TOWN OF ACTON

COMMUNITY PRESERVATION PLAN
2015~~5~~6

COMMUNITY PRESERVATION COMMITTEE

September, 2014~~5~~5

TABLE OF CONTENTS

INTRODUCTION 1

THE COMMUNITY PRESERVATION ACT IN ACTON 3

HOW CPA FUNDS CAN BE USED 108

OPEN SPACE AND RECREATION 1311

COMMUNITY HOUSING 2016

HISTORIC RESOURCES 2319

THE CPA FUNDING APPLICATION PROCESS 2521

GUIDELINES FOR SUBMISSION 2924

REVIEW AND RECOMMENDATION CRITERIA 3126

PROJECT APPLICATION FORM – 20152016 3227

APPLICATION INSTRUCTIONS AND REQUIRED ATTACHMENTS 3328

APPENDIX

1. 20142015 PROJECT PROPOSALS AND COMMITTEE FUNDING RECOMMENDATIONS 3631
2. 20142015 ANNUAL TOWN MEETING – COMMUNITY PRESERVATION PROGRAM ARTICLES 33
3. COMMUNITY PRESERVATION COMMITTEE 2013 ANNUAL REPORT 44
4. SAMPLE AWARD LETTERS 5147
5. THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES 5854

INTRODUCTION

The Town of Acton Community Preservation Committee ("the Committee") is pleased to present the 201~~5~~6 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 ~~eleven~~ twelve complete fiscal years and appropriated CPA dollars in ~~eleven~~twelve 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)
FY 13:	$1,232,639	2014 Annual Town Meeting:	$2,019,237(6)
FY 14:	$1,076,270	2015 Annual Town Meeting:	$1,153,505

(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.

[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.

(6) $63,413 from CPA Historic Set-Aside Fund & $330,000 from CPA Open Space Set-Aside Fund.

Summaries of these appropriations are at http://www.acton-ma.gov/index.aspx?nid=260. 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 towns' community preservation committees for their help in the development of this Plan.

Comment [r1]: Request submitted to IT to add April 2015 documents.

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; acquire, create, preserve, rehabilitate and restore land for recreational use; and rehabilitate open space and community housing acquired or created with CPA funds. 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~~,~~. Since then, ~~T~~the growing number of communities that have adopted the CPA, and reduced State trust fund revenues ~~indicate that the percentage of State~~ resulted in lower State distributions~~ will remain lower than in the early years of the CPA.~~ From 2008 through 2014 Acton receipts from the State's CPA trust fund varied between 27% and 67%~~ in 2008, 35% in 2009, and about 27% in 2010 through 2012~~. In recent years the State has made end-of-year budget surplus transfers to the CPA trust fund, which helped boost distribution rates. In July 2015, State legislators enacted and the Governor signed a transfer to the CPA trust fund of up to $10 million. This will help increase the fall 2015 trust fund distributions above the 18% rate that the Massachusetts Department of Revenue had previously estimated. The final transfer amount is subject to actual available funds at the time of closure of the State's FY 2015 budget on October 31, 2015. ~~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, as in 2013, a $25 million State budget surplus transfer to the State trust fund w~~has been included in the State's FY15~~4~~ budget~~. and will be transferred on October 31, 2014 contingent on sufficient funding in the State's surplus. This will be the second consecutive year of a transfer from the State budget surplus. These additional funds boosted Acton's 2013 CPA state match to a rate of 52% of local CPA revenues. In 2014 the state only included an additional $ million, and the resulting state match was only 29%., and is likely to result in a more robust CPA match rate in the fall of 2014 as well.~~

As of June 201~~5~~4, 15~~5~~8 Massachusetts cities and towns have adopted the CPA[3]. Four cities and towns adopted the CPA during 2014 (Amherst, Arlington, Boxborough and New Bedford). 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 second and third rounds each year to receive a higher state match.

[2] CPA as amended in 2012 allows cities and towns with a minimum 1% surcharge to vote by ballot 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] Two more communities (Abington and Woburn) have the adoption of the CPA on upcoming ballot questions~~, plus Manchester has already adopted it, effective May 2015~~.

Formatted: Font: (Default) Tahoma
Formatted: Font: (Default) Tahoma, 10 pt
Formatted: Font: (Default) Tahoma, 10 pt
Formatted: Font: (Default) Tahoma, 10 pt
Formatted: Font: 10 pt
Formatted: Font: 10 pt
Formatted: Font: (Default) Tahoma, 10 pt

Currently, 75 of the 158 cities and towns that have adopted the CPA charge the full 3% local surcharge.

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[4].

In Acton, 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 2013 as audited are shown in *Table 2*. FY 2014 revenues from the local CPA surcharge are estimated at $833,733, slightly above FY 2013 levels. State collections of fees dedicated to CPA at the Registries of Deed, which provide funding for the statewide CPA Trust fund, have been down compared to the last seven months of the previous year; therefore the FY2014 CPA State match is expected to be below the level of that of FY 2013.

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	2161,960
2013	808,604	424,035	211,960	159,673	24,006	1,628,278	1,625,824	2,455
2014	839,329	263,941	2,455	71,823	21,469	1,199,016	1,153,505	45,512

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Community Preservation Fund appropriations from Fiscal Years 2003-201~~3~~4 have contributed a total of $ 4,6~~3~~75,000 to the Open Space Set-Aside Fund[5]. The CPC recommended, and Town Meeting approved funding for four open space purchases from the Open Space Set-Aside Fund[6].

[4] 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.

[5] Town Meeting may earmark Community Preservation Funds as Set-Aside Funds for specific Community Preservation purposes - Open Space, Historic Preservation, Community Housing, or

Table 3 shows the history of the Open Space Set-Aside Fund.

Recreation. Set-Aside funds cannot be expended without further appropriation by Town Meeting for the designated purpose, following the recommendation of the Community Preservation Committee.

[6] A ~~fourth~~ fifth 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)

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
2013	450,000	330,000 (~~6~~4)	1,658,572
2014	300,000	7,000 (4)	1,951,572
Other	162,943 (4~~5~~) 70,629 (5~~6~~)		1,467,943 1,538,572 (7)

(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) +/-14 acres located at 18 Wright Terrace ($330,000 appropriated up front from Open Space Set-Aside, the remaining balance was bonded under the Community Preservation Program pursuant to M.G.L c. 44B, S 11). $7,000 from 2014 funds is debt service on short term borrowing for this bond. Subsequent annual ~~An estimated annual~~payments are estimated to be ~~bond cost of~~ $65,000~~15~~ +/- for ~~must be paid each year for~~ the next 20 years from CPA funds.
(5) $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).
(6) Actual open space acquisition costs were somewhat below the appropriation amounts. This figure adjusts for that.
(7) ~~+/- 14 acres located at 18 Wright Terrace ($330,000 appropriated up front from Open Space Set-Aside, the remaining balance was bonded under the Community Preservation Program pursuant to M.G.L c. 44B, S 11). An estimated annual bond cost of $65,015 +/- must be paid each year for the next 20 years from CPA funds.~~
(8) $1,658,572, the current Open Space Set-Aside Fund balance as of June 2013.

