# TOWN OF ACTON

# COMMUNITY PRESERVATION PLAN
# 2021

# COMMUNITY PRESERVATION COMMITTEE

**September 8, 2020**

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# INTRODUCTION

The Town of Acton Community Preservation Committee ("the Committee") is pleased to present the 2021 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.actonma.gov.

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# 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 2019 Acton receipts from the State's CPA trust fund varied between 17% and 67%; the trend is declining. In recent years the State has sometimes made end-of-year budget surplus transfers to the CPA trust fund, which helped boost distribution rates. In early 2020 the State made such a budget transfer boosting Acton's trust fund match by $101,857.00 to a total of $247,192.00 or nearly 24%.

By the end of 2019, 176 Massachusetts cities and towns have adopted the CPA. Each year the state match is distributed in three rounds to the participating cities and towns based on 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, more than 70 of the 176 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].

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

[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.



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2019 as audited are shown in *Table 1*. The FY 2019 State match from the CPA trust fund was 24%.

***Table 1***

| Fiscal Year | Revenues ($) | | | | | | | Appropriations in following calendar year ($) | Undedicated Reserve ($) |
|---|---|---|---|---|---|---|---|---|---|
| | Local Surcharges | State Match | Prior Year Reserve | Prior Years' Recapture | Interest Earned (less abatements & exemptions) | Gifts | **Total** | | |
| **2003** | 470,991 | 473,465 | 0 | 0 | 0 | | 944,456 | 873,483 | 70,973 |
| **2004** | 539,237 | 534,467 | 70,973 | 0 | 4,155 | | 1,148,832 | 1,083,867 | 64,966 |
| **2005** | 573,504 | 568,164 | 65,591 | 0 | 29,417 | | 1,236,676 | 1,172,553 | 85,497 |
| **2006** | 656,254 | 652,082 | 85,497 | 67,745 | 58,502 | | 1,520,080 | 1,331,380 | 188,700 |
| **2007** | 682,528 | 690,311 | 188,700 | 0 | 137,304 | | 1,698,843 | 1,466,605 | 232,238 |
| **2008** | 703,908 | 473,581 | 232,238 | 15,751 | 101,371 | | 1,526,849 | 955,155 | 571,694 |
| **2009** | 718,787 | 250,473 | 571,694 | 43,164 | 54,705 | | 1,638,823 | 1,143,663 | 495,160 |
| **2010** | 746,873 | 202,879 | 495,160 | 101,055 | 30,322 | | 1,576,289 | 1,251,696 | 324,593 |
| **2011** | 756,534 | 202,313 | 324,593 | 83,833 | 21,994 | | 1,389,267 | 1,194,470 | 194,797 |
| **2012** | 783,628 | 208,957 | 194,797 | 4,279 | 23,688 | | 1,215,348 | 953,388 | 211,960 |
| **2013** | 808,604 | 424,035 | 211,960 | 159,673 | 24,006 | | 1,628,278 | 1,625,824 | 2,455 |
| **2014** | 839,329 | 263,941 | 2,455 | 71,823 | 21,469 | | 1,199,016 | 1,153,505 | 45,512 |
| **2015** | 875,162 | 259,489 | 45,512 | 1,773 | 18,847 | | 1,200,783 | 1,192,546 | 8,237 |
| **2016** | 913,029 | 187,873 | 8,237 | 71,152 | 15,898 | | 1,196,189 | 1,139,954 | 56,235 |
| **2017** | 956,455 | 164,531 | 56,235 | 93,019 | 11,352 | | 1,281,592 | 1,159,131 | 122,461 |
| **2018** | 1,001,384 | 188,586 | 122,461 | 257,323 | 30,646 | | 1,600,400 | 1,586,155 | 14,245 |
| **2019** | 1,033,474 | 247,192 | 14,246 | 57,673 | 89,237 | 10,000 | $1,451,822 | 1,442,760 | 9,062 |

Community Preservation Fund appropriations from Fiscal Years 2003-2019 have contributed a total of $ 6,755,000 to the Open Space Set-Aside Fund[3]. Note that appropriations of each fiscal year's revenues do not occur until the following calendar year.

The CPC recommended, and Town Meeting approved funding for five open space purchases from the Open Space Set-Aside Fund. *Table 2* shows the history of the Open Space Set-Aside Fund. The Town purchased with general CPA funds two additional open space parcels:

- 2007 Groener land purchase, $100,000 appropriation: 193 Nagog Hill Road (rear); 12.5 acres.
- 2016 Central Street land purchase, $400,000 appropriation: 176 Central Street; 11.9 acres.

