

CPA for Natick

**A Proposal for the Adoption of the
Community Preservation Act (CPA) by the Town of Natick**

Findings and Recommendations of the 'CPA for Natick' Coalition | February 2022

‘CPA for Natick’ Coalition

The CPA for Natick Coalition is made up of volunteers from the Natick Affordable Housing Trust, Natick Open Space Advisory Committee, and the Natick Historical Commission, and other members of the community.

Since Summer of 2021, Coalition members have been reaching out to community leaders, Town Administration, Town Meeting Members, the Select Board and Finance Committee, local community groups, and to the statewide Community Preservation Coalition to learn more about the opportunities and challenges associated with adopting the CPA.

Based on what we have learned over the last six months, the Coalition has arrived at recommended CPA provisions and language for Town Meeting to consider, adopt, and include in a ballot question to be put before the voters in November 2022.

Coalition Members

Natick Affordable Housing Trust Fund
Ganesh Ramachandran, Jay Ball

Open Space Advisory Committee
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Note: All references to the word “Coalition” in this document refers to “CPA for Natick Coalition” and does not refer to the Community Preservation Coalition that was formed in the 1990s with the goal of achieving passage of the Community Preservation Act

Acknowledgements

The CPA for Natick Coalition thanks the following people who met with us and provided us with information and input regarding the potential adoption of the CPA in Natick

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Economic Development Committee: Paul Joseph, Scott Laughlin, Andrea Precoma, Douglas Landry, Athena Pandolf, Joseph Attia, David Pratt

Conservation Commission: Douglas Shepard, Matthew Gardner, Michael A Downey, Christopher Stillman, George Bain, Jeffrey J Richards

Steve Weisman, Patrick Dunne, Framingham CPA Study Committee

Community Preservation Coalition:
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Yes for Natick: Joshua Ostroff

Aerial Photos: Richard Ames/ Natick GIS

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Executive Summary

The Massachusetts legislature passed the Community Preservation Act (CPA) in 2000. The CPA's goal is to address the difficulties that municipalities including Natick have finding money for projects that improve the quality-of-life, sustain our environmental resources, and address housing inequities. These projects include protecting open space, expanding outdoor recreation, preserving historic buildings and landscapes, and creating affordable housing.

CPA permits cities and towns to create a Community Preservation Fund to support such projects. To date, 187 cities and towns have adopted CPA by local referendum. They have raised over \$2.65 billion for over 14,000 local community preservation projects, and received more than \$670 million in matching grants from the state.

Community preservation monies are raised locally through the imposition of a surcharge of up to 3% of the real estate tax levy. The CPA surcharge does not raise the tax rate for the adopting communities, it assesses a surcharge on property tax bills after they have been calculated based on the community's current tax rate. The Natick CPA Coalition is proposing a CPA surcharge of 1%, exempting the first \$100,000 of assessed residential property value, and exempting completely from surcharge the residence of any person who qualifies for low income housing or low-income senior housing. In FY 2022, the average residential property in Natick has an assessed value of \$606,080. Per our projection, this average residence would only pay a CPA surcharge of \$68.15 per year.

If adopted, the CPA could provide significant funding for open space preservation, outdoor recreation, historic preservation, and affordable housing projects in Natick. To that end, our coalition recommends that Town Meeting vote to place a referendum on CPA adoption on the November 2022 ballot. The anticipated voter turnout for the gubernatorial election is high, resulting in a large percentage of Natick voters to expressing their preference. Based on our research, assessment, and extensive grassroots outreach, we strongly recommend that our Town adopt the Community Preservation Act.

CPA for Natick Coalition

Natick Affordable Housing Trust
Open Space Advisory Committee
Natick Historical Commission



Lookout Farm
Photo: Richard Ames/ Natick GIS



CPA Overview



Photo: Martin Kessel

Community Preservation Act

The Community Preservation Act (CPA) is a state law passed in 2000 that allows Massachusetts communities to conduct a referendum to add a small surcharge on local property taxes. When combined with matching funds from the statewide Community Preservation Trust Fund, this dedicated fund is used to build and rehabilitate parks, playgrounds, and recreational fields, protect open space, support local affordable housing development, and preserve historic buildings and resources.

These revenues can only be used to fund the following categories:

- Open space protection
- Creation and rehabilitation of parks and outdoor recreation facilities
- Preservation of historic resource
- Creation and preservation of affordable housing.

A municipality must place collected proceeds in a restricted local Community Preservation Fund. A Community Preservation Committee (CPC) of citizens is responsible for recommending projects and their funding levels to Natick Town Meeting for final approval.

Cities and towns that adopt CPA obtain community preservation funds from two sources - a local property tax surcharge and a yearly distribution from the statewide CPA Trust Fund.

How does the statewide CPA Trust Fund work?

Trust fund revenues are derived from a surcharge placed on all real estate transactions at the state's Registries of Deeds. The surcharge for most documents filed at the Registries is \$50, which is immediately deposited the CPA Trust Fund held at the Department of Revenue (DOR). Municipal lien certificates are subject to a \$25 surcharge. Depending upon how the real estate market is doing, the \$50/\$25 fees add up to approximately \$60 million per year

Considerations for CPA Adoption

Surcharges and exemptions approved by other cities and towns

To help frame our discussion about potential recommendations to Town Meeting, the Coalition reviewed the surcharge levels and exemptions approved by voter referendum in the 187 cities and towns that adopted CPA from 2001 through 2021, using information provided by the statewide Community Preservation Coalition.

Over these two decades, municipalities adopting CPA approved surcharges ranging from 0.5% to 3%. Exemptions offered to property owners varied from “No Exemptions” to offering all permitted exemptions for Residential and Commercial/Industrial property owners.

In the last decade, the trend has been to: (1) approve surcharges in the 1% to 1.50% range; and (2) offer the total exemption allowed under CPA to income eligible residents and exempt the first \$100,000 of assessed value from the surcharge calculation for all other residential property owners.

Impact on Property Owners

The Coalition was sensitive to the impact of CPA surcharges on residential property owners. At a 1% CPA surcharge, after accounting for the first \$100,000 property value exemption, the surcharge for a single family home assessed at \$600,000 will be approximately \$67.

Information from the Community Preservation Coalition coupled with grassroots community outreach since Summer 2021, led us to believe that a majority of property owners are likely to accept a 1% annual surcharge without feeling appreciable discomfort.

Potential Future Overrides

Natick is facing a potential operational override in the next year or two. The argument that “This is a bad time to adopt CPA” does not address the fact that there will always be an override coming, either in the current fiscal year, or the next one, or in the one after that. Natick has sought overrides in 1999, 2000, 2008, 2010 and 2018: they are a fact of life, and if we want to wait to adopt CPA for a time when there are no overrides on the horizon, we will wait forever.

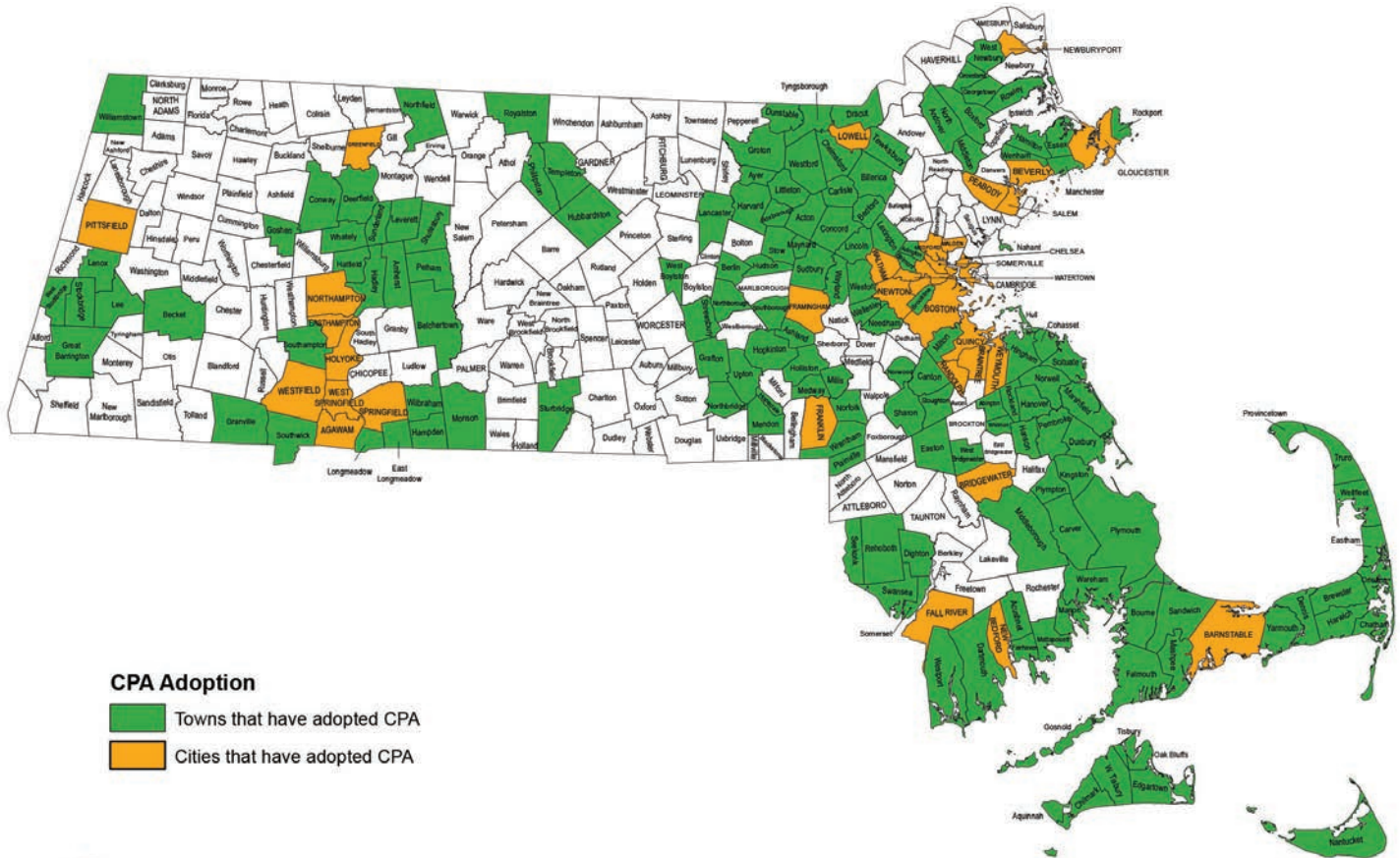
Minimizing impact to income eligible Seniors and other residents

Low-income seniors and other low-income residential property owners in Natick that satisfy the current Assessors’ income guidelines for tax exemptions will receive a corresponding exemption from CPA surcharges. Those already on file with the Assessor’s Office will automatically be exempted: no additional action on their part will be required.

Timing

With the approval of Town Meeting, CPA adoption will appear as a question on the November 2022 ballot. The State gubernatorial election in November is anticipated to have a large turnout, thereby encouraging the largest possible number of voters to express their views on CPA adoption. The ballot question will state that the Town will begin to assess and collect surcharge payments in July 2023.

