

A Voter's Guide for 2023 WARRANT ARTICLES Amherst, NH

Provided by the Amherst Coalition of Independent Voters and
Involved Citizens (CIVIC)

CIVIC has provided this Voter's Guide for the March 14 ballot, with our [Principles](#) as the guide. We are not taking positions on any of the "money" articles, which fall outside the guidelines of our mission.

See <https://civic-amherst.com/civics-areas-of-focus>.

SUMMARY			
#34	Y	#35	No Position
#39	Y	#40	N
#41 & #52	N	#42	Y
#43 & #51	N	#44	Y
#45	Y	#46 & 47	Y
#48	No Position	#49 & 50	N

#34 - Budget Preparation. This article requires the tax impact of any budget or warrant article be noted on the ballot. This is an optional informational note that must be adopted at the Town level and is enabled by NH RSA 32:5. **CIVIC supports** this item.

#35 - Town treasurer. This article asks the Voters to decide if we want to continue to elect the Treasurer (the current long-standing holder of the office is retiring) or allow the Board of Selectmen to appoint that person. An elected official must be

a resident of the Town, an appointed one need not be. Changing to an appointed treasurer allows for the decision to be made on the basis of expertise rather than popularity. CIVIC did not have a consensus on this article, and therefore **takes no position**.

#36, 37 and 38 are all effectively null after modifications made at the Deliberative session. CIVIC takes no position on these.

#39 - Signs. This lengthy article is a much-needed update of our existing ordinance and also brings it into alignment with recent court rulings about sign content. **CIVIC supports** this sensible policy.

#40 - Reduced Frontage. This amendment is supposed to remove ambiguity in the existing ordinance, an ordinance that has never been questioned or challenged in its 35 years, but was expanded to also modify dimensional requirements. CIVIC believes the proposed ordinance, which takes the details of implementation out of Subdivision Regulations (which are administered by the Planning Board) and encodes them in Zoning, (which does not allow for site-specific review) will lead to construction of more roads resulting in adverse fiscal and environmental impacts. If passed, the ordinance may be found unconstitutional when challenged as a taking of property rights, without compensation, based only on lot shape. **CIVIC does not support**.

#41 & 52 - Lot dimensions on Scenic Roads. Both versions of these amendments will substantially restrict the use of existing lots. The purported intent is to reduce impacts on existing open space, but the increased setback requirements will break land up, create larger “front lawns” and reduce the width of generally less-developed areas at the backs of residential lots, which are often utilized by wildlife. For smaller parcels, these proposals could eliminate the possibility of creating a single new lot, which many homeowners have long considered their “emergency fund” or “retirement plan.” For larger parcels, these proposals would have the unintended effect of encouraging construction of new, unrestricted roads. In addition, these proposals raise constitutional questions as they take away owners’ property rights without compensation based purely on their addresses. **CIVIC does not support** these amendments.

#42 - Outdoor Lighting. CIVIC recognizes that light pollution is a significant quality of life issue as well as a problem for some forms of wildlife. **CIVIC supports** this proposed ordinance.

#43 and 51 - Industrial zone requirements and building size limitations. Civic believes that careful development of the Industrial zone is one of the only options we have to offset residential property taxes. These proposed changes would make it even more difficult to attract high-value uses to our Industrial zone. In addition, we believe site and use-specific mitigations should be addressed in Non-Residential Site Review regulations, not in Zoning. **CIVIC does not support** these amendments.

#44 - Off-site improvements. This is apparently intended to remind everyone that the Planning Board can impose contributions to off-site improvements upon new developments under RSA 674:21,V as a condition of approval, and establish a formal procedure for doing so. CIVIC does not believe the existing ordinance is unclear, but **supports** this proposal in the interest of better communications.

#45 – ZBA deadlines. This proposal enacts a change required by recent revisions to RSA 674:33. **CIVIC supports** it as a sensible policy.

#46 and 47 – Building codes. These proposals eliminate conflicting language between the Town and State building codes. **CIVIC supports** these as sensible policies.

#48 - Water quality requirements. This proposal will make the Town’s requirements for “potable water” more stringent than the State’s. CIVIC did not have a consensus on this article, and therefore **takes no position**.

#49 & 50 – Definitions of “Warehouse” and “Distribution Center.” These would add definitions to the Zoning Ordinance. CIVIC observes that these definitions have no effect unless and until ordinances regulating those uses exist in the Town’s land use laws. As such, these proposals can be seen as a simple improvement in communication but are premature without the corresponding regulations. CIVIC wants such regulations, if developed, to be done in a way that will be beneficial to the whole community. Therefore, **CIVIC does not support** these amendments.