TOWN OF ACTON

COMMUNITY PRESERVATION PLAN
2017

COMMUNITY PRESERVATION COMMITTEE

September, 2016

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INTRODUCTION

The Town of Acton Community Preservation Committee ("the Committee") is pleased to present the 2017 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.

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.

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[1]. 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 matches from the State's CPA trust fund. The trust fund's primary source of revenue is collections of fees dedicated to CPA at the Registries of Deed. Annual State CPA trust fund distributions matched 100% of Acton's locally raised CPA funds in 2003 through 2007. Since then, the growing number of communities that have adopted the CPA, and reduced State trust fund revenues resulted in lower State distributions. From 2008 through 2015 Acton receipts from the State's CPA trust fund varied between 27% and 67%. 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 2016~~5~~ budget on October 31, 2016~~5~~.

As of May 2016, 161 Massachusetts cities and towns have adopted the CPA. During the previous year, four cities and towns adopted the CPA - Malden, Medford, and Manchester in the fall 2015, and Abington and Essex in the spring of 2016. 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. Currently, 75 of the 161 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[2].

[1] 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.

[2] 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.

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 2015 as audited are shown in *Table 1*. FY 2015 revenues from the local CPA surcharge were, slightly above FY 2014 levels. The FY 2015 State match from the CPA trust fund was 29.7%.

Table 1

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 (1)	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 (2)	495,160
2010	746,873	202,879	495,160	101,055	30,322	1,576,289	1,251,696 (3)	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 (4)	211,960
2013	808,604	424,035	211,960	159,673	24,006	1,628,278	1,625,824 (5)	2,455
2014	839,329	263,941	2,455	71,823	21,469	1,199,016	1,153,505	45,512
2015	875,162	259,489	45,512	1,773	18,847	1,200,783	1,192,546	8,237

(1) From CPA Open Space Set-Aside Fund.
(2) 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.
(3) $84,000 from CPA Historic Set-Aside Fund.
(4) $1,060,000 of total from CPA Open Space Set-Aside Fund.
(5) $63,413 from CPA Historic Set-Aside Fund & $330,000 from CPA Open Space Set-Aside Fund.

Community Preservation Fund appropriations from Fiscal Years 2003-2015 have contributed a total of $ 5,075,000 to the Open Space Set-Aside Fund[3]. The CPC recommended, and Town Meeting approved funding for six open space purchases from the Open Space Set-Aside Fund[4].

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

Table 2 shows the history of the Open Space Set-Aside Fund.

Table 2

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 (4)	1,425,000
2014	300,000	7,000 (4)	1,718,000
Other 2014	162,943 (5) 70,629 (6)		1,880,943 1,951,572
2015	0	15,733 (7)	1,935,839
Other 2015		12,537(8)	1,923,302

(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 payments are estimated to be $65,000+/- 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) $15,733.22 appropriated for Wright Hill debt service.
(8) Reconciliation from an accounting discrepancy related to the 2010 Simeone/Caouette open space acquisition. The funding for this land purchase was from mixed sources – CPA Set-Aside and Town General Fund. Following completion of the purchase and after all expenses, the remaining balance in the combined appropriation was $182,537.12. It was assumed that this entire balance was returned to the CPA Open Space Set-Aside Fund. Instead $170,000 was returned to the Open Space Set-Aside and $12,537.12 was returned to the Town's General Fund.

Appropriations to date from the Community Preservation Fund (excluding appropriations from the set-aside funds) to projects in the four CPA target areas[5] are approximately as shown in the *Table 3* (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 available for new project appropriation in subsequent years. *Table 3* is for illustrative purposes only; all numbers are rounded and approximate.

Table 3

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	1,625,824
2014	387,077	113,035	185,000	413,230	55,163	1,153,505
2015	470,000	150,737	115,077	1,604,827	56,732	2,450,000
Overall	**5,538,077**	**2,454,548**	**3,157,769**	**4,788,782**	**713,526**	**16,705,329**
Overall in %	**33**	**15**	**19**	**28**	**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; Bill Alesbury); representatives of the Board of Selectmen (Peter Berry), Conservation Commission (Vacant), Historical Commission (Victoria Beyer), Planning Board (Ray Yacouby), Recreation Commission (Joe Will), and Acton Housing Authority (Ken Sghia-Hughes); and two associate members (Dean Charter and Carolyn Kilpatrick). 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

[5] 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.

