TOWN OF ACTON

COMMUNITY PRESERVATION PLAN
2014

COMMUNITY PRESERVATION COMMITTEE

September 13, 2013

TABLE OF CONTENTS

INTRODUCTION 1

THE COMMUNITY PRESERVATION ACT IN ACTON 442

HOW CPA FUNDS CAN BE USED 996

OPEN SPACE AND RECREATION 1212

COMMUNITY HOUSING 1717

HISTORIC RESOURCES 2020

THE CPA FUNDING APPLICATION PROCESS 2222

GUIDELINES FOR SUBMISSION 2525

REVIEW AND RECOMMENDATION CRITERIA 2727

PROJECT APPLICATION FORM – 2014 2828

APPLICATION INSTRUCTIONS AND REQUIRED ATTACHMENTS 2929

1. 2013 PROJECT PROPOSALS AND COMMITTEE FUNDING RECOMMENDATIONS 3131

DRAFT

2a
2b

3

4. SAMPLE AWARD LETTERS 4848 45

5. THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES 5555 52

DRAFT

INTRODUCTION

The Town of Acton Community Preservation Committee ("the Committee") is pleased to present the 2014 Town of Acton *Community Preservation Plan* ("the Plan"). This Plan describes the process for administering the Community Preservation Act ("CPA") in the Town of Acton. The Plan presents a description of the CPA as it applies to the Town, a definition of CPA goals, and a methodology and procedure by which the CPA is administered. As such, it represents an informational document for the citizens of the Town, a guideline and instructional document for applicants seeking project funding through the CPA, and a guidance document for this and future CPA Committees in making recommendations to Town Meeting for project funding. The Committee fully recognizes that this document may be modified by future CPA Committees in response to changing goals and experience with the CPA over time.

Since Acton's adoption of the CPA in 2002, the Town has collected CPA funds through ten complete fiscal years and appropriated CPA dollars in ten funding rounds[1] as shown in summary in *Table 1*:

Table 1

Collections (1)		*Appropriations*	
FY 03:	$ 944,456	2004 Annual Town Meeting:	$ 873,483
FY 04:	$1,078,485	2005 Annual Town Meeting:	$1,083,867
FY 05:	$1,141,668	2006 Annual Town Meeting:	$1,150,553
FY 06:	$1,308,336	2007 Annual Town Meeting:	$1,331,380
FY 07:	$1,372,423	2008 Annual Town Meeting: 10/2008 Special Town Meeting:	$1,466,605 $ 730,000 (2)
FY 08:	$1,181,612	2009 Annual Town Meeting:	$ 955,155
FY 09:	$ 969,260	2010 Annual Town Meeting	$1,973.662 (3)
FY 10:	$ 949,752	2011 Annual Town Meeting	$1,295,696 (4)
FY 11:	$ 958,847	2012 Annual Town Meeting	$1,194,470
FY 12:	$ 992,585	2013 Annual Town Meeting 06/2013 Special Town Meeting:	$ 953,388 $1,110,000 (5)

(1) Includes CPA collection from local surcharge at the fiscal year end and State Trust Fund "match" received in the following October. Does not include interest, prior year balances carried forward, and recaptured funds from closed out prior year projects.
(2) From CPA Open Space Set-Aside Fund.
(3) Includes a $1,000,000 appropriation from the CPA Open Space Set-Aside Fund, which was reduced to $830,000 at the October 2010 Special Town Meeting.
(4) $84,000 from CPA Historic Set-Aside Fund.
(5) $1,060,000 of total from CPA Open Space Set-Aside Fund.

Summaries of these appropriations are at http://www.acton-ma.gov/index.aspx?nid=260.

[1] Since the inception of CPA in Acton, Town Meeting appropriated from Community Preservation Fund revenues collected during and for the closed previous fiscal year and from older Fund balances. For example: The April 2011 Annual Town Meeting appropriated from the Community Preservation Fund balance, which at that time consisted of (1) the local revenues raised during Fiscal Year 2010 (FY 2010, running from July 1, 2009 through June 30, 2010); (2) the interest earned during FY 2010; (3) the balance standing in the Fund after previous years' appropriations; (4) the unspent funds recaptured from prior years' completed project accounts; and (5) the matching State Trust Fund Distribution for FY 2010 received in October of 2010.

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The Committee wishes to thank the multitude of Town citizens, Town and State officials, the Massachusetts Community Preservation Coalition, and Committee members, as well as members of neighboring town community preservation committees for their help in the development of this Plan.

For additional information on the CPA statute and how it is being applied in towns across the State, visit the Community Preservation Coalition website at www.communitypreservation.org. For information on Acton's Community Preservation activity, visit the Town website at www.acton-ma.gov.

THE COMMUNITY PRESERVATION ACT IN ACTON

The Community Preservation Act, M.G.L. c. 44B as amended on July 1, 2012, ("the CPA") allows Massachusetts cities and towns to raise monies through a surcharge or through other locally raised revenue sources of up to 3% of the real estate tax levy[2]. These funds may then be used to acquire, create and preserve open space; acquire, preserve, rehabilitate and restore historic resources; acquire, create, preserve and support community housing; and acquire, create, preserve, rehabilitate and restore land for recreational use. The Act also provides significant State matching funds. Annual State CPA trust fund distributions matched 100% of Acton's locally raised CPA funds in 2003 through 2007, 67% in 2008, 35% in 2009, and about 27% in 2010 through 2012. The growing number of communities that have adopted the CPA, and reduced State trust fund revenues indicate that the percentage of State distributions will remain lower than in the early years of the CPA. However, a $25 million State budget surplus transfer to the State trust fund on July 1, 2012 will increase the match in 2013 over the prior year level.

As of June 2013, 155 Massachusetts cities and towns have adopted the CPA. Each year the state match is distributed in three rounds to the participating cities and towns based formulas established in the CPA. Only cities and towns that fund the CPA at a 3% level from the local surcharge or other funding sources allowed under CPA as amended on July 1, 2012 can participate in the third round to receive a higher state match.

Acton voters approved the Community Preservation Act, M.G.L. c. 44B, at the 2002 Annual Town Meeting and at the November 2002 General election. Acton elected to fund the CPA account through a 1.5% surcharge on all real estate property tax bills with two exemptions:

- Residential property owned and occupied by any person who qualifies for low-income housing, or low- or moderate-income senior housing.
- $100,000 of taxable value of all residential real property[3].

The collection of CPA surcharges began with Fiscal Year (FY) 2003. Revenues (by source) and appropriations (excluding appropriations from set-aside funds) for 2003 through 2012 as audited ~~were as~~are shown in ~~*the t*~~*Table* ~~2~~~~below~~. FY 2013 revenues from the local CPA surcharge are estimated slightly above FY 2012 levels, and the State match is expected substantially above that of FY 2012.

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[2] CPA as amended in 2012 allows cities and towns with a minimum 1% surcharge to augment their local CPA contribution to up to 2% of their real estate tax levy with other municipal revenue sources "... including, but not limited to, hotel excises pursuant to chapter 64G, linkage fees and inclusionary zoning payments, however authorized, the sale of municipal property pursuant to section 3 of chapter 40, parking fines and surcharges pursuant to sections 20, 20A and 20A1/2 of chapter 90, existing dedicated housing, open space and historic preservation funds, however authorized, and gifts received from private sources for community preservation purposes; and provided further, that additional funds so committed shall not include any federal or state funds.

[3] CPA as amended in 2012 allows cities and towns to adopt an additional exemption of $100,000 of taxable value of commercial and industrial properties.

Table 2

Fiscal Year	Revenues ($)						Appropriations	Undedicated Reserve
	Local Surcharges	State Match	Prior Year Reserve	Prior Years' Recapture	Interest Earned	**Total**		
2003	470,991	473,465	0	0	0	944,456	873,483	70,973
2004	539,237	534,467	70,973	0	4,155	1,148,832	1,083,867	64,966
2005	573,504	568,164	65,591	0	29,417	1,236,676	1,172,553	85,497
2006	656,254	652,082	85,497	67,745	58,502	1,520,080	1,331,380	188,700
2007	682,528	690,311	188,700	0	137,304	1,698,843	1,466,605	232,238
2008	703,908	473,581	232,238	15,751	101,371	1,526,849	955,155	571,694
2009	718,787	250,473	571,694	43,164	54,705	1,638,823	1,143,663	495,160
2010	746,873	202,879	495,160	101,055	30,322	1,576,289	1,251,696	324,593
2011	756,534	202,313	324,593	83,833	21,994	1,389,267	1,194,470	194,797
2012	783,628	208,957	194,797	4,279	23,688	1,215,348	953,388	261,960

Community Preservation Fund appropriations from Fiscal Years 2003-2012 have contributed a total of $3,925,000 to the Open Space Set-Aside Fund. The CPC recommended, and Town Meeting approved funding for three open space purchases from the Open Space Set-Aside Fund[4]. *Table 3* shows the history of the Open Space Set-Aside Fund:

Table 3

Fiscal Year	Open Space Set-Aside Fund Activities		
	Appropriations to the Set-Aside Fund ($)	Appropriations from the Set-Aside Fund ($)	Set-Aside Fund Balances ($)
2003	200,000		200,000
2004	300,000		500,000
2005	400,000		900,000
2006	350,000		1,250,000
2007	500,000	730,000 (1)	1,020,000
2008	425,000		1,445,000
2009	500,000	830,000 (2)	1,115,000
2010	450,000		1,565,000
2011	500,000		2,065,000
2012	300,000	1,060,000 (3)	1,305,000
Other	162,943 (4) 70,629 (5)		1,467,943 1,538,572 (6)

(1) +/-5.25 acres off Piper Lane in South Acton plus a conservation restriction on adjacent +/-0.2 acres (2008 Gaebel land purchase with house; $730,000 from Open Space Set-Aside).
(2) +/-10.2 acres off Stow and Martin Streets in South Acton plus a conservation restriction on +/-3.1 acres of adjacent land (2010 Simeone/Caouette land purchase; initially $1,000,000, later reduced to $830,000 from Open Space Set-Aside).
(3) +/-20.7 acres at the intersection of Arlington Street and Newtown Road west of Acton Center (2013 Anderson land purchase; $1,060,000 from Open Space Set-Aside).
(4) $162,943 from the sale of the house at Piper Lane was returned to the Open Space Set-Aside Fund as directed in the 2008 purchase appropriation (footnote (1) above).
(5) Actual open space acquisition costs were somewhat below the appropriation amounts. This figure adjusts for that.
(6) $1,538,572, the current Open Space Set-Aside Fund balance as of June 2013.

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[4] A fourth open space purchase was funded from general CP Funds: +/-12 acres off Nagog Hill Road by the Nagog Hill Conservation Area (2007 Groener land purchase - $100,000)

Appropriations to date from the Community Preservation Fund (excluding appropriations from the set-aside funds) to projects in the four CPA target areas[5] are approximately as shown in the ~~table below~~*Table 4* (amounts in $$). Appropriations are not equal to actual amounts expended. This is because some projects did not proceed while others did not fully deplete their funding. Remaining balances in appropriation account are recaptured on a regular basis and made available for new project appropriation in subsequent years. ~~*This table*~~*Table 4* is for illustrative purposes only; all numbers are rounded and approximate.

Table 4

Fiscal Year	Open Space	Historic Preservation	Community Housing	Recreation	Administration & Other	Total
2003	200,000	84,000	250,000	297,000	43,000	874,000
2004	300,000	225,000	180,000	325,000	54,000	1,084,000
2005	424,000	144,000	242,000	305,000	57,000	1,172,000
2006	450,000	100,000	269,000	447,000	65,000	1,331,000
2007	500,000	373,000	185,000	340,000	69,000	1,467,000
2008	425,000	119,000	352,000	0	59,000	955,000
2009	525,000	155,000	300,000	115,000	48,000	1,143,000
2010	450,000	604,000	150,000	0	47,000	1,251,000
2011	500,000	97,000	340,000	210,000	48,000	1,195,000
2012	374,000	100,000	280,000	200,000	50,000	1,004,000
Overall	**4,148,000**	**2,001,000**	**2,548,000**	**2,239,000**	**540,000**	**11,476,000**
Overall in %	**37**	**18**	**22**	**20**	**5**	

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Community Preservation Committee: Formation and Responsibilities

Consistent with the terms of the CPA and with the Community Preservation Committee Bylaw adopted at the April 2, 2002 Town Meeting, the Community Preservation Committee has been formed to administer the CPA. It consists of three at-large members appointed by the Board of Selectmen (Susan Mitchell-Hardt, Walter Foster; currently vacant); representatives of the Board of Selectmen (David Clough), Conservation Commission (Amy Green), Historical Commission (Victoria Beyer), Planning Board (Roland Bourdon III), Recreation Commission (Betsy Mercier), and Acton Housing Authority (Ken Sghia-Hughes); and two associate members (F. Doré Hunter & Peter Ashton). The Selectmen have assigned the Planning Department to provide the Committee with staff assistance.