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



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## ***Table 2***

| Year | Open Space Set-Aside Fund Activities | | |
|---|---|---|---|
| | Appropriations to the Set-Aside Fund ($) | Expenses from the Set-Aside Fund ($) | Set-Aside Fund Balances ($) |
| **2004** | 200,000 | | 200,000 |
| **2005** | 300,000 | | 500,000 |
| **2006** | 400,000 | | 900,000 |
| **2007** | 350,000 | | 1,250,000 |
| **2008** | 500,000 | 508,965 (1) | 1,241,035 |
| **2009** | 425,000 | | 1,666,035 |
| **2010** | 500,000 | 830,000 (2) | 1,336,035 |
| **2011** | 450,000 | | 1,786,035 |
| **2012** | 500,000 | | 2,286,035 |
| **2013** | 300,000 | 1,024,964 (3) | 1,561,071 |
| **2014** | 450,000 | 330,000 (4) | 1,681,071 |
| **2015** | 300,000 | 5,645 (4) | 1,975,426 |
| **2016** | | 13,781 (5) | 1,961,645 |
| **2017** | 450,000 | 85,420 (5) | 2,326,225 |
| **2017** | | 769,300 (6) | 1,556,925 |
| **2018** | 500,000 | 84,000 (5) | 1,972,925 |
| **2019** | 450,000 | 81,600 (5) | 2,341,325 |
| **2020** | 280,000 | 79,200 (5) | 2,540,005 |

(1) +/-5.5 acres off Piper Lane in South Acton plus a conservation restriction on adjacent +/-0.2 acres (2008 Gaebel land purchase with house; from a $730,000 appropriation from the Open Space Set-Aside fund).
(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; from a $1,060,000 appropriation from the Open Space Set-Aside fund).
(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). Plus $5,645 from $7,000 Open Space Set-Aside appropriation for debt service on short term borrowing for this bond.
(5) Wright Hill debt service.
(6) 161 Newtown Road Open Space Purchase, +/-11 acres abutting Grassy Pond; from a $730,000 appropriation from the Open Space Set-Aside fund.

Appropriations to date from the Community Preservation Fund (excluding appropriations from the set-aside funds) to projects in the four CPA target areas[4] are approximately as shown in *Table 3*. 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.

[4] 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.

***Table 3***

| Year | Open Space | Historic Resources | Community Housing | Recreation | Administration & Other | Total |
|---|---|---|---|---|---|---|
| | | | | | | |
| 2004 | $200,000 | $84,000 | $250,000 | $297,000 | $43,000 | $874,000 |
| 2005 | $300,000 | $225,000 | $180,000 | $325,000 | $54,000 | $1,084,000 |
| 2006 | $424,000 | $144,000 | $242,000 | $305,000 | $57,000 | $1,172,000 |
| 2007 | $450,000 | $100,000 | $269,000 | $447,000 | $65,000 | $1,331,000 |
| 2008 | $500,000 | $373,000 | $185,000 | $340,000 | $69,000 | $1,467,000 |
| 2009 | $425,000 | $119,000 | $352,000 | $0 | $59,000 | $955,000 |
| 2010 | $525,000 | $155,000 | $300,000 | $115,000 | $48,000 | $1,143,000 |
| 2011 | $450,000 | $604,000 | $150,000 | $0 | $47,000 | $1,251,000 |
| 2012 | $500,000 | $97,000 | $340,000 | $210,000 | $48,000 | $1,195,000 |
| 2013 | $374,000 | $100,000 | $280,000 | $200,000 | $50,000 | $1,004,000 |
| 2014 | $533,000 | $189,776 | $309,692 | $531,725 | $61,631 | $1,625,824 |
| 2015 | $387,077 | $113,035 | $185,000 | $413,230 | $55,163 | $1,153,505 |
| 2016 | $470,000 | $150,737 | $115,077 | $485,000 | $56,732 | $1,277,546 |
| 2017 | $450,000 | $110,090 | $110,090 | $402,000 | $55,045 | $1,127,225 |
| 2018 | $530,000 | $253,160 | $227,910 | $92,012 | $56,049 | $1,159,131 |
| 2019 | $450,000 | $362,227 | $310,429 | $404,000 | $59,499 | $1,586,155 |
| 2020 | $280,000 | $175,260 | $582,500 | $350,000 | $55,000 | $1,442,760 |
| **Overall** | **$7,248,077** | **$3,355,285** | **$4,388,698** | **$4,916,967** | **$939,119** | **$20,848,146** |
| **Overall in %** | **35%** | **16%** | **21%** | **24%** | **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 (Walter Foster; Bill Alesbury, and Carolyn Kilpatrick); representatives of the Board of Selectmen (Dean Charter), Conservation Commission (Amy Green), Historical Commission (Victoria Beyer), Planning Board (Ray Yacouby), Recreation Commission (Stephen Trimble), and Acton Housing Authority (Nancy Kolb); and one associate member Alissa Nicol and one vacancy. The Selectmen have assigned the Planning Division 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*, the 2020 Housing Production Plan, and other relevant planning documents. This Community Preservation Plan attempts to capture Acton's community preservation needs and goals in the four CPA target areas. This Plan also outlines the processes by which the Committee solicits, reviews, and recommends project proposals for CPA funding, and it includes the application form and instructions. It is updated every year to reflect changes in goals or emphasis.

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## 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 of the four CPA target areas: open space, historic resources, and community housing. The CPA statute does not prescribe a minimum for recreation. 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 Acton Community Preservation Committee and Program, 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.actonma.gov. Written comments or questions are welcome and may be submitted via email to cpc@actonma.gov or directed to the Community Preservation Committee, c/o Planning Division, 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 resources, 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

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# 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

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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 Town 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.

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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:
https://www.communitypreservation.org/allowable-uses

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# 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 1,894 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 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), 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 land (14 acres), the Wood Lane land (1 acre abutting the Acton Arboretum), the Dunn land (6 acres), the 11.7 acre Donohoe land, the 12 acre 176 Central Street land, and most recently the 11 acres of the 161 Newtown Road Land[5]. However, over time, the development of the Town's "green spaces" has out-paced land protection. The CPA offers a significant tool for increasing the protection and preservation of the Town's open spaces, farmlands, and natural resources.

