



## TOWN OF NEEDHAM

## COMMUNITY PRESERVATION PLAN

## COMMUNITY PRESERVATION COMMITTEE

Adopted October 14, 2005  
Amended November 8, 2006  
Amended January 5, 2010  
**Amended March 26, 2014**

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## INTRODUCTION

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The Town of Needham Community Preservation Committee (“The Committee”) is pleased to present the Town of Needham *Community Preservation Plan* (“the Plan”). The Plan presents a description of

- the Community Preservation Act (CPA) as it applies to the Town
- a description of CPA Goals and Factors for Consideration
- a method and procedure by which the CPA will be administered\*

\* Please note: the method and procedure for applications can be found under separate cover in “Community Preservation Application Process.”

As such, the Plan 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 in the future by The Committee in response to changing goals, Town needs and committee experience. The Plan must also reflect any changes in the Community Preservation Act legislation as well as any judicial rulings on CPA projects.

This Plan was originally created by the newly formed Community Preservation Committee in 2005, and has been updated in subsequent years. To create the original plan, The Committee hosted meetings with the Board of Selectmen, Finance Committee and the representatives of the municipal boards and committees charged with responsibilities relevant to open space/recreation, historic preservation and community housing. Representatives of certain community groups also made presentations to The Committee. Many of these boards have continued to keep the CPC updated, and have provided recommendations for changes.

The Committee wishes to thank the multitude of Town citizens, Town and State officials and committee members, as well as members of neighboring town CPA committees for their continued assistance to the work of the CPC and the updates to 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](http://www.communitypreservation.org)

For information on Needham’s Community Preservation activity, visit the Town website at [www.needhamma.gov/CPC](http://www.needhamma.gov/CPC)

## **THE COMMUNITY PRESERVATION ACT IN NEEDHAM**

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### **The CPA State Legislation**

The Community Preservation Act M.G.L. c. 44B, allows Massachusetts cities and towns to raise monies through a surcharge of up to 3% of the real estate tax levy on real property. These funds may then be used to acquire, create and preserve open space; acquire and preserve historic resources; create, preserve and support community housing; and acquire, create, rehabilitate and preserve land for recreational use. Open space and community housing may be rehabilitated or restored if purchased with Community Preservation funds. The legislation was updated in July, 2012.

The CPA also provides for a State distribution to the local fund. When Needham first adopted the CPA legislation, the state had been providing a 100% match to each community's surcharge total, but since 2008, the distribution has fallen below 100%. Needham and other communities collecting less than 3% surcharge are no longer eligible for a 100% distribution. In Fiscal Years 2011-2013, the distribution to Needham was below 30%, but in Fiscal Year 2014, rose to just over 50% due to an additional contribution to the state fund, which in part was a result of the July 2012 passage of "An Act to Sustain Community Preservation".

Copies of the State legislation are available in the Park and Recreation Office or on the State web site at

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter44b>

### **The CPA in Needham**

The CPA was approved by Needham Town Meeting at the May, 2004 Annual Town Meeting and by a 58% "yes" vote at the November 2, 2004 Town election. In Needham, voters elected to fund the CPA account through a 2.0% 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 residential real property.

Each May, Town Meeting will appropriate the anticipated revenues from the CPA surcharge to be collected in the upcoming fiscal year. At the fall or spring Special Town

Meeting, the appropriation may be adjusted in recognition of the recorded state contribution. The required minimum distribution is as follows:

Historic Resources Reserve	10%
Community Housing Reserve	10%
Open Space Reserve	10%

The remaining funds are put into the Annual Reserve and up to 5% of the fund can be put aside for the Committee's expenses.

A report on the current fiscal year appropriations is available from the Committee.

## **Community Preservation Committee: Formation and Responsibilities**

Consistent with the terms of the CPA and with the Town's Community Preservation Committee Bylaw, the Community Preservation Committee has been formed to administer the CPA. There are nine members of the Needham Community Preservation Committee. One member of each of the following boards is appointed: Needham Conservation Commission, Needham Historical Commission, Needham Housing Authority, Needham Park & Recreation Commission, and the Needham Planning Board. Two representatives are appointed by the Board of Selectmen, and two representatives are appointed by the Town Moderator. The Town Manager appoints a staff liaison to work with the Community Preservation Committee. Current membership can be found in the attached Appendix or on the Town's website.