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 4* was provided by the Community Preservation Coalition:

Table 4

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 the environment
- 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 1,883~~71~~ acres of Acton's approximately 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 181 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 are protected by permanent conservation restrictions. Since 2005 a number of open space parcels in Acton have been successfully preserved through purchase in fee by the Town, a local land trust (the Acton Conservation Trust), legislative actions ~~and~~ or 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), the Wright Hill ~~l~~Land (14 acres)~~, and more recently, the 12 acre 176 Central Street land~~[6], ~~. T~~the Wood Lane land (1 acre abutting the Acton Arboretum), the Dunn land (6 acres), ~~and~~ the 11.7 acre Donohoe land~~ were purchased in fee by the Town~~, and most recently the 12

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

acre 176 Central Street land[7]. ~~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.

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 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[8] 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~~including preparation of the associated baseline documentation, for all open space ~~and recreation purchases~~acquisitions under CPA, and for the monitoring and enforcement of the restrictions. These ~~F~~funds ~~for drafting the Conservation Restriction and conducting the Baseline Documentation~~ may be appropriated as part of the CPA Warrant Article that funds ~~acquires~~ the property acquisition. ~~If a grant of a perpetual restriction to a not-for-profit conservation~~

[7] The Groener parcel, Gaebel parcel, Caouette-Simeone farm fields, Anderson property, Wright Hill land, and 176 Central Street land were acquired with CPA funds.

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

~~organization is intended, the amount requested at Town Meeting may include funding for the holder of the restriction for ongoing site monitoring and potential enforcement. Alternatively, if the Warrant Article hasn't specified such an appropriation, the Open Space Committee may request funds from the Open Space Acquisition and Preservation Fund to cover expenses associated with the drafting of the Conservation Restriction and conducting the Baseline Documentation.~~

Open Space Preservation Goals

- Preserve the 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, 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.

Ongoing and recently completed CPA-funded recreation projects are:

- Development of four handicapped-accessible nature play spaces at four sites adjacent to Acton's elementary schools, in cooperation with Acton-Boxborough Regional Schools (completed).
- Support of the development of Discovery Woods and a Creative Playscape at the Acton Discovery Museums. As a condition of funding to a private entity, the Museums granted 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 (completed).
- Assistance to the Town in funding easement acquisitions that will facilitate development of the Assabet River Rail Trail (completed).
- Completion of the Phase I (Skate Bowl) expansion of the T. J. O'Grady Skate Park. Funding support for the Phase II (Skate Plaza) expansion.
- The renovation of basketball courts at Gardner and Goward Playgrounds into modern, junior-size facilities.
- A handicapped-accessible walkway 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.
- Renovations to the parking area at Ice House Pond. A small picnic area will be added adjacent to the parking area and the nearby boat launch will be refurbished.
- Water Chestnut Removal by mechanical harvesting for three years at two impounded sections of Nashoba Brook, Ice House Pond and Robbins Mill Pond.
- Construction of the Sports Pavilion, a multi-use building at NARA to provide accessible concession and bathroom facilities for park patrons and users of the Miracle Field, and office and storage space for Recreation and NARA staff.
- Acton Arboretum Bog Boardwalk replacement and handicapped accessible path to the Bog Boardwalk from Minot Avenue (completed).
- Acton Arboretum Fern Boardwalk replacement and tree removal.
- Acton Arboretum Well, Irrigation and Electrical Service installation to replace a failed irrigation system.

Recreation Needs (from the 2014 – 2021 OSRP)

- 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.
- Prepare for the development of the two regional bike trails planned to run through Acton.
- Improve and expand recreational opportunities.
- Prepare for and address demographic trends.
- Ensure playground facilities are made up-to-date, safe and accessible.
- Enhance the quality of Acton's athletic fields through improved, environmentally-conscious maintenance techniques.
- Optimize the condition and allocation of athletic fields to meet the needs of the Town's growing population.
- Acquire and develop pocket parks/commons in Acton's villages.
- Find a new facility for the Recreation Department.
- Expand public outreach to better inform the public of available passive and active recreation opportunities.

- Improve communication with residents regarding facilities available, events and procedures (e.g., for reserving fields and facilities at NARA).
- Improve communication and coordination with neighboring towns, such as information-sharing regarding procedures and coordination of similar events.
- Establish easier access to internet-based resources regarding Acton's passive and active recreational opportunities.
- Identify and communicate which of the 18 conservation areas are conducive to specific recreational activities.

Recreation Goals (from the 2014 – 2021 OSRP)

- Expand universal accessibility to open space and recreation sites.
- Improve and expand the facilities at the Nathanial Allen Recreation Area (NARA).
- Develop the Ice House Pond Recreation Area.
- Secure recreational indoor space.
- Improve and update existing facilities.
- Create additional facilities to meet the diverse needs of the town.
- Ensure playground facilities are made up-to-date, safe and accessible.
- Enhance the quality of Acton's athletic fields.
- Acquire and develop pocket parks/commons in Acton's villages.
- Relocate and centralize operations of the Department of Recreation; provide equipment storage for the Natural Resources Department grounds crew; secure recreational indoor space.
- Expand public outreach to better inform the public of available passive and active recreation opportunities.

