TOWN OF HAMILTON

2015
COMMUNITY PRESERVATION PLAN

Hamilton Community Preservation Committee

Last Revised on October 6, 2015

Town of Hamilton
Community Preservation Plan

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The Community Preservation Act in Hamilton

Preface

The Hamilton Community Preservation Committee (CPC) is pleased to present the 2015 Community Preservation Plan. This Plan describes the process for administering the Community Preservation Act (CPA) in Hamilton. The Plan presents a description of CPA as it applies to the Town of Hamilton, a definition of CPA goals, and a methodology and procedure by which the CPA will be administered. As such, it represents an informational document for citizens of the town, a guideline and instructional document for applicants seeking project funding through the CPA, and a guidance document for this and future Community Preservation Committees in reviewing proposed projects and making recommendations to Town Meeting for project funding. The Committee recognizes that this document may be modified by future Committees in response to changing goals and experiences with CPA over time.

Introduction

The citizens of Hamilton voted to adopt the Community Preservation Act on May 12, 2005. This program creates a 2% surcharge on real estate taxes for all residences and businesses, with exemptions for the first $100,000 of residential property value and for property owned and occupied by any person who qualifies for low-income housing or low- or moderate-income senior housing. This surcharge is then matched by a state fund.

Since Hamilton's adoption of the CPA in 2005, the Town has collected CPA funds as follows:

	Local Collections	State Collections	% State Match	Total
FY06	$287,075	$0	N/A	$287,075
FY07	$306,399	$287,075	100%	$593,474
FY08	$323,332	$306,399	100%	$629,731
FY09	$351,809	$218,638	68%	$570,447
FY10	$352,154	$122,482	35%	$474,636
FY11	$355,452	$95,793	27%	$451,245
FY12	$345,568	$94,689	27%	$440,257
FY13	$340,816	$92,731	27%	$433,547
FY14	$348,442	$177,992	52%	$526,434
FY15	TBD	$110,608	32%	TBD
Overall:	$3,011,047	$1,395,799	46%	$4,406,846

To date, the CPA has funded dozens of projects across all four project categories. In its ten-year history, the CPA has funded important renovations to historic Town Hall, the Old Library (and current Senior Center), the Community House and other historic buildings in Hamilton. The CPA has also funded community housing, including four affordable apartments. And it has funded the acquisition of open space and enhancements to popular recreational areas. For a detailed list of approved projects, please see Appendix X.

Overview of the Community Preservation Act

History and Introduction of the CPA

The Community Preservation Act, M.G.L. Chapter 44B (Appendix IV), was adopted by the Legislature and signed into law by Governor Paul Cellucci in September 2000. The CPA allows any city or town in the Commonwealth of Massachusetts to adopt a property tax surcharge of up to 3%, the revenues from which are matched to the extent of available funding by State funds collected from fees on documents recorded in the County Registry of Deeds. Including Hamilton, 158 of the 351 cities and towns across the state have adopted the CPA to date.

The combined money from these two sources is used for the following purposes:

- Acquire, create and preserve **open space**
- Acquire, create, preserve and rehabilitate **recreational land**
- Acquire, preserve and rehabilitate **historic resources**
- Acquire, create, preserve, rehabilitate and support **community housing**

CPA funds enable Hamilton to undertake projects in these areas that would otherwise have been paid for with 100% local tax dollars and also to fund projects that the Town might otherwise have been unable to undertake or that would have required Proposition 2 ½ overrides (e.g. open space acquisition or preservation of historic buildings).

Community Preservation Committee: Formation and Responsibilities

The Community Preservation Act requires that each town that accepts the CPA, also establish by ordinance or by-law a Community Preservation Committee. At the Annual Town Meeting on May 2, 2005, voters approved a Town Bylaw (Appendix III) creating the nine member Hamilton Community Preservation Committee. The composition of the Committee includes one member of the Conservation Commission, one member of the Historic District Commission, one member of the Planning Board, one member of the Board of Selectmen acting as a Parks Commissioner, one member of the Housing Authority and four citizens at large appointed by the Board of Selectmen. Each member's length of term is three years with staggered terms. These nine residents with a range of expertise across the project areas are charged with studying the Town's needs, possibilities and resources with respect to community preservation and with making recommendations to Town Meeting with respect to the allocation and expenditure of CPA funds.

The CPC meets on the second Thursday of each month at Town Hall at 7:30 p.m., and any citizen is welcome to attend. Minutes of CPC meetings are posted on the CPC webpage at www.hamiltonma.gov/CPC.

CPA Fund Requirements

The Community Preservation Act requires that in every fiscal year, and on the recommendation of the CPC to Town Meeting, a minimum of 10% of the annual revenues of the fund be used for each of the three core community concerns: open space, historic resources, and community housing. The remaining 70% can be allocated or reserved for future use for

any combination of the allowed uses. This gives Hamilton the opportunity to determine its priorities, plan for its future, and accrue funds to make those plans happen.

How CPA Funds Can Be Used

Community Preservation Act funds must be used for community preservation purposes that have a public benefit. "Community Preservation" is defined in Chapter 44B, section 2 as "the acquisition, creation, and preservation of open space, the acquisition, creation and preservation of historic structures and landscapes and the creation and preservation of community housing." In addition, a portion may be used for recreation purposes.

Fund monies may be spent to undertake the following community preservation purposes:

The acquisition, creation and preservation of open space. Open space, as defined by the CPA, "shall include, but not be limited to, 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."

The acquisition, creation, rehabilitation, and preservation of land for recreational use. Recreational use is defined in the CPA as "active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and non-commercial youth and adult sports, and the use of land as a park, playground or athletic field. 'Recreational use' shall not include horse or dog racing or the use of land for a stadium, gymnasium or similar structure."

The acquisition, preservation, rehabilitation and restoration of historic resources. Historic resources are historical structures and landscapes including a "building, structure, vessel or real property that is listed on the state register of historic places or has been determined by the Historical Commission to be significant in the history, archaeology, architecture or culture of the town."

The acquisition, creation, preservation, rehabilitation, and support of community housing. The CPA defines community housing as "low and moderate income housing for individuals, families, and seniors." Funds may be used for the acquisition, creation, preservation and support of community housing and for the rehabilitation or restoration of such housing.

CPA Administration

The CPA statute also provides for a community to appropriate up to 5% of the annual revenues in each fiscal year for the purposes of providing administrative support and operating expenses for the CPC and CPA. Since 2007, Hamilton's CPC has recommended that Town Meeting set aside up to 5% of the annual revenues for this purpose. These funds have been used to pay for Hamilton's annual membership to the Community Preservation Coalition, which is a non-profit alliance of open space, affordable housing, and historic preservation organizations that work with municipalities to help them understand, adopt, and implement the CPA. These funds have also allowed the Town to hire a Coordinator who

assists the CPC on a part-time basis and administers CPA finances. Principally, the Coordinator prepares for CPC meetings and assists with the CPA application process. The position also reviews the CPA budget and approves bills submitted for reimbursement by project applicants. It should be noted that all CPA bills are also reviewed by the Town's Finance Director and subject to the Town's annual audit by a third party certified public accountant. Since 2014, the position has expanded to include coordination of the Town's Affordable Housing Trust and the Historic District Commission, two CPA priorities.

The coordinator is available to answer questions. The position is currently held by Rachel Meketon who can be reached at dfox@hamiltonma.gov or (978) 468-5516.

Needs and Resource Assessment

An important part of this plan is an assessment of community needs that must be consistent with Community Preservation Act criteria. These needs fall into the categories outlined in the Act: open space, recreation, historic preservation, and community housing. Fortunately, Hamilton completed a two-year comprehensive planning effort which resulted in the Town's Master Plan, adopted in February 2004 by the Planning Board. This, along with other studies, including the Heritage Landscape Inventory completed in May 2005, the Town's Open Space and Recreation Plan adopted in 2009, the joint Hamilton and Wenham 2012 Recreation Master Plan, and Hamilton's Housing Production Plan accepted in April 2013, provide the basis for the needs assessment in this plan.

Open Space

Needs and Resource Assessment

Hamilton is fortunate to have a significant amount of open space within its borders, some of which is protected and some of which is not. Hamilton's most significant, permanently protected open space holdings include portions of Chebacco Woods, Bradley Palmer State Park, Ipswich River Wildlife Sanctuary, Appleton Farms, town-owned wellhead protected land, and land owned or subject to conservation restrictions held by Essex County Greenbelt Association and the Hamilton-Wenham Open Land Trust.[1]

Opportunities

There is also a large number of unprotected open space parcels in town, including the Myopia Hunt Club, Pingree School, and the nearly 700 acres of farms, forest and other open space temporarily protected by Chapter 61, 61A, and 61B, which are shown on a map in Appendix IX of this document.[2] There are also many other properties that are vacant or contain significant undeveloped land that are privately owned with no legal protection from development. A number of civically-minded families in Hamilton have preserved their properties by placing conservation restrictions on their large land holdings. These and other

[1] 2004 Master Plan, p. 35–36; 2009 Open Space and Recreation Plan, p. 3-11.
[2] 2009 Open Space and Recreation Plan, p. 5-11–5-12.

land conservation strategies are encouraged by the CPC and will be given priority if they leverage additional sources of funding.

Goals from the Open Space and Recreation Plan

The following goals were identified in Hamilton's 2009 Open Space and Recreation Plan[3]:

1. Preserve and enhance open space and scenic qualities.
2. Protect water resources.
3. Protect wildlife habitat.
4. Support agriculture and forestry.
5. Preserve, maintain and enhance trail systems and passive recreation facilities.

Criteria for Project Review

In addition to the general criteria for CPA funding, projects involving open space that address at least one of the following criteria[4] will receive preference:

1. The extent to which the project addresses objectives identified specifically within the Master Plan, the Open Space and Recreation Plan, or Article 97 of the Constitution of the Commonwealth of Massachusetts;[5] and the receipt of endorsements from the Town Manager and the Board of Selectmen (in the case of acquisitions), as well as the Conservation Commission and other Town staff;
2. The extent to which the open space is accessible to the public;
3. The project's ecological, scenic or recreational value;
4. Whether or not the project is located in areas with limited open space, or areas with essential water resources; and
5. Whether or not the project is contiguous with existing protected land or provides linkages with existing trails.

Recreation

Needs and Resource Assessment

Hamilton is fortunate to have a significant number of recreational facilities and opportunities in Town, including playgrounds, athletic fields, parks, a swimming pool, trails for walking, biking, and equestrian use, ponds and rivers for fishing, and more.[6] Some of the more actively used recreational facilities in Hamilton include Patton Park, School Street Park, Bradley Palmer State Park, Donovan Fields and the Hamilton-Wenham Recreation Center.[7] Participation in organized sports has grown rapidly over the years, including new groups like seniors, children, at-risk youth and handicapped residents. In the recent Recreation Master Plan, an

[3] 2009 Open Space and Recreation Plan, p. 8-4–8-7.
[4] 2004 Master Plan, p. 28; 2009 Open Space and Recreation Plan, p. 2-1.
[5] Article 97. The people shall have the right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources is hereby declared to be a public purpose.
[6] 2009 Open Space and Recreation Plan, p. 3-4–3-5.
[7] 2012 Recreation Master Plan, p. 18.

improved pool facility, improved and additional playing fields, and improved and additional trail facilities were noted as top priorities.[8]

Opportunities
Renovations or expansion of existing recreational facilities may allow for more activity. There is also ongoing investigation of additional sites, which may yield new opportunities.

Goals from the Recreation Master Plan
The following goals were identified in Hamilton's 2012 Recreation Master Plan[9]:

1. Improve athletic fields with attention to dimensions, grading and drainage, parking, seating and ADA accessibility. [10]
2. Develop additional field space to meet the demand, including at least three additional multipurpose rectangular fields and one baseball field.[11]
3. Redevelop the Patton Park Swimming Pool.
4. Preserve, maintain and enhance the trail system.
5. Improve road safety by developing bike and pedestrian trails along public roads.[12]

Criteria for Project Review
In addition to the general criteria for CPA funding, projects involving recreation that address at least one of the following criteria will receive preference:

1. The extent to which the project addresses objectives identified specifically within the Master Plan, the Open Space and Recreation Plan, or the Recreation Master Plan; and the receipt of endorsements from the Recreation Board and Town staff;
2. Whether or not the project responds to demonstrated resident demand;[13]
3. Whether or not the project provides recreational opportunities for underserved populations, including toddlers, teenagers, adults, seniors, and disabled residents;[14] or whether or not the project is located near population centers to improve accessibility for those that do not drive; and
4. Whether or not the project increases the availability of facilities for active or passive recreational use.

Historic Preservation

Needs and Resource Assessment
Hamilton has one National Register District and one Local Historic District. Both were established in 1972 and share the same boundaries. The district includes 26 properties located along Bay Road. Among them are Town Hall, the town's first church and meeting house, and Cutler Park.[15] Other local properties listed on the State Register of Historic Places include the

[8] 2012 Recreation Master Plan, p. 21.
[9] 2012 Recreation Master Plan, p. 66-68.
[10] 2012 Recreation Master Plan, p. 16.
[11] 2012 Recreation Master Plan, p. 33 and 36.
[12] 2012 Recreation Master Plan, p. 53.
[13] 2012 Recreation Master Plan, p. 43.
[14] 2012 Recreation Master Plan, p. 53 and 58.
[15] 2004 Master Plan, p. 30.

Brown House, the Austin Brown House, the Emeline Patch House, and the Woodberry Quarrels House.[16] Additional significant historic resources are the Hamilton-Wenham Community House, the First Congregational Church of Hamilton, Asbury Grove's Tabernacle and Chapel, Masconomet's memorial site on Sagamore Hill, the Gatehouse at Bradley Palmer State Park, and the large estates developed in the 19th and early 20th century, as well as other historic landscapes.

