

## **Community Preservation Committee**

### **§ 35-1. Membership of the Committee.**

- A. There is hereby established a Community Preservation Committee, consisting of nine voting members pursuant to the provisions of M.G.L., c. 44B, Section 5. The composition of the committee, the appointing authority and the term of office for the committee members shall be as follows:
- (1) One member of the Conservation Commission as designated by said Commission;
  - (2) One member of the Historical Commission as designated by said Commission;
  - (3) One member of the Parks Commission as designated by the Commission;
  - (4) One member of the Housing Authority, as designated by said Authority;
  - (5) One member of the Planning Board as designated by said Board; and
  - (6) Four members of the general public, who are not Town employees or currently holding elected or appointed positions, as designated by the Select Board. Two members will be appointed for an initial term of one year, and thereafter, for a term of three years. The other two members will be appointed for an initial term of two years, and thereafter, for a term of three years.
- B. Each member of the committee shall serve for a term of three years or until the person no longer serves in the position or on the board or committee as set forth above, whichever is earlier. Should any of the officers and commissions, boards, or committees who have appointing authority under this bylaw be no longer in existence for whatever reason the Selectboard shall appoint a suitable person to serve in their place.

### **§ 35-2. Duties.**

The Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The committee shall consult with existing municipal boards, including the Conservation Commission, the Historical Commission, the Planning Board, the Park Commissioners and the Housing Authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the committee shall hold one 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 posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the city or town.

### **§ 35-3. Recommendations to the Town.**

The Community Preservation Committee shall make recommendations to the 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, 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. 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.

### **§ 35-4. Set aside recommendations.**

The Community Preservation Committee may include in its recommendation 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 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.

### **§ 35-5. Annual revenues; open space, historic resources and community housing.**

In every fiscal year, the Community Preservation Committee must recommend either that the Town Meeting spend, or set aside for later

spending, not less than 10% of the annual revenues in the Community Preservation Fund for open space and land for recreational use, not less than 10% of the annual revenues in the Community Preservation Fund for historic resources; and not less than 10% of the annual revenues in the Community Preservation Fund for communityhousing.

**§ 35-6. Requirement for a quorum and cost estimates.**

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

**§ 35-7. Amendments.**

- A. The Community Preservation Committee shall, from time to time, review the administration of this bylaw, making recommendations, as needed, for changes in the bylaw and in administrative practice to improve the operations of the Community Preservation Committee. The first review shall be completed no later than January 1, 2024, and subsequent reviews shall be completed in no more than five-year intervals.
- B. This bylaw may be amended from time to time by a majority vote of the Town Meeting, consistent with the provisions of M.G.L. c.44B.

**§ 35-8. Severability.**

In case any section, paragraph or part of this bylaw is for any reason declared invalid or unconstitutional by any court, every other section, paragraph or part shall continue in full force and effect.

**§ 35-9. Effective date.**

This bylaw shall take effect upon approval by the Attorney General of the Commonwealth and after all requirements of M.G.L. c. 40, section 32 have been met. Each appointing authority shall have 60 days after the effective date to make its appointments.