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[9] median income in 2016 is $98,100 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. The *Acton 2020 Comprehensive Community Plan* provides detailed information and should be referred to for additional discussion of community housing.
http://implementation.acton2020.info/node/20

[9] Boston Primary Metropolitan Statistical Area

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 $539,896 in 2015. The annual income needed to buy the average priced home is $166,000, based on a 10% down payment, 30% of income dedicated to home purchase, a 4.5% fixed-rate 30-year mortgage, and annual payments for homeowners insurance and local real estate taxes. This means that about 57% of the households in Acton cannot afford to buy an average priced home in the town today. Given the high quality of education and municipal services that are sought by buyers, it is expected that house values will remain high long into the 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 December 2014, the Massachusetts Department of Housing and Community Development certified 551 or 6.5% of Acton's 8,741[10] dwelling units as deed-restricted affordable housing. That leaves Acton 327 affordable units short of the Town's goal of 10% low- or moderate-income housing units based on the projected 2020 U.S. Census.

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.

In 2012, 2014, and 2016 the CPA recommended and Town Meeting approved expenditures to provide funding for the Regional Housing Services Office based in the Town of Concord. 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 ensure 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

[10] U.S. 2010 Census total housing unit count and updated annually from local building permits

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 Acton Women's Club, 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; exterior rehabilitation and preservation to the National Register Hosmer House complex; Forest Cemetery National Register of Historic Places application; and Historic District Study.

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.

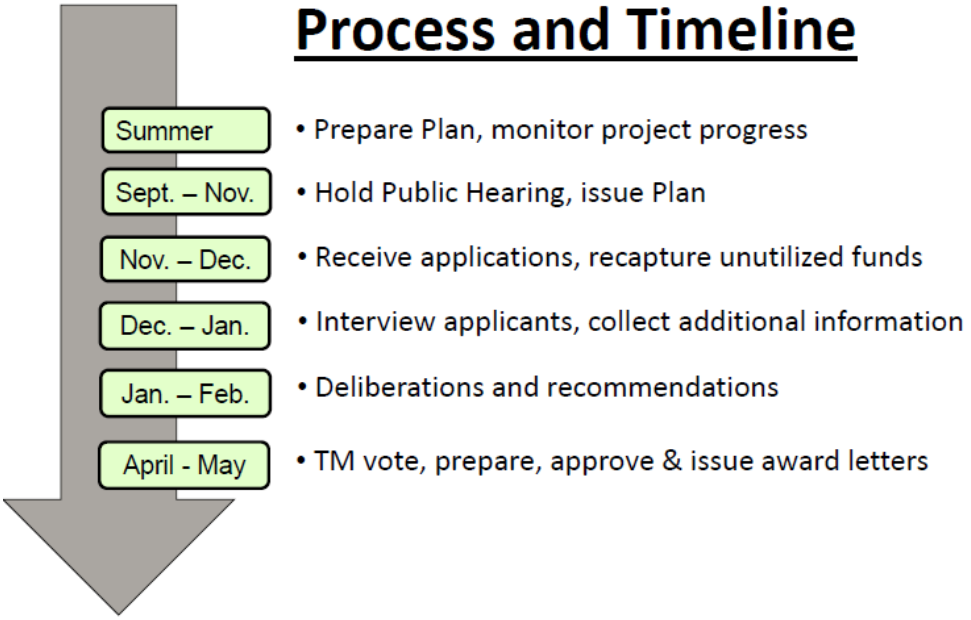
- Protect threatened properties of historical significance by fully documenting and updating the architectural and/or historical significance on survey forms for Acton's Cultural Resource List, and National Register application forms when applicable. Investigate and, if deemed feasible, adopt preservation 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 2017 Annual Town Meeting. The Committee has developed the following process for reviewing, recommending, and funding of CPA proposals:



Project applications follow these steps:

Step 1. Submit Completed Application by Monday, November 14, 2016

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 14, 2016 to be eligible for ordinary consideration at the 2017 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 2016 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 2017 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 (M.G.L. Chapter 30B), which requires special procedures for the selection of products, vendors, services, and consultants.[11]

Comment [r1]: Deleted footnote:
For Example: Purchases over $10,000 require the solicitation of at least three quotes. Purchases over $35,000 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.

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 other Planning Department staff will assist prospective applicants directly or will refer them to other appropriate Town staff.

