

TOWN OF LAKEVILLE

Community Preservation Committee Meeting Minutes February 29, 2024

On February 29, 2024, the Community Preservation Committee held a meeting at 6:30 PM at the Lakeville Police Station, 323 Bedford St. The meeting was called to order at 6:30 PM by Chairman Michele MacEachern. Community Preservation Committee Members present were Chairman Michele MacEachern, Kathleen Barrack, Paula Houle, Amy Knox, Nancy LaFave, John Lucey, Barbara Standish, Susan Spieler, and Nancy Yeatts. Also, present Cathy Murray, Planning Department Clerk; Christina Cotsoridis, Assistant to the Town Administrator, Melisa Turcotte and Brynna Donahue from Parks Commission. LakeCAM was recording the meeting for broadcast.

Melissa Turcotte from the Parks Commission opened their joint meeting at 6:31 pm.

Missing records of May 2, 2023 meeting discussion/possible vote

S. Spieler reported that the May 2, 2023, meeting held at the Council on Aging was recorded with a handheld recorder. However, for technical reasons the meeting was not taped, and no motions or votes were recorded. It was advised by the Town Clerk to write a minutes report and any agenda items that were voted on would need to be voted on again at this meeting. The general evaluation criteria, and the Step 1 and 2 applications were presented and voted on at the May meeting, however, the motions and votes were not recorded.

A motion was made by S. Spieler and seconded by A. Knox, it was:

VOTED: to accept the May 2, 2023 minute detail and two documents

M. MacEachern-aye; K. Barrack-aye; A. Knox-aye; N. LaFave-aye; J. Lucey-aye; B. Standish-aye; S. Spieler-aye; N. Yeatts-aye; P. Houle abstain.

Review/possible vote on estimates for CPC project signs

B. Standish presented the information on CPA sign design for upcoming projects. The committee discussed the different options and color schemes.

A motion was made by N. LaFave, seconded by S. Spieler, it was:

VOTED: to approve four signs 36x24 with white lettering "Your Community Preservation Act Dollars at Work"
Unanimous

J. Lucey suggested that in the Memorandum of Understanding and Grant Agreement language, to include requiring the grant recipient to install the sign and return as part of the agreement.

Budget Report for February

Budget Report – N. Yeatts reported that she met with Todd Hassett, the town Accountant, and he added some explanations to the report to make it easier to understand. The line CPA surcharge revenue of \$1202 is what came in late last year. The next line is \$225,000 is estimated of what will be taken in and added \$20,000 estimated state match and \$500 interest earnings. Year expended at the top the amount \$173,631 has been taken in to date, penalty and interest on surcharge is \$956, and state match was \$46,812 and earnings on investment aren't added in until June 30th. The amount collected so far is 89.9% of what was estimated at town meeting. \$152,152 is what is left over from last year as undesignated fund balance and percentage of each category as a running total will be added to the next report.

Review and Approve Meeting Minutes February 1, 2024 and (Revised) January 18, 2023

A motion was made by J. Lucey and seconded by A. Knox, it was:

VOTED: to accept the meeting minutes of February 1, 2024

Unanimous

S. Spieler stated the January 18, 2023 minutes were amended to include who made motions and votes since this was done on a recorder and the person doing the transcription at that time didn't know who was speaking.

A motion was made by J. Lucey and seconded by S. Spieler, it was:

VOTED: to accept the revised minutes of January 18, 2023

P. Houle – abstain, 8 voted aye.

New Business

2025 CPC Budget for Town Meeting

N. Yeatts has been in communication with Todd Hassett, Town Accountant, and he offered to draft the estimated CPA budget to be presented at Town Meeting. It was discussed to decrease the administrative percentage from 5% to 3%. N. Yeatts will bring the budget for review for our next meeting for the committee to review.

Solicit Input from Respective Committees/Boards/Commissions

Chairman MacEachern would like all committees, boards, commissions to give input as to what they would like seen done with CPA funds and any recommendations for the plan. Each committee represented by CPC will go back to their respective committees and report back. Once this information is gathered, there will be revisions made to the Community Preservation Plan (CPP). Chairman MacEachern will send an email to the town departments to get their input.

Draft CPP Revisions

Chairman MacEachern stated that revisions will be made to the Plan once there is input from the committees and make sure the goals still align with the Plan. Once the revisions are made it can be brought back to the committees for review.