Opportunities

According to the census, there are more than seven hundred buildings in Hamilton that pre-date 1939.[17] However, there are limited mechanisms available to protect these and other historic resources.[18] Opportunities for preservation can include financial support for the restoration of historically significant structures, the application of historic preservation restrictions to qualified structures, and the preservation of cemeteries and other sites.

Goals from the Master Plan and the Heritage Landscape Inventory

The following goals were identified in Hamilton's 2004 Master Plan and 2005 Heritage Landscape Inventory:

1. Assure the endurance of key historic buildings, stone walls, mature trees and vistas that represent Hamilton's history and define its visual character.[19]
2. Complete capital projects to rehabilitate Town Hall and other historic properties, both within and outside of Hamilton's Historic District.[20]
3. Initiate the necessary planning, surveys and inventories to establish more local historic districts and to nominate properties for listing on the National Register of Historic Places.[21]

Criteria for Project Review

In addition to the general criteria for CPA funding, projects involving historic preservation that address at least one of the following criteria will receive preference:

1. The extent to which the project addresses objectives identified specifically within the Master Plan, the Heritage Landscape Inventory, or the Town's scenic roads bylaw;[22]and the receipt of endorsements from the Historic District Commission and Town staff;
2. The extent to which the historic entity provides a public benefit;
3. The extent to which the project promotes a sensitive and adaptive reuse of the historic entity; and
4. Whether or not the project preserves historic resources that are eligible for National Register status or that are located within the historic district.

[16] 2004 Master Plan, p. 42.
[17] 2004 Master Plan, p. 42.
[18] 2004 Master Plan, p. 30.
[19] 2004 Master Plan, p. 31.
[20] 2004 Master Plan, p. 88.
[21] 2004 Master Plan, p. 33; 2005 Heritage Landscape Inventory, p. 9-10.
[22] The designated scenic roads are Asbury Street, Bridge Street, Chebacco Road, Cutler Road, Gardner Street, Goodhue Street, Highland Street, Miles River Road, Moulton Street, Sagamore Street, Walnut Road and Winthrop Street.

The CPA encourages the Historic District Commission (HDC) and the Hamilton Historical Society (HHS) to identify historic structures, buildings and landscapes that can be preserved through the use of CPA funds. Prior evaluation of the historic importance of each structure or landscape by the HDC is a necessary requirement prior to application for CPA project funding.

Community Housing

Needs and Resource Assessment

Hamilton continues to be a desirable residential community due to its traditional neighborhoods, good schools, green spaces, recreation areas, pleasant small-town environment, and convenient location relatively close to Boston. However, Hamilton has no large affordable housing developments and very few of its homes meet the statutory definition of low-income housing. In fact, only 3.0% of Hamilton's housing stock meets the definition of affordable housing, compared to the 10% that is required to avoid a 40B development.[23] The Town of Hamilton needs at least 190 additional low and moderate income housing units to meet the 10% statutory minimum under Chapter 40B. Because of this, Hamilton may eventually face one or more Chapter 40B developments on land ill-suited for higher density use. Affordable housing, especially for seniors, is a significant need. This includes both the maintenance of existing Housing Authority units and the creation of new affordable units. In addition, some forms of community housing, namely elderly housing and cluster or condominium housing could create an additional tax base that could greatly benefit Hamilton.

Opportunities

Fortunately, Hamilton has effective tools to encourage the creation of affordable housing through a Senior Housing Bylaw, the Town's Affordable Housing Trust, the Hamilton Development Corporation, and HOME funds.

Goals from the Housing Production Plan

The following goals were identified in Hamilton's 2013 Affordable Housing Production Plan:

1. Maintain and advance local capacity and advocacy efforts to achieve housing production goals.
2. Create a diversity of housing types to meet the needs of a changing population with the support of Town leadership.
3. Identify and adopt zoning changes to advance housing production.
4. Reinforce existing and establish new partnerships to leverage resources to advance housing production and programs.
5. Set and achieve housing production goals.

Criteria for Project Review

In addition to the general criteria for CPA funding, projects involving community housing that address at least one of the following criteria will receive preference:

[23] 2013 Housing Production Plan, p. 30.

1. The extent to which the project addresses objectives identified specifically within the Master Plan or the Housing Production Plan; and the receipt of endorsements from the Affordable Housing Trust, the Hamilton Housing Authority, and Town staff;
2. Whether or not the project contributes to the goal of 10% affordability consistent with Chapter 40B;
3. Whether or not the project gives priority to local residents as well as town and school employees;
4. Whether or not the project creates senior housing;
5. The extent to which the project employs "smart growth" principles (higher density housing located near amenities); and
6. Whether or not the project creates new affordable housing opportunities through the reuse or conversion of market rate housing into affordable units.

General Selection Criteria

The Community Preservation Committee is responsible for reviewing all projects proposed for CPA funding and for making recommendations to Town Meeting. In order to be eligible for review for CPA funds, a project must at a minimum meet the statutory requirements of the Act.

If a submitted project is deemed eligible for funding by the CPC, it will be evaluated in relation to the General Selection Criteria and the specific criteria identified for each category (open space, recreation, historic preservation, and community housing). Recommendations for funding will be based on how well the project meets these criteria, recognizing that not all of the criteria may apply to a given project. The following factors will be considered.

a. The project's consistency with the Master Plan, Open Space and Recreation Plan, Recreation Master Plan, Heritage Landscape Inventory, Housing Production Plan, and other planning documents that have received wide scrutiny, public input and have been adopted by the Town or its boards;

b. The project's receipt of endorsements from other municipal boards, committees or departments, interest groups or community organizations;

c. The practicality and feasibility of the project; and the demonstrated ability of the applicant to implement the project expeditiously and within budget and then maintain the improvements afterward;

d. The extent to which the project leverages additional public and/or private funds, such as matching funds from neighboring communities for projects that involve shared resources;

e. The extent to which the project produces a highly advantageous cost to public benefit value;

f. Whether or not the project finances improvements to public facilities that would otherwise be funded through tax revenues or further deferred;

g. The extent to which the project conserves resources that would otherwise be threatened, or serves a currently under-served population; and

h. Whether or not the project fulfills more than one CPA purpose.

In general, the Committee intends to reserve approximately 50% of each year's CPA receipts for major CPA eligible projects; and as a result not all eligible projects proposed will be funded or fully funded. Also, project proponents need to demonstrate their efforts to obtain funds from all available sources.

Community Preservation Application Process

The CPC accepts project applications for Annual Town Meeting beginning in the fall of each year. The application process has two phases. The initial Application for Community Preservation Eligibility serves to introduce your proposal to the CPC so that it can determine the project's statutory eligibility and offer guidance. If the CPC agrees that your proposal is eligible for CPA funding, an Application for Community Preservation Funding must also be completed. The CPC will work to determine eligibility as quickly as possible so that the applicant may have ample time to complete the Application for Funding. Applications can be found in Appendix VII. The Guidelines for Project Submission (Appendix VI) provide additional detail on the application process.

The CPC actively seeks suggestions and proposals from residents of Hamilton, Town boards, committees, and local organizations for projects that will best serve the goals and criteria for CPA funds and meet the needs and interests of the Town.

Appendix I: Community Preservation Committee

The following citizens represent the Community Preservation Committee as of June 1st, 2015:

Peter Britton (at large; Affordable Housing Trust)
Jay Butler (at large)
Tom Catalano, Chair (Historic District Commission)
Keith Glidden (Conservation Commission)
Warren Gray (Housing Authority)
Shawn Farrell (Board of Selectmen)
Edwin Howard (Planning Board)
Robert Preston (at large)
Ray Whipple (at large)

Appendix II: CPC Operating Procedures

TOWN OF HAMILTON

COMMUNITY PRESERVATION COMMITTEE

OPERATING PROCEDURES

Last Revised on April 7, 2015

Revised Annually by June 30th

PURPOSE

To accomplish the duties and tasks for the Town of Hamilton that are described in the Community Preservation Act (CPA) and the local bylaw.

COMPOSITION

Members: The Community Preservation Committee (CPC) has nine members, which includes one designated member of the Conservation Commission, one member of the Historic District Commission, one member of the Housing Authority, one member of the Planning Board, one member of the Board of Selectmen who acts as a Parks Commissioner, and four citizens at large appointed by the Selectmen.

Terms: Each member is appointed or reappointed for a term of three years. Any vacancy during a term shall be filled by the appointing committee for the remainder of the term.

Officers – Chairman and Vice-Chairman: Each year, after new appointments or reappointments have been made in June, CPC members will elect a Chairman and Vice-Chairman. The Chairman will prepare the meeting agendas with the Community Projects Coordinator and lead the meetings. The Vice-Chairman will perform those duties in the absence of the Chairman.

CONDUCT OF MEETINGS

Schedule: The CPC meets on the second Thursday of each month at Town Hall at 7:30 p.m. The date will be confirmed and posted on the calendar on the Town's website and at Town Hall.

Agendas: The agenda will be drafted by the Chair and the Coordinator with input from CPC members and Town staff. The agenda will be posted as much in advance as possible, and always at least forty-eight hours before a meeting, in accordance with Massachusetts Open Meeting Law. The meetings will follow the posted agenda.

Quorum: A majority of the nine members, which is five members, must be present to achieve a quorum.

Voting: All actions must be approved by a majority of the members that are present and voting. Members follow the recusal requirements that are described in the Conflict of Interest Law. Any member who is absent during the presentation or substantial discussion of an Application for Funding will either review the minutes from that meeting or abstain from voting on that application. All decisions will require a motion, a second, further discussion, and a vote by voice or hand, as determined by the Chair. The Chair will not make or second motions, but can vote. A hand vote on any action shall be required if requested by any member of the Committee.

Public Participation: Public comment will be taken for each agenda item. Before speaking, members of the public must be acknowledged by the Chair. The Chair may impose time limits on public comment when necessary. Order and decorum shall be observed by everyone present at the meeting. Committee members and members of the public are prohibited from interrupting others and from making personal, impertinent, threatening, or profane remarks.

Sub-Committees: Sub-committees will be appointed by the Chair and shall operate in accordance with Massachusetts Open Meeting Law and Conflict of Interest Law. Standing sub-committees will act only under the direction of the full CPC and will report out to the full CPC. Furthermore, they will be in consultation with the Coordinator. No CPC sub-committee or individual member shall have the authority to represent or act on behalf of the CPC unless, by majority vote, the body has delegated such authority and such delegation is recorded in the meeting minutes.

CONDUCT OF BUSINESS

Administration: Up to five percent of the annual revenues in each fiscal year may be used to fund administrative support and operating expenses. A part-time Coordinator will prepare for CPC meetings, assist with the CPA application process, review the budget, and approve bills for reimbursement from project applicants. A paid secretary will record meeting minutes. The approved minutes and all hand-outs will be posted publicly on the CPC website.

Community Preservation Plan: Each spring, the CPC will conduct a study of the needs, possibilities, and resources of the town, regarding community preservation. The CPC will do this by soliciting input from all Town boards, committees, and departments; holding a public hearing; and updating the Community Preservation Plan by the end of the fiscal year (June 30th). The operating procedures may also be updated at that time.

CPA Application Process:

Timeline: The CPC will create a timeline, including meeting dates and deadlines for application submission, annually after ATM. Deadlines for the fall Special Town Meeting should be approximately two months prior to the Meeting, and deadlines for the spring Annual Town Meeting should be approximately five months prior to the Meeting. The Coordinator will post the timeline on the CPC page on the Town website. The timeline will also be advertised in local newspapers and on social media.

Application Review: The CPC will first review the Application for Eligibility. The CPC may request that the Coordinator consult with the Commonwealth, the Community Preservation Coalition, or Town Counsel for their input on eligibility. Once determined to be eligible, the CPC will review the Application for Funding based on the general and specific criteria that are detailed in the Community Preservation Plan. CPC members will also attempt to make site visits to any properties under consideration for CPA projects, in accordance with Open Meeting Law. The CPC will then vote on whether or not to recommend the project to Town meeting.

Funding: Each year a minimum of ten percent of the annual CPA revenues must be used for each of the three project categories: open space, historic resources, and community housing. The ten percent may be allocated to a project or projects, or it may be reserved for future projects. The CPC intends to reserve approximately fifty percent of the revenues each year in order to support larger future projects. The CPC may recommend that a project be directly funded or bonded with debt service. Before preparing a Warrant Article for Town Meeting, the CPC will discuss its project recommendations and funding strategies with the Board of Selectmen and the Finance Committee.

Grant Awards: Following approval at Town Meeting, the Coordinator will send a formal award letter to each grantee that specifies when funds will be available, billing procedures, semi-annual reporting deadlines, and the two-year deadline within which projects must be completed. The letter will also introduce the CPC member who will act as a liaison to the grantee through the life of the project.

Bills: All bills will be approved by a vote of the CPC, unless the CPC authorizes the Coordinator to pay the bills.

COMMUNICATIONS

All communication should be conducted in accordance with Massachusetts Open Meeting Law. Email communications between a quorum of CPC members will be restricted to drafting agendas, scheduling meetings and confirming attendance. Less than a quorum of CPC members may discuss projects amongst themselves. Applicants should address questions to the Chair or the Coordinator. The Coordinator may provide suggestions to applicants. CPC

members will only discuss applications with applicants at public meetings. Once an application has been approved at Town Meeting, the project manager may correspond with the Coordinator and a designated liaison from the CPC.

