Community Preservation Committee  
2009 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 Committee (“CPC”) was formed to study the needs, possibilities and resources of the town regarding community preservation. The CPC 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 CPC 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
Recognizing the needs of the Ashland community and 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.

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 CPC 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 Committee will give preference to projects that address more than one area.

**Project Eligibility and Funding**

The Community Preservation 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 CPC.

Ashland received 100% of its local surcharge in state matching funds every year through fiscal year 2008. The state match is funded through real estate transaction fees. The depressed real estate market over the past few years has caused a significantly decrease in registry fees collected. As a result, the CPA Trust Fund was unable to match 100% of local CPA receipts for all 142 participating communities. The following table summarizes revenues collected from our local surcharge and the state matching funds received each fiscal year:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
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<td>$436,96</td>
<td>$492,43</td>
<td>$570,53</td>
<td>$635,74</td>
<td>$664,91</td>
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<td>$671,90</td>
<td>$357,03</td>
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<td>YTD</td>
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<td>0</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>5</td>
<td>4</td>
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<td>$644,32</td>
<td>$668,38</td>
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<tr>
<td>YTD</td>
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<td>2</td>
<td>4</td>
<td>5</td>
<td>3</td>
<td>8</td>
<td>5</td>
<td></td>
</tr>
</tbody>
</table>

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

The Community Preservation 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. A 30-minute segment about CPA was filmed at the local cable station and aired repeatedly to educate local residents, spark project ideas and extend an invitation to attend CPC public hearings.
Proposal Criteria
The Ashland Community Preservation 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, 15 affordable housing units were built in the Avenue of the Americas subdivision.

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, 2009, the CPA project balances were as follows:

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>Unexpended</th>
<th>Balance Returned</th>
<th>Project</th>
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</thead>
<tbody>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Project</td>
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<td>Expended</td>
<td>Balance</td>
<td>to CPA</td>
</tr>
<tr>
<td>----------------------------------------------</td>
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<tr>
<td>Marathon Park</td>
<td>60,000.00</td>
<td>49,681.12</td>
<td>10,318.88</td>
<td>10,318.88</td>
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<tr>
<td>Town Hall Renovations</td>
<td>1,120,000.00</td>
<td>1,120,000.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Town Forest Gates</td>
<td>12,000.00</td>
<td>1,215.00</td>
<td>10,785.00</td>
<td>10,785.00</td>
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<td>Fire Station Floors</td>
<td>9,880.00</td>
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Total                                      | $5,209,022.00 | $4,521,220.14 | $687,801.86 | $47,117.98 | $640,683.88 |

CPA Account Balances:

- CPA General $ 952,894.58
- CPA General Debt Reserve $ 100,000.00
- CPA Open Space $ 312,025.31
- CPA Historic Resources $ 497,672.56
- Community Housing $ 275,397.03

Total $2,137,989.48

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.

Completed Projects
During calendar year 2009, the following projects were completed and any excess funds for the projects were returned to the CPA undesignated fund:

- Rail Transit Authority and Downtown Plan (excess funds returned)
- Affordable Housing Plan (excess funds returned)
• Due diligence required for acquisition of the Weston Nursery parcels (excess funds returned)

Expired Funds
On June 30, 2009, the unexpended fund balances for the following projects expired as specified in their respective appropriation articles and were returned to the CPA Undesignated Fund:

• Hydrogeology watershed study
• Weston Nurseries engineering and environmental assessment

CPA Articles Passed at the Spring 2009 Annual Town Meeting:

1. Oak Street Bond Payment:

To see if the Town will vote to appropriate $239,925 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 Community Preservation Undesignated Fund Balance, to be added to 01710 Debt Service passed in Article 3 of this Town Meeting, or pass any vote or take any other action relative thereto.

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

To see if the Town will vote rescind and return $12,950.55 from Article 8 of the October 20, 2004 Town Meeting for the Rail Transit Authority & Downtown Plan back to the Community Preservation Fund Undesignated Fund Balance, or pass any vote or take any action relative thereto.

