

ARTICLE 34

COMMUNITY PRESERVATION COMMITTEE

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- “Chapters” have been renamed to “Sections” for consistency with all other bylaw articles.
- Transitional provisions for starting up committee membership have been eliminated, as they are no longer necessary.
- The requirement for staggered terms of at-large members has been made explicit and consistent with Charter §7-9(g).
- Terminology for publication of notices is revised for consistency: “local newspaper” will be defined in Article 1 as “a newspaper of general circulation in the Town of Grafton and the Town of Grafton official website.”

**Chapter Section 1: Establishment and Membership**

Grafton hereby establishes a Community Preservation Committee consisting of nine (9) members pursuant to G.L. Chapter 44B. The Committee will be responsible for making recommendations to Town Meeting on Community Preservation.

The composition, terms, and appointment of the Committee shall be as follows: One member of the Conservation Commission as designated by the Commission; one member of the Historical Commission as designated by the Commission; one member of the Grafton Housing Authority as designated by the Authority; one member of the Planning Board as designated by the Board; one member of the Recreation Commission as designated by the Commission; and four at-large members as appointed by the Select Board.

At-large members shall be appointed to the following initial terms: ~~One for a one year term, two for two year terms, and one for a three year term.~~ All subsequent terms will be for terms of three years, arranged so that as nearly an equal number of terms as possible will expire each year, and all members of the Committee may be reappointed.

Should any of the Commissions, Boards, or Committees who have appointment authority under this ~~chapter~~ section no longer be in existence for whatever reason, the appointing authority for that Commission, Board, or Committee shall become the responsibility of the Select Board.

**Chapter Section 2: Duties and Responsibilities**

The Community Preservation Committee shall have all the duties and powers as set forth in Section 5 of the Massachusetts Community Preservation Act, including but not limited to the following:

- (a) The Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The Committee shall consult with existing municipal boards, including the Conservation Commission, the Historical Commission, the Planning Board, the Recreation Commission, 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 Town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding the hearing in a newspaper of general circulation in the Town local newspaper.

- (b) The Community Preservation Committee shall make recommendations to the Town Meeting for the acquisition, creation, and preservation of open space; 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. The Community

#### Article 34: Community Preservation Committee

Preservation Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

- (c) Each year, the Committee shall recommend that Town Meeting appropriate or set aside for future use at least 10 percent of all CPA revenues for open space (not including recreational open space), at least 10 percent for historic preservation, and at least 10 percent for community housing.
- (d) The Community Preservation 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.
- (e) Each fiscal year, the Committee shall submit to Town Meeting an operational and administrative budget which cannot exceed five (5) percent of the annual revenues of the Community Preservation Fund.

#### Chapter Section 3: Requirement for a Quorum and Cost Estimates

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 Town Meeting shall include their anticipated costs.

#### Chapter Section 4: Amendments

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

#### Chapter Section 5: Severability

Should any section, paragraph or part of this ~~chapter~~ ~~article~~ be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph, or part shall continue in full force and effect.

~~Chapter 6: Effective Date~~

~~Each appointing authority shall have sixty (60) days after approval by the Attorney General to make their initial appointments. Should any appointing authority fail to make their appointment within that allotted time, the Town Moderator shall make the appointment.~~

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