~~[11] For Example: Purchases over $105,000 require the solicitation of at least three quotes. Purchases over $325,000 require the publication of "invitations for bids" or "requests for proposals". Contracts for goods and services must be awarded to the lowest qualified bidder, which may be someone other than who assisted the applicant with a project application. Project purchases cannot be split to avoid the State procurement laws.~~

The 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 14, 2016 to be considered at the 2017~~6~~ 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 – 2017

Due Date: November 14, 2016

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:

- **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**

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 14, 2016[12]

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

[12] Monday, November 14, 2016 is the deadline to be eligible for ordinary consideration at the 2017 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. 2015 Project Proposals and Committee Funding Recommendations

		Project	CPA Category	Requested Amounts	Final Recommended Amounts
1	AHA	Windsor Green Windows	CH	$ 61,589.00	$ 61,589.00
2	ACHC	Community Housing Program Fund	CH	$ 60,000.00	$ 30,000.00
3	ToA/ACHC	RHSO - Housing Services, 1 year	CH	$ 47,000.00	$ 23,488.00
4	ToA - Open Space Committee	176 Central Street acquisition or open space set-aside	OS	$ 450,000.00	$ 400,000.00
5	ToA - Open Space Committee	Open Space Acquisition and Preservation Fund	OS	$ 20,000.00	$ 20,000.00
6	S.A. Congrega-tional Church	Roof Repair	HP	$ 15,000.00	$ 15,000.00
7	Acton Congrega-tional Church	Preservation Master plan (3 bldgs)	HP	$ 49,500.00	$ 49,500.00
8	Acton Congrega-tional Church	Stained Glass Window Preservation	HP	$ 51,237.00	$ 51,237.00
9	ToA - HDC	Historic District Consultant	HP	$ 35,000.00	$ 33,034.82
10	ToA - Recreation Commission	NARA - Parking Control	R	$ 30,000.00	$ -
11	ToA - Recreation Commission	NARA - Miracle Field Sports Pavilion	R	$ 400,000.00	$ 350,000.00
12	ToA - Recreation Commission	Skate Park Expansion - Phase 2, Skate Plaza	R	$ 135,000.00	$ 135,000.00
13	CPC/ToA	CPA Program Support = 5% of ('14 coll. surcharge + '15 MA tr. fd. distr.)	ADMIN	$ 56,732.00	$ 56,732.00
				$ 1,411,058.00	$ 1,192,546.00
14	CPC	Debt Service - Wright Hill Open Space (yr 1)	R	$ 15,733.22	$ 15,733.22

The 2016 Annual Town Meeting adopted all the Committee's recommendations.

The remaining CP Fund balance after the 2016 Town Meeting appropriations is $ 45,512. 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 2015 Town Meeting appropriations into the fund and from the fund is $ 1,951,572. The balance in the Historic Preservation set-aside account is $33,035. There is no set-aside fund balance for Community Housing.

2. 2016~~5~~ Annual Town Meeting – Community Preservation Project Article

Article 25 **Community Preservation Program –**
(Majority vote) **Direct Appropriations From Fund Balances**

To see if the Town will appropriate or set aside for later appropriation, and authorize and direct the Board of Selectmen and the Town Manager to expend or set aside, from the FY 2015 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 2015 COMMUNITY PRESERVATION FUND BALANCES	
FY 2015 Community Preservation Fund Revenues	
Community Preservation Fund Surcharge Collected in FY 2015	$ 875,162.00
State Community Preservation Trust Fund Receipt, October 2015	$ 259,489.00
Other FY 2015 Community Preservation Fund Components	
Interest Earned in FY 2015	$ 18,846.93
Unencumbered FY 2014 Fund Balance	$ 45,511.70
Recapture of unspent previous years' project appropriations	$ 1,773.08
Total - FY 2015 Community Preservation Fund Balance	**$1,200,782.71**
FY 2015 Open Space Set-Aside	
Set-Aside Fund Balance from appropriations for the Acquisition, Creation, and Preservation of Open Space and its Rehabilitation and Restoration	$1,951,571.87
Total FY 2015 Open Space Set-Aside Fund Balance	**$1,951,571.87**
FY 2015 Historic Set-Aside	
Set-Aside Fund Balance from appropriations for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	$ 33,034.82
Total FY 2015 Historic Set-Aside Fund Balance	**$ 33,034.82**
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 *	$ 400,000.00
Spending Appropriations	
B. Acton Housing Authority – Windsor Green Windows Installation	$ 61,589.00
C. Community Housing Program Fund**	$ 30,000.00
D. Regional Housing Services Program – One Year	$ 23,488.00