Community Preservation Act Adoption



Statewide CPA results since 2001

- 187 communities have adopted CPA (53% of the Commonwealth’s cities and towns)
- Of the total number of adopted communities, 34 are cities and 153 are towns
- 65% of the state population lives in a CPA community
- Over \$2.65 Billion has been raised to date for community preservation funding statewide
- 14,037 CPA projects have been approved by local legislative bodies
- More than 8,700 affordable housing units have been created with an additional 14,700 units supported
- 32,566 acres of open space have been preserved
- Over 6,300 appropriations have been made for historic preservation projects
- Over 3,000 outdoor recreation projects have been initiated

All 187 communities that have adopted the Community Preservation Act:

Abington	Edgartown	Mashpee	Sharon
Acton	Essex	Mattapoisett	Shrewsbury
Acushnet	Fairhaven	Maynard	Shutesbury
Agawam	Fall River	Medford	Somerset
Amherst	Falmouth	Medway	Somerville
Aquinnah	Framingham	Mendon	Southampton
Arlington	Franklin	Middleborough	Southborough
Ashland	Georgetown	Middleton	Southwick
Ayer	Gloucester	Millis	Springfield
Barnstable	Goshen	Milton	Stockbridge
Becket	Gosnold	Monson	Stoughton
Bedford	Grafton	Nahant	Stow
Belchertown	Granville	Nantucket	Sturbridge
Belmont	Great Barrington	Needham	Sudbury
Berlin	Greenfield	New Bedford	Sunderland
Beverly	Groton	Newburyport	Swansea
Billerica	Groveland	Newton	Templeton
Boston	Hadley	Norfolk	Tewksbury
Bourne	Hamilton	North Andover	Tisbury
Boxborough	Hampden	Northampton	Truro
Boxford	Hanover	Northborough	Tyngsborough
Braintree	Hanson	Northbridge	Upton
Brewster	Harvard	Northfield	Waltham
Bridgewater	Harwich	Norwell	Wareham
Brookline	Hatfield	Norwood	Watertown
Cambridge	Hingham	Oak Bluffs	Wayland
Canton	Holliston	Orleans	Wellesley
Carlisle	Holyoke	Peabody	Wellfleet
Carver	Hopedale	Pelham	Wenham
Chatham	Hopkinton	Pembroke	West Boylston
Chelmsford	Hubbardston	Phillipston	West Bridgewater
Chelsea	Hudson	Pittsfield	West Newbury
Chilmark	Hull	Plainville	West Springfield
Cohasset	Kingston	Plymouth	West Stockbridge
Concord	Lancaster	Plympton	West Tisbury
Conway	Lee	Provincetown	Westfield
Dartmouth	Lenox	Quincy	Westford
Deerfield	Leverett	Randolph	Weston
Dennis	Lexington	Rehoboth	Westport
Dighton	Lincoln	Rockland	Weymouth
Dracut	Littleton	Rockport	Whately
Dunstable	Longmeadow	Rowley	Whitman
Duxbury	Lowell	Royalston	Wilbraham
East Longmeadow	Malden	Salem	Williamstown
Eastham	Manchester	Sandwich	Wrentham
Easthampton	Marion	Scituate	Yarmouth
Easton	Marshfield	Seekonk	

Natick CPA Coalition Findings

There has been a significant cost to Natick for rejecting CPA in 2006, when the proposal was previously presented before Natick voters.

Had Natick adopted CPA in 2006 as proposed, our Town would have received state matching funds totaling in excess of \$20 Million, a very significant return on investment. The state's matching funds comes from all taxpayers -- including Natick residents. ***Because we did not adopt CPA, all these matching funds went to other cities and towns.***

In addition, not adopting CPA has cost the Town numerous opportunities for open space acquisition and protection, historic preservation, outdoor recreation, and the creation of affordable housing. Some opportunities were lost altogether; others were delayed and, as a result, made more expensive for tax-payers.

Like many other communities across the Commonwealth, Natick has difficulty finding room in its tight municipal budget for "quality-of-life" projects. This is due to competing demands for limited Town funds, coupled with a desire to keep property taxes as low as possible. Such projects are often considered to be discretionary when compared to other operational budget items, and are often relegated to the back burner.

Meanwhile, Natick is steadily becoming less affordable to first-time home buyers and to working class families. Housing prices are increasing beyond the means of many seniors and families, and affordable housing is increasingly difficult to find. We don't have dependable local funding to preserve our historical resources, and finding funds to preserve and maintain our open space and recreational amenities continues to be a major challenge.

CPA's Effect on your Tax Bill

When adopting CPA, municipalities have the option to include several types of exemptions. We recommend that Natick exempt the properties of low-income homeowners, and exempt the first \$100K of assessed value of all other residential properties. Unlike the \$100K exemption that is automatically applied, the low-income exemption is applied through an annual application process at the local level.

If non-exempt property owners then paid a 1% surcharge on their property taxes, Natick would raise over \$1.1 million annually for its Community Preservation Fund, and receive an estimated \$300K State match, giving Natick an annual total of approximately \$1.4 million.

At the 1% level, the annual cost of the surcharge to a residential homeowner with an assessed property value of \$606,080 (average residential value in FY2021) would be \$68.15

In recognition of the financial stress being caused by COVID-19, it is important to note that if CPA is adopted, the surcharge will not appear on tax bills until July 2023 (the beginning of FY2024).

The [Natick 2030+ Comprehensive Master Plan \(2019\)](#), [Housing Production Plan \(2021\)](#), [Open Space and Recreation Plan \(2020 Update\)](#), [Master Plan for Parks and Fields \(2016\)](#) all recommended that Natick seriously consider adoption of the Community Preservation Act.

The benefits and return-on-investment to Natick of CPA adoption would be significant, far outweighing its costs.

The longer-term value created by projects funded through CPA *now* will make Natick an even better place to live. CPA adoption in November 2022 will help Natick satisfy diverse, capital-intensive Master Plan goals, address unmet local needs, and respond to emerging opportunities that would otherwise have difficulty competing with the many other demands on annual Town budgets. It will permit Natick to provide near-term and long-term quality-of-life benefits to residents through projects that preserve, protect, renew, and support open space, outdoor recreation, historic resources, and community housing.

CPA monies can supplement and support other project funding sources such as state grants, town appropriations and private funds, making multi-source initiatives possible. CPA income and balances not spent in any year are reserved for future use, creating a rolling and growing CP Fund for future investment in eligible projects.

CP Fund monies can be committed and reserved to pay the debt service on long-term borrowing for large qual needed to finance large qualifying projects.

<i>Property Class</i>	<i>Parcel Count</i>	<i>Sum of FY22 ASSESSED TOTAL</i>	<i>Sum of CPA CHARGE VALUE</i>	<i>Sum of CPA TAX @1%</i>	<i>Average of FY22 ASSESSED TOTAL</i>	<i>Average of CPA CHARGE VALUE</i>	<i>Average of CPA TAX @1%</i>
RESIDENTIAL	12955	\$ 7,851,760,800	\$ 6,618,397,200	\$ 882,894	\$ 606,080	\$ 510,876	\$ 68.15
COMM/IND	615	\$ 1,689,200,300	\$ 1,689,200,300	\$ 225,339	\$ 2,746,667	\$ 2,746,667	\$ 366.41
MIXED USE	42	\$ 39,528,100	\$ 35,328,100	\$ 4,713	\$ 941,145	\$ 841,145	\$ 112.21
TOTALS:	13612	\$ 9,580,489,200	\$ 8,342,925,600	\$ 1,112,946			
CPA Match at 26.5%*				\$ 294,931			
Projected Total Revenue				\$ 1,407,877			

Assumptions

Fiscal Year Values Used	FY 2022
Tax Rate - FY 2022	\$13.34
CPA Percentage	1%
Residential Exemption	\$100,000
Match projection (average of last 5 years)	26.5%

Notes

If Total Res value is less than \$100,000, no CPA charge
 For Mixed Use, \$100,000 deducted from Res Value only
 No adjustment for Commercial and Industrial uses
 Average Residential Value - \$ 606,080
 Median Residential Value - \$568,950
 Average Single Family Residential Value - \$686,449
 Source: Natick Assessor

Benefits of CPA

Dedicated Community Preservation Fund

Natick will have a dedicated Community Preservation Fund to support local open space protection, historic preservation, outdoor recreation, and community housing. Planned projects and emerging opportunities will not need to compete with other Town needs.

Mandated minimum distribution to Community projects

Funds will be allocated to each of the CPA project categories every year. The CPA requires that a minimum of 10% of annual revenues be reserved or spent for open space (including outdoor recreation), historic resources, and community housing. This leaves the bulk of total revenues each year to be used or reserved for projects in any category.

CP Funds will cover CPA Administrative Expense

Up to 5% of annual CPA revenue may be budgeted for CPC administrative purposes. Annual CPC operating costs will not impact the Town's operating budget.

Community Initiated Project Proposals

The CPC will use a formal process to solicit project applications from community organizations, government bodies, and individuals. The CPC will evaluate project applications and recommend the appropriation of CP Fund monies to Town Meeting each year. This ensures that project selection and funding is a community-based process. Town Meeting appropriations must be consistent with CPC project recommendations, though Town Meeting would have the discretion to fund individual projects with smaller amounts than recommended.

We will not lose unspent funds

CP Fund income and balances not spent in any year are reserved for use in the future years. This creates a rolling and growing CP Fund for future investment in eligible projects.

Ability to pay for debt service

Community Preservation Fund monies can be committed and reserved to pay the debt service on long-term borrowing for large qualifying expenditures. This will allow the CP Fund to use anticipated future revenues to secure borrowing needed to finance large capital projects.

Opportunity to leverage other Grants

An appropriation of CP Funds signals a commitment that may encourage funding from other sources. CP Funds can leverage grants, town appropriations, and private funds, making multi-source initiatives possible.

No more 'leaving money on the table'

The State's Community Preservation Trust Fund, capitalized by fees paid to the Registries of Deeds, will match local CPA revenues. Recent annual matches have ranged from 17.20% (FY 2017) to 43.84% (FY 2022). With CPA's approval by voters, registry fees that residents pay will come back to Natick after going to other CPA communities for almost two decades.

Preserve and enhance Natick's quality-of-life.

Projects funded through CPA will make Natick a better place to live, ultimately strengthening our property values over the longer term.

CPA Costs & Constraints

There will be a CPA surcharge imposed on quarterly property tax bills.

Property owners not qualifying for complete CPA exemptions must pay a modest CPA surcharge on each property tax bill.

Administrative Needs

There would be some administrative burden for the Assessors office in calculating surcharges and processing requests for income-based CPA exemptions, although the town will mitigate this administrative work by combining this process with income-based tax abatements. The CP Fund administrative budget can be used to pay for necessary software upgrades to facilitate this additional administrative work.