The Committee is obliged by the Needham CPA Bylaw to consult with the Board of Selectmen and the Finance Committee as it develops its recommendations and intends to consult with other boards from time to time as it formulates its recommendations.

This document is Needham's *Community Preservation Plan* and was updated in March, 2014. The Committee anticipates that it will evolve as the years go on and incorporate lessons learned from past rounds of project selections and funding appropriations. The Committee will continue to make an ongoing effort to meet with the many interest groups and Town departments, committees, and boards as it goes forward.

This Plan outlines the processes by which The Committee will solicit, review, and recommend proposals for CPA funding. The application package is available under separate cover.

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.needhamma.gov/CPC](http://www.needhamma.gov/CPC)

## **CPA Funding Requirements**

The CPA mandates that each fiscal year Needham must spend, or set aside for later spending, at least 10% of the annual revenues in the Town of Needham Community Preservation Fund for each of three CPA target areas: open space, historic resources, and community housing. The remaining 70% may be appropriated at the Town's discretion as long as it is used for the three target areas or recreation. The statute also permits the Town to appropriate up to 5% of the Fund for the administrative expenses of The Committee.

Any CPA funds not used in any given year, including the Administrative Fund, stay within the CPA Fund, and can be used for approved projects in the future.

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

In its deliberations, Town Meeting may approve, reduce, or reject any amount of spending appropriation recommended by The Committee. Town Meeting may not, however, increase any recommended appropriation or reserve. In addition, Town Meeting may not appropriate any fund monies on its own initiative without a prior recommendation by The Committee and may not amend a recommended project so as to render it no longer the recommended project.

## HOW CPA FUNDS CAN BE USED

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Community Preservation Act funds must be used for public community preservation purposes. The Factors for Consideration, located in the next section of this Plan on pages 12-22 summarize these public purposes.

Community preservation is defined by the CPA as the “acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space; and community housing that is acquired or created as provided in this section; provided, however, that funds expended pursuant to this chapter shall not be used for maintenance. With respect to community housing, the community preservation committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites. With respect to recreational use, the acquisition of artificial turf for athletic fields shall be prohibited.”

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.” If acquired or created by Community Preservation Funds, rehabilitation and restoration projects are eligible expenditures.
- 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.” Support of community housing, shall include, but not be 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, restoration and rehabilitation of historic resources. The CPA recognizes historic resources as, “historical structures and landscapes,” including “a building, structure, vessel, real property, 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 Needham Historical Commission.
- The acquisition, creation, preservation, restoration and rehabilitation 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, the acquisition of artificial turf for athletic fields or the use of land for a stadium, gymnasium, or similar structure.” Rehabilitation “shall include the replacement of playground equipment and other capital improvements to the land or the facilities thereon which make the land or the related facilities more functional for the intended recreational use.”

Community Preservation Act funds may also be used for, but not limited to, the following (and possibly other) purposes:

- A community may “set aside” revenues for “later spending.”
- Annual “administrative and operating expenses” of The Committee, not to exceed 5% of the Fund’s estimated 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 appraisal costs, expenses for title searches, and closing fees.

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

- “Replace existing operating funds, only augment them.” The Fund is a supplementary funding source intended to increase available resources for community preservation acquisitions and initiatives.
- Pay for routine maintenance, defined as, “the upkeep of any real or personal property.”
- Gymnasiums, stadiums, artificial turf fields, or any similar structure.
- Projects without a public purpose or public benefit.

# **GENERAL REVIEW AND FACTORS FOR CONSIDERATION**

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## **General Review**

To be eligible for review, a project must meet the statutory requirements. It is the responsibility of the applicant to demonstrate to The Committee that a project meets the minimum statutory requirements. The Committee will, to the extent that it is prudent, assist the applicant in that determination.

The purpose of the Factors for Consideration is to provide guidance to the applicant, to The Committee and to the Town in evaluating funding eligibility, priorities, and timing. It is recognized that not every Factor will apply to every project and the failure to meet any specific Factor, other than the minimum statutory requirements, does not require rejection of a project. The following Factors for Consideration are intentionally not weighted nor listed in order of preference or importance.

The Committee reserves the discretion to reject or accept a project that does not meet or address any or all of the Factors for Consideration.

