

## **Community Preservation Act Committee**

### 2008 Annual Report

The Community Preservation Act, “CPA,” MGL Chapter 44B, is statewide enabling legislation allowing cities and towns in the Commonwealth of Massachusetts to adopt a property tax surcharge which, along with state matching funds, will be used for open space preservation, creation of community housing, preservation of historic buildings and landscapes, and creation of recreation opportunities.

The CPA was adopted by the Town of Ashland on May 7, 2002, with a 3% surcharge and an exemption for \$100,000 of the value of the residential parcel. An additional exemption for the surcharge for property owned and occupied as a domicile by any person who qualifies for low income housing or low or moderate income senior housing in Ashland as defined in §2 of the Act was voted in at Town Meeting on October 19, 2005.

Consistent with the requirements of the CPA, the Community Preservation Act Committee (“CPAC”) was formed to study the needs, possibilities and resources of the town regarding community preservation. The CPAC includes representatives of the town’s Conservation Commission, Historical Commission, Planning Board, Open Space Committee, Affordable Housing, and citizen members appointed by the Selectmen. The Committee is comprised of the following members:

David Barrett

Marcel Froc

Beth Rosenblum

Robert Winterhalter

David C. Foster

Steven Greenberg

Cheri Vallone

The CPAC meets monthly to discuss its role as a facilitator for community preservation in Ashland and strives to:

- Be a catalyst for projects
- Be a funding source, not a developer
- Utilize community goals previously set forth in other public documents that have received wide scrutiny and public input
- Attempt to meet multiple community preservation goals in each project
- Communicate its mission and goals to the general public

### **Mission Statement**

Working within the legalities and spirit of the Massachusetts Community Preservation Act, the Committee shall recommend funds for qualified projects that preserve, promote and protect historic properties, affordable housing, and open space and recreation, recognizing the needs of the Ashland community.

### **Ashland’s Commitment to Community Preservation**

For quite some time the residents of Ashland have been concerned with erosion of the town’s historic and rural character. It is crucial to look ahead, trying to preserve the community’s past, present, and look towards the future, through both actions and words.

### **Goals, Needs and Proposed Projects**

The basic goals of the Ashland CPAC are personified in the goals and objectives of the town’s Master Plan, Open Space and Recreation Plan, Affordable Housing, and Historic needs. It is important that in recommending to Town Meeting the award of Community Preservation Act funding, the Community Preservation Act Committee will give preference to projects that address more than one area.

**Project Eligibility and Funding**

The Community Preservation Act Committee requires that all proposed projects be eligible for CPA funding according to the requirements described in the legislation. Funds collected under the CPA can only be spent for community preservation purposes:

- Acquisition or preservation of open space
- Preservation or creation of recreation resources
- Acquisition, restoration or preservation of historic resources
- Creation or support of affordable housing

In addition, 10% of the funds received in any fiscal year must be reserved for each of the three areas: open space, historic preservation and affordable community housing. Recreational resources must be funded from the CPA undesignated account. The remaining 70% of each year's funds may be allocated to any one or a combination of the three main uses, including public recreational purposes. However, these funds cannot be spent on maintenance or used to supplement funds being used for existing community preservation purposes. In addition, up to 5% of the annual Community Preservation revenues can be spent on administrative and operating expenses of the CPAC.

Ashland received 100% of its local receipts in state matching funds every year through fiscal year 2008. The following table summarizes revenues collected from our local surcharge and the state matching funds received each fiscal year, through year-to-date December 31, 2008:

<b>Fiscal Year</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009 YTD 12/31/08</b>
<b>3% Surcharge</b>	\$436,967	\$492,430	\$570,532	\$635,743	\$664,913	\$670,675	\$269,699
<b>State Match</b>		\$452,091	\$499,082	\$568,794	\$644,325	\$668,383	\$523,858

All Community Preservation Act funding requests require the recommendation of the project by the CPAC to Town Meeting, and a majority vote of Town Meeting attendees to appropriate CPA funds.

The Community Preservation Act Committee welcomes project proposals that may contribute to community preservation in Ashland. The Committee conducts public hearings to review and accept proposals prior to all Town Meetings.

In addition to the required legal notice, the hearings were publicized in Directions, the free local newspaper that is sent to every household in Ashland. Flyers were also created and distributed throughout Town Hall.

Please keep in mind that there are legal limitations on the use of CPA funds. Additional information on the CPA and the Community Preservation Act Committee can be found on the town’s website at [www.ashlandmass.com](http://www.ashlandmass.com) under Boards & Committees → CPAC. If you are in doubt about your project’s eligibility after consulting these sources, you are encouraged to submit an application so that the Committee can determine eligibility.

