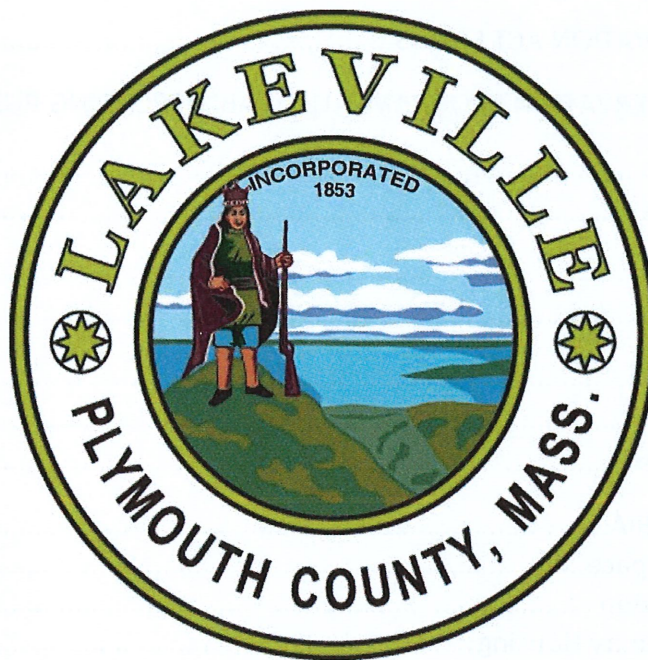


# TOWN OF LAKEVILLE

COMMUNITY PRESERVATION COMMITTEE



**COMMUNITY PRESERVATION PLAN**

March 1, 2023

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## **Mission Statement**

The mission of the Lakeville Community Preservation Committee (CPC) is to maintain the rural character of Lakeville as a beautiful, residential community, rich in natural resources.

As per the Community Preservation Act, it is our mandate to create and maintain a Community Preservation Plan that will protect, expand or enhance open space, historic resources, affordable housing and outdoor recreation.

By utilizing community goals set forth in our Master Plan, Open Space and Recreation Plan and through a series of public meeting inviting community input, the CPC will recommend to Town Meeting projects that it feels are consistent with the Town's long term planning goals and provide the maximum benefit for the citizens of Lakeville.

## **Introduction**

The Town of Lakeville Community Preservation Committee is pleased to present the 2022-2023 Lakeville Community Preservation Plan (The Plan). The Plan presents a description of the Community Preservation Act as it applies to Lakeville, includes procedures by which the CPA is administered, identifies CPA funding goals, outlines the process for eligible projects, and funding projects.

The Lakeville Community Preservation Committee (CPC) is appointed as mandated in the Community Preservation Town bylaw and charged with overseeing the town's CPA funds, making annual allocations and spending recommendations at Town Meeting.

This plan will serve as a guidance document for Applicants seeking project funding through the CPA. The Plan is to be reviewed annually and may be modified in response to changing goals within the CPA over time.

For information on Lakeville's Community Preservation Act, please visit the town's website at [www.lakevillema.org/communitypreservationcommitttee](http://www.lakevillema.org/communitypreservationcommitttee).

Questions or comments regarding Lakeville's Community Preservation Act may be directed to the Committee at [CPC@lakevillema.org](mailto:CPC@lakevillema.org).

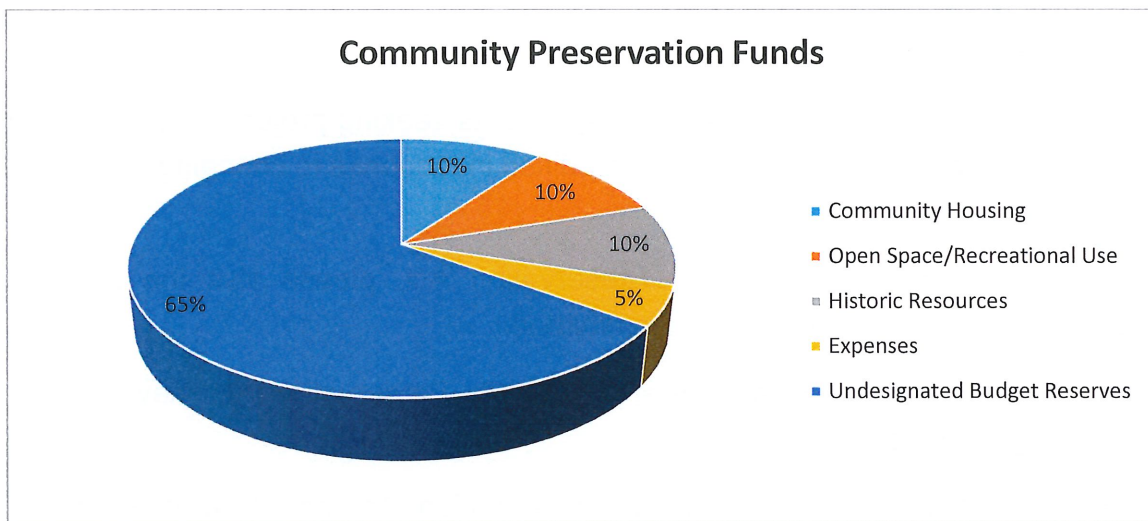
For additional information on the Community Preservation Act and how it is being applied in municipalities across the Commonwealth, please visit the Community Preservation Coalition website at [www.communitypreservation.org](http://www.communitypreservation.org)



## Community Preservation Act in Lakeville

The Community Preservation Act (CPA) is a smart growth tool that helps communities preserve open space and historic sites, create affordable housing, and develop outdoor recreational facilities. On April 4, 2022, Lakeville became the 188<sup>th</sup> community to pass CPA. Until this point, there was no steady funding source for preserving and improving a community's character and quality of life. The CPA is a 1% surcharge on your real estate tax minus \$100,000 exemption which goes into a special fund and receives a state match annually. The match comes from a fee that is charged state-wide at the registry of deeds and is distributed among the communities that have adopted CPA. The state match varies from year to year depending on the number of communities that have CPA and the revenue received from the registry of deeds in fees. In the past few years, state legislation has allocated state budget surplus funds into the CPA Trust fund to increase the amount of money going to CPA communities. The match can vary from year to year. For the average assessed home in Lakeville, the total surcharge is around \$40 per year. Low income households and seniors can file for an exemption with the assessor's office.

