

Granville CPC Bylaw – Approved at Town Meeting of May 12th, 2008

Article 20: To see if the Town will vote to establish a Community Preservation Committee Bylaw described as follows or take any action relative thereto.

General Bylaw Section

Chapter 1. Establishment

In accordance with Massachusetts General Laws, Chapter 44B, known as “The Community Preservation Act,” there is hereby established a Community Preservation Committee (“the Committee”) consisting of nine (9) members. The composition of the Committee, the methods of appointment of the members and the terms of office of the members of the Committee shall be as follows:

- One (1) member of the Conservation Commission, as designated by that Commission, for the term of one (1) year;
- One (1) member of the Historical Commission, as designated by that Commission, for the term of one (1) year;
- One (1) member of the Planning Board, as designated by that Board, for the term of one (1) year;
- One (1) member of the Recreation Committee, as designated by that Committee for the term of one (1) year;
- One (1) member to be appointed by the Selectboard representing the interest of community housing for a term of one (1) year;
- One (1) member of the Open Space Committee, as designated by that Committee, for the term of one (1) year;
- Three (3) members, at large, to be appointed by the Selectboard, for a term of one (1) year.

If the member of the Committee no longer serves in the position as a member of the designating board, commission, or committee, that member’s term on the Committee shall terminate. Each such Commission, Board, and Committee shall advise the Selectboard in writing of its designation as aforesaid, and the Select Board shall in turn file with the Town Clerk due notification of all designations and appointments to the Committee.

In the event of a vacancy on the Committee, it shall be filled in the manner provided above, and in the case of a vacancy involving one of the official Board, Commission, or Committee, by appointment of another member of such Board, Commission, or Committee. Such vacancy shall be filled by appointment within thirty (30) days of such vacancy. Any member of the Committee may be removed by their respective appointing authority.

Chapter 2. Duties

- (A) The Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The Committee shall consult with existing Town boards, including the Conservation Commission, the Historical Commission, the Planning Board, the Housing

Authority, the Recreation Commission, and the Open Space Committee, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its studies the Committee shall hold one (1) or more public informational hearings on the needs, possibilities and resources of the Town regarding community preservation possibilities and resources, notice of which shall be publicly posted and published for each of two (2) weeks preceding such hearing in a newspaper of general circulation in the Town.

- (A) The Committee shall make recommendations to Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation and preservation of land for recreational use; for the acquisition, creation, preservation and support of community housing; for the rehabilitation or restoration of such open space, land for recreational use and community housing that is acquired or created as provided in the Community Preservation Act; and for any other lawful activities or expenditures that may become possible by reason of amendment of the Community Preservation Act. 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.
- (B) The Committee may include in its recommendation to Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues 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.

Chapter 3. Quorum Requirement

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 those members then present.

Chapter 4. Amendments

The Community Preservation Committee shall, from time to time, review the administration of this By-law, making recommendations, as needed, for changes in the By-law and in administrative practice to improve the operations of the Community Preservation Committee. The first review shall be completed at least by November 1, 2009 and subsequent reviews shall be completed in no more than five-year intervals. This Bylaw may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not be in conflict with Chapter 44B of the Massachusetts General Laws.

Chapter 5. Severability

In case any section, paragraph or other part of this Bylaw shall be for any reason declared invalid, unlawful or unconstitutional by any court of competent jurisdiction, every other section, paragraph and part hereof shall continue in full force and effect insofar as lawfully feasible.

Chapter 6. Effective Date

This Article shall take effect immediately upon approval of the Attorney General of the Commonwealth and due publication as required by applicable law. Each of the authorities designated in Section 1 shall after such approval make its designation known to the Select Board in writing within thirty (30) days, provided that a designation by any such Board submitted prior to such approval and subsequent to the

vote of the Town enacting this Bylaw shall, upon such approval and publication, be deemed a lawful and sufficient designation.