



## **TOWN OF NEEDHAM**

### **COMMUNITY PRESERVATION PLAN**

### **COMMUNITY PRESERVATION COMMITTEE**

Adopted October 14, 2005

Amended and Adopted November 8, 2006

Amended and Adopted January 5, 2010

Amended and Adopted March 26, 2014

Amended and Adopted March 29, 2023

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## INTRODUCTION

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The Town of Needham Community Preservation Committee (the “Committee” or “CPC”) is pleased to present the Town of Needham *Community Preservation Plan* (the “Plan”). The Plan presents a description of

- the Community Preservation Act (CPA) as it applies to the Town
- a description of CPA Goals and Factors for Consideration in reviewing requests for CPA funding
- a method and procedure by which the CPA will be administered by the Committee and the Town

As such, the Plan represents an informational document for the citizens of the Town, a guideline and instructional document for applicants seeking project funding through the CPA, and a guidance document for this and future CPA Committees in reviewing applications for project funding and making recommendations to Town Meeting for project funding. Please note that the method and procedure for applications can be found under separate cover in “Community Preservation Application Process.”

This Plan was originally created by the Community Preservation Committee in 2005 and has been updated in subsequent years. To create the original plan, The Committee hosted meetings with the Select Board, Finance Committee, and the representatives of the municipal boards and committees charged with responsibilities relevant to open space/recreation, historic preservation, and community housing. Representatives of certain community groups also made presentations to The Committee.

In connection with the amendments to the Plan effective April X, 2023, The Committee met with the Select Board, Finance Committee, and representatives of the municipal boards and committees charged with responsibilities relevant to open space/recreation, historic preservation, and community housing. The Committee also held a public hearing to solicit community input in connection with the amendments.

The Committee once again wishes to thank the multitude of Town citizens, Town and State officials and committee members, as well as staff at the Community Preservation Coalition for their continued assistance to the work of the CPC and the updates to this Plan.

The Committee recognizes that the Plan will be modified in the future by the Committee in response to changing goals, Town needs, and Committee experience. The Plan must also reflect any amendments to the Community Preservation Act legislation as well as any judicial rulings on CPA projects. The Committee will continue to make an ongoing effort to meet with the many interest groups and Town departments, committees, and boards as it goes forward.

For additional information on the CPA statute and how it is being applied in towns across the State, visit the Community Preservation Coalition website at [www.communitypreservation.org](http://www.communitypreservation.org). For information on Needham’s Community Preservation activity, visit the Town website at [www.needhamma.gov/CPC](http://www.needhamma.gov/CPC).

## **THE COMMUNITY PRESERVATION ACT IN NEEDHAM**

### **The CPA State Legislation**

The Community Preservation Act M.G.L. c. 44B (“CPA” or the “Act”), allows Massachusetts cities and towns to raise monies through a surcharge of up to 3% of the real estate tax levy on real property (“CPA Surcharge”). These funds may then be used to acquire, create, and preserve open space; acquire, preserve, rehabilitate, and restore historic resources; acquire, create, preserve, and support community housing; and acquire, create, preserve, rehabilitate, and restore land for recreational use. Open space and community housing may be rehabilitated or restored if purchased with Community Preservation funds. The legislation was most recently updated in July 2021.

The CPA also provides that participating communities receive a distribution from the Massachusetts Community Preservation Trust Fund. The Community Preservation Trust Fund has a complex distribution formula based upon the number of communities participating and their respective local surcharges. The state distribution or match over the years has fluctuated from a high of 100% match of the local surcharge amount in the fiscal year following initial adoption of the CPA legislation by Needham to as low of 17.2% in fiscal year (FY) 2018. Legislation was passed in July 2019 that provided for an increase in fees that fund the Community Preservation Trust Fund (Registry of Deeds recording fees), resulting in the Town receiving increased distributions from the Community Preservation Trust Fund. Additionally, as part of its budget process, the General Court has periodically made one-time appropriations supplementing the CPA distributions available to participating communities.

In the seventeen years since the Town adopted the CPA (2006 – 2023), the Town has received a total of \$12,155,617 in CPA distributions from the State CPA Trust Fund. A summary of yearly distributions received by the Town from the Community Preservation Trust Fund since the Town’s adoption of the CPA legislation can be found at the Town of Needham website at <https://www.needhamma.gov/CPC> .