Appendix III: CPC Bylaw

Excerpt from Town Bylaws

CHAPTER XXVII
COMMUNITY PRESERVATION COMMITTEE

Section 1 – Establishment, Membership, Terms

There is hereby established a Community Preservation Committee, consisting of nine (9) voting members pursuant to G.L. c. 44B, the Community Preservation Act. The Committee shall act pursuant to G.L. c. 44B, § 5. The composition of the committee, the method of selecting its members, and each member's length of term is as follows:

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

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

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

One member of the Board of Selectmen, acting in its capacity as the Board of Park Commissioners, as designated by the Board of Selectmen 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 Housing Authority for an initial term of one year and thereafter for a term of three years.

Four citizens at large to be appointed by the Board of Selectmen for initial terms of two years and thereafter each for a term of three years.

Any member who serves as a representative of an appointing committee who ceases during his or her term to be a member of the appointing committee shall also cease to be a member of the Community Preservation Committee. Any member may be removed with or without cause by the appointing committee. Any vacancy during the pendency of a term shall be filled by the appointing committee for the remainder of the term. Members may be eligible for reappointment.

Should any of the Commissions, Boards, or Committees who have appointment authority under this by-law chapter be no longer in existence for any reason, the appointment authority for that Commission, Board, or Committee shall devolve upon the persons acting in the capacity of or performing the duties of the former Commission, Board or Committee. If there are no such persons acting in the capacity of or performing the duties of any such

Commission, Board, or Committee, then the appointment shall be the responsibility of the Board of Selectmen.

All initial appointments shall be made within twenty days of the effective date of this by-law. Thereafter, all vacancies, whether at the end of a member's term or otherwise, shall be filled within twenty days of the creation of the vacancy.

Section 2 – Duties

1. The Committee shall study the needs, possibilities and resources of the town regarding community preservation. The Committee shall consult with existing municipal boards, including but not limited to the Conservation Commission, the Historical Commission, the Planning Board, the Board of Selectmen in its capacity as the Board of Park Commissioners, 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, 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 Committee shall make recommendations to the town meeting for the: acquisition, creation and preservation of open space pursuant to Article XCVII of the Constitution of the Commonwealth and the Hamilton Open Space Plan prepared pursuant to M.G.L.A. c.40 sec. 8C; 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 by-law. With respect to community housing, the Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

3. The 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. Recommendations for the expenditure of funds shall include the Committee's anticipated administrative and operating expenses.

August 2006

Appendix IV: CPA Statute

COMMUNITY PRESERVATION ACT
General Laws Chapter 44B (2010 Official Edition)
As amended by St. 2012, c. 139, §§ 69-83 and c. 503 of the Acts of 2014
Provided by the Massachusetts Department of Revenue, January 2013 and amended January 2015

Section 1. This chapter shall be known and may be cited as the Massachusetts Community Preservation Act.

Section 2. As used in this chapter, the following words shall, unless the context clearly indicates a different meaning, have the following meanings:—

"Acquire", obtain by gift, purchase, devise, grant, rental, rental purchase, lease or otherwise. "Acquire" shall not include a taking by eminent domain, except as provided in this chapter.

"Annual income", a family's or person's gross annual income less such reasonable allowances for dependents, other than a spouse, and for medical expenses as the housing authority or, in the event that there is no housing authority, the department of housing and community development, determines.

"Capital improvement", reconstruction or alteration of real property that: (1) materially adds to the value of the real property, or appreciably prolongs the useful life of the real property; (2) becomes part of the real property or is permanently affixed to the real property so that removal would cause material damage to the property or article itself; and (3) is intended to become a permanent installation or is intended to remain there for an indefinite period of time.

"Community housing", low and moderate income housing for individuals and families, including low or moderate income senior housing.

"Community preservation", the acquisition, creation and preservation of open space, the acquisition, creation and preservation of historic resources and the creation and preservation of community housing.

"Community preservation committee", the committee established by the legislative body of a city or town to make recommendations for community preservation, as provided in section 5.

"Community Preservation Fund", the municipal fund established under section 7.

"CP", community preservation.

"Historic resources", a building, structure, vessel real property, document or artifact that is listed on the state register of historic places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of a city or town.

"Legislative body", the agency of municipal government which is empowered to enact ordinances or by-laws, adopt an annual budget and other spending authorizations, loan orders, bond authorizations and other financial matters and whether styled as a city council, board of aldermen, town council, town meeting or by any other title.

“Low income housing”, housing for those persons and families whose annual income is less than 80 per cent of the areawide median income. The areawide median income shall be the areawide median income as determined by the United States Department of Housing and Urban Development.

“Low or moderate income senior housing”, housing for those persons having reached the age of 60 or over who would qualify for low or moderate income housing.

“Maintenance”, incidental repairs which neither materially add to the value of the property nor appreciably prolong the property’s life, but keep the property in a condition of fitness, efficiency or readiness.

“Moderate income housing”, housing for those persons and families whose annual income is less than 100 per cent of the areawide median income. The areawide median income shall be the areawide median income as determined by the United States Department of Housing and Urban Development.

“Open space”, shall include, but not be limited to, 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.

“Preservation”, protection of personal or real property from injury, harm or destruction**.**

“Real property”, land, buildings, appurtenant structures and fixtures attached to buildings or land, including, where applicable, real property interests.

“Real property interest”, a present or future legal or equitable interest in or to real property, including easements and restrictions, and any beneficial interest therein, including the interest of a beneficiary in a trust which holds a legal or equitable interest in real property, but shall not include an interest which is limited to the following: an estate at will or at sufferance and any estate for years having a term of less than 30 years; the reversionary right, condition or right of entry for condition broken; the interest of a mortgagee or other secured party in a mortgage or security agreement.

“Recreational use”, 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. “Recreational use” shall not include horse or dog racing or the use of land for a stadium, gymnasium or similar structure.

“Rehabilitation”, capital improvements, or the making of extraordinary repairs, to historic resources, open spaces, lands for recreational use and community housing for the purpose of making such historic resources, open spaces, lands for recreational use and community housing functional for their intended uses, including, but not limited to, improvements to comply with the Americans with Disabilities Act and other federal, state or local building or access codes; provided, that with respect to historic resources, “rehabilitation” shall comply with the Standards for Rehabilitation stated in the United States Secretary of the Interior’s Standards for the Treatment of Historic Properties codified in 36 C.F.R. Part 68; and provided further, that with respect to land for recreational use, “rehabilitation” shall include the replacement of playground equipment and other capital improvements to the land or the facilities thereon which make the land or the related facilities more functional for the intended recreational use.

"Support of Community housing", shall include, but not be limited to, programs that provide grants, loans, rental assistance, security deposits, interest-rate write downs or other forms of assistance directly to individuals and families who are eligible for community housing, or to an entity that owns, operates or manages such housing, for the purpose of making housing affordable.

Section 3. (a) Sections 3 to 7, inclusive, shall take effect in any city or town upon the approval by the legislative body and their acceptance by the voters of a ballot question as set forth in this section.

(b) Notwithstanding the provisions of chapter 59 or any other general or special law to the contrary, the legislative body may vote to accept sections 3 to 7, inclusive, by approving a surcharge on real property of not more than 3 per cent of the real estate tax levy against real property, as determined annually by the board of assessors. The amount of the surcharge shall not be included in a calculation of total taxes assessed for purposes of section 21C of said chapter 59.

(b½) Notwithstanding chapter 59 or any other general or special law to the contrary, as an alternative to subsection (b), the legislative body may vote to accept sections 3 to 7, inclusive, by approving a surcharge on real property of not less than 1 per cent of the real estate tax levy against real property, and making an additional commitment of funds by dedicating revenue not greater than 2 per cent of the real estate tax levy against real property; provided, however, that additional funds so committed shall come from other sources of municipal revenue, including, but not limited to, hotel excises pursuant to chapter 64G, linkage fees and inclusionary zoning payments, however authorized, the sale of municipal property pursuant to section 3 of chapter 40, parking fines and surcharges pursuant to sections 20, 20A, and 20A½ of chapter 90, existing dedicated housing, open space and historic preservation funds, however authorized, and gifts received from private sources for community preservation purposes; and provided further that additional funds so committed shall not include any federal or state funds. The total funds committed to purposes authorized under this chapter by means of this subsection shall not exceed 3 per cent of the real estate tax levy against real property, less exemptions, adopted. In the event that the municipality shall no longer dedicate all or part of the additional funds to community preservation, the surcharge of not less than 1 per cent shall remain in effect, but may be reduced pursuant to section 16.

(c) All exemptions and abatements of real property authorized by said chapter 59 or any other law for which a taxpayer qualifies as eligible shall not be affected by this chapter. The surcharge to be paid by a taxpayer receiving an exemption or abatement of real property authorized by said chapter 59 or any other law shall be reduced in proportion to the amount of such exemption or abatement.

(d) Any amount of the surcharge not paid by the due date shall bear interest at the rate per annum provided in section 57 of said chapter 59.

(e) The legislative body may also vote to accept one or more of the following exemptions:

(1) for property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the city or town;

(2) for class three, commercial, and class four, industrial, properties as defined in section 2A of said chapter 59, in cities or towns with classified tax rates;

(3) for $100,000 of the value of each taxable parcel of residential real property; or

(4) for $100,000 of the value of each taxable parcel of class three, commercial property, and class four, industrial property as defined in section 2A of said chapter 59.

(f) Upon approval by the legislative body, the actions of the body shall be submitted for acceptance to the voters of a city or town at the next regular municipal or state election. The city or town clerk or the state secretary shall place it on the ballot in the form of the following question:

"Shall this (city or town) accept sections 3 to 7, inclusive of chapter 44B of the General Laws, as approved by its legislative body, a summary of which appears below?"

(Set forth here a fair, concise summary and purpose of the law to be acted upon, as determined by the city solicitor or town counsel, including in said summary the percentage of the surcharge to be imposed.)

If a majority of the voters voting on said question vote in the affirmative, then its provisions shall take effect in the city or town, but not otherwise.

(g) The final date for notifying or filing a petition with the city or town clerk or the state secretary to place such a question on the ballot shall be 35 days before the city or town election or 60 days before the state election.

(h) If the legislative body does not vote to accept sections 3 to 7, inclusive, at least 90 days before a regular city or town election or 120 days before a state election, then a question seeking said acceptance through approval of a particular surcharge rate with exemption or exemptions, may be so placed on the ballot when a petition signed by at least 5 per cent of the registered voters of the city or town requesting such action is filed with the registrars, who shall have seven days after receipt of such petition to certify its signatures. Upon certification of the signatures, the city or town clerk or the state secretary shall cause the question to be placed on the ballot at the next regular city or town election held more than 35 days after such certification or at the next regular state election held more than 60 days after such certification.

(i) With respect to real property owned by a cooperative corporation, as defined in section 4 of chapter 157B, that portion which is occupied by a member under a proprietary lease as the member's domicile shall be considered real property owned by that member for the purposes of exemptions provided under this section. The member's portion of the real estate shall be represented by the member's share or shares of stock in the cooperative corporation, and the percentage of that portion to the whole shall be determined by the percentage of the member's shares to the total outstanding stock of the corporation, including shares owned by the corporation. This portion of the real property shall be eligible for any exemption provided in this section if the member meets all requirements for the exemption. Any exemption so provided shall reduce the taxable valuation of the real property owned by the cooperative corporation, and the reduction in taxes realized by this exemption shall be credited by the cooperative corporation against the amount of the taxes otherwise payable by or chargeable to the member. Nothing in this subsection shall be construed to affect the tax status of any manufactured home or mobile home under this chapter, but this subsection shall apply to the land on which the manufactured home or mobile home is located if all other requirements of this clause are met. This subsection shall take effect in a city or town upon its acceptance by the city or town.

Section 4. (a) Upon acceptance of sections 3 to 7, inclusive, and upon the assessors' warrant to the tax collector, the accepted surcharge shall be imposed.

(b) After receipt of the warrant, the tax collector shall collect the surcharge in the amount and according to the computation specified in the warrant and shall pay the amounts so collected, quarterly or semi-annually, according to the schedule for collection of property taxes for the tax on real property, to the city's or town's treasurer. The tax collector shall cause appropriate books and accounts to be kept with respect to such surcharge, which shall be subject to public examination upon reasonable request from time to time.

(c) The remedies provided by chapter 60 for the collection of taxes upon real estate shall apply to the surcharge on real property pursuant to this chapter.

Section 5. (a) A city or town that accepts sections 3 to 7, inclusive, shall establish by ordinance or by-law a community preservation committee. The committee shall consist of not less than five nor more than nine members. The ordinance or by-law shall determine the composition of the committee, the length of its term and the method of selecting its members, whether by election or appointment or by a combination thereof. The committee shall include, but not be limited to, one member of the conservation commission established under section 8C of chapter 40 as designated by the commission, one member of the historical commission established under section 8D of said chapter 40 as designated by the commission, one member of the planning board established under section 81A of chapter 41 as designated by the board, one member of the board of park commissioners established under section 2 of chapter 45 as designated by the board and one member of the housing authority established under section 3 of chapter 121B as designated by the authority, or persons, as determined by the ordinance or by-law, acting in the capacity of or performing like duties of the commissions, board or authority if they have not been established in the city or town. If there are no persons acting in the capacity of or performing like duties of any such commission, board or authority, the ordinance or by-law shall designate those persons.

(b)(1) The community preservation committee shall study the needs, possibilities and resources of the city or town regarding community preservation, including the consideration of regional projects for community preservation. The committee shall consult with existing municipal boards, including the conservation commission, the historical commission, the planning board, the board of park commissioners 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 city or 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 city or town.

(2) The community preservation committee shall make recommendations to the legislative body 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 as provided in this section; provided, however, that funds expended pursuant to this chapter shall not be used for maintenance. 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. With respect to recreational use, the acquisition of artificial turf for athletic fields shall be prohibited.

