

**ARTICLE XXXXVII**  
**Community Preservation Committee Bylaw – M.G.L. Chapter 44B**

**1. Establishment**

There is hereby established a Community Preservation Committee, consisting of nine (9) voting members pursuant to MGL Chapter 44 B, Section 5. The composition of the Committee, the appointment authority and the term of office for the Community Preservation Committee members shall be as follows:

One member of the Conservation Commission as designated by the Conservation Commission, for a term of three (3) years. One member of the Historical Commission, as designated by the Historical Commission, for a term of three (3) years. One member of the Planning Board as designated by the Planning Board, for a term of three (3) years. One member of the Board of Selectmen, or their designee, in their capacity as Parks Commissioners for a term of three (3) years. One member of the Housing Authority as designated by the Authority for a term of three (3) years. Four members to be appointed by the Board of Selectmen, two members to be appointed for an initial term of one (1) year and thereafter for terms of three (3) years, one member to be appointed for an initial term of two (2) years and thereafter for a term of three (3) years, and one member to be appointed for an initial term of three (3) years and thereafter for a term of three (3) years. In the event that any Commission, Board, or Authority who has appointment authority under this section, no longer exists, for whatever reason, the appointment authority for that Commission, Board, or Authority shall be the Board of Selectmen.

**2. Duties**

**2.1. Needs Assessment**

The Community Preservation Committee shall undertake an annual Needs Assessment to determine the Town's priorities for open space, historic resources, community housing and outdoor recreation projects. The Community Preservation Committee shall consult with existing municipal boards, including the Conservation Commission, Historical Commission, Planning Board, Parks Commission and the Housing Authority to assess the Town's community preservation goals. The Town department heads involved with recreation, conservation, affordable housing and historic preservation shall also assist the Community Preservation Committee in the development of the Needs Assessment. As part of its analysis of community preservation needs, the Community Preservation Committee shall hold one or more public informational hearings to seek the public's input on the Town's community preservation needs, opportunities, resources and priorities. The Community Preservation Committee shall provide notice of the public hearing by posting notice at Town Hall, the Town's official web page and by publishing the notice in a newspaper of general circulation in the Town for each of two consecutive weeks preceding the hearing.

**2.2. Recommendations to Town Meeting**

The Community Preservation Committee shall make recommendations to 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, preservation, rehabilitation and restoration of land for recreational use, for the acquisition, creation, preservation and support of community housing and for rehabilitation or restoration of open space and community housing that is acquired or created with monies from the Town's

Community Preservation Fund. 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.

**2.3. Recommendations on the Community Preservation Fund**

The Community Preservation Committee may include in its recommendation to 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.

**3. Expenditures**

Subject to the requirements of Massachusetts General Laws, Chapter 44B, no expenditures shall be made from the Community Preservation Fund without first receiving a recommendation from the Community Preservation Committee and an appropriation from Town Meeting. Town Meeting may make appropriations from or reservations of money in the Community Preservation Fund in the amount recommended by the Committee or it may reduce or reject any recommended amount. Any motions to appropriate an amount of money less than the amount recommended by the Community Preservation Committee shall be based on a written cost estimate. Town Meeting may not increase any appropriation or reservation amount recommended by the Community Preservation Committee and it may not appropriate or reserve any Community Preservation Fund monies on its own initiative.

**4. Requirement for a Quorum and Cost Estimates**

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum. Five members of the Community Preservation Committee shall constitute a quorum. All actions of the Community Preservation Committee shall require approval by at least five members of the Committee, present and voting, except that motions to adjourn shall require only a simple majority of those members present and voting. Community Preservation Committee recommendations to Town Meeting shall include their anticipated costs for each Community Preservation Fund expenditure, based on a written cost estimate.

**5. Amendments**

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

**6. Severability**

If any provision, or portion thereof, of this Bylaw is declared to be illegal, invalid or unenforceable by final judgment or order of a court of competent jurisdiction, the remaining provisions shall continue in effect to the extent permitted by law.

**7. Effective Date**

Each appointing authority shall have thirty (30) days after approval of this Bylaw by the Attorney General to make its initial Community Preservation Committee member appointments.

(Special Town Meeting, May 8, 2017, Article 16)