Old Business

Wildland Trust/Cristolini property update

Chairman MacEachern contacted Scott McFadden from Wildlands Trust to see if he planned to still meet with the committee. She will contact the Select Board and Town Administrator to see if there is still interest in this property. Wildlands Trust doesn't want to proceed with Step 2 if this is not something the town is interested in. She would like to request a meeting with Select Board, Conservation Commission, or a joint meeting to discuss this further. The landowner wanted the town to purchase the property a few years ago when it was in Chapter 61 and the town didn't want to take the option to purchase it because there was a covenant on the land. The landowner kept pursuing this and Wildlands Trust got involved because they already have a conservation restriction on two abutting pieces of property. Wildlands Trust is offering to help with the Step 2 application but only if the town is interested.

Public Hearing –

A motion was made by Chairman MacEachern to open the public hearing at 7:00 pm and asked if anyone wanted to speak to see what they would like done with the CPA funds.

Glenn Gussis, Board member of Freelake Softball wanted to reiterate moving forward with the design for John Paun Park that was approved at Town Meeting and to see improvements continue for public safety for its users. Chairman MacEachern stated that it was approved in the fall, and we are waiting to get a Municipal Agreement drafted so that the funds can be expended for the plans.

Bryanna Donahue, 87 Crooked Lane, thinks we need to maintain a semi-rural character town by maintaining and improving what we already have in small but effective ways that can be applied in many areas. If we don't put projects in place that get people out in nature or caring about being rural, we won't maintain staying rural. Chairman MacEachern explained how CPA works for those in the audience not knowing how CPA funding works.

John Gregory recommended adding a page showing how much money is taken in each year and the amount allocated to each category.

Melisa Turcotte asked what the committee wants to do with the large pot or if it has been discussed. She would like to see improvements made to the land and parks we have before we purchase additional land.

Diane Haskell asked questions about town budget and what CPA funds do. Chairman MacEachern explained the charge of the committee and how CPA works for projects that are eligible for funding.

Noelle Rileau feels Main Street is becoming too developed and there needs to be a vision as to what we want Lakeville to look like. Open Space may not seem like a value investment at the time, but we will need to protect what we have.

Dave Fink asked what projects the CPA money funded last year.

Kerry Bogdan supported all the projects last year and she loves living in the rural community. She hopes the town remains this way but from the softball side she wants to see the improvements made at John Paun Park for the girls.

A motion was made by N. LaFave and seconded by A. Knox to close the hearing at 7:52 pm with a unanimous vote by the committee.

Discuss and possible vote on Grant Agreement and Memorandum of Understanding documents for approved projects

Chairman MacEachern compared Wareham's non-municipal grant agreement with the one from Town Counsel. She will incorporate some of the changes and additions between the two and have it reviewed by Town Counsel. The revision sent to Town Counsel for the Memorandum of Understanding have not been returned from Town Counsel.

VOTED: to have the document with the changes as discussed reviewed by Town Counsel
Unanimous vote

Review/possible vote Step 1 Application Received

Historic Town Hall Door Replacement

Step 1 application was submitted by Paul Nee, Facilities Manager, to remove and replace two front entry doors at the Historic Old Town Hall. The Historic Commission was consulted on this application, and it keeps within the historic value of the Town Hall. They will be restoration quality doors custom made to what is already in place. The amount requested is \$6950 and the remaining amount of \$1750 for installation and painting will be performed by the Facilities Department and Town Painter. The General Evaluation Criteria was reviewed by the committee, discussed, and overwhelmingly met the criteria for eligibility to proceed to Step 2.

A motion was made by N. Yeatts and seconded by P. Houle, it was:

VOTED: to approve Step 1 for the replacement of the historic town hall doors
Unanimous

Cupola Repairs to Lakeville Historical Museum

Step 1 application was submitted by the Lakeville Historical Society for \$20,000 for extensive repairs to the cupola. The cupola is leaking and allowing water to run into the building endangering the safety of our town's significant artifacts.

N. LaFave is a member of the Historic Society and stated it is not on the National Historic Registry but is on the Inventory of Archeological Historical Assets for the Commonwealth of Massachusetts since the 1970's. The museum is not town owned and this application is by a non-profit organization. S. Spieler had recommended a historical restriction be put on the property to protect the town should the property be sold within ten years. The General Evaluation Criteria was reviewed by the committee, discussed, and overwhelmingly met the criteria for eligibility.

A motion was made by N. Yeatts and seconded by B. Standish, it was:

VOTED: to approve Step 1 application for \$20,000 for cupola repairs to the Lakeville Historic Museum
Unanimous

J. Lucey suggested the Grant Agreement should probably have a provision for special conditions specific to a particular project was an addendum. This might be something necessary from project to project.