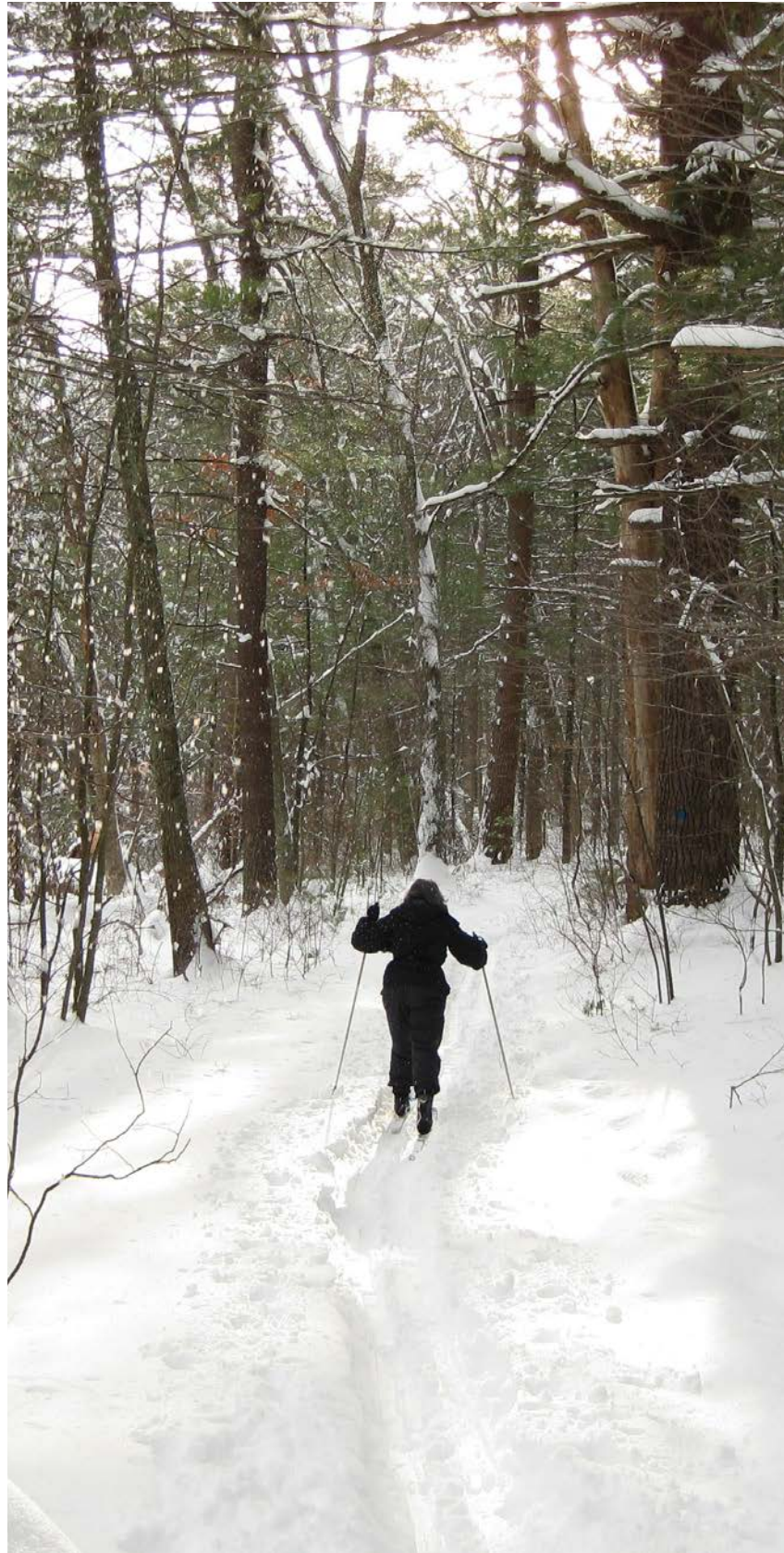
Once voters adopt CPA, its terms can only be altered or repealed by ballot referendum.

Either Town Meeting or 5% of registered voters could place a referendum question on a future ballot to change CPA surcharge levels and/or exemptions.

CPA adoption cannot be repealed for five years

Repeal can only be accomplished by a ballot referendum. To date, over nearly two decades, no city or town that adopted CPA has repealed it, indicating that residents of adopting communities are satisfied with CPA's relative benefits and costs.

Photo: Martin Kessel





Coalition's Recommendation to Town Meeting

The Coalition believes the adoption of CPA would be enormously beneficial to Natick and its residents, and that its benefits far outweigh the costs. In our opinion, the sooner it is adopted, the better.

After extensive research and community outreach, we recommend that Natick Town Meeting vote to place a CPA referendum on the November 2022 ballot. The Coalition has submitted a Warrant Article to this effect.

The referendum ballot question will specify that:

- The CPA surcharge level shall be one percent (1%). We believe this surcharge level will minimize the burden on homeowners, while raising sufficient sums to accomplish significant projects.
- All property classes that pay property taxes shall be subject to this CPA surcharge (i.e. both residential and commercial).
- Qualifying seniors and income-eligible residents shall be exempt.
- All other residential properties shall receive a CPA exemption for the first \$100,000 of assessed property value.
- Surcharge assessment and collection shall begin in FY2024

Photo: Martin Kessel

Timeline and Next Steps

Spring 2022

- Town Meeting approval for Ballot question

Summer 2022 - Fall 2022

- CPA public campaign and educational outreach by the Natick CPA Coalition
- Minimum 60 days before election advise Secretary of State of ballot measure

Fall 2022 Election

- CPA adoption measure on the ballot

Spring 2023

- Town meeting adopts Community Preservation By-law to enable creation of Community Preservation Committee (CPC)

Spring - Fall 2023

- CPC established by Town Meeting bylaw;
- CPC drafts Community Preservation Plan

July 01, 2023 (FY 2024)

- CPA surcharge starts

Fall 2023

- CPC completes Community Preservation Plan, evaluates first round of project proposal, and makes recommendation to Town Meeting
- Fall Town Meeting votes to approve CPC recommendations





Opportunities for Natick

Open Space & Outdoor Recreation

“Natick supports responsible stewardship of its natural resources, including its aquifers, open spaces, forests and trees, farms, parks, lakes, wildlife habitat and views. Natick may exercise this stewardship through appropriate acquisition, regulation, mitigation and restoration strategies.”

~ [Natick 360 Strategic Plan](#)

Definition:

“Open Space” is defined broadly by the CPA statute as: agricultural land; well fields, aquifers, recharge areas, and other watershed lands; grasslands, fields, or forest lands; fresh and salt water marshes and other wetlands; ocean, river, stream, lake, and pond frontage; beaches, dunes, and other coastal lands; scenic vistas; land for wildlife diversity or biodiversity or nature preserves.

“Outdoor Recreation” uses of open space are defined as including, but not limited to: community gardens; trails; non-commercial youth and adult sports; and parks, playgrounds, and athletic fields.

Allowed activities:

- Acquisition, creation, and preservation of open space, and land for recreational use.
- Rehabilitation or restoration of open space, if the open space was acquired or created with community preservation funds.
- Rehabilitation and restoration of land for recre-



ational use; unlike open space, there is no requirement that the land was acquired with community preservation funds.

Eligible Project Categories

Acquisition and Creation

- Acquire private property as permanent open space
- Rehabilitate brownfields by converting to open space
- Raze vacant, municipally-owned building to create permanent open field
- Purchase permanent conservation or agricultural preservation restrictions to protect open space or farmland from future development
- Purchase easements to protect water supply recharge areas and other watershed lands
- Purchase privately-owned outdoor recreation facility for municipal use (e.g. golf course)
- Convert existing structures such as railroad bed to recreational use (e.g. walking; bike trail)
- Convert underutilized municipal land to community gardens
- Clean contaminated industrial land and convert to municipal ball fields or playgrounds

Preservation

- Remove invasive plant species from ponds and wetlands to protect wildlife habitats and open space from harm
- Install an irrigation system in a public park to prevent grass from dying
- Install new drainage in existing athletic field to prevent deterioration from flooding

Rehabilitation

- Restore natural areas acquired with CPA funds to their natural state
- Seed, plant trees, landscape a permanent open space created by removal of building
- Restore unused walking trails to usable condition in forest land acquired with CPA funds
- Create recreational opportunities through brown-field restoration and/or redevelopment

Photo: Martin Kessel

Potential Projects for CPA Funding in Natick

Trail completion

Over the past 20 years, Natick has developed several long walking trails that connect neighborhoods using easements secured in new subdivisions, along with permits to use abandoned aqueducts. However, the town is missing key links to several of these trails, and CPA funds could help acquire either the land or the easements to complete these paths.

Forest expansion

Natick's Open Space and Recreation Plan (OSRP) targets unprotected land adjoining existing open space as the most valuable properties to protect, allowing us to expand trail networks, as well as protect wildlife and the environment. CPA funds could help acquire this land when it becomes available.

River protection

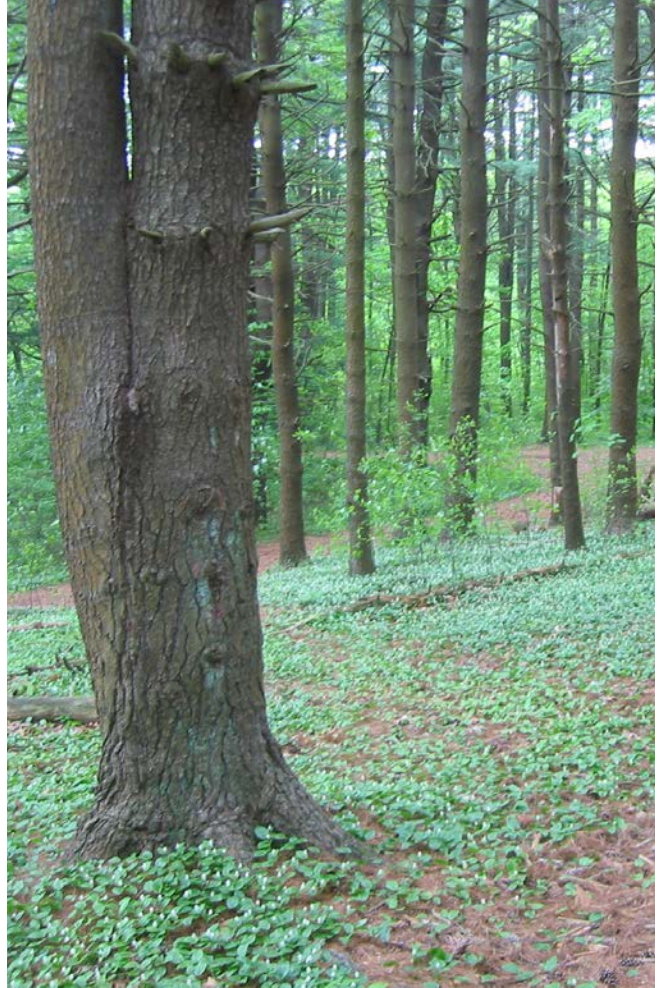
Another valuable resource for both recreation and conservation is the Charles River. Although some of this land is town-owned and other land is protected with conservation restrictions, there are segments that are unprotected and would be valuable additions.

West Natick needs

Natick's OSRP has identified West Natick, and specifically the Environmental Justice area, as particularly in need of open space and recreational opportunities. The CPA could be used to both acquire and develop passive and active opportunities.