[5] The Groener parcel, Gaebel parcel, Caouette-Simeone farm fields, Anderson property, Wright Hill land, 176 Central Street land and the 161 Newtown Road land were acquired with CPA funds.



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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 2014-2021 Open Space and Recreation Plan includes a ranking and prioritization of all privately owned parcels in town[6] 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 and which is used for property appraisals, site inspections, title searches and other items necessary for exploring and evaluating open space acquisition and preservation opportunities and advancing them for Acton town meeting. The fund may also be used for legal fees, conservation restriction expenses and stewardship endowments.

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.

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



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## 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 (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. More specifically, recreation needs for the Nathanial Allen Recreation Area (NARA) are documented in the 2017 Town publication, "NARA Park Master Plan 2016-2026."

## Recreation Resources

Active recreation is a very high priority among Acton's youth and adults, many of who participate in the Town's athletic leagues. NARA and Acton's active recreation fields, not including fields on school campuses, make up about 63 acres.

CPA funds have helped to improve and expand opportunities for active recreation. Ongoing and recently completed CPA-funded recreation projects are:

- Nashoba Brook water chestnut removal by mechanical harvesting at two impounded sections: Ice House Pond and Robbins Mill Pond (completed).
- Acton Arboretum new kiosk (completed), Cedar Arbor replacement, and culvert replacement.
- Morrison Farm well with irrigation and electrical service installations that have made the gardens independent of Town water supply and services (completed).
- Ice House Pond renovations to the parking area, addition of an adjacent small picnic area, and refurbishment of the nearby boat launch.
- Ice House Pond accessible walkway along its west side that 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.
- NARA Sports Pavilion construction to provide accessible concession and bathroom facilities for NARA patrons and users of the nearby Miracle Field, and office and storage space for Recreation and NARA staff.
- NARA parking lot expansion to provide additional parking near the Sports Pavilion (completed).
- NARA Picnic Pavilion restroom installation, to provide a facility close to the Pavilion for its patrons, and for NARA summer campers who use the Pavilion.
- NARA Amphitheater Stage, accessible access ramp (completed).
- Bruce Freeman Rail Trail Phase 2B to help complete its 100% Engineering Design Plan.
- T. J. O'Grady Skate Park Phase 2 (Skate Plaza) expansion.
- Camp Acton Conservation Land accessible campsite.

**Recreation Needs (from the 2014 – 2021 OSRP)**

- Provide background and support for the Acton Dog Park Committee.
- For persons with disabilities, ensure accessibility for recreation activities (e.g., trails, picnicking, water-based recreation and camping) at both recreational and conservation areas.
- Improve and expand recreational opportunities.
- Prepare for and address demographic trends.
- Ensure playground facilities are 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.
- Expand public outreach to better inform the public of available passive and active recreation opportunities.
- Identify and communicate which of 18 conservation areas are conducive to specific recreational activities.

**Recreation Goals (from the 2014 – 2021 OSRP)**

- Provide equipment storage for the Natural Resources grounds crew.
- Expand universal accessibility to open space and recreation sites.
- Improve and expand the facilities at the NARA.
- Improve and update existing facilities.
- Create additional facilities to meet the diverse needs of the town.
- Ensure playground facilities are up-to-date, safe, and accessible.
- Enhance the quality of Acton's athletic fields.
- Acquire and develop pocket parks/commons in Acton's villages.

- Expand public outreach to better inform the public of available passive and active recreation opportunities.

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# COMMUNITY HOUSING

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

Acton's estimated area-wide[7] median income in 2019 is $113,300 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

[7] Boston Primary Metropolitan Statistical Area



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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 $584,315 in 2018 The annual income needed to buy the average priced home is $180,000, 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 July 2019, the Massachusetts Department of Housing and Community Development certified 651 or 7.68% of Acton's 8,475[8] dwelling units as deed-restricted affordable housing. That leaves Acton 197 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. The Town used CPA funds to update the Housing Production Plan beginning in the spring of 2019. The current Plan expires in July 2025.

In 2012, 2014, 2016, 2017, 2018, and 2020 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, Concord, Lexington, Sudbury, Wayland 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.

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

**Community Housing Goals**

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

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

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

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

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

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

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

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

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

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

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# 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 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.

Some of the projects aided by CPC funds are: Restoration of the Town Monument; Jones Tavern chimney, roof & gutters; Iron Work Farm Window Restoration; 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; preservation and landscape to the National Register Hosmer House complex; Forest Cemetery National Register of Historic Places application; Woodlawn Cemetery Gates; and Historic District Study.

## Historic Resources and Needs

The rural, agricultural, and historic character of Acton is 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 Resources Goals**

- Protect, preserve, rehabilitate, 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, MACRIS, the online Massachusetts Cultural Resource Information System, 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.

