

ARTICLE 18
(Majority vote)

COMMUNITY PRESERVATION PROGRAM
DIRECT APPROPRIATIONS FROM FUND BALANCE

To see if the Town will vote to appropriate or to set aside for later appropriation, and to authorize the Board of Selectmen and the Town Manager to expend or set aside, from the FY 2003 Community Preservation Fund Balance the following amounts for community preservation purposes with each item considered a separate appropriation:

| Purpose | Recommended Amounts |
|---|----------------------------|
| Set Aside Appropriation – Open Space | |
| A. Acquisition, creation, and preservation of Open Space, and its rehabilitation and restoration | \$ 200,000 |
| Spending Appropriations | |
| B. Davis Monument Restoration | \$ 50,000 |
| C. Cultural Resource List Revision and Expansion | \$ 20,000 |
| D. Historic District Boundary Signs | \$ 8,285 |
| E. Flag Preservation | \$ 5,600 |
| F. Assabet River Rail Trail | \$ 170,000 |
| G. T. J. O’Grady Memorial Skate Park | \$ 67,000 |
| H. Morrison Farm Master Plan | \$ 59,800 |
| I. Family Housing Initiative | \$ 200,000 |
| J. 214 Central and 28 Willow Streets Feasibility Study | \$ 25,000 |
| K. Community Housing Fund | \$ 25,000 |
| Administrative Spending Appropriation | |
| L. A fund reimbursing the Town of Acton for administrative services and operating expenses provided in support of the Community Preservation Committee | \$ 42,798 |

And, whereas Massachusetts General Law, Section 44B requires that the Town appropriate for spending, or set-aside for future spending, from the fund balance at least 10% for open space, 10% for historic preservation, and 10% for community housing.

And, whereas the recommended set-aside appropriation for open space amounts to 21.2% of the Fund Balance, the recommended project appropriations B, C, D, E and \$10,561 of F for historic preservation amount to 10% of the Fund Balance, and the recommended project appropriations I, J, and K for community housing amount to 26.5% of the Fund Balance.

And, whereas Town Meeting may vote to delete or reduce any of the recommended amounts.

Therefore, in the event that recommended amounts are deleted or reduced, vote to appropriate as a set-aside for future spending from the FY 2003 Community Preservation Fund Balance the minimum necessary amounts to allocate not less than 10% (\$94,446.00) for open space, not less than 10% (\$94,446.00) for historic preservation, and not less than 10% (\$94,446.00) for community housing.

, or take any other action relative thereto.

SUMMARY

This article would make appropriations from the Town's Community Preservation Fund. In 2002, the Town adopted the Community Preservation Act, Massachusetts General Laws Chapter 44B. This established Acton's Community Preservation Fund through a 1.5% annual surcharge on real estate property tax bills with certain exemptions, and made the Town eligible to receive annually additional monies from the Massachusetts Community Preservation Trust Fund, which are added to the Town's Community Preservation Fund. Under the law, the Community Preservation Fund may be used to acquire, create and preserve open space; acquire, preserve, rehabilitate, and restore historic resources; create, preserve and support community housing; acquire, create and preserve land for recreational use; and for certain related expenses in support of the foregoing. Community housing is defined as housing for low- and moderate-income individuals and families.

Local adoption of the Community Preservation Act established the Acton Community Preservation Committee as a statutory committee under the Act (Chapter S of the Bylaws of the Town of Acton). The Community Preservation Committee's duties under the law are to study the needs, possibilities, resources, and preferences of the Town regarding community preservation; to engage in an open and public process of deliberation and consult with other Town Boards and Committees; and to make recommendations to Town Meeting for appropriations from the Community Preservation Fund. In addition, the Community Preservation Committee will oversee and monitor progress of funded community preservation projects.