Copies of the State legislation, M.G.L. c. 44B, Community Preservation Act are available on the State web site at: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter44b> .

### **The CPA in Needham**

The CPA was approved by Needham Town Meeting at the May 2004 Annual Town Meeting and by a 58% “yes” vote at the November 2, 2004 Town election. In Needham, voters elected to fund the CPA account through a 2.0% surcharge on all real estate property tax bills with two exemptions:

- Residential property owned and occupied by any person who qualifies for low-income housing, or low- or moderate-income senior housing.
- \$100,000 of taxable value of residential real property.

Each May, Town Meeting will appropriate the anticipated revenues from the CPA surcharge to be collected in the upcoming fiscal year as well as the distribution from the Massachusetts Community Preservation Trust Fund. At the fall or spring Special Town Meeting, the appropriation may be adjusted in recognition of the recorded state distribution. The required minimum appropriations are as follows:

|                            |     |
|----------------------------|-----|
| Historic Resources Reserve | 10% |
| Community Housing Reserve  | 10% |
| Open Space Reserve         | 10% |

The remaining funds are put into the Annual Reserve, which can only be used for projects in these three above-listed areas and/or qualifying recreational projects, and up to 5% of the fund can be put aside for the Committee's expenses.

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

Consistent with the terms of the CPA and with the Town's Community Preservation Committee Bylaw (§2.7.3.1), the Community Preservation Committee has been formed to administer the CPA. There are nine members of the Needham Community Preservation Committee. Each of the following commissions and boards designates one of its members to be appointed:

- Needham Conservation Commission,
- Needham Historical Commission,
- Needham Housing Authority,
- Needham Park & Recreation Commission, and
- Needham Planning Board.

Two representatives each are appointed by the:

- Select Board, and
- Town Moderator.

No person may be appointed to the CPC for more than two consecutive 3-year terms.

The Town Manager appoints a staff liaison to work with the Community Preservation Committee. Current membership can be found at this page on the Town's website:

<https://needhamma.gov/427/List-of-Members>

The Committee is obliged by the Needham CPA Bylaw to consult with the Select Board and the Finance Committee as it develops its recommendations for funding to Town Meeting. The Committee also consults with other Town boards and committees from time to time as it formulates its recommendations. A complete list of the duties of the Needham CPA can be found at Section 2.7.3.2 of the Town of Needham General By-Laws, on the Town's website at:

<https://www.needhamma.gov/DocumentCenter/View/1859/General-By-LawsCharter-2021-PDF?bidId=>

All members of the public are welcome to attend the Committee's meetings. The times and locations of these meetings are posted at Town Hall and on the Town website, [www.needhamma.gov/CPC](http://www.needhamma.gov/CPC).

## **CPA Funding Requirements**

The CPA mandates that each fiscal year Needham must spend, or set aside for later spending, at least 10% of the annual revenues in the Town of Needham Community Preservation Fund (the "Fund") for each of three CPA target areas: open space; historic resources; and community housing. The remaining 70% may be appropriated at the Town's discretion as long as it is used for the three target areas and/or recreation. The Act also permits the Town to appropriate up to 5% of the Fund for the administrative expenses of The Committee.

Any CPA funds not used in any given year, including the Administrative Fund, stay within the CPA Fund, and can be used for approved projects in the future.

A recommendation by the Committee and an appropriation by Town Meeting are both required to spend any Fund monies for particular community preservation purposes. Appropriations from the Fund, except borrowing, are made by a simple majority vote of Town Meeting. Borrowing monies for CPA purposes requires a two-thirds majority vote of Town Meeting.

In its deliberations, Town Meeting can approve, reduce, or reject any amount of spending appropriation recommended by the Committee. Town Meeting may not, however, increase any Committee recommended appropriation or reserve. In addition, Town Meeting may not appropriate any Fund monies on its own initiative without a prior recommendation by the Committee and may not amend a recommended project so as to render it no longer the recommended project

## HOW CPA FUNDS CAN BE USED

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Community Preservation Act funds must be used for public community preservation purposes. The Factors for Consideration, located in the next section of this Plan on pages 12-22 summarize these public purposes.