This Plan evolved from the previous years' *Community Preservation Plans*. It incorporates lessons learned from the previous rounds of project selections and funding appropriations. The Committee seeks ongoing input from many interest groups, including Town departments and committees, environmental and land trust organizations, and the general citizenry. The Committee uses for reference and guidance the Acton 2020 Comprehensive Community Plan (Master Plan, 2012), the 2002–07 Acton *Open Space and Recreation Plan*, and other relevant planning documents. This Community Preservation Plan attempts to capture Acton's community preservation needs and goals in the four CPA target areas. This Plan also outlines the processes by which the Committee solicits, reviews, and recommends project proposals for CPA funding, and it includes the application form and instructions. It is updated every year to reflect changes in goals or emphasis.

[5] The CPA allows spending in four target areas: (1) acquisition, creation and preservation of open space; (2) acquisition preservation, rehabilitation and restoration of historic resources; (3) acquisition, creation, preservation, and support of community housing; and (4) acquisition, creation, preservation, rehabilitation and restoration of land for recreational use. Also, the CPA allows administrative expenses.

CPA Funding Requirements

The CPA mandates that each fiscal year Acton must spend, or set aside for later spending, at least 10% of the annual Community Preservation Fund revenues that were collected from the local surcharge and State match for each of three CPA target areas: open space including recreation, historic resources, and community housing. Acton Town Meeting decides each year how much of the remaining 70% of the funds to spend on the three purposes identified above or separately for recreation, based on the Committee recommendations. Any monies not appropriated remain in the Fund for future distribution.

A favorable Committee recommendation and a Town Meeting appropriation are both required to spend Fund monies for any community preservation purposes. Appropriations from the Fund, except borrowing, are made by a simple majority vote. Borrowing for CPA purposes requires a two-thirds majority vote.

Town Meeting may approve, reduce, or reject any appropriation amounts recommended by the Committee. At the Committee's recommendation, Town Meeting may also set aside all or part of the annual Fund revenues for later spending into set-aside accounts for one or more community preservation purpose categories. Town Meeting may not, however, increase any recommended appropriation or set-aside, nor appropriate or set aside any fund monies on its own initiative without a prior favorable recommendation by the Committee.

All citizens are welcome to attend the Committee's meetings. The times and locations of these meetings are posted at Town Hall and on the Town website, www.acton-ma.gov. Written comments or questions are welcome and may be submitted via email to cpc@acton-ma.gov or directed to the Community Preservation Committee, c/o Planning Department, Town Hall, 472 Main Street, Acton, MA 01720.

Gifts to Community Preservation Fund

The Town of Acton can accept monetary gifts to the Community Preservation Fund. Gifts can be designated for specific purposes consistent with the four statutory categories – open space, community housing, historic preservation, and recreation. Gifts may be made in a variety of forms, including cash and securities. Gifts to the Town of Acton are tax-deductible to the full extent allowed under the Internal Revenue Code. For more information please review the Town of Acton 2006 Guide to Giving at http://doc.acton-ma.gov/dsweb/View/Collection-1632/Document-17630.

HOW CPA FUNDS CAN BE USED

Community Preservation Act funds must be used for public community preservation purposes. The following guidelines summarize these public purposes.

Community preservation is defined by the Act as, "the acquisition, creation and preservation of open space, the acquisition, creation and preservation of historic structures and landscapes, and the acquisition, creation and preservation of community housing."

Preservation is defined as, "the protection of personal or real property from injury, harm or destruction."

As detailed by the CPA, Fund monies may be spent to undertake the following primary community preservation purposes:

- The acquisition, creation, and preservation of open space. Open space, as defined by the CPA, "shall include, but not be limited to, land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh **. . .** water marshes and other wetlands, **. . .** river, stream, lake and pond frontage, **. . .** lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use."
- The acquisition, creation, preservation, and support of community housing. The CPA defines community housing as, "low-and moderate- income housing for individuals and families, including low-or moderate- income senior housing." This means housing for persons and families with incomes below 80% of the Boston Primary Metropolitan Statistical Area's (Boston PMSA) median income as determined by the U.S. Department of Housing and Urban Development (HUD). The CPA defines the term "support of community housing" as including, but not limited to, "programs that provide grants, loans, rental assistance, security deposits, interest-rate write downs or other forms of assistance directly to individuals and families who are eligible for community housing or to an entity that owns, operates or manages such housing, for the purpose of making housing affordable".
- The acquisition, preservation, rehabilitation, and restoration of historic resources. The CPA recognizes historic resources as "a building, structure, vessel, real property (including a historic landscape), document or artifact that is listed on the State register of historic places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture, or culture of a city or town." For CPA purposes, the local historic preservation commission is the Town of Acton Historical Commission.
- The acquisition, creation, preservation, rehabilitation and restoration of land for recreational use. The CPA defines recreational use as, "active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field. 'Recreational use' shall not include horse or dog racing or the use of land for a stadium, gymnasium, or similar structure." The CPA also provides "that with

respect to land for recreational use, 'rehabilitation' shall include the replacement of playground equipment and other capital improvements to the land or the facilities thereon which make the land or the related facilities more functional for the intended recreational use".

Community Preservation Act funds may also be used for the following purposes:

- The "rehabilitation or restoration of open space and community housing that is acquired or created" using CPA monies.
- Revenues "set aside" for "later spending."
- Annual "administrative and operating expenses" of the Committee, not to exceed 5% of the Fund's annual revenues.
- Annual principal and interest payments, preparation, issuance, and marketing costs for bonds or notes for borrowings for community preservation purposes.
- Damages payable to property owners for real estate interests taken by the Town by eminent domain for community preservation purposes.
- "Local share for state and federal grants" for allowable community preservation purposes.
- Property acquisition-related expenses including appraisals, land surveys, baseline studies to establish conservation values, title searches, legal fees, costs regarding the issuance of the required restriction on the land, and other closing expenses for the project.
- If a grant of a perpetual restriction to a not-for-profit conservation organization is intended, the amount requested at Town Meeting may include funding for the holder of the restriction for ongoing site monitoring and potential enforcement.

As of July 1, 2012, the CPA also encourages the Committee to consider "regional projects for community preservation".

Community Preservation Act funds may **not** be spent for the following purposes:

- As a replacement or substitute for operating funds. The CPA is a supplementary funding source intended to increase available resources for community preservation acquisitions and initiatives.
- Payment for routine maintenance, defined in the CPA as "incidental repairs, which neither materially add to the value of the property nor appreciably prolong the property's life, but keep the property in a condition of fitness, efficiency or readiness."
- Gymnasiums, stadiums, or any similar structure.
- Acquisition of artificial turf for athletic fields.
- Projects without a public purpose or public benefit.

The following ~~helpful Table~~*Table 5* was provided by the Community Preservation Coalition:

Table 5

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Determining Project Eligibility

It's all about the **VERBS!**

	Open Space	Historic	Recreation	Housing
Acquire	Yes	Yes	Yes	Yes
Create	Yes	-	Yes	Yes
Preserve	Yes	Yes	Yes	Yes
Support	-	-	-	Yes
Rehabilitate and/or Restore	Yes – if acquired or created with CP Funds	Yes	Yes	Yes – if acquired or created with CP Funds

The same table with more detail can be viewed at:
http://www.communitypreservation.org/DOR-Allowable-Uses-2012.pdf.

OPEN SPACE AND RECREATION

In the 2002-2007 Town of Acton *Open Space and Recreation Plan* (the OSRP) the residents of Acton identified three key open space and recreation goals:

- Preserve the remaining elements of Acton's rural character
- Protect the environment
- Improve recreational opportunities

In reaffirming these three key goals the residents of Acton continue to recognize the importance of open space and adequate passive and active recreational areas as critical to preserving the character of the Town and thereby the quality of life shared by its citizens.

A. Open Space Resources and Needs

Although the Town continues to experience residential development, Acton remains a community with abundant natural and scenic resources, including dedicated conservation lands, active farmlands, open fields, woodlands, and wetlands and waterways. These resources contribute to making the Town a desirable place to live, a factor which has fueled its continued residential growth. Hence, the Town lies at a crossroads, where many of its natural resources are threatened by the very development they attract.

Currently, about 12% or 1,617 acres of Acton's approximate 12,990 acres are considered protected as "conservation lands." The degree of protection offered these lands varies in accordance with the method of their original acquisition, but only about 134 acres are permanently protected by state-approved conservation restrictions. The Acton Water District owns approximately 400 acres for water supply protection purposes, and approximately 787 acres have been set-aside for open space and/or recreational use in association with cluster housing developments under the Acton Zoning Bylaw (PCRC or OSD), but none of these lands is protected by permanent conservation restrictions. Since 2005 a number of open space parcels in Acton have been successfully preserved through purchase in fee by a land trust, legislative actions and permanent conservation restrictions, including the Whitcomb land in Heath Hen Meadow Brook (16 acres) and the Kingman Pasture on Esterbrook Road (6.5 acres) permanently protected by Acton's local land trust, the Acton Conservation Trust, the MCI Concord farm fields (107 acres), the Groener parcel at Nagog Hill (12 acres)[6], the Haartz Corporation woods (15 acres), the Gaebel parcel at Great Hill (5.5 acres)[5] and, most recently the Caouette-Simeone farm fields (12 acres)[5]. However, over time, the development of the Town's "green spaces" has out-paced land protection. The CPA offers a significant tool for increasing the protection and preservation of the Town's open spaces, farmlands, and natural resources.

The CPA allows and encourages the acquisition, creation, and preservation of open space. CPA funds may be used to protect open space by outright purchase, through bonding, through

[6] These projects were funded with CPA funds.

purchases made in conjunction with other private and/or public funds, and/or by extinguishing or limiting development rights through the purchase of permanent land conservation or agricultural preservation easements or restrictions. In identifying multiple land preservation and funding methods, the CPA essentially recognizes the prohibitive costs of land in communities such as Acton, and similarly recognizes that CPA funds alone will likely not be sufficient for the protection of significant tracts of land.

CPA funds may also be used to support land protection efforts through the development of land protection plans or strategies, such as the development of local Open Space Plans required by the State as a prerequisite for receiving funding for land purchases. Similarly, CPA funds may be used to establish land protection trust funds, the monies of which can be used to conduct preliminary land assessments and enable the Town to rapidly respond to land protection opportunities.

Conservation Restrictions are required for all lands acquired under CPA for Open Space and Recreation; until this document is completed and filed, the terms of the CPA acquisition have not been technically completed.

CPA funds may be used for drafting Conservation Restrictions, as well as for conducting the associated baseline documentation, for all open space and recreation purchases under CPA. Funds for drafting the Conservation Restriction and conducting the Baseline Documentation may be appropriated as part of the CPA Warrant Article that acquires the property. If a grant of a perpetual restriction to a not-for-profit conservation organization is intended, the amount requested at Town Meeting may include funding for the holder of the restriction for ongoing site monitoring and potential enforcement. Alternatively, if the Warrant Article hasn't specified such an appropriation, the Open Space Committee may request funds from the Open Space Acquisition and Preservation Fund to cover expenses associated with the drafting of the Conservation Restriction and conducting the Baseline Documentation.

Open Space Preservation Goals

- Preserve the remaining elements of Acton's rural character, including the natural and man-made features that contribute to Acton's character such as open fields, agricultural lands, woodlands, waterways, and scenic vistas.
- Preserve open space and develop additional public open spaces and parklands including, but not limited to, areas bordering Fort Pond Brook, Nashoba Brook, the Assabet River, and their tributaries.
- Protect and maintain the remaining farmland in Town. Encourage continued or new farming enterprises.
- Preserve large tracts of undeveloped land.
- Preserve small tracts of undeveloped land that contribute to other open space goals, such as smaller parcels that preserve village center characteristics, are located adjacent

to existing protected open spaces, or that preserve corridor linkages between larger open space parcels.

- Preserve lands that protect the quality and quantity of Acton's water supply, wildlife corridors and wildlife habitat, and/or that restore polluted environmental resources.

- Obtain open space through the outright purchase of potentially developable land as well as through methods such as, but not limited to, acquiring development rights and encouraging property owners to protect and/or preserve their land as open space through conservation restrictions, agricultural preservation restrictions, or other means.

B. Recreational Resources and Needs

The CPA statute defines recreational use as "active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field." The Town's priorities for recreational opportunities and facilities are documented in the 2002-2007 Town of Acton Open Space and Recreation Plan (the OSRP). A key goal in that document is to improve Acton's recreational opportunities, recognizing the importance of adequate passive and active recreational areas as critical to preserving the character of the Town and the quality of life for its citizens.