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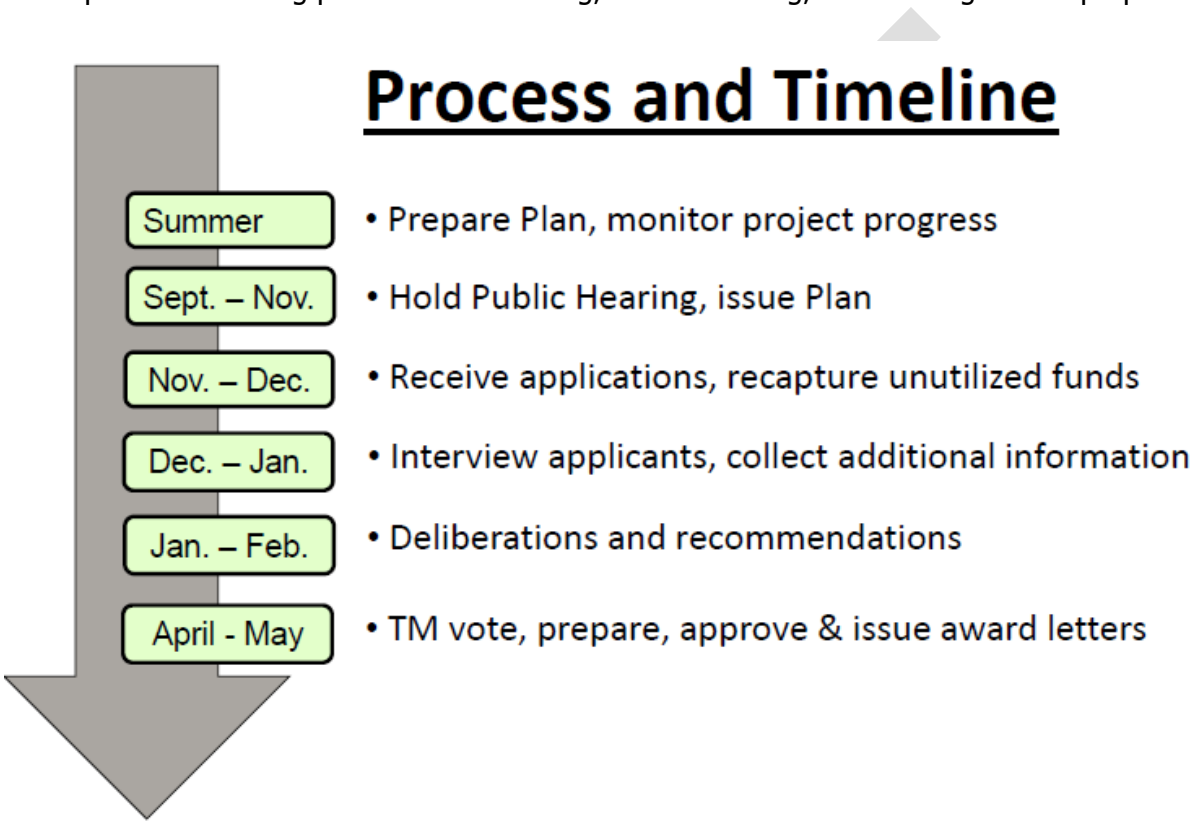
# THE CPA FUNDING APPLICATION PROCESS

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 funded. The Committee expects to bring its recommendations to the 2020 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 16, 2020**

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 16, 2020 to be eligible for ordinary consideration at the 2020 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 electronically to cpc@actonma.gov

and in hard copy form to

Community Preservation Committee
c/o Planning Division
Acton Town Hall
472 Main Street
Acton, MA 01720

(see detailed instructions under Guidelines for Submission later in this document)

**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 Resources 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 2020 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 2020 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.

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. 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@actonma.gov. General questions concerning the application process should be directed to the Planning Division via email at cpc@actonma.gov, or by calling (978) 929-6631. Planning Division staff will assist prospective applicants directly or will refer them to other appropriate Town staff.

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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 Division 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.

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# 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 16, 2020 to be considered at the 2020 Annual Town Meeting. Submit applications to:

  Community Preservation Committee
  c/o Planning Division
  Acton Town Hall
  472 Main Street
  Acton, MA 01720
  and
  cpc@actonma.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 Division, 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.

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- 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.
- Every project proposal involving the rehabilitation of a historic resource should include a quote or detailed cost estimate for certification by a qualified individual that the project as carried out and completed complies with the Standards for Rehabilitation stated in the United States Secretary of the Interior Standards for the Treatment of Historic Properties codified in 36 C.F.R. Part 68. The qualified individual should be listed on the most recent Preservation Directory compiled by Preservation Massachusetts or have significant experience with United States Secretary of the Interior Standards for the Treatment of Historic Properties codified in 36 C.F.R. Part 68.

- 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:


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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.actonma.gov.

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# 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*, the 2020 Housing Production Plan and other Town planning documents that have received wide scrutiny and input. These are available at the Acton Planning Division, the libraries, and on www.actonma.gov. In the case of Historic Resource projects, the work specified is consistent with the Secretary of the Interior 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.

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# PROJECT APPLICATION FORM – 2021

Due Date: November 16, 2020

**Applicant:** _____ **Submission Date:** _____

**Applicant's Address:**

_____

_____

**Phone Number:** _____

**E-mail:**

**Purpose: (Please select all that apply)**

- **O** Open Space
- **O** Community Housing
- **O** Historic Resources
- **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.

