

GENERAL BY-LAWS

of the

TOWN OF SHREWSBURY

Together with

TOWN MEETING ACT

TOWN MANAGER ACT

AND

ACTS OF THE LEGISLATURE ACCEPTED

BY THE TOWN

ATTEST:

A handwritten signature in cursive script that reads "Sharyn M Thomas".

Sharyn M. Thomas
Town Clerk

Amended through September 9, 2021

ARTICLE 26

COMMUNITY PRESERVATION COMMITTEE

Section 1: Establishment

There is hereby established a Community Preservation Committee, consisting of nine (9) voting members pursuant to MGL Chapter 44B (the "Act"). 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 Shrewsbury Conservation Commission as designated by that Commission.

One member of the Shrewsbury Historical Commission as designated by that Commission.

One member of the Shrewsbury Planning Board as designated by that Board.

One member of the Shrewsbury Parks and Cemetery Commission as designated by that Commission.

One member of the Shrewsbury Housing Authority as designated by the Authority.

Four (4) members to be appointed at large by the Shrewsbury Board of Selectmen. At large members must be residents of Shrewsbury.

The members appointed by the Conservation Commission, the Historical Commission, the Planning Board, the Parks Recreation and Cemetery Commission, and the Housing Authority shall be appointed annually for a term of one year. The four (4) at large members appointed by the Board of Selectmen are appointed as follows: The at large members shall first be appointed in staggered terms (two (2) appointees for 3 year terms; One (1) appointee for a 2 year term; One (1) appointee for a 1 year term) and subsequently be appointed for a term of three years. After the initial appointment of the members of the Committee, any vacancy occurring in the Committee from any cause may be filled for the remainder of the unexpired term by the Commission, Board or Authority, as the case may be, which made the initial appointment, for the remainder of the unexpired term. Such appointment shall be made not less than seven days following notice of intent to fill such vacancy.

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

The Committee shall elect a Chairman and Vice Chairman from among its members and shall elect a Secretary who need not be a member of the Committee. After having a public hearing and requesting recommendations from Town boards and committees, the Committee shall adopt policies, rules and regulations for conducting its affairs and for carrying out its responsibilities. Any member of the Committee may, after a public hearing before the Commission, Board or Authority which appointed the said member, be removed for cause by majority vote of such Commission, Board or Authority.

Section 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 Board of Selectmen, the Parks and Cemetery Commission 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 Town.

(2). The Community Preservation Committee, upon completion of a public hearing on each project, 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 and preservation of land for recreational use; for the creation, preservation and support of community housing; and for the rehabilitation or restoration of open space, 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 for general purposes that are consistent with community preservation. The Community Preservation Committee may recommend the issuance of general obligation bonds or notes in anticipation of revenues to be raised pursuant to section 3 of the Act.

In every fiscal year, the Community Preservation Committee shall recommend either that the legislative body spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund in each of the following areas for (a) open space (not including land for recreational use), (b) historic resources; and (c) community housing.

As provided in the Massachusetts Community Preservation Act, no expenditures shall be made from the Community Preservation Fund without the approval of Town Meeting.

(4). The Community Preservation Committee shall present their recommended articles for inclusion on the Annual Town Meeting warrant and any Special Town Meeting warrant within the timeframe established by the Board of Selectmen for the warrant process.

Section 3: Requirement for a quorum and cost estimates

The Community Preservation Committee shall comply with the provisions of the Open Meeting Law, G.L. c.39, 23B. 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 Community Preservation Committee's anticipated costs.

Section 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.

Section 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.

Section 6: Effective Date

This bylaw shall take effect after all requirements of MGL Chapter 40, Section 32 have been met, including approval by the Attorney General of the Commonwealth, and the Town has accepted Chapter 44B, Section 3-7 inclusive. Each appointing authority shall have 30 days after approval by the Attorney General to make its initial appointments.

Adopted September 9, 2021

M.G.L.
State Acts

Year	Chapter	Title	Acceptance
MGL	32B Sec. 20	Unfunded Health Insurance Costs for Retirees	May 16, 2011
MGL	31	Deputy Fire Chief Exemption from Civil Service	May 20, 2015
MGL	64N Sec. 3	Local Excise on Retail Sales of Marijuana	May 3, 2018
MGL	40 Sec. 57	Local licenses and permits: denial, revocation, or suspension for failure to pay municipal taxes or charges	Aug. 31, 2018
MGL	44 Sec. 53F ^{1/2}	Establishing Water Services as an Enterprise fund	May 20, 2019
MGL	44 Sec. 53F ^{1/2}	Establishing Stormwater Services as an Enterprise fund	May 20, 2019
MGL	44 Sec. 53F ^{1/2}	Establishing Cable Television Public, Educational, and Governmental Access Services as an Enterprise fund	May 20, 2019
MGL	59 Sec. 5 Clause 22H	Enacted in Section 15 of Chapter 218 of the Acts of 2018, Property Tax Exemption for Gold Star Parents	May 22, 2019
MGL	40 Sec. 5B	Creating a Town Water System Special Purpose Stabilization Fund For the benefit of Water System Enterprise Fund	Oct. 21, 2019
MGL	44B Sec. 3-7	MA Community Preservation Act	August 8, 2020 Elec: 11/3/2020
MGL	59 Sec 5, Clause 37A	Blind Tax Exemption	May 22, 2021
MGL	40 Sec. 5B	Creating a Special Purpose Override Stabilization Fund	May 22, 2021