The Community Preservation Act directs the Community Preservation Committee to make recommendations to Town Meeting:

- for the acquisition, creation and preservation of open space;
- for the acquisition, preservation, rehabilitation and restoration of historic resources;
- for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use;
- for the acquisition, creation, preservation and support of community housing; and
- for the rehabilitation or restoration of open space and community housing that is acquired or created using CPA funds.

As detailed by the CPA, Fund monies may be spent to undertake the following primary community preservation purposes:

- **Open Space** -- 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.” If acquired or created by CPA Funds, rehabilitation and restoration projects are eligible expenditures.
- **Community Housing** -- 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.” If the housing was originally acquired or created using CPA funds, rehabilitation and restoration projects are eligible expenditures.
- **Historic Resources** -- The acquisition, preservation, restoration and rehabilitation of historic resources. The CPA recognizes historic resources as, “historical structures and landscapes,” including “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, archeology, architecture or culture of a city or town.” For CPA purposes, the local historic preservation commission is the Town of Needham Historical Commission.
- **Recreation** -- The acquisition, creation, preservation, restoration and rehabilitation 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, the acquisition of artificial turf for athletic fields or the use of land for a stadium, gymnasium, or similar structure.” Rehabilitation “shall include the replacement of playground equipment and other capital improvements to the land or the facilities thereon which make the land or the related facilities more functional for the intended recreational use.”

Community Preservation Act funds may also be used for, but not limited to, the following (and possibly other) purposes:

- A community may “set aside” revenues 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.
- Compensation 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:

- Replacing existing operating funds; rather CPA funding can only augment them. The CPA Fund is a supplementary funding source intended to increase available resources for community preservation acquisitions and initiatives.
- Pay for routine maintenance, defined as, “the upkeep of any real or personal property.”
- Gymnasiums, stadiums, artificial turf fields, or any similar structure.
- Projects without a public purpose or public benefit.

A list of all CPC funded projects since the Town’s adoption of the CPA legislation can be found at the Town of Needham website at: <https://needhamma.gov/445/Needhams-Projects>.

A table presenting the historical expenditures of CPA funds since the Town’s adoption of the CPA legislation by eligible category (i.e. Open Space and Recreation, Historic Preservation, and Community Housing) can be found at the Town of Needham website at: <https://needhamma.gov/DocumentCenter/View/42964/CPC-Funding-Sources-Summary-?bidId=>



## **GENERAL REVIEW AND FACTORS FOR CONSIDERATION**

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### **General Review**

To be eligible for review, a project must meet the statutory requirements for funding eligibility. It is the responsibility of the applicant to demonstrate to The Committee that a project meets the minimum statutory requirements. The Committee will, to the extent that it is prudent, assist the applicant in that determination.

Beyond the minimum requirement stated in the CPA statute, the purpose of this Factors for Consideration section is to provide guidance to the applicant, to The Committee, and to the Town with respect to the additional CPC evaluation criteria for evaluating funding applications' eligibility, priorities, and timing. It is recognized that not every Factor will apply to every project and the failure to meet any specific Factor, other than the minimum statutory requirements, does not require rejection of a project. The following Factors for Consideration are intentionally not weighted nor listed in order of preference or importance.

Because there can be more funding requests than available CPA funding, the Committee reserves to itself the final judgement and discretion to accept or reject any project regardless of how many Factors for Consideration are met, or not, balancing the quality and strength of each year's applications and what is in the best interests of the Town of Needham as a whole

The Factors for Consideration may be clarified, amended, or replaced from time to time as experience dictates.

### **Factors for Consideration**

Evaluation of projects submitted for consideration by the Committee will include consideration of various factors including whether:

1. The project is consistent with the goals of the Town of Needham Community Preservation Plan.
2. Completion of the project is time sensitive, with particular consideration to those requests whose successful implementation is constrained by scheduling factors not controlled by the applicant.
3. The project is economically or otherwise reasonably feasible to implement and operate on a long-term basis.
4. The project has a substantial positive impact on the community based on, among other things, needs being addressed, and number of community members benefited.
5. The project has strong support from Town boards or commissions with direct or indirect jurisdiction over the project.