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**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**
- **For projects involving the Rehabilitation of Historic Properties please include in the project budget a line item for the confirmation by a qualified professional that the completed work meets the Secretary of the Interior Standards for the Treatment of Historic Properties, 36 C.F.R. Part 68 (see also Guidelines for Submission and Appendix 5).**

**to:**

**Community Preservation Committee**
**c/o Planning Division**
**Acton Town Hall**
**472 Main Street**
**Acton, MA 01720**
**and**
**cpc@actonma.gov**

**Submission Deadline: Monday, November 16, 2020[9]**

**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.

[9] Monday, November 16, 2020 is the deadline to be eligible for ordinary consideration at the 2020 Annual Town Meeting. At its discretion the Committee may vote to extend or waive the deadline due to special circumstances or for compelling reasons.



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- **Cost Estimate:** Professionally prepared appraisal; or professionally prepared quotes or 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 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.

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- 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.
- For projects involving the Rehabilitation of Historic Resources please include in the project budget a line item for the confirmation by a qualified professional that the completed work meets the Secretary of the Interior Standards for the Treatment of Historic Properties, 36 C.F.R. Part 68 (see also Guidelines for Submission and Appendix 5).

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# APPENDIX

## *1. 2020 Project Proposals and Committee Funding Recommendations*

| Applicant | Project | Requested Amounts | Final Recommended Amount |
|---|---|---|---|
| Acton Community Housing Corporation | Community Housing Program Fund | $ 100,000.00 | $ 50,000.00 |
| Town of Acton - Planning Division | Regional Housing Services | $ 65,000.00 | $ 32,500.00 |
| Acton Housing Authority | Main Street Development | $ 500,000.00 | $ 500,000.00 |
| Town of Acton – Highway Department | Restoration of Historic Streetscapes | $ 15,000.00 | $ 8,264.58 |
| Town of Acton – Municipal Properties | Repointing & Chimney Restoration of 1889 Acton Memorial Library | $ 70,000.00 | $ 70,000.00 |
| Town of Acton – Municipal Properties | Isaac Davis Monument Repointing Restoration | $ 77,000.00 | $ - |
| Town of Acton – Land Use Department | East Acton Village Green | $ 49,802.00 | $ 49,802.00 |
| Town of Acton – 53 River Street Master Plan Committee | 53 River Street Historic Park | $ 120,000.00 | $ 120,000.00 |
| Town of Acton – Recreation Department & Friends of Gardner Field 501 (c) (3) | Gardner Field & Playground Master Plan (Phase I) | $ 30,000.00 | $ 30,000.00 |
| Town of Acton – Recreation Department | NARA Sports Pavilion – Phase 2 | $ 400,000.00 | $ 200,000.00 |
| Open Space Committee | Open Space Acquisition/Protection Set-Aside Funds | $ 400,000.00 | $ 280,000.00 |
| ToA | CPA Program Support = 5% of ('19 coll. surcharge + '20 MA tr. fd. distr.) | $ 64,033.29 | $ 55,000.00 |
| CPC | CPA HR Set-aside make up for prior years' 10% shortfalls | $ 47,193.30 | $ 47,193.30 |
| Appropriations from Community Preservation Set-Aside Funds | | | |
| CPC | Debt Service - Wright Hill Open Space FY21 (from Open Space Set-Aside) | $ 79,200.00 | $ 79,200.00 |
| Town of Acton – Highway Department | Restoration of Historic Streetscapes (from Historic Resources Set-Aside) | | $ 6,735.42 |

The 2020 Annual Town Meeting adopted all the Committee's recommendations in the above table.

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The remaining CP Fund balance after the 2020 Town Meeting appropriations is $ 9,062. 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 2020 Town Meeting appropriations into the fund and from the fund is $2,540,005. The balance in the Historic Resources set-aside account is $40,458. The balance in the Community Housing set-aside account is $0.

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## *2. 2020 Annual Town Meeting – Community Preservation Project Article*

**Article 8** **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 2019 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 2019 COMMUNITY PRESERVATION FUND BALANCES** | |
| **FY 2019 Community Preservation Fund Revenues** | |
| Community Preservation Fund Surcharge Collected in FY 2019 | $ 1,033,473.82 |
| State Community Preservation Trust Fund Receipt, October 2019 | $ 247,192.00 |
| **Other FY 2019 Community Preservation Fund Components** | |
| Interest Earned in FY 2019 (less abatements and exemptions) | $ 89,237.37 |
| Unencumbered FY 2019 Fund Balance | $ 14,245.59 |
| Recapture of unspent previous years' project appropriations | $ 57,672.62 |
| Gift from Wright Hill Association, LLC | $ 10,000.00 |
| **Total - FY 2019 Community Preservation Fund Balance** | **$1,451,821.40** |
| | |
| **FY 2019 Open Space Set-Aside** | |
| Set-Aside Fund Balance from appropriations for the Acquisition, Creation, and Preservation of Open Space and its Rehabilitation and Restoration | $ 2,339,204.52 |
| **Total FY 2019 Open Space Set-Aside Fund Balance** | **$2,339,204.52** |
| | |
| **FY 2019 Historic Resources Set-Aside** | |
| Set-Aside Fund Balance from appropriations for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources | $ 0.00 |
| **Total FY 2019 Historic Resource Set-Aside Fund Balance** | **$ 0.00** |
| | |
| **FY 2019 Community Housing Set-Aside** | |
| Set-Aside Fund Balance from appropriations for the Acquisition, Creation, Preservation, and Support of Community Housing | $ 0.00 |
| **Total FY 2019 Community Housing Set-Aside Fund Balance** | **$ 0.00** |
| | |
| **APPROPRIATIONS FROM FY 2019 COMMUNITY PRESERVATION FUND BALANCE** | |
| **Purposes** | **Recommended Amounts** |
| **Set-Aside Appropriations for** | |
| **A.** Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources; required set-aside for meeting 10% of spending from FY 2009 revenues | $ 12,447.00 |