E. Open Space Acquisition and Preservation Fund	$ 20,000.00
F. South Acton Congregational Church – Roof Repair	$ 15,000.00
G. Acton Congregational Church – Preservation Master Plan	$ 49,500.00
H. Acton Congregational Church – Stained Glass Window Preservation	$ 51,237.00
I. NARA Miracle Field Sports Pavilion	$ 350,000.00
J. Skate Park Expansion – Phase 2, Skate Plaza	$ 135,000.00
Administrative Appropriation	
K. 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	$ 56,732.00
Total Recommended Appropriations from FY 2015 Community Preservation Fund Balance	**$1,192,558.00*** **
APPROPRIATION FROM OPEN SPACE SET-ASIDE FUND BALANCE	
L. Wright Hill Open Space Land Acquisition - Debt Service	$ 15,733.22
Total Recommended Appropriations from the Open Space Set-Aside Fund	**$ 15,733.22**
APPROPRIATION FROM HISTORIC SET-ASIDE FUND BALANCE	
M. Historic District Consultant	$ 33,034.82
Total Recommended Appropriations from the Historic Set-Aside Fund	**$ 33,034.82**
Resulting Fund Balances	
Resulting FY 2015 Community Preservation Fund Balance	$ 8,236.71
Resulting Balance in the Set-Aside Fund for the Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration*	$2,281,571.87
Resulting Balance in the Set-Aside Fund for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	$ 0.00

*[*** A typographical error was made in this chart. The actual fund balance was $1,192,456.]*

* This item shall be reduced to $0.00 if Town Meeting authorizes the acquisition of land at 176 Central Street for Open Space purposes as set forth in the previous article and the fund balance in the Open Space set aside account will remain at $1,951,571.87

** Pursuant to Town Charter Section 6-5 that the appropriation to the Community Housing Program Fund shall not lapse three years and one month following the 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 available for the purpose specified until expended for that purpose or until the CPC recommends and Town Meeting votes to rescind the appropriation of any unspent funds appropriated for this 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 2015 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 2015 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 2015 Community Preservation Fund Balance the minimum necessary amounts to allocate not less than 10% of the FY 2015 Community Preservation Fund Revenues for open space ($113,465.10), not less than 10% of the FY 2015 Community Preservation Fund Revenues for historic preservation ($113,465.10), and not less than 10% of the FY 2015 Community Preservation Fund Revenues for community housing ($113,465.10), or take any other action relative thereto.

Summaries

This article would make appropriations from the Town's Community Preservation Fund balance, and from the Community Preservation Open Space and Historic Set-Aside Funds. 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 2015, the Community Preservation Committee published its 2016 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, 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; some of the proposed projects have undergone transformations from how they were proposed originally; and some proposed projects were not recommended for funding.

All recommended amounts are “up-to” spending limits. Savings, if any, will be available for future appropriations. The recommended appropriations leave a remaining Community Preservation Fund balance of $8,236.71 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. It 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 ($113,465.10 in FY 2015) for each of the following: open space; historic resources; and community housing. The Committee’s recommendations meet the required funding levels. 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 ($56,732.00 recommended).

A total of $1,773.08 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 did not occur this year. Therefore, this article does not make set-aside fund appropriations to compensate for such shortfalls in prior years.

A. Open Space Set-Aside

The current Open Space Set-Aside Fund balance is $1,951,571.87. This item proposes to add $400,000 to that fund balance. 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. However, if Town Meeting authorizes the acquisition of land at 176 Central Street for Open Space purposes as set forth in the previous article, the Community Preservation Committee recommends that no appropriation be made to the Open Space Set-Aside.

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

B. Acton Housing Authority – Windsor Green Windows Installation

The recommended appropriation of $61,589 for the Acton Housing Authority will fund installation and materials for window enclosures in the 68 residential units at the Acton Housing Authority’s Windsor Avenue buildings. The Acton Housing Authority applied for funding from the Low-income Energy Affordability Network (LEAN) Air Source Heat Pump program (part of MassSave®) for the heating replacement at Windsor Avenue. Although their application was successful and the new system was completed in March, the LEAN program only covers the cost of the utility replacement and does not cover the cost of enclosing the holes in the building where the existing wall mounted air conditioners currently exist. Enclosing the holes left by the

obsolete wall mounted air conditioners will protect the buildings by making them weather tight and will increase the energy efficiency of the structures.

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

C. Community Housing Program Fund

The recommended appropriation of $30,000 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 Acton Community Housing Corporation 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.