The Committee first convened in February 2003. In October, it published its 2004 Community Preservation Plan with guidelines for the submission of projects seeking community preservation funds. By November 14, 2003, it had received fourteen funding applications for proposed community preservation projects. The Committee reviewed all proposals, interviewed the respective proponents, and solicited legal opinions on the proposals to help evaluate their eligibility under M.G.L. Ch. 44B.

For its first year, FY 2003, the surcharge raised \$470,991.16 and the Town received \$473,464.55 in State funds to bring the Town's total FY 2003 Community Preservation Fund balance to \$944,455.71. Ch. 44B requires that the Community Preservation Committee recommends in each fiscal year the spending of not less than 10% of the annual revenues in the Community Preservation Fund for each of the following: Open space (not including land for active recreation purposes); historic preservation; and community housing. It may recommend the taking by the Town of interest in real property, the set-aside of funds for later spending, and appropriation of not more than 5% of the annual revenues of the Community Preservation Fund for the Committee's administrative and operating expenses.

This article represents the Community Preservation Committee's spending recommendations from the Community Preservation Fund balance. Except for recommended set-asides for future spending, all recommended amounts should be considered as "up-to" spending limits for the respective projects. The Community Preservation Committee's intent is to monitor all projects and to maximize savings wherever possible. Savings will be available for future appropriations. Not all projects that were proposed to the Community Preservation Committee are recommended for funding, and some of the recommended projects are not recommended at the funding level that their proponents had requested.

A. Open Space Set-Aside

This item appropriates a set-aside fund from which Town Meeting may appropriate spending in future years for the purpose of acquisition, creation, and preservation of open space and the rehabilitation and restoration of such open space.

Recommendations: **Board of Selectmen** **Finance Committee**
 Recommended **Recommended**

B. Davis Monument Restoration

The 75-foot high Davis Monument commemorates the sacrifices of the Acton Minutemen in the Revolutionary War battle at the North Bridge in Concord in April 1775. It is the single most significant architectural feature in the Town. It is the focal point of the Town Common, and it is on the Town Seal. Built in 1854, the monument has not received significant maintenance in thirty years. The requested appropriation will enable the Town to contract masonry repairs as outlined in a report by Turk Tracey & Larry Architects, LLC in 2002 to prevent damage from ice and water intrusion.

Recommendations: **Board of Selectmen** **Finance Committee**
 Recommended **Recommended**

C. Cultural Resource List Revision and Expansion

The Cultural Resource List is compiled by the Historical Commission and contains properties that are historically and culturally significant to the Town. As the town board responsible for community-wide preservation planning, the Historical Commission is charged under MGL Ch. 40, Section 8d with planning for the identification, evaluation, and protection of the community's historic and cultural resources. As the first step in this effort, the Historical Commission is expected to survey the community and compile, maintain, and periodically update an inventory of the town's historic and cultural assets, utilizing official inventory documentation forms.

Acton's historic/cultural survey was last revised in the early 1990s. At that time it included properties of significant historical value up to the late 1920s, but many properties from the late 19th- through the second quarter of the 20th centuries, structures such as bridges and dams, important outbuildings and historic landscapes still remain to be documented. The guidelines for historic properties surveys that are issued by the Massachusetts Historical Commission call for the local Historical Commission to make sure that all property types are surveyed, including clusters of related historic resources such as East Acton Village.

The requested appropriation would allow the Town to hire a historic preservation specialist to prepare official historic survey and inventory forms for approximately 100 properties, including many already on the Cultural Resource List, but presently without or with inadequate documentation forms.

Recommendations: **Board of Selectmen** **Finance Committee**
 Recommended **Deferred**

D. Historic District Boundary Signs

Acton has three Historic Districts: the South Acton, West Acton, and Acton Center Historic Districts. The requested appropriation will fund the Acton Historic District Commissions efforts to purchase up to 25 historic marker signs and to install up to 22 signs at Historic District boundary locations along primary

and secondary roads and highways. Three signs, one for each district, would be held in reserve for replacements as needed.