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Recreation Resources

Active recreation is a very high priority among Acton's youth and adults, many of whom participate in the Town's athletic leagues. Acton's active recreation fields and NARA Park make up about 63 acres, not including fields on school campuses. CPA funds have helped to improve and expand opportunities for active recreation through the installation of a synthetic turf surface at Leary Field, construction of the T.J. O'Grady Skate Park, installation of new basketball courts at Elm Street, and lighting at the ABRHS baseball field and tennis courts. The 2012 construction of two artificial turf fields at the lower fields of the high school have helped to alleviate shortages of field space. D~~d~~evelopment of 10.6 acres at School Street is pending and is anticipated to provide additional field space~~help alleviate shortages of field space~~. In 2012, ~~CPC~~ CPA funds were appropriated for the addition of a beginner's bowl and parking spaces at the T.J. O'Grady Skate Park.

Currently, the Town maintains six playgrounds. Others are available at the elementary schools, including a CPA-supported playground at Gates Elementary School. In 2013, Acton Children's School, a private day care facility, gifted the town with playground equipment designed for toddlers. CPA funds were appropriated to install this equipment at the Elm Street playground and for surfacing; CPA funds also were awarded to resurface the nearby Elm Street tennis courts. Together with the Town, a group of private citizens, Friends of the Playground have secured funding to rebuild the Goward Playground on Goward Field, behind the Acton Memorial Library grounds. The Town, working with a private youth baseball organization, The Miracle League of Massachusetts, ~~a youth baseball organization,~~ has ~~begun~~ completed construction at NARA Park of a Miracle Field to accommodate athletes with disabilities. ~~There are also plans to~~

CPA funds were awarded in 2013 to construct a multi-use picnic pavilion at NARA Park and for design plans for a comfort station and snack bar near Miracle Field.

Much of the Town's permanently protected open space includes a network of foot trails that provide opportunities for passive recreation, such as hiking, cross-country skiing, and access to ponds and streams. CPA appropriations have enabled the building of a Universal Access Path at the Arboretum and the Woodland Path at Leary Field, and have funded the design phases of the Assabet River and Bruce Freeman Rail Trails.

Public swimming facilities include the High School pool and the NARA pond. Citizens can enjoy fishing and canoeing at Ice House Pond, Nashoba Brook, and Fort Pond Brook.

Recreation Needs

Between 2000 and 2010, the population of Acton increased by 7.8% to 21,924. Such rapid growth has put a great strain on the Town's existing recreational resources.

As Acton's population has grown, so has the popularity of its recreation programs. There is a need for recreational opportunities to be broadened to include all age groups and interests, as well as to meet the increasing demand of the youth and adult sports organizations. New avenues are being actively explored. However, according to National Recreation and Park Association standards, Acton still has a considerable shortage of active recreation land to meet the needs of its citizens (please refer to the OSRP).

The Town's playgrounds are insufficient to serve Acton's significant population of families with young children, many of whom travel to playgrounds in neighboring towns. Furthermore, many of the playgrounds are aging and creating safety concerns. A group of citizens and parents who ~~are~~ were concerned specifically about the age and safety of the Goward Playground ~~have~~ formed the "Friends of the Playground" organization. Working closely with the Town, Friends of the Playground ~~has~~ raised approximately $~~30~~62,000 ~~to date~~ to rebuild the playground, and Town Meeting voted in 2012 to appropriate $150,000 from the municipal budget to support the project. Friends of the Playground and the Town ~~are collaborating~~collaborated on the design of the space and are preparing the site for installation of new equipment. To meet the needs of its population, the Town will also need other playgrounds to be updated.

The development of new recreational facilities should take the shape of multi-use recreational zones, which incorporate playing fields, open space, landscaping, and shade to ensure participant and spectator comfort, land protection, and aesthetic appeal. Funding of such "Rec Zones" would not only provide much-needed playing fields, but would maximize the benefit of CPA funds by creating open space buffers to offset increased development. Opportunities to repurpose existing recreation areas should not be overlooked. An effective method to increase existing field availability is to renovate with synthetic turf. The Lower Fields project at ABRHS ~~is slated to~~ replaced grass fields with two synthetic turf fields, parking, lighting and a snackbar/bathroom facility. This new Rec Zone on existing school property will substantially increase available field time for both school athletic teams and Town athletic leagues. The addition of sports lighting to previously unlit fields can also increase field availability by extending useable time into the evening hours. The ABRHS Sport Lighting project accomplished

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this goal by accommodating Town leagues after school hours at the baseball field, and tennis players at the courts.

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Recreation Goals

The recreation goals specified in the OSRP are:

- Develop active recreational resources identified in the OSRP including playing fields, improved/new playgrounds, and improved handicapped access; also address adult senior and toddler recreational needs.
- Provide additional athletic fields to meet the needs of the Town's growing population and develop multi-use "Rec Zones."
- Develop regional bike trails through Acton.
- Create more expansive human and wildlife corridors.
- Enhance resources for hiking, cross-country skiing, horseback riding, boating, and fishing on conservation lands.
- Ensure universal accessibility to recreational activities (e.g., trails, picnicking, watching at athletic fields, water-based recreation and camping) at both recreation and conservation areas.
- Acquire land to fulfill identified current and future recreational needs.

COMMUNITY HOUSING

The CPA statute defines "community housing" as housing for low- and moderate-income individuals and families, including senior housing. "Low-income housing" is for households whose annual income is less than 80% of the area-wide median income. "Moderate income housing" is for households whose annual income is less than 100% of the area-wide median income. The area-wide median income is determined annually by the United States Department of Housing and Urban Development (HUD).

Acton's estimated area-wide[7] median income in 2013 is $94,400 for a family of four. However, for housing units created with CPA funds to be counted toward Acton's 10% affordable housing goal, the units must serve those households whose annual income is less than 80% of the area-wide median income. CPA funds can also be used for housing units serving households of 80% - 100% of the Area Median Income even though they will not count toward Acton's 10%.

Acton has some lower-priced market housing units, primarily small one- and two-bedroom condominiums converted from apartments, but very few of these qualify as affordable housing units under State law. In Massachusetts, the term "affordable housing" applies to housing units made affordable to low-and moderate- income households by a recorded deed rider that restricts sale prices and rents in perpetuity to income eligible households. The Acton Community Housing Corporation may use CPA funds to subsidize the selling price of existing units in exchange for requiring recorded deed riders to restrict future re-sales to income eligible households at affordable prices.

CPA funds may be expended "for the acquisition, creation, preservation and support of community housing and for the rehabilitation or restoration … of community housing acquired with CPA funds," but not including maintenance. The Acton Housing Authority and the Acton Community Housing Corporation are the local agencies primarily responsible for implementation of community housing projects.

Community Housing Resources and Needs

During the development of the *Acton 2020 Comprehensive Community Plan* (-Master Plan adopted in 2012) residents of the Town reaffirmed their commitment to provide affordable housing by adopting the goal to Support Inclusion and Diversity. In order to retain Acton's community character, it is critical for the Town to encourage and enable a diverse range of resident households to live here. These include municipal and school employees, people who work locally, elderly residents, the adult children of Acton residents, and other first time home buyers.

The high cost of housing continues to be a major concern of Massachusetts residents. Respondents to a 2009 UMass Donahue Institute/CHAPA Housing Poll[8] reported that residents of Massachusetts remain deeply concerned about the affordability of housing in spite of recent declines in housing prices in local markets across the Commonwealth. When compared to other

[7] Boston Primary Metropolitan Statistical Area
[8] http://www.massbenchmarks.org/publications/studies/pdf/housingpoll09.pdf

major public policy issues, housing affordability and jobs rank as the public policy issues of greatest concern to state residents. In this poll, housing affordability ranked ahead of other major public policy issues including health care and public safety.

These concerns cause residents to seriously consider moving out of Massachusetts; prevent elderly residents from staying in their town and young families from moving in; hurt the local economy because businesses are having a harder time finding and keeping workers; and prevent municipal workers from living in the towns they serve. The national definition of housing affordability assumes that a home is affordable to its owners if their monthly housing costs, a mortgage payment, property taxes, and house insurance, do not exceed 30% of their monthly gross income. When households pay more than 30% of their gross income for housing costs, they are classified as "housing cost burdened." In 2004, 23.8% in Acton met the definition of housing cost burdened households.

Affordable housing opportunities help Acton attract and retain talented employees upon whom the Town depends to provide high quality public services. The average selling price of all residential units in Acton was $447,000 in 2012. The annual income needed to buy the average priced home is $-130,000, based on a 10% down payment, 30% of income dedicated to home purchase, a 4.5% fixed-rate 30-year mortgage, and annual payments for homeowners insurance and local real estate taxes. This means that about 57% of the households in Acton cannot afford to buy an average priced home in the town today. With the recent economic slowdown and very recent slight upturn in the housing market some relief may be offered, but it is likely that almost a majority of Acton households will not be able to afford the average priced home in town in the near future.

A 1969 State law, called the Comprehensive Permit Law, created a standard for communities to provide a minimum of 10% of their housing inventory as affordable units. In April 2013, the Massachusetts Department of Housing and Community Development certified 552 or 6.5% of Acton's 8,475[9] dwelling units as deed-restricted affordable housing. That leaves Acton 295 affordable units short of the Town's goal of 10% low- or moderate-income housing units based on the 2010 U.S. Census.

In 2004, the Town completed the Community Development Plan *To Live in Acton*, which identified these five housing needs in order of priority:

- Affordable rental units for very low- and low-income families;
- Affordable rental units designed for low-, moderate- and middle-income senior citizens, and persons with disabilities;
- Affordable homeownership units for moderate-income families;
- Affordable homeownership units in a range of residential use types and sizes for moderate- and middle-income seniors; and
- Homeownership units at below-market prices for middle-income households at 100%-130% of the Area Median Income.

The *Acton 2020 Comprehensive Community Plan* (Master Plan adopted in 2012) provides more detailed information and should be referred to for additional discussion of community housing.

[9] U.S. 2010 Census total housing unit count

In 2012, the CPA recommended and Town Meeting approved an expenditure of $40,000 to provide funding for two years of Regional Housing Services based in the Town of Sudbury. This is an inter-municipal collaboration between Acton, Bedford, Concord, Lexington, Sudbury and Weston. Member communities receive administrative housing services for an annual fee per an Inter-Municipal Agreement. These services include: Monitoring of all affordable units to insure compliance with the regulatory agreements; Program Administration; assisting ACHC and Planning with local support and interaction with state housing agencies; and regional housing efforts. This has been an extremely valuable service to the Town of Acton.

Community Housing Goals

The Acton CPC has established the following goals in order to address the housing needs of the community.

- Acquire, create, preserve and support community housing and rehabilitate or restore community housing that is acquired or created under the CPA. Give preference to the reuse of existing buildings and to the construction of new buildings on previously developed sites.

- Limit or subsidize purchase price or rental fees to the Department of Housing and Community Development's established maximum low- and moderate-income limits to ensure that units are counted toward Acton's 10% goal for affordable housing.

- Promote economic diversity of Acton residents by providing housing for households earning at a range of 30%-100% of the Area Median Income.

- Provide permanent rental housing units that include support services for elderly and persons with disabilities.

- Support the Acton Housing Authority's plan to increase the inventory of affordable rental housing for families by developing more units on existing AHA land and/or purchasing additional condominium units.

- Encourage non-profit organizations to build and advocate for affordable housing in Acton.

- Encourage diversity in Acton's population by achieving a mix of homes that enhances Acton's town character and provides needed choices for all its residents.

- Encourage housing designs that preserve the character of Acton's established residential neighborhoods.

- Promote Smart Growth and be guided by sustainable development principles.

HISTORIC RESOURCES

Historic Resources are defined by the CPA as buildings, structures, vessels, or real properties that are listed or eligible for listing on the State Register of Historic Places or are significant in the history, archeology, architecture, or culture of Acton as determined by the Acton Historical Commission. CPA funds may be used for the preservation, restoration or rehabilitation of historic resources (including Town-owned historic resources), but not for routine maintenance. Unless such historic resources are in public ownership, the public purpose of investments in historic resources must be apparent, and must be protected by a preservation restriction that ensures a public benefit. All projects funded in the Historic Resources category must meet the Secretary of the Interior's Standards for Rehabilitation (see Appendix 5).

Currently, Acton has a considerable number of historic assets including municipal buildings, private homes, and ancient artifacts. Listed on the State and National Registers of Historic Places are the Faulkner House, the Jones Tavern, the Exchange Hall, the Jonathan Hosmer House, the John Robbins House, the Isaac Davis Trail ("Line of March" of the Acton Minutemen in 1775), and the Acton Center Historic District, which includes over 40 buildings and structures. Listing on the State and National Registers recognizes the importance of these properties as resources. Acton's three Local Historic Districts are the Acton Center District, the South Acton District, and the West Acton District. Local Historic District designation under M.G.L. 40C adds all the properties within them to the State Register and provides regulatory protections to preserve the historic integrity of the districts and their buildings, structures, and sites. In addition, the Acton Cultural Resource List and Historic Properties Survey Forms itemize and describe approximately 400 buildings, structures, and sites town wide. Many of these are outside any of the Local Historic Districts and not listed on the State or National Registers.