With this request, ACHC proposes to continue its current programs and initiate new ones. Uses of the Fund from 2004 to 2015 include:

- Closing costs and mortgage payment assistance to 24 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 buydown and selling price subsidy for 9 units;
- Capital improvements for 11 affordable units;
- Funding the Housing Inventory for the Acton 2020 Community Master Plan;
- Funding 4 years of membership in the Regional Housing Services Office;
- Funding a Housing Production Plan; and,
- Administrative expenses.

The ACHC has access to privately funded affordable housing gifts earmarked for affordable housing programs. These housing gift funds can be used as leverage for programs in addition to the CPA funds.

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

D. Regional Housing Services Program (One Year)

The Town approved Acton's participation with a two-year CPA appropriation in 2012. The recommended appropriation of $23,488 would continue the Town's participation in a Regional Housing Services Program for a fifth year to assist with meeting the administrative, compliance and monitoring needs for the Town's existing affordable housing units and to further regional housing goals and efforts.

The Regional Housing Services Office (RHSO) is currently located in Concord and is managed by Concord's Director of Planning and Land Management. The Office assists with affordable housing matters in the participating towns – Acton, Bedford, Burlington, Concord, Lexington, Sudbury, and Weston. This innovative regional approach to managing the administration of local affordable housing programs was developed with the assistance of the Metropolitan Area

Planning Council (MAPC), funded by the State's District Local Technical Assistance (DLTA) program, and launched on July 1, 2011.

During the term of the agreement, the Regional Housing Services Office will provide core housing services to Acton totaling at least 320 hours for Fiscal Year 2017 with the specifics of services negotiated by the ACHC, and under its direct supervision. Such services may include, for instance, checking compliance with regulatory agreements; monitoring of affordable housing units; updating and reconciliation of local housing inventory records with those maintained by the Department of Housing and Community Development; project-review assistance; maintenance of ready-buyer lists; assistance with affordable housing lotteries and resales; and conducting homeownership training.

In May, the Regional Housing Services Office went live with a new website (http://www.rhsohousing.org/). The website contains a variety of information designed to help local officials, current and prospective residents. The information on the website includes the affordable housing inventories for each town, a listing of affordable housing opportunities that are currently accepting applications, and a section on resident services with local resources and contact information. The next phase of the website will include a secure access section for RHSO and town staff for easy access to unit level data for ownership units with purchase information and contact history, and key project documents (Permits, Regulatory Agreements, Deeds) for projects and owners. This will give each participating town online access to the confidential information the RHSO staff maintains.

CPA funds can be used for the "preservation and support of community housing." Where this funding request is for a program whose goal is to assist the local housing programs, ensure compliance with restrictive covenants and further affordable housing solutions for the region, it is preserving and supporting community housing as provided in the Act.

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

E. Open Space Acquisition and Preservation Fund

Most open space acquisition prospects require certain initial expenditures to preserve the opportunities before the actual recommendation for a purchase can be brought to Town Meeting. This includes determining the value of the property; reviewing any environmental issues with the property; evaluating the merits of the transaction; and negotiating and preparing transaction documents. When opportunities to acquire and preserve open spaces arise the Town must be able to react nimbly. This fund was first established in 2010 with a Community Preservation Program appropriation of $25,000. The recommended appropriation of $20,000 to the Open Space Acquisition and Preservation Fund will replenish this fund so the Town can continue to advance open space acquisition opportunities during the intervals between Town Meetings.

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

F. South Acton Congregational Church – Roof Repair

The South Acton Congregational Church is an historic resource located at 29 School Street in the South Acton Historic District. The historic building was constructed in 1892 and is listed on the Acton Historical Commission's Cultural Resource List. The recommended appropriation of $15,000 will help preserve the historic building through funding roof repairs that prevent ice dam formation. The rehabilitation of the roof is an extraordinary repair that will reverse the

deterioration of the roof and preserve the building's historic function for use as a church and community meeting place. Ice dams and the resulting intrusion of melting water have already resulted in damage to the building. Absent these repairs, ice dams will continue to form each winter, resulting in water backing up into the roof and leaking into the building, damaging the ceilings, walls, and eventually rotting the structure.

The rehabilitation project must comply 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 and is contingent upon receipt of a fully executed perpetual historic preservation restriction that is acceptable to the Town.

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

G. Acton Congregational Church – Preservation Master Plan

The recommended appropriation of $49,500 will fund a Master Plan for the three historic properties located at 8, 12, and 20 Concord Road in the Acton Center Historic District to evaluate and identify critical needs and set restoration and rehabilitation priorities to preserve these historic assets for future years. All three buildings are listed on the National Register of Historic Places and the Acton Historical Commission's Cultural Resource List. The buildings are known as the Fletcher House, Hosmer House and the Evangelical Church, which date back to the mid-1800s.