Accessible trails

Natick has identified a number of its scenic trails that could be made either handicap-friendly or fully ADA compliant. Although volunteers have done an admirable job of creating our walking trail system, they don't have the expertise or equipment to create accessible trails. CPA could provide funding to do this properly.



Linking Pickerel Pond

Through volunteer efforts and Eagle Scout projects, Natick has developed a dynamic trail system in the Pickerel Pond area. However, connecting the north and south trail areas requires significant funding for a major bridge.

Pine Hill access

In the northeast corner of Natick, one of the few wooded areas, known as Pine Hill, has no legal access currently. The town owns two access points, but both of these are wetlands and would require boardwalks at significant expense.

River Walk

A final boardwalk opportunity would be along the south bank of Charles River, where the Town owns land that is normally wet. This land could be accessible with a series of boardwalks and a bridge connecting to the South Natick multi-purpose area and the Little League fields.



First Congregational Church, Natick Center
Photo: Richard Ames/ Natick GIS



Photo: Brian Benson/ WickedLocal

Historic Preservation

“The Town should consider the establishment of a fund to provide low interest loans and/or grants for ADA improvements, fit-out, or facade improvement to encourage preservation of historic properties. Income from the Community Preservation Act could provide funds for a loan or grant program”

~ [Natick 2030+ Comprehensive Master Plan](#)

Definition:

The statute defines an “Historic Resource” as a building, structure, vessel, real property, artifact, or document that is either listed or eligible for listing on the State Register of Historic Places, or determined by the local Historical Commission to be significant in the history, archeology, architecture, or culture of the city or town.

Allowed activities:

Acquisition, preservation, rehabilitation and restoration of historic resources are all allowed activities. Funds can be used to rehabilitate or restore municipally owned historic properties that were acquired prior to Natick’s adoption of the CPA. Funds can also be used to rehabilitate or restore privately owned historic resources if doing so serves a clearly defined public purpose, such as providing or improving public access to places of historical significance to the town. Rehabilitation can include ADA-compliance measures and other capital improvements needed for properties to meet building codes or functionally perform the intended use of the property.

Examples of allowed activities:

Acquisition

- Acquire a historic resource or landscape
- Provide a match for federal or state grants
- Purchase a preservation easement to protect façades or other historic features
- Restore historic buildings to reverse inappropriate alterations

- Restore archival documents
- Conduct historical or archaeological surveys necessary for preservation projects
- Provide grants to acquire or preserve a historic property in private non-profit ownership (with a preservation restriction)

Restoration

- Restore historic landscapes
- Restore municipal historic structures such as town halls, libraries, commons, parks, or cemeteries
- Rehabilitate signage or markers at historic sites
- Adaptively reuse historic sites such as fire houses, town halls, mills, police stations, or schools for community housing or another municipal use through rehabilitation. Provide new utilities and other site work necessary for a preservation.
- Capital improvements to historic resources necessary to comply with building codes
- Mitigate environmental contamination at historic sites
- Provide accessibility at historic sites, such as elevators, ramps, restrooms, etc.

Potential Projects for CPA Funding

Acquisition and Restoration of the Sawin House (c.1696)

The house and site at 79 South Street are historically and culturally important in the history of Natick, marking when the first European settlers moved to the area in the mid to late 1600's and began their interactions and relationships with the resident Native American people. The site of the house and of the early grist and sawmills built and used by Thomas Sawin and his descendants, as deeded to him by the Native Americans, represent a valuable part of Natick's heritage. By using CPA funds to acquire this critical historic resource, a tangible connection to Natick's early history can be preserved for future generations.

Renovation and Adaptive Reuse of Historic Buildings

Several buildings of historic significance to Natick have been adapted and creatively reused in ways that support our town's changing needs and enhance the public good. The historic Central Fire Station on Summer Street, for example, was trans-

formed into the home of the Center for the Arts in Natick. CPA funds could be used to support similar ventures in the future. In particular, CPA funding could be used to rehabilitate and make accessible the historic Johnson Elementary School as part of a larger plan for its reuse.

Preservation of Historic Cemeteries

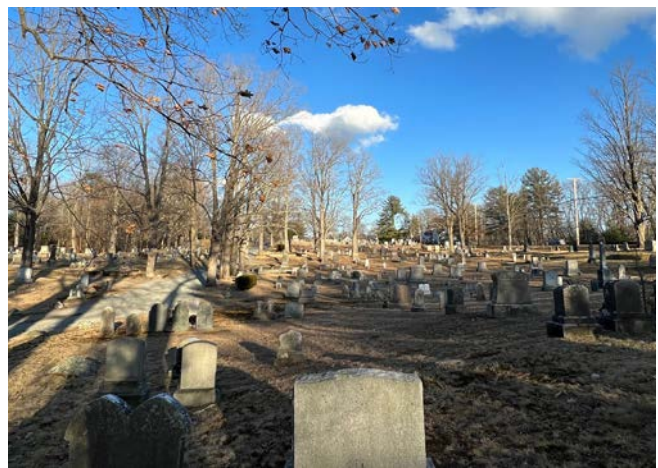
Natick is home to historic burial grounds and cemeteries, including several from the colonial settlement period. CPA funds could be used to repair dozens of damaged and displaced headstones and grave markers and to restore and preserve the cast-iron fences at the Native American Burial Ground in South Natick.

Restoration of Town Monuments, Memorials and Markers

The Natick 2030 Master Plan identifies repair and improvement of several key monuments as a priority, including the Veterans' Memorial and the Henry Wilson Memorial. CPA funds could be used to undertake these projects. In addition, funds could be used to ensure the ongoing preservation of the Henry Wilson Shoe Shop on West Central Street.

Improved Planning for Historic Preservation

Despite Natick's rich and important history, only a small portion of the town's historic resources have been inventoried. The Natick 2030 Master Plan recommends "expanding the inventory of historic resources to other parts of the Town not yet covered, including the neighborhoods adjacent to the Town Center, South Natick by the river, and early post World War II neighborhoods." Neighboring towns have used CPA funds to undertake such inventories, and Natick could choose to do the same.



WILSON GARDENS VETERANS HOUSING

Natick, MA



Wilson Gardens Multigenerational Veterans Housing - 2020 Affordable Housing Development Competition, Federal Home Loan Bank of Boston; Project Team: Sarnai Battulga (MIT), Warwin Davis (GSD), Vakhtang Kasrelishvili (MIT), Iris Kim, (GSD), Clay Lin (GSD), Ganesh Ramachandran (HKS, Bradford Fellow), Ben Thai (T.H.Chan), Erica Vilay (HKS), Jason Wells (HKS, US Navy) & MetroWest Collaborative



Affordable Housing

Definition:

‘Community Housing’ is defined by the Act as housing for persons or families earning up to 100% or less of the area-wide median income adjusted for household size, using limits set annually by the United States Department of Housing and Urban Development. In Natick’s case, we equate ‘Community Housing’ to ‘Affordable Housing’, and define ‘affordable’ in terms of 80% or less of the area-wide median income.

Allowed activities:

Activities allowed for Affordable Housing include

- The acquisition, creation, preservation and support of affordable housing.
- The rehabilitation or restoration of affordable housing, provided the housing was acquired or created with CP Fund monies.
- Appropriations to the Natick Affordable Housing Trust Fund created by Natick pursuant to MGL c. 44, § 55C; however, the Trust may expend monies from the CP Fund only for affordable housing purposes described in sections (a) and (b) above.

Potential Projects for CPA Funding

For additional information, please refer to [Massachusetts Housing Partnership \(MHP\) guidebook for CPA](#)

Capacity Building

Part-time planning staff hire

Natick Affordable Housing Trust is entirely volunteer run. The Trust meets once a month and is often dependent on assistance from short-staffed Community and Economic Development Department to jump start and sustain its initiatives. CPA funds can be used to hire staff dedicated at least part-time to housing issues. The staff will have the benefit of recommendations and implementation strategies from the recently completed Natick 2030+ Master Plan (2019), Housing Production Plan, and the proposed Strategic Plan for the Housing Trust.

Procuring professional services

CP Fund monies could be used to procure professional services to prepare grants; provide local matching funds necessary to secure state or federal funding for housing development projects; or help promote rezoning efforts for flexible zoning, smart growth overlap districts through Ch. 40R, affordable housing development on nonconforming lots.

Predevelopment Activities

The Affordable Housing Trust may request CPA funds to finance predevelopment activities. These activities may be needed to determine project feasibility, plan for the number of housing units to be built or preserved and create preliminary site plans for the best use of an entire parcel. It may be appropriate to spend funds on predevelopment activities for projects that turn out, after adequate investigation, to be infeasible. Predevelopment activities, also referred to as “soft costs”, are eligible to receive CPA funds and may include the following:

- Appraisals
- Preliminary Environmental Feasibility Studies
- Preliminary Financial Feasibility Analysis
- Legal Costs
- Permit Processing Fees
- Costs related to Request for Proposals (RFP)
- Site Planning and Design Studies
- Surveys
- Technical Review of Development Proposals

Housing Production

Land purchase:

CP funds can be used to acquire property for the purpose of creating affordable housing and for funding development on donated land or acquired tax-title properties. Subsidizing land costs through pre-acquisition of buildable land can be effective to enhance feasible development possibilities and to provide more control over design and location of development. A significant advantage to acquire real property with CP Funds is that the purchase is exempt from MGL Ch 30B, which requires a municipality to seek property through a bid or RFP process.

Veterans Housing

CP funds could be employed to continue the Trust’s award-winning Veterans Housing initiative. In 2020, Metro West Collaborative Development and Natick Affordable Housing Trust participated in the CHAPA/ Federal Housing Loan Bank’s Affordable Housing Development Competition. Our entry for a proposed 48-unit multi-generational affordable housing development on underused town-owned open space won first place. The proposed Article 97 strategy was ultimately challenged by Town Committees for the conversion of Open Space in West Natick - a roadblock that could potentially be solved by a workable open space acquisition financed by CP Funds.

Small Homes & Cluster Housing for Seniors and Families:

The Housing Trust could build upon the recommendations of the [2015 Tiny House Study](#) to develop an Affordable Housing Cluster Development or “Pocket Neighborhood” with detached units or attached duplexes with unit sizes ranging from 600 sq ft to 1,200 sq ft, targeting seniors who chose to age in place, young couples with children, single-parent household, disabled residents, and local artists. Economies of scale could be achieved by clustering a group of smaller units with shared amenities, and by leveraging prefabricated construction processes to minimize waste and speed up construction times. Future developments could also benefit from the 2020 Cluster By-law incentives for developers to build 800-1000 sq ft “cottage” residences



Small Homes Cluster | Ross Chapin Architects



*Eliot School, South Natick
Photo: Richard Ames/ Natick GIS*

Acquisition, Rehabilitation, and Adaptive Reuse of vacant Eliot School Property:

So far, the Town has not been successful in procuring a long term tenant for the vacant 10,600 SF Eliot School building on a 2.8 Ac property down river from the South Natick Dam. The building needs significant work including mechanical/electrical/plumbing upgrades, envelope improvement, and ADA/Code-compliance upgrades that could cost millions of dollar. These costs render it less attractive for developers interested in converting the building to market-rate housing, despite the demand in South Natick. Furthermore, potential developers of market-rate housing would have to be successful in what could be a contentious zoning change process. A 'Friendly 40B' initiative with a Community Development Corporation leveraged by CP Funds, Department of Housing and Community Development (DHCD) grants, Low Income Housing Tax Credits (LIHTC), and historic preservation tax credits could be a promising strategy that can transform a vacant town-owned property into a context sensitive affordable housing development.