Proceeds from the Community Preservation Act are collected and deposited into special municipal accounts identified for Community Housing, Historic Resources, Open Space & Recreation Use, Expenses, and Budget Reserves.



CPA funds may be used to acquire, create and preserve Open Space; acquire, rehabilitate and preserve historic resources; acquire, create, preserve and support Community Housing; acquire, create rehabilitate and preserve land for Recreational use and rehabilitate Open Space and Community Housing that is acquired or created with CPA funds.



## **Community Preservation Committee: Formation and Responsibilities**

The Community Preservation Committee bylaw was adopted at Town Meeting on June 13, 2005. CPA was passed at the Spring Town Elections on April 4, 2022 and the CPC was appointed in July 2022 with the committee formally meeting in August 2022. The Committee consists of nine members, including 4 at-large members and five members representing the Conservation Commission, Historic Commission, Planning Board, Parks Commission, Open Space Committee.

The first responsibility for this Committee is to study the needs, possibilities and resources of the community with regards to community preservation. In performing this research function, the CPC must meet and consult with other municipal boards and committees to get their input, and must hold at least one public hearing annually to get input from the general public. Following its research, the CPC is responsible for developing a local CPA plan to guide its decision-making on CPA project proposals.

The second responsibility of the CPC is to accept project proposals from the community and town boards by way of an application, conduct a review, and make recommendations to the community. Once the CPC has voted on any projects to recommend, along with the specific dollar amounts and CPA funding sources it recommends to complete them, it will be presented to the Town Meeting for the residents to vote.

## **CPA Funding Requirements**

Each fiscal year Lakeville must spend or set aside for later spending a minimum of 10% of its annual CPA funds for each of the three categories: Open Space/Recreation, Community/Affordable Housing, Historic Preservation. Up to 5% can be used toward administrative expenses of the CPA. The remaining 65% may be appropriated for CPA projects in any category or transferred to an undesignated Budget Reserve account for the balance of the fiscal year. Any funds that remain unappropriated at the end of the fiscal year are deposited in the CPA Undesignated Funds Balance for use in future years. Additional funds can be obtained by bonding against future CPA revenue stream in order to fund large projects for which adequate CPA funds are not currently available. Another method of obtaining additional funds is leveraging from state and federal grant programs, other local funds, non-profit organizations, and/or private entities funds, which are kept separate from the town budget and cannot be used for any other purpose by the town.

A recommendation by the Committee and an appropriation by Town Meeting are both required to spend any CPA Funds for community preservation purposes. Appropriations from the CPA Fund, except in the cases of bonding are made by a simple majority vote. Borrowing money for CPA purposes require a two-thirds majority vote at Town Meeting.

Town Meeting may approve, reduce, or reject any amount of spending appropriation recommended by the Committee. At the Committee's recommendation, Town Meeting may also decide to set aside all or part of the annual CPA Fund revenues for later spending by allocating revenues to a reserve for one or more community preservation targeted categories.

Town Meeting may not, however, increase any recommended appropriation or reservation. Town Meeting may not appropriate or reserve any CPA fund monies on its own initiative, without a prior favorable recommendation by the Committee.

All residents are welcome to attend the Committee meetings. The times and locations are posted on the Town website, [www.lakevillema.org](http://www.lakevillema.org) under Town Calendar.

### **Supplanting Other Costs (Not Allowed)**

CPA funds are intended to augment municipal funds, not replace existing funding. To this end, CPA funds may not be appropriated to pay for project costs that have already been appropriated from another source. Any CPA eligible costs for a project that are identified in a municipality's capital improvement program are eligible for funding under the Act, if the municipality has not made a prior funding commitment to pay for such costs.

### **Leveraging CPA Funds**

CPA funds may be used as a municipality's matching monies for state and federal grant programs that required a local match such as the Massachusetts Housing Partnerships Soft Second Program, state Department of Housing and Community Development (DHCD) Self-Help program, Massachusetts Preservation Program Fund (MPPF), and the Executive Office of Environmental Affairs (EOEA), Massachusetts Forest Legacy program, Self-Help and Urban Self-Help programs. CPA funds can also be used as matching or starting monies to acquire grants from private organizations or individuals such as the Nature Conservancy or the Wildlands Trust of Southeastern Massachusetts, among others.

### **Bonding**

The authorization to bond CPA funds is in Section 11 of the Community Preservation Act (MGL c.44B) which states that CPA communities may issue general obligation bonds in anticipation of revenues to be raised through the local CPA surcharge. Note that in calculating how much of a bond can be issued under CPA, a community can only bond against the local surcharge portion of the revenue, not the trust fund matching portion. Bonded projects must pass at Town Meeting by 2/3 vote. This can be a powerful tool to successfully achieve projects that come with a larger price tag.

### **Gifts to Community Preservation Fund**

The Town of Lakeville can accept monetary gifts to the Community Preservation Fund. Gifts can be designated for specific purposes consistent with the four statutory categories: open space, community housing, historic preservation, and recreation. Gifts may be made in a variety of forms, including cash

or securities. Gifts to the Town of Lakeville are tax-deductible to the full extent allowed under the Internal Revenue Code. For more information, please contact the Committee Chair at [cpc@lakevillema.org](mailto:cpc@lakevillema.org).

## Use of Community Preservation Act Funds

Community Preservation Act funds must be used for public community preservation purposes that benefit the public. The following guidelines summarize these public purposes.

Community preservation is defined by the Act as, “the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation and preservation of land for recreational use; for the acquisition, creation, preservation and support of community housing that is acquired for created.”

Preservation is defined as, “the protection of personal or real property from injury, harm or destruction, but not including maintenance”.