## **Proposal Criteria**

The Ashland Community Preservation Act Committee will give preference to proposals that meet the following general criteria:

- Are eligible for CPA funding according to the requirements described in the CPA legislation
- Preserve the essential character of the town as described in the Master Plan
- Save resources that would otherwise be threatened and/or serve a currently under-served population
- Serve more than one CPA purpose (especially in linking open space, recreation and community housing) or demonstrate why serving multiple needs is not feasible
- Demonstrate practicality and feasibility, and demonstrate that they can be implemented expeditiously and within budget
- Produce an advantageous cost/benefit value
- Leverage additional public and/or private funds
- Preserve or utilize currently owned town assets
- Receive endorsement by other municipal boards or departments

Each community preservation project will also be judged based on the category specific criteria listed in each area.

## **Open Space**

### **Overview**

Ashland needs a variety of open space resources distributed throughout town.

### **Ashland's Open Space Goals**

Goal: Protect and preserve critical natural resources and wildlife habitat

- (1) Identify critical parcels of land for municipal purchase or other methods of permanent protection from residential or commercial development
- (2) Establish and maintain lines of communication with landowners to take advantage of opportunities to acquire and/or preserve property
- (3) Support town acquisition of open space based on identified priorities, and
- (4) Explore means and costs of purchasing development rights and other options for funding open space preservation

Goal: Protect and maintain surface and groundwater quality and quantity

Goal: Preserve, enhance and connect, where feasible, large parcels currently in agriculture, open space and recreational use, and other undisturbed natural areas.

Goal: Prioritize areas of critical concern and develop a process to purchase land for preservation or other sustainable land uses

Goal: Develop sustainable land uses on town-owned and private properties, such as eco-tourism

Goal: Create trail linkages including new trails, bike paths, walkways and greenways

### **Specific Criteria for Open Space Projects**

Open space proposals which address as many of the following criteria as possible will receive preference:

- Permanently protect important wildlife habitat, including areas that
  - are of local significance for biodiversity

- contain a variety of habitats, with a diversity of geologic features and types of vegetation
- contain a habitat type that is in danger of vanishing from Ashland
- preserve habitat for threatened or endangered species of plants or animals
- Preserve Ashland's existing rural and agricultural character
- Provide opportunities for passive recreation and environmental education
- Protect or enhance wildlife corridors, promote connectivity of habitat or prevent fragmentation of habitats
- Provide connections with existing open space and offer potential trail linkages
- Preserve scenic views
- Border a scenic road
- Protect drinking water quantity and quality
- Provide flood control/storage
- Preserve important surface water bodies, including wetlands, vernal pools or riparian zones
- Preserve priority parcels in the Open Space and Recreation Plan

## **Recreation**

### **Overview**

Ashland has a long tradition of offering diversified active and passive recreational opportunities. These activities are organized and supported by a variety of town departments and groups including the Recreation Commission, the School Department, citizen-run sports leagues, the Open Space Committee, and the Council on Aging.

Funding through the CPA is limited to the “acquisition, preservation, and creation of land for recreational use.” Outdoor recreational activities are generally classified as “active” or “passive” and the type of land needed for each is different. Under the CPA, recreational purposes are defined as “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.” Land cannot be used for “a stadium, gymnasium, or similar structure.”

### **Ashland’s Recreational Goals**

- Goal: Provide increased utilization of current town-owned recreational lands and facilities
- Goal: Acquisition of land to fulfill identified current and future recreational needs
- Goal: Support a diversity of recreational programs, both active and passive
- Goal: Offer a range of recreational opportunities to all residents, regardless of age, gender or disability

### **Specific Criteria for Recreation Projects**

Recreation proposals which address as many of the following criteria as possible will receive preference:

- Support multiple recreation uses
- Serve a significant number of residents
- Expand the range of recreational opportunities available to Ashland residents of all ages
- Jointly benefit Open Space Committee and Recreation Commission initiatives by promoting passive recreation, such as hiking, biking, and cross-country skiing, on town owned or leased property
- Maximize the utility of land already owned by Ashland (e.g. school property, Stone Park, etc.)
- Promote the creative use of railway and other corridors to create safe and healthful non-motorized transportation opportunities

# Historic Preservation

## Overview

Respect for the past is demonstrated in Ashland in areas where the look and feel of a small New England town has been preserved. Residents treasure the open space, stonewalls, and beautiful older homes that grace the scenic roadways. An active Historical Commission and Historic Society work to enhance preservation efforts. Ashland currently has no registered historical sites to date.

