



*"I like to see a man proud of the place in which he lives.  
I like to see a man live so that his place will be proud of him."  
—Abraham Lincoln*

# Community Preservation Act Information Packet

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## Town of Marshfield, MA

**Prepared by:**  
**Community Preservation Committee**

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## What is the Community Preservation Act (CPA)?

CPA is a smart growth tool that helps communities preserve open space and historic sites, create affordable housing, and develop outdoor recreational facilities. CPA also helps strengthen the state and local economies by expanding housing opportunities and construction jobs for the Commonwealth's workforce, and by supporting the tourism industry through preservation of the Commonwealth's historic and natural resources.

Over a decade of work went into the creation of the CPA; it was ultimately signed into law by Governor Paul Cellucci and Lieutenant Governor Jane Swift on September 14, 2000.

CPA allows communities to create a local Community Preservation Fund for open space protection, historic preservation, affordable housing and outdoor recreation. Community preservation monies are raised locally through the imposition of a surcharge of not more than 3% of the tax levy against real property, and municipalities must adopt CPA by ballot referendum.

The CPA statute also creates a statewide Community Preservation Trust Fund, administered by the Department of Revenue (DOR), which provides distributions each October to communities that have adopted CPA. These annual disbursements serve as an incentive for communities to pass CPA.

Property taxes traditionally fund the day-to-day operating needs of safety, health, schools, roads, maintenance, and more. But until CPA was enacted, there was no steady funding source for preserving and improving a community's character and quality of life. The Community Preservation Act gives a community the funds needed to control its future.

### CPA Accomplishments To-Date

- Over 150 communities have adopted CPA (42% of the Commonwealth's cities and towns).
- Over \$925 million has been invested to date in CPA projects statewide.
- Over 5,000 projects approved.
- 5,080 affordable housing units have been created or supported.
- More than 14,900 acres of open space have been preserved.
- Over 2,480 appropriations have been made for historic preservation projects.
- More than 729 outdoor recreation projects have been initiated.

Source: <http://www.communitypreservation.org/content/cpa-overview>

## CPA Allowable Spending Areas

The Community Preservation Act, Section 6, states that a certain percentage of collected CPA fund must be allocated in the following way:

- **10% - Community Housing**
- **10% - Historic Preservation**
- **10% - Open Space**

Remaining funds may be allocated to the above areas and/or for recreational purposes.

### CPA Allowable Spending Chart

The CPA Allowable Spending chart was created by the Community Preservation Coalition as a guide to help communities determine whether a proposed project is likely to meet the minimum DOR CPA requirements. Use the chart to help determine whether your proposal is appropriate for CPA funds.

#### COMMUNITY PRESERVATION FUND ALLOWABLE SPENDING PURPOSES

	OPEN SPACE	HISTORIC RESOURCES	RECREATIONAL LAND	COMMUNITY HOUSING
<b>DEFINITION</b>	Land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use	Building, structure, vessel or real property listed or eligible for listing on the state register of historic places or determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of the city or town	Land for active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field  Does <u>not</u> include horse or dog racing or the use of land for a stadium, gymnasium or similar structure	Housing for low and moderate income individuals and families, including low or moderate income seniors  Moderate income is less than 100%, and low income is less than 80%, of US HUD Area Wide Median Income
<b>ACQUIRE</b>	Yes	Yes	Yes	Yes (effective 12/5/2006)
<b>CREATE</b>	Yes	No	Yes	Yes
<b>PRESERVE</b> Means protect from injury, harm or destruction, not maintenance	Yes	Yes	Yes	Yes
<b>SUPPORT</b>	No	No	No	Yes, includes funding for community's affordable housing trust
<b>REHABILITATE/RESTORE</b> Means remodel, reconstruct or repair (extraordinary, not maintenance) to make property functional for intended use, including improvements to comply with federal, state or local building or access codes or with federal standards for rehabilitation of historic properties	Yes if acquired or created with CP funds	Yes	Yes if acquired or created with CP funds	Yes if acquired or created with CP funds

## Community Housing

### Introduction

The CPA requires that Marshfield "...shall spend, or set aside for later spending, not less than 10 per cent of the annual revenues in the Community Preservation Fund for community housing."

In other words, Marshfield must annually either spend or "bank" not less than 10% of the current CPA revenues for acquisition, creation, preservation, support, rehabilitation, or restoration of community housing.



Fig 2: Winslow Village

### Definition

Community housing is defined to include housing for persons or families earning up to 80% or less of the locality's "area wide median income". The applicable "area wide median income" (as further differentiated by household size) is established annually by the United States Department of Housing and Urban Development (HUD). HUD income limits are available from its web site: <http://www.huduser.org>.

- The CPA requires preference be given, when possible, to "... the adaptive reuse of existing buildings or construction of new buildings on previously developed sites."
- Section 12 (b) of the CPA requires that if real property interests are acquired using CPA funds, the property must be owned and managed by the town (unless the interest has a term of less than 30 years or involves only a security interest such as a mortgage).

