

MEMORANDUM

TO: Town Meeting Members
Town of Amherst, MA

CC: Town of Amherst Planning Board
Sarah la Cour, Executive Director, Amherst BID

FROM: Barry Roberts
Curt Shumway

DATE: May 18, 2015

RE: Town Meeting Petition Article #25- Mixed Used Buildings

The Town of Amherst has complicated zoning bylaws that make it very hard to develop, especially in the downtown area. It is our belief that this article will further complicate and restrict the town's capacity for future growth in the locations where it is most needed. We are concerned that this article would have the effect of stifling future development in downtown Amherst in the BG and BL zoning districts.

Currently mixed-use buildings are allowed by Site Plan Review and as of a Town Meeting vote in April 2013, can be built up to 5 stories. This article would revoke that vote and allow mixed-use buildings by right up to only 3 stories and require a Special Permit for the additional two stories. Allowing 4-5 stories is what will make mixed-use buildings in downtown Amherst economically viable and allow for an appropriate "mix" of residential and commercial/retail uses.

Also, the article's requirement that 40% of all mixed-use buildings be commercial or retail space is an arbitrary figure not based on solid planning principles. We suggest further study by the Planning Board and Staff to determine a feasible percentage if this approach is considered. Also, if proposing a 4-5 story building, both the first and second floors under this article would have to be "*entirely devoted*" to commercial and retail space. There isn't enough market demand for second floor commercial/retail space therefore this makes a mixed-use building not economically viable under these circumstances.

An additional concern regarding this article is the requirement that the Management Plan "*include evaluation and calculations of the parking needs for each separate use...and a plan to safely meet those needs.*" The current bylaw does not require parking on-site in the BG or BL zones because they are part of the Municipal Parking District so therefore the Management Plan cannot require it to specifically be addressed.

We urge you to vote against this article. Thank you.

Barry Roberts



Curtis Shumway