## Ashland's Historic Preservation Goals

Goal: Preserve and Maintain Ashland's historic landmarks and potential historic districts.

Goal: Maintain the community's traditional, historic character.

Goal: Restore & Enhance the buildings and property in the Town Center for increased public awareness and usage.

## Specific Criteria for Historic Projects

Historical proposals which address as many of the following criteria as possible will receive preference:

- Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened
- Protect, preserve, enhance, restore and/or rehabilitate town-owned properties, features or resources of historical significance
- Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site
- Project demonstrates a public benefit
- Project demonstrates the ability to provide permanent protection for maintaining the historic resource

## Affordable / Community Housing

### Overview

For quite some time, concern was expressed that Ashland's housing stock was becoming more and more homogeneous due not to an overt plan but to the very nature of the zoning bylaws and the natural pressures of the housing market. Amendments are needed to the zoning bylaw encouraging more moderate priced housing, such as Incentive Senior Development and Accessory Apartment bylaws, to help provide sufficient incentive for builders to choose such developments over conventional single family subdivisions. Other efforts to encourage diversity, such as adoption of inclusionary zoning bylaws which require the construction of affordable housing within new subdivisions, should be developed to gain Town Meeting approval. Older residents, less affluent families and single people are being shut out of Ashland's housing market due to a lack of housing to fit different lifestyles.

State housing policy sets a goal of 10% affordable housing for municipalities throughout the state. We are currently at 3.7% of the total housing stock certified as affordable. Ashland, with its concentration of single-family housing, condominiums and escalating land values, has a long way to go in providing the kind of diversity called for by the state and desired by the town.

Affordable Housing Units as certified by the Department of Housing and Community Development, October 2001:

- Park Road (40 elderly/disabled)

- Ashland Commons (96 units, mixed)
- Ashland House (66 units, elderly)
- Independent Living (4 special needs)
- Sudbury Park (10 LIP Homeowner units)

In 2008, the following Affordable Housing Units were built:

- Avenue of the Americas (15 units)

Total affordable units: 231

Ashland Woods, 125 Front Street, and Robert Hill Way are projects approved in town but not yet built.

### **Ashland's Housing Goals**

- Goal: Encourage greater diversity of housing opportunities in Ashland to meet the needs of a changing and diversified population with respect to age, household size and income
- Goal: Evaluate the impact of "tear-downs" on the community and the housing stock
- Goal: Expand affordable housing opportunities in both business and residential districts
- Goal: Encourage affordable housing units, including comprehensive permits that recognize the community's needs and goals
- Goal: Allow incentives for inclusion of affordable housing units in single-family subdivisions (Inclusionary Zoning)
- Goal: Support initiatives to create a Housing Partnership or Community Development Corporation to secure funding for, construct and administer affordable housing

### **Specific Criteria for Community Housing projects**

Community Housing proposals which address as many of the following criteria as possible will receive preference:

- Contribute to the goal of 10% affordability
- Promote a socioeconomic environment that encourages a diversity of income, ethnicity, religion and age
- Provide housing that is harmonious in design and scale with the surrounding community
- Intermingle affordable and market rate housing at levels that exceed state requirements for percentage of affordable units
- Ensure long-term affordability
- Promote use of existing buildings or construction on previously-developed or Town-owned sites
- Convert market rate to affordable units
- Give priority to local residents and Town employees

### **Project Balances**

As of January 1, 2008, the CPA project balances were as follows:

<b>Project</b>	<b>Total Transferred</b>	<b>Expended</b>	<b>Unexpended Balance</b>	<b>Balance Returned to CPA</b>	<b>Project Balance</b>
Marathon Park	60,000.00	49,681.12	10,318.88	10,318.88	0.00
Town Hall Renovations	1,120,000.00	1,120,000.00	0.00		0.00
Town Forest Gates	12,000.00	1,215.00	10,785.00		10,785.00
Fire Station Floors	9,880.00	9,730.00	150.00		150.00