### Why use CPA funds for Community Housing?

- Contribute to the goal of 10% affordability as defined by chapter 40B of Massachusetts General Laws.
- Provide housing that is harmonious in design and scale with the surrounding community.
- Provide for individuals with special needs and who require assisted living.
- Provide affordable rental and affordable ownership opportunities. • Promote use of existing buildings or construction on previously-developed or town-owned sites.

## Examples of Community Housing in Marshfield

- Winslow Village I & II conversion expenses for handicap accessibility
- Affordable Housing Conversions

## Historic Preservation

### Introduction

The CPA requires that Marshfield "...shall spend, or set aside for later spending, not less than 10 per cent of the annual revenues in the Community Preservation Fund for historic resources..." In other words, Marshfield must annually either spend or "bank" not less than 10% of the current CPA revenues for acquisition, preservation, rehabilitation, or restoration of historic sites and resources.



**Fig 3: Seth Ventress Building**

### Definition

A historic resource is defined to include a building, structure, vessel, or other real property that is either:

- Listed or eligible for listing on the State Register of Historic Places; or
- Determined by the local Historic Commission to be significant in the history, archeology, architecture, or culture of the city or town.

### Why use CPA funds for Historic Preservation?

- Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened.
- Protect, preserve, enhance, restore and/or rehabilitate town-owned properties, features or resources of historical significance.
- Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site. • Provide permanent protection for the historic resource.

### Examples of Historical Preservation in Marshfield

- Seth Ventress Building
- Daniel Webster House Restoration
- Marshfield Fire Station 2 Restoration
- Korean War Veterans Honor Roll

- Marcia Thomas House
- Hatch Mill
- Clift Rodgers Library

## Open Space

### Introduction

The CPA requires that Marshfield "...shall spend, or set aside for later spending, not less than 10 percent of the annual revenues in the local Community Preservation Fund for open space, but not including land for recreational use..."

In other words, Marshfield must annually either spend or "bank" not less than 10% of the current CPA revenues for acquisition, creation, preservation, rehabilitation, or restoration of open space.



**Fig 1: Ellis Woodland**

### Definition

In the CPA, open space is defined as, but not limited to:

- Agricultural land
- Well fields, aquifers, recharge areas, and other watershed lands
- Grasslands, fields, or forest lands
- Fresh and salt water marshes and other wetlands
- Ocean, river, stream, lake and pond frontage
- Beaches, dunes, and other coastal lands
- Scenic vistas
- Land for wildlife habitat or biodiversity or nature preserves

### Why use CPA funds for Open Space?

- Permanently protect important wildlife habitat.
- Preserve active agricultural use.
- Provide opportunities for passive recreation and environmental education.
- Protect or enhance wildlife corridors, promote connectivity of habitat or prevent fragmentation of habitats.
- Provide connections with existing trails or protected open space.
- Acquire land or easements for potential trail linkages.
- Preserve scenic views.
- Border a scenic road.
- Protect drinking water quantity and quality.

## Examples of Preserved Open Space in Marshfield

- Ellis/Plain Street land acquisition of 27 acres, parcel F08-02-10B
- Metuxet Woods/Ferry Street land acquisition of 9 acres, parcel G13-01-02
- Fitzgerald/Ferry Street land acquisition of 4.75 acres, parcel G10-04-20
- Messer/Union Street land acquisition of 25 acres, parcel B13-01-08

## Recreation

### Introduction

Once Marshfield has expended or reserved at least 10% of the annual funds generated by the CPA on the three required use of funds (open space, historic preservation, and community housing), Marshfield may use all or a portion of the remaining 70% for recreational purposes.

### Definition

Recreational use is defined by the CPA to include land for active or passive recreational use, including, but not limited to, the following:

- Community gardens
- Trails
- Youth and Adult Sports
- Parks
- Playgrounds
- Athletic fields

### Why use CPA funds for Recreation?

- Preserve and expand the range of recreational opportunities available to town residents of all ages and abilities.
- Promote recreational activities.
- Maximize the use of land already owned by town.
- Provide safe recreational locations for Marshfield's children.
- Enhance the community.



**Fig 4. Marshfield Kids at Play Playground**

## Examples of Recreational Locations in Marshfield

- Marshfield Kids at Play Playground
- Uncle Bud Skate Park
- South River Park

## Application Guidelines

It is important that all information and steps are completed to the best of your ability. Your application will be compared to many similar requests, so for us uniformity in the application is very important. Where information is unavailable or not applicable, we simply request that you state such as opposed to leaving information blank. Please note that incomplete submissions may be grounds for rejecting an application.

Should you need help or guidance during the application process, please contact the Community Preservation Committee at [cpc@townofmarshfield.org](mailto:cpc@townofmarshfield.org).