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| | |
|---|---|
| **B.** Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources; required set-aside for meeting 10% of spending from FY 2015 revenues | $ 1,000.00 |
| **C.** Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources; required set-aside for meeting 10% of spending from FY 2016 revenues | $ 33,034.82 |
| **D.** Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources; required set-aside for meeting 10% of spending from FY 2017 revenues | $ 711.48 |
| A-D Total of set-aside appropriations for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources | $ 47,193.30 |
| **E**. Acquisition, Creation and Preservation of Open Space, and its Rehabilitation and Restoration | $ 280,000.00 |
| **Spending Appropriations** | |
| **F.** Community Housing Program Fund | $ 50,000.00 |
| **G.** Town of Acton – Regional Housing Services | $ 32,500.00 |
| **H.** Acton Housing Authority – 348-364 Main Street Development | $ 500,000.00 |
| **I1.** Town of Acton – Restoration of Historic Streetscapes | $ 8,264.58 |
| **J.** Town of Acton – Repointing & Chimney Restoration of 1889 Acton Memorial Library | $ 70,000.00 |
| **K**. Town of Acton – East Acton Village Green | $ 49,802.00 |
| **L.** Town of Acton – 53 River Street Park | $ 120,000.00 |
| **M.** Town of Acton – Gardner Field & Playground Master Plan (Phase I) | $ 30,000.00 |
| **N.** Town of Acton – NARA Sports Pavilion – Phase 2 | $ 200,000.00 |
| **Administrative Appropriation** | |
| **O.** A fund for CPC direct expenses and for reimbursing the Town of Acton for administrative services and operating expenses provided in support of the Community Preservation Committee | $ 55,000.00 |
| **Total Recommended Appropriations from FY 2019 Community Preservation Fund Balance** | **$1,442,759.88** |
| | |
| **APPROPRIATION FROM OPEN SPACE SET-ASIDE FUND BALANCE** | |
| **P.** Wright Hill Open Space Land Acquisition - Debt Service | $ 79,200.00 |
| **Total Recommended Appropriations from the Open Space Set-Aside Fund** | **$ 79,200.00** |
| | |
| **APPROPRIATION FROM COMMUNITY HOUSING SET-ASIDE FUND BALANCE** | |
| | $ 0.00 |
| **Total Recommended Appropriations from the Community Housing Set-Aside Fund** | **$ 0.00** |
| | |
| **APPROPRIATION FROM HISTORIC RESOURCES SET-ASIDE FUND BALANCE** | |

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| | |
|---|---|
| **I2. Town of Acton – Restoration of Historic Streetscapes** | $ 6,735.42 |
| **Total Recommended Appropriations from the Historic Resources Set-Aside Fund** | **$ 6,735.42** |
| | |
| **Resulting Fund Balances** | |
| Resulting FY 2019 Community Preservation Fund Balance | **$ 9,061.52** |
| Resulting Balance in the Set-Aside Fund for the Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration | **$2,540,004.52** |
| Resulting Balance in the Set-Aside Fund for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources | **$ 40,457.88** |
| Resulting Balance in the Set-Aside Fund for the Acquisition, Creation, Preservation, and Support of Community Housing | **$ 0.00** |

* 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,

And, whereas Massachusetts General Laws Chapter 44B requires that the Town appropriate for spending, or set-aside for future spending, from the FY 2019 Community Preservation Fund Revenues at least 10% for open space, 10% for historic resources, and 10% for community housing;

And, whereas the recommended appropriations for open space, historic resources, and community housing each meet or exceed 10% of the FY 2019 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 2019 Community Preservation Fund Balance the minimum necessary amounts to allocate not less than 10% of the FY 2019 Community Preservation Fund Revenues for open space ($128,066.58), not less than 10% of the FY 2019 Community Preservation Fund Revenues for historic resource ($128,066.58), and not less than 10% of the FY 2019 Community Preservation Fund Revenues for community housing ($128,066.58), 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 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

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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 seventh 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 2019, the Community Preservation Committee published its 2020 Community Preservation Plan https://www.acton-ma.gov/DocumentCenter/View/5917) with guidelines for the submission of projects seeking funding. The Committee received twelve 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 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 $9,061.52 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 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 ($128,066.58) in FY 2019) 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 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 ($64,033.29). Due to the competitive year for funding,

the Community Preservation Committee recommended $55,000.00, which is 4.29% of the annual revenues of the Community Preservation Fund.

A total of $57,672.62 has been recaptured from unspent prior years' Community Preservation project appropriations and moved to the Community Preservation Fund. The recapture of prior year project appropriations can result in spending less than the statutory minimum 10% in any particular fiscal year for historic resource, open space, or community housing projects. This article makes set-aside fund appropriations as necessary to compensate for such shortfalls in prior years.

