

TOWN OF AMHERST, NH
Board of Selectmen

NOTICE OF PUBLIC HEARING

**The Barbara Landry Meeting Room- 2 Main Street
Monday May 13, 2024, at 6:30 PM**

Pursuant to the authority granted to the Board of Selectmen of the Town of Amherst by virtue of NH RSA's 41:11 and 47:17, the Board of Selectmen will hear input from citizens regarding the proposed "No Through Trucking Ordinance of the Town of Amherst" at their regular meeting. A copy of the ordinance is posted on the Town website.

All citizens are invited to attend.

TOWN OF AMHERST
ORDINANCE

1. Purpose:

In order to ensure the safety of residents, pedestrians, and vehicles on town-maintained roadways and, pursuant to RSA 41:11, the Board of Selectmen hereby excludes certain motor vehicles from Town roadways identified in Appendix A.

2. Title:

This Ordinance shall be known and may be cited as the “No Thru Trucking Ordinance of the Town of Amherst.”

3. Authority:

NH RSA 41:11 and NH RSA 47:17

4. Use of Roadways:

All motor vehicles having a gross vehicle weight rating (GVWR) of 26,001 pounds or more shall be excluded from the Town maintained roadways identified in Appendix A. The definition of GVWR is defined in NH RSA 259:38-b. Certain roadways may be given different weight restrictions as specifically identified in Appendix A. The weight of the vehicle shall be determined by using the total combined GVWR of a vehicle and trailer as installed by the manufacturer. Such gross weight as shown shall be conclusive in determining whether a motor vehicle is excluded from the Town roadways as provided in this ordinance.

5. Exemptions:

A. The following motor vehicles having a GVWR of 26,001 pounds or more are exempt:

- 1) Town vehicles
- 2) Emergency vehicles as defined by NH RSA 259:28
- 3) School and public transportation buses
- 4) Public utility vehicles in the performance of official duties
- 5) Vehicles making local deliveries within the excluded portion of the roadway
- 6) Vehicles of private contractors engaged to perform work on behalf of the Town, public utilities or owners of property abutting or otherwise having

access from the excluded portion of said roadways or any other road accessible only via the excluded section.

- 7) Vehicles owned by a resident of any street listed in Appendix A

6. Waivers:

The Select board shall have the authority in extraordinary circumstances to grant written permission to an applicant who applies in writing to permit deviation from the provisions of this ordinance, where the applicant demonstrates, in the sole and exclusive discretion of the Select board, the circumstances are unique, the alternative route is unreasonable, and the use of the restricted public highway is in the public interest. The Board shall have the authority to attach such conditions to the grant of the waiver, as it deems prudent and necessary.

7. Posting:

A sign shall be erected at each end of the excluded roadways giving notice of this ordinance.

7. Modification:

The addition or deletion of a Town maintained roadway to this ordinance will occur only after a notice and hearing as required by state statute.

8. Penalty

Whoever violates this ordinance shall be guilty of a violation and shall be fined \$150 for a first offense and \$250 for a subsequent offense.

EFFECTIVE DATE

Having held a public hearing, the Board of Selectmen voted to adopt this Ordinance on the _____ day of _____, 2024, which shall be the effective date hereof.

IN WITNESS HEREOF, a majority of the Board of Selectmen have hereunder set their hands.

TOWN OF AMHERST
BOARD OF SELECTMEN

Danielle Pray, Chair

William Stoughton, Vice Chair

Peter Lyon

Thomas Grella

Cynthia Dokmo

DRAFT

Appendix A

Prohibited Roadways

- 1.) Merrimack Road between the Milford town line and Route 122
- 2.) Austin Road
- 3.) Courthouse Road from Route 122 to Amherst Street

*******The following roads have specific GVWR prohibitions*******

- 4.) Boston Post Road from Mont Vernon Road to Amherst Street shall be **68,000 GVWR**
- 5.) Mont Vernon Road shall be **68,000 GVWR**
- 6.) New Boston Road shall be **68,000 GVWR**