Clear Pond Park Fence

Step 1 application was submitted by the Parks Commission for \$30,000 to replace a section of fence along Route 79 at Clear Pond Park. S. Spieler stated that \$10,000 that was part of the application for police detail costs is not an eligible expenditure as it is considered supplanting. The police detail would have to be paid for by the town and not CPA funds. P. Houle stated that the fence along Route 79 that has been there for many years is broken or damaged. Clear Pond is a natural resource and is exposed to Route 79 without any protection. There is trash being thrown and it gets into the pond. The fence needs to be restored due to the liability to the town of people coming in, walking the trail, and coming out to the beach. The fence would be along the water view and would go 20 feet into the woods for future expansion. Chairman MacEachern felt a fence would take away from the view of the pond and over years vines, etc. would be growing into the fence. If this fence is being used to keep trash out, Liter Lifters could assist in picking up the trash. She asked if this was a high priority project or if there were other recreational projects, they would rather save money towards. Melisa Turcotte was looking at cost effectiveness and anything that must be done at John Paun Pond would cost tens of thousands of dollars. She thought asking for \$25,000 last years seemed to be a big issue. They have so many other things they need but they are big ticket items. Chairman MacEachern asked if they would rather save the money and let it grow. Melisa Turcotte stated there are no guarantees the money would be there next year since they share the pot with Open Space. S. Spieler felt this project didn't benefit a lot of residents and would rather see better project. Bryanna Donahue felt the fence would do more than purchasing a piece of wetland that no one would be able to walk on. The committee reviewed the General Criteria, and J. Lucey asked if a notice of intent needs to be filed with Conservation. They need to cover themselves by filing a RDA. The criteria showed it was eligible for Step 2 application.

A motion was made by K. Barrack and seconded by N. LaFave, it was:

VOTED: to approve Step 1 for \$20,000 for a fence at Clear Pond Park
Unanimous

FLRSD Greenhouse Project

Step 1 application was submitted by Brynna Donahue for \$45,000 for a geodesic dome greenhouse project for the Apponequet High School campus for a gardening program for Lifeskills students and others interested in gardening. Three images were presented as possible locations and three different size greenhouses; 33, 43, 59 feet. The actual price of the 43-foot dome is \$17,000 leaving \$8,000 for supplies and that's not approaching the

\$45,000 amount requested. S. Spieler thought it was a great idea however it's not eligible because it's an indoor structure. Ms. Donahue didn't think it made sense it doesn't qualify and the entire point of this is to preserve the community. She would like to contact the Coalition for further clarification on the eligibility.

A motion was made by A. Knox and seconded by B. Standish, it was:

VOTED: to approved Step 1 of the greenhouse project contingent on its eligibility.

Unanimous

B. Standish suggested there is grant money available with the Mass Dept. of Agricultural Resource.

A motion was made by Brynna Donahue and seconded by Melisa Turcotte to close the Parks Commission meeting at 9:33 pm.

Old Business

CPA Exemption outreach update

N. Yeatts presented the COA newsletter showing the article regarding CPA exemptions. She will be at the COA on March 4 and 8th from 10 – noon to assist seniors to complete applications for CPA exemptions and answer any questions. If they couldn't make one of the dates, she could be contacted to make an appointment.

Next Meeting will be held on March 21 and April 4 at 6:30.

A motion was made by S. Spieler and seconded by B. Standish to adjourn the meeting at 9:35 pm.

Unanimous

Presented at meeting:

COA Newsletter

Coalition Information Sheets

Coalition Email Feedback on Step 1 Applications



Michele MacEachern <shell42880@gmail.com>

Fw: CPC Step 1 applications

Stuart Saginor <Stuart.Saginor@communitypreservation.org>

Thu, Feb 29, 2024 at 2:39 PM

To: Susan <sspieler@comcast.net>

Cc: Michelle Mac Eachern <shell42880@gmail.com>

Hi Susan:

The first step on this application is determine if the fence is located on the protected park parcel, or is it located on general municipal land along the road. It is only eligible if the fence will be located on the parkland, so they will need to submit a survey to show that the fence is located within the park. If it's on general municipal land, or in the road right of way, it is not eligible.

If it's part of the park, it would appear to be a valid project under "rehabilitation" of parkland. But as you know, just because a project is eligible doesn't mean it is a good use of your limited CPA funds. So, when you receive the full application, it would be policy decision by the CPC to determine if this project is a priority deserving of funding.

It would be fair to ask some questions, such as:

- Why does the fence need to be replaced? What benefit does the fence provide to users of the park versus the benefits the fence provides to the use of the road? In other words, is this a road project pitched as a park project?
- Are there other high priority recreational projects in town that would be higher priority than this fence? What did your CPA plan uncover about the needs for recreation in town? Did this fence come up as a priority in the plan?
- Would the public be better served by direct improvements to the recreational assets within the park rather than a fence along the road?