The Factors for Consideration may be clarified, amended or replaced from time to time as experience dictates. Any proposal to change any Factor will be placed on The Committee agenda for public discussion at a duly noticed meeting.

## **Factors for Consideration**

Evaluation of projects submitted for consideration by The Committee will include consideration of several factors including but not limited to the following:

- The project is consistent with the goals of the Town of Needham *Community Preservation Plan*.
- The urgency of the project with particular consideration to those requests whose successful implementation is constrained by scheduling factors not controlled by the applicant.
- The project is economically or otherwise reasonably feasible to implement and operate on a long-term basis.
- The project satisfies federal, state and local laws to the extent applicable.
- The project leverages additional or multiple sources of public and/or private funding or assists in planning and development activities to facilitate such leverage may possibly be preferred.

- The project utilizes, preserves, protects, increases or enhances Town-owned open space, recreation, historic and/or housing assets.
- A project that benefits privately owned resources shall include permanent restrictions to ensure a public benefit.
- Awarding funds for the project is consistent with prudent long-term management of CPA funds.
- The project proponent has demonstrated to the reasonable satisfaction of The Committee the ability and competency to implement the project as proposed either by its record of successfully implementing similar projects or otherwise.
- The applicant has site control, or the written consent by the property owner (or relevant Town agency or board) to submit an application.
- The Committee prefers to bring projects to the Annual Town Meeting in May, though under special extraordinary circumstances that affect the project negatively, a project may be considered to be presented at a Special Town Meeting.
- CPA funding will enable the project.

## **OPEN SPACE AND RECREATION**

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### **A. Open Space Resources and Needs**

Although the Town has continued to experience significant residential development over the last five years, Needham retains certain natural and scenic resources, including wetlands, diverse wildlife, conservation areas, ponds, rivers and open space. These resources contribute to making the Town a desirable place to live, which has fueled its continued residential growth.

Needham consists of approximately 8,100 acres of land, with more than 2,500 acres of designated open space, of which 1,800 acres are permanently protected. There are almost 600 acres of privately owned land that are adjacent to existing parcels of public open space. The majority of these properties do not have existing conservation restrictions.

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, or by eliminating or limiting development rights through the purchase of permanent land conservation or agricultural preservation easements or restrictions.

### **B. Open Space Goals**

The Committee identified two key open space goals:

- Conserve, preserve and enhance Needham's natural and open space resources.
- Obtain open space through a variety of methods such as, but not limited to, acquiring development rights, outright purchasing potentially developable land, and encouraging property owners to protect and/or preserve their land as open space through conservation restrictions or other means.

### **C. Open Space Factors for Consideration**

Evaluation of projects submitted for consideration by The Committee will include consideration of several factors, including but not limited to the following:

- Preserves the natural and man-made features such as open fields, woodlands and ponds.

- Acquires or controls additional open space and develops additional public open spaces and parklands.
- Links and connects preserved open space resources by providing or improving trail and wildlife corridors.
- Protects and maintains the remaining farmland in Town.
- Preserves large tracts of undeveloped land.
- Protects the quality and quantity of Needham's water supply.
- Protects wildlife habitat and wildlife corridors.

## **D. Recreation Resources and Needs**

Between 1990 and 2000, the population of Needham increased by 4.9%, from 27,557 to 28,911. During the same time period, the school-age population (ages 5-19) increased by 20.6%. The requests for additional recreation facilities has increased as activities have grown to include younger participants and senior adults, both genders, longer or multiple seasons, and a greater number and variety of sports and activities. It is important to plan now for both short- and long-term solutions to this growth of demand.

The Town's permanently protected open space includes a network of foot trails that provide opportunities for passive recreation, such as hiking, cross-country skiing, and access to ponds. Public swimming facilities include Rosemary Pool. Fishing and boating can be enjoyed on the Charles River and in some Town ponds. The Committee recognizes that increasing the Town's recreational acreage could conflict at times with the other goals of the CPA.

## **E. Recreation Goals**

The Committee identified one key recreation goal:

- Preserve, increase and enhance recreational uses of and access to Needham's natural and recreational resources.

