

**2001 –2002 SUMMARY REPORT**

**THE**  
**COMMUNITY PRESERVATION ACT**  
*ANDOVER*

*Prepared by the*  
*Community Preservation Act Task Force*  
*May 2002*

## **Acknowledgements**

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The Town of Andover would like to gratefully acknowledge the Community Preservation Act Task Force members and volunteers that researched and presented the Community Preservation Act to the Town of Andover:

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## Summary of The Community Preservation Act

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The early stages of the CPA began about 15 years ago, and many well known organizations have been involved since, for example, the National Trust for Historic Preservation, the Trust for Public Land, and the Citizens Housing and Planning Association.

In 1998, the Cape Cod Open Space Land Acquisition Program (Land Bank) was passed (Chapter 293 Acts of 1998). The passing of this Act, helped to get CPA moving in the right direction. The major difference between the Cape Cod Land Bank and the CPA is that CPA includes both historic preservation and affordable housing components, where as the Cape Cod Land Bank is solely for open space acquisition.

The Community Preservation Act, M.G.L. Chapter 44 B was signed into law on Sept. 14, 2000.

### Fundamentals

- ? Approximately \$26,000,000 annually will be raised through fees paid to the registry and other means
- ? Communities can adopt up to 3% surcharge on local property taxes
- ? Minimum 10% of monies to be spent on each category (Open Space, Historic Preservation, Affordable Housing). Once the Community Preservation Committee is established, a maximum of 5% can be spent on administrative costs.
- ? There must be the establishment of a Community Preservation Committee
- ? There is a 5 year minimum implementation of CPA

### There are 3 possible exemptions:

- ? Persons who qualify for low income or seniors who qualify as moderate or low income (persons less than 80% of the area wide median income or seniors less than 100% of the area wide median income). In order for this exemption to work, there would have to be an application process thru the assessor's office.
- ? Commercial and industrial properties
- ? First \$100,000 assessed value of each property

### General Examples of possible CPA uses:

Open Space, e.g. Existing or future water supply area; Wildlife habitat; and Active and passive recreation fields (Note that the first 10% allocated cannot be used for recreation)

Historic Preservation, e.g. Acquisition, Preservation, Rehabilitation, Restoration, of Buildings or Real Property, that has been determined by the local Historic Preservation Commission to be significant in the history, architecture, or culture of the Town.

Affordable housing, e.g. Down payment assistance programs or low interest loan programs for first time home-buyers; adapting the homes of the elderly and disabled Town residents

### Funding

There is the possibility of three rounds.

- 1<sup>st</sup> round distributes 80%, unless less than 35 communities at the maximum 3% have passed it, then the distribution is closer to 100%
- 2<sup>nd</sup> round distributes 20% (the lower the population and the higher the tax base the less likely to receive this round)
- 3<sup>rd</sup> round – any surplus

## **History of the Community Preservation Act process in Andover**

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The Community Preservation Act Task Force (CPATF) was appointed by the Town Manager to study the M.G.L. Chapter 44B also known as the Community Preservation Act (CPA).

The CPATF held its first public meeting on July 18, 2001. The CPATF outlined a strategy to gather information and study the CPA with the goal to provide a recommendation to the Andover Board of Selectmen regarding how Andover should proceed with regards to the CPA.

Over the course of ten-months, the CPATF held over 15 public meetings and performed over twenty-five informational presentations. At the beginning of the process, a checklist of objectives was compiled. Throughout the campaign, the CPATF met each and every objective. Also a comprehensive list of pros and cons of the CPA was created.

The CPATF researched the CPA thoroughly, invited guest speakers to the meetings, held a joint meeting with the Strategic Planning Task Force, talked to neighboring communities and monitored the success and failures throughout Massachusetts.

The CPATF recommended to the Andover Board of Selectmen that the Town should adopt the CPA at the full 3% with the first \$100,000 of assessed property value exemption. The Selectmen voted to support the CPA at 1% with the first \$100,000 exemption.