(3) The community preservation committee may include in its recommendation to the legislative body 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.

(c) 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 legislative body shall include their anticipated costs.

(d) After receiving recommendations from the community preservation committee, the legislative body shall take such action and approve such appropriations from the Community Preservation Fund as set forth in section 7, and such additional non-Community Preservation Fund appropriations as it deems appropriate to carry out the recommendations of the community preservation committee. In the case of a city, the ordinance shall provide for the mechanisms under which the legislative body may approve and veto appropriations made pursuant to this chapter, in accordance with the city charter.

(e) For the purposes of community preservation and upon the recommendation of the community preservation committee, a city or town may take by eminent domain under chapter 79, the fee or any lesser interest in real property or waters located in such city or town if such taking has first been approved by a two-thirds vote of the legislative body. Upon a like recommendation and vote, a city or town may expend monies in the Community Preservation Fund, if any, for the purpose of paying, in whole or in part, any damages for which a city or town may be liable by reason of a taking for the purposes of community preservation.

(f) Section 16 of chapter 30B shall not apply to the acquisition by a city or town, of real property or an interest therein, as authorized by this chapter for the purposes of community preservation and upon recommendation of the community preservation committee and, notwithstanding section 14 of chapter 40, for purposes of this chapter, no such real property, or interest therein, shall be acquired by any city or town for a price exceeding the value of the property as determined by such city or town through procedures customarily accepted by the appraising profession as valid.

A city or town may appropriate money in any year from the Community Preservation Fund to an affordable housing trust fund.

Section 6. In each fiscal year and upon the recommendation of the community preservation committee, the legislative body shall spend, or set aside for later spending, not less than 10 per cent of the annual revenues in the Community Preservation Fund for open space, not less than 10 per cent of the annual revenues for historic resources and not less than 10 per cent of the annual revenues for community housing. In each fiscal year, the legislative body shall make appropriations from the Community Preservation Fund as it deems necessary for the administrative and operating expenses of the community preservation committee and such appropriations shall not exceed 5 per cent of the annual revenues in the Community Preservation Fund. The legislative body may also make appropriations from the Community Preservation Fund as it deems necessary for costs associated with tax billing software and outside vendors necessary to integrate such software for the first year that a city or town implements this chapter; provided, however, that the total of any administrative and operating expenses of the community preservation committee and the first year implementation expenses do not exceed 5 per cent of the annual revenues in the Community Preservation Fund.

Funds that are set aside shall be held in the Community Preservation Fund and spent in that year or later years; provided, however, that funds set aside for a specific purpose shall be spent only for the specific purpose. Any funds set aside may be expended in any city or town. The community preservation funds shall not replace existing operating funds, only augment them.

Section 7. Notwithstanding the provisions of section 53 of chapter 44 or any other general or special law to the contrary, a city or town that accepts sections 3 to 7, inclusive, shall establish a separate account to be known as the Community Preservation Fund of which the municipal treasurer shall be the custodian. The authority to approve expenditures from the fund shall be limited to, the legislative body and the municipal treasurer shall pay such expenses in accordance with chapter 41.

The following monies shall be deposited in the fund: (i) all funds collected from the real property surcharge or bond proceeds in anticipation of revenue pursuant to sections 4 and 11; (ii) additional funds appropriated or dedicated from allowable municipal sources pursuant to subsection (b½) of section 3, if applicable; (iii) all funds received from the commonwealth or any other source for such purposes; and (iv) proceeds from the disposal of real property acquired with funds from the Community Preservation Fund. The treasurer may deposit or invest the proceeds of the fund in savings banks trust companies incorporated under the laws of the commonwealth, banking companies incorporated under the laws of the commonwealth which are members of the Federal Deposit Insurance Corporation or national banks, or may invest the proceeds in paid up shares and accounts of and in co-operative banks or in shares of savings and loan associations or in shares of federal savings and loan associations doing business in the commonwealth or in the manner authorized by section 54 of chapter 44, and any income therefrom shall be credited to the fund. The expenditure of revenues from the fund shall be limited to implementing the recommendations of the community preservation committee and providing administrative and operating expenses to the committee.

Section 8. (a) Except as otherwise provided, the fees of the registers of deeds to be paid when a document or instrument is recorded shall be subject to a surcharge of $20; provided, however, that if the document or instrument to be filed includes multiple references to a document or instrument intending or attempting to assign, discharge, release, partially release, subordinate or notice any other document or instrument, each reference shall be separately indexed and separately assessed an additional $20 surcharge. The fee for recording a municipal lien certificate shall be subject to a surcharge of $10; provided, however, that if the certificate includes multiple references to a document or instrument intending or attempting to assign, discharge, release, partially release, subordinate or notice any other document or instrument, each reference shall be separately indexed and separately assessed an additional $10 surcharge. The surcharges imposed shall be used for community preservation purposes. No surcharge shall apply to a declaration of homestead under chapter 188. No surcharge shall apply to the fees charged for additional pages, photostatic copies, abstract cards or additional square feet for the recording of plans.

(b) The fees of the assistant recorder, except as otherwise provided, to be paid when the instrument is left for registering, filing or entering with respect to registered land shall be subject to a surcharge of $20. The fees for so registering, filing or entering a municipal lien certificate shall be subject to a surcharge of $10. The surcharges shall be imposed for the purposes of community preservation. No surcharge shall apply to a declaration of homestead of chapter 188. No surcharge shall apply to the fees charged for additional lots shown on plans, for indexing instruments recorded while a petition for registering is pending, for additional certificates of sewer assessments, for old age assistance liens, for duplicates and for photocopies.

(c) All surcharges on fees collected pursuant to this section shall be forwarded to the Massachusetts Community Preservation Trust Fund, established in section 9.

Section 9. (a) There shall be established and set up on the books of the commonwealth a separate fund, to be known as the Massachusetts Community Preservation Trust Fund, for the benefit of cities and towns that have accepted sections 3 to 7, inclusive, and pursuant to said sections 3 to 7, inclusive, have imposed a surcharge on their real property tax levy, subject to any exemptions adopted by a municipality. The fund shall consist of all revenues received by the commonwealth: (1) under the provisions of section 8; (2) from public and private sources as gifts, grants and donations to further community preservation programs; (3) from damages, penalties, costs or interest received on account of litigation or settlement thereof for a violation of section 15;or (4) all other monies credited to or transferred to from any other fund or source pursuant to law.

(b) The state treasurer shall deposit the fund in accordance with the provisions of section 10 in such manner as will secure the highest interest rate available consistent with the safety of the fund and with the requirement that all amounts on deposit be available for withdrawal without penalty for such withdrawal at any time. All interest accrued and earnings shall be deposited into the fund. The fund shall be expended solely for the administration and implementation of this chapter. Any unexpended balances shall be redeposited for future use consistent with the provisions of this chapter.

(c) The state treasurer shall make all disbursements and expenditures from the fund without, further appropriation, as directed by the commissioner of revenue in accordance with said section 10. The department of revenue shall report by source all amounts credited to said fund and all expenditures from said fund. The commissioner of revenue shall assign personnel of the department as it may need to administer and manage the fund disbursements and any expense incurred by the department shall be deemed an operating and administrative expense of the program. The operating and administrative expenses shall not exceed 5 per cent of the annual total revenue received under the provisions of said section 10.

Section 10. (a) The commissioner of revenue shall annually on or before November 15 disburse monies from the fund established in section 9 to a city or town that has accepted sections 3 to 7, inclusive, and notified the commissioner of its acceptance. The community shall notify the commissioner of the date and terms on which the voters accepted said sections 3 to 7, inclusive. The municipal tax collecting authority shall certify to the commissioner the amount the city or town has raised through June 30 by imposing a surcharge on its real property levy and shall certify the percentage of the surcharge applied. In the event a city or town accepts said sections 3 to 7, inclusive, pursuant to subsection (b½) of section 3 the municipal tax collecting authority shall certify to the commissioner by October 30, the maximum additional funds the city or town intends to transfer to the Community Preservation Fund from allowable municipal sources for the following fiscal year. Once certified, the city or town may choose to transfer less than the certified amount during the following fiscal year.

(b) The commissioner shall multiply the amount remaining in the fund after any disbursements for operating and administrative expenses pursuant to subsection (c) of section 9 by 80 percent. This amount distributed in the first round distribution shall be known as the match distribution. The first round total shall be distributed to each city or town accepting said sections 3 to 7, inclusive, in an amount not less than 5 per cent but not greater than 100 per cent of the total amount raised by the additional surcharge on real property by each city or town and if applicable, the additional funds committed from allowable municipal sources pursuant to subsection (b½) of section 3. The percentage

shall be the same for each city and town and shall be determined by the commissioner annually in a manner that distributes the maximum amount available to each participating city or town.

(c) The commissioner shall further divide the remaining 20 per cent of the fund in a second round distribution, known as the equity distribution. The commissioner shall determine the equity distribution in several steps. The first step shall be to divide the remaining 20 per cent of the fund by the number of cities and towns that have accepted said sections 3 to 7, inclusive. This dividend shall be known as the base figure for equity distribution. This base figure shall be determined solely for purposes of performing the calculation for equity distribution and shall not be added to the amount received by a participant.

(d) Each city and town in the commonwealth shall be assigned a community preservation rank for purposes of the equity distribution. The commissioner shall determine each community's rank by first determining the city or town's equalized property valuation per capita ranking, ranking cities and towns from highest to lowest valuation. The commissioner shall also determine the population of each city or town and rank each from largest to smallest in population. The commissioner shall add each equalized property valuation rank and population rank, and divide the sum by 2. The dividend is the community preservation raw score for that city or town.

(e) The commissioner shall then order each city or town by community preservation raw score, from the lowest raw score to the highest raw score. This order shall be the community preservation rank for each city or town. If more than 1 city or town has the same community preservation raw score, the city or town with the higher equalized valuation rank shall receive the higher community preservation rank.

(f) After determining the community preservation rank for each city and town, the commissioner shall divide all cities or towns into deciles according to their community preservation ranking, with approximately the same number of cities and towns in each decile, and the cities or towns with the highest community preservation rank shall be placed in the lowest decile category, starting with decile 10. Percentages shall be assigned to each decile as follows:

decile 1	140 per cent of the base figure.
decile 2	130 per cent of the base figure.
decile 3	120 per cent of the base figure.
decile 4	110 per cent of the base figure.
decile 5	100 per cent of the base figure.
decile 6	90 per cent of the base figure.
decile 7	80 per cent of the base figure.
decile 8	70 per cent of the base figure.
decile 9	60 per cent of the base figure.
decile 10	50 per cent of the base figure.

After assigning each city and town to a decile according to their community preservation rank, the commissioner shall multiply the percentage assigned to that decile by the base figure to determine the second round equity distribution for each participant.

(g) Notwithstanding any other provision of this section, the total state contribution for each city and town shall not exceed the actual amount raised by the city or town's surcharge on its real property levy

and, if applicable, additional funds committed from allowable municipal sources pursuant to subsection (b½) of section 3.

(h) When there are monies remaining in the Massachusetts Community Preservation Trust Fund after the first and second round distributions and any necessary administrative expenses have been paid in accordance with section 9 the commissioner may conduct a third round surplus distribution. Any remaining surplus in the fund may be distributed by dividing the amount of the surplus by the number of cities and towns that have accepted sections 3 to 7, inclusive. The resulting dividend shall be the surplus base figure. The commissioner shall then use the decile categories and percentages as defined in this section to determine a surplus equity distribution for each participant.

(i) The commissioner shall determine each participant's total state grant by adding the amount received in the first round distribution with the amounts received in any later round of distributions, with the exception of a city or town that has already received a grant equal to 100 per cent of the amount the community raised by its surcharge on its real property levy.

(1) Only those cities and towns that adopt the maximum surcharge pursuant to subsection (b) of section 3 and those cities and towns that adopt the maximum surcharge and additional funds committed from allowable municipal sources such that the total funds are the equivalent of 3 percent of the real estate tax levy against real property pursuant to subsection (b½) of said section 3 shall be eligible to receive additional state monies through the equity and surplus distributions.

(2) If less than 10 per cent of the cities and towns have accepted sections 3 to 7, inclusive, and imposed and collected a surcharge on their real property levy, the commissioner may calculate the state grant with only 1 round of distributions, or in any other equitable manner.

(j) After distributing the Massachusetts Community Preservation Trust Fund in accordance with this section, the commissioner shall keep any remaining funds in the trust for distribution in the following year.

Section 11. A city or town that accepts sections 3 to 7, inclusive, may issue, from time to time, general obligation bonds or notes in anticipation of revenues to be raised pursuant to section 3, the proceeds of which shall be deposited in the Community Preservation Fund. Bonds or notes so issued may be at such rates of interest as shall be necessary and shall be repaid as soon after such revenues are collected as is expedient. Cities or towns that choose to issue bonds pursuant to this section shall make every effort to limit the administrative costs of issuing such bonds by cooperating among each other using methods including, but not limited to, common issuance of bonds or common retention of bond counsel. Except as otherwise provided in this chapter, bonds or notes issued pursuant to this section shall be subject to the applicable provisions of chapter 44. The maturities of each issue of bonds or notes issued under this chapter may be arranged so that for each issue the amounts payable in the several years for principal and interest combined shall be as nearly equal as practicable in the opinion of the officers authorized to issue bonds or notes or, in the alternative, in accordance with a schedule providing for a more rapid amortization of principal.