CPA Fund monies may be spent to undertake the following primary community preservation purposes:

- ***The acquisition, creation, and preservation of open space.*** Open space, as defined by the CPA, “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 water marshes and other wetlands, river, stream, lake and pond frontage, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use.”
- ***The acquisition, creation, preservation, and support of community housing.*** The CPA defines community housing as, “low-and moderate-income housing for individuals and families, including low-or moderate-income senior housing.” The term “support” includes expenditures such as development of a Housing Needs Assessment for the town, or creating a rental assistance program for income-eligible residents, recommend, wherever possible, the reuse of existing buildings or the construction of new buildings on previously developed sites.
- ***The acquisition, preservation, rehabilitation, and restoration of historic resources.*** The CPA recognizes historic resources as, including “a building, structure, vessel, or real property that is listed or eligible for listing on the State register of historic places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture, or culture of a city or town.” For CPA purposes, the local historic preservation commission is the Town of Lakeville Historical Commission.
- ***The acquisition, creation, and preservation of land for recreational use.*** The CPA defines recreational use 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 nor the creation of artificial turf fields.”



Community Preservation Act funds may also be used for the following purposes:

- The “rehabilitation or restoration of open space and community housing that is acquired or created” using CPA monies.
- Revenues set aside for later spending.
- Annual administrative and operating expenses of the Committee, not to exceed 5% of the Fund’s estimated annual revenues.
- Annual principal and interest payments, preparation, issuance, and marketing costs for bonds or notes for borrowings for community preservation purposes.
- Damages payable to property owners for real estate interests taken by the Town by eminent domain for community preservation purposes.
- Local share for state and federal grants for allowable community preservation purposes.
- Property acquisition-related expenses including appraisal costs, expenses for title searches, and closing fees.

Community Preservation Act funds **MAY NOT** be spent for the following purposes:

- As a replacement or substitute for operating funds. The CPA is a supplementary funding source intended to increase available resources for community preservation acquisitions and initiatives.
- Payment for routine maintenance, defined as, the upkeep of any real or personal property.
- Gymnasiums, stadiums, or any similar structure, artificial turf.
- Projects without a public purpose or public benefit.

The chart provided on the next page, offered by the Community Preservation Coalition, is intended to guide both the CPC and potential applicants on allowable use of CPA funds to determine project eligibility.

## Lakeville Community Preservation Program – Allowable Spending Purposes

Project Eligibility & Terms <sup>1</sup>	Open Space	Recreation	Community Housing	Historic Preservation
	<i>Land to protect:</i> • existing and future well fields • aquifers and recharge areas • watershed land • agricultural land • grasslands • fields • forest land • marshes and other wetlands • river, stream, lake and pond frontage • lands to protect scenic vistas • land for wildlife or nature preserve • land for recreational use	<i>Land for active or passive recreational use including but not limited to:</i> • community gardens • trails • noncommercial youth and adult sports • use as a park, play-ground, or athletic field.  <i>Shall not include horse or dog racing, artificial turf, or the use of land for a stadium, gymnasium, or similar structure.</i>	<i>Housing for low- and moderate-income individuals and families, including low- or moderate-income seniors age 60+:</i> • Moderate Income is less than 100% of US HUD Area Wide Median (AMI).• Low Income is less than 80% of AMI.	Buildings, structures, vessels, real property, documents, or artifacts State Register of Historic Places or determined by the Historic Commission to be significant in the history, archeology, architecture, or culture of Water-town.
<b>ACQUIRE</b> <i>Obtain by gift, purchase, devise, grant, rental, purchase, lease or otherwise.<sup>2</sup></i>	YES	YES	YES	YES
<b>CREATE</b> <i>To bring into being or cause to exist.<sup>3</sup></i>	YES	YES	YES	NO
<b>PRESERVE</b> <i>Protection of personal or real property from injury, harm, or destruction.</i>	YES	YES	YES	YES
<b>REHABILITATE/RESTORE</b> <i>Capital improvements, or the making of extraordinary repairs for the purpose of making [a resource] functional for its intended use including but not limited to improvements to comply with ADA, MAAB<sup>4</sup>, and other federal, state, local regulations, or access codes or federal standards for historic properties.</i>	YES If acquired or created using CPA funds	YES	YES If acquired or created using CPA funds	YES
<b>SUPPORT</b> <i>Provide grants, loans, rental assistance, security deposits, interest-rate write downs or other forms of assistance directly to individuals and families who are eligible for community housing, or to an entity that owns, operates, or manages such housing for the purpose of making housing affordable.</i>	NO	NO	YES	NO

<sup>1</sup> This chart is adapted from versions created by the Department of Revenue and the Community Preservation Coalition: [communitypreservation.org/allowable-uses](http://communitypreservation.org/allowable-uses)

<sup>2</sup> Specifications for eminent domain can be found in MGL c.44B §.5(e)

<sup>3</sup> Seideman vs. City of Newton, 452 Mass. 472 (2008)

<sup>4</sup> ADA - Americans with Disabilities Act; MAAB - Massachusetts Architectural Access Board



While the Lakeville Community Preservation Plan establishes goals for the types of projects that may receive CPA funding, the CPA legislation defines the types of projects that are eligible to receive funding. Projects seeking CPA funding that do not fit within one or more of the allowable uses cannot be considered by the Committee.

For examples of projects that have been funded in other communities, see the Community Preservation Coalition's webpage ([www.communitypreservation.org](http://www.communitypreservation.org)).

## **COMMUNITY HOUSING**

As of 2022, Lakeville does not have a Housing Authority, and housing lotteries are administered through the Middleborough Housing Authority.

According to the Massachusetts Subsidized Housing Inventory listing, dated December 21, 2020, Lakeville has a total housing stock of 4,534 year-round housing units, 433 development units, and 250 units of Subsidized Housing Inventory (SHI), with a percentage of 6.5%.