Best,
Stuart

Stuart Saginor, Executive Director
Community Preservation Coalition

Phone: 617-371-0540

Web: www.communitypreservation.org

Email: stuart.saginor@communitypreservation.org

6 Beacon Street, Suite 615, Boston, MA 02108

Please Note: The Community Preservation Coalition renders neither legal opinions nor legal advice, and recommends consulting with an attorney.

-----Original Message-----

From: Susan <sspieler@comcast.net>

Sent: Saturday, February 24, 2024 1:42 PM

To: Stuart Saginor <Stuart.Saginor@communitypreservation.org>

Cc: Michelle Mac Eachern <shell42880@gmail.com>

Subject: Fwd: CPC Step 1 applications

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Hi Stuart,
Here's the fence application. I'm sending you the other 3 applications separately as well.
Susan

Sent from my iPad

Begin forwarded message:

The Secretary of the Interior's Standards for Rehabilitation

The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

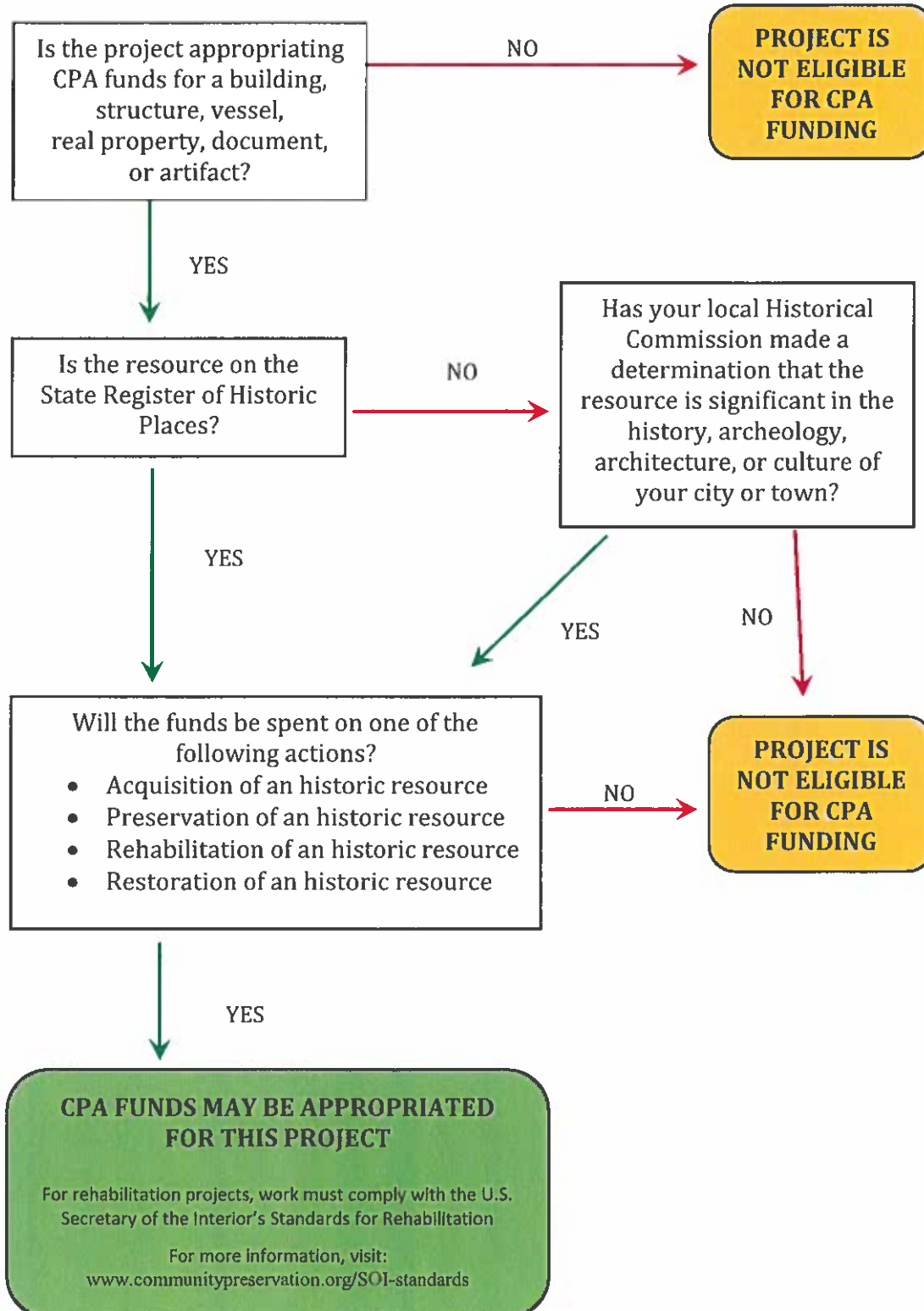
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Qualifying Historic Projects for CPA Funding