Some of the projects aided by CPC funds are: Restoration of the Town Monument; Jones Tavern chimney, roof & gutters; s~~S~~late roof replacement & restoration of 1864 windows on Town Hall; Windsor Avenue Antique Fire House Exterior; West Acton Citizens' Library windows and exterior; Town Archaeological Survey; update of Cultural Resource List; restoration of historic windows and exterior building envelope for the Acton Community Center, Inc. (Theatre III).
Recent projects include the Acton Women's Club interior and exterior work; Town Hall clock mechanicals; the original Memorial Library windows; and exterior rehabilitation and preservation to the National Register Hosmer House complex.

Historic Resources and Needs

The rural, agricultural, and historic character of Acton is currently threatened by the rapid rise of local land values. It is often more economical to remove older structures and replace them with new, much larger structures that are frequently out of scale with their neighborhood and setting, a development trend which damages the historic integrity of the Town. The lost structures which gave a sense of history and cultural character to the neighborhood are gone forever. Similarly, the Town is frequently placed in a position of defending itself from large developments and subdivisions that diminish its rural and historic character.

Placement on the Acton Cultural Resource List provides an opportunity to explore alternatives to the demolition of historically significant buildings or structures under Acton's Demolition Delay Bylaw. Some historic resources are not listed or adequately documented and some are at risk of demolition. The CPA gives Acton the opportunity to realize the goals of the *Acton 2020 Comprehensive Community Plan* (Master Plan adopted in 2012). These goals become much more attainable with a dedicated funding source.

Historic Preservation Goals

- Protect, preserve, and/or restore historic properties and sites throughout Acton, which are of historical, architectural, archeological, and cultural significance. Work to assist owners with adaptive re-use of historic properties.

- Protect threatened properties of historical significance by fully documenting the architectural and/or historical significance on survey forms for Acton's Cultural Resource List, and National Register application forms when applicable. Investigate and, if deemed feasible, adopt preservation restrictions for historic properties.

- Preserve the remaining rural/historic character of the Town, including, but not limited to, residential and non-residential buildings, barns, outbuildings, burial grounds, markers, monuments, stone walls, fields, cart paths, historic land- and street-scapes, and scenic vistas. Work to maintain the character of Acton's country roads.

- Continuously update and maintain the Acton Cultural Resource List and archival records.

- Provide education and community outreach regarding the extensive historical and cultural resources within Acton. A signage program for historic structures to increase public awareness of historical and cultural assets within Acton has been developed and shall continue.

THE CPA FUNDING APPLICATION PROCESS

The Committee invites CPA funding application for the upcoming funding round. It is the responsibility of the Committee to review all applications and to make recommendation(s) as to which, if any, of these applications should be so funded. The Committee expects to bring its recommendations to the 2014~~3~~ Annual Town Meeting. The Committee has developed the following four-step process for reviewing, recommending, and funding of CPA proposals.

Step 1. Submit Completed Application by November 25, 2013

Applications shall consist of:

- 3 double-sided printed copies of the complete application (Project Application Form and all attachments),
- 1 electronic copy of the complete application in *.doc or *.pdf format, and
- 12 double-sided printed copies of only the Project Application Form and Narrative attachment.

Applications must be received by Monday, November 25, 2013 to be eligible for ordinary consideration at the 2014 Annual Town Meeting. At its discretion the Committee may vote to extend or waive the deadline due to special circumstances or for compelling reasons.

Applications for CPA funding must be submitted to the following address:

Community Preservation Committee
c/o Planning Department
Acton Town Hall
472 Main Street
Acton, MA 01720
cpc@acton-ma.gov

Step 2. Community Preservation Committee Review and Public Comment

A. Application Review: The Community Preservation Committee will review submitted applications to determine whether the proposed projects:

1. Are eligible for Community Preservation funding; and
2. Are sufficiently developed in terms of their work plan and ripe in terms of timing for further consideration; and
3. Are consistent with the goals for CPA funding as set forth in this Plan; and
4. Are signed by the property owner.

B. Project Review Meetings: The Committee may ask applicants to meet with the Committee or its representatives to discuss their applications. These meetings will be publicly noticed. The Committee will seek public comments on proposed projects. Applicants are encouraged to meet and consult with other appropriate Town committees to assist with the vetting process, for instance with the Open Space Committee for open

space acquisition proposals or with the Historical Commission for historic preservation project proposals.

C. **Notification:** The Committee will notify applicants of its decisions concerning recommendations. It may ask eligible applicants to submit additional information.

D. **Committee Recommendations:** The Committee will make its final recommendations for funding in the form of one or more warrant articles to be voted on at the 2014 Annual Town Meeting. The Committee may recommend a project as proposed by the applicant, or may modify the project, or it may recommend partial funding or funding for only a portion or phase of the proposed project. The Committee's recommendations to Town Meeting may include detailed project scopes, conditions, and other specifications as the Committee deems appropriate to ensure CPA compliance and project performance.

Step 3. Town Meeting Vote

The Committee will present its recommendations to the 2014 Annual Town Meeting for discussion and vote. Town Meeting has the final authority to award funds from Acton's Community Preservation Act Fund. A simple majority vote is required to approve funding. A two-thirds vote is required for borrowing.

Step 4. Award Letter

For projects approved by Town Meeting, the Committee will issue award letters with information on funding amount, funding conditions, project modification as voted by Town Meeting (if any), Town staff contact information, and guidelines for project execution. A sample letter can be found in the Appendix.

Step 5. Project Execution

Funding for approved projects will be available following the issuance of the award letter subject to conditions contained in the award letter. CPA monies are public funds. Projects financed with CPA funds must comply with all applicable State and municipal requirements, including the State procurement law, which requires special procedures for the selection of products, vendors, services, and consultants.[10]

All CPA funds are administered and disbursed by the Town of Acton. All bid documents or requests for proposals must be approved by the Town Manager before publication. All purchases of goods and services require a Town of Acton purchase order issued by the Town Manager or his designee. Final decisions regarding the selection of goods and services are the responsibility of the Town Manager. All contractual agreements with vendors or service providers must be approved and signed by the Town Manager. Payments are made only after

[10] For Example: Purchases over $5,000 require the solicitation of at least three quotes. Purchases over $25,000 require the publication of "invitations for bids" or "requests for proposals". Contracts for goods and services must be awarded to the lowest qualified bidder, which may be someone other than who assisted the applicant with a project application. Project purchases cannot be split to avoid the State procurement laws.

the receipt of goods or services. The Town Manager may approve partial payments for partially completed service as may be specified in a Town-approved service contract or on a case by case basis at his discretion.

Where a private funding source supplements a CPA appropriation for a project to be carried out by the Town of Acton or on land owned by the Town of Acton, all such private funds must be donated to the Town of Acton before any goods or services are procured for the project and must be utilized first before CPA funds can be accessed.

The aforementioned guidelines do not strictly apply where a CPA appropriation is made as a grant to a non-governmental entity or a governmental or quasi-governmental entity other than the Town of Acton. However, the Community Preservation Committee and the Town Manager, or his designee, may require accounting and reporting procedures that are appropriate in the context of the project and satisfy the Town's need to comply with municipal finance laws.

For questions about procurements and other financial requirements and procedures the applicant should contact the Town Treasurer at (978) 929-6623 or treasurer@acton-ma.gov. General questions concerning the application process should be directed to Roland Bartl, Planning Director, via email at cpc@acton-ma.gov, or by calling (978) 929-6631. Mr. Bartl, or other Planning Department staff will assist prospective applicants directly or will refer them to other appropriate Town staff.

The Committee may request project status updates from Fund recipients. The purpose of such update is to aid the Committee in refining the Plan and to identify issues that may assist future applicants.

The Committee has signs that give funding credit to the Acton CPA program. The signs are available at the Acton Planning Department and should be posted at project sites.

CPA projects must commence within 3 years and 1 month from the date of the Town Meeting appropriation (see Acton Town Charter). The funding for any project not started within said time is automatically rescinded, unless Town Meeting has expressly voted to renew the appropriation. Any funds that are unused and left over after the completion of a project are recaptured and returned to the CP Fund for future CPA project appropriations.

GUIDELINES FOR SUBMISSION

The following guidelines should be utilized in preparing an application for CPA funding. These guidelines should be utilized in consideration of the applicable Plan goals, and in conjunction with the "Review and Recommendation Criteria" section of this Plan.

- Each project funding application must be submitted using the *Community Preservation Plan* "Project Application Form." Additional pages should be added as necessary.
- Project funding applications shall consist of:
    - 2 double-sided printed copies of the complete application (Project Application Form and all attachments),
    - 1 electronic copy of the complete application in *.doc or *.pdf format, and
    - 12 double-sided printed copies of only the Project Application Form and Narrative attachment.

  Applications must be received by Monday, November 25, 2013 to be considered at the 2014 Annual Town Meeting. Submit applications to:

  Community Preservation Committee
  c/o Planning Department
  Acton Town Hall
  472 Main Street
  Acton, MA 01720
  cpc@acton-ma.gov

- Funding applications should be for projects that can commence immediately and that can be completed within 5 years.
- If submitting multiple applications, projects should be submitted in order of priority.
- Applicants should review the CPA, the Acton CPA Bylaw (Chapter S), and this *Community Preservation Plan* prior to submitting CPA funding applications.
- Applicants should prepare itemized project scopes, with details describing each item and its estimated cost.
- Prior to submittal, applicants are encouraged to clarify with the Committee, the Planning Department, or their own legal counsel as to the eligibility of their project under the Community Preservation Act (M.G.L. Ch. 44B).
- Applicants should obtain professionally prepared quotes for project costs whenever possible. If such quotes are not available, detailed cost estimates may be used provided the basis of the estimates is fully explained.
- Every project cost estimate should include a line item for contingencies with an explanation for the contingency amount and circumstances that might result in a project cost overrun.

- If the funding application is part of a longer-term project that will rely on other existing or anticipated funding sources, including additional future CPA project applications, the applicant should include the total project cost.

Applicants should take the following factors into consideration when completing the application. In evaluating project proposals, the Committee will use these factors in conjunction with the criteria outlined under "Review and Recommendation Criteria":

Community Character:

a) encourage and preserve open space and agriculture
b) promote/maintain diversity in housing stock
c) preserve historic resources
d) re-use existing structures
e) enhance social, economic, cultural, historical, and natural resources, and their diversity
f) preserve/revitalize historic centers/districts
g) acquire/preserve threatened resources
h) be consistent with Town planning documents
i) Promote Smart Growth and sustainable development principles

Community Impact/Needs:

a) provide present and future uses
b) increase/expand recreational facilities
c) protect environmental/water resources
d) address community need/fill void in community
e) maximize number of people affected/benefiting
f) meet needs of under-served populations
g) meet multiple needs and populations

Fiscal Impact:

a) initial cost
b) ongoing maintenance or program costs
c) minimize financial impact on taxpayers
d) debt commitment
e) multiple funding sources
f) revenue generation
g) feasibility

Other Factors:

a) degree of urgency
b) required timeline or impending deadlines
c) complexity of execution

For additional information on the CPA statute and how it is being applied in towns across the State, visit the Community Preservation Coalition website at www.communitypreservation.org. For information on Acton's Community Preservation activity, visit the Town website at www.acton-ma.gov.

REVIEW AND RECOMMENDATION CRITERIA

It is the responsibility of the Committee to review all projects proposed for funding through the CPA Fund and to make recommendations to Town Meeting as to which, if any, of the proposed projects should be funded. In order to be considered eligible for review by the Committee, a project must at a minimum meet the statutory requirements of the CPA.

A project submitted to and deemed eligible for consideration by the Committee will be evaluated in relation to the following "Review and Recommendation Criteria." Recommendations for funding will be based on how well the individual projects meet these criteria, recognizing that all criteria may not apply to every project. The Committee will also give due consideration to the urgency of the project, with particular consideration given to those projects whose successful implementation is constrained by scheduling factors not controlled by the applicant.