**A.-D. Historic Resources Set-Asides**

The recapture of prior years' unspent CPA funds appropriated in 2009, 2015, 2016 and 2017 for historic resource purposes put the Town below the 10% statutory minimum threshold in that category for the named years. To make up the shortfalls, the Committee recommends appropriations to the Historic Resources Set-Aside Fund of $12,447.00 (make-up for 2009), $1,000 (make-up for 2015), $33,034.82 (make-up for 2016), and $711.48 (make-up for 2017). With these appropriations the resulting balance in the Historic Resources Set-Aside Fund becomes $47,193.30. Town Meeting, with the recommendation of the Community Preservation Committee, may appropriate spending from this set-aside fund for the purpose of acquisition, preservation, rehabilitation and restoration of historic resources. In this article, the Committee recommends such spending (see item I2).

**E. Open Space Set-Aside**

The current Open Space Set-Aside Fund balance is $2,339,204.52. This item proposes to add $280,000 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, preservation, rehabilitation or restoration of open space. In this article, the Committee recommends such spending.

**F. Community Housing Program Fund**

The recommended $50,000 appropriation from the Community Preservation Fund 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 affordable housing initiatives and other activities in "support of community housing" eligible for CPA funding under definition in the statute. The Fund is managed by the Acton Community Housing Corporation (ACHC) for community housing initiatives and activities recommended by the ACHC or any other community housing entity approved by the Board of Selectmen. Expenditures from this Fund must be approved by the Board of Selectmen.

This recommended appropriation funds the continuation of the ACHC's past and current programs, which for example includes the purchase or subsidy of Acton Housing Authority's low income rental units; selling price, closing cost, mortgage payment and other subsidies to first time homebuyers of affordable units; capital improvement assistance for affordable units; funding and grant support of housing studies and plans; and pre-development funding for senior rental projects.

**G. Town of Acton – Regional Housing Services**

The recommended appropriation of $32,500 from the Community Preservation Fund would continue the Town's participation in a Regional Housing Services Program for the next 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. Now that one of the founding ACHC members, Nancy Tavernier is retiring from the Committee, there is a greater need to transition additional tasks to the RHSO. It is unsustainable for a volunteer committee to continue the level of services typically provided by a paid staff person. The transition impact amounts to an additional 95 hours per year.

The Regional Housing Services Office (RHSO) is currently located at 37 Knox Trail in Acton and is managed by Concord's Director of Planning and Land Management. The RHSO assists with affordable housing matters in the participating towns – Acton, Bedford, Concord, Lexington, Lincoln, 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 375 hours per year with the specifics of services negotiated by the Acton Community Housing Corporation (ACHC) and the Acton Planning office. 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.

The Regional Housing Services Office website (http://www.rhsohousing.org/) offers a variety of information designed to help local officials, and current and prospective residents. The information on the website includes regularly updated 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 website also has a secure access section for RHSO and Town staff for easy access to unit level data for ownership units with purchase information, contact history, and key documents (permits, regulatory agreements, deeds, and deed riders) for projects and owners. This allows 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 Acton's housing programs, ensure compliance with restrictive covenants, preserve Acton's prior investments in affordable housing, including zoning concessions under M.G.L., Ch. 40B, and further affordable housing solutions for the region, it is preserving and supporting community housing as provided in the Act.

**H. Acton Housing Authority – 348-364 Main Street Development**

The recommended appropriation of $500,000 will help pay for pre-development costs for the development of 31 units of elder/disabled affordable rental housing at 348-364 Main Street. The entire development cost will be approximately $15,000,000 and the Community Preservation funds will leverage millions in State and private financing. The Acton Housing Authority proposed building 31 units of affordable rental housing on Main Street in response to the Town

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of Acton's Request for Information issued in 2018. Several meetings and hearings were held to elicit input from the community on the best uses for the Town-owned land at 348-364 Main Street. Following the hearings and input, the Main Street Committee recommended the Acton Housing Authority proposal to the Board of Selectmen. The Board of Selectmen presented the proposal for approval at the 2019 Annual Town Meeting and it was supported by 91% of the vote. The wait list for affordable senior housing in Acton continues to grow. The Acton Housing Authority currently has 99 local senior households on its waiting list.

**I1. & I2. Town of Acton – Restoration of Historic Streetscapes**

The recommended appropriation of $15,000 will help restore the historic streetscapes of the Acton Center, South Acton, and West Acton Historic Districts through the replanting of Public Shade Trees. All work will be performed on publicly owned lands, rights of way or adjacent properties as allowed by Massachusetts General Law Chapter 87. Approximately 25 new specimen trees will be planted under this proposal. This is a follow-up project similar to earlier ones funded with Community Preservation Funds in 2010, which resulted in more than 24 new trees. It is expected that on average 8 new trees will be planted each year with this project.

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- Install walkway, benches, and patio for accessible picnic table
- Install historic panels and kiosk; environmental educational panel
- Install memorial plaques for Mary Michelman, Carol Holley, and Micki Williams for their contributions to the environment and the Town of Acton.