3. Acquisition of the Sibson Parcel for Access to the Former Weston Nurseries parcel off Olive Street:

To see if the town will vote to appropriate $345,000 from the Community Preservation Fund Undesignated Fund Balance for the purchase of a parcel of land currently owned by Virginia F. Sibson and described as Assessors' Map 27, Lot 068, consisting of approximately 2.13 acres, more or less, for one or more of the following uses, so long as the areas designated for separate purposes shall be clearly identified and delineated by subsequent votes of the Town:

• Acquisition, creation, and preservation of open space;
• Acquisition, creation and preservation of land for recreational use; and
• Acquisition, and development of land for affordable housing, solely or in partnership with one or more other parties; and

that the Board of Selectmen is authorized (i) as determined by subsequent votes of the Town to delegate all or part of the land to the care, custody and control of the Conservation Commission, and (ii) that the Board of Selectmen is authorized to sell or otherwise dispose of, in accordance with G.L. c.44B, any portion of such parcel, as determined by subsequent votes of the Town, with one or more
nonprofit organizations or other entities to provide for affordable housing on such portion of said parcel, provided that the Town shall retain affordable housing deed restrictions with respect to such portion sold or otherwise disposed of; or pass any vote or take any action relative thereto.

4. Restoration and Preservation of Various Historic Documents and Assets:

To see if the Town will vote to appropriate $17,000 in Community Preservation Act funds for the restoration and preservation of various historic documents and assets, from the Historic Resources Reserve Account, 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.

5. Pilot Community Garden:

To see if the Town will vote to appropriate $15,000 in Community Preservation Act funds to create a Pilot Community Garden, from the Community Preservation Fund Undesignated Fund Balance, 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.

6. CPA Appropriation and Reserve Account Funding:

To see if the Town will vote to appropriate or reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2010, with each item to be considered a separate appropriation:

Appropriations:
From FY 2010 estimated revenues for Committee Administrative Expenses $ 46,400

Reserves:
From FY 2010 estimated revenues for Historic Resources Reserve $ 92,800
From FY 2010 estimated revenues for Community Housing Reserve $ 92,800
From FY 2010 estimated revenues for Open Space Reserve $ 92,800
From FY 2010 estimated revenues for Budgeted Reserve $603,200

or pass any vote or take any action relative thereto.

**CPA Articles Passed at the Fall 2009 Special Town Meeting:**

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

To see if the Town will vote rescind and return $23,587.50 to the CPA Undesignated Fund Balance from the following completed CPA project accounts: $17,639.50 from Article 8 of the May 10, 2006 Town Meeting for creation of the Affordable Housing Plan; and $5,948.00 from Article 10 of the May 2, 2007 Town Meeting for legal and other fees associated with the acquisition of the Weston Nursery parcels in Ashland, or pass any vote or take any action relative thereto.

2. Athletic Field Master Plan Study:

To see if the Town will vote to appropriate $35,000 for the Master Plan Study of Ashland Athletic Fields that will include analyzing current and future youth and recreational field requirements,
evaluating existing and potential athletic fields, and determining optimal field configuration, from the Community Preservation Fund Undesignated Fund Balance, 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. Consulting, Engineering and Environmental Assessment of the Sibson Property and former Weston Nursery parcel off Olive Street:

To see if the Town will vote to appropriate $82,000 to be used for consulting, engineering, environmental assessment, topography and mapping, legal services, and other related tasks for the parcels known as the Ashland Weston Nursery land and the adjacent Sibson property to determine potential land use, from the following Community Preservation Act accounts: $64,000 from the Community Preservation Fund Undesignated Fund Balance; $9,000 from the Open Space Account; and $9,000 from the Community Housing 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.

This requirement to make a determination was funded at a prior Town Meeting. The $82,000 was appropriated but not spent and reverted back to the CPA Fund due to a sunset clause. This vote reinstated those funds.

The CPA project balances as of December 31, 2009 are as follows:

<table>
<thead>
<tr>
<th>Project</th>
<th>Total Transferred</th>
<th>Expended</th>
<th>Unexpended Balance</th>
<th>Balance Returned to CPA</th>
<th>Project Balance</th>
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<tbody>
<tr>
<td>Marathon Park</td>
<td>60,000.00</td>
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| Total                         | $5,922,947 | $5,433,857 | $489,089 | $195,795 | $293,294 |

**CPA Account Balances:**

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**Total** $2,299,412.79