

Vote “YES” on Article #19 at the Fall 2013 Special Town Meeting

This petition article is submitted to amend Section 3.325, Mixed-Use Building, of the Zoning Bylaw as it concerns the **Commercial District, (COM)**, whose purpose is, *“to provide areas for a wide variety of retail uses, services and commercial activities in appropriate locations along primary roads in Town.”*

The petition article will:

- 1) **allow a healthy balance between commercial and residential uses in mixed-use buildings**, particularly in the very large COM district in North Amherst, so as to encourage a pedestrian friendly neighborhood to promote economic, cultural and social life in accordance with the Master Plan.
- 2) **lessen the negative impact of development on the North Amherst village neighborhood by:**
 - **reducing** the number of residential units and associated parking on land adjacent to a flood prone area in a period of climate change.
 - **protecting** the character of the North Amherst historic neighborhood which consists mainly of one or two story single family homes and 19th century farm architecture.

Article #19:

- **adopts** the Planning Board’s proposed definition of a Mixed-Use building as **“one or more dwelling units”** and retains, **“in combination with retail, commercial and business uses,”** from the original definition.
- **retains 60% of ground floor use for commercial, retail and business** to promote and encourage the local economy and broaden the tax base.
- **permits the development of approximately 100 residential units** on the upper floors of mixed-use buildings built over 20+ acres of available land in North Amherst to meet the various housing needs identified by the Town’s Housing Production Plan.
- **restores the number of residential units possible by Site Plan Review (SPR) from ten (10) to six (6)**, in circumstances **where the mixed-use building abuts the Resident Neighborhood (R-N) or Professional Retail Park (PRP) districts**. This could reduce the height of seven of the ten proposed Trolley Barn buildings from three stories to two; there are presently no three-story block buildings north of the UMass campus. Such 2nd floor residences with no one above could be **very attractive housing for a wide variety of tenants** seeking a home on the outskirts of Amherst with public transport and close to commercial and retail amenities and outdoor recreation. The buildings would be more in scale with the surrounding architecture and fewer parking spaces would be needed, leaving more space for landscaping to promote public interaction and water retention.

Article #19 would prevent the potential eclipse of commercial, retail and business activity appropriate to the COM District. The Planning Board’s ‘technical fix’ to the definition of a Mixed-Use building changes the definition to, **“containing one or more dwelling units as principal uses”**, deletes **“commercial”**, (the principal use for the COM District), and includes **“institutional, government, public service, consumer service, office or similar principal use(s) and lawful accessory use(s)”**, in the definition. The above uses already exist in Table 3 and can continue to be applied appropriately in mixed-use buildings in Business Districts. They have been omitted in the petition article because they are **incompatible with the COM District purpose, stated above** and would detract from the development of a sustainable, mixed residential and commercial, pedestrian and bicycle friendly neighborhood that could eventually both support and contrast with the Amherst downtown business district.

Melissa Perot, Precinct 1 and 112 petition signers from North, Central and South Amherst

The Planning Board approved the COWL'S TROLLEY BARN below for 68 Cowl's Rd.
Four apartments, each with 4 bedrooms and 4 full bathrooms on upper floors.



Kuhn-Riddle Architects

SITE PLAN FOR 10 TROLLEY BARNS
on 20+ acres of Commercial Land in North Amherst
and abutting properties on West Montague Rd. and North Cowl's Rd.



W.D. Cowl's Inc. Land Company