The Commonwealth of Massachusetts Chapter 40B statute allows eligible affordable housing developments to receive a comprehensive permit, even when projects require waivers of local zoning. In cities and towns that achieve 10% of the state standard for affordable production goals, Zoning Boards of Appeals may reject 40B proposals giving those communities greater discretion over 40B development. Municipalities that have not achieved minimum affordable housing production thresholds have a more limited ability to reject 40B proposals.

The CPA statute defines community housing as housing for low and moderate income individuals and families, including senior housing. Low-income housing is for households whose annual income is less than 80% of the area-wide median income. Moderate income housing is for households whose annual income is less than 100% of the area-wide median income. The area-wide median income is determined annually by the U.S. Department of Housing & Urban Development (HUD).

Lakeville's estimated Area-Wide Median income for a family of four is \$156,204, a moderate income limit for property owned & occupied by a senior 65 or older of \$71,029. (Source: US Census)

CPA funds can be used for housing units serving households of 80%-100% of the area median income even though they will not count towards Lakeville's 10% (SHI-Subsidized Housing Inventory). At present 250, or 6.5% of Lakeville's Housing Units are classified as affordable or "subsidized housing" by the State's Department of Housing and Community Development (DHCD) for purposes of Community Preservation Program and Plan.

A minimum of 10% of the annual CPA revenues must be spent or reserved for the acquisition, creation, preservation, rehabilitation, and support of community housing.



CPA funding for COMMUNITY HOUSING may be utilized to assist in:

- The acquisition, creation, preservation, and support of community housing. The CPA defines community housing as, “low- and moderate – income housing for individuals and families, including low or moderate income senior housing.” The term support includes expenditures such as development of a Housing Needs Assessment for the town, hiring a Housing Coordinator, or creating a rental assistance program for income eligible residents.

### **Community Housing Goals**

- Meet or exceed at least one of the State standards for SHI so that Lakeville is no longer vulnerable to Chapter 40B housing developments, i.e. projects that contribute to the town’s 10% affordability.
- Ensure that new affordable housing is harmonious with the existing community by making sure that proposed projects are in line with the Lakeville Open Space and Recreation Plan, and with existing Zoning Bylaws.
- Strive to keep the current SHI units in perpetuity rather than see those units expire.
- Promote use of existing buildings or construction on previously developed or town-owned sites.

## **HISTORIC RESOURCES**

The area known as Lakeville contains evidence of the oldest Native American settlement in Massachusetts. The Massachusetts Historical Commission considers the Assawompset Pond Complex the most significant archaeological site in Southeastern Massachusetts, providing evidence of approximately 10,000 years of continuous habitation by native populations. After the conclusion of King Philip War, a conflict between the English settlers of this area and the Wampanoag Federation in the mid-1670s, Wampanoag occupation, of what is now Lakeville, continued for an unusually long period of time, especially in the area of Betty’s Neck.

In the early 1700s settlers moved to what was then considered western Middleborough, originally to the areas of present day Main Street and Pierce Avenue, sustained by extensive forests for fuel and lumber and fertile soil for agriculture.

Breaking away from Middleborough, Lakeville was incorporated as a town in 1853. Lakeville is a town with a rich history of industry and agriculture.

Lakeville has both a Historical Commission, which is a branch of Town Government, and a Historical Society, which is a private non-profit organization dedicated to preserving the town’s history and maintaining the Lakeville Historical Museum.

The Historical Museum is home to Native American artifacts and other items significant to Lakeville’s vital history and of interest to residents.

The Historical Commission is responsible for oversight of Lakeville's historical assets. The Commission maintains the Veterans Honor Roll and the Veterans Brick Walkway. It plans the town's Memorial and Veterans Day observances as well as the town's anniversary celebrations.

Historic Resources are defined by the CPA as a building, structure, vessel, real property, document or artifact that is listed on the State Register of Historic Places or has been determined by the local historic preservation commission to be significant in the history, archaeology, architecture, or culture of a city or town.

Historic resources must meet one of the following two (2) criteria prior to being considered for CPA funding:

- the historic resource must be listed on the Massachusetts State Register of Historic Places OR
- it must be determined by the local historical commission that the historic resources are locally significant.

If the proposed CPA project has not met one of these two criteria, IT IS NOT ELIGIBLE FOR CPA FUNDING.

Lakeville currently has two sites on the National Register of Historic Places – the Historic Town House at the intersection of Bedford Street and Precinct Street and the Royal Wampanoag Cemetery on Route 105. Listing on the National Register, Commonwealth (State) Register of Historic Places or Lakeville's Inventory of Historical Assets provides some protection for historical resources. Projects that affect historical resources may be required to undergo review by the Commonwealth or the town.

Goal 5-2 of the Lakeville 2030 Master Plan is to "complete and implement a Historic Preservation Plan". This plan should identify any and all locations of historical significance throughout Lakeville with a goal of the creation of a Historic District article to be presented at a future town meeting.

Areas in town which have already been identified as historically significant include:

- The intersection of Routes 18 & 105, encompassing the Historic Carnegie Lakeville Public Library, the Historic Town House, World War I Dickran Diran Square, and the Lakeville United Church of Christ, the former Precinct Congregational Church moved to the site of the Washburn House. This area should be designated as Lakeville's first Historic District.
- Tack Factory Neighborhood along Taunton Street
- The Pierce Avenue area

#### Historic Structures of Note:

- Town owned: Historic Town House, Historic Carnegie Lakeville Public Library, Town Office and Fire Station Building
- Privately owned: Lakeville United Church of Christ, Hilltop Farm, Lakeville Historical Society Museum (formerly Grove Chapel Congregational Church) and the Sailor's Home Tower

#### Landscapes of Note:

- Lakeville has seven designated scenic roadways: Pierce Avenue, Crooked Lane, Long Point Road, Mill Street, Southworth Street, Kingman Street, and Old Main Street
- Vistas along the Nemasket River
- Views across Assawompset Pond
- Betty's Neck/Assawompset Pond Complex

#### Sites of Historic Interest:

- Tack Factory Site
- Ted Williams Camp/O.K. Gerrish Nursery
- Sites of Native American occupation at Betty's Neck and other sites
- Thompson Hill Cemetery
- Pond Cemetery

A minimum of 10% of the annual CPA revenues must be spent or reserved for the acquisition, preservation, and restoration of historic resources.