6. The project has strong community support and is consistent with the expressed priorities of the community.
7. The project is supported by subjective factors of equity, fairness, and worthiness.
8. The project satisfies federal, state, and local laws and regulations to the extent applicable.
9. The project leverages additional or multiple sources of public and/or private funding; or assists in planning and development activities to facilitate such leverage.
10. The project requires CPA funds for the project to be implemented.
11. The project utilizes, preserves, protects, increases, or enhances Town-owned open space, recreation, historic, and/or housing assets.
12. Funding the project is consistent with prudent long-term management of CPA funds.
13. The project proponent has demonstrated to the reasonable satisfaction of The Committee the public need for the project, benefit to the Town of Needham, and the proponent's ability and competency to successfully implement the project as proposed either by its record of successfully implementing similar projects or otherwise.
14. The applicant has site control, or the written consent by the property owner (and/or approval by relevant Town department(s), committee(s) or boards) to submit an application.
15. The applicant of a project that benefits privately owned resources or entities agrees to permanent restrictions to ensure a public benefit, as required by the CPA.

Please note the Committee prefers to bring project-funding articles to the Annual Town Meeting in May, though under extraordinary circumstances that affect the project negatively, a project may be presented at a Special Town Meeting.

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## OPEN SPACE AND RECREATION

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### A. Introduction

The Town of Needham is currently undertaking the process of updating its Open Space and Recreation Plan (OSRP). The OSRP is a community-planning document that defines the Town's goals for reasonably preserving its natural resources and for maintaining adequate outdoor recreation opportunities. The Plan lays out a strategic framework for implementation consistent with community needs and desires by:

- Documenting the community's natural, recreational, and historical resources base;
- Identifying development trends that are likely to impact that resource base;
- Developing strategies to reasonably preserve and expand open space, natural, and recreational resources and opportunities;
- Prioritizing conservation and recreation needs; and
- Providing recommendations for reaching short and long term open space and recreation goals.

The first step in the process to update the Town's existing plan was the formation of an Advisory Group (AG) to guide the process. The AG, consisting of approximately forty (40) members, was formed in late August 2022. In cooperation with the Town's consultant, the OSRP-AG will coordinate public information sessions, review existing materials, and collect and analyze data on residents' views on open space and recreation topics. The AG consists of representatives from multiple committees and also includes other stakeholders and interested parties. The CPC anticipates that upon completion of the OSRP, the following sections addressing Open Space Resources and Needs, Open Space Goal, Recreation Resources and Needs, and Recreation Resources will be updated as necessary.

### B. Open Space Resources and Needs

Although the Town has continued to experience significant residential development over the last ten years, from 11,122 housing units in 2010 to 11,891 units in 2020, Needham retains certain natural and scenic resources, including wetlands, diverse wildlife, conservation areas, ponds, rivers, and open space. These resources contribute to making the Town a desirable place to live, which has fueled its continued residential growth.

The CPA allows and encourages the acquisition, creation and preservation of open space. CPA funds may be used to protect open space by outright purchase, or by eliminating or limiting development rights through the purchase of permanent land conservation or agricultural preservation easements or restrictions.

### C. Open Space Goals

The Committee identified two key open space goals:

- Conserve, preserve, and enhance Needham’s natural and open space resources.
- Obtain open space through a variety of methods such as, but not limited to, acquiring development rights and public access easements, outright purchasing potentially developable land and natural resource land that is accessible to the public, and encouraging property owners to protect and/or preserve their land as open space through conservation restrictions or other means.

## **D. Open Space Factors for Consideration**

Evaluation of projects submitted for consideration by The Committee will include consideration of several factors, including whether the project:

- Preserves the natural and man-made features such as open fields, woodlands, and ponds.
- Acquires or controls additional open space and develops additional public open spaces and parklands.
- Links and connects preserved open space resources by providing or improving trails and wildlife corridors.
- Protects and maintains the remaining farmland in Town.
- Preserves large tracts of undeveloped land.
- Protects the quality and quantity of Needham’s water supply.
- Protects wildlife habitat and wildlife corridors.

## **E. Recreation Resources and Needs**

The Town’s fields and facilities are meant to serve everyone in Needham. Requests for more time and more fields have significantly increased in recent years due to organizations extending their seasons, scheduling additional practices and games, and a greater number of sports and activities. The Park and Recreation Department is also looking at their fields and facilities through an equity lens, making sure to recommend capital projects that can serve all of the Town’s diverse populations and ensure more accessibility and inclusivity for all. The requests for additional recreation facilities have increased as activities have grown to include younger participants and senior adults, both genders, longer or multiple seasons, and a greater number and variety of sports and activities. It is important to plan now for both short- and long-term solutions to this growth of demand.