Formatted Table

Appropriations to date from the Community Preservation Fund (excluding appropriations from the set-aside funds) to projects in the four CPA target areas[7] are approximately as shown in the *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. The remaining balances in the appropriation account are recaptured on a regular basis and made

[7] The CPA allows spending in four target areas: (1) open space; (2) historic resources; (3) community housing; and (4) land for recreational use (for more information on CPA allowable uses, see the chart on page 12. Also, the CPA allows for the reimbursement of administrative expenses up to 5% of the annual collections.

available for new project appropriation in subsequent years. *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
2013	533,000	189,776	309,692	531,725	61,631	1,436,048
2014	387,077	113,035	185,000	413,230	55,163	1,153,505
Overall	**5,068,077** ~~**4,681,000**~~	**2,303,811**~~**2,176,587**~~	**3,042,692**~~**2,857,692**~~	**3,183,955** ~~**2,770,725**~~	**656,794**~~**601,631**~~	**14,065,553** ~~**12,912,048**~~
Overall in %	**36**	**15**	**22**	**22**	**5**	

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; Peter Ashton); representatives of the Board of Selectmen (Peter Berry), Conservation Commission (~~Amy Green~~Paula Goodwin), Historical Commission (Victoria Beyer), Planning Board (~~Roland Bourdon III~~Jeffrey Clymer), Recreation Commission (Joe Will), and Acton Housing Authority (Ken Sghia-Hughes); and two associate members (currently vacant). 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 2014-21 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.

CPA Funding Requirements

The CPA mandates that each fiscal year Acton must spend, or set aside for later spending, at least 10% of its annual Community Preservation Fund revenues that were collected from the local surcharge and State match for each of three CPA target areas: open space and recreation, historic resources, and community housing. Acton Town Meeting decides each year how much of the remaining 70% of the funds (or 65% of the funds, if it chooses to appropriate 5% of annual CPA revenues for the administrative needs of the Action Community Preservation Committee, as allowed by the CPA statute) 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 100% 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". A "capital improvement" is defined as: "reconstruction or alteration of real property that: (1) materially adds to the value of the real property, or appreciably prolongs the useful life of the real property; (2) becomes part of the real property or is permanently affixed to the real property so that removal would cause material damage to the property or article itself; and (3) is intended to become a permanent installation or is intended to remain there for an indefinite period of time."

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 *Table 5* was provided by the Community Preservation Coalition:

Table 5

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 2014-2021 Town of Acton *Open Space and Recreation Plan* (the OSRP) the residents of Acton identified three key open space and recreation goals:

- Preserve the existing elements of Acton's rural character
- Protect ~~critical~~the environment ~~resources~~
- Improve and expand recreational opportunities for everyone

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, Needs, and Preservation Goals

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 14% or 1,871 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), the Haartz Corporation woods (21 acres), the Gaebel parcel at Great Hill (5.5 acres), the Caouette-Simeone farm fields (8.5 acres), the Anderson property (20 acres)[8]~~, and more recently~~, the Wright Hill Land (14 acres), and more recently, the Dunn Land (6 acres). 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.

[8] The Groener parcel, Gaebel Parcel at Nagog Hill, Caouette-Simeone Farm fields, Anderson property, and Wright Hill Land were ~~funded~~acquired with CPA funds.

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 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.

The CPC works with the town's Open Space Committee (OSC) in identifying potential open space resources for acquisition and protection. The OSC focuses much of its attention on parcels that are adjacent to existing owned parcels as well as parcels that have diverse habitats, lands that comprise combinations of uplands, wetlands and forests. The recently completed 2014-2021 Open Space and Recreation Plan includes a ranking and prioritization of all privately owned parcels in town[9] and is a valuable tool for supporting requests to the CPC for protection of significant parcels undergoing change of use or availability for purchase.

To acquire open space under the CPA, an appraisal is typically required, and CPA funds used to acquire a parcel cannot exceed the appraised value of that property. However, other funds may be used to augment CPA funds. The town maintains an Open Space Acquisition and Preservation Fund which is funded by the CPA to cover expenses associated with appraisals.

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.

Formatted: Font: (Default) Tahoma

Formatted: Font: (Default) Tahoma, Not Superscript/ Subscript

Formatted: Font: (Default) Tahoma, Not Superscript/ Subscript

Formatted: Font: (Default) Tahoma

[9] See Appendix E1 of the 2014-2021 Open Space and Recreation Plan.

Open Space Preservation Goals

- Preserve the existing 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. Protect existing open fields and meadows.

- 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. Acquire and develop pocket parks/commons in Acton villages.

- 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 and Goals

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 2014-2021 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.

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 Nathaniel Allen Recreation Area (NARA) make up about 63 acres, not including fields on school campuses. CPA funds have helped to improve and expand opportunities for active recreation.

Current CPA-funded recreation projects are:

- the renovation of basketball courts at Gardner and Goward Playgrounds into modern, junior-size facilities.
- the installation of play equipment at the Elm Street Playground (completed).
- the installation of shade structures at NARA Beach and Playground and security upgrades to the NARA Bathhouse (completed).
- three new handicapped-accessible walkways:
  - one (now completed) crosses the Acton Arboretum bog. It includes fiberglass decking raised 18" above the plant life for reduced ecological impact. It will also include a paved "universal access" entrance ramp from nearby handicapped parking.
  - a second will replace the deteriorating fern boardwalk in the Arboretum. The project also includes removal of a large tree that is an imminent threat to the boardwalk and some nearby trees to improve forest diversity.
  - a third will be along the west side of Ice House Pond. It will include a 680-foot boardwalk and one day will be part of a trail system that could link the Morrison Farm/Ice House Pond properties with the adjacent Bruce Freeman Rail Trail.
- the removal of invasive water chestnuts at Ice House Pond and Robbins Mill Pond—a three-year project. Without annual intervention, the water chestnuts are a real threat to the aquatic ecosystem.
- renovations to the parking areas at Ice House Pond and the Arboretum. At Ice House Pond, a small picnic area will be added adjacent to the parking area and the nearby boat launch will be refurbished.
- construction of an irrigation system (including a well) at the Arboretum to replace a system that used town water but has completely failed.
- development, in cooperation with Acton-Boxborough Regional Schools, of four handicapped-accessible nature play spaces at four sites adjacent to Acton's elementary schools.
- support of the development of Discovery Woods and a Creative Playscape at the Acton Children's Museums. As a condition of funding to a private entity, the Museums are to grant the Town an access trail easement across a portion of its property to the Town's Great Hill Conservation and Recreation Area, and a use restriction that preserves and authorizes active recreation on that portion of the Museums' property subsidized with CPA Funds.
- assistance to the Town in funding easement acquisitions that will facilitate development of the Assabet River Rail Trail
- completion of the Phase I (Skate Bowl) expansion of the T.J. O'Grady Skate Park. Funding support for Phase II (Skate Plaza, the final phase) will be a 2016 CPA proposal with fund leveraging possible from the Town of Boxborough as it begins its first year of working with the CPA.