## **F. Recreation Factors for Consideration**

Evaluation of projects submitted for consideration by The Committee will include consideration of several factors, including but not limited to the following:

- Provides additional athletic fields to meet the needs of the Town's growing demand.
- Encourages and develops more recreational access/use of open spaces (where appropriate) and natural resources.
- Encourages regional bike trails throughout Needham.
- Enhances resources for walking, hiking, cross-country skiing, bicycling, boating and fishing.
- Increases recreational uses of the Charles River.
- Acquires land to fulfill identified current and future recreational needs.
- Develops active recreational resources including playing fields, improved/new playgrounds, and improved handicapped access; also addresses adult senior and toddler recreational needs.

## COMMUNITY HOUSING

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### A. Community Housing Resources and Needs

The CPA defines “community housing” as housing for persons or families whose annual income is less than 100% of Needham’s areawide<sup>1</sup> median income. However, for housing units created with CPA funds to be counted toward Needham’s 10% affordable housing goal, the units must serve those whose annual income is less than 80% of the areawide median income. Current information is available at the US Department of Housing and Urban Development at [www.HUD.gov/Massachusetts](http://www.HUD.gov/Massachusetts).

The CPA provides that community preservation funds may be expended “for the creation, preservation and support of community housing and for the rehabilitation or restoration ... of community housing,” but not including maintenance. The Needham Housing Authority and local non-profit housing corporations are local community resources.

Needham’s community housing resources and needs have been detailed in Town reports, including the Needham Affordable Housing Plan (June 2007), the Analysis of Impediments to Fair Housing Choice (August 2013) and Needham Chapter 40 B Guidelines (October 2013.) All reports are available from the Town of Needham Planning and Community Development Office and on the Town’s website at [www.needhamma.gov](http://www.needhamma.gov)

The average price of homes and rental units in Needham is higher than what many moderate-income families, Town employees and people that work in Needham are able to afford. Affordable housing opportunities help attract and retain, among others, low and moderate-income families, the elderly on fixed incomes, the disabled, young persons and public and private employees upon whom the Town depends to provide high quality services in and for the Town.

Needham continues to have a housing affordability gap, based on the Massachusetts 40B formula, with a goal of achieving at least 10% low-or moderate-income housing units. Progress can be achieved toward reducing this gap, for example, with the creation of affordable senior apartments, low or moderate-income homeownership, more choices for seniors, and below-market homeownership or rental subsidies. The Needham Housing Authority’s High Rock Homes and the Charles River Landing’s apartment units are recent examples of new housing options.

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<sup>1</sup> Boston Primary Metropolitan Statistical Area

## **B. Community Housing Goals**

The Committee identified four key community housing goals:

- Seek to increase the supply of affordable housing units while seeking to preserve the existing pattern and density of Needham's established residential neighborhoods.
- Enable Needham to shape its own housing and development future and outcomes.
- Achieve progress towards the Town's responsibilities under Chapter 40B.
- Encourage the preservation and development of a diversity of housing resources that fosters a range of choices and housing options including affordable units to meet the Town's growing demand and current and future needs for affordable housing.

## **C. Community Housing Factors for Consideration**

Evaluation of projects submitted for consideration by The Committee will include consideration of several factors, including but not limited to the following:

- Preserves the affordable component of existing "expiring use" affordable units.
- Supports scattered-site low-density affordable unit development and avoids concentrated or high-density development.
- Is consistent with and assures fair housing practices.
- Redevelops, utilizes, improves or expands existing housing structures and infrastructure for affordable housing use. Projects that redevelop existing structures will be preferred.
- Provides affordable housing opportunities on identified parcels of town owned land as set forth in the Town of Needham Open Space Report to the Board of Selectmen.
- Provides affordable housing opportunities in the business districts, including the Town Center, Needham Heights, and Chestnut Street Corridor, compatible with existing infrastructure.

- Serves an underserved population or populations by establishing affordability restriction in perpetuity.
- Considers the various development needs of the Town.
- Project proponent has satisfied the requirements of 40B (to the extent applicable).