Michele MacEachern <shell42880@gmail.com>

Fw: CPC Step 1 applications-number 2

Stuart Saginor <Stuart.Saginor@communitypreservation.org>

Thu, Feb 29, 2024 at 12:59 PM

To: Susan <:sspieler@comcast.net>

Cc: Michelle Mac Eachern <shell42880@gmail.com>

Hi Susan:

The first step on this application is the same as the Historic Society Cupola; is the building is an eligible "historic asset" under the definition in CPA? If the building is not on the state register of historic places, the applicant will have to prepare a history of the building and present it at a scheduled meeting of the town's Historic Commission, and the Commission must take a vote to deem the property significant in the "history, archeology, architecture or culture" of Lakeville.

This may seem like "busy work," but it's what the law requires. It might be very obvious that this building is historic, but you will definitely get applications in the future from more marginal buildings. You need to treat them all the same and follow the procedure as outlined in CPA, and if the Old Town Hall isn't on the state register, it requires a vote of the historic commission.

<https://www.communitypreservation.org/historic-projects>

<https://www.communitypreservation.org/technical-assistance/files/historic-project-flowchart>

Assuming the above happens, the project appears eligible for CPA funding as a "rehabilitation" of an historic resource.

The main issue we see with this project is determining if the work as proposed adhere's to the Secretary of Interior's Standards. The entire CPC should be given a copy of these standards and review the plans in the full application to see if the work complies:

<https://www.communitypreservation.org/technical-assistance/files/secretary-interiors-standards-rehabilitation>

<https://www.communitypreservation.org/SOI-standards>

Some particular issues to address:

Standard #2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Standard #6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities

and, where possible, materials.

As you can see, it's never the first option to replace an historic feature like the front doors. Why can't they be repaired and rehabilitated? If they need to be replaced, does the type of wood, design, hardware and color match the doors being replaced? If you are replacing the doors, it may be hard to find a "stock" item that matches the original. In that case, a custom door should be manufactured to match exactly. That will be more costly, but that's why you have the extra funding from CPA – to do things properly.

The CPC should always ensure that an historic preservation consultant is part of the team working on a project; town employees often do not have the professional knowledge on how to do proper historic work according to the Secretary's Standards. Sometimes the Historic Commission has the expertise to oversee the work, but if not, the CPC should add a bit of money to the proposal and require that the town hire an historic preservation expert to oversee the door project.

Best,

Stuart

Stuart Saginor, Executive Director

Community Preservation Coalition

Phone: 617-371-0540

Web: www.communitypreservation.org

Email: stuart.saginor@communitypreservation.org

6 Beacon Street, Suite 615, Boston, MA 02108

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From: Susan <sspieler@comcast.net>
Sent: Saturday, February 24, 2024 1:44 PM
To: Stuart Saginor <Stuart.Saginor@communitypreservation.org>
Cc: Michelle Mac Eachern <shell42880@gmail.com>
Subject: Fwd: CPC Step 1 applications-number 2

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Historic old town hall



Michele MacEachern <shell42880@gmail.com>

Fw: CPC Step 1 applications #3

Stuart Saginor <Stuart.Saginor@communitypreservation.org>

Thu, Feb 29, 2024 at 12:37 PM

To: Susan <sspleier@comcast.net>

Cc: Michelle Mac Eachern <shell42880@gmail.com>, Chase Mack <chase.mack@communitypreservation.org>

Hi Susan:

Thanks for submitting the Historic Society Coupola project for us to take a peek at.

The first question is if the building is an eligible "historic asset" under the definition in CPA. See this flow chart and article for more information. If the building is not on the state register of historic places, the Historic Society will have to prepare a history of the building and present it at a scheduled meeting of the town's Historic Commission, and the Commission must take a vote to deem the property significant in the "history, archeology, architecture or culture" of Lakeville. It's likely an easy vote for the Historic Commission, but it is a required step nonetheless. See more in this article and flow chart:

<https://www.communitypreservation.org/historic-projects>

<https://www.communitypreservation.org/technical-assistance/files/historic-project-flowchart>

Assuming the above happens, the project appears eligible for CPA funding as a "rehabilitation" of an historic resource.

But I believe this might be Lakeville's first consideration of a grant to a private, non-town entity. These types of projects present a number of complicating factors that must be addressed. The CPC needs to have a complete plan for how to evaluate and run grant programs for non-town entities.