~~CPA funds first appropriated by Town Meeting in 2006 can now be used to help develop playing field opportunities presented by a new 10 year lease with Massachusetts Department of Corrections on 10.6 acres at School Street. Also helping to relieve playing field availability is completion of the "lower fields," two lighted full size turf athletic fields (which can be used 24/7/365) and one smaller adjacent athletic field. The lower fields were a combined effort by the Town, the Acton-Boxborough Regional School District, and a private youth soccer organization without the use of CPA funds. The completion of these fields and adjacent parking makes it possible for the Town to move ahead on CPA funded improvements at, and expansion of, the adjacent T.J. O'Grady Skate Park.~~

~~CPA funding also resulted in the completion of a multi-use picnic pavilion at NARA, to be complemented by new funding for two additional shade structures, one at NARA Beach and one~~

Formatted: Indent: Left: 0", Hanging: 0.19"

Formatted: Indent: Left: 0.19", Hanging: 0.19"

Formatted: Indent: Left: 0", Hanging: 0.19"

Formatted: Highlight

Comment [PKA2]: Should this be deleted?

~~at NARA's children's playground, and improved security at the bathhouse office. Still in the design stage is a CPA-funded comfort station and snack bar at "Miracle Field," an athletic field at NARA that is specifically designed for athletes with disabilities.~~

~~New CPA funding will renovate two basketball courts into modern, junior-size facilities. One is at Gardner Playground; the other at Goward Playground, which itself re-opened in 2014 after a total renovation due largely to the efforts of a group of private citizens, Friends of the Playground. CPA funds also resulted in resurfacing of the tennis courts at the Elm Street Playground and installation of concrete flooring under the Elm Street Playground shelter. Additional CPA funding will be used to help install play equipment at Elm Street in 2014-15.~~

~~Much of the Town's permanently protected open space – now enhanced by the CPA-funded purchase of the Wright Hill land – includes a network of foot trails that provide opportunities for passive recreation, such as hiking, cross-country skiing, and access to ponds and streams. New CPA appropriations will result in two new handicapped-accessible walkways, one along the west side of Ice House Pond and a second alongside the Acton Arboretum Bog. The former will include a 680-foot boardwalk and will one day be part of a trail system that links the Morrison Farm/Ice House Pond properties with the Bruce Freeman Rail Trail. The latter will include a paved "universal access" entrance ramp, and fiberglass decking that will be raised 18" above the plant life for reduced ecological impact.~~

~~Other newly funded CPA improvements at Ice House Pond and the Arboretum include renovations to the parking areas. At Ice House Pond, a small picnic area will be added adjacent to the parking area. The boat launch, one of two in Acton (the other being along the Assabet River near the intersection of Route 62 and High Street) will be refurbished.~~

Recreation Needs and Goals

Open Space and Recreation Plan Goal #3: Improve and expand recreational opportunities

The identified Needs and corresponding Goals specified in the OSRP 2014 – 2021 include (pages 7-1 and 8-1):

Needs	Goals
7.B.1 Ensure accessibility for persons with disabilities is available for recreation activities (e.g., trails, picnicking, water-based recreation and camping) at both recreational and conservation areas	9.C.1 Expand universal accessibility to open space and recreation sites
7.B.11 Prepare for the development of the two regional bike trails planned to run through Acton	9.C.3 Improve and expand the facilities at the Nathanial Allen Recreation Area (NARA)
7. B.2. Improve and expand recreational opportunities	9.C.4 Develop the Ice House Pond Recreation Area 9.C.5 Secure recreational indoor space 9.C.7 Improve and update existing facilities

Formatted: Indent: Left: 0", Hanging: 0.5"

Formatted: Indent: Left: 0", Hanging: 0.5"

Formatted: Indent: Left: 0", Hanging: 0.5"

7.B.13 Prepare for and address demographic trends	9.C.6 Create additional facilities to meet the diverse needs of the town
7.B.3 Ensure playground facilities are made up-to-date, safe and accessible	9.C.8 Ensure playground facilities are made up-to-date, safe and accessible
7.B.4 Enhance the quality of Acton's athletic fields through improved, environmentally-conscious maintenance techniques 7.B.5 Optimize the condition and allocation of athletic fields to meet the needs of the town's growing population	9.C.9 Enhance the quality of Acton's athletic fields
7.B.12 Acquire and develop pocket parks/commons in Acton's villages	9.C.10 Acquire and develop pocket parks/commons in Acton's villages
7.C.4 Find a new facility for the Recreation Department 7.B.6 Expand public outreach to better inform the public of available passive and active recreation opportunities 7.B.8 Improve communication with residents regarding facilities available, events and procedures (e.g., for reserving fields and facilities at NARA) 7.B.9 Improve communication and coordination with neighboring towns, such as information-sharing regarding procedures and coordination of similar events 7.B.10 Establish easier access to internet-based resources regarding Acton's passive and active recreational opportunities 7.B.7 Identify and communicate which of the 18 conservation areas are conducive to specific recreational activities	9.C.11 Relocate and centralize operations of the Department of Recreation; provide equipment storage for the Natural Resources Department grounds crew; secure recreational indoor space 9.C.2 Expand public outreach to better inform the public of available passive and active recreation opportunities

Formatted: Indent: Left: 0", Hanging: 0.5"

Formatted: Indent: Left: 0", Hanging: 0.5"

Formatted: Indent: Left: 0", Hanging: 0.5"

Formatted Table

Formatted: Indent: Left: 0", Hanging: 0.5"

Formatted: Indent: Left: 0", Hanging: 0.5"

Formatted: Indent: Left: 0", Hanging: 0.5"

Formatted: Indent: Left: 0", Hanging: 0.5"

Formatted: Indent: Left: 0", Hanging: 0.5"

Formatted: Indent: Left: 0", Hanging: 0.5"

Formatted: Indent: Left: 0", Hanging: 0.5", Tab stops: Not at 0.5"