The Town’s permanently protected open space includes a generous network of open trails that provide opportunities for passive recreation, such as hiking, cross-country skiing, and access to ponds. Public swimming facilities include Rosemary Pool. Fishing and boating can be enjoyed on the Charles River and in some Town ponds.

## **F. Recreation Goals**

The Committee identified one key recreation goal:

- Preserve, increase, and enhance recreational uses of and access to Needham's natural and recreational resources.

## **G. Recreation Factors for Consideration**

Evaluation of projects submitted for consideration by The Committee will include consideration of several factors, including whether the project:

- Develops active recreational resources including playing fields, improved/new playgrounds, and improved handicapped access; also addresses adult, senior, and toddler recreational needs.
- Provides additional athletic fields to meet the needs of the Town's growing demand.
- Encourages and develops more recreational access/use of open spaces (where appropriate) and natural resources.
- Encourages regional bike trails throughout Needham.
- Enhances resources for walking, hiking, cross-country skiing, bicycling, boating, and fishing.
- Increases access to and recreational uses of the Charles River.
- Acquires land to fulfill identified current and future recreational needs.

## COMMUNITY HOUSING

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### A. Community Housing Resources and Needs

The CPA defines “community housing” as “low- and moderate-income housing for individuals and families, including low- or moderate-income senior housing.” However, for housing units created with CPA funds to be counted by MA Department of Housing and Community Development (DHCD) in its Subsidized Housing Inventory (SHI) toward Needham’s 10% goal under MA General Laws Chapter 40B (40B), the units must serve those whose annual income is less than 80% of the areawide median income. Current information is available at DHCD’s website <https://www.mass.gov/orgs/housing-and-community-development> and at the Town of Needham web page: <https://needhamma.gov/3679/Housing-Division> .

The CPA provides that community preservation funds may be expended “for the creation, preservation and support of community housing and for the rehabilitation or restoration ... of community housing,” but not including maintenance. The Needham Housing Authority, the Needham Affordable Housing Trust, and local non-profit housing corporations are local community resources.

A comprehensive update to the Needham Housing Plan was published in December 2022 and approved by the Planning Board and the Select Board in January 2023. The Housing Plan can be accessed and downloaded at [https://www.needhamma.gov/DocumentCenter/View/42623/Needham-Housing-Plan-2022-Final\\_r3](https://www.needhamma.gov/DocumentCenter/View/42623/Needham-Housing-Plan-2022-Final_r3) . Further information can be found at <https://www.needhamma.gov/5050/Needham-Housing-Plan-2021> .

The median price of houses and market-rate rental units in Needham is much higher than what moderate-income families and many Town employees and people who work in Needham are able to afford. Affordable housing opportunities help attract and retain, among others, low and moderate-income families, the elderly on fixed incomes, the disabled, young persons, and public and private employees upon whom the Town depends to provide high quality services in and for the Town. Implementation of the Housing Plan to preserve, and hopefully increase, low-income, moderate-income, and affordable housing is critical to maintaining the diversity and economic prosperity of Needham.

Although Needham, based on the 40B formula, can count 1,410 of its total of 11,891 year-round housing units (11.9%) in the SHI, (because all rental units in 40B developments, even those rented at market rates, are counted, thus meeting the 40B goal of 10%), only 742 of SHI units (6.2%) are actually affordable to households at or below 80% of median income.

### B. Community Housing Priorities

Following Certain Guiding Principles (See Housing Plan p. 8), the Housing Plan identified the following Priorities:

- Households with limited incomes - need affordable rental housing.
- Gaps in affordability and access to affordable housing – need affordable homeownership opportunities.
- Special needs housing – need handicapped accessible units and supportive services.

### **C. Community Housing Strategies**

The Committee agrees with the following key community housing development and preservation strategies:

- Support Needham Housing Authority’s Preservation and Redevelopment Initiative.
- Continue local programs that address health and safety issues, e.g., the Small Repair Grant Program.
- Strategically invest and leverage local resources such as CPA funds.
- Promote housing for special needs populations.
- Renovate/replace the Stephen Palmer property.
- Prepare an inventory of potential public and privately-owned development opportunities, building on the 2002 Open Space Report to the Select Board.
- Adopt town-wide inclusionary zoning.