- The project is consistent with the goals of the Town of Acton *Community Preservation Plan*.
- The project is consistent with the Acton 2020 Comprehensive Community Plan, the Town of Acton *Open Space and Recreation Plan*, and other Town planning documents that have received wide scrutiny and input. These are available at the Acton Planning Department, the libraries, and on www.acton-ma.gov. In the case of Historic Resource projects, the work specified is consistent with the Secretary of the Interior's Standards for Rehabilitation – see Appendix 5.
- The project is economically or otherwise reasonably feasible to implement.
- The project serves a currently under-served population.
- The project serves multiple needs and populations and/or addresses more than one focus area of the CPA.
- The project leverages additional or multiple sources of public and/or private funding.
- The project utilizes, preserves, protects, or enhances currently Town-owned open space, recreation, historic and/or housing assets.
- The project is consistent with recent Town Meeting actions.
- The applicant/applicant team has successfully implemented projects of similar type and scale, or has demonstrated the ability and competency to implement the project as proposed.
- The applicant has site control, or the written consent by the property owner to submit an application.
- The applicant has given notice of the proposed project to abutters and the neighborhood where the project is proposed.

PROJECT APPLICATION FORM – 2014

Applicant: _____ **Submission Date:** _____

Applicant's Address:

_____

_____

Phone Number: _____

E-mail: _____

Purpose: (Please select all that apply)

- O Open Space
- O Community Housing
- O Historic Preservation
- O Recreation

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Town Committee (if applicable): _____

Project Name: _____

Project Location/Address: _____

Amount Requested: $ _____

Project Summary: In the space below, provide a brief summary of the project.

Estimated Date for Commencement of Project: _____

Estimated Date for Completion of Project: _____

APPLICATION INSTRUCTIONS AND REQUIRED ATTACHMENTS

Submit:

- **3 double-sided printed copies of the complete application (Project Application Form and all attachments),**
- **1 electronic copy of the complete application in *.doc or *.pdf format, and**
- **12 double-sided printed copies of only the Project Application Form and Narrative attachment**

to:

Community Preservation Committee
c/o Planning Department
Acton Town Hall
472 Main Street
Acton, MA 01720
cpc@acton-ma.gov

Submission Deadline: Monday, November 25, 2013[11]

Attach the following with all applications:

- **Narrative:** A complete and detailed description of the project and, when applicable, of the property involved and its proposed use. Describe how the project will benefit the Town and the citizens of Acton and how the project is consistent with the Community Preservation Plan's "Guidelines for Submission" and "Review and Recommendation Criteria." Include a work plan showing the anticipated steps or phases for completion of the project and the timing and estimated cost of each phase.
- **Site Control:** A copy of the deed, purchase and sale agreement, option agreement, or other document to prove that the applicant has site control; or the property owner's written consent to the application and to the proposed project. If site control is not established, please explain in detail.
- **Project Scope:** An itemized project scope, with details describing each item and its estimated cost.
- **Cost Estimate:** Professionally prepared appraisal; or professionally prepared cost estimate (or detailed cost estimate with full explanation by line item and back-up material).
- **Feasibility:** List and explain all further action or steps that will be required for completion of the project, such as environmental assessments, zoning or other permits and approvals, agreement on terms of any required conservation, affordability, or

[11] Monday, November 25, 2013 is the deadline to be eligible for ordinary consideration at the 2014 Annual Town Meeting. At its discretion the Committee may vote to extend or waive the deadline due to special circumstances or for compelling reasons.

historic preservation restrictions, subordination agreements, and any known or potential barriers or impediments to project implementation.

- **Neighbor(hood) Outreach:** For new development projects, such as new community housing or new recreation facilities, provide evidence that neighbors have been contacted and had an opportunity to comment on the proposed project. Provide documentation on how the project application is responsive to the neighbors' comments and concerns.
- **Maps:**
  USGS topographical map, assessors map, or other map as appropriate, showing location of the project.
- **Photographs** of the site, building, structure, or other subject for which the application is made.

Include the following, if applicable and available:

- Record plans of the land.
- Natural resource limitations (wetlands, flood plain, etc.).
- Zoning (district, dimensional and use regulations as applies to the land).
- Inspection reports.
- 21E Reports and other environmental assessment reports.
- Cost estimate for the preparation of baseline documentation and conservation and/or historic preservation restriction.
- Cost estimate for ongoing site monitoring under and potential enforcement of a restriction.
- Architectural plans and specifications for new construction and rehabilitation.
- Site plans and specifications.
- Maps, renderings, etc.
- Historic inventory sheet.
- Existing conditions report.
- Names and addresses of project architects, contractors, and consultants.
- Other information deemed useful for the Committee in considering the project.

Notes:

- Following the initial review of all applications, the Community Preservation Committee may request from applicants additional or more detailed information, and further clarifications to the submitted proposals. The Committee may ask an applicant to provide a Historic Properties Survey Form as part of their application. The Committee may request from the applicant a legal opinion to help it assess CPA project eligibility and to provide answers to any other questions that the Committee may have before finalizing its recommendation to Town Meeting.
- Once the Committee has made a preliminary selection of projects for funding, the Committee will work with the applicants for those projects to advance them for funding by Town Meeting.
- The Committee reserves the right to attach conditions, and to require deed restrictions and additional agreements, before its favorable funding recommendation to Town Meeting or as a condition in the award letter.

APPENDIX

1. 2013 Project Proposals and Committee Funding Recommendations

2013 CPC Project Deliberations --- Status: Final after 03/07/2013					
		Project	CPA Category	Requested Amounts	Final Recommended Amounts
1	ToA - Open Space Committee	Open Space Set-Aside	OS	$ 400,000	$ 300,000
2	ToA - Nat. Resources	Arboretum - Wildflower Boardwalk	OS	$ 24,000	$ 24,000
3	AHA	Sachem Way Siding Replacement	CH	$ 345,031	$ 280,000
4	ToA - Mun. Prop.	Historic Street Scapes - shade tree plantings in historic districts	HP	$ 10,000	$ 10,000
5	W.A. Baptist Church	Belfry Restoration	HP	$ 18,563	$ 18,563
6	W.A. Baptist Church	Master Plan	HP	$ 22,500	$ 22,500
7	ToA - HDC	Preservation Loan Program	HP	$ 100,000	$ -
8	ToA - Rec. Comm.	NARA - picnic pavilion	R	$ 230,000	$ 100,000
9	ToA - Rec. Comm.	NARA improvements - comfort station design	R	$ 25,000	$ 25,000
10	ToA - Rec. Comm.	Elm St. playground & tennis courts	R	$ 75,000	$ 75,000
11a	ToA - Morrison Farm Comm.	Morrison Farm improvements OS/HP/R	OS 5%	$ 259,000	$ 12,950
11b	ToA - Morrison Farm Comm.	Morrison Farm improvements OS/HP/R	HP 5%	$ -	$ 12,950
11c	ToA - Morrison Farm Comm.	Morrison Farm improvements OS/HP/R	unassigned 90%	$ -	$ 233,100
12	CPC	Historic Preservation Set-Aside (2004 make-up)	HP 2004 make up	$ -	$ 500
13	CPC	Historic Preservation Set-Aside (2013 make-up)	HP	$ -	$ 35,246
14	CPC/ToA	CPA Program Support = 5% of ('12 coll. surcharge + '13 MA tr. fd. distr.)	ADMIN	$ 49,629	$ 49,629
				$ 1,558,723	$ 1,199,438

The 2013 Annual Town Meeting adopted all the Committee's recommendations except those pertaining to Morrison Farm.

The June 2013 Special Town Meeting appropriated, pursuant the Committee's recommendation, $1,060,000 from the Open Space Set-Aside Fund and $50,000 from the general Community Preservation Funds towards the purchase of 20.68 acres of forested open space at the

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intersection of Newtown Road with Arlington Street. The total acquisition cost for the land was $1,320,000. Town Meeting also appropriated $260,000 from the Town's 'free cash' for the acquisition.

The remaining CP Fund balance after the 2013 Town Meeting appropriations is $211,960.

The Open Space Set-Aside Fund appropriations are cumulative and subject to future appropriations by Town Meeting for specific projects or land acquisitions. The Open Space Set-Aside Fund balance after the 2013 Town Meeting appropriations into the fund and from the fund is $1,538,572.

The Historic Preservation Set-Aside Fund totals $49,224.00. There are no set-aside fund balances for community housing.

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APPENDIX

2.a 2013 ANNUAL TOWN MEETING – COMMUNITY PRESERVATION PROGRAM ARTICLES

ARTICLE 30 COMMUNITY PRESERVATION PROGRAM – MORRISON FARM
(Two-thirds vote)

To see if the Town will (i) appropriate $2,505,000, or some other greater or lesser amount, to pay costs of carrying-out the Morrison Farm Implementation Plan, so-called, including the payment of all costs incidental and related thereto; (ii) authorize the Treasurer with the approval of the Board of Selectmen, to borrow said amount for a repayment term of not less than 15 years under and pursuant to Chapter 44B of the General Laws, or pursuant to any other enabling authority; (iii) authorize the Town Manager to take any other action necessary to carry out this project, and (iv) take any other action relative thereto.

SUMMARY

The Morrison Farm Committee, on behalf of the Board of Selectmen, prepared a concept plan for Morrison Farm to create an historic, nature, open space and recreation park on approximately 50 acres of land and pond area owned by the Town of Acton stretching from East Acton Village to the Robbins Homestead site on Concord Road, including Ice House Pond, all of the farmland along Ice House Pond, and stretching further upstream along Nashoba Brook.

The concept plan presents a multi-element, multi-year implementation program that seeks a total of $2,764,000 in Community Preservation funding support. It calls for approximately 15 acres of forested land to be protected under the care of the Conservation Commission, a large open meadow, the continuation of community garden plots and the Pam Resor Orchard; formal preservation of the Robbins Homestead site and Alarm Stone, the preservation of the Ice House Foundation, and the creation of a new building envisioned as the Morrison Nature and History Center; boardwalks and trails and a connecting bridge, a picnic area, playground and the East Acton Village Green, and a playing field for informal pick-up games. Attention would be given to universal designs to accommodate people with various accessibility needs. The existing house will remain. The barn would be demolished, with funds for the demolition coming from non-CPA sources.

With this article the Community Preservation Committee recommends that the Town authorizes the borrowing for most of the project cost. This recommendation is conditioned as follows: (1) that the Town repurposes approximately 15 acres of forested backland of the subject property from "general municipal" to "conservation" and place that acreage under the care and protection of the Town of Acton Conservation Commission, (2) that the Robbins Homestead site and Alarm Stone shall not be disturbed without the written consent of the Historical Commission, and (3) that no Community Preservation funds shall be used for the demolition of the existing barn.

This project is eligible for funding in three CPA categories: open space, historic preservation, and recreation. The Committee has assigned this recommended appropriation to the CPA categories in the following proportions: open space – 5%; historic – 5%; and the rest remains unassigned. In a separate article, the Committee will recommend a direct appropriation from available funds to begin project planning and design and make other project preparations.

Direct inquiries to: Roland Bartl, AICP, Planning Director: planning@acton-ma.gov / (978) 929-6631
Selectman assigned: David Clough: bos@acton-ma.gov / (978) 929-6611

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

(Note: This article failed.)

ARTICLE 31 **COMMUNITY PRESERVATION PROGRAM –**
(Two-thirds vote) **OPEN SPACE ACQUISITION**

To see if the Town will vote to:

(a) authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Selectmen may determine, and to accept a deed of fee simple interest in a portion of the real property depicted on Assessors' Map D-3 as Parcel 10, consisting of approximately 20.68 ± acres of open space for conservation purposes under M.G.L. c. 44B, the Community Preservation Act;

(b) appropriate the purchase price and all necessary and appropriate transaction costs for said purchase including, without limitation, costs for due diligence, legal services, bonding, conservation restriction and its monitoring and enforcement, and other transaction, acquisition and related costs;

(c) transfer, appropriate and expend, pursuant to the favorable recommendation of the Community Preservation Committee from the existing Open Space Set Aside portion of the Community Preservation Fund balance a sum of money consistent with this article;

(d) authorize the Treasurer, with the approval of the Selectmen, and pursuant to the favorable recommendation of the Community Preservation Committee, to borrow for a repayment term of not less than 15 years a sum of money as authorized under the Community Preservation Program pursuant to M.G.L. c. 44B, § 11, and to transfer, appropriate and expend said amount consistent with this article;

(e) raise, appropriate, transfer from available funds or accept gifts and grants of such additional funds as are necessary to accomplish the purposes of this article;

(f) authorize the Selectmen and the Conservation Commission to submit on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts, or the United States, under the Self-Help Act (M.G.L. Chapter 132A § 11) and/or any other state or federal programs including those in aid of conservation land acquisition, and to transfer, appropriate and expend any said amount so received consistent with this article;

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(g) authorize and direct the Board of Selectmen to impose a perpetual Conservation Restriction on the open space so acquired, in accordance with M.G.L. c. 44B, § 12(a) and M.G.L. c. 184, §§ 31-33, on such terms and conditions as the Selectmen may determine (the "Conservation Land");

(h) authorize and direct the Board of Selectmen in accordance with M.G.L. c. 44B, § 12(b), to delegate the management of the Conservation Land to the Conservation Commission subject to the perpetual Conservation Restriction as aforesaid; and

(i) to authorize the Selectmen, the Town Manager, the Treasurer, and the Conservation Commission, as appropriate, to enter into all agreements and execute any and all instruments as may be necessary to effect this article;

or take any other action relative thereto.