Formatted: Indent: Left: 0", Hanging: 0.5"

Formatted: Indent: Left: 0", Hanging: 0.5"

~~Recreation needs specified in the OSRP are:~~

- ~~Improve and expand the facilities at NARA~~
- ~~Implement the Morrison Farm Reuse Plan~~
- ~~Develop and expand facilities at Ice House Pond~~
- ~~Develop new and improved facilities, such as additional community gardens~~
- ~~Ensure that playground facilities are up-to-date, safe, and accessible~~
- ~~Optimize the quality of Acton's athletic fields through improved, environmentally conscious maintenance techniques~~
- ~~Increase the number of athletic fields to meet the needs of the town's growing population~~
- ~~Ensure handicapped accessibility is available for recreational activities~~

- ~~Promote and prepare for the development of the two regional bike trails planned to run through Acton~~
- ~~Acquire and develop pocket parks/commons in Acton's villages~~

As Acton's population has grown, so has the popularity of its recreation programs. While improvements are continually being made and new avenues actively explored in the areas of recreation, there continues to be a need to broaden recreational opportunities to include all age groups and interests to meet the increasing demand of the youth and adult sports organizations.

~~As playgrounds age, further investment will be needed in this area, one possibility being follow-up steps to a newly funded CPA project to study the possibility of developing handicapped-accessible nature play spaces at each of Acton's elementary schools.~~

~~Development of new recreational facilities should take the shape of multi-use recreational areas, which incorporate playing fields, open space, landscaping, and shade to ensure participant and spectator comfort, land protection, and aesthetic appeal. Funding of such areas 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. The addition of sports lighting to previously unlit fields can also increase field availability by extending useable time into the evening hours.~~

~~Recreation Goals~~

~~The recreation goals specified in the OSRP are:~~

- ~~Create and implement a Master Plan for NARA~~
- ~~Implement the Morrison Farm Reuse Plan~~
- ~~Develop the Ice House Pond Recreation Area~~
- ~~Create additional facilities and improve existing ones~~
- ~~Ensure playground facilities are made up to date, safe and accessible~~
- ~~Enhance the quality of Acton's athletic fields~~
- ~~Provide additional athletic fields to meet the needs of the town's growing population~~
- ~~Expand handicapped accessibility~~
- ~~Acquire and develop pocket parks/commons in Acton villages.~~
- ~~Develop regional bike trails through Acton.~~

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[10] median income in ~~2013~~ 2015 is $9~~4,1~~8,500 for a family of four. However, for housing units created with CPA funds to be counted toward Acton's 10% affordable housing goal set by the State, 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% goal.

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.

Affordable housing opportunities help Acton attract and retain talented employees upon whom the Town depends to provide high quality public services. The average value of single family residential units in Acton was $~~506,000~~531,639 in ~~2013~~2014. The annual income needed to buy the average priced home is $~~146~~166,000, based on a 10% down payment, 30% of income

[10] Boston Primary Metropolitan Statistical Area

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[11] 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.

In 2015, the Town developed a Housing Production Plan with the assistance of the Metropolitan Area Planning Council. The Plan is comprised of:

- A housing needs and demand assessment based on current data, population trends, and regional growth factors, including an analysis of town demographics, housing stock, and housing affordability
- An analysis of regulatory and non-regulatory constraints on the development of affordable housing
- Housing vision and goals, including:
  - A numerical annual housing production goal
  - The identification of specific sites where the Town will encourage 40B development
- Strategies for achieving goals
- An implementation plan

The Acton Community Housing Corporation and the Acton Housing Authority will use the Housing Production Implementation Plan to guide its future uses of Community Preservation Act funds.

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

In 2012 and 2014, the CPA recommended and Town Meeting approved expenditures of $40,000 and $42,000 to provide funding for four years of Regional Housing Services based in the Town of Sudbury. This is an inter-municipal collaboration between Acton, Bedford, Burlington, 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 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 acquisition, 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/or 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 former Acton High School (1926), 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; slate 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 yet listed and therefore 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.

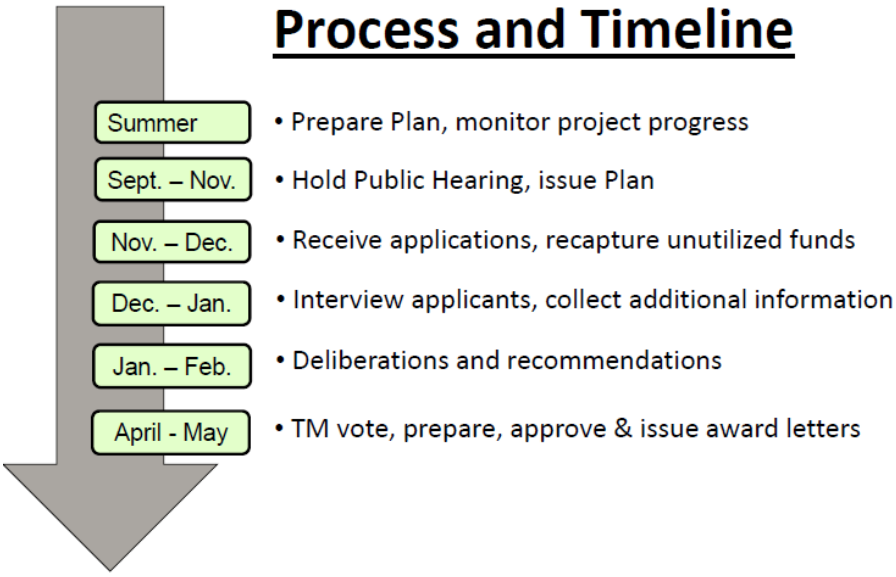
- Protect threatened properties of historical significance by fully documenting and updating the architectural and/or historical significance on survey forms for Acton's Cultural Resource List, and National Register application forms when applicable. Investigate and, if deemed feasible, adopt preservation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

- Preserve the existing 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 streetscapes, and scenic vistas.

- Provide education and community outreach regarding the extensive historical and cultural resources within Acton. A signage program 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) to Town Meeting as to which, if any, of these applications should be so funded. The Committee expects to bring its recommendations to the 2015~~5~~6 Annual Town Meeting. The Committee has developed the following ~~four step~~ process for reviewing, recommending, and funding of CPA proposals~~.~~:



Formatted: Font: Tahoma

Project applications follow these four steps:

Step 1. Submit Completed Application by Monday, November 1~~7~~6, 2015~~4~~

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 1~~7~~6, 201~~4~~5 to be eligible for ordinary consideration at the 201~~5~~6 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 2015 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 ~~2015~~2016 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.[12]

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 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

[12] 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.

