

May 7, 2001 - Annual Town Meeting  
Pine Grove School, Main St., Rowley

Article 48:

Motion: I move the Town vote to adopt a Community  
Preservation Bylaw to read as printed in the 2001 Annual Town  
Meeting Warrant.

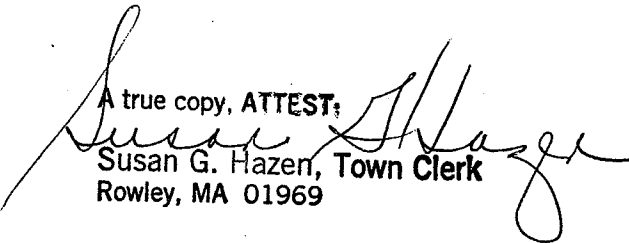
*Motion by Richard Malynn, seconded by Sally Taylor, passed by Paper  
Ballot at 8:57 PM*

**YES: 117**

**NO: 56**

***Complete text attached***

A true copy, ATTEST:

  
Susan G. Hazen, Town Clerk  
Rowley, MA 01969

ARTICLE 48. To see if the Town will vote to adopt a Community Preservation Bylaw to read as follows:

### **Chapter 1: Establishment**

There is hereby established a Community Preservation Committee, consisting of seven (7) voting members pursuant to MGL Chapter 44B. The composition of the committee, the appointment authority and the term of office for the committee members shall be as follows:

One member of the Conservation Commission as designated by the Commission for a term of three years.

One member of the Historical Commission as designated by the Commission for a term of three years.

One member of the Planning Board as designated by the Board for a term of three years.

One member of the Recreation Committee as designated by the Committee for an initial term of one year and thereafter for a term of three years.

One member of the Housing Authority as designated by the Authority for an initial term of two years and thereafter for a term of three years.

One member of the Open Space Committee as designated by the Committee for an initial term of one year and thereafter for a term of three years.

One member to be appointed by the Board of Selectmen, for a term of one year and thereafter for a term of three years.

Should any of the Commissions, Boards, Councils or Committees who have appointment authority under this Chapter be no longer in existence for what ever reason, the appointment authority for that Commission, Board, Authority, or Committee shall become the responsibility of the Board of Selectmen.

### **Chapter 2: Duties**

(1). 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 recreation committee the housing authority and the open space 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 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 town.

(2). 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.

(3). 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.

### **Chapter 3: 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. Recommendations to the Town Meeting shall include the committee's anticipated costs.

A true copy. ATTEST

Susan G. Hazen, Town Clerk  
Rowley, MA 01969

#### **Chapter 4: Amendments**

This Chapter may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not cause a conflict to occur with MGL, Chapter 44B.

#### **Chapter 5: Severability**

In case any section, paragraph or part of this chapter 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.

#### **Chapter 6: Effective Date**

Following Town Meeting approval of this bylaw and acceptance of the Community Preservation Act at Town Election, this Chapter shall take effect immediately upon approval by the Attorney General of the Commonwealth. Each appointing authority shall have twenty days after approval by the Attorney General to make their initial appointments. Should any appointing authority fail to make its appointment within that allotted time, the Selectmen shall make the appointment.

or take any other action relative thereto.

(Inserted by the Conservation Commission and Board of Selectmen)

**Finance Committee Recommends**