Town Library Renovations	303,406.00	303,406.00	0.00		0.00
Ashland Redevelopment Auth.	245,000.00	245,000.00	0.00		0.00
Tree Planting	5,000.00	4,135.90	864.10	864.10	0.00
Rail Transit Auth./Downtown Plan	70,000.00	57,049.45	12,950.55		12,950.55
Open Space & Recreation Plan	6,000.00	4,858.95	1,141.05		1,141.05
Cherry Street Parking Area	15,000.00	1,801.28	13,198.72		13,198.72
Stone Park Pavilion	95,301.00	91,408.46	3,892.54		3,892.54
Affordable Housing Plan	25,000.00	14,764.91	10,235.09		10,235.09
Preservation Historic Town Records	200,000.00	172,047.00	27,953.00		27,953.00
Lake Waushakum Study	55,000.00	42,381.24	12,618.76		12,618.76
Weston Nursery Land Purchase	1,600,000.00	1,600,000.00	0.00		0.00
Weston Nursery Acquisition Costs	15,000.00	9,052.00	5,948.00		5,948.00
Community Center Pavilion	75,000.00	212.16	74,787.84		74,787.84
Hydrogeology Study	35,000.00		35,000.00		35,000.00
Weston Nursery Topography	85,000.00		85,000.00		85,000.00
Community Center Pavilion	90,000.00		90,000.00		90,000.00
Affordable Housing Trust	500,000.00		500,000.00		500,000.00
Valentine Property	25,000.00		25,000.00		25,000.00
	\$4,646,587.00	\$3,726,743.47	\$919,843.53	\$11,182.98	\$908,660.55

**CPA General** \$ 545,610.24  
**CPA Open Space** \$ 173,385.55  
**CPA Historic Resources** \$ 336,633.46  
**CPA Community Housing** \$ 122,057.73

**Total** **\$1,177,686.98**

### Completed Projects

During calendar year 2008, the following projects were completed and any excess funds for the projects were returned to the CPA undesignated fund:

- Town Forest Gates (excess funds returned)
- Fire Station Floors (excess funds returned)
- Rail Transit Authority and Downtown Plan (completed)
- Community Center Pavilion (completed)

### Oak Street Bond Debt Reserve

On October 6, 2008, the CPA Committee voted to set aside \$100,000 each year from the CPA undesignated account to create the Oak Street bond debt reserve for the purpose of paying off the remaining principal (of the \$2.8 million original bond) when it is possible to do so, after 10 years.

### Articles Passed at the Spring 2008 Annual Town Meeting:

#### 1. Oak Street Bond Payment:

To see if the Town will vote to appropriate \$292,935 in Community Preservation Act funds to fund the bond payment approved in Article 1 of the Special Town Meeting of November 26, 2007 that acquired by eminent domain a certain parcel of land off Oak Street, now or formerly owned by Stephanie A. and

Kristen McCook consisting of 1,305,929 +/- sq. ft. and more particularly described as parcel #003D-005-000 on the Assessors Map and further defined in an Order of Taking by Eminent Domain filed with the Middlesex County Registry of Deeds Southern District on January 7, 2002, all in accordance with the Agreement for Judgment issued by the Superior Court Department of the Trial Court, Civil Action No. MICV2003-02643 which amount supplemented the funds raised in its vote of Article 6 of the Fall Annual Town Meeting of October 20, 1999 for the acquisition of the aforesaid parcel, from the General Fund Account, or pass any vote or take any other action relative thereto.

2. Early Childhood Outdoor Play area at the Warren School:

To see if the Town will vote to appropriate \$110,000 in Community Preservation Act funds for the School Committee to design, plan and build an Early Childhood Outdoor Play area at the Warren School, from the General Account, with unexpended funds as of June 30, 2010 being returned to their funding sources, or pass any vote or take any other action relative thereto.

Note: This play area project was completed by the end of the summer in 2008.

3. Transfer of three Weston Nurseries parcels to the custody of the Conservation Commission:

To see if the Town will vote to delegate three (3) parcels of land known as the Ashland Parcels owned currently by Weston Nurseries, described as Assessors' Map 6.A, Lot 16 (.54 acres), Map 11.A, Lot 1 (2.50 acres), Map 11.A, Lot 3 (7.7 acres) that was authorized in Article 9 of the Annual Town Meeting of May 5, 2007, and subsequently purchased by the Town in July, 2007, to the care, custody and control of the Conservation Commission, or pass any vote or take any other action relative thereto.

4. Amend Affordable Housing Trust (to add a comma requested by the Attorney General's office):

To see if the Town will vote to amend Chapter 3 (Affordable Housing Trust) Section 4 of the Town of Ashland Code by deleting "A quorum at any meeting shall be a majority of the Trustees qualified and present in person." And inserting in lieu thereof the following "A quorum at any meeting shall be a majority of the Trustees, qualified and present in person.", or pass any vote or take any action relative thereto.