First, how will the public's interest be protected as you grant public money to a private organization? Most CPCs would require that the Historic Society grant a preservation restriction to the town in exchange for the public funding. The whole goal of CPA is to provide protection of the town's historic resources, and it would be a missed opportunity not to require a restriction on an important part of the town's history. More information on this can be found here:

<https://www.communitypreservation.org/private-projects>

Second, the CPC should ask for a copy of the organization's finances and 990 charitable filing. Any time you are giving public money to a private organization, the burden of proof is on the applicant to explain why they need the money. It would be embarrassing to provide public funding and later find out that the organization had reserves that could have paid for the work. In addition, we noticed that the applicant is asking for almost the entire cost of the project from CPA – over 95%. Most CPCs would want to see a slightly higher level of contribution from the private organization. It's easy to ask the public to pay for the project; it's a bit harder to raise some private funding to help pay for it, but most CPCs ask for a bit more contribution from the private organization.

Third, best practice in these situations is to sign a grant agreement with the private organization. Does the CPC have a procedure in place to do this on all grants of public funding to private organizations? More here:

<https://www.communitypreservation.org/grant-agreements>

Lastly, the CPC should ensure that there is a procedure in place to ensure that the cupola work is done according to the Secretary of Interior's Standards:

<https://www.communitypreservation.org/SOI-standards>

Phew...a lot to think about! But private projects do need a bit higher level of scrutiny and proper process. They can be some of the most rewarding and exciting CPA investments so long as the above issues are addressed.

Best,

Stuart

Stuart Saginor, Executive Director

Community Preservation Coalition

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Web: www.communitypreservation.org

Email: stuart.saginor@communitypreservation.org

6 Beacon Street, Suite 615, Boston, MA 02108

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From: Susan <sspieler@comcast.net>

Sent: Saturday, February 24, 2024 1:45 PM

To: Stuart Saginor <Stuart.Saginor@communitypreservation.org>

Subject: Fwd: CPC Step 1 applications #3

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Hi Stuart,

Cupola for historic museum, which by the way the town does not own.



Michele MacEachern <shell42880@gmail.com>

Re: CPC Step 1 applications #4

1 message

Stuart Saginor <Stuart.Saginor@communitypreservation.org>

Sun, Feb 25, 2024 at 9:57 PM

To: Susan <sspieler@comcast.net>

Cc: Michelle Mac Eachern <shell42880@gmail.com>, Chase Mack <chase.mack@communitypreservation.org>

Hi Susan:

I received all four of the applications and will work on them over the next couple days. But one is incredibly easy to identify as not eligible - the greenhouse.

A greenhouse is not eligible for CPA funding. Recreational activities in CPA are part of the definition of "open space" and that means that only outdoor recreational facilities qualify:

"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.

"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.

CPA may not be used to construct any structure where activities are taking place inside. The main guidance document on CPA from the Department of Revenue says the following:

"Recreational use" for CP purposes is defined in G.L. c. 44B, § 2 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. 'Recreational use' shall not include horse or dog racing or the use of land for a stadium, gymnasium or similar structure." The CPA definition limits recreational use to an outdoor recreational pursuit.

Funding for construction (creation) of a new indoor community recreational facility or to rehabilitate an existing indoor community recreational facility is not allowable because an indoor community

recreational facility is not within the CPA definition of "recreational use" as it houses indoor recreational uses and is similar to a gymnasium.

*Rehabilitation - Capital improvements, as defined in G.L. c. 44B, § 2, to municipally-owned recreation land that make the land or related recreational facilities more functional for their intended **outdoor recreational use** are allowable including, but not limited to, installation of trails for walking, hiking, horseback riding or skiing; installation of water lines and pathways in community gardens; installation of irrigation lines for athletic fields; and installations or replacements of outdoor playground equipment.*

Best,
Stuart

Stuart Saginor, Executive Director
Community Preservation Coalition

Phone: 617-371-0540

Web: www.communitypreservation.org

Email: stuart.saginor@communitypreservation.org

6 Beacon Street, Suite 615, Boston, MA 02108

From: Susan <sspieler@comcast.net>
Sent: Saturday, February 24, 2024 1:47:58 PM
To: Stuart Saginor <Stuart.Saginor@communitypreservation.org>
Cc: Michelle Mac Eachern <shell42880@gmail.com>
Subject: Fwd: CPC Step 1 applications #4

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Greenhouse project on regional school property. Freetown does not have cpa to contribute.



Community Preservation Coalition

Preserving our past. Building our future.

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[Home](#) > The Secretary of the Interior's Standards for the Treatment of Historic Properties

The Secretary of the Interior's Standards for the Treatment of Historic Properties



Under CPA, all work on historic resources must comply with the Standards for Rehabilitation as outlined in the United States Secretary of the Interior's Standards for the Treatment of Historic Properties (the Standards). This regulation is outlined in the definition of rehabilitation at the beginning of the CPA legislation, which says:

...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.