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 updates 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 waived the time lapse period or 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 ~~17~~16, ~~2014~~ 2015 to be considered at the ~~2015~~ 2016 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)
- If applicable, applicants should be prepared to provide their own legal counsel for matters relating to conservation and historic preservation restrictions and/or legal filings.
- 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 – 2015~~5~~6

Due Date: November 16, 2015

Formatted: Centered

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

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 16~~7~~, 2014~~5~~[13]

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

[13] Monday, November 1~~7~~6, 2014~~5~~ is the deadline to be eligible for ordinary consideration at the 2016~~5~~ 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 Properties Inventory Form.
- 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 Inventory 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. ~~2014~~2015 Project Proposals and Committee Funding Recommendations

		Project	CPA Category	Requested Amounts	Final Recommended Amounts
1	AHA	Project Feasibility Study	CH	$ 35,000.00	$ 35,000
2	ACHC	Community Housing Program Fund	CH	$ 150,000.00	$ 150,000
3	ToA - Historical Commission	Forest Cemetery - National Register Nomination	HP	$ 7,000.00	$ 10,000
4	Acton Woman's Club	Phase 2 - Preservation and ADA/AAB Accessibility	HP	$ 70,000.00	$ 70,000
5	ToA - Open Space	Open space set-aside	OS	$ 400,000.00	$ 300,000
6	ToA - Nat. Resources	Arboretum - Fern Board Walk and Tree Removal	OS	$ 24,952.19	$ 24,952
7	ToA - Nat. Resources	Water Chestnut Removal	OS	$ 36,000.00	$ 36,000
8a	ToA - Nat. Resources	Irrigation Well - Arboretum	OS	$ 26,124.50	$ 26,125
8b	ToA - Nat. Resources	Irrigation Well - Morrison Farm	R	$ 26,124.50	$ -
9	ABRS	Nature Play Spaces	R	$ 131,900.00	$ 120,000
10	Children's Discovery	Discovery Woods/Creative Playscape	R	$ 177,072.00	$ 150,000
11	ToA - Manager	ARRT	R	$ 169,155.00	$ 143,230
12	ToA - Recreation	NARA Safety Improvements	R	$ 20,515.00	$ -
13	ToA - Recreation	NARA Picnic Pavilion Restroom	R	$ 105,000.00	$ -
14	ToA - Recreation	T.J. O'Grady Skate Park - Phase 2/ Skate Plaza	R	$ 160,000.00	$ -
15	CPC	CPA 2015 HP set-aside to meet 10%	HP	$ 33,326.97	$ 30,327
16	CPC	CPA HP set-aside - 10% HP make up for 2012	HP make up	$ 2,707.85	$ 2,708
17	CPC/ToA	CPA Program Support = 5% of ('14 coll. surcharge + '15 MA tr. fd. distr.)	ADMIN	$ 55,163.00	$ 55,163
				$ 1,630,041.01	$ 1,153,505
18	CPC	Wright Hill Open Space (debt service from OS Set-	OS	$ 7,000.00	$ 7,000

Formatted: Font: Tahoma, 12 pt

The ~~2014~~2015 Annual Town Meeting adopted all the Committee's recommendations~~ including the first purchase of open space through partial CPA bonding M.G.L. c. 44B, § 11..~~.

The remaining CP Fund balance after the ~~2014~~2015 Town Meeting appropriations is $ 45,512~~2,454.53~~.

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 ~~2014~~2015 Town Meeting appropriations into the fund and from the fund is $ 1,951,572~~1,658,572~~. The

~~Due to the level of demand for FY13 CPA funds, and the number of valuable projects, the Committee made a cognizant decision to recommend, and Town Meeting subsequently approved funding which left a zero~~ balance in the Historic Preservation set-aside account is $33,035. There ~~are~~ is no set-aside fund balance~~s~~ for Community Housing.

2. ~~2014~~2015 Annual Town Meeting – Community Preservation Project Articles

Article 23 (Majority vote) **Community Preservation Program – Direct Appropriations From Fund Balances**

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 2014 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 2014 COMMUNITY PRESERVATION FUND BALANCES	
FY 2014 Community Preservation Fund Revenues	
Community Preservation Fund Surcharge Collected in FY 2014	$ 839,328.61
State Community Preservation Trust Fund Receipt, October 2014	$ 263,941.00
Other FY 2014 Community Preservation Fund Components	
Interest Earned in FY 2014	$ 21,468.94
Unencumbered FY 2014 Fund Balance	$ 2,454.53
Recapture of unspent previous years' project appropriations	$ 71,823.13
Total - FY 2014 Community Preservation Fund Balance	**$1,199,016.21**
FY 2014 Open Space Set-Aside	
Set-Aside Fund Balance from appropriations for the Acquisition, Creation, and Preservation of Open Space and its Rehabilitation and Restoration	$1,658,571.87
Total FY 2014 Open Space Set-Aside Fund Balance	**$1,658,571.87**
FY 2014 Historic Set-Aside	
Set-Aside Fund Balance from appropriations for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	$ 0.00
Total FY 2014 Historic Set-Aside Fund Balance	**$ 0.00**
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 set-aside for meeting 10% of spending from FY 2014 revenues	$ 30,326.97
B2. Acquisition, Preservation, Rehabilitation and Restoration of	$ 2,707.85

Historic Resources; required make-up for under-spending 10% of revenues in 2012 after recapture		
Spending Appropriations		
C.	Acton Housing Authority – Project Feasibility Study	$ 35,000.00
D.	Community Housing Program Fund*	$ 150,000.00
E.	Forest Cemetery – National Register Nomination	$ 10,000.00
F.	Acton Woman's Club – Phase 2, Preservation & Accessibility	$ 70,000.00
G.	Acton Arboretum – Fern Boardwalk and Tree Removal	$ 24,952.19
H.	Ice House Pond & Robbins Mill Pond – Water Chestnut Removal	$ 36,000.00
I.	Acton Arboretum – Irrigation Well	$ 26,124.50
J.	Schools – Nature Play Space, Construction	$ 120,000.00
K.	Discovery Museum – Discovery Woods & Creativity Playscape	$ 150,000.00
L.	Assabet River Rail Trail	$ 143,230.00
Administrative Appropriation		
M.	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	$ 55,163.00
Total Recommended Appropriations from FY 2014 Community Preservation Fund Balance		**$1,153,504.51**
SPENDING APPROPRIATION FROM OPEN SPACE SET-ASIDE FUND BALANCE		
N.	Wright Hill Open Space Land Acquisition - Debt Service	$ 7,000.00
Total Recommended Appropriations from the Open Space Set-Aside Fund		**$ 7,000.00**
Resulting Fund Balances		
Resulting FY 2014 Community Preservation Fund Balance		$ 45,511.70
Resulting Balance in the Set-Aside Fund for the Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration		$1,951,571.87
Resulting Balance in the Set-Aside Fund for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources		$ 33,034.82

* Provided further pursuant to Town Charter Section 6-5 that the appropriation to the Community Housing Program Fund shall not lapse three years and one month follow effective date of the vote on this article, and that this appropriation and all prior appropriations to the Community Housing Program Fund shall continue to be availat the purpose specified until expended for that purpose or until the CPC recommends Town Meeting votes to rescind the appropriation of any unspent funds appropriated purpose.