Housing Preservation & Improvement

Natick could lose some of its affordable housing stock in the future, if the units no longer meet the needs of moderate and lower income residents, including seniors and special needs populations. For units to count as part of the Subsidized Housing Inventory, they must be subject to use restriction or resale controls to preserve their affordability for a minimum of 15 years from the date of subsidy approval or completion of rehabilitation. Some eligible activities include the following:

Handicapped Accessibility Improvements

Provide grants or loans to provide accessibility improvements to allow qualifying disabled or elderly occupants to continue to live safely in their homes.

Housing Rehabilitation Programs

Offer funds for improvements, primarily code-related, to owner occupied or investor-owned homes occupied by qualifying households in exchange for deed restrictions.



*Cedar Garden Public Housing, Natick
Photo: Metrowest Housing Solutions*

Improvements to Housing Authority Development

Make improvements to Natick Housing Authority developments or other subsidized developments. These cannot be routine maintenance items.

Preserve “Expiring Use” Properties

Refinance properties where affordability restrictions are due to elapse to maintain units as affordable, instead of allowing the units to convert to market prices. For more information on resources directed to expiring use units, see websites for DHCD (www.mass.gov/dhcd) and MassHousing (www.masshousing.com).

Financial Assistance

Funds may also be used to provide subsidies directly to eligible households to lower the cost of affordable housing. Eligible activities in this category include the following:

Down Payment and Closing Cost Assistance

Provide financial support to first-time homebuyers to help cover the down payment and closing costs in exchange for deed restrictions to preserve affordability.

Individual Development Accounts (IDA’s)

Offer a form of matched savings where qualifying participants make a contribution into a savings account that is matched at a ratio by another entity, such as a non-profit organization, with public and/or private funding to support home purchase.

Interest Rate Subsidies

Reduce the mortgage interest rate to make monthly payments more affordable to first-time home buyers or those who qualify for age-restricted developments. These subsidies could be used in tandem with other state programs such as the Soft Second Loan Program.

Mortgage Subsidies

Provide a subsidy to fill the gap between the purchase price of an existing home or condominium and the affordable price based on the formula established under the state’s Local Initiative Program (LIP), requiring that the purchase meet all LIP requirement including the acceptance of a deed restriction to preserve affordability.

Rental Assistance

The 30% rule -- that a household should spend no more than 30% of its income on housing costs -- still remains a reliable indicator of housing affordability. CPA Funds can be used to offer direct assistance in the form of rental vouchers that subsidize the difference between market rents and what a household can afford to pay, based on spending no more than 30% of one’s household income on housing.

Support for other rental expenses

Provide grants or deferred loans, to qualifying households to help them defray costs related to accessing rental opportunities including security deposits, moving costs or utility bills. CPA funding could be provided through the Affordable Housing Trust Fund.

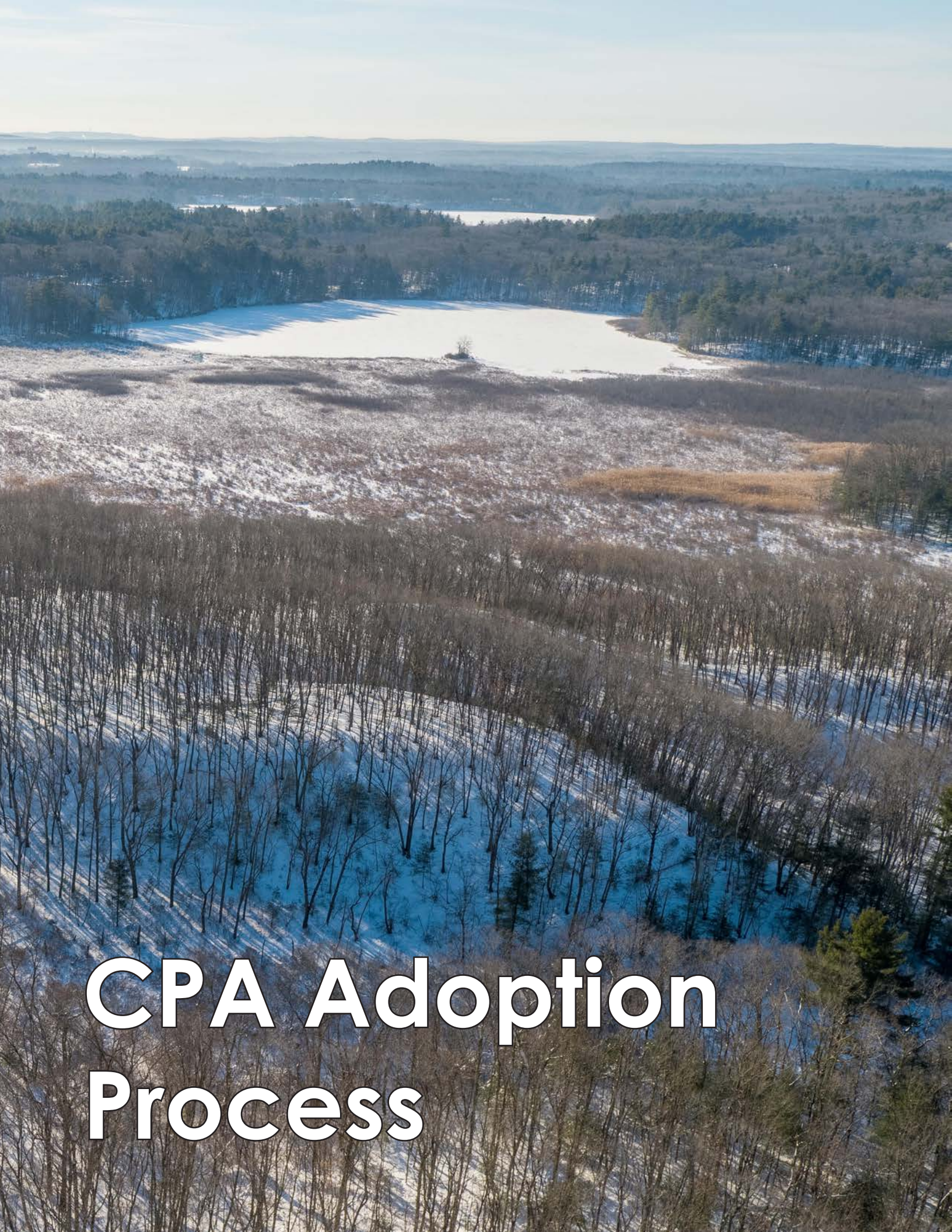
Technical Assistance

Fund technical assistance to property owners to help them create affordable accessory, or “in-law” units.

*Accessibility retrofits to older single family homes
Photo: IDEA Center, of Buffalo*







CPA Adoption Process

Community Preservation Act Adoption Process

The following is a comprehensive description of the CPA provisions for adoption by local communities. A more detailed perspective on these provisions, as well as information regarding provisions not described here, can be found in the most recent Department of Revenue Information Guideline Release (IGR) on the Community Preservation Act ([IGR No. 19-14 dated December 2019](#)).

The adoption of CPA is ultimately decided by the voters during a state or municipal election. There are two ways to enable the referendum:

Acceptance by Legislative Body

A Warrant Article to place the CPA question on the next election ballot is considered at Town Meeting. CPA adoption requires approval of both Town Meeting and the electorate at the next regular municipal or state election, as specified in MGL Ch. 44B §3.

Acceptance by Petition

A referendum question seeking acceptance of the Act, approval of a specific surcharge percentage and approval of any allowable exemptions may be placed on the ballot by petition. The petition must be signed by at least five percent of the registered voters – in Natick’s case, approximately 1240 voters – and filed with the Board of Registrars of Voters. The Board must certify the signatures within seven days of filing.

The Coalition has followed the Legislative Body route by filing a Warrant Article for Spring 2022 Town Meeting.

The Article is being jointly sponsored by the Natick Affordable Housing Trust, the Natick Open Space Advisory Committee and the Natick Historical Commission.

Legislative Body (Town Meeting) Action

A majority of Town Meeting members must first approve a specific proposal – the Warrant Article Motion – to present to the voters.

Required Action:

Town Meeting must vote to accept G.L. Ch. 44B Chapters 3-7 and approve the amount of the surcharge. In Natick’s case, the Coalition is recommending a 1% surcharge.

Discretionary Action:

Town Meeting may include any or all of the following surcharge exemptions in the proposal to be presented to the voters:

An exemption for property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the community. The Coalition is proposing that this exemption be adopted.

An exemption for Class Three, Commercial, and Class Four Industrial property if the community annually adopts a higher tax rate for those classes. Natick has a flat tax rate, and therefore the Coalition is not proposing any exemption for commercial or industrial properties.

An exemption for \$100,000 of the assessed valuation of Class One, Residential parcels. We are proposing the adoption of this exemption. While all communities have the option of exempting the first \$100,000 of assessed valuation of Commercial property, we are not proposing that Natick adopt CPA with this exemption.

Voter Action

After Town Meeting accepts the CPA and adopts a surcharge plan, the acceptance referendum must be placed before the voters on the ballot of the next regularly scheduled municipal or state election: in this case, it would be the State election held on November of 2022.

If the next election is a state election – as is the case here – the Secretary of State must receive at least 60 days notice of the referendum.

Question Form

The referendum question presented to the voters must read as follows:

Shall Natick accept sections 3 to 7, inclusive of chapter 44B of the General Laws, as approved by its legislative body

Question Summary

A fair and concise summary of the Community Preservation Act provisions that are the subject of the referendum must appear underneath the question. **The summary is to be prepared by Natick Town Counsel, and must include the surcharge percentage approved by Town Meeting. It should also include the exemptions, if any, adopted by Town Meeting.**

Question Approval

The question is approved and the statute accepted if a majority of the voters voting on the referendum question vote “yes.”

Putting Act into Effect

Effective Date

A community accepting the statute at an election held before the actual tax commitment for a fiscal year is made may impose the surcharge beginning in that fiscal year, or in the fiscal year that begins the July 1 after the election, as specified in the acceptance vote of the legislative body. In Natick’s case, the surcharge will begin in the next fiscal year (FY 2024), i.e., July 1, 2023.

Notification of Acceptance

The Town Clerk must notify the State Data Management/Technical Assistance Bureau if the statute is accepted. The notification should be made as soon as practicable after the referendum election, but it must be received not later than September 15 of the fiscal year following the close of the fiscal year the surcharge is first assessed in order for the community to receive distributions from the State trust fund.

Amended Acceptance

A city or town may amend the surcharge percentage and exemptions. Amendment is by majority vote of the legislative body and by referendum. MGL Ch. 44B §16(a).