Section 12. (a) A real property interest that is acquired with monies from the Community Preservation Fund shall be bound by a permanent restriction, recorded as a separate instrument, that meets the requirements of sections 31 to 33, inclusive, of chapter 184 limiting the use of the interest to the purpose for which it was acquired. The permanent restriction shall run with the land and shall be enforceable by the city or town or the commonwealth. The permanent restriction may also run to the benefit of a

nonprofit organization, charitable corporation or foundation selected by the city or town with the right to enforce the restriction. The legislative body may appropriate monies from the Community Preservation Fund to pay a non-profit organization created pursuant to chapter 180 to hold, monitor and enforce the deed restriction on the property.

(b) Real property interests acquired under this chapter shall be owned and managed by the city or town, but the legislative body may delegate management of such property to the conservation commission, the historical commission, the board of park commissioners or the housing authority, or, in the case of interests to acquire sites for future wellhead development by a water district, a water supply district or a fire district. The legislative body may also delegate management of such property to a nonprofit organization created under chapter 180 or chapter 203.

Section 13. The community preservation committee shall keep a full and accurate account of all of its actions, including its recommendations and the action taken on them and records of all appropriations or expenditures made from the Community Preservation Fund. The committee shall also keep records of any real property interests acquired, disposed of or improved by the city or town upon its recommendation, including the names and addresses of the grantor's or grantees and the nature of the consideration. The records and accounts shall be public records.

Section 14. Notwithstanding the provisions of any general or special law to the contrary, every city and town may accept sections 3 to 7, inclusive, and may thereupon receive state grants under section 10. A city or town that accepts said sections 3 to 7, inclusive, shall not be precluded from participating in state grant programs.

State grant programs may include local adoption of this chapter among the criteria for selection of grant recipients. Funds in the Community Preservation Fund may be made available and used by the city or town as the local share for state or federal grants upon recommendation of the community preservation committee and the legislative body, as provided for in section 5, if such grants and such local share are used in a manner consistent with the recommendations of the community preservation committee.

Section 15. (a) A person who, without permission, knowingly carries away or steals, mutilates, destroys, damages, causes to be damaged or cuts any tree, shrub, grass or any other portion of real property purchased by a city or town with funds derived from this chapter shall be liable to the city or town in tort for such actions.

(b) Damages, including punitive damages for willful or wanton violation of this chapter or any rule or regulation issued or adopted hereunder, may be recovered in a civil action brought by the city or town or, upon request of the city or town, by the attorney general. The city or town or, upon request of the city or town, the attorney general, may bring an action for injunctive relief against any person violating this chapter or any rule or regulation issued hereunder. The superior court shall have jurisdiction to enjoin violations, to award damages and to grant such further relief as it may deem appropriate.

(c) Any damages, penalties, costs or interest thereon recovered pursuant to this section shall be deposited into the Community Preservation Fund of the city or town in which the violation occurred.

Section 16. (a) At any time after imposition of the surcharge, the legislative body may approve and the voters may accept an amendment to the amount and computation of the surcharge, or to the amount of exemption or exemptions, in the same manner and within the limitations set forth in this chapter,

including reducing the surcharge to 1 per cent and committing additional municipal funds pursuant to subsection (b½) of section 3.

(b) At any time after the expiration of five years after the date on which sections 3 to 7, inclusive, have been accepted in a city or town, said sections may be revoked in the same manner as they were accepted by such city or town, but the surcharge imposed under section 3 shall remain in effect in any such city or town, with respect to unpaid taxes on past transactions and with respect to taxes due on future transactions, until all contractual obligations incurred by the city or town prior to such termination shall have been fully discharged.

Section 17. The commissioner of revenue shall have the authority to promulgate rules and regulations to effect the purposes of this chapter.

Appendix V: CPA Allowable Uses

	OPEN SPACE	HISTORIC RESOURCES	RECREATIONAL LAND	COMMUNITY HOUSING
DEFINITIONS (G.L. c. 44B, § 2)	**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, real property, document or artifact listed 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 not 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**
ACQUISITION Obtain property interest by gift, purchase, devise, grant, rental, rental purchase, lease or otherwise. Only includes eminent domain taking as provided by G.L. c. 44B	**Yes**	**Yes**	**Yes**	**Yes**
CREATION To bring into being or cause to exist. *Seideman v. City of Newton*, 452 Mass. 472 (2008)	**Yes**		**Yes**	**Yes**
PRESERVATION Protect personal or real property from injury, harm or destruction	**Yes**	**Yes**	**Yes**	**Yes**
SUPPORT Provide grants, loans, rental assistance, security deposits, interest-rate write downs or other forms of assistance directly to individuals and families who are eligible for community housing, or to entity that owns, operates or manages such housing, for the purpose of making housing affordable				**Yes, includes funding for community's affordable housing trust**
REHABILITATION AND RESTORATION Make capital improvements, or extraordinary repairs to make assets functional for intended use, including improvements to comply with federal, state or local building or access codes or federal standards for rehabilitation of historic properties	**Yes if acquired or created with CP funds**	**Yes**	**Yes**	**Yes if acquired or created with CP funds**

Appendix VI: CPC Guidelines for Project Submission

TOWN OF HAMILTON
COMMUNITY PRESERVATION COMMITTEE

GUIDELINES FOR PROJECT SUBMISSION
Last Revised on October 6, 2015, 2015

1. The application process for Community Preservation Act (CPA) funding is twofold.
    a. The Application for Community Preservation Eligibility will introduce the project to the Community Preservation Committee (CPC) so that it can determine the project's eligibility and offer guidance. For some projects, the CPC may need to consult with the Commonwealth, the Community Preservation Coalition or Town Counsel to ascertain eligibility.
    b. If the Committee finds that the project is eligible, an Application for Community Preservation Funding must be completed. The CPC will review the Application for Funding according to general project criteria and specific criteria for each of the project categories – open space, recreation, historic preservation, and community housing. The criteria can be found below in this document and with more detail in the Community Preservation Plan, which is posted on the CPC page on the Town's website.
2. Each year, the CPC will establish deadlines for submission of the applications for Eligibility and Funding. This document will be updated with the deadlines (see below "Timeline for Project Review") and posted online on the CPC page. The deadlines will be approximately two months before Special Town Meeting and five months before Annual Town Meeting.
3. All applicants are expected to attend a CPC meeting to answer questions about their proposals. Applicants will be notified regarding the date of the meeting that they should attend.
4. Each application must be submitted to the CPC using the applications for Eligibility or Funding as a cover sheet. Applications must be filled out completely and each question answered fully.
5. Ten (10) copies of each application and all project materials (such as maps, diagrams, and photos) should be submitted to the attention of Dorr Fox, Coordinator, Community Preservation Committee, Town Hall, P.O. Box 429, 577 Bay Road, Hamilton, MA 01936.
6. The applicant must receive endorsements from any relevant municipal boards, committees or departments, interest groups or community organizations. For certain types of projects, additional protocols must be followed:

a. Historic Preservation: An applicant must seek an evaluation of the historic importance of a structure or landscape by the Historic District Commission prior to submitting an application for its preservation.
b. Open Space: An applicant must establish a partnership with the Board of Selectmen and the Town Manager prior to submitting an application for the acquisition of open space.

7. In determining the amount of CPA funding to request, the applicant should consider several issues:
    a. The CPC requires that applicants demonstrate that they are actively pursuing additional sources of funding, through fundraising campaigns, or public or private grants, for example.
    b. The CPC also requires that applicants demonstrate that they have obtained the lowest possible cost for their projects to be successfully implemented.
    c. Large projects may require initial studies to determine their full costs. If necessary, the applicant should submit a separate application to request funding for the initial study.
8. The CPC will discuss its project recommendations and funding strategies with the Board of Selectmen and the Finance Committee before preparing a Warrant Article for Town Meeting approval.
9. Following approval at Town Meeting, grantees will receive a formal award letter informing them of when funds will be available, billing procedures, semi-annual reporting deadlines, and the two-year deadline within which projects must be completed.
10. It is expected that all CPA projects commence within six months of receipt of the grant award letter.

2015-16 TIMELINE FOR PROJECT REVIEW

Monday, August 3rd, 2015	Deadline to submit Eligibility Application for consideration for Special Town Meeting
Thursday, August 13th, 2015	CPC Meeting to review Eligibility Applications
Monday, August 31st, 2015	Deadline to submit Funding Application for consideration for Special Town Meeting
Thursday, September 10th, 2015	CPC Meeting to review Funding Applications
Saturday, November 7th, 2015	Special Town Meeting
Monday, November 30th, 2015	Deadline to submit Eligibility Application for consideration for Annual Town Meeting
Thursday, December 10th, 2015	CPC Meeting to review Eligibility Applications
Monday, January 11th, 2016	Deadline to submit Funding Application for consideration for Annual Town Meeting
Thursday, January 14th, 2016	CPC Meeting to review Funding Applications
Thursday, February 11th, 2016	CPC Meeting to review Funding Applications
TBD	Annual Town Meeting

Appendix VII: CPC Application Forms

TOWN OF HAMILTON

APPLICATION FOR COMMUNITY PRESERVATION ELIGIBILITY

Date: _____

Project Title: _____

Name of Applicant: _____

Name of Organization: _____

Address: _____

Telephone: _____

Email: _____

CPA Category (circle all that apply): **Open Space** **Historic Preservation** **Recreation** **Community Housing**

CPA Funding Requested: $_____ **Total Project Cost**: $ _____

Project Description: Please provide a brief project description below. Include a brief description of how your project accomplishes the goals of the CPA and include an estimated budget. Please include supporting materials as necessary.

_____

_____

_____

_____

_____

_____

_____

_____

_____

NOTE: This application enables the CPC to review the request to ensure eligibility and offer guidance. If eligible, an Application for Funding must be completed.

TOWN OF HAMILTON

APPLICATION FOR COMMUNITY PRESERVATION FUNDING

Date: _____

Project Title: _____

Name of Applicant: _____

Name of Organization: _____

Address: _____

Telephone: _____

Email: _____

CPA Category (circle all that apply): **Open Space** **Historic Preservation** **Recreation** **Community Housing**

CPA Funding Requested: $_____ **Total Project Cost**: $ _____

Please attach answers to the following questions. Include supporting materials as necessary.

1. **Project Description:** Please give a detailed project description, including specific objectives.
2. **Goals:** How does this project accomplish the goals of CPA? (See the Guidelines for Project Submission for general criteria.)
3. **Timeline:** What is the schedule for project implementation, including a timeline for all critical milestones? Will this be a multi-year or multi-faceted project? If so, the proposal should be submitted in two phases; phase one for the initial study or engineering, followed by phase two for project completion.
4. **Budget:** Please provide a full budget including the following information, as applicable. (NOTE: CPA funds may not be used for maintenance)
    a. Total project cost with itemization of major components.
    b. Additional funding sources. Please include those that are available, committed, or under consideration including fundraising, other grants, etc.
    c. Describe the basis for your budget and the sources of information you used, including evidence detailing that the lowest bid has been received.
5. **Support:** Have the appropriate Town Boards and Commissions expressed support and/or approved the project? What is the nature and level of community support for this project? Please provide evidence that you are qualified and eligible to undertake the project.

Appendix VIII: CPC Project Evaluation Scoring System

TOWN OF HAMILTON

COMMUNITY PRESERVATION COMMITTEE

PROJECT EVALUATION SCORING SYSTEM

Last Revised on June 11, 2015

As described in the Community Preservation Plan, recommendations for funding will be based on how well the project meets the general criteria as well as the specific criteria for the applicable category (or categories).

Please note the weight of each criterion. The criteria with higher numeric values are more important and contribute more to a project's overall score.

The project will be scored initially by the Community Preservation Committee's Coordinator. The score will be presented for discussion amongst the CPC and with the project applicant and the public at a regularly scheduled CPC meeting.

GENERAL CRITERIA

i. The project's consistency with the Master Plan, Open Space and Recreation Plan, Recreation Master Plan, Heritage Landscape Inventory, Housing Production Plan, and other planning documents that have received wide scrutiny, public input and have been adopted by the Town or its boards; ____/15

j. The project's receipt of endorsements from other municipal boards, committees or departments, interest groups or community organizations; ____/15

k. The practicality and feasibility of the project; and the demonstrated ability of the applicant to implement the project expeditiously and within budget and then maintain the improvements afterward; ____/15

l. The extent to which the project leverages additional public and/or private funds, such as matching funds from neighboring communities for projects that involve shared resources; ____/15

m. The extent to which the project produces a highly advantageous cost to public benefit value; ____/15

n. Whether or not the project finances improvements to public facilities that would otherwise be funded through tax revenues or further deferred; ____/10

o. The extent to which the project conserves resources that would otherwise be threatened, or serves a currently under-served population; and ____/10

p. Whether or not the project fulfills more than one CPA purpose. ____/5

TOTAL: _____/100

SPECIFIC CRITERIA

Open Space

a. The extent to which the project addresses objectives identified specifically within the Master Plan, the Open Space and Recreation Plan, or Article 97 of the Constitution of the Commonwealth of Massachusetts; and the receipt of endorsements from the Town Manager and the Board of Selectmen (in the case of acquisitions), as well as the Conservation Commission and other Town staff; ____/15

b. The extent to which the open space is accessible to the public; ____/15

c. The project's ecological, scenic or recreational value; ____/10

d. Whether or not the project is located in areas with limited open space, or areas with essential water resources; and ____/5

e. Whether or not the project is contiguous with existing protected land or provides linkages with existing trails. ____/5

TOTAL: _____/5

Recreation

a. The extent to which the project addresses objectives identified specifically within the Master Plan, the Open Space and Recreation Plan, or the Recreation Master Plan; and the receipt of endorsements from the Recreation Board and Town staff; ____/15

b. Whether or not the project responds to demonstrated resident demand; ____/15

c. Whether or not the project provides recreational opportunities for underserved populations, including toddlers, teenagers, adults, seniors, and disabled residents; or whether or not the project is located near population centers in order to promote their accessibility to those that do not drive; and ____/10

d. Whether or not the project increases the availability of facilities for active or passive recreational use. ____/10