, 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 FY 2014 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 FY 2014 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 2014 Community Preservation Fund Balance the minimum necessary amounts to allocate not less than 10% of the FY 2014 Community Preservation Fund Revenues for open space ($110,326.97), not less than 10% of the FY 2014 Community Preservation Fund Revenues for historic preservation ($110,326.97), and not less than 10% of the FY 2014 Community Preservation Fund Revenues for community housing ($110,326.97), or take any other action relative thereto.

Summary

This article would make appropriations from the Town's Community Preservation Fund balance and from the Community Preservation Open Space Set-Aside Fund. 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 eleventh 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 2014, the Community Preservation Committee published its 2015 Community Preservation Plan with guidelines for the submission of projects seeking funding. The Committee received fourteen applications for funding of proposed projects and programs. The Committee reviewed the 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 from the available Community Preservation Fund balances for eleven of the proposed projects and programs, statutorily required adjustments, debt service on a prior year bond, and administrative program support. 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.

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 $45,511.70 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% of the annual revenues in the Community Preservation Fund ($110,326.97 in FY 2014) 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 (not recommended this year), 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 ($55,163.00 recommended).

A total of $71,823.13 has been recaptured from unspent prior years' Community Preservation project appropriations and closed to the Community Preservation Fund. The recaptured amounts came from two prior years' projects and programs. The recapture of prior year project appropriations can result in spending less than the statutory minimum 10% in any particular fiscal year for historic, open space, or community housing projects. This article makes appropriations to the Historic Set-Aside fund to compensate for such shortfalls in one prior year, as well for a funding shortfall for historic preservation projects in the current year.

A. Open Space Set-Aside

The current Open Space Set-Aside Fund balance is $1,658,571.87. This item adds $300,000. Town Meeting, with the recommendation of the Community Preservation Committee, may appropriate spending from the Open Space Set-Aside Fund for the purpose of acquisition, creation, and preservation of open space, or its rehabilitation or restoration.

Recommendations:	Board of Selectmen Recommended	Finance Committee Recommended

B1. and B2. Historic Preservation Set-Asides

The recapture of prior years' unspent CPA funds appropriated in 2012 for historic purposes put the Town 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 an appropriation of $2,707.85 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 $30,326.97 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.

Recommendations:	Board of Selectmen Recommended	Finance Committee Recommended

C. Acton Housing Authority – Project Feasibility Study

The recommended $35,000 appropriation for the Acton Housing Authority will fund consulting services for a planning and feasibility study. The study will assist in determining the most feasible options for creating new affordable housing opportunities for low-income Acton seniors, disabled, and families. The study will also look at the feasibility of reusing existing affordable housing for low-income seniors.

Recommendations:	Board of Selectmen Recommended	Finance Committee Recommended

D. Community Housing Program Fund

The recommended $150,000 appropriation replenishes the existing Community Housing Program Fund for "the acquisition, creation, preservation, and support of community housing in the Town of Acton." The Fund was first established with a CPA appropriation in 2004. It is used to finance a diversity of affordable housing initiatives and opportunities as they arise, for Acton residents and their adult children, for employees who work for and in the Town, as well as for new residents from outside of Acton. This fund is managed by the ACHC for Community Housing activities and projects that are allowable under the CPA and recommended by the ACHC or any other entity subject to approval by the Board of Selectmen.

As in previous years, the ACHC proposes to largely continue current programs and initiate new programs. Recent programs and projects include:

Funding a Housing Production Plan;

Closing costs and mortgage payment assistance to 19 first-time homebuyers of affordable units;

The purchase or subsidy of 7 units for the Acton Housing Authority's low income rental program including 4 new construction units;
Funding sewer betterments for affordable units in 4 developments;
A condo buy-down and selling price subsidy for 9 units;
Capital improvements for 8 affordable units, and
Supplementing funding for 4 years of membership in the Regional Housing Services Office.

The ACHC has access to privately funded affordable housing gifts that can be leveraged or supplemented with CPA appropriations to the Community Housing Program Fund.

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

E. Forest Cemetery – National Register Nomination

The Massachusetts Historical Commission has previously deemed the cemetery eligible for inclusion in the National Registry Listing and the Cemetery Commissioners have affirmed their desire to pursue this designation. The recommended $10,000 will provide funding to hire a Historic Preservation Consultant to prepare the nomination papers to be submitted to the National Parks Service. Adding the Forest Cemetery to the National Register will give it the recognition it deserves, increase the protection on the property via Mass Historical Review of future adjacent projects, and allow Federal grants for restoration of the property.

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

F. Acton Woman's Club- Phase 2, Preservation and Accessibility

The Acton Woman's Club is located in the Acton Center Historic District. The Woman's Club received Community Preservation Act (CPA) funding in 2011 for the installation of an accessible sloped walkway at the right-side building entrance to provide handicap accessibility to the first floor. Subsequently, the improvements triggered the requirement of full building accessibility by the Massachusetts Architectural Access Board. Following this determination, the Club requested CPA funding to help address full accessibility for this historic property by installing a vertical lift to the second floor and renovating the first floor bathroom. $150,000 was appropriated in 2014 from the CPA for the project. The total cost for this rehabilitation project was estimated at $248,400, including contingencies. The award in 2014 anticipated the difference would be made up through third-party grant funds or by completing the project with a phased CPA funding approach. Unfortunately, the Club's application for a $98,000 grant from the State's Cultural Facilities Fund (CFF) was unsuccessful. The recommended $70,000 will complete the second phase of the project and include addressable fire alarm system, illuminated exit signs, emergency lighting and panic devices on the exit doors. With the work already done, knowledge of the building is sufficient to eliminate funding for any contingencies. This rehabilitation work must be carried out to be in compliance with the Standards for Rehabilitation stated in the United States Secretary of the Interior's Standards for the Treatment of Historic Properties codified in 36 C.F.R Part 68.