The total cost of the project is $55,000. The Acton Congregational Church will pay for the difference between the total cost and the appropriation request. The preservation project must comply 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 and is contingent upon receipt of a fully executed perpetual historic preservation restriction that is acceptable to the Town.

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

H. Acton Congregational Church – Stained Glass Window Preservation

The Acton Congregational Church is located at 12 Concord Road in the Acton Center Historic District. It is listed on the National Register of Historic Places and the Acton Historical Commission's Cultural Resource List. It was built in 1846 with renovations made in 1889. The renovation included the installation of stained glass windows. The recommended appropriation of $51,237 will fund the restoration for the approximately 120-years-old stained glass windows that need attention in the short term in order to prevent further damage.

The wood around the windows is rotting, risking the integrity of the windows. The proposed work would remove the old plastic covers, repair the existing wood damage, replace missing or broken pieces of glass, seal the glass, scrape and paint the wood, and install new ventilated glazing (1/4" laminated glass) to stabilize and protect the eight primary stained glass windows. The total cost of the project is $56,930. The Acton Congregational Church will pay the difference between the total cost and the appropriation request.

The work will protect the stained glass windows, an integral part of the church's historical significance, from harm. Without the proposed work, the windows are at risk of severe damage. This rehabilitation work is an extraordinary repair which will protect the resource for its intended use. Without these measures, the stained glass may deteriorate significantly.

The preservation project must comply 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 and is contingent upon receipt of a fully executed perpetual historic preservation restriction that is acceptable to the Town.

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

I. NARA Miracle Field Sports Pavilion

NARA Park is home to the Joseph Lalli Miracle Field, the first handicap accessible ball field specially designed for children with disabilities in New England. The recommended appropriation of $350,000 will fund the construction of a multi-use building. This building will serve users of the Miracle Field by providing refreshment and bathroom facilities, plus office and storage space for Recreation and NARA staff. Construction of the accessible bathrooms and concession building will utilize two donated modular houses from the neighboring Redmond Corp. The value of the donation of these two modular houses, including moving and installing them is worth an estimated $ 273,000. The building will be located opposite the playing fields and next to the Miracle Field, on the northwest corner of the upper parking lot. As NARA Park continues to grow, so does the demand to supply the amenities park users require. This capital improvement will make the land more functional for its intended recreational use. The total estimated cost for this project is $652,327. The difference is made up with pledged donations in the amount of $265,000 and in-kind donations of labor and materials.

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

J. Skate Park Expansion – Phase 2, Skate Plaza

The recommended appropriation of $135,000 will fund phase two of a two-part expansion of the T.J. O'Grady Skatepark. Phase two construction consists of a triangular Skate Plaza, designed by Stantec. Phase two converts the barren 100' x 100' area remaining after the original Skate Park parking lot was removed to support the Lower Fields' synthetic turf field complex installation. This project will provide an attractive formal entrance and viewing area for onlookers, and handicap accessible park amenities. It features a world-class triangular skating course around a bio-retention area.

The T.J. O'Grady Memorial Skate Park is located at 66 Hayward Road in Acton, MA. It officially opened for public use on Monday, November 21, 2005 to celebrate the life of T.J. O'Grady. T.J. was a 14-year-old Acton-Boxborough R.J. Grey Jr. High student who passed away tragically on this date in 1998 while skateboarding on a street in Boxborough. T.J. had a passion for history, friends and skateboarding. He co-founded the Grey JHS Skateboard Club.

The triangular skate plaza costs a total of $175,000. The remaining funds will come from the Town of Boxborough. Boxborough's Community Preservation Committee has committed to recommend a $40,000 appropriation for this project to their Town Meeting in May 2016.

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

K. Administrative and Operating Expenses

The recommended appropriation of $56,732 is 5% of the FY 2015 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**	**Finance Committee**
	Recommended	**Recommended**

L. Wright Hill Open Space Land Acquisition - Debt Service

The recommended appropriation of $15,733.22 from the open space set-aside fund will pay for the anticipated first regular annual payment on the 15-year bond for the purchase of the Wright Hill Open Space land acquisition. 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. This debt service payment is based on a borrowing of 15 years and an amount of approximately $900,000.

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

M. Historic District Consultant

The recommended appropriation of $33,034.82 from the historic set-aside account will fund consulting services for a detailed historical inventory of the characteristics and features of each of Acton's Historic Districts. This inventory will catalogue the unique architectural characteristics of the buildings in each Historic District and describe the settings of the buildings in the Districts. This inventory will be used to create a foundation for decisions of the Commission regarding Certificates of Appropriateness, to clearly articulate guidelines for new construction, and to develop proposals for new zoning overlays in each of the Districts that will further support historic preservation and protection in the Districts.