CPA funding for HISTORIC RESOURCES may be utilized to assist in:

- The acquisition, preservation, rehabilitation, and restoration of historic resources. The CPA recognizes historic resources as, including "a building, structure, vessel, or real property that is listed or eligible for listing on the State register of historic places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture, or culture of a city or town." For CPA purposes, the local historic preservation commission is the Town of Lakeville Historical Commission.



## **Historic Preservation Goals**

- Recognize, preserve and enhance the historic heritage of Lakeville.
- Preserve and/or restore properties of historical, architectural, archaeological, and cultural significance to Lakeville.
- Preserve and protect the remaining historic character of Lakeville, including houses, barns, outbuildings, churches, cemeteries, monuments, stonewalls, and scenic roadways.
- Update and maintain Historic Asset Survey forms.

Applicants are encouraged to review available resources prior to submission of an application under historic resources. See also “Qualifying Historic Projects for CPA Funding” flowchart prepared by the Community Preservation Coalition included in the Appendix attached hereto. Projects using CPA funds on historic resources must adhere to the U.S. Secretary of Interior’s Standards for the Treatment of Historic Properties.

## **OPEN SPACE and RECREATION**

The CPA statute defines Open Space as land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh water marshes and other wetlands, river, stream, lake and pond frontage, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use.

The Town of Lakeville, is a community with a diversity of natural resources and open space surrounded by three large waterbodies – Quittacas, Assawompset, and Long Pond occupying approximately 4,000 acres. There are various levels of development within these waterbodies. Quittacas and Assawompset shores are completely or largely protected from development however Long Pond is not protected and is heavily developed. Over the years this has led to a negative impact on water quality. Conversion of natural areas to impervious, increased storm water volumes which leads to localized flooding. Flooding may cut off access to major thoroughfares, damage shorefront property and septic systems, and further threaten water quality.

The town is currently updating its Open Space Plan which will reflect Lakeville’s continued commitment to protecting, maintaining, and expanding its open space and natural resources. Lakeville has experienced a significant increase in residential growth and development, straining its open space and natural resources. The updated OSP shall identify and help facilitate the preservation and protection of Lakeville’s natural landscapes and identify priority land for habitat and water resource protection.

It is important to note a permanent deed restriction is required for all real property interests acquired under CPA for “open space”. This restriction must be filed as a separate instrument, such as a Conservation Restriction (CR) or Agricultural Preservation Restriction (APR).

A Conservation Restriction (CR) is a legal agreement that prevents development and other activities on important natural and recreational resources like drinking water supplies, agricultural lands, wildlife habitat, and hiking trails. Although not as common, a CR can also be placed on active recreational land such as recreational fields and parks. A CR is a legal document, approved by the state's Executive Office of Energy and Environmental Affairs and filed at the Registry of Deeds, which details exactly what activities can and cannot take place on the parcel of land in question.

A minimum of 10% of the annual CPA revenues must be spent or reserved for the acquisition, creation, preservation, and restoration of open space (and recreational use).

CPA funding for OPEN SPACE may be utilized to assist in:

- The acquisition, creation, and preservation of open space. Open space, as defined by the CPA “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 water marshes and other wetlands, river, stream, lake and pond frontage, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use.”

### **Open Space Goals**

- Preserve the rural character of Lakeville to protect water resources, wildlife corridors and habitats, retain and preserve cultural aspects of Lakeville, establish outreach programs with farmers, and maintain strong rural zoning regulations.
- Enhance open space and recreational opportunities to establish strong representation with other town boards, improve handicap accessibility on town open spaces, develop “Guide-to-Use” data for Open Spaces, organize education guided walks on town trails and create an interactive map on the town website of open space and recreational regions.
- Create administrative structure and channel growth so as to preserve the unique quality of the Town and its natural, cultural and historical resources to work to enhance By-Laws that protect open space, place conservation and agricultural restrictions on valuable town properties, to acquire grant funds to purchase valuable open space parcels in Lakeville, complete assessment town owned open land and develop a criteria for protection and preservation, and review properties in Chapter 61 categories to ensure open space remains up to date.
- Improve trailhead parking and access to open space assets in Lakeville.
- Develop a linked system of conservation and recreation areas for human and wildlife use, prioritizing parcels that abut existing protected land parcels.

## RECREATIONAL USE

The CPA statute defines recreational use as active or passive use including, 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 for a stadium, gymnasium or similar structure.

Lakeville has over 200 acres of recreation land which includes a number of town-owned parcels offering passive recreation, 5 town facilities for active recreation (playgrounds and playfields). Many of these town recreational amenities may be undersized/inadequate, lack of proper drainage/irrigation, in need of repair, and do not meet ADA (American Disabilities Act) or MAAB (Massachusetts Architectural Access Board) requirement standards.

A minimum of 10% of the annual CPA revenues must be spent or reserved for the acquisition, creations, preservation, and restoration of recreational use (and open space).

CPA funding for RECREATIONAL USE may be utilized to assist in:

- The acquisition, creation, and preservation of land for recreational use. Recreational use as defined by CPA, is “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 fields.

### Recreational Use Goals

- Comply with ADA & MAAB requirements and standards.
- Improve trailhead parking and access to recreational assets in Lakeville.
- Create additional active recreational amenities, such as a large municipal playground, multi-use fields, tennis courts, pickle ball courts, walking paths, x-country course, dog park;
- Improve existing ballfields, courts, playgrounds, and bathroom facilities.
- Acquire land for additional athletic fields and/or passive recreation opportunities throughout town.
- Create/Establish a town-wide trail system (including trailhead signage and trail markings).
- Promote/Improve water-based recreational activities.

Note: CPA funds CANNOT be used for maintenance, artificial turf or to supplant current municipal funding.