Recommendations:	Board of Selectmen Recommended	Finance Committee Recommended

G. Acton Arboretum – Fern Boardwalk and Tree Removal

The recommended $24,952.19 appropriation will help fund the construction of a new boardwalk and the removal of 14 trees to improve safety and forest diversity. The fern boardwalk is the last of three, deteriorated, wooden boardwalks to be replaced and made ADA accessible in the Arboretum in three years with CPA fund requests with each boardwalk being over 25 years old. The current fern boardwalk is failing; there is rot in vertical columns; decayed concrete footings; rotten and patched railings; sagging and uneven floorboards. The total cost of a new boardwalk is $23,102.19. A large, multi-trunked red maple tree next to the boardwalk is dying and may fall onto the boardwalk. In addition, there are 13 black walnut trees along the wildflower trail that would be removed to improve forest diversity. The total cost for tree removal is $2,850.

Total cost of the project is $25,952.19 which would be offset by pledged and anticipated contributions to this effort which include a $1,000 donation from the Friends of the Acton Arboretum and an in-kind donation from Axe Brothers of $500.

Recommendations:	Board of Selectmen Recommended	Finance Committee Recommended

H. Ice House Pond and Robbins Mill Pond - Water Chestnut Removal

The recommended $36,000 appropriation will fund a three-year water chestnut removal program for Ice House Pond and Robbins Mill Pond. This preservation project will be conducted by a licensed environmental company using mechanical harvesting. Water Chestnut (Trapa natans) is a "non-native" (or exotic) and invasive aquatic plant that is covering the ponds' surfaces and building up detritus on the bottoms. Without annual intervention, these impoundments develop anaerobic conditions destroying the aquatic ecosystem. Volunteers in Acton have been working to hand pull the plants from the surface of Ice House Pond since 2010 and Robbins Mill Pond since 2013 but cannot keep up with the growth of water chestnuts with human volunteer efforts. Both ponds have scenic, recreational and ecological benefits. Robbins Mill Pond is within a listed NHESP Endangered Species Habitat. Removal of the water chestnuts will restore the natural riverine characteristics and preserve Acton's important water resources.

Recommendations:	Board of Selectmen Recommended	Finance Committee Recommended

I. Acton Arboretum - Irrigation Well

The recommended $26,124.50 appropriation will fund the cost and installation of an irrigation well at the Acton Arboretum. The Acton Arboretum water supply has been shut down for 2 years due to a leak. The Acton Arboretum water comes from a metered town service near the corner of Taylor Road and Main Street. The Natural Resources Department has been unable to locate the leak, necessitating the Municipal Properties

Department to shut off supply. Volunteers have been carrying and hand watering all of the Arboretum plantings via a portable water tank. The total cost for the irrigation well is $28,249 which would be offset by pledged and anticipated contributions including: $500 donation from the Friends of the Acton Arboretum, and $1,624 from the Acton Recreation Department budget.

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

J. Schools – Nature Play Spaces, Construction

Last year Town Meeting appropriated $24,000 from CPC funds for the planning and design of the outdoor, natural play spaces at each of Acton's elementary schools. This request is for the construction of the Nature Play Spaces for the Acton elementary schools as part of the regional school system. Currently the play areas and structures at the elementary schools in ~~Acton are~~Acton are situated in the outdoors, but do not invite children to interact with nature in independent ways. The recommended $120,000 will fund the construction of handicapped accessible, resource rich, simply constructed nature place spaces for the elementary schools in Acton. The Play Spaces will include areas for sand and dirt play, climbing on natural materials, planting stations, areas of native grasses, willow tunnels, and gathering spaces for class use. Each space will reflect the unique landscape of the school site, and a curriculum will be planned around these spaces. The total cost for this project is $165,600. This award anticipates the difference will be made up through various school partners and facilities and labor provided by the Acton-Boxborough Regional School District.

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

K. Discovery Museum – Discovery Woods and Creativity Playscape

The Discovery Museums, Inc. proposes to build two main outdoor recreational activity areas, called Discovery Woods and Creativity Playscape, to relocate parking and to build a gateway/portal to allow better access to the adjacent Great Hill conservation and recreation land. The total project cost is $1.3 million, of which 85% is funded through private donations. The recommended $150,000 will help fund the two main outdoor areas, Discovery Woods (a nature playscape) and the Creativity Playscape. The two areas will be fully inclusive and accessible outdoor learning and recreation spaces serving citizens of all ages and, importantly, of all abilities. The project will both preserve and enhance open space at The Discovery Museums, relocating parking to restore a natural landscape along Great Hill and create a prominent portal to the conservation land. As a condition of funding to a private entity, the Community Preservation Committee will require that the Museum grants the Town an access trail easement (across a portion of The Discovery Museums' property to the Town's Great Hill Conservation and Recreation Area) for public use, and a use restriction (preserving and authorizing active recreation on that portion of the Discovery Museums' property subsidized with CPA Funds).

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

L. Assabet River Rail Trail

The 12.5-mile Assabet River Rail Trail (ARRT) is proposed to run from Acton via Maynard, Stow, and Hudson, to Marlborough. The five communities have jointly advanced the trail since 1995 and a section of the ARRT in Marlborough and Hudson is built and actively being used. To date, the ARRT has received close to $2.2 million in public and private funding, donations, and commitments. Acton Town Meeting has appropriated $30,000 in 1998 and an additional $170,000 from a 2004 Community Preservation appropriation to meet their 20% local share for trail design cost. This local funding leveraged Federal funds for trail design and now for the construction phase of the ARRT in Acton-Maynard, which has been scheduled on the Transportation Improvement Program (TIP) for construction funding in Federal Fiscal Year 2016. To meet this schedule all plans must be finished, all permits must be in-hand, all property interests must be secured, and the project must be advertised before the end of September 2015.

Acton's +/-1.4-mile/7.9-acre portion of the ARRT begins at the south side of the South Acton commuter rail station, through the Caouette-Simeone land, south along a former rail line and parallel to Main Street, to the Maynard line. A commercial building near the Maynard Town line at 20 Main Street obstructs the former rail corridor. In 2005, the Town obtained an easement from the property owner to align the trail behind the parking lot and building. In 2013 MassDOT indicated they were not in support of said trail alignment behind the building due to the extremely high cost of constructing an elevated trail through extensive wetlands and flood plains. Accordingly, the trail alignment has changed to reduce impact to wetlands and reduce construction cost. A new easement in the front of the property is now required. In addition, there is a need for easements in other locations to facilitate trail access, including emergency access, to accommodate wetlands replications, landscaping, and trail alignment and construction. The recommended $143,230 will help fund the easement acquisitions estimated to cost approximately $170,000. The difference will be made available from gifts. This is a federally funded project. Under Federal and State policies and regulations, municipalities are responsible for the funding and executing any acquisitions for the Assabet River Rail Trail. Further, in accordance with Federal laws the Town cannot enter acquisition talks with the land owner until specific Federal permits and sign-offs are in place, and the Town must offer each affected land owner fair market value compensation. If the easement is donated, the funds will be returned to the Community Preservation account.

