

CPC USE ONLY:

Application #: _____

Eligible: Y N

**Town of Needham
Community Preservation Committee**

INITIAL ELIGIBILITY PROJECT APPLICATION (FY2027)

Deadline for completed applications is NOVEMBER 1, 2025. Submit via email to Michelle Provencal-Jones mprovencal-jones@needhamma.gov. For more information visit www.needham.gov/CPC.

1. **Applicant Name:** **Submission Date:**

2. **Applicant Address, Phone Number and Email:** 3. **Purpose (*select all that apply*)**
 - ☐ Open Space
 - ☐ Community Housing
 - ☐ Historic Preservation
 - ☐ Recreation

- Contact Name:**

4. **Project Name:**

5. **Project Location/Address:**

6. **Property Ownership (Site Control):**

7. **Amount Requested:** \$

8. **Estimated Total Project Cost: (*if Different*)** \$

9. **Critical Dates: (*if Applicable*)**

10. **Project Summary: (*please provide a brief summary of the project*)**

CPC USE ONLY:

Application #: _____

- 11. Community Need: *(In 100 words or less describe how the project meets the goals of the Needham Community Preservation Plan)***

- 12. Eligibility for Funding: *(In 100 words or less, state the legal basis for why this project is eligible for Community Preservation Act funding)***

**Note: This application enables the Community Preservation Committee to review the request to assess eligibility for CPA funding. You will be notified of the Committee's eligibility determination by December 1, 2025. Additional information may be required.*



TOWN OF NEEDHAM

COMMUNITY PRESERVATION APPLICATION AND PROCESS

COMMUNITY PRESERVATION COMMITTEE

Adopted October 14, 2005
Revised October 10, 2007
Amended September 15, 2021
Amended October 2, 2022
Amended March 1, 2023

APPLICATION INSTRUCTIONS AND PROCESS

STEP ONE: APPLICATION

Submit Initial Eligibility Application via email to Michelle Provencal-Jones at mprovencal-jones@needhamma.gov (including all attachments). Applications can be found online at www.needhamma.gov/CPC.

Initial Eligibility Project Applications should be submitted no later than **November 1** to be eligible for consideration at the upcoming Annual Town Meeting in May. At its discretion, the Community Preservation Committee (“Committee”) may choose to accept applications after the deadline. In extraordinary circumstances, the Committee may choose to accept applications in anticipation of a Special Town Meeting provided that the Committee determines it has adequate time to review the application, and adequate information about the urgency, as set forth in the current Community Preservation Plan, is provided with the application. Applicants are encouraged to apply as soon as possible and not to wait for the deadline.

The Committee will review complete submitted applications to determine whether the proposed projects meet all three of the below criteria:

1. Are eligible for Community Preservation Act (“CPA”) funding; and
2. Are consistent with the goals for CPA funding as set forth in the current Community Preservation Plan; and
3. Whether the applicant has site control, or the written consent by the property owner (or relevant Town agency or board) to submit an application.

The Committee will provide applicants preliminary notification of the eligibility of their application by **December 1**.

Applicants should review the CPA legislation, the Needham CPA by-law, and the current Community Preservation Plan prior to submitting CPA funding applications. Copies are available online at www.needhamma.gov/CPC or at the DPW Admin Office on the 1st floor of the Needham Public Services Administration Building, 500 Dedham Avenue, Needham, MA.

STEP TWO: DUE DILIGENCE

If a project is determined to be eligible for CPA funding, the applicant will be requested to provide additional information by **January 1**. One or more members of the Committee will be appointed as the project liaison.

The additional information will be requested via Due Diligence Questions. The Due Diligence form is a detailed questionnaire provided by the Committee that consists of standard questions applicable to each category of funding (housing, open space/recreation, and historic preservation) as well as additional questions that are specific to the proposed project. Copies of the standard Due Diligence Questions can be found online at www.needhamma.gov/CPC. Throughout the Due Diligence process, the Committee may

request follow up information, documentation, and explanation via additional due diligence questions.

The information requested may include, but is not limited to:

- Project Summary: A complete and detailed description of the project and, when applicable, of the property involved and its proposed use, including.
 - A description of how the project will benefit the Town and the citizens of Needham.
 - A description of how the project is consistent with the Community Preservation Plan including, without limitation, the Factors for Consideration as detailed in the Plan.
 - A work plan showing the anticipated steps or phases for completion of the project.
 - A project schedule which includes the timing and estimated cost of each phase.
- Site Control: A copy of the deed, purchase and sale agreement, option agreement, or other document to establish that the applicant has site control; or the property owner's written consent to the application and to the proposed project. If site control is not established, please explain in detail.
- Project Scope: An itemized project scope, with details describing each item and its estimated cost.
- Cost Estimate: A thorough cost estimate (or detailed cost estimate with full explanation by line item and backup material). The Committee may require a professionally prepared cost estimate and/or appraisal.
- Feasibility: A List and explanation of all further action or steps that will be required for completion of the project, such as environmental assessments, zoning or other permits and approvals, agreement on terms of any required conservation, affordability, or historic preservation restrictions, subordination agreements, and any known or potential barriers or impediments to project implementation.
- Maps:
 - USGS topographical map showing regional location of project.
 - Assessors map showing location of the project.
- Photographs of the site, building, structure, or other subject for which the application is made.

The Committee may request from applicants additional or more detailed information, and further clarification to the submitted proposal such as, but not limited to:

- Recorded plans of the land.
- Natural resource limitations (wetlands, flood plain, etc).
- Zoning (district, dimensional and use regulations as applies to the land).