Recommendations: **Board of Selectmen** **Finance Committee**
 Recommended **Recommended**

E. Flag Preservation

In 1889, William Allan Wilde gifted the Acton Memorial Library to the Town of Acton in honor of Acton’s Civil War dead and veterans. The library stores about 150 Civil War era and related artifacts, including an American flag of the Isaac Davis Post of the Grand Army of the Republic veterans’ organization. The flag dates from the early 20th century and was given to the Memorial Library in 1947. Generally in good condition for its age, it has damage from use and time in storage such as stains and stress tears on the fabric. The requested appropriation will contribute to the Memorial Library Trustees’ endeavor to professionally restore the flag and to display it in a protective casing on a wall in the library. The project is estimated to cost between \$7,800 and \$8,300. The Memorial Library Trustees will fund from gifts the difference between the recommended appropriation and the estimated total cost.

Recommendations: **Board of Selectmen** **Finance Committee**
 Recommended **Recommended**

F. Assabet River Rail Trail

The 12.5-mile Assabet River Rail Trail (ARRT) runs from Acton via Maynard, Stow, and Hudson, to Marlborough. The five communities have jointly advanced the trail since 1995. To date, the ARRT has received roughly \$2 million in public and private funding, donations, and commitments. Acton Town Meeting has appropriated a \$30,000 local share for trail acquisition in 1998, which leveraged \$150,000 in Federal funds earmarked for acquisition in Acton. Today, a section of the ARRT in Marlborough is finished. Another through Hudson is under construction. Several other parts have been reassembled from private ownership. Acquisitions in Acton are drawing to a close.

Acton’s 1.3-mile/7.9-acre portion of the ARRT begins at the South Acton commuter rail station, crosses the active track on Main Street and follows an old railroad right-of-way from Maple Street, south and parallel to Main Street, to the Maynard line. Near Maynard, a commercial building obstructs the former rail line, but there is an agreement with the landowner on an easement detour.

The requested appropriation is the local match that would position the Town competitively to leverage Federal transportation funds for the design and construction of the ARRT in Acton, estimated to cost a total of \$1.42 million.

Construction of the trail will preserve the old railroad right-of-way as part of South Acton’s history and make the corridor accessible to the public for enjoyment of the Mill Pond and nearby farm fields. It is anticipated that construction of the ARRT will restore the timber trestle across Mill Pond and remnants of an old turntable near Maple Street. Heavily subsidized with federal funds for their value as transportation alternatives, rail trails are equally important recreation facilities. The ARRT offers opportunities for recreational biking, walking, rollerblading, and cross-country skiing in winter.

Recommendations: **Board of Selectmen** **Finance Committee**
 Recommended **Recommended**

G. T. J. O’Grady Memorial Skate Park

In 2001, the Town appropriated from general fund revenues \$80,000 for the development of the T. J. O’Grady Skate Park. In 2003, the Town acquired from the State for recreation purposes a 1-acre property at 66 Hayward Road with the intention of locating the skate park on it. The site (plate F-3, parcels 16 and 16-1 on the 2003 Town Atlas) is within walking distance from the Senior and Junior High Schools. The Town and T. J. O’Grady Memorial Skate Park, Inc. have collaborated in designing a park for the selected site. Functionality, safety, and durability were the major considerations in the design of the park and the selection of preferred construction materials. The requested appropriation will supplement the Town’s previous appropriation and funds raised and to be raised by T. J. O’Grady Memorial Skate Park, Inc. from other sources. The total cost of the skate park is estimated to be approximately \$285,000.