The above stated Community Housing Priorities and Strategies necessarily inform the Community Housing Goals of this CPA Plan

### **D. Community Housing Factors for Consideration**

Evaluation of projects submitted for consideration by The Committee will include consideration of several factors, including whether the project:

- Preserves the affordable component of existing “expiring use” affordable units.
- Supports transit-oriented, suburban-density, multi-family housing.
- Redevelops, utilizes, improves, or expands existing housing structures and infrastructure for affordable housing use.
- Provides affordable housing opportunities in certain business and industrial districts, focusing on the Town Center, Needham Heights, and the Highland Avenue- Chestnut Street Corridor, compatible with existing infrastructure as evaluated by the site plan approval process.
- Serves an underserved population or populations by establishing affordability restrictions in perpetuity.
- Is consistent with the goals and objectives of the 2022 Needham Housing Plan, particularly with respect to low and moderate income residents.

## HISTORIC PRESERVATION

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### A. Historic Preservation Resources and Needs

Needham has had an Historical Commission since 1976. In addition, the Needham Historical Society, an active non-profit organization, holds many of the historic records of the Town. Needham's historical heritage extends throughout the Town and includes many properties recorded in the Massachusetts Register of Historic Places as well as a number of older established neighborhoods that reflect the history and pattern of the Town's development. The link below is a current list of the historic properties in Needham.

<https://www.needhamma.gov/DocumentCenter/View/12487/Needham-Historical-Commission-Inventory-of-Historic-Properties-?bidId=>

*For more information on historic properties in Needham and in the Commonwealth of Massachusetts, please contact the Needham Historical Commission.*

### B. Historic Preservation Goals

As Needham's historical assets are under threat from maintenance and development pressures, the Committee identified the key goals for historic preservation are to protect, preserve, enhance, restore, or rehabilitate the following:

- Resources of historical, cultural, architectural, or archaeological significance, especially those which are threatened with demolition;
- Historic properties for adaptive reuse;
- Sites on the Needham Historical Commission Inventory

### C. Historic Preservation Factors for Consideration:

Evaluation of projects submitted for consideration by The Committee will include several factors, whether the project:

- Preserves and protects historic and cultural properties and sites to the extent allowed under the CPA, and preferably by means of a Historic Preservation Restriction
- Demonstrates a public benefit to preserve historic resources. Town-owned facilities may be preferred in The Committee's evaluation process.
- Incorporates the remodeling, reconstruction, renovation, and making of extraordinary repairs to historic resources, such as improvements intended to make historic facilities functional for their intended use, including but not limited to, handicapped accessibility and building code requirements.



## **APPENDICES**

All appendices for the CPA Plan can be found online at <https://needhamma.gov/440/Needhams-Plan>

**Comments or questions are welcome and may be submitted to:**

**Mailing Address:**

Community Preservation Committee  
c/o DPW Admin  
500 Dedham Avenue  
Needham, Massachusetts, 02492

**Staff Liaison Phone:** Please call the DPW Admin Office at 781-455-7550 or by email at [csimchak@needhamma.gov](mailto:csimchak@needhamma.gov)

## GLOSSARY

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### **Affordable Housing/Community Housing**

"Community Housing," low and moderate income for individuals and families, including low and moderate income senior housing.

"Low or moderate income housing", housing for those persons and families whose annual income is less than 80 percent of the area wide median income. The area wide median income shall be the area wide median income as determined by the United States Department of Housing and Urban Development.

"Low or moderate income senior housing", housing for those persons having reached the age of 60 or over who would qualify for low or moderate income housing.

### **Capital Improvement**

Reconstruction or alteration of real property that: (1) materially adds to the value of the real property or appreciably prolongs the useful life of the real property; (2) becomes part of the real property or is permanently affixed to the real property so that removal would cause material damage to the property or article itself; and (3) is intended to become a permanent installation or is intended to remain there for an indefinite period of time.

### **Community Preservation Act (CPA)**

The Community Preservation Act (CPA) (MGL C. 44B) allows communities to create a local Community Preservation Fund for open space, historic preservation, affordable housing and outdoor recreation. CPA allows towns to levy a community-wide property tax surcharge of up to 3 percent for the purpose of creating a local Community Preservation Fund and qualifying for state "matching" funds. The Fund must be used for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space and community housing that is acquired or created using CPA funds. . The state will provide "matching" funds to communities approving CPA, based on a formula. Needham accepted the CPA at 2 percent.