SUMMARY

With this article the Community Preservation Committee recommends that the Town acquires 20.68 ± acres of open space located at the corner of Arlington Street and Newtown Road for conservation purposes and authorizes the borrowing for the cost of this acquisition. The subject land is of extreme strategic value to the town as open space as it connects two major, existing conservation properties and would provide an open space corridor stretching virtually across the entire town. This land would support residential development if not acquired, and is listed as the second most important parcel for acquisition and protection on the Town's Open Space priority list. The property is home to various wildlife species and represents a rare opportunity to protect a major open space parcel in Town. Acquisition of this property also potentially enables the Town to protect an additional 10 (or so) acres that are contiguous to this property. This recommendation is conditioned on the Town imposing a perpetual Conservation Restriction on the land and placing it under the care and protection of the Town of Acton Conservation Commission.

Direct inquiries to: Roland Bartl, AICP, Planning Director: planning@acton-ma.gov / (978) 929-6631
Selectman assigned: David Clough: bos@acton-ma.gov / (978) 929-6611

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

(Note: No action was taken on this article)

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APPENDIX

ARTICLE 32 **COMMUNITY PRESERVATION PROGRAM –**
(Majority vote) **DIRECT APPROPRIATIONS FROM FUND BALANCE**
(Note: This article was approved except for items related to Morrison Farm.)

Comment [k1]: Moved from below.

To see if the Town will vote to appropriate or set aside for later appropriation, and to authorize and direct the Board of Selectmen and the Town Manager to expend or set aside, from the FY 2012 Community Preservation Fund balances as set forth herein, the amounts listed below for community preservation purposes, with such expenditures to be subject to conditions listed in the Article's Summary and to be further specified in award letters from the Community Preservation Committee, with each item considered a separate appropriation;

FY 2012 COMMUNITY PRESERVATION FUND BALANCES	
FY 2012 Community Preservation Fund Revenues	
Community Preservation Fund Surcharge Collected in FY 2012	$ 783,627.72
State Community Preservation Trust Fund Receipt, October 2012	$ 208,957.00
Other FY 2012 Community Preservation Fund Components	
Interest Earned in FY 2012	$ 23,687.55
Unencumbered FY 2012 Fund Balance	$ 194,797.00
Recapture of unspent previous years' project appropriations	$ 4,279.17
Total - FY 2012 Community Preservation Fund Balance	**$ 1,215,348.44**
FY 2012 Open Space Set-Aside	
Set-Aside Fund Balance from appropriations for the Acquisition, Creation, and Preservation of Open Space and its Rehabilitation and Restoration	$ 2,077,537.12
Recaptures to the Set-Aside Fund Balance for the Acquisition, Creation, and Preservation of Open Space and its Rehabilitation and Restoration, of proceeds from the sale of property (Gaebel house at Piper Road) and of unspent project appropriations related to the Gaebel land purchase	$ 221,034.75
Total FY 2012 Open Space Set-Aside Fund Balance	**$ 2,298,571.87**
FY 2012 Historic Set-Aside	
Set-Aside Fund Balance from appropriations for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	$ 528.00
Total FY 2012 Historic Set-Aside Fund Balance	**$ 528.00**
APPROPRIATIONS FROM COMMUNITY PRESERVATION FUND BALANCE	
Purposes	**Recommended Amounts**
Set Aside Appropriations for	
A. Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration	$ 300,000.00
B1. Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources; required make-up for under-spending in 2004 after recapture	$ 500.00

B2. Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources; required make-up for under-spending in 2013	$ 35,246.00
Spending Appropriations	
C. Acton Arboretum – Wildflower Boardwalk	$ 24,000.00
D. Acton Housing Authority – Sachem Way Siding Replacements	$ 280,000.00
E. Historic Streetscapes Restoration Program – Shade Tree Plantings	$ 10,000.00
F. West Acton Baptist Church – Belfry Restoration	$ 18,563.00
G. West Acton Baptist Church – Master Plan	$ 22,500.00
H. NARA – Picnic Pavilion	$ 100,000.00
I. NARA – Concession & Comfort Station Design	$ 25,000.00
J. Elm Street – Playground and Tennis Courts	$ 75,000.00
K. Morrison Farm Park Improvements #	$ 259,000.00
Administrative Spending Appropriation	
L. A fund for CPC direct expenses and for reimbursing the Town of Acton for administrative services and operating expenses provided in support of the Community Preservation Committee	$ 49,629.00
Total Recommended Appropriations from FY 2012 Community Preservation Fund Balance and Current Historic Set-Aside Fund	**$ 1,199,438.00**
Resulting Fund Balances	
Remaining FY 2012 Community Preservation Fund Balance	$ 15,910.44
Resulting Balance in the Set-Aside Fund for the Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration ##	$ 2,598,571.87
Resulting Balance in the Set-Aside Fund for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	$ 36,274.00

Line item K shall not be appropriated if related Article 30, which would authorize borrowing for the Morrison Farm Park project, fails.

The line items related to the Open Space Set-Aside balances in the above table may change as a result of the vote taken on Article 31.

, or take any other action relative thereto;

And, whereas Massachusetts General Laws, Chapter 44B requires that the Town appropriate for spending, or set-aside for future spending, from the 2012 Community Preservation Fund Revenues at least 10% for open space, 10% for historic preservation, and 10% for community housing;

And, whereas the recommended appropriations for open space, historic preservation, and community housing each meet or exceed 10% of the 2012 Community Preservation Fund Revenues;

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 2012 Community Preservation Fund Balance the minimum necessary amounts to allocate not less than 10% of the FY 2012 Community

Preservation Fund Revenues for open space ($99,258.48), not less than 10% of the FY 2012 Community Preservation Fund Revenues for historic preservation ($99,258.48), and not less than 10% of the FY 2012 Community Preservation Fund Revenues for community housing ($99,258.48), or take any other action relative thereto.

SUMMARY

This article would make appropriations from the Town's Community Preservation Fund balance. All items listed are recommended by the Community Preservation Committee.

In 2002, the Town adopted the Community Preservation Act, Massachusetts General Laws Chapter 44B (CPA). 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 CPA, the Community Preservation Fund may be used to acquire, create and preserve open space; to acquire, preserve, rehabilitate, and restore historic resources; to acquire, create, preserve and support community housing; to acquire, create, preserve, rehabilitate and restore land for recreational use; to rehabilitate and restore open space and community housing that were acquired or created with Community Preservation Funds; and for certain related expenses in support of the foregoing. Community housing is defined as housing for low- and moderate-income individuals and families. This is the ninth year of appropriations from Acton's Community Preservation Fund.

Local adoption of the CPA 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 September 2012, the Community Preservation Committee published its 2013 Community Preservation Plan with guidelines for the submission of projects seeking funding. The Committee received sixteen applications for funding of proposed projects and programs. The Committee reviewed all applications, interviewed proponents, and solicited legal opinions on the proposals to help evaluate their eligibility under the Act. This article represents the Committee's overall recommendation for appropriations which includes recommended funding for ten of the proposed projects and programs from the available Community Preservation Fund balance. The recommended funding levels may differ from the amounts requested by the projects' proponents and some of the proposed projects have undergone significant transformations from how they were proposed originally. One of the projects, the Morrison Farm Park Improvements (line item K), is recommended for additional funding through borrowing in Article 30 of this warrant. The recommended line item K appropriation for the Morrison Farm Park Improvements in this article is contingent upon the approval of Article 30.

All recommended amounts are "up-to" spending limits. Savings, if any, will be available for future appropriations. As in previous years the recommended appropriations include a set-aside for open space. The recommended appropriations leave a remaining Community Preservation

Fund balance of $15,910.44 that is available for future Town Meeting appropriations in all eligible funding categories under the Act.

The CPA states that Town Meeting may delete or reduce any of the recommended appropriations, but may not add new items or increase the recommended appropriations. The Act also requires that the Community Preservation Committee recommends and that Town Meeting appropriates in each fiscal year the spending of not less than 10% ($99,258.48) of the annual revenues in the Community Preservation Fund for each of the following: open space; historic resources; and community housing. The Committee may also recommend the eminent domain taking by the Town of interest in real property (not recommended this year), the borrowing of funds for Community Preservation (see separate articles in this warrant), and an appropriation of not more than 5% of the annual revenues of the Community Preservation Fund for the Committee's administrative and operating expenses ($49,629.00 recommended).

A total of $4,279.17 has been recaptured from unspent prior years' Community Preservation project appropriations and closed to the Community Preservation Fund. From 2004: Historic District Signs - $500.00. From 2010: Windsor Building restoration - $100.00, Theater III restoration - $3,347.17, 468 Main St. windows - $200.00; Town Hall windows - $132.00. In addition, proceeds from the sale of the Gaebel house and left-over funds from the 2008 Gaebel land purchase appropriation, together $221,034.75, have been recaptured to the Open Space Set-Aside Fund.

A. Open Space Set-Aside

The current Open Space Set-Aside Fund balance is $2,298,571.87. This balance includes the proceeds from the sale of Gaebel house returned to the set-aside fund pursuant to Article 2 of the October 2008 Special Town Meeting appropriation to purchase the Gaebel land, and left-over funds from said land purchase appropriation, totaling $221,034.75. This item adds $300,000.00 to the existing open space set-aside fund, from which Town Meeting, with the recommendation of the Community Preservation Committee, may appropriate spending for the purpose of acquisition, creation, and preservation of open space, or its rehabilitation or restoration.

B. Historic Preservation Set-Aside(s)

The recapture of $500.00 in unspent CPA funds previously appropriated in 2004 for the Historic District Signs would put the Town $500.00 below the 10% statutory minimum threshold for either spending or setting aside for later spending CPA funds for historic preservation, rehabilitation and restoration purposes in that year. To make up this shortfall, the Committee recommends a $500.00 appropriation to the Set-Aside Fund for the Acquisition, Preservation, Rehabilitation, and Restoration of Historic Resources.

This year the total recommended appropriation for historic preservation, rehabilitation, and restoration projects is less than the statutory 10% minimum. To make up for this shortfall, the Committee recommends that Town Meeting also set-aside $35,246.00 to the Set-Aside Fund for the Acquisition, Preservation, Rehabilitation, and Restoration of Historic Resources.

Town Meeting, with the recommendation of the Community Preservation Committee, may appropriate spending from this set-aside fund for the purpose of acquisition, preservation, rehabilitation and restoration of historic resources.

C. Acton Arboretum – Wildflower Boardwalk

The existing 145 foot boardwalk is part of the wildflower loop trail in the Acton Arboretum. Built in 1994, it needs to be replaced due to substantial rot of the supporting structure. The recommended $24,000 appropriation will help fund the construction of a new boardwalk. Pledged and anticipated additional contributions to this effort include a $5,000 donation from the Friends of the Acton Arboretum, other anticipated cash and in-kind donations, volunteer efforts, and help from the Natural Resources Department. A professional builder will oversee the work. The boardwalk will meet today's universal access standards and is expected to last 20-30 years. The project is subject to approval by the Conservation Commission.

D. Acton Housing Authority – Sachem Way Siding Replacements

All the Acton Housing Authority's existing older buildings at Sachem Way need new roofs. In addition the plywood siding and insulation on the 12 unit family buildings must be replaced due to warping and detachment of the siding material. In this weathered condition, the particulars of the existing assembly (the plywood siding serves double-duty as sheathing on top of exterior rigid insulation panels, and provides for structural rigidity of the buildings in the apparent absence of diagonal bracing) has allowed water penetration sufficient to compromise the batt insulation between the studs. If left unchecked, the condition will eventually compromise the integrity of the buildings.

The Acton Housing Authority expects to receive State funding for the re-roofing, expected to cost about $150,000.00. The re-siding component of the project, including new batt insulation, new sheathing, new rigid exterior insulation, and new durable fiber cement siding, is expected to cost $354,031.00. The recommended $280,000.00 appropriation will help pay for the re-siding. The Acton Community Housing Corporation has pledged to fund the difference. The Housing Authority intends to bid the roofing and siding projects together to increase efficiency and reduce overall cost.

E. Historic Streetscapes Restoration Program – Shade Tree Plantings

This recommended $10,000 appropriation continues funding for the restoration of the historic streetscapes in the Acton Center, South Acton, and West Acton Historic Districts through the replanting of public shade trees. The program began with a 2009 CPA appropriation, also $10,000, which yielded 24 trees. This program renewal will fund approximately the same number of additional new trees at an average of eight trees per year. All work will be performed on publicly owned lands and streets, or on adjacent properties as allowed by Massachusetts General Law Chapter 87.

