



TOWN OF LEE
COMMUNITY PRESERVATION COMMITTEE BYLAW
PURSUANT TO MASSACHUSETTS GENERAL LAW 44B

Section 1: Establishment

There is hereby established a Community Preservation Committee, consisting of seven (7) voting members, pursuant to Massachusetts General Law, Chapter 44B. The composition of the Committee, the appointment authority and the term limits of office for the Committee are as follows;

1. One member of the Historical Commission as designated by the Commission for a term of one year.
2. One member of the Planning Board as designated by the Board for a term of one year.
3. One member of the Conservation Commission as designated by the Commission for a term of one year.
4. One member of the Lee Youth Commission as designated by the Committee for a term of one year.
5. One member of the Lee Housing Authority Board as designated by the Board for a term of one year.
6. Four citizen members at-large, who do not hold elected or appointed office, nor serve as Town Employees or sit on any other Committees, as designated by the Select Board; two citizen members at-large for a term of three years and two citizen members at-large for a term of two years.

Members from the Planning Board, Conservation Commission, Historical Commission, Youth Commission and Housing Authority shall be appointed annually for a term of one year. The four at-large members are initially appointed as follows; two appointees for a three year term and two appointees for a two year term. Any vacancy on the Committee shall be filled by the Commission, Authority or Board that designated the member who creates the vacancy by designating another member in accordance with the above for the unexpired term.

Should any Commission, Board, Authority or Committee, who have appointment authority under Chapter 44B, no longer be in existence for whatever reason, the appointment authority for that Commission, Board, Authority or Committee shall become the responsibility of the Select Board.

Section 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 Select Board, Conservation Commission, Historical Commission, Planning Board, Board of Assessors, Housing Authority, Board of Public Works, Youth Commission and School Committee as appropriate. 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 hearings will be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the Town. The Committee may incur expenses as permitted by state law and use funds the community preservation fund has set up to pay such expenses.

The Community Preservation Committee shall make recommendations at 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; and for the acquisition, creation, preservation and support of open space and community housing.

The Community Preservation Committee may include in its recommendation at Town Meeting, 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 recommended action.

Every Fiscal Year, the Community Preservation Committee must recommend, either that the legislative body spend or set aside for later spending, not less than ten percent (10%) of the annual revenues in the Community Preservation Fund for each of the following categories:

- A. Open Space and recreation;
- B. Historic Resources; and
- C. Community Housing.

Section 3: Requirement for a quorum

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum and shall keep a written record of its proceedings. A majority of the members of the Community Preservation Committee shall constitute a quorum. The Community Preservation Committee shall approve its action by majority vote of the quorum.

Section 4: Amendments

The Community Preservation Committee shall, from time to time, review the administration of this By-Law, making recommendations for changes in the By-Law and the Administrative practice. Any By-Law or Administrative recommendation(s) or amendment(s) must be made by a majority vote at Town Meeting, provided that the recommendation(s) or amendment(s) would not be in conflict with Chapter 44B of the Massachusetts General Law.

Section 5: Severability

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

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