Revocation of Acceptance

Acceptance may be revoked, but the city or town must wait until at least five years after the referendum passes to do so. Revocation is by majority vote of the legislative body and by referendum. MGL Ch. 44B §16(b). The surcharge continues to be assessed, however, until all obligations incurred and funded by the city or town from Community Preservation Fund revenues are paid.

Community Preservation Committee

If voters approve the referendum, the Town must enact a by-law establishing a Community Preservation Committee (CPC) with up to nine members to administer the CP Fund. The by-law would be written and adopted at the next Town Meeting after the November election -- i.e., at the 2023 Spring Annual Town Meeting.

The by-law adopted by Town Meeting must address, at a minimum, the following:

- Composition of the Committee, member selection method (i.e., election or appointment), and term length.
- Mechanisms under which Town Meeting may approve or veto community preservation appropriations, consistent with the Town Charter

A sample of a proposed By-law appears in Appendix A.

Committee membership

The Act prescribes that a CPC must consist of five to nine members. Members must, at a minimum, include a designee from each of the following boards, commissions or authorities: Conservation Commission, Historical Commission, Planning Board, Recreation and Park Commission, and Affordable Housing Trust. CPA allows for four additional members who can either be elected or appointed as authorized by the By-law. A majority of the total membership of the CPC will constitute a quorum, and the majority of the quorum may act on CPC matters.

Committee role and responsibilities

The CPC is responsible for evaluating the community preservation needs of the Town and, as part of the annual budget process, recommending to Town Meeting appropriations from the CP Fund.

The CPC also has responsibility for organizing and managing a project application process that helps identify potential new projects to evaluate for poten-

tial recommendation to Town Meeting. The CPC must produce an initial Community Preservation Program Needs Assessment, which will document Natick's community preservation needs, possibilities, and resources within the Community Preservation Program.

Community Preservation Plan

After adopting the Community Preservation Act, Natick must develop a Community Preservation Plan to facilitate implementation of the Act, according to Section 5 (b)1 of MGL Ch. 44B.

The Community Preservation Plan should identify long-term and short-term goals and needs, set criteria for evaluating proposed acquisitions and initiatives, prioritize projects and estimate their costs. The Plan should include a financial component with a multi-year revenue and expenditure forecast, and should identify the fund or other municipal financing source for each proposed project. The plan should be reviewed and updated annually by the CPC to reflect changes in Natick's needs, priorities and resources.

Most communities also develop application forms and procedures for applicants to use in applying for CPA funds. The CPC must hold at least one public informational hearing as part of the initial study and the annual review process.

Annual Community Preservation Budget

The CPC also prepares annual appropriation recommendations to Town Meeting including:

- specific projects with appropriations,
- any appropriations to reserve funds, and annual appropriations for administrative budgets.

Application Process for Project Funding

The CPA legislation is silent on any procedures for applying for CPA funding. Therefore, each CPA community creates application forms, procedures and deadlines to fulfill their needs.

Some communities accept applications only once per year, while others have multiple funding rounds. The

deadline for applications also varies by community; most have set deadlines, but others allow for flexibility to react to special circumstances, such as an opportunity to acquire land on short notice or for emergency work on historic projects.

Finally, many towns have implemented a two-step application process, wherein applicants first submit a simple eligibility form. Once this has been reviewed and approved by the CPC, a formal application is then submitted. The best way to make the process easier for both the CPC and applicants is through a clear review process, submission requirements and application, as well as stated procedures for exceptions to the process.

CPC Project Review & Recommendations

A CPA application generally includes submission guidelines and requests for contact information, amount of CPA funding being sought, CPA category, a project description, goals and timetable, community need, and community support. CPC reviews should take into account:

- a detailed project budget including other (non-CPA) funding sources, and
- alignment with the community's overall and category-specific goals.

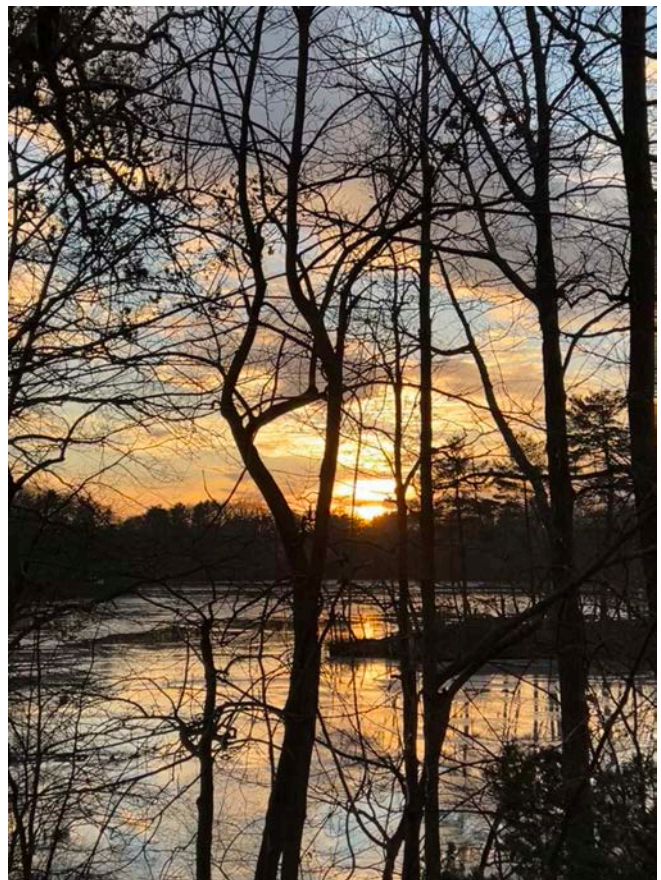
Many CPCs stress the importance of implementing cost-saving measures and leveraging other funding or in-kind donations. Therefore, it is important for the CPC to have enough information to be able to examine project budgets in some detail, including proposed funding from other public sources, private donations, and in-kind donations of materials or professional services.

Natick's overall and category-specific goals are articulated in the Town's adopted plans: the 2030+ Comprehensive Master Plan, Housing Production Plan, Open Space and Recreation Plan, Master Plan for Parks and Fields, and the Racial Equity Municipal Action Plan (REMAP). The goals should be translated by the CPC into selection criteria for assisting the CPC in its review and selection of projects.

Using CPC Administrative Funds to hire Staff

Many CPCs benefit from the use of CPA administrative funds to employ staff. CPA staff are known by a variety of titles (e.g., CPA administrator, planner, or program manager) and most are part-time.

Staff can either be hired as municipal employees or private contractors. Communities can use CPA staff for mainly administrative purposes and/or for professional planning. Staff can assist with a variety of tasks for the CPC such as preparing meeting minutes, scheduling meetings, processing invoices, evaluating project proposals, creating/updating a Community Preservation Plan, and managing CPA-funded projects.



*Sunset view from the Cochituate Rail Trail
Photo: Ganesh Ramachandran*

Community Preservation Fund

The primary goal of adoption of CPA is the creation of a Community Preservation Fund (CP Fund). The CP Fund is a special revenue fund, and must be established and maintained as a separate account.

Any appropriations from a local CP Fund may only be used for: eligible community preservation projects; or the Community Preservation Committee's administrative budget.

The following municipal receipts must be credited to the CP Fund:

- All monies collected from the Community Preservation surcharge adopted by voters;
- The additional funds from allowable municipal sources appropriated to the CP Fund;
- All proceeds from borrowings made under the Community Preservation program;
- All funds received from the Commonwealth for community preservation purposes, including matching fund distributions from the Massachusetts Community Preservation Trust Fund;
- All funds received from any other source for community preservation purposes;
- Proceeds from the disposal of real property acquired with the monies from the CP Fund;
- Damages and penalties from persons who damage properties acquired using the CP Fund;
- All income and interest earned on CP Fund monies.

Investments

The Town Treasurer may invest CP Fund monies in banks, Massachusetts trust companies, Massachusetts FDIC banking companies, savings and loan associations, or in the same manner authorized for the investment of trust funds. The Town may pool or establish a separate bank account for community preservation cash. A treasurer who pools cash must allocate interest earned on community preservation cash to the CP Fund.

Appropriations

A recommendation by the Community Preservation Committee and an appropriation by Town Meeting are both required for using monies belonging to the CP Fund.

A community may appropriate from the estimated annual CP Fund revenues for allowable community preservation expenditure purposes. It may also reserve those revenues for future appropriation. Appropriations and reservations must state a specific dollar amount.

Appropriations are by majority vote, except in the case of borrowing, described below, and eminent domain, which both require a two-thirds vote.

Annual CPC recommendations and budget

In determining its recommendations to Town Meeting the CPC must first determine whether a project is eligible for CPA funding.

However, the CPC is not obligated to recommend that Town Meeting approve funding for a project simply because the project is eligible for CPA funding. If a project is eligible for CPA funding, the CPC considers its financial plan, and if and how the project fits into its community preservation program. The CPC will also look at other projects competing for CPA funding and consider any other relevant information in making a final determination as to whether or not to recommend the project to Town Meeting

All CPC recommendations are included in the Annual Community Preservation Budget, normally presented as part of the Town's annual budget process. The Budget would also include recommendations for funding of debt service and any other existing or ongoing obligations.

If, alternatively, debt service, committee administration, and other expenses to be financed with annual CP Fund revenues are included in the Town's omnibus budget, the annual Community Preservation budget should also account for commitment of funds for these expenditures.

Town Meeting appropriations from the CP Fund

After receiving the CPC's funding recommendations, Town Meeting has the option to either:

- Make appropriations from or reservations of CP Fund monies in the dollar amount recommended by the CPC; or
- Reject a CPC recommendation or, if consistent with the Town Charter, local by-laws (including the by-law establishing the CPC) and procedures, reduce any recommended amount.

Town Meeting may not increase any recommended appropriation or reservation, and it may not change the CPC's funding source recommendation. In addition, except as noted below, Town Meeting may not appropriate or reserve any CP Fund monies on its own initiative without the CPC's prior recommendation.

There are four specific situations when a Town can make appropriations from the CP Fund without a prior CPC recommendation. These are described in the CPA legislation.

Borrowing

The Town of Natick may issue general obligation bonds or notes to fund community preservation acquisitions and projects subject to the applicable provisions of MGL Chapter 44B, which governs the issuance of municipal debt. Bond proceeds are to be deposited into the CP Fund. Although debt issued under Chapter 44B is general obligation debt, the CPA limits community borrowing to an amount where the debt service can be paid (together with debt service on any previously authorized borrowings) from annual community preservation revenues that Natick reasonably expects to raise over the term of the borrowing.

CP Fund Appropriation Guidelines

Project expenditures must be used for the following project categories:

- Open Space and Outdoor Recreation;
- Historic Resources; and
- Community Housing.

Each fiscal year, Town Meeting must either reserve or appropriate at least ten percent (10%) of annual fund revenues for projects in each of the above three categories. Appropriations or a transfer to a reserve account both require a Town Meeting vote on the specific dollar amount.