## GENERAL EVALUATION CRITERIA

All projects must meet the following minimum criteria:

- Projects with a feasible project plan that demonstrates the best approach and timeline for implementation.
- Projects must demonstrate administrative and financial management capabilities of the applicant.
- Projects must demonstrate a means of support for maintenance and upkeep.
- Projects must show community support and a positive impact to the community.
- Projects that have support from other relevant Town Boards and Committees.
- Projects that can show support from the abutters.

Projects that can also demonstrate some of the following additional criteria will be given preference over projects that only meet the minimum criteria.

- Projects that can provide other sources of funding from outside sources, making our money go further and have a greater impact on our community.
- Projects that protect lands critical to the protection of our natural resources, i.e. the acquisition of critical parcels to protect the regions water resources, including riparian zones and watersheds.
- Projects that implement open space and recreational planning on a regional basis.
- Projects that fulfill more than one purpose of the CPA: Open Space or Recreation, Historic Preservation, Community Housing.
- Projects where the applicant has successfully implemented other projects of similar scale or otherwise demonstrate the ability and competency to implement this project.
- Projects that ensure preservation of currently owned Town assets.
- Projects that involve acquisition of threatened resources.
- Projects where all permits and Board reviews are in place.

### **Criteria Specific to Open Space**

- Projects that protect important wildlife habitat including areas that are of local significance for biodiversity or preserves a habitat for threatened/endangered species of plant or animal.
- Projects that preserve the remaining elements of Lakeville's rural and agricultural character.
- Projects that protect both surface and ground water supplies including drinking water, wetlands, aquifers, and riparian zones.
- Projects that restore environmental resources, including removal of invasive species.
- Projects that support development of environmental educational resources
- Projects that preserve small tracts of undeveloped land that contribute to other open space goals, such as smaller parcels that are located adjacent to protected open spaces, or that preserve corridor linkages between larger open space parcels.
- Projects that preserve or expand priority parcels as listed in Lakeville's Open Space and Recreation Plan.
- Projects that provide flood control/storage.

### **Criteria Specific to Recreation**

- Projects that provide or expand opportunities for both active and passive recreation.
- Projects that support multiple recreational uses.
- Projects that enable the usage of recreational space for all ages and abilities.
- Projects that maximize use of Town owned land.
- Projects that improve existing ballfields, courts and playgrounds, and canoe/kayak access.
- Projects for land acquisition that provide for new or expanded recreational uses.
- Projects that promote water-based recreational activities, i.e. canoe/kayak access.

### **Criteria Specific to Community Housing**

- Projects that provide a variety of housing opportunities that serve all segments of Community, including seniors, smaller households, and low/moderate income households.
- Projects that ensure long term affordability in perpetuity.

## **Criteria Specific to Historic Preservation**

- Projects that protect, preserve, enhance, and/or rehabilitate the historic integrity of a property or site.
- Projects that prevent the potential loss or destruction of a historic, cultural, architectural, or archeological resource if action is not taken.
- Projects that protect, preserve, enhance, and/or rehabilitates the historical function of a property or site.
- Projects that demonstrate a public benefit.

## **HOW TO APPLY FOR FUNDING**

Lakeville's CPC accepts applications for funding on an annual basis. The application is a two-step process. Applicants must first submit a simple one-page Step One application describing the project and an estimated budget.

The Step One lets the CPC know how many potential projects to plan for, and it gives the applicant a chance for feedback before completing a more detailed Step Two application. If the CPC determines the project is eligible, applicants are then asked to submit a Step Two showing the project meets both statutory local eligibility requirements. The application can be found on page 23 and the town website at [lakevillema.org](http://lakevillema.org) on the Community Preservation Committee tab.

In open public meetings, the CPC considers each funding application based on the project's merits and available funding. The CPC may request changes to the application or funding request.

After reviewing applications, the CPC decides by majority vote which projects and how much funding to approve. The CPC then brings those recommendations as warrant articles to the Town Meeting. The Select Board may not increase funding nor consider requests that do not come with CPC recommendation. Funds approved at the Town Meeting will be available for projects to begin work.

Under special circumstances, Lakeville's CPC may consider an application submitted after the deadlines. The most common circumstances are the availability of real property on the market; or time-sensitive stabilization of a historic asset damaged by flood, fire, or other emergencies, not normal deterioration. Applicants must first submit a letter requesting special application status outside of normal grant deadlines and may submit a Step One at the same time. The application must be submitted with sufficient time for the CPC to hold two regular meetings for hearings before the next annual or special Town Meeting.

The CPC gives strong preference to projects that can provide a meaningful match of the total budget through other sources, such as state and private grants, other Town Budgets, private donations, fundraising, and volunteer or in-kind contributions of materials and labor.

## **CPA FUNDING AWARD PROCESS**

Following the conclusion of Town Meeting, each successful applicant will receive an award letter from the Community Preservation Committee confirming its funding award. The letter will be accompanied by either a Memorandum of Understanding (town projects), outlining the agreed upon scope of the project, or a Grant Agreement (non-town projects), outlining the agreed upon scope of the project, any conditions and terms of the funding. Grant Agreements must be signed and returned to the Town of Lakeville before project start. Applicant shall meet with the CPC to review project scope, timelines, milestones and CPA funding disbursement process. The Community Preservation Committee shall issue award letters for projects approved at Town Meeting with information on the funding amount, funding conditions, project modifications (if any), CPC Admin contact information, and guidelines for project execution. Projects receiving CPA funding shall credit this source of funding in promotional materials and where appropriate at the project location. Except for town-sponsored projects, a Grant Agreement prepared by the CPC must be signed by the applicant (Awardee) after the project has been approved at Town Meeting and before CPA funds are to be disbursed. Applicants must recognize the CPA as a funding sources for their project. This recognition should appear on any materials involving the project, such as press releases, brochures, etc. In order for Lakeville residents to see the results of their tax funding, a CPA sign shall be displayed on the property on a case-by-case basis, as determined by the CPC. Signage indicating CPA support shall be made available through the CPC.