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

M. Administrative and Operating Expenses

The recommended appropriation in the amount of $55,163.00 is 5% of the FY 2014 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.

Recommendations:	Board of Selectmen Recommended	Finance Committee Recommended

N. Wright Hill Open Space Land Acquisition – Debt Service

The recommended $7,000 will fund the first year of required debt service for the purchase of the Wright Hill open space parcel. This amount will pay for short-term borrowing costs until the Town has issued a larger municipal bond package. The 2014 Annual Town Meeting authorized 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 and not more than 20 years up to $990,000 for the Wright Hill open space land.

Recommendations:	Board of Selectmen Recommended	Finance Committee Recommended

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

3. Community Preservation Committee ~~2013~~ 2014 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. Caused by 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 was 35%, 2010 and 2011 the match was 27%. In 2012 the State match was down a little more to 26.83% ($208,957), however in 2013 the Acton received a 52.23% State match or $424,035, due to an additional $25 million that was deposited in the CPA Trust Fund from the State's FY13 budget surplus. In 2014, the state match was again reduced to $263,941 (31.47%) as the state only deposited $10 million into the CPA Trust Fund.

At the beginning of 2014, the Community Preservation Fund balance stood at $1,627,878.53. In addition, there were $1,538,571.87 in the Open Space Set-Aside Fund and $49,224 in the Historic Preservation Set-Aside Fund.

In April, the Annual Town Meeting appropriated $1,625,824 from the Community Preservation Fund for fifteen projects and items:

- $450,000 transferred to the Open Space Set-Aside Fund
- $416,550 for improvements including parking and picnic areas, historic foundation restoration, and pond trails at Morrison Farm
- $53,000 for improvements to the Arboretum parking lot
- $30,000 to rehab the bog boardwalk in the Arboretum
- $15,175 for various improvements at NARA
- $86,587 to the Acton Woman's Club for access improvements including AAB/ADA compliance
- $37,000 to the West Acton Baptist Church to rehabilitate the tin ceiling
- $52,000 to the West Acton Baptist Church to rehab its fire safety system
- $175,000 to the Acton Community Housing Corporation's Community Housing Program fund
- $42,000 for regional affordable housing services
- $92,692 to the Acton Housing Authority for door and window replacements at the Windsor Ave. apartments
- $76,000 to renovate the basketball courts at Goward and Gardner playgrounds
- $24,000 to the Regional School system for design of Natures Play spaces at the elementary schools in Acton
- Transfers of $13,689.02 and $500 to the Historic Preservation Set-Aside Fund to ensure compliance with 10% allocation to historic preservation

- $61,631 to cover the Town's direct and administrative costs for the CPA Program.

In addition, April Town Meeting voted to purchase approximately14 acres of open space at Wright Terrace in West Acton. $330,000 of the total purchase price of $1,320,000 was allocated from the Open Space Set-Aside fund for this purchase with the remainder ($990,000) to be funded via debt which will be paid back from CPA funds over a 15 to 20 year period.

Due to the high level of demand for CPA funds and the number of valuable projects, the Committee made a cognizant decision to recommend and Town Meeting subsequently approved funding which left a $2,454.53 balance in the unallocated Community Preservation Fund and a zero balance in the Historic Preservation Set-Aside Fund, while the balance in the Open Space Set-Aside Fund stood at $1,658,572.

To date, CPC funds have supported approximately 85 community preservation projects throughout the community. Some community preservation projects that were completed during 2014 were:

- The purchase of the Wright Terrace Property in West Acton
- The picnic pavilion at NARA Park
- The bog boardwalk at the Acton Arboretum
- The accessibility improvements at 468 Main Street

In addition, community preservation monies funded ongoing projects and programs such as:

- An Open Space Acquisition and Preservation Fund to assist with appraisal, legal fees, and other cost related to the land acquisition process
- The Community Housing Program Fund administered primarily by the Acton Community Housing Corporation (ACHC). Among other things, the fund pays for buy-down assistance, closing cost, and down payment assistance to first time income eligible homebuyers of deed restricted affordable community housing units, and
- Acton Housing Authority tenant support services.

CPA funding for the Bruce Freeman Rail Trail helped leverage $1,431,500 in State design funding, which includes the trail in Concord as well as Acton, and an estimated $10 million in State and Federal construction funding for the trail in Acton. Construction in Acton is scheduled to begin in 2015. Likewise, the Assabet River Rail Trail project in Acton and Maynard is well on its way; CPA funding had leveraged a $1,080,000 Federal transportation earmark used for design, and an estimated $4,714,000 for construction in Acton and Maynard, with construction scheduled to begin in 2016.

As of June 30, 2014, the Town had raised $833,837 from the local CPA surcharge for FY2013 (unaudited) and in November received $263,941 in State matching funds (31.47%). Total available funds at the end of calendar year 2014 are approximately $1,100,232 plus the $1,658,572 in Open Space Set-Aside Fund. In addition, the CPC expects turn backs of leftover funds from prior years' CPA funded projects as well as a return of a portion of the purchase price of the Wright Terrace property.

Over the summer of 2014 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, comments and suggestions from Townspeople and representatives of interest groups eligible for CPC funding. The Final 2015 Plan was published in September 2014 and is posted on the

Town website. It contains updated guidelines and information for applicants seeking community preservation funds.

As part of its hearing process on the annual plan, the CPC allowed potential applicants to discuss their potential projects, ask questions about the application process, and gain a better sense about what constitutes a strong CPA funding application.

In November, the Committee received fifteen applications for funding in 2014, for a total request of $1,584,827.09. The CPC reviews all project proposals and interviews each applicant. The CPC then deliberates and decides which projects and at which funding level to recommend to the 2015 Annual Town Meeting. In its deliberations, the CPC considers available funding, the applicants' proposals, legal opinions, applicant interviews, input from Town Boards, including the 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.

2014 CPC Members:
Peter K. Ashton – At Large (Chair)
Amy Green – Conservation Commission (Vice-Chair)
Joe Will – Recreation Commission (Clerk)
Victoria Beyer – Historical Commission
Peter Berry – Board of Selectmen
Walter Foster – At Large
Ken Sghia-Hughes – Acton Housing Authority
Susan Mitchell-Hardt – At Large
Jeff Clymer – Planning Board
Two associate member positions are currently vacant
The Planning Department provides Town staff support

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.

I:\planning\cpc\2010\awards\24k.toa -caouette land.doc

- 2 -

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 -

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

I:\planning\cpc\2011\awards\18g.awc - 504 main st.doc

- 3 -

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.