TOTAL: _____**/50**

Historic Preservation

a. The extent to which the project addresses objectives identified specifically within the Master Plan, the Heritage Landscape Inventory, or the Town's scenic roads bylaw; and the receipt of endorsements from the Historic District Commission and Town staff; ____/15

b. The extent to which the historic entity provides a public benefit; ____/15

c. The extent to which the project promotes a sensitive and adaptive reuse of the historic entity; and ____/10

d. Whether or not the project preserves historic resources that are eligible for National Register status or that are located within the historic district. ____/10

TOTAL: _____**/50**

Community Housing

a. The extent to which the project addresses objectives identified specifically within the Master Plan or the Housing Production Plan; and the receipt of endorsements from the Affordable Housing Trust, the Hamilton Housing Authority, and Town staff; ____/15

b. Whether or not the project contributes to the goal of 10% affordability consistent with Chapter 40B; ____/10

c. Whether or not the project gives priority to local residents as well as town and school employees; ____/10

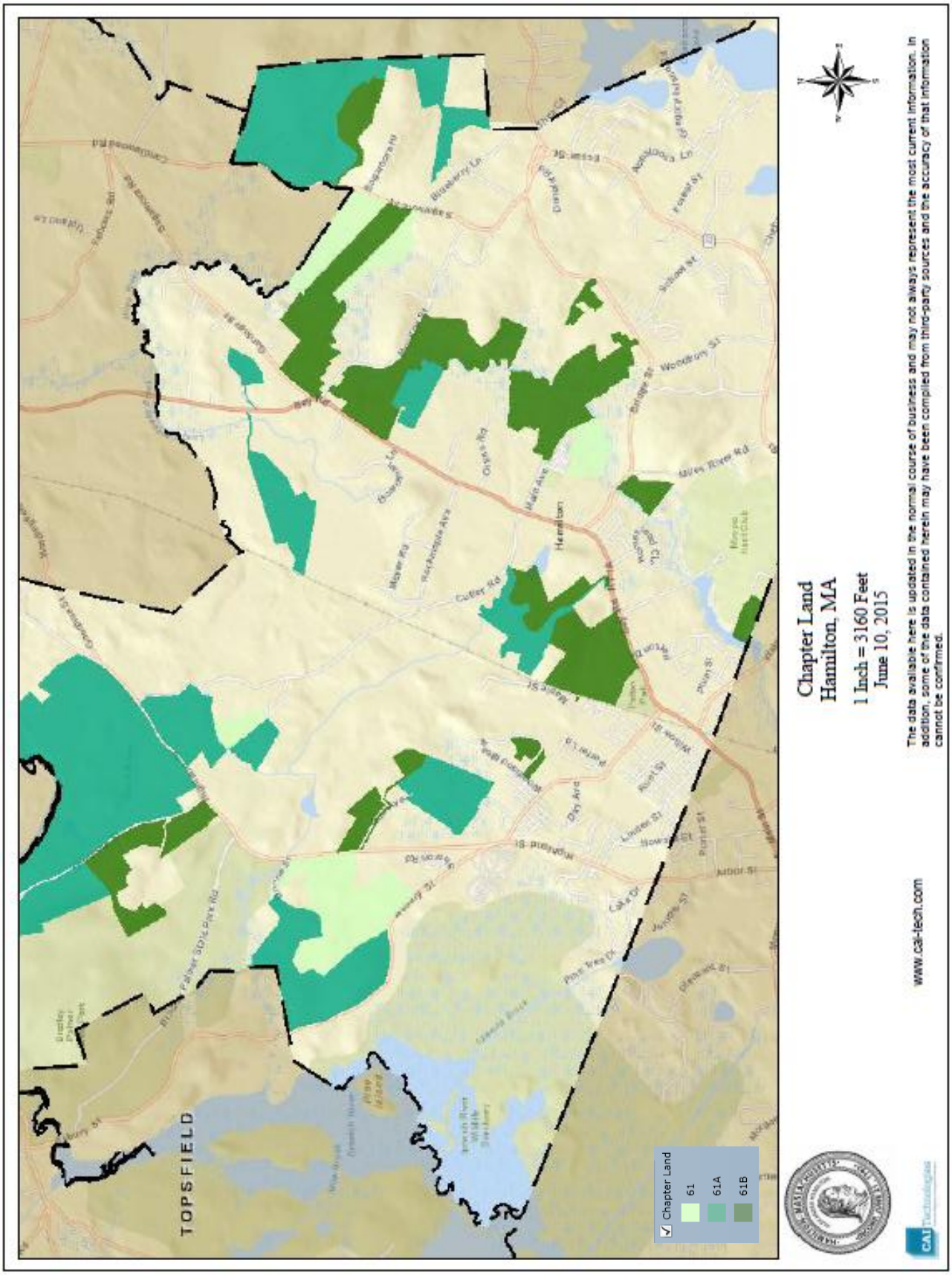
d. Whether or not the project creates senior housing; ____/5

e. The extent to which the project employs "smart growth" principles (higher density housing located near amenities); and ____/5

f. Whether or not the project creates new affordable housing opportunities through the reuse or conversion of market rate housing into affordable units. ____/5

TOTAL: _____**/50**

Appendix IX: Map of Chapter 61 Properties



Appendix X: CPA Project List

FY 2007 Community Preservation Act Projects
Approved at the May 1, 2006 Annual Town Meeting

Project: School Street Well Protection
Applicant: Town of Hamilton
CPA Purpose: Open Space and Recreation
Amount: $27,000
Project Description: To acquire conservation restrictions to protect the School Street Well.

Project: Old Library Reuse Study
Applicant: Town of Hamilton
CPA Purpose: Open Space and Recreation
Amount: $10,000
Project Description: To fund a feasibility study on new usages of the old Hamilton Library site, such as more recreational opportunities or community housing.

Project: Patton Park Field Re-Grading
Applicant: Recreation Dept., Town of Hamilton
CPA Purpose: Open Space and Recreation
Amount: $4,000
Project Description: To fund the repair of drainage problems at the Patton Park baseball field.

Project: Town Hall Renovations
Applicant: Town of Hamilton
CPA Purpose: Historic Preservation
Amount: $65,000
Project Description: To fund the repair of the Town Hall heating systems.

Project: Historic Headstone Repairs
Applicant: Town of Hamilton
CPA Purpose: Historic Preservation
Amount: $6,000
Project Description: To fund the repair of the historic headstones in the Hamilton cemetery.

Project: Masconomet Plaque
Applicant: Town of Hamilton
CPA Purpose: Historic Preservation
Amount: $2,500
Project Description: To fund the construction of a plaque commemorating the burial site of Chief Masconomet.

Project: Renovations to Hamilton Housing Authority Apartments
Applicant: Hamilton Housing Authority

CPA Purpose: Community Housing
Amount: $120,000
Project Description: To fund renovations to the kitchenettes at the Hamilton Housing Authority Apartments on Railroad Avenue.

Project: Part-Time Employee to Support Housing Partnership
Applicant: Hamilton Housing Partnership
CPA Purpose: Community Housing
Amount: $120,000
Project Description: To provide assistance and technical support to the Housing Partnership and property owners, developers, and abutters of affordable housing.

Project: CPA Administration
CPA Purpose: Administrative
Amount: $25,000
Project Description: To appropriate 5% of the CPA revenues, estimated at $30,000, for administration costs including, but not limited to, Annual Community Preservation Coalition membership fee and salary for part-time CPC Coordinator position.

FY 2008 Community Preservation Act Projects
Approved at the Annual Town Meeting

Project: MA Conservation Mapping Assistance Partnership Program
Applicant: Conservation Commission, Town of Hamilton
CPA Purpose: Open Space and Recreation
Amount: $1,200
Project Description: To fund the purchase of a laptop computer needed to carry out the MACMAPP GIS program in order to support conservation organizations with planning and inventory projects.

Project: Pleasant Pond Landscape Improvement Plan
Applicant: Pleasant Pond Association
CPA Purpose: Open Space and Recreation
Amount: $23,300
Project Description: To fund a portion of the Pleasant Pond Landscape Improvement Plan; specifically, parking lot improvements and sub-grade preparation.

Project: Gathering Places
Applicant Boy Scout Troup 35
CPA Purpose: Open Space and Recreation
Amount $4,200
Project Description: To fund the purchase of raw materials to construct a dozen picnic tables, bike racks, and trash receptacles to be placed in parks and various other public areas of town.

Project: Replace Underground Wiring and Lights at Patton Park
Applicant: Recreation Dept., Town of Hamilton
CPA Purpose: Open Space and Recreation
Amount: $25,000
Project Description: To fund an additional light and the replacement of the underground wiring at Patton Park, which feeds various lights and poles at the Park.

Project: Chebacco Woods Trail Restoration
Applicant: Chebacco Woods Land Management Committee
CPA Purpose: Open Space and Recreation
Amount: $25,000
Project Description: To fund trail improvements on portions of the White Dot Trail at Chebacco Woods.

Project: Woodbury Street Repairs
Applicant: Road Safety Committee, Town of Hamilton
CPA Purpose: Open Space and Recreation
Amount: $32,000
Project Description: To fund the construction of a stream crossing needed to complete the pedestrian and bicycle pathway along Woodbury Street.

Project: Landfill Site Assessment and Reuse
Applicant: Dept. of Public Works, Town of Hamilton
CPA Purpose: Open Space and Recreation
Amount: $113,000
Project Description: To fund a study of the existing environmental condition of the landfill area and review the potential for its reuse.

Project: Hamilton-Wenham Community House Portico Repair Design
Applicant: Hamilton-Wenham Community House
CPA Purpose: Historic Preservation
Amount: $8,200
Project Description: To fund the architectural and design work necessary for the repair of the Community House portico and underlying structural system.

Project: Conservation of Historic Documents
Applicant: Town Clerk, Town of Hamilton
CPA Purpose: Historic Preservation
Amount: $16,346
Project Description: To fund the preservation of a variety of the Town's historical assets which are in need of conservation.

Project: Energy Audit for Town Hall
Applicant: Dept. of Public Works, Town of Hamilton
CPA Purpose: Historic Preservation

Amount: $9,900
Project Description: To fund an energy audit and heating design solution for Town Hall.

Project: Renovate Domed Ceiling at Town Hall
Applicant: Dept. of Public Works, Town of Hamilton
CPA Purpose: Historic Preservation
Amount: $30,000
Project Description: To fund the repair of the 1898 existing plaster ceiling of the 2nd floor of Town Hall.

Project: Model T Building
Applicant: Fire Dept., Town of Hamilton
CPA Purpose: Historic Preservation
Amount: $35,000
Project Description: To construct the building that currently houses the Chemical I, a 1916 Model T American LaFrance Chemical Truck, the first piece of apparatus purchased by the Hamilton Fire Dept.

Project: Town Hall Renovations
Applicant: Town of Hamilton
CPA Purpose: Historic Preservation
Amount: $40,000
Project Description: To fund the repair of the Town Hall heating systems.

Project: CPA Administration
CPA Purpose: Administrative
Amount: $30,000
Project Description: To appropriate 5% of the CPA revenues, estimated at $30,000, for administration costs including, but not limited to, Annual Community Preservation Coalition membership fee and salary for part-time CPC Coordinator position.

FY 2009 Community Preservation Act Projects
Approved at the May 5, 2008 Annual Town Meeting
and the October 27, 2008 Special Town Meeting

Project: Restoration of Weaver Pond at Patton Park
Applicant: Town of Hamilton
CPA Purpose: Open Space and Recreation
Amount: $2,500
Project Description: To preserve and restore Weaver Pond at Patton Park as a public recreational resource, particularly for skating in the winter.

Project: Renovation of Historic Bell at First Congregational Church
Applicant: First Congregational Church of Hamilton

CPA Purpose: Historic Preservation
Amount: $11,000
Project Description: To fund renovations that will enable the historic bell at the First Congregational Church of Hamilton to ring at time intervals synchronized with the Town Clock.

Project: Hamilton-Wenham Community House Portico Project
Applicant: Hamilton-Wenham Community House
CPA Purpose: Historic Preservation
Amount: $60,000
Project Description: To partially fund the repair of the portico of the Community House, including new concrete masonry, repair and waterproofing.

Project: Replacement of Floor at Senior Center
Applicant: Council on Aging
CPA Purpose: Historic Preservation
Amount: $9,000
Project Description: To replace the flooring at the Senior Center, or Old Library.

Project: CPA Administration
CPA Purpose: Administrative
Amount: $35,000
Project Description: To appropriate 5% of the CPA revenues, estimated at $35,000, for administration costs including, but not limited to, Annual Community Preservation Coalition membership fee and salary for part-time CPC Coordinator position.

FY 2010 Community Preservation Act Projects
Approved at the May 4, 2009 Annual Town Meeting
and the October 17, 2009 Special Town Meeting

Project: Asbury Grove Tabernacle Restoration Project
Applicant: Asbury Grove Camp Meeting Association
CPA Purpose: Historic Preservation
Amount: $26,000
Project Description: To cover a portion of the cost to renovate the historic tabernacle at Asbury Grove.

Project: Fence and Landscape Restoration of Hamilton Town Cemetery
Applicant: Town of Hamilton
CPA Purpose: Historic Preservation
Amount: $7,444
Project Description: To restore the historic wrought iron fence at Hamilton's Town Cemetery, which is located in the Historic District.

Project: Acord Pantry Affordable Housing Units
Applicant: Harborlight Community Partners
CPA Purpose: Community Housing
Amount: $180,000
Project Description: Partnership project with Harborlight Community Partners to create four affordable housing units above the Acord Pantry.