## **PROJECT IMPLEMENTATION**

Each project recipient is expected to implement the approved project work in accordance with the Grant Agreement or Memorandum of Understanding. Any material changes to the project from what was represented at Town Meeting shall require prior approval from the CPC to ensure that such changes are CPA eligible expenditures and within the scope of the project as approved by Town Meeting. Any appropriated CPA project funds not expended at the completion of the approved work will be returned to the CPA account from where they were appropriated. Unless there is a compelling and documented reason, projects receiving CPA funds must be completed within 24 months following Town Meeting approval. The CPC may recommend at a subsequent Town Meeting the rescission of any authorized CPA funds remaining unexpended or undocumented after 12 months.

## **AVAILABILITY OF AWARDED CPA FUNDS**

Funds for approved CPA projects will be available following Town Meeting, subject to satisfying any conditions or procedures established by the CPC. Invoices for work completed or CPA funds allocated for approved projects shall be submitted to the CPC together with a Project Status Report form prepared according to the Request for Funds Guidelines. (See Appendix)

## **DISBURSEMENT AND USE OF CPA FUNDS**

CPA funds are public funds raised from dedicated Lakeville revenues and from State subsidies. Projects financed with CPA funds must comply with all applicable State and municipal requirements, which requires special procedures for the selection of products, services, consultants, etc. Contracts for goods and services must be awarded to the lowest qualified bidder, which may be someone other than who assisted the applicant with a project application. Project purchases cannot be split or manipulated to avoid State procurement laws. The CPC will provide successful applicants with a memo describing the completed award process, which adheres to the guidelines of the Massachusetts Procurement Law. In general, funds may be spent only on items listed on the submitted budget in the application. All changes to budgets must receive prior approval by the CPC. Funding from the CPC may not be used to replace or free up for any other use, alternate funds or revenue sources. In certain situations, funds may not be disbursed until there is an appropriate deed restriction or the Department of Revenue, the Department of Conservation & Recreation, the Massachusetts Historical Commission, or the Department of Housing & Community Development (as appropriate) must be satisfied with the status of the restriction. Projects for which 50% (or other fraction) of costs will be paid from awarded CPA funds will be reimbursed on the basis of 50% (or other fraction) of actual expenditures up to the amount of the total CPA grant, and as may be detailed in project milestones reviewed and approved by the CPC. CPA funding for project involving properties or artifacts which are owned by nonprofit organizations is conditioned on the public benefit received from the completed work. The sale or gift of these properties or artifacts within five (5) years from the date of the award letter shall require the reimbursement of the entire amount awarded unless the CPC waives this requirement in part or in its entirety.

Funds are to be administered and disbursed by the Town of Lakeville according to municipal disbursement procedures. Applicants should note Chapter 30B of the Massachusetts General Laws, the Uniform Procurement Act, establishes uniform procedures for local governments to use when contracting for supplies, services, and real property. Project oversight, monitoring and financial control are the responsibility of the Community Preservation Committee or its designee. When the project is completed, any and all unused funds shall be returned to the Lakeville Community Preservation Fund. The CPC, from time to time may request project status updates from CPA fund recipients. The purpose of such updates is to track the progress of funded projects, aid the CPC in refining the Community Preservation Plan and identify issues that may assist future applicants. For construction projects, CPA funding recipients may be asked to instruct their general liability insurer to add the Town of Lakeville as an additional insured as related to the specific CPA funded project, and to require all contractors of the project do the same. Proof of coverage must be submitted for the CPC files prior to first request for reimbursement.

## **REQUESTING AWARDED FUNDS**

Invoices for work completed or for funds allocated for approved projects shall be submitted and signed by the applicant, accompanied by a Request for Funds form submitted to the Community Preservation Committee for review and processing. Each Request for Funds form must include an updated project status report, original invoices, receipts and canceled checks. Payments will be made directly to the applicant unless the applicant is a Town of Lakeville department. If an invoice has already been paid and requesting reimbursement, include copy of the cancelled check attached to the invoice. If payment is for contracted services, a copy of the fully executed contract shall accompany the request for payment. Additionally, the CPC shall require a detailed report of billable hours, if applicable. State law prohibits reimbursement for sales tax; invoices shall identify and appropriately reflect this. The CPC may appoint the CPA Administrator or authorize the CPC Chair to process certain payments. Requests for funds above \$10,000 are to be voted on by the Community Preservation Committee.



## APPENDIX



## Town of Lakeville

COMMUNITY PRESERVATION COMMITTEE

346 Bedford Street  
Lakeville, MA 02347  
774-776-4350

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Date \_\_\_\_\_

### Application for Eligibility Determination – Step 1

Project Title: \_\_\_\_\_

Name of Entity, Group, or Committee \_\_\_\_\_

Address \_\_\_\_\_

Telephone: \_\_\_\_\_ Email \_\_\_\_\_

Contact Person \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Application Category: Housing \_\_\_\_\_ Historic \_\_\_\_\_ Open Space/Recreation \_\_\_\_\_

Describe your project: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Amount of CPA funds Requested: \_\_\_\_\_ Total Estimated Cost: \_\_\_\_\_

Describe the level of planning which has occurred: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please attach the following:

Assessors tax card and map

Photos if applicable

Plans/sketches if applicable

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

## Is Your Project Allowable?

	Open Space	Historic	Recreation	Housing
<b>Aquire</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>
<b>Create</b>	<b>YES</b>	<b>NO</b>	<b>YES</b>	<b>YES</b>
<b>Preserve</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>
<b>Support</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>	<b>YES</b>
<b>Rehabilitate and/or Restore</b>	<b>NO</b> (unless aquired or created with CPA \$\$)	<b>YES</b>	<b>YES</b>	<b>NO</b> (unless aquired or created with CPA \$\$)



## Town of Lakeville

COMMUNITY PRESERVATION COMMITTEE

346 Bedford Street

Lakeville, MA 02347

774-776-4350

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Date \_\_\_\_\_

### Application for Community Preservation Funding – Step 2 (Projects Must Have Received a Step 1 - Determination of Eligibility)