- Inspection reports.
- 21E Reports and other environmental assessment reports.
- Architectural plans and specifications for new construction and rehabilitation.
- Site plans and specifications.
- Maps, renderings, etc.
- Historic inventory sheet.
- Existing conditions report.
- Names and addresses of project architects, contractors, and consultants.
- Maintenance requirements and estimated costs.
- Timeline from approval to construction.
- Possible grant funds.
- Other information deemed useful to the Committee in considering the project.

Notes:

The Committee reserves the right to attach conditions, to require deed restrictions, and to require additional agreements before making a favorable funding recommendation to Town Meeting.

The Committee reserves the right to deny or delay projects as it deems appropriate based on the Community Preservation Plan.

The Applicant has the right to withdraw the application, at any time, without prejudice.

STEP THREE: PRESENTATION AND ANALYSIS OF THE PROPOSED PROJECTS

The Committee will request that the applicant attend a Community Preservation Committee meeting to present on their proposed project and answer any questions the Committee may have. These meetings are held on Wednesday evenings. A presentation will be requested between the months of January and March. In some instances, a presentation may be requested before the submission of the Due Diligence Questions. It is not unusual for the Committee to have additional questions for the applicant following this presentation. In certain circumstances, the applicant may be requested to return for a second meeting to further discuss the project.

STEP FOUR: CONSULTATION AND RECOMMENDATIONS

The Committee will have consultations with other boards and committees, hold a public hearing, and make recommendations prior to Town Meeting.

Consultation: By the Needham by-law, the Committee is required to consult with the Select Board and the Finance Committee prior to making its recommendations. The Committee also consults with the Assistant Town Manager/Director of Finance with respect to the CPA fund balances available for each category.

Public Hearing: By state statute, the Committee is required to hold an annual public hearing. The public hearing is typically scheduled in mid-March. The Committee will hold the hearing prior to making its recommendations. The Committee will request that the applicant attend the hearing to present the project and assist with answering questions from community

members. It is preferred that information about the project be put in writing for the public hearing.

Committee Recommendations: After the public hearing, the Committee will vote on its final recommendations for funding in the form of one or more warrant articles to be voted on at the upcoming Town Meeting.

The Committee may recommend a project:

- As proposed by the applicant, or
- May modify the project, or
- May recommend partial funding or funding for only a portion or phase of the proposed project.

The Committee's recommendations to Town Meeting may include detailed project scopes, conditions, and other specifications as the Committee deems appropriate to ensure CPA compliance and project performance.

STEP FIVE: TOWN MEETING

The Committee will present its recommendations to Town Meeting in the form of warrant articles for discussion and vote. Town Meeting has the final authority to award the Committee's recommended funds from Needham's Community Preservation Act Fund. Under the Community Preservation Act, Town Meeting may vote to approve or reject a warrant article, but is not empowered to modify the article. A simple majority vote is required to approve all funding, except for borrowing. A two-thirds majority vote is required for any article that involves borrowing.

STEP SIX: APPROVED PROJECTS

Funding for approved projects will be available following an affirmative vote of Town Meeting, during the applicable fiscal year. Funds approved in warrant articles at the May Annual Town Meeting are available in July of the same year. Funds approved in warrant articles at the Fall Special Town Meeting are available twenty-eight days after certification of funds.

Projects financed with CPA funds must comply with all applicable State and municipal requirements, including the State procurement law, which requires special procedures for the selection of projects, vendors, services, and consultants.

All CPA funds are administered and disbursed by the Town of Needham and project management, oversight, execution, and financial control will be under the control of the Town Manager or her designee.

The Committee may choose to enter into a Grant Agreement with the approved applicants or may choose to waive this requirement. In circumstances where a grant is made to a non-Town department, individual, private or non-profit entity, or any entity, agency or grantee over which the town has no legal control, the Committee will likely require that the party enter

into a Grant Agreement. A Grant Agreement will include any and all terms, including additional terms, the Committee requires from the recipient. The Staff Liaison will coordinate this process with the recipient. A signed Grant Agreement by the recipient and the Town is required prior to spending any CPA funds.

CPA funds will be issued following a disbursement process. The recipient must complete the Request for Project Disbursement form and submit it, with all appropriate backup documentation including, but not limited to, copies of invoices to the Staff Liaison.

The Committee requires project status updates from fund recipients periodically, but no less than bi-annually and upon project completion. Written updates will be coordinated with the Staff Liaison. The purpose of such an update is to aid the Committee in refining the Plan, in identifying issues that may assist future applicants, and in reporting progress to the Town.

QUESTIONS

Questions about procurement, other financial requirements, or generally about the Act may be submitted via email to Staff Liaison, Michelle Provencal-Jones at mprovencal-jones@needhamma.gov.

GLOSSARY

Affordable Housing/Community Housing

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

"Low-income housing", housing for those persons and families whose annual income is less than 80 per cent 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.

"Moderate income housing", housing for those persons and families whose annual income is less than 100 per cent 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.

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 protection, 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 to acquire and protect open space, preserve historic buildings and landscapes, create, and maintain affordable housing and creation or restoration of land for outdoor recreational use. 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 Board of Selectmen and two by the Needham Town Moderator. The Committee consults with the Board of Selectmen 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 “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.

Needham Community Preservation By-Law

Available under separate cover – contact DPW Administration or go to 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 saltwater 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.