Project: Hamilton Housing Authority Kitchenette Renovation Project
Applicant: Hamilton Housing Authority
CPA Purpose: Community Housing
Amount: $10,000
Project Description: This project provides additional funding to complete renovation of 50% of the kitchenettes in Hamilton Housing Authority (HHA) apartments.

Project: CPA Administration
CPA Purpose: Administrative
Amount: $25,000
Project Description: To appropriate 5% of the CPA revenues, estimated at $25,000, for administration costs including, but not limited to, Annual Community Preservation Coalition membership fee and salary for part-time CPC Coordinator position.

FY 2011 Community Preservation Act Projects
Approved at the May 8, 2010 Annual Town Meeting

Project: Restoration of the Windows at the Old Library
Applicant: Town of Hamilton
CPA Purpose: Historic Preservation
Amount: $7,500
Project Description: Renovation of the windows at Hamilton's Senior Center, originally constructed as a public library in 1960.

Project: Hamilton Housing Authority Kitchenette Renovation Project
Applicant: Hamilton Housing Authority
CPA Purpose: Community Housing
Amount: $120,000
Project Description: This project provides additional funding to complete the renovation the remaining kitchenettes in Hamilton Housing Authority apartments.

Project: CPA Administration
CPA Purpose: Administrative
Amount: $23,895
Project Description: To appropriate 5% of the CPA revenues, estimated at $23,895, for administration costs including, but not limited to, Annual Community Preservation Coalition membership fee and salary for part-time CPC Coordinator position.

FY 2012 Community Preservation Act Approved Projects
Approved at the May 2, 2011 Annual Town Meeting

Project: Discover Hamilton Trail
Applicant: Essex County Trails Association
CPA Purpose: Open Space and Recreation
Amount: $25,000
Project Description: To fund deed research and the acquisition of easements for the Discover Hamilton Trail. The acquisition of easements is part of a larger project to preserve and promote the Discover Hamilton Trail by protecting the trails and creating new maps.

Project: Donovan Playing Fields Bond Payment
CPA Purpose: Open Space and Recreation
Amount: $56,837.50
Project Description: To fund the FY12 bond payment ($46,000 in principle and $10,837.50 in interest) for the Donovan open space acquisition

Project: American Legion Heating System Upgrade
Applicant: Augustus Peabody Gardner Post 194 American Legion
CPA Purpose: Historic Preservation
Amount: $42,200
Project Description: To replace and upgrade the heating system at the American Legion building on School Street.

Project: Restoration of Essex County Map
Applicant: Hamilton Town Clerk
CPA Purpose: Historic Preservation
Amount: $10,925
Project description: To restore and frame an historic 1856 Map of Essex County.

Project: Old Library Preservation
Applicant: Department of Public Works
CPA Purpose: Historic Preservation
Amount: $26,950
Project Description: To fund a number of improvement projects at the old Library including paint, roofing, and improvements to ADA accessibility.

Project: Hamilton Municipal Affordable Housing Trust
Applicant: Hamilton's Municipal Affordable Housing Trust (MAHT)
CPA Purpose: Community Housing
Amount: $125,000
Project Description: To fund Hamilton's MAHT for projects such as the acquisition of affordable housing restrictions on existing homes in Hamilton that qualify for affordable housing in exchange for funds to be used for home improvements.

Project: CPA Administration
CPA Purpose: Administration
Amount: $21,945
Project Description: 5% of the CPA revenues for administration costs including, but not limited to, annual Community Preservation Coalition membership fee and salary for part-time CPC Coordinator position.

FY 2013 Community Preservation Act Projects
Approved at the May 12, 2012 Annual Town Meeting
and the October 13, 2012 Special Town Meeting

Project: Design and Engineering for Patton Homestead
Applicant: Town of Hamilton
CPA Purpose: Open Space and Recreation
Amount: $75,000
Project description: To cover the design, engineering and permitting costs for the development of open space and recreation fields at the Patton Homestead property.

Project: Donovan Playing Fields Bond Payment
CPA Purpose: Open Space and Recreation
Amount: $47,800
Project Description: To fund the FY13 bond payment ($46,000 in principle and $10,837.50 in interest) for the Donovan open space acquisition.

Project: Patton Park Playground
Applicant: Friends of Patton Park
CPA Purpose: Open Space and Recreation
Amount: $25,000
Project Description: To fund the new playground at Patton Park.

Project: Patton Park Pool Studies
Applicant: Friends of Patton Park
CPA Purpose: Open Space and Recreation
Amount: $150,000
Project Description: To fund planning and site engineering for the Patton Park Pool.

Project: Patton Homestead Legal and Closing Costs
Applicant: Town of Hamilton
CPA Purpose: Historic Preservation and Open Space and Recreation
Amount: $24,000
Project Description: To cover the closing and related legal costs for the Patton Homestead acquisition.

Project: Senior Center Ceiling and Railing
Applicant: Town of Hamilton
CPA Purpose: Historic Preservation
Amount: $7,500
Project Description: To fund ceiling repairs and new railing at the Hamilton Senior Center.

Project: CPA Administration
CPA Purpose: Administration
Amount: $20,850
Project Description: 5% of the CPA revenues for administration costs including, but not limited to, annual Community Preservation Coalition membership fee and salary for part-time CPC Coordinator position.

FY 2014 Community Preservation Act Projects
Approved at the April 6, 2013 Annual Town Meeting
and the November 4, 2013 Special Town Meeting

Project: Donovan Playing Fields Bond Payment
CPA Purpose: Open Space and Recreation
Amount: $47,000
Project Description: To fund the debt service for the Donovan Acquisition ($43,500.00 in principle and $3,500.00 in interest).

Project: Invasive Species Removal on Town-Owned Land
Applicant: Mike DeRosa
CPA Purpose: Open Space and Recreation
Amount: $6,000
Project Description: To remove invasive species on Town-owned properties.

Project: Patton Homestead Riverwalk
Applicant: Town of Hamilton
CPA Purpose: Open Space and Recreation
Amount: $35,000
Project Description: To fund the creation of a Riverwalk at the Patton Homestead.

Project: Renovation of the Hamilton-Wenham Community House
Applicant: Community House of Hamilton-Wenham
CPA Purpose: Historic Preservation
Amount: $53,800
Project Description: To fund the exterior renovation, including the cupola, of the Community House.

Project: Senior Center Kitchen Renovation
Applicant: Town of Hamilton - Council on Aging
CPA Purpose: Historic Preservation

Amount: $57,000
Project Description: To fund the renovation of the kitchen at the Hamilton Senior Center.

Project: Liberty Road Markers Restoration
Applicant: Town of Hamilton
CPA Purpose: Historic Preservation
Amount: $2,000
Project Description: To fund the restoration of the one of the Liberty Road markers at Patton Park.

Project: Town Hall Rear Steps
Applicant: Town of Hamilton
CPA Purpose: Historic Preservation
Amount: $3,000
Project Description: To fund the restoration of the rear steps at Hamilton Town Hall.

Project: Senior Center Balustrade
Applicant: Town of Hamilton
CPA Purpose: Historic Preservation
Amount: $15,000
Project Description: To fund the restoration of the balustrade at the Hamilton Senior Center.

Project: CPA Administration
CPA Purpose: Administration
Amount: $21,999
Project Description: 5% of the CPA revenues for administration costs including, but not limited to, annual Community Preservation Coalition membership fee and salary for part-time CPC Coordinator position.

FY 2015 Community Preservation Act Projects
Approved at the April 5, 2014 Annual Town Meeting
and the October 20, 2014 Special Town Meeting

Project: Donovan Playing Fields Bond Payment
CPA Purpose: Open Space and Recreation
Amount: $46,200
Project Description: To fund the debt service for the Donovan Acquisition ($43,100.00 in principal and $3,100.00 in interest).

Project: Patton Park Baseball Diamond Renovation
Applicant: Town of Hamilton
CPA Purpose: Open Space and Recreation
Amount: $15,000
Project Description: To renovate the backstop, bleachers, benches, and fences around the big baseball diamond at Patton Park.

Project: Restoration of Patton Park Cannon Wheels
Applicant: Town of Hamilton
CPA Purpose: Historic Preservation
Amount: $10,000
Project Description: To restore the wheels on the historic Patton Park cannons.

Project: Preservation of the Hamilton Historical Society Collection
Applicant: Hamilton Historical Society
CPA Purpose: Historic Preservation
Amount: $9,820
Project Description: To preservation and digitize the Historical Society's pictorial collection.

Project: Preservation of Town Records
Applicant: Hamilton Town Clerk
CPA Purpose: Historic Preservation
Amount: $5,500
Project Description: To fund the preservation of records held by the Hamilton Town Clerk.

Project: Senior Center Bathroom Renovation
Applicant: Town of Hamilton
CPA Purpose: Historic Preservation
Amount: $30,150
Project Description: To fund the renovation, and ADA accessibility, of the bathrooms in the Hamilton Senior Center.

Project: American Legion Building Renovation
Applicant: American Legion, Post 194
CPA Purpose: Historic Preservation
Amount: $97,100
Project Description: To fund the renovation and rehabilitation of the American Legion building, and ADA accessibility, of the bathrooms in the Hamilton Senior Center.

Project: CPA Administration
CPA Purpose: Administration
Amount: $20,960
Project Description: 5% of the CPA revenues for administration costs including, but not limited to, annual Community Preservation Coalition membership fee and salary for part-time CPC Coordinator position.

FY 2016 Community Preservation Act Projects
Approved at the April 11, 2015 Annual Town Meeting

Project: Donovan Playing Fields Bond Payment

CPA Purpose: Open Space and Recreation
Amount: $45,400
Project Description: To fund the debt service for the Donovan Acquisition ($42,700.00 in principal and $2,700.00 in interest).

Project: Final Planning for the Pool at Patton Park
Applicant: Town of Hamilton
CPA Purpose: Open Space and Recreation
Amount: $53,120
Project Description: To fund the final planning and development of construction documents for the Veterans Memorial Pool at Patton Park.

Project: Construction of the Pool at Patton Park
Applicant: Town of Hamilton
CPA Purpose: Open Space and Recreation
Amount: $1,328,000
Project Description: To fund the creation of a swimming pool, bath house, operations building and deck area at Patton Park

Project: Invasive Species Removal on Town-Owned Land
Applicant: Mike DeRosa
CPA Purpose: Open Space and Recreation
Amount: $2,000
Project Description: To remove invasive species on Town-owned properties.

Project: Preservation of the Hamilton Historical Society Collection
Applicant: Hamilton Historical Society
CPA Purpose: Historic Preservation
Amount: $9,500
Project Description: To preservation and digitize the Historical Society's pictorial collection.

Project: Senior Center Sign
Applicant: Council on Aging
CPA Purpose: Historic Preservation
Amount: $3,525
Project Description: To fund the restoration of the Senior Center sign.

Project: Community House Restoration
Applicant: Community House
CPA Purpose: Historic Preservation
Amount: $33,550
Project Description: To fund the restoration of the brick façade, lintels, and basement windows of the Community House.

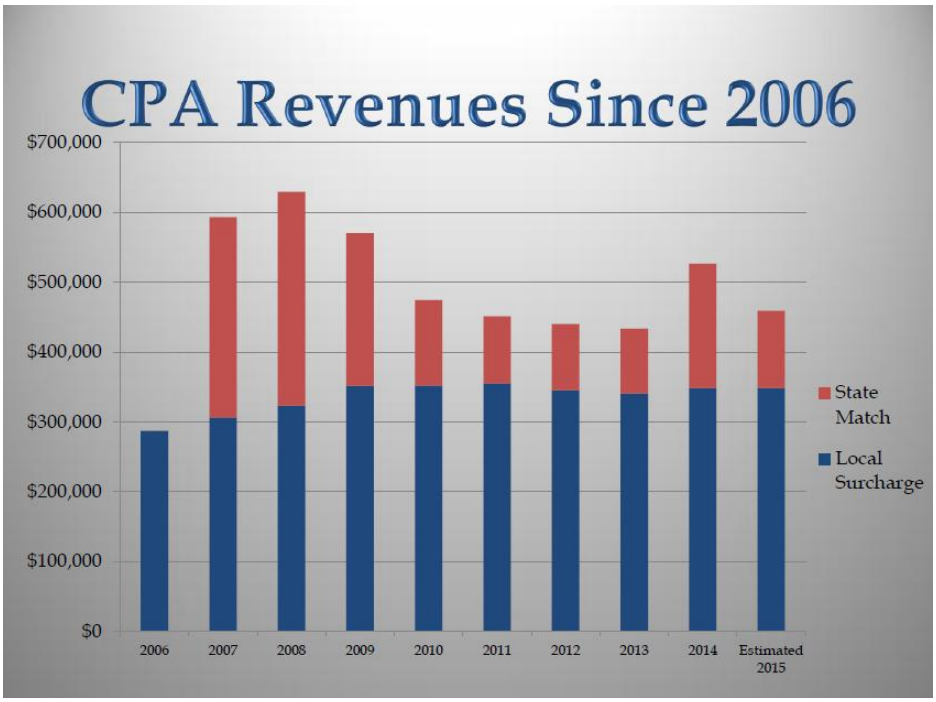
Project: American Legion Building Renovation

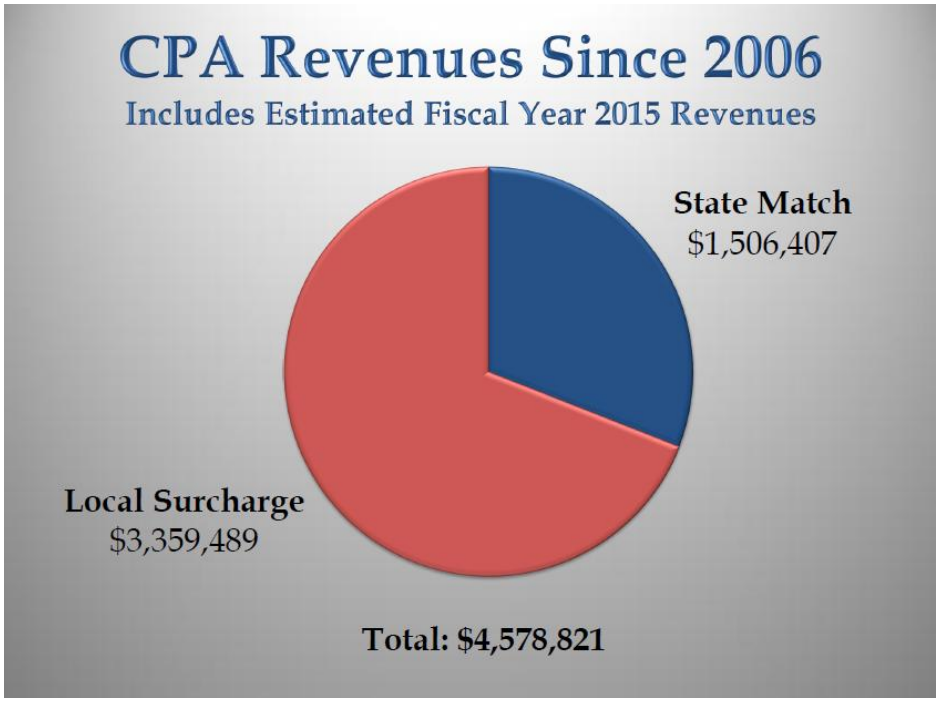
Applicant: American Legion, Post 194
CPA Purpose: Historic Preservation
Amount: $97,100
Project Description: To fund the renovation and rehabilitation of the American Legion building, and ADA accessibility, of the bathrooms in the Hamilton Senior Center.