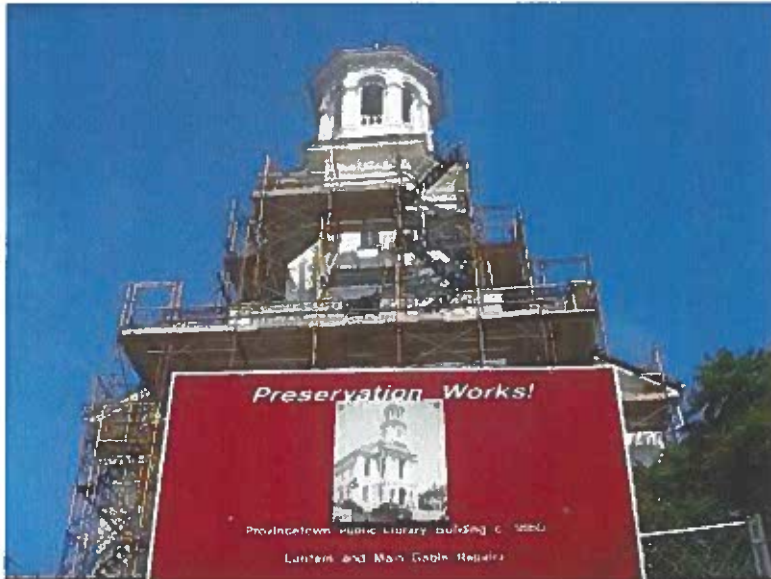
What Are The Standards?

The U.S. Department of the Interior's website calls the Secretary of the Interior's Standards "common sense principles in non-technical language [that] were developed to help protect our nation's irreplaceable cultural resources by promoting consistent preservation practices." The Standards may be applied to all types of historic resources, including buildings, sites, structures, objects, and districts.

The Department of the Interior's website explains that the Standards themselves are not used to make important decisions about which features or portions of a historic resource should be saved and which might be changed. Once these decisions have been made, however, the Standards -- a

series of concepts about maintaining, repairing, and replacing historic materials, as well as about designing new additions or making alterations -- can provide consistency and a unifying framework for the work.

- **Download a copy of the Standards**
- **Download a pictorial guide to the Standards** (by Preservation Consultant Eric Dray)



What Does This Mean for CPA

Projects?

CPA communities use a variety of methods to ensure that CPA historic projects follow the Standards. In some communities, a specific town board oversees this process, such as the Historic Commission, Historic District Commission, or the **Community Preservation Committee**. In other communities, outside experts are used such as the architect for the project, or an historic preservation consultant. Often, the party charged with this work is specifically identified in the warrant article approving the project.

The important thing for CPCs to remember is this: CPA grant awards for rehabilitation work on historic resources should clearly stipulate use of these Standards as a requirement of receiving the grant. This is true whether the work is being done on municipally owned assets, such as a town building, or if the grant is being given to a non-municipal organization. If everything is set out clearly in advance in the grant award, then there is less chance of something going wrong later when the project is underway.

In evaluating applications for rehabilitation of an historic building, the CPC should ensure that there is sufficient detail on how the work will be completed. The plan for each historic element in the building (windows, siding, roof, heating and cooling, flooring, interior layout, etc) should be examined at the application stage to make sure that the guidelines are being followed and there is adequate funding to do the work properly. The Department of the Interior has a **series of Preservation Briefs** available online or in printed form that outline the guidelines for each element of an historic building. These briefs should be carefully consulted during the application process and attempts to save money by not following proper standards should not be given a CPC recommendation.

Further Resources



Community Preservation Coalition

Preserving our past. Building our future.

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Can CPA Fund Private Projects?

Have you ever wondered if CPA funds can be used to fund projects on privately-owned property? This question comes up frequently for historic preservation projects, such as restoring an historical society's house museum, preserving windows on an old YMCA building, or restoring an old tavern that's now a private residence. The answer is, it depends.

The Community Preservation Act does not prohibit use of CPA funds for projects on privately-owned property. However, the Anti-aid Amendment to the Massachusetts Constitution does prohibit the use of public funds to private entities for private purposes. The Amendment reads:

ANTI-AID AMENDMENT

Mass. Const. Amend. Article 46, § 2, as amended by Article 103

Section 2. No grant, appropriation or use of public money or property or loan of credit shall be made or authorized by the Commonwealth or any political subdivision thereof for the purpose of founding, maintaining or aiding any infirmary, hospital, institution, primary or secondary school, or charitable or religious undertaking which is not publicly owned and under the exclusive control, order and supervision of public officers or public agents authorized by the Commonwealth or federal authority or both, except that appropriations may be made for the maintenance and support of the Soldiers' Home in Massachusetts and for free public libraries in any city or town and to carry out legal obligations, if any, already entered into; and no such grant, appropriation or use of public money or property or loan of public credit shall be made or authorized for the purpose of founding, maintaining or aiding any church, religious denomination or society. Nothing herein contained shall be construed to prevent the Commonwealth from making grants-in-aid to private higher educational institutions or to students or parents or guardians of students attending such institutions.