### **Community Preservation Committee (CPC or The Committee)**

A nine person committee consisting of one each appointed by the Needham Historical Commission, the Needham Housing Authority, the Needham Conservation Commission, the Needham Park and Recreation Commission and the Needham Planning Board and two by the Needham Select Board and two by the Needham Town Moderator. The Committee consults with the Select Board and the Finance Committee as well as any other committee or board with an interest in CPA funding.

### **Community Preservation Fund (CPF)**

Separate town account for the deposit of all surcharges collected and state "matching" funds

Sub Accounts of CPF (sometimes referred to as "reserve accounts" or "buckets")

- Open Space Reserve Fund (required minimum of 10% of funds)
- Historical Preservation Reserve fund (required minimum of 10% of funds)
- Affordable Housing Reserve Fund (required minimum of 10% of funds)
- Annual Reserve Fund (remaining 70% of fund other than administrative and operating fund.)
- Administrative Account Fund (up to 5%)

The Committee is permitted to appropriate up to 5% of the funds for the administration and operational expenses of The Committee. These funds can be used to hire support staff, purchase office supplies and cover the cost of professional services that may be needed. Any administrative moneys that are not used that year are returned to the CPA annual reserve fund.

*Note: Recreational projects are specifically included in the CPA as eligible for funding.*

Beyond these required disbursements, Town Meeting, acting upon the recommendations of the CPC, will appropriate the remaining 70 percent of annual CPA revenues. For example, Town Meeting could allocate the

remaining 70 percent of the annual revenue to one purpose, spread it evenly among all three, or set the funds aside for future spending. Each year, the municipality can modify the spending mix for the remaining 70 percent of the fund.

### **Community Preservation Surcharge**

The locally raised share of CPA revenue comes from a surcharge (additional amount of tax) on real estate tax bills. The surcharge percentage, which may not exceed 3 percent, is set by referendum vote. The surcharge amount is separately stated on each tax bill. In Needham, the surcharge is 2 percent, subject to certain statutory exemptions (see “CPA Surcharge Exemptions”).

### **Community Preservation Surcharge Exemptions**

Taxpayers currently exempt from real property taxes under Chapter 59 of Massachusetts General Laws are exempt from the CPA surcharge. In addition, Town Meeting approved additional exemptions to the CPA surcharge.

- Property owned and occupied by a person who would qualify for low income housing or low or moderate-income senior housing in Needham.
- The first \$100,000 of taxable value of residential real estate.

Needham may make changes to these exemptions at any time with approval of the Town Meeting and subsequent voter approval.

### **Historic Resources**

Historic resources, a building, structure, vessel or 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, archeology, architecture or culture of a city or town.

### **Maintenance**

Incidental repairs which neither materially add to the value of the property nor appreciably prolong the property's life, but keep the property in a condition of fitness, efficiency or readiness.

### **Needham Community Preservation By-Law**

Available under separate cover – contact Park and Recreation Department or go to [www.needhamma.gov/CPC](http://www.needhamma.gov/CPC)

### **Open Space**

Open space shall include, but not be limited to, land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use.

### **Preservation**

Protection of personal or real property from injury, harm or destruction.

### **Recreational Use**

"Recreational use", active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field. "Recreational use" shall NOT include horse or dog racing, the acquisition of artificial turf for athletic fields, or the use of land for a stadium, gymnasium or similar structure.

### **Rehabilitation**

Capital improvements, or the making of extraordinary repairs, to historic resources, open spaces, lands for recreational use and community housing for the purpose of making such historic resources, open spaces, lands for recreational use and community housing functional for their intended uses including, but not limited to,

improvements to comply with the Americans with Disabilities Act and other federal, state or local building or access codes; provided, that with respect to historic resources, “rehabilitation” shall comply with the Standards for Rehabilitation stated in the United States Secretary of the Interior's Standards for the Treatment of Historic Properties codified in 36 C.F.R. Part 68; and provided further, that with respect to land for recreational use, “rehabilitation” shall include the replacement of playground equipment and other capital improvements to the land or the facilities thereon which make the land or the related facilities more functional for the intended recreational use.

### **Support of Community Housing**

Programs that 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.