



**To: Town Council Members**  
**From: Councilors Pat De Angelis and Mandi Jo Hanneke**  
**Date: July 25, 2023**  
**Re: Proposed Revisions to Zoning Bylaws on Duplexes, Triplexes, Town Houses, Converted Dwellings and Subdividable Dwellings**

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Pursuant to Council Rule of Procedure 8.8, Withdrawal of Measures, Councilors De Angelis and Hanneke, sponsors, hereby notify the Town Council of their withdrawal of their Proposed revisions to Zoning Bylaw Section 3.32, Residential Uses, standards, and conditions for Two Family Detached Dwellings, Town Houses, and Subdividable/Converted Dwellings, Zoning Bylaw Article 12, Definitions, and Zoning Bylaw Sections 4.420, 4.4211, 4.320, 4.326, 4.34, 4.51, and 9.10 (colloquially referred to as “Duplex Proposal”) from consideration by the Council and any committee to which it was referred. We further request, pursuant to Rule 8.8 that President Griesemer place this withdrawal on the consent agenda, even though no vote is required pursuant to the Rule, in order to maintain a clear record of this withdrawal.

We make this request to withdraw our proposed revisions to the zoning bylaw relating to missing middle housing<sup>1</sup> for a variety of reasons. Among these reasons is our Town Attorney’s hesitancy to support splitting the proposal into discrete parts for the purposes of voting at the Council. As sponsors, we always believed our proposal was a sum of many parts, dividable into sections for the purposes of voting. However, between discussion at the Planning Board and Community Resources Committee and the KP Law opinion, we now recognize that we should have begun this process with these discrete parts separated. Although we believe we could separate them now, we also believe that beginning anew with separate proposals would make for clearer review, debate, discussion, and ultimately, decision-making.

The need to address missing middle housing is as important as ever, as demonstrated by the more than 501 individuals who recently applied to live in just twenty-eight 240 square foot units at 132 Northampton Road, with 357 of those applicants earning at or below 30% of the area median income. Amherst’s residents, elected officials, and Town staff have been saying the need is real for a long time and the situation at 132 Northampton Road proves it. Yet, from our perspective, there is a lot of talk among Councilors and Planning Board members, but very little action.<sup>2</sup> Our proposal was one part of the “action” needed to address the “talk”, as we believe that addressing the housing crisis requires tackling the problem on multiple fronts simultaneously, including taking a serious look at missing middle housing. Although we are withdrawing our proposal, we are not abandoning our commitment to addressing the housing crisis or implying that waiting years to do so is acceptable. We will be back with proposals to address Amherst’s affordable, attainable, and missing middle housing crisis, but will do so

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<sup>1</sup> Missing middle housing refers to housing that generally falls between single-family homes and large apartments, such as duplexes, triplexes, and town houses.

<sup>2</sup> Town staff have done a commendable job shepherding state-housing inventory affordable housing projects through the permitting process in Amherst, working to locate additional land for affordable housing, and working to protect already created affordable housing in Amherst. Some of this recent work includes 132 Northampton Road, the East Street School and Belchertown Road projects, the Ball Lane duplex project, and the purchase of the old VFW site for a permanent shelter and supportive housing. What the sponsors believe the Town has lacked is an ongoing, deliberate plan to adjust our zoning in order to implement the Master Plan.



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in a way that demonstrates we have listened these last 7 months. In the meantime, we anxiously await the outcome of the Planning Board's three meetings to discuss ways to increase attainable housing availability in Amherst and the Housing Trust's own discussions regarding these issues. We anticipate that by the end of the year there will be concrete proposals recommended for action in the first six months of 2024. We want to see action, not just talk.

We thank the members of the Planning Board and the Community Resources Committee for the time they spent reviewing the proposed bylaw. We thank the members of GOL for obtaining a Town Attorney opinion on this bylaw and being patient as we, as sponsors, reviewed that opinion. We also thank the Town Manager and the Town staff, particularly Christine Brestrup, Planning Director, Nate Malloy, Senior Planner, and Rob Morra, Building Commissioner, for taking time to review our proposal, meet with us, and offer language that staff and sponsors could support. While our bylaw proposals will go no further at this time, we have a strong foundation to bring back this proposal, in discrete sections, for further consideration at the Planning Board and Council. It is imperative that the Town continue to propose zoning revisions that supports the increase in missing middle housing in Amherst.