F. West Acton Baptist Church – Belfry Restoration

The West Acton Baptist Church, located at the corner of Massachusetts Avenue and Central Street and in the West Acton Historic District, was built in 1854. The belfry's golden dome replaced the original steeple in 1934. The bell itself was cast in Boston in 1854 by a former apprentice of Paul Revere.

The wood of the belfry's interior structure is so damaged and rotted by water exposure and penetration that it must be restored as soon as possible. The floor supporting the bell is soft, appears to have dropped, and its underside shows water damage. The bell cannot be rung safely until the restoration work is done. Further neglect would not only jeopardize the entire

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belfry, but also risk damage to other parts of the building. The recommended $18,563 appropriation helps restore the interior of the church belfry. The total estimated cost of the work is $20,625. The congregation will pay for the difference. Funding of this project is subject to a certificate of appropriateness or non-applicability by the Historic District Commission and contingent upon receipt of a fully executed perpetual historic preservation restriction that is acceptable to the Town.

G. West Acton Baptist Church – Master Plan

While the previous recommended appropriation (F) addresses an emergency restoration need in the belfry of the West Acton Baptist Church, the entire building requires attention. This recommended $22,500 historic preservation appropriation will help fund a restoration and rehabilitation master plan for the building to evaluate the facility's condition, help identify critical needs and set restoration work priorities that integrate with the future anticipated use or uses of the facility. The total estimated cost of the work is $25,000. The congregation will pay for the difference. A similar study was funded through CPA some years earlier for the nearby Theater III building. That study was crucial in defining the actual needs of the building and scoping out the restoration and rehabilitation work that ensued, which was also supported partially with Acton Community Preservation Funds. The Theater III work is now completed. The Committee anticipates a similarly successful historic preservation project in the case of the West Acton Baptist Church. As with item F above, funding of this project is contingent upon receipt of a fully executed perpetual historic preservation restriction that is acceptable to the Town. In addition, the final scope of work shall be reviewed by the Community Preservation Committee before any fund payments are made to ensure full compliance with CPA eligibility criteria.

H. NARA – Picnic Pavilion

The recommended $100,000.00 appropriation for the NARA Park Pavilion augments the April 2008 appropriation of $250,000.00 from the Community Preservation Fund for this project. The pavilion will be sited on a lawn area between the playground and the amphitheatre, overlooking NARA's pond and beach.

The project, originally designed as a modular timber frame structure, was advertised in September 2008. Partially due to applicable State laws and regulations it failed to attract any bidders. Shortly afterward, a court decision in the Seideman vs. City of Newton case made the pavilion project ineligible for CPA funding. Since then, while waiting for legislative changes to cure the problems that Seideman v. Newton created, the Town engaged an architect to revise project design for a custom built pavilion that can attract qualified construction bidders while providing for compliance with State laws and regulations. The new custom design has a higher price. The CPA was finally changed in July 2012, making the pavilion project once again eligible for CPA funding.

The Town has requested $230,000 in supplemental funding. This $100,000 award anticipates the Town finding other funding sources or further revising the design to bring costs in line with available funds.

I. NARA – Concession & Comfort Station Design

NARA Park is now home to the Joseph Lalli Miracle Field, the first handicap accessible ball field specially designed for children with disabilities in New England. As NARA Park continues to grow, so does the demand to supply the amenities park users require. The recommended

$25,000 appropriation will fund the engineering and architectural design for a multi-use building with septic system near the miracle field that includes restroom facilities, storage space, and room for a concession stand. The total estimated cost for this design project is $30,000. The difference is made up with pledged donated services.

J. Elm Street – Playground and Tennis Courts

The renewal of the Elm Street playground, located at 19 Elm Street behind the tennis courts and next to Jefferson Farms condominium, was another victim of the Seideman v. Newton court decision (see H above). Awarded $75,000 of Community Preservation Funds in 2008, the project could not proceed as a legally eligible CPA project until a remedial amendment to the CPA statute could be passed, which finally occurred in July 2012. The recommended $75,000 appropriation is for a toddler playground (~$50,000) and for new tennis court surfaces (~$25,000).

The plan for the playground calls for safety engineered wood fiber surfacing, fencing, a cement pad added under the existing 24' x 24' picnic shelter, a cement sidewalk, and the professional installation of toddler playground equipment. The Acton Children's School has donated used toddler playground equipment valued at approximately $25,000; in addition there will be a new set of four swings.

The two adjoining tennis courts will be resurfaced with new line paintings. The courts were last resurfaced 10 years ago. The Acton Recreation Department advises that doing this relatively inexpensive surface restoration now will prevent further deterioration and avoid a much more expensive full depth reconstruction later.

K. Morrison Farm Park Improvements

The Morrison Farm Committee, on behalf of the Board of Selectmen, prepared a concept plan for Morrison Farm to create an historic, nature, open space and recreation park on approximately 50 acres of land and pond area owned by the Town of Acton stretching from East Acton Village to the Robbins Homestead site on Concord Road, including Ice House Pond, all of the farmland along Ice House Pond, and stretching further upstream along Nashoba Brook.

The concept plan presents a multi-element, multi-year implementation program that seeks a total of $2,764,000 in Community Preservation funding support. It calls for approximately 15 acres of forested land to be protected under the care of the Conservation Commission, a large open meadow, the continuation of community garden plots and the Pam Resor Orchard; formal preservation of the Robbins Homestead site and Alarm Stone, the preservation of the Ice House Foundation, and the creation of a new building envisioned as the Morrison Nature and History Center; boardwalks and trails and a connecting bridge, a picnic area, playground and the East Acton Village Green, and a playing field for informal pick-up games. Attention would be given to universal designs to accommodate people with various accessibility needs. The existing house will remain. The barn would be demolished, with funds for the demolition coming from non-CPA sources.

Most of the project cost will be bonded subject to approval by Town Meeting of separate Article 30 in this warrant. With this article, the Committee recommends the appropriation of $259,000 from the currently available Community Preservation Fund balance of the aforesaid total amount to fund upfront "soft costs, such as an archeological survey, planning, engineering, architectural design, and the cost of issuing the bond. This project is eligible for funding in three

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CPA categories: open space, historic preservation, and recreation. The Committee has assigned this recommended appropriation to the CPA categories in the following proportions: open space - 5% ($12,950.00); historic - 5% ($12,950.00); and the rest remains unassigned.

L. Administrative and Operating Expenses

The recommended appropriation in the amount of $49,629 is 5% of the FY 2012 revenues in the Community Preservation Fund as provided in the Act (local surcharge and State trust fund receipts). The funding is to help the Town with administrative and legal expenses incurred in connection with the support of the Community Preservation Committee and Program, and to pay for the Community Preservation Committee's direct expenses such as the annual membership in the Massachusetts Community Preservation Coalition.

Direct inquiries to: Roland Bartl, AICP, Planning Director: planning@acton-ma.gov / (978) 929-6631
Selectman assigned: David Clough: bos@acton-ma.gov / (978) 929-6611

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

~~**(Note: This article was approved except for items related to Morrison Farm.)**~~

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APPENDIX

2.b 2013 JUNE SPECIAL TOWN MEETING – COMMUNITY PRESERVATION PROGRAM ARTICLE

ARTICLE 4 **COMMUNITY PRESERVATION PROGRAM –**
(Two-thirds vote) **OPEN SPACE ACQUISITION**

To see if the Town will vote to:

(a) authorize the Board of Selectmen to (i) exercise the Town's first refusal option under M.G.L. c. 61, § 8, (ii) acquire by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Selectmen may determine, and (iii) accept a deed of fee simple interest in a portion of the real property depicted on Assessors' Map D-3 as Parcel 10, consisting of approximately 20.68 ± acres of open space for conservation purposes under M.G.L. c. 44B, the Community Preservation Act;

(b) appropriate the acquisition price and all necessary and appropriate transaction costs for said acquisition including, without limitation, costs for due diligence, legal services, bonding, conservation restriction, stewardship endowment, and other transaction, acquisition and related costs;

(c) transfer, appropriate and expend, pursuant to the favorable recommendation of the Community Preservation Committee from the existing Open Space Set Aside portion of the Community Preservation Fund balance an amount not to exceed $1,060,000 for the acquisition, consistent with this article, of the real property described in paragraph (a) of this article;

(d) transfer, appropriate and expend, pursuant to the favorable recommendation of the Community Preservation Committee from the existing Community Preservation Fund balance an amount not to exceed $50,000 for all other costs related to the acquisition of the aforesaid real property, consistent with paragraph (b) of this article;

(e) raise, appropriate, transfer from available funds or accept gifts and grants of such additional funds as are necessary to accomplish the purposes of this article;

(f) authorize the Selectmen and the Conservation Commission to submit on behalf of the town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts, or the United States, under the Self-Help Act (M.G.L. Chapter 132A § 11) and/or any other state or federal programs including those in aid of conservation land acquisition, and to transfer, appropriate and expend any said amount so received consistent with this article;

(g) authorize and direct the Board of Selectmen to impose a perpetual Conservation Restriction on the open space so acquired, in accordance with M.G.L. c. 44B, § 12(a) and M.G.L. c. 184, §§ 31-33, on such terms and conditions as the Selectmen may determine (the "Conservation Land");

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(h) authorize and direct the Board of Selectmen in accordance with M.G.L. c. 44B, § 12(b), to delegate the management of the Conservation Land to the Conservation Commission subject to the perpetual Conservation Restriction as aforesaid; and

(i) authorize the Board of Selectmen, the Town Manager, the Treasurer, and the Conservation Commission, as appropriate, to enter into all agreements and execute any and all instruments as may be necessary to effect this article;

or take any other action relative thereto.

MOTION

Move that the Town authorize the exercise of the first refusal option; the acquisition, restriction, and delegation of the real property; the appropriation and expenditure of $1,370,000 toward the acquisition price and associated transaction costs; and all other measures set forth in the Article; and to raise this amount:

$1,060,000 be transferred from the Community Preservation Fund Open Space Set-Aside Fund Balance;
$ 50,000 be transferred from the Community Preservation Fund Balance; and
$ 260,000 be transferred from Free Cash.

SUMMARY

Pursuant to General Laws chapter 61 (the forest land classification statute), the current owner of the subject property has tendered to the Town a "Notice of Intent to Sell for Other Use" a portion of the real property depicted on Assessors' Map D-3 as Parcel 10, consisting of approximately 20.68 ± acres of undeveloped land. Along with the Notice of Intent, the owner has provided an executed Purchase and Sale Agreement to sell the property to a developer for $1,320,000, for development as a residential subdivision. Assuming the Notice of Intent satisfies all statutory criteria bona fide offer to purchase, the Notice triggers a 120 day period during which the Town has the first refusal option to meet the bona fide offer to purchase the land.

The land in question is a top priority parcel for open space acquisition by the Town. This article authorizes all necessary actions for the Town to exercise the first refusal option, meet the bona fide offer to purchase the land, acquire the property using a combination of CPA funds and free cash, and restrict the property in perpetuity as conservation land and open space.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: David Clough: bos@acton-ma.gov / (978) 929-6611

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

APPENDIX

3. Community Preservation Committee 2012 Annual Report

The Community Preservation Committee (CPC) is responsible for the administration of the Community Preservation Fund, the selection of projects for recommendation to Town Meeting for funding, and the monitoring of the progress of funded community preservation projects. By statute, Community Preservation Funds may be allocated to those projects which support the acquisition, creation, and preservation of open space, historic resources, community housing, and land for recreational use.

From the first funding round in 2004 through October 2007 the Town benefited from a 100% State match for all locally raised Community Preservation Funds. Due to a revenue drop in the Massachusetts Community Preservation Trust Fund and an increasing number of cities and towns adopting the Community Preservation Act (CPA, M.G.L. Ch. 44B), the 2008 State match dropped to 67%, 2009 it was 35%, in 2010 and 2011 the match was 27%. For 2012 Acton received 26.83% match ($208,957). Acton's Community Preservation Program continues to successfully support and fund worthy and eligible projects.

At the beginning of 2012, the Community Preservation Fund balance stood at $1,389,267 plus $1,577,537 was in the Open Space Set-Aside Fund. In April 2012, Town Meeting approved funding from the Community Preservation Fund for six projects, an additional set-aside of $500,000 for open space, a small set-aside for historic preservation of $528 in order to meet the minimum statutory funding requirements and administrative costs, for a total of $1,194.470.

A Community Preservation Fund balance of $194,797 remained unallocated and the Open Space Set-Aside Fund is now at $2,077,537. The funded projects included support for affordable community housing at $340,000; historic preservation and rehabilitation of various structures, including the restoration of the Town Hall Tower Clock for a total of $96,000; and improvement of the T.J. O'Grady Skate Park for $210,000. The CPA statute provides that the Town may be reimbursed up to 5% for direct and administrative costs for the CPA Program, which totaled $47,942 for 2012.