#### APPLICANT INFORMATION

Project Title: \_\_\_\_\_

Name of Entity, Group, or Committee: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Application Category: Housing \_\_\_\_\_ Historic \_\_\_\_\_ Open Space/Recreation \_\_\_\_\_

#### PROJECT INFORMATION:

Project Address \_\_\_\_\_

Map/Parcel: \_\_\_\_\_ Deed Book/Page: \_\_\_\_\_

Current Owner \_\_\_\_\_

Owners Address: \_\_\_\_\_

Owners Phone: \_\_\_\_\_ Owners Email: \_\_\_\_\_

Project Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Total Funding Requested: \_\_\_\_\_

Funding From Other Sources: Amount: \_\_\_\_\_

Source: \_\_\_\_\_

Timeline of Project: \_\_\_\_\_

If funding is requested for multiple years please attach a breakdown of the total project cost for each year, amount of CPC funds requested for each year, and amount of confirmed additional funding secured for each year. Also provide a schedule for the project indicating the tasks to be completed each year.

**REQUIRED ATTACHMENTS AS APPLICABLE:**

Detailed Description of Project  
Copies of Deeds  
Description of Property  
Maps  
Surveys  
Site Plans  
Appraisals  
Purchase and Sale Agreements  
Cost Proposals/Estimates  
Budget for Acquisition or Construction  
Letters of Commitment by Additional Funding Sources  
Letters of Support from Individuals or Organizations

**ADDITIONAL QUESTIONS AS APPLICABLE (If Yes, please explain):**

Does this project require urgent attention? Yes \_\_\_\_ No \_\_\_\_

\_\_\_\_\_

Does this project require permits or licenses from local boards or state offices? Yes \_\_\_\_ No \_\_\_\_

\_\_\_\_\_

Does this project require any long-term maintenance? Yes \_\_\_\_ No \_\_\_\_

\_\_\_\_\_

Does this project require any professional design or legal assistance? Yes \_\_\_\_ No \_\_\_\_

\_\_\_\_\_

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

# REQUEST FOR FUNDS/PROJECT STATUS REPORT GUIDELINES

## Lakeville Community Preservation Committee

1. Each "Request for Funds" form must include an updated project status report. If you need help, please contact your CPC Project Liaison. This form must be signed by the project applicant, as well as the CPC Project Liaison and CPC Chairperson.
2. The "Request for Funds" must include the original invoices, receipts and cancelled checks. Payments will be made directly to the Applicant unless the Applicant is a Town of Lakeville department. Please indicate on the "Request of Funds" form to whom the payment should be made out to, if it is not to be sent to the Applicant.
3. If an invoice has already been paid by your agency and you are requesting reimbursement, please have a copy of the cancelled check attached to that invoice or a PAID stamp and an authorized signature on that invoice, so that the CPC knows to reimburse your organization.
4. If payments are for contracted services, a copy of the signed contract should accompany the request. Additionally, we require a detailed report of billable hours (if applicable).
5. If charges are for newspaper ads, tear sheets must be provided. If this is not available, a copy of the advertisement showing the date of publication is required.
6. If charges are for travel, receipts are required (tickets, parking vouchers, food) as well as documentation regarding the reason for travel (i.e., program, agenda, registration form).
7. State Law prohibits reimbursement for sales tax or for tips and gratuities. Please adjust invoices appropriately to reflect this Town by-laws provide standardized limits for meals and mileage reimbursements. These limits are strictly adhered to by the CPC. No allowance is permitted for alcoholic beverages.
8. Please do not staple or paperclip anything in the Request of Funds packet. Insert the Request for Fund packet in a flat (9x12 or 10x13) envelope. Whenever possible make sure copies are on 8 ½ x 11 paper (i.e., a copy of a cancelled check for a bank statement should be copied onto a standard sheet of paper, not cut out and attached as is).
9. Requests for Funds above \$10,000.00 are voted on by the CPC at a monthly meeting (usually the fourth Wednesday for each month). All Requests for Funds and supporting documentation are to be submitted to the CPC Administrative Assistant. It is imperative that the Project Liaison and applicant have jointly reviewed the Request for Funds before it is submitted to the Committee by the CPC Project Liaison.
10. Completed requests must be in the CPC inbox located on the first floor of the Town Hall by no later than one week before the scheduled CPC monthly meeting.

Please do not hesitate to contact your Project Liaison or the CPC Administrative Assistant, (cpc@lakevillema.org) if you have any questions about how to submit a Request for Funds.



Lakeville Community Preservation Committee

**PROJECT STATUS REPORT  
REQUEST FOR FUNDS**

Project Title \_\_\_\_\_ Date: \_\_\_\_\_

Project Manager: \_\_\_\_\_ Federal Tax ID #: \_\_\_\_\_

Deed Restriction: On File \_\_\_\_\_ Pending \_\_\_\_\_ Exempt \_\_\_\_\_

Project Representative: (Contact Person) \_\_\_\_\_

Address: \_\_\_\_\_

Phone/Fax/Email: \_\_\_\_\_

Description of Request/Project Phase:

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Project Timeline/Schedule and approximate amounts of future Disbursements: \_\_\_\_\_

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The "Request for Funds" must include the original invoices, receipts and cancelled checks, or such other documents as the Committee may require. Please have a copy of the cancelled check attached to the invoices or a PAID stamp and an authorized signature on that invoice. If payments are for contracted services, a copy of the signed contract should accompany the request. Additionally, we require a detailed report of billable hours (if applicable).

Original Amount Approved: \$ \_\_\_\_\_ FY \_\_\_\_\_

Balance brought forward: \$ \_\_\_\_\_

AMOUNT REQUESTED HERE: \$ \_\_\_\_\_

Remaining Project Balance: \$ \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

CPC Project Liaison Signature: \_\_\_\_\_ Date: \_\_\_\_\_

CPC Chairperson Signature: \_\_\_\_\_ Date: \_\_\_\_\_

