

COMMUNITY PRESERVATION COMMITTEE

The Community Preservation Act (CPA), MGL c.44B, was enacted into legislation on September 14, 2000. Under this legislation, municipalities opt to participate by adopting a property tax surcharge to create a locally controlled Community Preservation Fund. The state provides a match, up to a maximum of 100 percent, depending on what percentage surcharge is adopted and the number of communities participating statewide. The Community Preservation Fund can be used to fund projects related to the acquisition and preservation of open space, the creation and support of affordable housing, and the acquisition and preservation of historic buildings, landscapes and documents. The goal of the Community Preservation Act is to provide communities with the means to expand their ability to pursue and implement projects that preserve or enhance their quality of life.

Stow voters accepted the provisions of the Community Preservation Act (CPA) at the Town Meeting in May of 2001. At the subsequent Annual Town Election, Stow voters opted to enact a property tax surcharge of 3 percent to create the Stow Community Preservation Fund. Stow voters also opted to adopt all of the possible exemptions to the surcharge, including: those properties occupied by low income property owners and those properties occupied by low or moderate income senior property owners, if such property owners show proof of income eligibility. The other exemption is on the first \$100,000 of assessed real property, which is taken automatically and reflected in the amount assessed to each property owner. As a result, Stow is participating in a manner that maximizes the state matching funds with the least possible financial impact to the community.

The fiscal year ending June 30, 2006 was the fifth year of collections and state matching grants. On October 5, 2006 Stow was awarded \$364,777 - a 100 percent match - effectively doubling our community's ability to take action in the three specified areas. State matching funds have been awarded each year that Stow has participated (a total of \$1,510,408 awarded to date). Community Preservation funds are deposited in a locally controlled interest-bearing account.

Pursuant to the adoption of the CPA in May 2001, the Community Preservation Committee was formed to develop a Community Preservation Plan to facilitate implementation of the CPA in Stow. The Committee's role is to study the existing resources of the town, identify critical needs, evaluate various options for addressing those needs, and recommend specific projects for Town Meeting consideration. All projects recommended by the Committee must also be approved by a majority vote at Town Meeting before expenditures can be made from Stow's Community Preservation Fund.

Highlights of 2006

In January of 2006, the House Bill 1680, An Act Relative to Community Preservation Funds was passed. This amendment allows Community Preservation funds to be used for the preservation of historic documents and artifacts.

In May of 2006, Town Meeting voters approved two Community Preservation warrant articles appropriating funds for administrative purposes (\$35,000), and to make the annual reserves required under the Community Preservation Act: Acquisition and Preservation of Historic Buildings and Landscapes (\$75,000), Acquisition and Preservation of Open Space and Recreation Land (\$75,000), and Acquisition and Support of Affordable Housing (\$75,000.)

In July of 2006 Stow's Pilot Grove affordable housing apartments were chosen, by the Massachusetts Community Preservation Coalition, to be photographed for a CPA publication

project (photographer T. Luke Young.) In May of 2004, Town Meeting voters approved appropriating funds for the purchase of thirty-seven (37) permanent affordability restrictions on dwelling units at the Pilot Grove Apartments on Warren Road (\$350,000).

The Committee continues to work on the Spring Hill Project approved at a Special Town Meeting in October of 2005. Voters approved one warrant article to acquire 70± acres of land under a Chapter 61 Right of First Refusal for \$1,800,000. The property, known as the “Cushing Property”, was proposed for a mix of uses under the Community Preservation Act including, open space, active and passive recreation, affordable housing, and municipal uses. In March of 2006, all interested parties (owner, original buyer, and the Town) went to court for a request for summary judgment documents. The Committee anticipates seeing the project through litigation successfully.

In December of 2006 the Conservation Restriction on the Hale Woodlands was finalized and recorded at the Registry of Deeds. Thirty-five thousand dollars (\$35,000) of CPA funds (appropriated at Town Meeting in May 2005) was paid to the Stow Conservation Trust for the restriction that will keep 23 acres of land, off of Maple Street, open space permanently.

In 2006 the Committee continued its work on their innovative affordable housing deed restriction program. In this affordable housing program, the Town will purchase deed restrictions on existing housing units in Stow, ensuring that the unit remains functionally affordable in perpetuity. To be affordable, housing units, when they are sold, must be sold to individuals or families who earn less than 80% of the median household income for this area. The program has received substantial interest and support from other communities. The Committee plans to submit the final proposal to the Department of Housing and Community Development in early 2007.

The Committee looks forward to implementing additional community preservation projects selected by Town Meeting voters in the years to come. Some projects currently being proposed are a Historic Documents Preservation project, a Historic Stone Wall preservation project, a sprinkler system to preserve the Town Hall, a Lake Boon Restoration project, and a new Recreational Complex. The prospects for continued substantial state matching funds look very promising. Stow voters are to be commended for deciding five years ago to be one of first of the 119 communities (representing more than one third of the state) in Massachusetts that are accruing the many and varied benefits of local adoption of the Community Preservation Act.

Respectfully submitted,

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David Walrath, Finance, Vice Chairman
Laura Spear, Planning Board
Kathy Sferra, Conservation Commission
Karen Gray, Historical Commission
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