**Articles passed at the Fall 2008 Special Town Meeting:**

1. Henry Warren Clock Restoration:

To see if the Town will vote to appropriate \$4,500 in Community Preservation Act funds for the restoration of the Henry Warren Clock, an historical landmark on Main Street, from the Historic Account, with unexpended funds as of June 30, 2011 being returned to their funding sources, or pass any vote or take any other action relative thereto.

2. Lake Waushakum Grant Applications:

To see if the Town will vote to appropriate \$20,000 in Community Preservation Act funds for the Lake Waushakum Neighborhood Association to hire a consultant to provide a preliminary design and apply for section 319 Grants to install a hydrodynamic separator at the outfall on East Union Street and create a swale at the outlet on Learned Road, from the Open Space Account, with unexpended funds as of June 30, 2011 being returned to their funding sources, or pass any vote or take any other action relative thereto.

### 3. Lake Waushakum Hydrodynamic Separator Implementation and Alum Treatment:

To see if the Town will vote to appropriate \$135,000 in Community Preservation Act funds for the Lake Waushakum Neighborhood Association to fund 40% of the cost to install a hydrodynamic separator at the outfall on East Union Street and create a swale at the outlet on Learned Road to reduce pollutants entering the lake, and apply Alum treatment for weed and algae control, from the General Account, subject to approval of section 319 Grants from the Department of Environmental Protection to fund the remaining 60% of the cost, with unexpended funds as of June 30, 2012 being returned to their funding sources, or pass any vote or take any other action relative thereto.

4. Return of Excess Funds to the CPA Undesignated Fund:

To see if the Town will vote to rescind and return prior unused Community Preservation Act Funds for the Town Forest Gates and Fire Station Floors projects back to the Community Preservation Fund, or pass any vote or take any action relative thereto.

The CPA project balances as of December 31, 2008, are as follows:

Project	Total Transferred	Expended	Unexpended Balance	Balance Returned to CPA	Project Balance
Marathon Park	60,000.00	49,681.12	10,318.88	10,318.88	0.00
Town Hall Renovations	1,120,000.00	1,120,000.00	0.00		0.00
Town Forest Gates	12,000.00	1,215.00	10,785.00	10,785.00	0.00
Fire Station Floors	9,880.00	9,730.00	150.00	150.00	0.00
Town Library Renovations	303,406.00	303,406.00	0.00		0.00
Ashland Redevelopment Auth.	245,000.00	245,000.00	0.00		0.00
Tree Planting	5,000.00	4,135.90	864.10	864.10	0.00
Rail Transit Auth./Downtown Plan	70,000.00	57,049.45	12,950.55		12,950.55
Open Space & Recreation Plan	6,000.00	4,858.95	1,141.05		1,141.05
Cherry Street Parking Area	15,000.00	15,000.00	0.00		0.00
Stone Park Pavilion	95,301.00	94,845.64	455.36		455.36
Affordable Housing Plan	25,000.00	4,800.00	20,200.00		20,200.00
Preservation Historic Town Records	200,000.00	174,692.04	25,307.96		25,307.96
Lake Waushakum Study	55,000.00	52,735.15	2,264.85		2,264.85
Weston Nursery Land Purchase	1,600,000.00	1,600,000.00	0.00		0.00
Weston Nursery Acquisition Costs	15,000.00	9,052.00	5,948.00		5,948.00
Community Center Pavilion	75,000.00	75,000.00	0.00		0.00
Hydrogeology Study	35,000.00	1,400.00	33,600.00		33,600.00
Weston Nursery Topography	85,000.00		85,000.00		85,000.00
Community Center Pavilion	90,000.00	90,000.00	0.00		0.00
Affordable Housing Trust	500,000.00	500,000.00	0.00		0.00
Valentine Property	25,000.00		25,000.00	25,000.00	0.00
Oak Street Bond Payment	292,935.00		292,935.00		292,935.00
Early Childhood Play Area	110,000.00	107,631.11	2,368.89		2,368.89
Henry Warren Clock	4,500.00	987.78	3,512.22		3,512.22
Lake Waushakum Consultant	20,000.00		20,000.00		20,000.00
Lake Waushakum Swale	135,000.00		135,000.00		135,000.00
	\$5,209,022.00	\$4,521,220.14	\$687,801.86	\$47,117.98	\$640,683.88

<b>CPA General</b>	\$ 952,894.58
<b>CPA General Debt Reserve</b>	\$ 100,000.00
<b>CPA Open Space</b>	\$ 312,025.31
<b>CPA Historic Resources</b>	\$ 497,672.56
<b>Community Housing</b>	\$ 275,397.03

**Total** **\$2,137,989.48**