Recommendations: **Board of Selectmen** **Finance Committee**
 Recommended **Recommended**

H. Morrison Farm Master Plan

In 1997 the Town purchased the Morrison Farm at 116 Concord Road as general municipal land with the vision that it would provide much needed recreation field space while preserving a substantial tract of open space and retaining the rural character of the farm. The 32-acre property is shown on the 2003 Town Atlas on plate F-4 as parcel 34. It has a house and barn near Concord Road, open fields alongside Ice House Pond, and woods in the rear. The requested appropriation will fund a master plan for the Morrison Farm and the land and resources surrounding it, such as the nearby East Acton Village, the proposed East Acton Village Green, the proposed Bruce Freeman Rail Trail, Ice House Pond, and Nashoba Brook. A master plan is necessary to fully understand the land’s potential within its geographic and community context. The planning process is envisioned as a collaboration of interested citizens developing in open meetings a vision for the land. A professional land development consultant would assist in this effort.

Recommendations: **Board of Selectmen** **Finance Committee**
 Recommended **Recommended**

I. Family Housing Initiative

The Acton Housing Authority manages 39 family rental units in Acton. The waiting list for such units currently registers 1044 families, 60 from Acton. The requested appropriation will be combined with a private \$300,000.00 contribution to the Acton Housing Authority to purchase two existing 2- to 3-bedroom condominium units that will be permanently restricted as affordable housing and managed by the Acton Housing Authority. The Housing Authority has received permission from the Massachusetts Department of Housing and Community Development to add these units to the State-aided public housing inventory under the Chapter 705 housing program for families, under which the State will assume the units’ ongoing maintenance, administrative, and other costs. Any payment of Community Preservation Funds for this purpose will be conditioned on the imposition on the acquired units of an Affordable Housing Restriction in a form satisfactory to the Board of Selectmen.

Recommendations: **Board of Selectmen** **Finance Committee**
 Recommended **Recommended**

J. 214 Central and 28 Willow Streets Feasibility Study

The requested appropriation will enable the Acton Community Housing Corporation (ACHC) to hire a professional consultant to study the feasibility of creating three or more affordable housing units on one property located at 214 Central Street and 28 Willow Street. The site is shown on the 2003 Town Atlas plate F2-B as parcels 64 and 65. The study will examine all aspects of the potential project, including neighborhood feedback, funding sources, design options, unit mix, and financial viability. Should the project be found feasible and proceed, it would create needed affordable housing and improve the neighborhood by replacing run-down garages with new residential infill. The site is ideally located amongst a mix of single- and multi-family homes within walking distance of West Acton Village.

Recommendations: **Board of Selectmen** **Finance Committee**
 Recommended **Recommended**

K. Community Housing Fund

This requested appropriation will create an endowed reserve fund to receive in the future other funds in support of community housing from private donations and gifts, excess profits from Ch. 40B projects, foundations, and federal, state, and local funding programs, including possible future appropriation from the Community Preservation Fund. The Community Housing Fund would be used by the Acton Community Housing Corporation (ACHC), or any other entity that the Board of Selectmen may determine, in support of community housing for purposes allowed under the Community Preservation Act, including but not limited to acquisitions, rehabilitations, and conversions of existing housing stock, new development, refinancing or repurchase of existing affordability restrictions about to expire, purchase of new affordable housing deed restrictions, accessibility modifications of affordable units for persons with disabilities, and assistance to low- and moderate-income buyers with mortgage costs, down payments or closing costs. The Community Housing Fund would be established as a special fund of the Town of Acton under the control of the Board of Selectmen.

Recommendations: **Board of Selectmen** **Finance Committee**
 Recommended **Recommended**

L. Administrative and Operating Expenses

The Community Preservation Act allows up to 5% of the annual community preservation funds to be expended for administrative and operating costs of the Community Preservation Committee and Program. The requested appropriation is 4.5% of the 2003 Community Preservation Fund. It will reimburse the Town for staff support time and software expenses incurred during the initial set-up of the Community Preservation Program, staff support time to run and maintain the Community Preservation Program, and to support the Community Preservation Committee since its inception, and costs for legal advice to the Community Preservation Committee.

Recommendations: **Board of Selectmen** **Finance Committee**
 Recommended **Recommended**

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