

Town of Belmont

Article 33

Community Preservation Committee

33.1 There is hereby established, pursuant to Massachusetts General Laws Chapter 44B (the Community Preservation Act, hereafter in this Article referred to as “the Act”) a Community Preservation Committee (hereafter in this Article referred to as “the Committee”) consisting of nine members. The Committee shall consist of the following members:

- (a) One member of the Board of Park Commissioners as designated by the Board;
- (b) One member of the Conservation Commission as designated by the Commission;
- (c) One member of the Historic District Commission as designated by the Commission;
- (d) One member of the Housing Authority as designated by the Authority;
- (e) One member of the Planning Board as designated by the Board;

(f) One member of the Recreation Commission as designated by the Board of Selectmen; and

(g) Three at-large members as designated by the Board of Selectmen.

Members appointed to the Committee pursuant to paragraphs (a) through (e) above are referred to hereafter in this Article as “the statutory members”.

33.1.1 With respect to initial statutory members and the initial member from the Recreation Commission, members appointed pursuant to paragraphs (a) and (b) of section 33.1 shall be appointed for one-year terms, members appointed pursuant to paragraphs (c) and (d) shall be appointed for two-year terms and members appointed pursuant to paragraphs (e) and (f) shall be appointed for three-year terms or, in the case of each initial statutory member, if sooner occurring, until such member no longer serves on the appointing Board, Commission or Authority or, in the case of the initial member from the Recreation Commission, if sooner occurring, until such member no longer serves on the Recreation Commission. After the initial appointments, all statutory members and the member from the Recreation Commission shall serve for terms of three years or, if sooner occurring, until the statutory members no longer serve on the appointing Board, Commission or Authority or, in the case of the member from the Recreation Commission, until such member no longer serves on that Commission.

33.1.2 With respect to initial at-large members, one member shall be appointed for a one-year term, one for a two-year term and one for a three-year term. After the initial appointments, all at-large members shall be appointed for three-year terms. At-large members shall include persons who have expertise or demonstrated interest in open space, recreation, historic preservation or affordable housing.

33.1.3 Mid-term vacancies in the office of at-large member, statutory member or member from the Recreation Commission shall be filled by the Board, Commission or Authority that made the original appointment, and members appointed to fill a vacancy shall serve for the remainder of the unexpired term. .

33.2 The Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The Committee shall consult with other Town boards, commissions, committees and authorities, including, among others, the Conservation Commission, the Historic District Commission, the Housing Authority, the Planning Board and the Recreation Commission, and with the Belmont Housing Trust in conducting such studies. As part of its studies the Committee shall hold one or more public information hearings on the needs, possibilities and resources of the Town regarding community preservation, notice of which shall be posted publicly on the Town's web page at least two

weeks prior to the date of the hearing, and published in each of two weeks preceding the week in which the hearing is to be held in a newspaper of general circulation in the Town. The Committee shall file an annual report of its activities with the Town Clerk.

33.2.1 The Committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, rehabilitation, restoration and preservation of historic resources; for the acquisition, creation and preservation of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space, land for recreational use and community housing that is acquired or created as provided in the Act. With respect to community housing, the Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

33.2.2 The Committee may include in its recommendations to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient funds are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds for general purposes that are consistent with community preservation.

33.3 The Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Committee shall constitute a quorum. The Committee shall approve its actions by majority vote of the quorum. Recommendations to the Town Meeting shall include their anticipated costs.

33.4 The Board of Selectmen shall insert one or more articles in the warrant for each Annual Town Meeting, and for any Special Town Meeting, upon the written request of the Committee, to enable Town Meeting to make appropriations or take other actions for community preservation purposes recommended by the Committee for the current or next fiscal year.

33.5 At all times this Article shall be interpreted and implemented in a manner consistent with the Act, as amended. In case any section, paragraph or part of this Article be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

Article 33 inserted at the April 25, 2011, Annual Town Meeting. Approved by Attorney General Martha Coakley on June 22, 2011.