

From: Nancy Tavernier [<mailto:ntavern@comcast.net>]
Sent: Friday, March 01, 2013 9:12 AM
To: Community Preservation Committee
Cc: William Mullin; Morrison Committee; Board of Selectmen
Subject: allowed spending purposes

Dear CPC members,

You have made your vote on the Morrison Farm proposal and you listened patiently to my concerns about the eligibility of the building. I thank you for your attention. In case some of you are still skeptical about the allowable use issue I raised, I want to provide some of the documentation that I uncovered which was in plain site on the Coalition website. Remember the Verb Chart? It's also on page 7 of your 2013 CPC Plan <http://www.acton-ma.gov/DocumentCenter/View/2532> You cannot CREATE an historic use with CPA funds. This is likely why Town Counsel made the building a judgement call. It all depends on the allocation of the fund categories to cover the \$980,000 cost of the building.

I have attached the DOR chart of allowable uses and also the Historic flowchart which no matter how you answer the initial questions, you end up with "PROJECT IS NOT ELIGIBLE FOR CPA FUNDING"

The best and easiest reading can be found on the CPA Coalition website (<http://www.communitypreservation.org/>) under the Technical Assistance menu "Is our project allowable"

<http://www.communitypreservation.org/content/chart-allowable-uses>

Simply stated:

Section 2 of the CPA legislation defines [historic resources](#), [preservation](#), and [rehabilitation](#). Under CPA, an historic resource is defined as a building, structure, vessel, real property, document or artifact **that is either:**

- listed on the State Register of Historic Places; **or**
- determined by the local Historic Commission to be significant in the history, archeology, architecture, or culture of the city or town.
(the Historical Commission letter errs by including a new building as part of the "elements" since you cannot create an historic resource)

CPA funds may be spent on the acquisition, preservation, rehabilitation and restoration of historic resources.

Communities using CPA funds on historic resources must adhere to the [United States Secretary of the Interior's Standards for the Treatment of Historic Properties](#).
(if you were to proceed to use Historic funds for the construction of the building, in spite of the law, then you would have to adhere to the SOI standards. I suggest that is unheard of in the construction world)

You can read further on the Coalition link to review all the information on Recreation. I think you will agree that unless you were doing a community housing element in the building, the only eligible use for the building is for Recreation. You need to focus on building a case for that use because you have to sell this to town meeting with a 2/3's vote.

Thanks for listening. And THANK YOU so much for your generous funding of Sachem Way.

Nancy