Detailed descriptions of potential near term projects in Natick that could be funded by the CPA are provided in the earlier section entitled "CPA Needs and Opportunities". The following are additional statutory provisions on allowed and non-allowed uses. Fund monies may be appropriated for the following project-related community preservation purposes:

- Principal and interest payments on bonds and notes issued.
- Damages payable to property owners for real estate interests taken by eminent domain.
- Matching funds for state and federal grants. (Participation in the CPA does not affect the eligibility of Natick to receive funds from any other state grant programs.)
- Property acquisition-related expenses, such as appraisal costs and expenses for title searches, closing fees and preparation, issuance and marketing costs for bonds or notes for borrowings.
- Payments to a nonprofit organization to hold, monitor and enforce usage restrictions on real property acquired with community preservation funds.

Prohibited project expenditures

CP Fund monies may not be spent to:

- Supplant funds used for existing expenses, even if they serve community preservation purposes. The CP Fund is a supplementary funding source intended to increase available resources for community preservation acquisitions and initiatives;
- Pay for maintenance of any real or personal property unless it is a qualifiable expense for the rehabilitation and/or restoration of Open Space or Housing acquired or created by Community Preservation funds.
- Support horse or dog racing or for use of land for a stadium, gymnasium or similar structure;
- Found, aid, or maintain any institution or charitable or religious undertaking that 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.

Eligible annual administrative and operating expenses

CP Fund monies may pay for the administrative expenses of the Community Preservation Committee (CPC). Annual appropriations for these expenses may not exceed five percent (5%) of the year’s estimated annual CP Fund revenues.

Eligible CPC administrative expenses are limited to those expenses necessary to support the CPC’s statutory responsibilities. These can include:

- Costs for tax billing software changes and vendors necessary to integrate such software for the implementation of the CPA (during the first year only);
- Wages or salary for direct administrative support services to the CPC;
- Office supplies;
- Advertising for CPC public hearings;
- Certain contractual or consulting services expenses; and
- Funding for inventories and plans of local needs, etc., or to make spending recommendations to Town Meeting.

Ineligible administrative and operating expenses

Ineligible administrative expenses include, but are not limited to:

- Salaries, wages or benefits, or other indirect costs incurred by other government departments;
- Costs of a study to determine if a particular property is an historic resource or related to the designation of a historic district;
- Costs of feasibility studies, assessments, appraisals or plans unrelated to the CPC’s statutory duties or related to a project not eligible for CPA funding;
- Supplemental costs of a project approved by Town Meeting, i.e. transfer of funds from the CPC administrative budget to a CP project budget without a prior CPC recommendations;
- Use of CPC administrative budgets for contracted services (such as legal services for land acquisition) associated with a particular project appropriation by Town Meeting, where the project’s appropriation should rightly pay such costs.

	Open Space	Historic	Recreation	Housing
Acquire	Yes	Yes	Yes	Yes
Create	Yes	No	Yes	Yes
Preserve	Yes	Yes	Yes	Yes
Support	No	No	No	Yes
Rehabilitate and/or Restore	No <small>(unless acquired or created with CPA \$\$)</small>	Yes	Yes	No <small>(unless acquired or created with CPA \$\$)</small>

www.communitypreservation.org

State matching funds for Community Preservation

The Community Preservation Act guarantees cities and towns participating in the community preservation program a state match of at least five percent (5%) of what communities raise annually. The Commonwealth established the Community Preservation Trust Fund for this purpose.

On or before November 15 of each year, distributions are made from this Trust Fund to each city or town that imposed a surcharge for the fiscal year that ended on the preceding June 30.

Monies distributed from the Trust Fund come primarily from surcharges on fees charged for recording documents with Registries of Deeds or Land Court. It is, therefore, a redistribution of funds paid by residents across Massachusetts for recording deeds and related documents. The Trust Fund can also be credited with public or private gifts, grants or donations to the state for community preservation purposes, and other monies transferred to the Trust Fund by the state legislature.

Historically, these matches have ranged from 100% in the first years (34 communities received distributions in 2002) to as low as 17.20% in 2017 when 162 communities received distributions. But the match percentage has been increasing over the last 5 years, accelerated by an increase in the recording fee surcharge effective December 31, 2019. The match for FY 2022 was 43.84%.

Date of Distribution	Fund Distribution
10/15/2012	26.83%
11/15/2013	52.23%
11/15/2014	31.46%
11/15/2015	29.67%
11/15/2016	20.58%
11/15/2017	17.20%
11/15/2018	19.01%
11/15/2019	23.90%
11/15/2020	28.63%
11/15/2021	43.84%

Source: <https://www.communitypreservation.org/trustfund>

Red Bridge on Charles River | Photo: Martin Kessel



Appendix A

Town Meeting Warrant Article

Note: This is a DRAFT Warrant Article to establish a Community Preservation Committee. It would only be filed after Natick adopts the CPA

To see if the Town will vote to amend the Town's General Bylaws by adopting the following proposed By-Law Article XX, establishing the Natick Community Preservation Committee, or take any other action relative thereto.

Article XX . Community Preservation Committee.

Section - 1. Establishment.

There is hereby established in accordance with the provisions of MGL Chapter 44B a Community Preservation Committee consisting of nine (9) voting members.

Section - 2. Membership and Appointing Authority.

The composition and appointing authority of the Committee shall be as follows:

- One member of the Planning Board as designated by the Select Board;
- One member of the Conservation Commission as designated by the Commission;
- One member of the Historical Commission as designated by the Commission;
- One member of the Parks and Recreation Commission as designated by the Commission;
- One member of the Affordable Housing Trust as designated by the Trust; and,
- Four members to be appointed by the Select Board.

Section - 3. Terms and Filling of Vacancies

3-1. Members designated under Section 3 - 2(a) through (e): Members serving under Section 3- 2(a) through (e) shall be designated to serve for three year terms, or for such a shorter period as the respective designee serves on the designating multiple member body. Any vacancy occurring in membership under Section 3 - 2 (a) through (e) shall be filled by the respective designating authority. .

Should any of the multiple member bodies identified in Section 3 - 2(a) through (e) be no longer in existence for whatever reason, the Select Board shall appoint to the Community Preservation Committee a member who, in the discretion of said board, best represents the interests served by said multiple member body. Such appointment shall be made in accordance with the provisions of Section 3-2 of this Bylaw.

Initial designations shall be made as follows: Planning Board, two-year term; Conservation Commission, two-year term; Historical Commission, one-year term; Parks and Recreation Commission, three -year term; and Affordable Housing Trust, three-year term.

3-2. Members appointed under Section 3 – 2: Members appointed by the Board of Selectmen shall be appointed for three-year terms; provided, however, that in order to provide for rotating terms, initial appointments made hereunder shall be: two for three-year terms; one for a two-year term; and one for a one-year term. Vacancies shall be filled by the Select Board for the remainder of the unexpired term.

Section: - 4. Powers and Duties

4-1. Annual Needs Study. The Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation, including regional projects, and consult with appropriate municipal boards, committees, commissions, authorities and officers, all in accordance with M.G. L. c. 44B, §5 as such section may be amended from time to time. Consistent with said section, the Committee shall hold one or more public informational hearings in accordance with applicable notice requirements.

4-2 Recommendations to Town Meeting. The Community Preservation Committee shall make recommendations to Town Meeting for the reservation, setting aside, or expenditure of monies from the Community Preservation Fund, including estimated annual revenues, reserve accounts and fund balances, all in accordance with M.G. L. c. 44B, §§ 5 and 6, as such sections may be amended from time to time. No reservation, set aside or expenditure shall be made from the Community Preservation Fund without the approval of Town Meeting; provided further, that the Committee may submit to the Town Meeting for approval an annual administrative and operating budget for the implementation of the Community Preservation Act; said budget cannot exceed five percent (5%) of the Community Preservation Fund estimated annual revenues. The Committee shall schedule a public hearing at least 21 days prior to any Town Meeting on any warrant article proposing expenditure of monies from the Community Preservation Fund. Notice of said public hearing shall be posted on the Town website at least 14 days prior thereto.

Section - 5. Regulations.

The Community Preservation Committee shall be authorized to promulgate regulations at a meeting properly posted in accordance with applicable law to implement and facilitate this Bylaw, including, for example, establishment of forms, deadlines and other requirements for submission of project funding applications. Such regulations shall take effect two weeks after the date of their adoption and shall be posted on the Town website and made available in the office of the Town Clerk.

Section: - 6. Severability and Effective Date

6-1. Severability: In case any section, paragraph or part of this Bylaw should be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

6-2. Effective Date: This Bylaw shall take effect upon approval by the Attorney General of the Commonwealth of Massachusetts and after all requirements of M.G. L. c. 40, §32 have been met. Following the effective date of this Bylaw, the Town Clerk shall notify forthwith the appointing and designating authorities set forth herein and initial appointments and designations shall be made within thirty days thereafter consistent with the requirements set forth herein.

Section - 7. Application Deadline for Surcharge Exemption.

The application deadline for exemption from the surcharge shall be the same as for personal exemption applications, 90 days following the issuance of the actual tax bill.

Appendix B

Statewide CPA Community Information

City/Town Name	Date Adopted	Current Surcharge	Current Exemptions
Abington	4/30/2016	1.5%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Acton	11/5/2002	1.5%	Low income, first \$100,000 - residential
Acushnet	4/7/2003	1.5%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Agawam	11/6/2001	1.0%	Low income
Amherst	4/3/2001	3.0%	Low income, first \$100,000 - residential
Aquinnah	5/9/2001	3.0%	Low income, first \$100,000 - residential
Arlington	11/4/2014	1.5%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Ashland	5/7/2002	3.0%	Low income, first \$100,000 - residential
Ayer	4/23/2001	3.0%	Low income
Barnstable	11/2/2004	3.0%	None
Becket	5/17/2008	1.5%	Low income, first \$100,000 - residential
Bedford	3/10/2001	3.0%	Low income, first \$100,000 - residential
Belchertown	5/16/2005	1.5%	Low income, first \$100,000 - residential
Belmont	11/2/2010	1.5%	Low income, first \$100,000 - residential
Berlin	11/6/2018	3.0%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Beverly	11/6/2012	1.0%	Low income, first \$100,000 - residential
Billerica	11/8/2016	1.0%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Boston	11/8/2016	1.0%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Bourne	4/6/2005	3.0%	None
Boxborough	11/4/2014	1.0%	Low income
Boxford	5/15/2001	3.0%	Low income, first \$100,000 - residential
Braintree	4/2/2002	1.0%	Low income, first \$100,000 - residential
Brewster	5/17/2005	3.0%	None
Bridgewater	4/23/2005	2.0%	Low income, first \$100,000 - residential
Brookline	5/4/2021	1.0%	Low income
Cambridge	11/6/2001	3.0%	Low income, first \$100,000 - residential
Canton	11/6/2012	1.0%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Carlisle	5/22/2001	2.0%	Low income, first \$100,000 - residential
Carver	4/22/2006	3.0%	Low income, first \$100,000 - residential
Chatham	5/16/2002	3.0%	Low income, first \$100,000 - residential
Chelmsford	4/3/2001	1.5%	Low income, first \$100,000 - residential
Chelsea	11/8/2016	1.5%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Chilmark	4/25/2001	3.0%	Low income, first \$100,000 - residential
Cohasset	4/7/2001	1.5%	Low income, first \$100,000 - residential
Concord	11/2/2004	1.5%	Low income, first \$100,000 - residential