Following the Annual Town Meeting the CPC issued award letters to fund recipients.

Some community preservation projects that were completed during 2012 are:

- The restoration of several windows in the historic part of Memorial Library.
- The restoration of the Town Hall Tower Clock.
- The restoration and rehabilitation of the Acton Women's Club entrances.

To date, CPC funds have supported approximately 79 community preservation projects throughout the community; some of them are still in progress.

As of June 30, 2012, the Town had raised approximately $759,459 from the local CPA surcharge for FY2012 (unaudited) and in October 2012 received $208,957 in State matching funds (26.83%). Together with $194,797 that remained unallocated at the 2012 Annual Town Meeting, Acton's total Community Preservation Fund balance at the end of 2012 is approximately $1,163,213, plus interest earned in FY2012 and left-over funds to be recaptured from prior years' project appropriations. In addition there is $2,298,572 in a set-aside fund for open space, which includes the $2,077,537 balance at the end of the 2012 Annual Town Meeting plus $221,035 returned to the Open Space Set-Aside Fund from the sales proceeds of the Gaebel House at Piper Road pursuant to the 2008 Special Town Meeting and 2010 Town

APPENDIX

Meeting votes that authorized the Gaebel open space land acquisition, and $528 in the historic preservation set-aside fund.

Over the summer of 2012 the CPC updated the annual Community Preservation Plan. This process included soliciting comments from community organizations and Town Committees, a public hearing in September to ascertain the needs, possibilities and resources of the Town regarding community preservation, and comments and suggestions from Townspeople and representatives of interest groups eligible for CPC funding. The Final 2013 Plan was published in September 2012 and is posted on the Town website. It contains updated guidelines and information for applicants seeking community preservation funds.

In November, the Committee received new applications for funding in 2013. The CPC will review the applications and will be interviewing the applicants. The CPC will then deliberate and decide which projects and which funding levels to recommend to the 2013 Annual Town Meeting. In its deliberations, the CPC will consider available funding, the applicants' proposals, legal opinions, applicant interviews, input from Town Boards, including the Board of Selectmen and Finance Committee, and comments from the general public.

The Community Preservation Committee generally meets every 2nd and 4th Thursday of the month in either the Acton Memorial Library meeting room or room 204 at Town Hall. All CPC meetings are open to the public and the Committee welcomes public participation throughout our annual process. Townspeople may e-mail the Committee at cpc@acton-ma.gov or contact the Town Planning office at (978) 929-6631 with questions, comments, and feedback. For additional information and to view the current Community Preservation proposals, townspeople may visit the Community Preservation page on the Town website at www.acton-ma.gov.

2012 CPC Members:
Roland Bourdon – Planning Board (Chairman)
Ken Sghia-Hughes – Acton Housing Authority (Vice-Chair)
Amy Green – Conservation Commission (Clerk)
Victoria Beyer – Historical Commission
David Clough – Board of Selectmen Walter Foster – At Large
Elisabeth Mercier – Recreation Commission
Susan Mitchell-Hardt – At large
Corrina Roman-Kreuze – At large
Doré Hunter – Associate
Peter Ashton – Associate
Planning Department - Town staff support

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4. Sample Award Letters

Community Preservation Committee

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (978) 264-9636
Fax (978) 264-9630
cpc@acton-ma.gov
www.acton-ma.gov

April 29, 2010

Mr. Steven Ledoux
Town Manager
Town of Acton
472 Main Street
Acton, MA 01720

Re: 2010 CPA Project Funding – Town of Acton
Open Space Acquisition, Caouette Land – up to $1,000,000

Dear Mr. Ledoux:

Congratulations to the Town of Acton on being a recipient of 2010 Community Preservation Open Space Set-Aside funds. The Town's effort and cooperation during this year's project selection process helped secure the necessary support at the Annual Town Meeting of all the Community Preservation Committee's (CPC) spending recommendations. Voters agreed that each funded project is worthwhile and now they expect that each will be well executed. Before you move forward with the project, please pay close attention to the following important instructions and funding conditions:

- The Town staff person assigned to this project is Roland Bartl, Planning Director. All necessary documentation and communication with the Town regarding this project shall be directed to him.
- CPA funding for this project is available immediately following the release date of this letter, up to $1,000,000, subject to the Town's due diligence investigations with respect to land title and environmental site assessment resulting in satisfactory outcomes and required remedies, if required, as the Board of Selectmen may determine.
- CPA funds shall be used in accordance with standard Town procedures and policies for the land purchase after preparation of a recordable plan and a recordable perpetual conservation restriction, and receipt of an acceptable deed to the land at closing.

- 1 -

- Any significant changes to the project from what was presented in the funding application and during the project selection process shall require CPC approval. Please contact Roland Bartl, Planning Director (978-264-9636; rbartl@acton-ma.gov) to discuss whether or not a change must be considered significant, and if necessary to schedule an appointment with the CPC.

- Upon completion of the project and payment of all bills, you must certify completion in writing to the Planning Director. Once he receives your certification, your project account will be closed and no further funds shall be available thereafter for this project.

- Any CPA funds awarded to this project and not used upon project completion shall be returned to the general CPA fund of the Town and made available for future appropriation by Town Meeting for other projects.

- Good publicity for your project is very important. It is important for Acton citizens to know where their CPA funds are being spent. Therefore, the CPC asks that you make every effort to credit the source of this funding at any meetings and in any written materials related to this project. Please submit a letter to the CPC detailing how the funds have benefited your project. The CPC has signs that give funding credit to the Acton CPA program that should be posted at the project sites while work is ongoing.

The Community Preservation Committee would appreciate a notice when work on the project has commenced, periodic updates concerning the progress of your project, and especially notification upon completion. For updates or general questions please contact the CPC via email - cpc@acton-ma.gov, or by calling the Planning Department at (978) 264-9636.

Finally, please sign and return to Roland Bartl the attached acceptance form. Thank you for working in partnership with the CPC to make a significant and lasting difference in our Town.

Sincerely,

JMBen

Jon Benson
Chairman
Community Preservation Committee

cc: Board of Selectmen
Roland Bartl, Planning Director
Dean Charter, Tree Warden/Director of Municipal Properties
Karen Kucala, Assistant Finance Director
OSC
Tom Tidman, Nat Res. Dir.

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- 2 -

APPENDIX

Re: 2010 CPA Project Funding – Town of Acton
Open Space Acquisition, Caouette Land – up to $1,000,000.

The Town of Acton accepts the foregoing grant of Community Preservation funds and agrees to be bound by the conditions stated in this award letter.

Dated: _____, 2010

_____
Mr. Steven Ledoux
Town Manager
Town of Acton
472 Main Street
Acton, MA 01720

- 3 -

APPENDIX

Community Preservation Committee

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (978) 929-6631
Fax (978) 929-6340
cpc@acton-ma.gov
www.acton-ma.gov

April 28, 2011

Ms. Carolyn Kilpatrick
Trustee, Acton Woman's Club
504 Main Street
P.O. Box 2253
Acton, MA 01720

Re: 2011 CPA Project Funding – Acton Woman's Club
504 Main Street, Building Preservation and Restoration – up to $99,714

Dear Ms. Kilpatrick:

Congratulations to the Acton Woman's Club on being a recipient of 2011 Community Preservation funds (CPA funds). The Woman's Club's effort and cooperation during this year's project selection process helped secure the necessary support at the Annual Town Meeting of all the Community Preservation Committee's (CPC) spending recommendations. Voters agreed that each funded project is worthwhile and now they expect that each will be well executed. Before you move forward with the project, please pay close attention to the following important instructions and funding conditions:

- The Town staff person assigned to this project is Roland Bartl, Planning Director. All necessary documentation and communication with the Town regarding this project shall be directed to him.
- CPA funding for this project is available immediately following the release date of this letter, and after:
  a) The issuance by the Acton Historic District Commission of a Certificate of Appropriateness or Determination of Non-Applicability for the proposed preservation work; and

- 1 -

b) Execution, conveyance to the Town, and recording of a historic preservation restriction for the property that is in form and substance acceptable to the Community Preservation Committee and Town Counsel. The historic preservation restriction shall be perpetual to the extent permitted by law, subject to review after casualty damage or destruction.

- CPA funds shall be disbursed to the Acton Woman's Club in accordance with the following rules:

a) No disbursement of CPA funds shall be made until after the Acton Woman's Club has contracted the architect and landscape architect for the work to be performed under this CPA Fund award, and the Planning Director has received proper documentation of such engagement.

b) All CPA fund disbursements shall be made as reimbursements to the Acton Woman's Club for expenses incurred by the Club in connection with this project.

c) CPA fund disbursements may be made after receipt by the Planning Director of Acton Woman's Club invoices. The number of invoices shall not exceed five (5) in total, or such other number as the Planning Director may determine.

d) All invoices shall include:

(1) Supporting contractor invoices for the completed work; and

(2) Statements from you certifying that all work items listed in the invoice have been completed to the satisfaction of Acton Woman's Club and consistent with the project scope presented in your funding application.

e) In addition, the final CPA Fund disbursement of not less than $10,000, or the balance of the CPA Fund award, shall be made after full project completion and receipt by the Planning Director of:

(1) Certifications from the contracting and supervising architect that all work in connection with this project was completed in compliance with the Massachusetts Building Code;

(2) Certifications from the contracting architect that all work in connection with this project was completed in compliance with the Acton Historic District Commission's Certificate of Appropriateness, so far as applicable; and

(3) Certification by the Acton Historic District Commission or its agent that the completed work meets the Secretary of the Interior's Standards for the Treatment of Historic Properties, 36 C.F.R. Part 68. This CPA Fund award may be used to pay for such certification if prepared by a qualified outside professional

f) No reimbursements shall be made until after the Planning Director has verified that the expenses are consistent with the project scope presented in your funding application and that the conditions of this award letter have been met.

- 2 -

- Any significant changes to the project from what was presented in the funding application and during the project selection process shall require CPC approval. Please contact Roland Bartl, Planning Director (978-264-9636; rbartl@acton-ma.gov) to discuss whether or not a change must be considered significant, and if necessary to schedule an appointment with the CPC.

- Upon completion of the project and payment of all bills, you must certify completion in writing to the Planning Director. Once he receives your certification, your project account will be closed and no further funds shall be available thereafter for this project.

- Any CPA funds awarded to this project and not used upon project completion shall be returned to the general CPA fund of the Town and made available for future appropriation by Town Meeting for other projects.

- Good publicity for your project is very important. It is important for Acton citizens to know where their CPA funds are being spent. Therefore, the CPC asks that you make every effort to credit the source of this funding at any meetings and in any written materials related to this project. Upon completion, please submit a letter to the CPC detailing how the funds have benefited your project. The CPC has signs that give funding credit to the Acton CPA program. Please post on such sign at the project site while work is ongoing.

The Community Preservation Committee would appreciate a notice when work on the project has commenced, periodic updates concerning the progress of your project, and especially notification upon completion. For updates or general questions please contact the CPC via email - cpc@acton-ma.gov, or by calling the Planning Department at (978) 264-9636.

Finally, please sign and return to Roland Bartl the attached acceptance form. Thank you for working in partnership with the CPC to make a significant and lasting difference in our Town.

Sincerely,

Walter Foster
Chairman
Community Preservation Committee

cc: Board of Selectmen
Roland Bartl, Planning Director
Lisa Krause, Town Accountant
Historic District Commission

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- 3 -

APPENDIX

Re: 2011 CPA Project Funding – Acton Woman's Club
504 Main Street, Building Preservation and Restoration – up to $99,714

The Acton Woman's Club accepts the foregoing grant of Community Preservation funds and agrees to be bound by the conditions stated in this award letter.

Dated: _____, 2011

_____
Carolyn Kilpatrick
Trustee, Acton Woman's Club
504 Main Street
P.O. Box 2253
Acton, MA 01720

- 4 -

5. The Secretary of the Interior's Standards for the Treatment of Historic Properties

The Secretary of the Interior is responsible for establishing standards for all national preservation programs under Department authority and for advising federal agencies on the preservation of historic properties listed in or eligible for listing in the National Register of Historic Places. There are four distinct, but interrelated, approaches to the treatment of historic properties -- Preservation, Rehabilitation, Restoration, and Reconstruction. ***Preservation*** *focuses on the maintenance and repair of existing historic materials and retention of a property's form as it has evolved over time.* ***Rehabilitation*** *acknowledges the need to alter or add to a historic property to meet continuing or changing uses while retaining the property's historic character.* ***Restoration*** *is undertaken to depict a property at a particular period of time in history, while removing evidence of other periods.* ***Reconstruction*** *re-creates vanished or non-surviving portions of a property for interpretive purposes.*

STANDARDS FOR REHABILITATION

Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical and physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

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