

# The Boston Globe

## North

### State may boost Community Preservation Act funding

By John Laidler | Globe Correspondent  
May 10, 2012

A move by Massachusetts lawmakers to increase state funding for the Community Preservation Act and give communities more flexibility in its use is being warmly received by local officials and supporters of the law.

In its fiscal 2013 state budget plan approved April 25, the House included an amendment that would add \$25 million to the annual funding the state provides to cities and towns that adopt the law, roughly doubling the amount.

The amendment would also overhaul some of the law's provisions, including allowing cities and towns new leeway to use their funds to rehabilitate recreational facilities, and to tap local revenues other than a property tax surcharge for their preservation funds.

A bipartisan group of 13 state senators, including minority leader Bruce E. Tarr, a Gloucester Republican, has called on Senate budget writers to include those same changes in the proposed Senate version of the budget. The Community Preservation Coalition, which advocates for the law, is also calling for the panel to include the changes.

"We are thrilled with the House's action on the CPA legislation and are very hopeful the senate will adopt it exactly as it passed in the House," said Stuart Saginor, the coalition's executive director.

The 2000 law allow cities and towns to assess a tax surcharge of up to 3 percent to support affordable housing, open space, historic preservation, and recreational initiatives. The state provides matching dollars. Currently, 148 cities and towns have adopted the law, 20 in this region.

Michael Dissette, chairman of the Newburyport Community Preservation Committee, said he is pleased by the House's action. His committee recommends expenditures from the preservation fund in Newburyport, which adopted the law 10 years ago.

Provided the proposed infusion of \$25 million into the CPA becomes a reality, Dissette said it would allow cities and towns to “plan better and have the state match at a level that people who voted to dip into their own pockets locally when it was a one-to-one match will still feel like they have a good return” on their investments.

Local preservation revenues are matched by a state trust fund generated from fees at registries of deeds. Until fiscal 2007, that match was 100 percent, but it has since fallen. In the last distribution round last October, communities received a 26.6 percent first round match. Those with full 3 percent surcharges received more funds in additional rounds.

The \$25 million in proposed new funding would come on top of the nearly \$26 million the state contributes from the deeds revenues. The House proposes to take the money from fiscal year-end surplus revenues.

Dissette said he also welcomed the House proposal broadening the allowable use of preservation funds for recreational projects. Currently, preservation funds can be used to build new recreational facilities but not to renovate existing ones unless they were built or acquired with Community Preservation Act dollars. The House plan would remove that restriction on renovations.

“That’s important especially in communities that don’t have a lot of options for newly acquired recreational facilities, where they can go out and buy a piece of land and put up a new soccer field,” Dissette said.

Dissette said Newburyport has made good use of its funds, including to help meet the local costs of the city’s ongoing project to build a looped recreational rail trail connecting its commuter rail station and the downtown, and to support the nearly completed restoration of an historic powder house.

Karen Sawyer, Peabody’s director of community development and planning, said of the House plan, “We would welcome anything that allows us to have more flexibility and allows us to be more creative with our CPA fund.”

She said the House action “just shows that there is some forward thinking about this very valuable tool. It will be great to see the Senate follow in the House’s footsteps.”

Peabody adopted the Community Preservation Act in 2001 and has used it most recently to support an ongoing project by Habitat for Humanity-North Shore to convert a former downtown industrial site to affordable housing.

The House amendment encompasses the provisions in a bill supported by the Community Preservation Coalition, according to Saginor. He said the only difference is that the coalition would have provided the additional funding through an increase in registry fees.

“The [House] clearly recognized the good work that is being done by the CPA and the need to supplement the trust fund,” said Saginor, noting that the growth in the number of participating communities is in part why the state’s share of the program has dropped. “They just came up with an alternative way to set aside the additional funds, which we support.”

“The fact that more money goes into the CPA trust fund clearly translates into the greater ability of municipalities to take care of their assets, which also in the process creates jobs,” Saginor said.

Chelsea City Manager Jay Ash said he is pleased that the House plan and the coalition-backed bill incorporated measures recommended by a task force, on which he sat, aimed at making it easier for cities to adopt the law. In particular, the plan allows communities to tap other revenues for their preservation fund as long as they have adopted at least a 1 percent surcharge.

“When you are seeking to promote affordable housing, enhancing the environment, and preserving history, it shouldn’t matter where those new dollars are coming from,” Ash said. Should the proposed changes take effect, he said the city would consider adopting the law.

Robert Buschbaum, part of a group of Beverly residents that is promoting passage of the CPA in that city, said the House’s action helps the effort.

“We were hoping this would happen. It would certainly sweeten the pot and make it a more attractive package,” he said.