Deerfield	5/7/2007	3.0%	Low income, first \$100,000 - residential
Dennis	5/10/2005	3.0%	None
Dighton	4/10/2010	1.0%	Low income, first \$100,000 - residential
Dracut	5/7/2001	2.0%	Low income
Dunstable	5/15/2006	3.0%	Low income
Duxbury	3/24/2001	1.0%	Low income, first \$100,000 - residential
East Longmeadow	4/11/2006	1.0%	Low income, first \$100,000 - residential
Eastham	5/17/2005	3.0%	None
Easthampton	11/6/2001	3.0%	Low income, first \$100,000 - residential
Easton	4/24/2001	3.0%	Low income, first \$100,000 - residential
Edgartown	4/14/2005	3.0%	Low income, first \$100,000 - residential
Essex	5/14/2007	1.5%	Low income, first \$100,000 - residential
Fairhaven	4/4/2005	2.0%	Low income, first \$100,000 - residential
Fall River	11/6/2012	1.5%	Low income, first \$100,000 - residential
Falmouth	5/17/2005	3.0%	None
Framingham	11/3/2020	1.0%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Franklin	11/3/2020	2.0%	Low income, first \$100,000 - residential
Georgetown	5/14/2001	3.0%	Low income, first \$100,000 - residential
Gloucester	11/4/2008	1.0%	Low income, first \$100,000 - residential
Goshen	5/5/2007	3.0%	Low income
Gosnold	11/2/2010	1.5%	Low income, first \$100,000 - residential
Grafton	5/6/2002	1.5%	Low income, first \$100,000 - residential
Granville	4/14/2008	1.5%	First \$100,000 - residential
Great Barrington	11/6/2012	3.0%	Low income, first \$100,000 - residential
Greenfield	11/3/2020	1.0%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Groton	11/2/2004	3.0%	Low income, first \$100,000 - residential
Groveland	5/3/2004	3.0%	Low income, first \$100,000 - residential
Hadley	11/2/2004	3.0%	Low income, first \$100,000 - residential
Hamilton	5/12/2005	2.0%	Low income, first \$100,000 - residential
Hampden	5/7/2001	1.0%	First \$100,000 - residential
Hanover	11/2/2004	3.0%	Low income, first \$100,000 - residential
Hanson	5/17/2008	1.5%	Low income, first \$100,000 - residential
Harvard	4/3/2001	1.1%	None
Harwich	5/17/2005	3.0%	None
Hatfield	11/7/2006	3.0%	Low income, first \$100,000 - residential
Hingham	4/28/2001	1.5%	Low income, first \$100,000 - residential
Holliston	5/22/2001	1.5%	Low income, first \$100,000 - residential
Holyoke	11/8/2016	1.5%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Hopedale	11/3/2020	1.0%	First \$100,000 - residential
Hopkinton	5/21/2001	2.0%	Low income, first \$100,000 - residential
Hubbardston	11/7/2006	1.5%	Low income, first \$100,000 - residential
Hudson	5/14/2007	1.0%	None
Hull	11/8/2016	1.5%	Low income
Kingston	4/23/2005	1.0%	Low income, first \$100,000 - residential
Lancaster	11/3/2020	1.0%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Lee	11/3/2020	1.5%	Low income, first \$100,000 - residential, first \$100,000 - commercial

Lenox	11/7/2006	3.0%	Low income, first \$100,000 - residential
Leverett	4/28/2002	3.0%	Low income, first \$100,000 - residential
Lexington	3/6/2006	3.0%	Low income, first \$100,000 - residential
Lincoln	11/5/2002	3.0%	Low income, first \$100,000 - residential
Littleton	5/12/2007	1.0%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Longmeadow	6/6/2006	1.0%	Low income, first \$100,000 - residential
Lowell	11/5/2019	1.0%	Low income, first \$100,000 - residential, commercial
Malden	11/3/2015	1.0%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Manchester	5/17/2005	1.5%	Low income, first \$100,000 - residential
Marion	5/31/2005	2.0%	Low income, first \$100,000 - residential
Marshfield	4/28/2001	3.0%	Low income, first \$100,000 - residential
Mashpee	5/7/2005	2.0%	None
Mattapoisett	11/7/2006	1.0%	Low income, first \$100,000 - residential
Maynard	5/1/2006	1.5%	Low income, first \$100,000 - residential, commercial
Medford	11/3/2015	1.5%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Medway	5/7/2001	3.0%	Low income, first \$100,000 - residential
Mendon	11/5/2002	3.0%	Low income, first \$100,000 - residential
Middleborough	11/2/2010	1.0%	Low income, first \$100,000 - residential
Middleton	11/2/2004	1.0%	First \$100,000 - residential
Millis	11/7/2006	1.0%	Low income
Milton	11/3/2020	1.0%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Monson	11/7/2006	3.0%	Low income, first \$100,000 - residential
Nahant	4/24/2004	3.0%	Low income, first \$100,000 - residential
Nantucket	4/3/2001	3.0%	Low income, first \$100,000 - residential, commercial
Needham	11/2/2004	2.0%	Low income, first \$100,000 - residential
New Bedford	11/4/2014	1.5%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Newburyport	11/5/2002	2.0%	Low income, first \$100,000 - residential
Newton	11/6/2001	1.0%	None
Norfolk	5/1/2001	1.0%	Low income, first \$100,000 - residential
North Andover	3/6/2001	3.0%	Low income, first \$100,000 - residential
Northampton	11/8/2005	3.0%	Low income, first \$100,000 - residential
Northborough	11/2/2004	1.5%	Low income, first \$100,000 - residential
Northbridge	5/15/2018	1.0%	First \$100,000 - residential
Northfield	11/4/2008	0.5%	Low income, first \$100,000 - residential
Norwell	3/16/2002	3.0%	Low income, first \$100,000 - residential
Norwood	11/8/2016	1.0%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Oak Bluffs	4/14/2005	3.0%	Low income, first \$100,000 - residential
Orleans	5/17/2005	3.0%	None
Peabody	11/6/2001	1.0%	None
Pelham	5/7/2011	3.0%	Low income, first \$100,000 - residential
Pembroke	11/7/2006	1.0%	Low income, first \$100,000 - residential
Phillipston	5/7/2007	3.0%	Low income, first \$100,000 - residential
Pittsfield	11/8/2016	1.0%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Plainville	11/6/2018	1.0%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Plymouth	5/11/2002	1.5%	None
Plympton	5/17/2008	1.5%	Low income, first \$100,000 - residential

Provincetown	5/5/2004	3.0%	Low income, first \$100,000 - residential
Quincy	11/7/2006	1.0%	Low income, first \$100,000 - residential
Randolph	4/5/2005	2.0%	Low income, first \$100,000 - residential
Rehoboth	4/6/2009	1.0%	Low income
Rockland	11/8/2016	1.5%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Rockport	4/16/2002	3.0%	Low income, first \$100,000 - residential
Rowley	5/8/2001	3.0%	Low income
Royalston	11/4/2008	3.0%	Low income, first \$100,000 - residential
Salem	11/6/2012	1.0%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Sandwich	5/5/2005	2.0%	None
Scituate	3/30/2002	3.0%	Low income, first \$100,000 - residential
Seekonk	4/6/2009	1.3%	Low income, first \$100,000 - residential
Sharon	11/2/2004	1.0%	Low income, first \$100,000 - residential
Shrewsbury	11/3/2020	1.0%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Shutesbury	11/4/2008	1.5%	Low income, first \$100,000 - residential
Somerset	11/6/2012	1.0%	Low income, first \$100,000 - residential
Somerville	11/6/2012	1.5%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Southampton	5/7/2001	3.0%	First \$100,000 - residential
Southborough	5/12/2003	1.0%	Low income, first \$100,000 - residential
Southwick	11/5/2002	3.0%	Low income, first \$100,000 - residential
Springfield	11/8/2016	1.5%	Low income, first \$100,000 - residential, first \$100,000 - commercial
Stockbridge	5/20/2002	3.0%	First \$100,000 - residential
Stoughton	4/8/2008	1.5%	Low income, first \$100,000 - residential
Stow	5/15/2001	3.0%	Low income, first \$100,000 - residential
Sturbridge	4/19/2001	3.0%	First \$100,000 - residential
Sudbury	3/25/2002	3.0%	Low income, first \$100,000 - residential, commercial
Sunderland	11/2/2010	3.0%	Low income, first \$100,000 - residential
Swansea	11/4/2008	1.5%	Low income, first \$100,000 - residential
Templeton	5/7/2007	3.0%	Low income, first \$100,000 - residential
Tewksbury	4/1/2006	1.5%	Low income, first \$100,000 - residential
Tisbury	4/19/2005	3.0%	Low income, first \$100,000 - residential
Truro	5/10/2005	3.0%	None
Tyngsborough	5/8/2001	3.0%	Low income, first \$100,000 - residential
Upton	5/5/2003	3.0%	Low income, first \$100,000 - residential
Waltham	11/8/2005	2.0%	Low income, first \$100,000 - residential
Wareham	4/2/2002	3.0%	First \$100,000 - residential
Watertown	11/8/2016	2.0%	Low income
Wayland	4/24/2001	1.5%	Low income, first \$100,000 - residential
Wellesley	11/5/2002	1.0%	Low income, first \$100,000 - residential
Wellfleet	5/2/2005	3.0%	None
Wenham	5/7/2005	3.0%	Low income, first \$100,000 - residential
West Boylston	4/3/2007	2.0%	Low income, first \$100,000 - residential
West Bridgewater	4/5/2008	1.0%	Low income, first \$100,000 - residential
West Newbury	5/1/2006	3.0%	Low income, first \$100,000 - residential
West Springfield	11/4/2008	1.0%	Low income, first \$100,000 - residential, first \$100,000 - commercial
West Stockbridge	6/29/2020	2.0%	Low income, first \$100,000 - residential

West Tisbury	4/14/2005	3.0%	Low income, first \$100,000 - residential
Westfield	11/5/2002	1.0%	First \$100,000 - residential
Westford	5/1/2001	3.0%	Low income, first \$100,000 - residential
Weston	5/5/2001	3.0%	Low income, first \$100,000 - residential
Westport	3/11/2002	2.0%	None
Weymouth	11/8/2005	1.0%	Low income, first \$100,000 - residential
Whately	11/4/2008	3.0%	Low income, first \$100,000 - residential
Whitman	11/3/2020	1.0%	Low income, first \$100,000 - residential
Wilbraham	11/2/2004	1.5%	Low income, first \$100,000 - residential
Williamstown	5/14/2002	2.0%	First \$100,000 - residential
Wrentham	11/8/2016	1.0%	First \$100,000 - residential
Yarmouth	5/2/2005	3.0%	First \$100,000 - residential





A Proposal for the adoption of the Community Preservation Act (CPA) by the Town of Natick

Findings and Recommendations of the 'CPA for Natick' Coalition | February 2022