## HISTORIC PRESERVATION

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### A. Historic Preservation Resources and Needs

Needham has had an Historical Commission since 1976. In addition, the Needham Historical Society, an active non-profit organization, holds many of the historic records of the Town. Needham currently has two historic districts, the McIntosh Corner Historic District and the Town Hall Historic District. Needham's historical heritage, however, extends throughout the Town and includes nineteen (19) properties recorded in the Massachusetts Register of Historic Places as well as a number of older established neighborhoods that reflect the history and pattern of the Town's development. The nineteen (19) listed properties in Town are:

Echo Bridge	Newton/Needham – Crossing Charles River and Ellis Street
*Amos Fuller House	220 Nehoiden Street
*Robert Fuller House	3 Burrill Lane
*Emery Grover Building	1330 Highland Avenue
Joseph Hagar House	1227 South Street
*Kingsbury – Whitaker House	53 Glendoon Road
*Joshua Lewis House	178 South Street
*McIntosh Corner Historic District	Great Plain and Central Avenues (roughly)
*Davis Mills House	945 Central Avenue
Needham Street Bridge	Crossing Charles River at Needham Street, Newton and Highland Avenue, Needham
*Needham Town Hall Historic District	Great Plain Avenue
Newton Multiple Resource Area	Includes two (2) bridges crossing between Needham and Newton
Newton Upper Falls Historic District	Portion in Needham

*James Smith House	706 Great Plain Avenue
Sudbury Aqueduct Linear District	Portion in Needham
*Tolman – Gay House	1196 Central Avenue
*Rev. Jonathan Townsend House	980 Central Avenue
Water Supply System of Metropolitan Boston	Portion in Needham
*Israel Whitney House	963 Central Avenue

The ten properties and two historic districts that have an (\*) asterisk are also on the National Register of Historic Places of the US Department of the Interior.

The Massachusetts Cultural Resources Information System (MACRIS) established by the Massachusetts Historical Commission of the Office of the Massachusetts Secretary of State lists one-hundred and thirty-six (136) historic properties in Needham currently on the local inventory. This includes properties added to the Inventory in 2010. Approximately 45 others are expected to be added in 2014.

## **B. Historic Preservation Goals**

As Needham’s historical assets are under threat from inadequate maintenance and development pressures, the Committee identified one key goal for historic preservation:

- To preserve buildings, structures, vessels, archaeological sites, or real property that are listed or eligible for listing on the Massachusetts State Register of Historic Places or have been determined by the Needham Historical Commission to be significant in the history, archaeology, architecture or culture of the Town.

## **C. Historic Preservation Factors for Consideration:**

Evaluation of projects submitted for consideration by The Committee will include review of several factors, including but not limited to the following:

- Preserves and protects historic and cultural properties and sites to the extent allowed under the CPA.
- Demonstrates a public benefit to preserve historic resources. Town-owned facilities may be preferred in The Committee's evaluation process.
- Incorporates the remodeling, reconstruction, renovation and making of extraordinary repairs to historic resources, such as improvements intended to make historic facilities functional for their intended use, including but not limited to, handicapped accessibility and building code requirements.

## APPENDIX

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### CURRENT MEMBERS – January 2014

Member	Term Expires	Appointed by
Janet Carter Bernardo	June 2014	Conservation Commission
Robert Boder	June 2014	Historical Commission
Reg Foster	June 2014	Housing Authority
Gary Crossen	June 2015	Board of Selectmen
Sam Bass Warner	June 2015	Planning Board
To be named	June 2015	Town Moderator
Mark Gluesing	June 2016	Town Moderator
Mike Retzky	June 2016	Park & Recreation Commission
Lita Young	June 2016	Board of Selectmen

**Comments or questions are welcome and may be submitted to:**

**Mailing Address:**

Community Preservation Committee  
c/o Park & Recreation Department  
500 Dedham Avenue  
Needham, Massachusetts, 02492

**Phone:** Please call the Park & Recreation Office at (781) 455-7550, or send an e-mail to [pcarey@needhamma.gov](mailto:pcarey@needhamma.gov)

## GLOSSARY

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### **Affordable Housing/Community Housing**

“Community Housing,” low and moderate income for individuals and families, including low and moderate income senior housing.

“Low income housing”, housing for those persons and families whose annual income is less than 80 per cent of the area wide median income. The area wide median income shall be the area wide median income as determined by the United States Department of Housing and Urban Development.

“Moderate income housing”, housing for those persons and families whose annual income is less than 100 per cent of the area wide median income. The area wide median income shall be the area wide median income as determined by the United States Department of Housing and Urban Development.

“Low or moderate income senior housing”, housing for those persons having reached the age of 60 or over who would qualify for low or moderate income housing.

