. Ancillary facilities such as community meeting rooms, site management offices, and rooms for limited healthcare services are allowed.
 11. No structure shall be constructed to a height greater than thirty-five (35) feet, exclusive of chimneys or cupolas, measured from the lowest adjacent exterior elevation.

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12. Setbacks shall comply with the underlying zoning district.

Amend Section 4.4.A, Northern Transitional Zone with the deletions and underlined insertions as follows:
~~6. Open Space Plan (See Art. IV, Sec. 4.16)~~ 6. Integrated Innovative Housing (see Article IV, Section 4.16)

Amend Section 4.5.A, Northern Rural Zone with the deletions and underlined insertions as follows:
~~6. Open Space Plan (See Art. IV, Sec. 4.16)~~ 6. Integrated Innovative Housing (see Article IV, Section 4.16)

Amend Section 4.6.A, General Office Zone with the underlined insertions as follows:
6. Integrated Innovative Housing (see Article IV, Section 4.16)

Amend Section 4.7.A, Commercial Zone with the deletions and underlined insertions as follows:
~~5. Planned Residential Development~~ 6. Integrated Innovative Housing (see Article IV, Section 4.16)

Amend Section 4.8.A, Limited Commercial Zone with the deletions and underlined insertions as follows:
~~8. Planned Residential Development~~ 6. Integrated Innovative Housing (see Article IV, Section 4.16)

Amend Section 4.9.A, Industrial Zone with the underlined insertions as follows:
19. Integrated Innovative Housing (see Article IV, Section 4.16)

Amend Section 4.13.F.2 with the underlined insertions as follows:
a. Any single or two family dwelling or Integrated Innovative Housing development by Conditional Use Permit.

Amend Section 4.17 Planned Residential Development by deleting Sections C, D, G, and J in their entirety.

Delete Section 4.16 Open Space in its entirety and **replace** with

Section 4:16 Integrated Innovative Housing Ordinance (IIHO)

A. PURPOSE:

The purpose of the IIHO is to provide for and facilitate alternative approaches to development within the Town of Amherst, as provided in RSA 674-21 while protecting and preserving the rural aesthetic the Town has consistently valued. A variety of development types will enable the town to better provide for the needs of a diverse population in times of changing demographics.

B. GENERAL PROVISIONS:

1. The IIHO shall be the mechanism of implementation for Workforce Housing (Section 4.14), Planned Residential Development (4.17) and Elderly Housing (4.20).
2. Each of the development types enabled under the IIHO is permitted by Conditional Use Permit. (Section 3:18) and shall be required to meet any standards set forth in that Section.
3. Any development permitted under IIHO may include housing specifically for households of lower than average means, in accordance with RSA 674-58, by utilizing the process of Section 4.16, Income-Restricted Housing.
4. All IIHO projects are subject to Subdivision and Non-Residential Site Plan Regulations.

C. DENSITIES:

1. For any project proposed under the IIHO, the applicant will first calculate the Net Tract Area of the parcel. The baseline density shall be the Net Tract Area divided by the minimum lot size in the zone.
2. The total number of units permitted by the CUP will be calculated using formulae set by the Planning Board, as detailed in E. below.

D. WAIVERS

The Planning Board, subject to Section 3.18 shall have the authority to modify dimensional and site requirements for each IIHO project as they determine to be necessary in the best interest of the Town and to facilitate the project.

1. The Planning Board shall establish the lot size, density, setbacks, and open space requirements for each project approved under the IIHO.
2. Parking requirements may be reduced in projects incorporating studio and one-bedroom units, and in projects restricted to 65+ Senior housing.
3. Landscaping requirements may be reduced in projects incorporating Open Space.
4. Height restrictions may be modified in the Commercial and Industrial Zones.

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