

ARTICLE IV
Community Preservation Committee
[Adopted 4-26-2005 ATM by Art. 21 (Art. XXIX of the Bylaws)]

§ 7-15. Establishment; membership; term; removal. [Amended 5-21-2012 ATM by Art. 26]

- A. There is hereby established a Community Preservation Committee of seven voting members pursuant to the provisions of MGL c. 44B, § 5. The composition of the Committee, the appointing authority and the terms of office for the Committee members shall be as follows:
- (1) One member of the Conservation Commission, as designated by the Commission;
 - (2) One member of the Historical Commission established pursuant to MGL c. 40, § 8D, as designated by the Commission;
 - (3) One member of the Planning Board, as designated by the Board;
 - (4) One member of the Parks Committee, as designated by the Committee;
 - (5) One member of the Affordable Housing Committee, as designated by the Committee;
 - (6) One member of the Open Space Acquisition Commission, as designated by the Commission; and
 - (7) One member of the Board of Selectmen.
- B. Each member of the Community Preservation Committee shall serve for a term of one year or until the person no longer serves on the designating commission, board, or committee, whichever is earlier.
- C. Should any of the commissions, boards, authorities or committees which have appointing authority under this bylaw be no longer in existence for whatever reason, the Board of Selectmen shall appoint a suitable person to serve in the place of said body's representative.
- D. Any member of the Community Preservation Committee may be removed for cause by his/her respective designating authority, after a hearing.

§ 7-16. Duties.

- A. 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 Open Space Acquisition Commission, the Parks Committee, and the Housing Committee, or persons acting in those capacities or performing like duties, in conducting such studies. As part of

its study, the Committee shall hold one annual public informational hearing or more, at its discretion, 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 Town.

- B. The Community Preservation Committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space, for the acquisition and preservation of historic resources, for the acquisition, creation and preservation of land for recreational use, for the creation, preservation and support of community housing and for rehabilitation or restoration of such open space, historic resources, land for recreational use 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.
- C. 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.
- D. In every fiscal year, the Community Preservation Committee must recommend either that the legislative body spend or set aside for later spending not less than 10% of the annual revenues of the Community Preservation Fund for:
 - (1) Open space (not including land for recreational use);
 - (2) Historic resources; and
 - (3) Community housing.
- E. Within every funding request made pursuant to § 7-16B or C, the Community Preservation Committee shall include the period of time within which the requested funds shall be expended. If after that time period as recommended by the Community has passed said funds shall be automatically returned to the Community Preservation Fund category from which said funding originated.
[Added 5-10-2021 ATM by Art. 38]

§ 7-17. Requirements for quorum and cost estimates.

The Community Preservation Committee shall comply with the provisions of the Open Meeting Law, MGL c. 30A, §§ 18 through 25. The Committee shall not meet or conduct business without the presence of a majority of the members of the Community Preservation Committee. The Community Preservation Committee shall approve its actions by majority vote of the full Committee. Recommendations to the Town Meeting shall include the anticipated costs of the recommendations.

§ 7-18. Amendments.

This bylaw may be amended from time to time by a majority vote of the Town Meeting consistent with the provisions of MGL c. 44B.

§ 7-19. 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.

§ 7-20. When effective.

Provided that this bylaw is approved by the Attorney General, this bylaw shall take effect upon acceptance of the Community Preservation Act at the 2005 Annual Town Election, and after all requirements of MGL c. 40, § 32 have been met. Each appointing authority shall have 30 days after acceptance at the 2005 Annual Town Election to make its initial appointments.