The CPATF moved forward with the educational initiative. The League of Women Voters (LWV) was a strong supporter of the CPA. In conjunction with the CPATF, the LWV produced an educational flyer and distributed it through the Andover Historical Society, Andover Village Society, the Appalachian Mountain Club, and the Library, as well as other public places.

A Power Point presentation was created and the CPATF members took it on the road in either paper version or by laptop and projector to each and every public informational session. A version of the presentation was used at the 2002 Town Meeting.

The CPA had the support of the Selectmen, the Planning Board and the Town Manager, however the Finance Committee voted to not recommend the passage of CPA at Town Meeting.

The CPA was presented to the citizens of Andover at the 2002 Andover Town Meeting on April 23, 2002 at the 1% surcharge with two possible exemptions, the first \$100,000 exemption and the low income and low to moderate senior income exemption. There was significant debate regarding the CPA. An amendment was moved and seconded that the Town delete the term ONE percent (1%) and insert instead the term THREE percent (3%) so that the Article will read "a surcharge of THREE percent (3%). The amended motion was DEFEATED by a Majority vote. The original motion was DEFEATED by a Majority vote (YES: 230 NO: 414).

**Community Preservation Act Adoption Checklist - October 2001 through April 2002**

- ✓ Task Force should be well versed in the Community Preservation Act
- ✓ Assess Andover's options (up to 3% and which exemptions if any)
- ✓ Calculate the projected amount that could be raised with all percents & exemptions
- ✓ Invite speakers and educators to the meetings
- ✓ Calculate the annual cost to households
- ✓ Lay the ground work early - three to four month lead
- ✓ Research possible uses of CPA funds in Andover
- ✓ Meet with Board of Selectmen, Planning Board, Finance Committee
- ✓ Identify spokespeople within the task force
- ✓ Draft language for the Town Meeting vote
- ✓ Identify potential supporters outside the task force
- ✓ Develop a message based on local research and identify how to communicate it to others (PowerPoint Presentation and Brochure)
- ✓ Meet with local boards and committees
- ✓ Build a strong coalition of all interested parties
- ✓ Create a positive campaign
- ✓ Evaluate voter tolerance
- ✓ Look for opposition (anticipate opposition)
- ✓ Letters to the editors of local papers

## **Future plans for CPA in Andover**

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The CPATF met on May 30, 2002 to discuss the outcome of Article 21 at Town Meeting. Several possible reasons for the failure of CPA were discussed, including:

- It was not the right economic time to present CPA to Andover.
- Support was low due to the lack of tangible project(s).
- People are supportive of conservation efforts and feel that there is already a mechanism in place.
- People are not supportive of historic preservation and affordable housing efforts.
- People distrust the state.

It is the intention of the CPATF that a committee of some sort, continue to pursue and evaluate the Community Preservation Act.

### **Recommendations include:**

- A Committee should be appointed to continue following the CPA initiative around Massachusetts. This committee should include members that would eventually comprise the Community Preservation Committee and any other volunteers interested in community preservation. New members should be encouraged to participate.
- Tangible projects should be pursued that ensure community preservation, with or without CPA funding.
- The Committee should convene in the early fall to discuss possible springtime endeavors.
- Look to other Andover boards, organizations or groups for support. Find a purpose or reason to financially justify CPA, e.g. land for and the creation of recreational fields.
- Work all community preservation projects into the Capital Improvement Program (CIP). Identify projects in the CIP that would fall under CPA funding.
- Monitor and publish what surrounding communities are doing with CPA funds and determine the exact state match distributions for neighboring communities.

**ATTACHMENTS**

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- 1.) Ideas for potential uses of CPA funds in Andover**
- 2.) CPATF contact and organization list**
- 3.) Power Point presentation presented at the 2002 Andover Town Meeting**
- 4.) Status of Community Preservation Act in Communities as of May 23, 2002**
- 5.) Approved Meeting Minutes July 2001 through April 2002 (File copy only)**