### **Capital Improvement**

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 (CPA)**

The Community Preservation Act (CPA) (MGL C. 44B) allows communities to create a local Community Preservation Fund for open space protection, historic preservation, affordable housing and outdoor recreation. CPA allows towns to levy a community-wide property tax surcharge of up to 3 percent for the purpose of creating a local Community Preservation Fund and qualifying for state “matching” funds. The Fund must be used to acquire and protect open space, preserve historic buildings and landscapes, create and maintain affordable housing and creation or restoration of land for outdoor recreational use. The state will provide “matching” funds to communities approving CPA, based on a formula. Needham accepted the CPA at 2 percent.

### **Community Preservation Committee (CPC or The Committee)**

A nine person committee consisting of one each appointed by the Needham Historical Commission, the Needham Housing Authority, the Needham Conservation Commission, the Needham Park and Recreation Commission and the Needham Planning Board and two by the Needham Board of Selectmen and two by the Needham Town Moderator. The Committee consults with the Board of Selectmen and the Finance Committee as well as any other committee or board with an interest in CPA funding.

### **Community Preservation Fund (CPF)**

Separate town account for the deposit of all surcharges collected and state “matching” funds

Sub Accounts of CPF (sometimes referred to as “buckets”)

- Open Space Reserve Fund (required minimum of 10% of funds)
- Historical Preservation Reserve fund (required minimum of 10% of funds)
- Affordable Housing Reserve Fund (required minimum of 10% of funds)
- Annual Reserve Fund (remaining 70% of fund other than administrative and operating fund.)
- Administrative Account Fund (up to 5%)

The Committee is permitted to appropriate up to 5% of the funds for the administration and operational expenses of The Committee. These funds can be used to hire support staff, purchase office supplies and cover the cost of professional services that may be needed. Any administrative moneys that are not used that year are returned to the CPA annual reserve fund.

*Note: Recreational projects are specifically included in the CPA as eligible for funding.*

Beyond these required disbursements, Town Meeting, acting upon the recommendations of the CPC, will appropriate the remaining 70 percent of annual CPA revenues. For example, Town Meeting could allocate the remaining 70 percent of the annual revenue to one purpose, spread it evenly among all three, or set the funds aside for future spending. Each year, the municipality can modify the spending mix for the remaining 70 percent of the fund.

### **Community Preservation Surcharge**

The locally raised share of CPA revenue comes from a surcharge (additional amount of tax) on real estate tax bills. The surcharge percentage, which may not exceed 3 percent, is set by referendum vote. The surcharge amount is separately stated on each tax bill. In Needham, the surcharge is 2 percent, subject to certain statutory exemptions (see “CPA Surcharge Exemptions”).

### **Community Preservation Surcharge Exemptions**

Taxpayers currently exempt from real property taxes under Chapter 59 of Massachusetts General Laws are exempt from the CPA surcharge. In addition, Town Meeting approved additional exemptions to the CPA surcharge.

- Property owned and occupied by a person who would qualify for low income housing or low or moderate-income senior housing in Needham.
- The first \$100,000 of taxable value of residential real estate.

Needham may make changes to these exemptions at any time with approval of the Town Meeting and subsequent voter approval.

### **Historic Resources**

Historic resources, a building, structure, vessel or real property, 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.

### **Needham Community Preservation By-Law**

Available under separate cover – contact Park and Recreation Department or go to [www.needhamma.gov/CPC](http://www.needhamma.gov/CPC)

### **Open Space**

Open space 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 and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use.

### **Recreational Use**

"Recreational use", 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, the acquisition of artificial turf for athletic fields, or the use of land for a stadium, gymnasium or similar structure.

### **Rehabilitation**

Capital improvements, or the making of extraordinary repairs, to historic resources, open spaces, lands for recreational use and community housing for the purpose of making such historic resources, open spaces, lands for recreational use and community housing functional for their intended uses including, but not limited to, improvements to comply with the Americans with Disabilities Act and other federal, state or local building or access codes; provided, that with respect to historic resources, “rehabilitation” shall comply with the Standards for Rehabilitation stated in the United States Secretary of the Interior’s Standards for the Treatment of Historic Properties codified in 36 C.F.R. Part 68; and provided further, that with respect to land for recreational use, “rehabilitation” shall include the replacement of playground equipment and other capital improvements to the land or the facilities thereon which make the land or the related facilities more functional for the intended recreational use.