**L. Town of Acton – 53 River Street Park**

The recommended appropriation of $120,000 will assist the Town in the 53 River Street Dam project with the final design and permitting. The scope of the project includes:

- Finalize dam removal engineering design
- Permitting
- Dam and building removal
- Stream restoration
- Site restoration
- Final park design
- Park construction

**M. Town of Acton – Gardner Field & Playground Master Plan (Phase I)**

The recommended $30,000 appropriation assists the Acton Recreation Department and the Friends of Gardner Field with the development of a master plan and preparation of land survey for the revitalization of Gardner Field. The neighborhood group has raised funds to help with the cost of the master plan. The appropriation would help pay for the following:

- Site analysis of existing pedestrian circulation and vehicular entry
- Develop a design for the playground, parking area and determine the feasibility of a splash pad and public restroom
- Delineate phased site development including planting, fencing, and removing invasive shrubbery
- A series of collaborative meetings between the town representatives, Friends of Gardner Field representatives, town residents, and the landscape architects
- Site visits performed by the landscape contractor
- Cost estimate for each phase of the project
- Final deliverables including a written summary of findings, programming goals, and master plan concept drawings

**N. Town of Acton – NARA Sports Pavilion – Phase 2**

The recommended $200,000 appropriation will assist the Acton Recreation Department with Phase 2 of the NARA Sports Pavilion. NARA Park has been home to the Joseph Lalli Miracle Field since 2012, the first fully-accessible baseball diamond in New England designed specifically for athletes with disabilities. In 2016, the Recreation Department requested CPA funding for renovation of two modular houses comprising the Sports Pavilion, and was awarded funding for approximately half the project cost. The funding now recommended will help complete the NARA Sports Pavilion facility. This phase of construction associated with the Miracle Field is the addition of an accessible family restroom in the "north" building close to the Miracle Field. Architectural plans have been completed with construction on the north building slated to begin in early spring 2020. Since receiving CPA funds in 2016, the Town has been fortunate to receive multiple donations and in-kind services from local contractors. Also, the Town contributed to the project from the general fund budget and secured a state grant. When the north building opens to the public in the summer, it will provide a specialized family restroom for Miracle Field

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athletes and their caretakers, along with men's and women's restrooms and essential storage space for recreation equipment.

**O. Administrative and Operating Expenses**

The recommended appropriation of $55,000.00 is 4.3% of the FY 2019 revenues in the Community Preservation Fund (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 any Community Preservation Committee direct expenses. The Act provides that up to 5% may be spent on administrative and operating expenses.

**P. Wright Hill Open Space Land Acquisition - Debt Service**

The recommended appropriation of $79,200.00 from the Open Space Set-Aside Fund will pay for the anticipated fifth annual payment on the 15-year bond for the Wright Hill Open Space land acquisition. The 2014 Annual Town Meeting authorized the Treasurer 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.

Direct inquiries to: John S. Mangiaratti, Town Manager: manager@actonma.gov / (978) 929-6611
Selectman assigned: Dean A. Charter: bos@actonma.gov / (978) 929-6611

| **Recommendations:** | **Board of Selectmen Recommended** | **Finance Committee Recommended** |
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## *3. COMMUNITY PRESERVATION COMMITTEE 2019 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 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.

In April, the Annual Town Meeting appropriated $1,770,753.95 from the Community Preservation Fund.
The appropriation funded 10 new projects:

- $150,000 to the ACHC - Community Housing Program
- $162,656 to the Acton Housing Authority – Windsor Green Sliding Doors
- $20,000 to the Acton Historic Commission - Acton Historic Survey – Convert to MACRIS
- $125,000 to the Iron Works Farm - Window Preservation Project
- $40,000 to the Mill Place Condominium Association
- $175,000 to the Town of Acton – Manager Department - Asa Parlin House
- $269,000 to the Town of Acton - Recreation Department - Jones Field Playground
- $55,000 to the Town of Acton - Natural Resource Division - Acton Arboretum ADA Compliant Entrance
- $5,000 to the Town of Acton - Natural Resource Division - Acton Arboretum China Trail and Garden Planting
- $75,000 to the 53 River Street Master Plan Committee - 53 River Street Historic Park

It added the following amounts to set-aside funds:

- $450,000 to the Open Space Set-Aside Fund for the Acquisition, Creation and Preservation of Open Space, and its Rehabilitation and Restoration;

And, it funded the following ongoing programs/projects:

- $81,600.00 to the Wright Hill Open Space Land Acquisition - Debt Service

To date, CPC funds have supported more than 105 community preservation projects throughout the community. Some community preservation projects that were completed during 2019 were:

- Forest Cemetery Consultant Project
- Acton Arboretum Irrigation
- Historic District Consultant
- Morrison Farm Well
- J & S Hosmer House
- Camp Acton Site Access

As of November 22, 2019, the Town raised $1,033,473.82 from the local CPA surcharge for FY 2019 and in November received $145,335 in State matching funds. In addition, total available funds at the end of calendar year 2019 include $14,245.59 in the General CPA fund, $54,533.63 in recaptured funds from previous project appropriations, and $2,339,204.52 in the Open Space

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Set-Aside Fund, $0 in the Historic Preservation Set-Aside Fund, and $0 in the Community Housing Set-Aside Fund.

In November, the Committee received twelve project and program applications for funding in 2019, for a total request of $2,731,097.75. 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 2019 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 Tuesday 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 its annual process. Townspeople may e-mail the Committee at cpc@actonma.gov

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## *4. Sample Award Letters*

For a collection of the Committee's recent award letters please go to http://doc.acton-ma.gov/dsweb/View/Collection-12509.

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### *5. The Secretary of the Interior 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

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