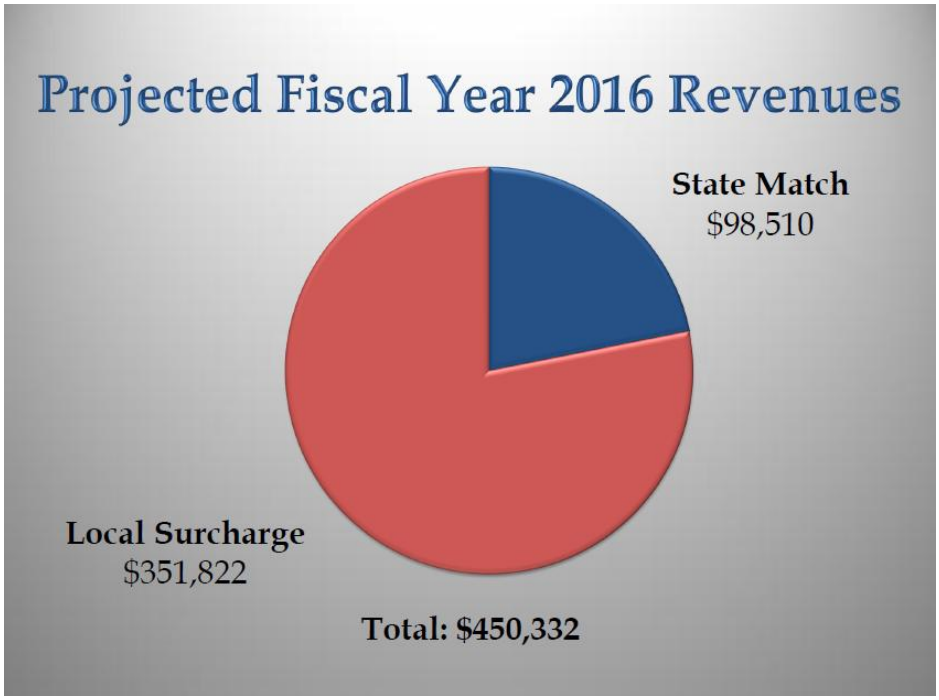
Project: CPA Administration
CPA Purpose: Administration
Amount: $22,516
Project Description: 5% of the CPA revenues for administration costs including, but not limited to, annual Community Preservation Coalition membership fee and salary for part-time CPC Coordinator position.

Appendix X: CPA Finances

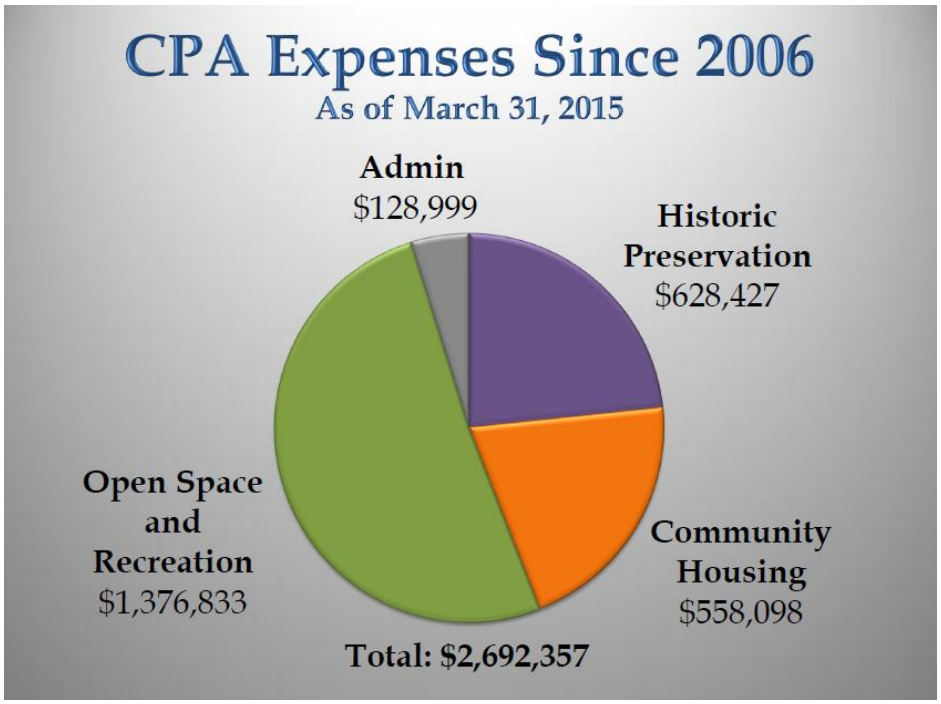
REVENUES

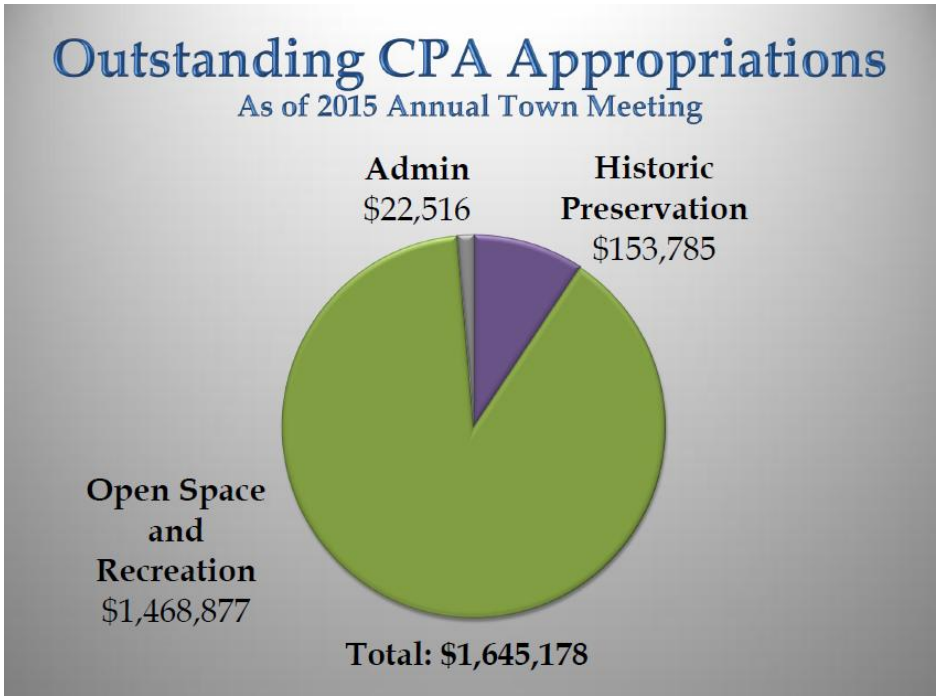


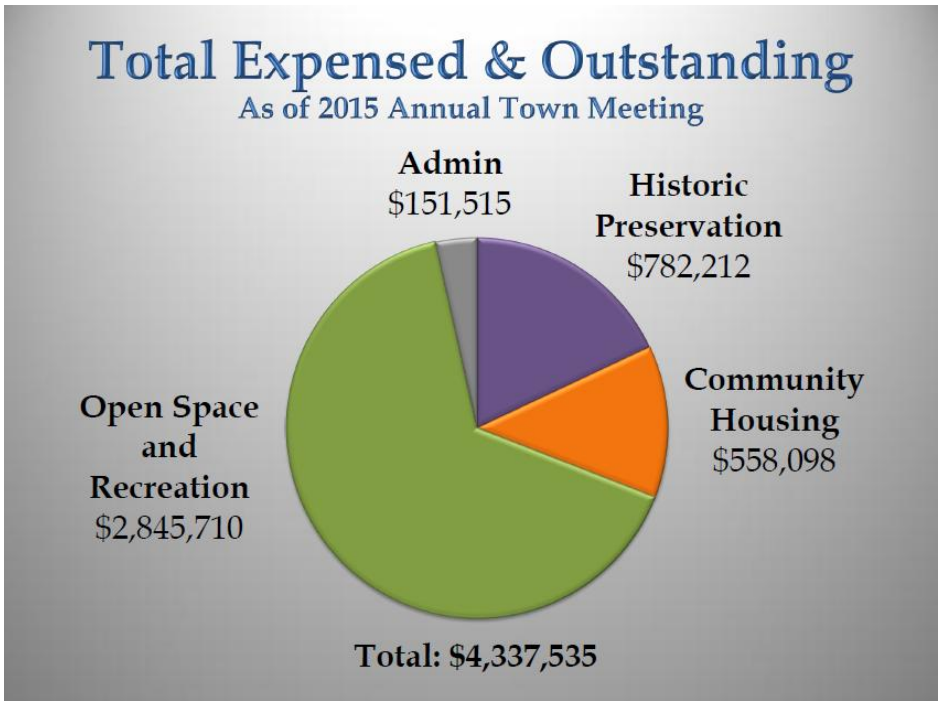




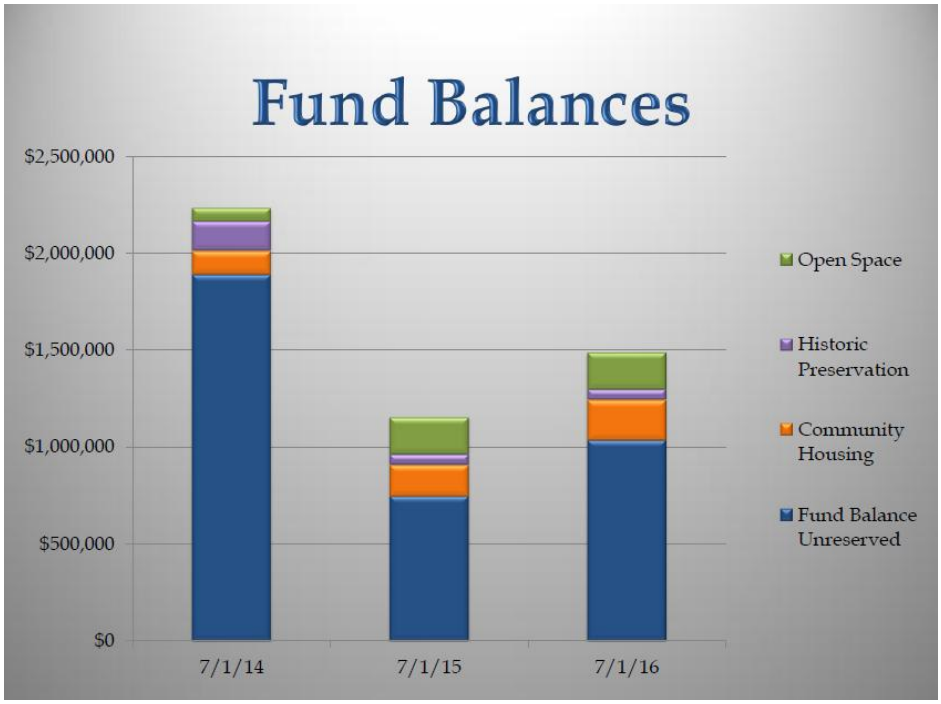
APPROPRIATIONS & EXPENSES




Outstanding CPA Appropriations
As of 2015 Annual Town Meeting
Admin
$22,516
Historic
Preservation
$153,785
Open Space
and
Recreation
$1,468,877
Total: $1,645,178


Total Expensed & Outstanding
As of 2015 Annual Town Meeting
Admin
$151,515
Historic
Preservation
$782,212
Community
Housing
$558,098
Open Space
and
Recreation
$2,845,710
Total: $4,337,535

FUND BALANCE



The fund balance that is shown for 2016 is projected. It may be lower if funds are appropriated at Special Town Meeting in 2015 or Annual Town Meeting in 2016, or if local or state revenues are lower than expected.