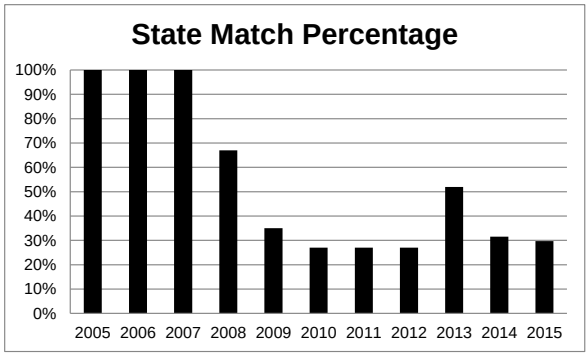
Recommendations:	**Board of Selectmen**	**Finance Committee**
	Recommended	**Recommended**

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 2015 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 State match has since dropped significantly as the chart below indicates. In 2013 Acton received an increase in the match due to an additional $25 million that was deposited in the CPA Trust Fund from the State's FY13 budget surplus. However, 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 and again in 2015, the state match is just under 30%.



At the beginning of 2015, the Community Preservation Fund balance stood at $1,199,016. In addition, there were $1,658,572 in the Open Space Set-Aside Fund and $33,034 in the Historic Preservation Set-Aside Fund.

In April, the Annual Town Meeting appropriated $1,153,504 from the Community Preservation Fund for fourteen projects:

- $300,000 transferred to the Open Space Set-Aside Fund
- $30,327 transferred to the Historic Preservation Set Aside Fund to meet the required 10% spending
- $2,708 transferred to the Historic Preservation Set Aside Fund to make-up for underspending of the 10% requirement in 2012
- $35,000 to the Acton housing Authority for a project feasibility study
- $150,000 to the Acton Community Housing Corporation's Community Housing Program fund

- $10,000 for costs to nominate the Forest Cemetery on the National Historical Register
- $70,000 to the Acton Woman's Club for Phase 2 work on preservation and accessibility of the building
- $24,952 to construct the Fern boardwalk and associated tree removal in the Acton Arboretum
- $36,000 for water chestnut removal over three years at Ice House Pond
- $26,125 to put in an irrigation well at the Acton Arboretum
- $120,000 to the Regional School system for the construction of Natures Play spaces at the elementary schools in Acton
- $150,000 to the Discovery Museums for the Discovery Woods and Creativity Playscapes
- $143,230 for easements to permit the construction of the Assabet River Rail Trail
- $55,163 to cover the Town's direct and administrative costs for the CPA Program.

In addition, $7,000 was appropriated from the Open Space Set Aside Fund to cover the interim borrowing on the debt portion of the 2014 purchase of the open space parcel at Wright Terrace in West Acton.

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 $45,512 balance in the unallocated Community Preservation Fund and $33,035 in the Historic Preservation Set-Aside Fund, while the balance in the Open Space Set-Aside Fund stood at $1,951,572.

To date, CPC funds have supported approximately 100 community preservation projects throughout the community. Some community preservation projects that were completed during 2015 were:

- The NARA Pavilion
- Wright Hill open space acquisition

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

- The Open Space Acquisition and Preservation Fund to assist with appraisal, legal fees, and other costs 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.
- Acton's participation in the Regional Housing Services Program (http://www.rhsohousing.org/)

As of June 30, 2015, the Town had raised $875,162 from the local CPA surcharge for FY2014 and in November received $259,489 in State matching funds (29.65%). Total available funds at the end of calendar year 2015 are approximately $1,200,782 plus the $1,951,572 in Open Space Set-Aside Fund and $33,035 in the Historic Preservation Set Aside Fund.

Over the summer of 2015 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. As part of its hearing process on the annual plan, the CPC allows 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. The Final 2016 Plan was published in September 2015 and is posted on the Town website. It contains updated guidelines and information for applicants seeking community preservation funds.

In November, the Committee received fourteen applications for funding in 2016, for a total request of $2,300,648. This is the third year in a row in which application requests far exceed available funding. 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 2016 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 the Acton Memorial Library meeting room. 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, citizens may visit the Community Preservation page on the Town website at www.acton-ma.gov. The CPC would like to thank the Planning Department which provides Town staff support to the Committee which is greatly appreciated!

2015 CPC Members:
Peter K. Ashton – At Large (Chair)
Paula Goodwin – 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

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.

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- 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. Div.

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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

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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

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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.

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

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

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

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

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

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

Sincerely,

Walter Foster
Chairman
Community Preservation Committee

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

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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

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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.