

Special Town Meeting – March 13, 2023

ARTICLE 5 - COMMUNITY PRESERVATION ACT

To see if the Town will vote to accept the Community Preservation Act, G.L. c.44B, §§3-7, and establish a property tax surcharge of 3%, to be effective July 1, 2023, for the three general purposes of the CPA, open space and recreation land, historical preservation and creation and support of community housing, and adopt the following three statutory exemptions:

1. 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 town would be exempt from the surcharge upon filing an annual application.
2. The first \$100,000 of taxable value of residential real estate would be exempt (automatically applied).
3. The first \$100,000 of taxable value of class three commercial and class four industrial properties would be exempt (automatically applied).

and, further noting that, as required by law, adoption of the act and imposition of the surcharge may occur only if the voters of the Town also approve adoption of the CPA in the form voted by this meeting; or take any other action relative thereto.

(Submitted by Community Preservation Act Exploratory Committee) (Majority Vote required)

The Community Preservation Act is a statewide program dedicating funds to three general purposes: acquisition and preservation of open space and recreation land; historical preservation of land, buildings, and documents of historic value; and creation or support of community housing (with affordability defined by reference to HUD average median income findings). Locally, a property tax surcharge of up to 3% is assessed for such purposes. At the state level, each Registry of Deeds assesses a surcharge on all transactions, and such amounts are later dispersed to participating communities based upon a formula that includes the amount collected through the local surcharge and the percent surcharge assessed. The Community Preservation Exploratory Committee, Finance Committee and Select Board support adoption of the CPA with a 3% surcharge and all of the available exemptions, and recommend adoption of a financial policy that limits the total amount to be expended annually, so that 5% of annual revenues will remain in the fund, and prohibits borrowing.

If approved by Town Meeting and, later, at an election, a Community Preservation Fund (CPF) will be established to receive the local surcharge and state matching funds. State law requires that each year, 10% of what is collected in the CPF be spent or set aside for each of the four purposes of the CPA. State law also allows up to 5% of what is collected to be appropriated for the annual expenses of a Community Preservation Committee (CPC); any unexpended portion of the annual appropriation closes out to the CPF at the end of the fiscal year. The CPC will be established by by-law, with 5 statutorily required representatives of particular boards and committees, and up to 4 additional elected members. Town Meeting cannot appropriate CPA funds without a recommendation from the CPC, although Town Meeting may reduce or reject the CPC's recommendation.