Despite the wording of the Anti-aid Amendment above, there is a way to make a grant of public money to private organizations. The key concept to understand is that public funds are prohibited from being used for private purposes. Any expenditure of public funds must be used to advance a public purpose. As the Department of Revenue points out in a February 2007 letter to the Town of Norfolk, the preservation of historic assets are generally understood to have legitimate public purposes. A variety of federal and state programs provide historic preservation grants to private non-profit organizations, but typically the public purpose is served by the acquisition of a historic preservation restriction. Likewise, many CPA communities are now requiring historic preservation restrictions as a condition of funding preservation projects on private properties in order to satisfy the Anti-aid Amendment. The restriction is placed on the deed to the property and would transfer to the new owner should the private entity sell the building, which protects the public investment in the property.

CPA communities use a variety of other tactics to further protect the public investment in private properties. **The town of Plymouth has used an agreement** that guarantees public access to a building, while **Great Barrington has used an agreement** that requires the CPA investment to be repaid should the private building be sold. Since the specifics of each situation can vary, your municipal attorney should be consulted to determine if these strategies can replace a Preservation Restriction or should be used in combination with Preservation Restriction. The Community Preservation Committee should consider seeking a written opinion on funding private projects before making a recommendation.

The bottom line is this: CPA funds may be able to fund a project on private property, but only if the project is advancing a public purpose, such as the municipality acquiring a deed restriction, providing public access to the property where there was none before, or some other public benefit recommended by your municipal counsel.

Further Resources

- **A History of the Anti-Aid Amendment - Boston Globe (Op-Ed by Eric Fehrstrom, July 7, 2017)**
- **February 2007 DOR letter to the Town of Norfolk on private projects**
- **Description of a Newton CPA grant to a private entity, subject to a preservation restriction**
- **Access easement used by the Town of Plymouth to guarantee public access to a private building**
- **Great Barrington agreement to have CPA funds repaid should private building be sold**

February 2021

Source URL: <https://www.communitypreservation.org/private-projects>

SENIOR CIRCUIT BREAKER TAX CREDIT

The Massachusetts "CIRCUIT BREAKER" TAX PROGRAM is for qualifying persons:

- Age 65 or older on or before December 31, 2023
- Who don't live in public housing or are subsidized renters
- If you are a homeowner, your Massachusetts property tax payments, together with half of your water and sewer expense, must exceed 10% of your total Massachusetts income for the tax year
- If you are a renter, 25% of your annual Massachusetts rent must exceed 10% of your total Massachusetts income for that tax year

YOUR TOTAL INCOME DOES NOT EXCEED:

Single	\$ 69,000
Married Filing Joint	\$ 103,000
Head of Household	\$ 86,000
Your Assessed Real Estate Valuation does not exceed	\$1,025,000

To claim the Circuit Breaker Credit, you must file a Massachusetts state income tax return, even if you typically don't file a return -and- include Schedule CB, Circuit Breaker Credit form, which can be found online at Mass.gov at <https://www.mass.gov/doc/2023-schedule-cb-circuit-breaker-credit/download> We also now have the Schedule CB form 2023 available for pick up at the office.



AARP 2023 TAX RETURNS



We are **not** offering tax services this year at the Lakeville Senior Center. Please know that we are working in conjunction with AARP to hopefully be able to offer these services next year. However, if you need help with your taxes, Lakeville Seniors may call the following Local Senior Centers to make appointments:

***PLEASE NOTE THAT MIDDLEBORO IS NOT TAKING OUT OF TOWN RESIDENTS UNTIL AFTER MARCH 1**

Freetown COA
277 Chace Road
E. Freetown
508-763-9557

Middleboro COA*
558 Plymouth St
Middleboro
508-946-2490



Community Preservation Act Surcharge

How it works: A 1% surcharge is added to your tax bill, with the first \$100,000 of assessed value exempted for homeowners. Seniors with low or moderate income may qualify for an exemption from this surcharge. Applications to apply for the exemption are now available at the COA, as well as the chart showing the current income limits.

Nancy Yeatts, Treasurer for the Community Preservation Committee will be available to answer questions and assist with completion of the applications on Monday March 4th & Friday March 8th at the COA from 10 till 12 noon.

The deadline for applications to be filed with the Town Assessors Office is April 1, 2024. (346 Bedford Street).

If you are unable to make either one of these dates, you may call Nancy Yeatts directly to make an appointment to get help at: 508-498-4347.