## Applications for Projects on Town-owned Land

If the proposal is on Town-owned land, either the applicant or the co-applicant must be the Town Board, Commission, or Department in control of the land (for example, if the proposal is for a project on recreation land, then the Recreation Commission must either be the applicant or co-applicant).

If one of the project applicants is a community organization or citizens group and the proposal might require management or other support from a Town department, the organization or group is strongly encouraged to consult with the appropriate Town department(s) at the earliest possible time in the proposal development process. If it is not clear what departments to contact or whether this step is necessary, contact [cpc@townofmarshfield.org](mailto:cpc@townofmarshfield.org).

Determine whether the project you are planning will require engineering, survey, design specifications, procurement or other Town services far enough in advance so that you can account for any associated cost or scheduling issues in your proposal. This will also alert Town departments to the potential need for their services and may prompt a discussion about availability of in-house skills and resources. This may result in a decision to purchase the required services, including that of an on-site project manager, on an “outsourced” basis. Please be aware that if this is the outcome, the acquisition and management of the outsourced services will need to be coordinated by Town staff.

In addition, if it is necessary to “augment” municipal resources with independent consultants or project management expertise, the additional costs for these resources must be identified and delineated in the proposed project budget. If the project is on Town-owned property and municipal resources will not be used, the budget must outline project management, engineering and other such expenditures in detail, including in-kind contributions, other

leveraged funding, and private contributions that will ensure full implementation of the project. You should also describe in detail the reasons why non-municipal project management or other resources are not necessary, if that is the conclusion reached after consultation with Town staff.

The CPC will assume that most, if not all, projects will cause a municipal department project management burden and therefore, unless the affected municipal department head specifically states that no outside, professional management support is necessary for the successful implementation of the project, the project budget must include a reasonable cost estimate and description of the scope (e.g., # of hours and weeks) of non-municipal, professional project management services.

### Expectations of Applicants

If the proposal is to be recommended by the CPC at Town Meeting, the applicant will be required to play a significant role in the process.

- Applicants may be required to assist the CPC with a site visit if applicable.
- Applicants may be required to organize a public awareness campaign.
- Applicants will aid the CPC in preparing its information about the project in advance of Town Meeting.
- Applicants will play a significant role in a public hearing process. This process will be agreed upon by the CPC and the applicant. The public hearing must be completed prior to a CPC vote.
- Applicants may be expected to attend Town Meeting to respond to questions, aid in the presentation or present information about the proposed project. Applicants are responsible for getting on the Town Warrant.

### General Selection Criteria

The CPC shall evaluate the application using the criteria listed in the table below (listed in alphabetical order). Satisfying all criteria does not guarantee that the CPC will recommend a proposal to Town Meeting.

Addresses multiple categories of the Act	Has public support
Assists an under-served population	Has support of other town boards and committees

Consistent with recent planning documents or other identified needs	Multiple sources of funding
Efficient use of funds	Requires urgent attention
Enhances town assets	Serves multiple needs and populations
Feasibility	Uses local contractors when possible
Financial support for maintenance	

## Funding

**CPA funds must be voted at Town Meeting.**

**Initial funds will be available to applicants after a successful vote at Town Meeting.**

All applicants for Town Meeting approved projects will be required to meet with the CPC at a scheduled meeting. At this meeting, project milestones will be established. These milestones will guide the release of funds to all successful applicants.

## General Information

Please note: The application process is geared towards proposals for Annual Town Meeting, as there is no guarantee of Special Town Meetings.

- Applications should be submitted well in advance of the October 31<sup>st</sup> deadline in order to be reviewed and voted on by the CPC and added to the Town Meeting warrant.
- **Applicants should plan on a minimum of six months for the entire process,** from application to receipt of funds. Only in special cases where time is of the essence—such as real estate acquisitions—and at the discretion of the CPC will this be reconsidered.
- All applications shall become the property of the Town of Marshfield. All plans, specifications and other documents resulting from this application shall become the property of the Town of Marshfield.
- Unless specifically exempt under the Massachusetts public records law, the Town has the right to disclose information contained in applications.
- The CPC reserves the right to reject any and all applications.

- Applications must be prepared according to the guidelines set forth herein. Selection of the successful applicant(s) will be based upon an evaluation and analysis of the information and materials contained in the application.

### Process Timeline

The below timeline shows the process that occurs once the application for CPA funds is received by the Community Preservation Committee.



### Important Dates

The chart below shows important dates for CPA applications from submission to fund allocation.



1. **Applications Accepted:** Applications for CPA Funds will be accepted between May 1st – October 31<sup>st</sup>. An exception to this may be for time sensitive land acquisitions.
2. **Public Comment:** The CPC will hold an open meeting in February to hear public comment on accepted CPA applications.

3. **Town Meeting:** The Marshfield annual Town Meeting will be held in April. During this meeting (which may last multiple days) registered Marshfield voters will have a chance to vote on CPA applications that have been approved by the CPC.
4. **Funds Released:** If your application was approved at Town Meeting this will be the time when the initial funding is released for use for your project.