

**COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT**

RE: Case No. 26 MISC 000464 Newell Court, LLC et al vs. Town of Amherst et al (DRR)

SERVICE

The plaintiffs are hereby ordered to serve the within notice by:

Publishing the same once in the Daily Hampshire Gazette

a newspaper published in Amherst

in the County of Hampshire

And said Commonwealth

**COMMONWEALTH OF MASSACHUSETTS
LAND COURT
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Case No. 26 MISC 000464 (DRR)

Newell Court, LLC, et al vs. Town of Amherst, et al

TO: All persons with an interest in the validity, meaning, or extent of the Town of Amherst Zoning Bylaw (December, 2025 Edition), Section 5.011 “Accessory Dwelling Units,” and Section 6.18 “Minimum or Maximum Floors” as they affect Accessory Dwelling Units (ADUs).

The plaintiffs named above have filed a complaint and amended complaint against the Town of Amherst, pursuant to Massachusetts General Laws, Chapter 240, Section 14A, seeking a determination as to whether habitable upper-level space may be excluded from the calculation of Gross Floor Area when determining compliance with the Town’s Zoning Bylaw, specifically, Sections 5.011 and 6.18 of the Zoning Bylaw. Plaintiffs own properties at the following addresses in the Town of Amherst: 27 Newell Court; 62 Gray Street; 131 Pine Street; 174 North Whitney Street; 58 South East Street; 76 Chestnut Street; 2 Shays Street; 290 West Street; 79 Taylor Street; 194 College Street.

The amended complaint may be examined at any of the following locations:
Land Court Clerk/Recorder’s Office, 5th Floor, Suffolk County Court House, Three Pemberton Square, Boston, Massachusetts;
Town Clerk’s Office, Amherst Town Hall, 4 Boltwood Avenue, Amherst, Massachusetts;
Office of plaintiffs’ counsel: Green Miles Lipton, LLP, 77 Pleasant Street, Northampton, Massachusetts (email Heather Williams, Paralegal, hwilliams@greenmiles.com for an emailed electronic copy in pdf format).

Persons with an interest in the subject matter of this complaint should seasonably take action prior to December 9, 2026, as they believe necessary to protect any interest including, if appropriate, seeking to intervene in the action pursuant to Rule 24 of the Massachusetts Rules of Civil Procedure.

Notice shall be given by publishing a copy of this order one time in the Daily Hampshire Gazette, a newspaper published in the County of Hampshire, thirty days at least before the 9th day of December, 2026.

Witness, Gordon H. Piper, Chief Justice of the Land Court, the 15th day of October, 2026.

Deborah J. Patterson
Recorder