TOWN OF BRAINTREE
Community Preservation Committee

Mayor
Joseph C. Sullivan

1 JFK Memorial Drive
Braintree, MA 02184
781-794-8230

BRAINTREE COMMUNITY PRESERVATION COMMITTEE

APPLICATION PACKET

The Braintree Community Preservation Committee [CPC] has prepared this packet for the benefit of prospective applicants. The packet includes information on eligibility, application submission, and the CPC's review process. All applications are carefully reviewed before the Committee votes on which projects will be recommended to the Town Council for funding. Applicants should be aware that although many projects may be reviewed and recommendations forwarded to the Town Council for appropriation in as little as three months, some proposals may require lengthy review.

Requests for further information may be directed to Christine Stickney, Director of Planning and Community Development at 781.794.8232.

Community Preservation Committee

Linda Raiss, Chair
Anne Murphy, Vice Chair
John Dennehy, Historic Representative
Albion R. Fletcher, Braintree Housing Authority Representative
Patrick Flynn, Conservation Commission Representative
Paul Machado, Parks and Recreation Advisory Board Representative
Darryl Mikami, Planning Board Representative

Eligibility for Funding

The Town is pleased to be able to offer Community Preservation Act (CPA) funds to applicants who propose projects that will benefit the Town in the following areas:

- the acquisition, creation and preservation of open space,
- the acquisition, preservation, rehabilitation and restoration of historic resources,
- the acquisition, creation, preservation and support of community housing,
- the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use and
- the rehabilitation or restoration of open space, and community housing that is acquired or created as provided in M.G.L. Chapter 44B, Section 5

All proposed projects must meet the requirements described in the Community Preservation Act M.G.L. 44B, as amended. (In particular, see section 5 for permitted CPA funding and section 2 for definitions.)

Copies are available online at
http://www.malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter44B
or through linking on the Braintree Community Preservation Committee home page
http://www.townofbraintreegov.org/CPC.htm.

A summary of allowable uses under the law is shown in the chart appended to this application packet.

Applicants are reminded that the use of Community Preservation Act funds may not include maintenance of real or personal property or construction of a stadium, gymnasium or similar structure or the acquisition of artificial turf for athletic fields.

A real property interest that is purchased with monies from the Community Preservation Fund shall be bound by a permanent deed restriction that meets the requirements of MGL Chapter 184, sections 31 to 33 limiting the use of the interest to the purpose for which it was acquired.

Funding can be provided to a private organization, but only when it is in the public interest of the town **within one of the categories mentioned above**. In order to safeguard that public interest, the committee will require a restriction to be recorded on the property in question to preserve the item of public interest which has been funded.

Submission of Application and Review Process

All applicants SHALL schedule a pre-submission appointment with the Director of Planning and Community Development and are required to include the meeting form (part of materials) at the time of application. Appointments can be made through the Planning and Community Development office at 781.794.8230.

1) Applicants shall submit one paper application with an original signature and either eight copies of the completed application or the application and all submitted materials in an electronic PDF format.

2) Staff of the Department of Planning and Community Development will review the application to determine if it qualifies for submission under the CPA. ***No application will be considered for action by the CPC until it has been deemed complete by the Director of Planning and Community Development.***

3) The CPC may request input or recommendations from other town committees or boards and shall schedule a meeting or meetings and a site visit [if applicable] with the applicant.

   The committee will normally schedule two meetings with the applicant. The first meeting will be a preliminary review of the application to give the committee an opportunity to ask for any further information that may be required. The second meeting will be for a full discussion of the application.

   The committee will not normally vote on the application until a meeting following the second meeting with the applicant.

4) The deadline for funding requests is 3:00 P.M. on the first business day of September and 3:00 P.M. on the first business day in March.

Please note:

Satisfying all criteria does not guarantee that the CPC will recommend a proposal to the Town Council.

Town of Braintree Community Preservation Committee
Guidelines for Project Submission and Selection Criteria

1) Requests must contain an executive summary that includes background on the project proposal as well as a statement of need and a cost benefit analysis. The inclusion of maps, plot plans, photographs, historic documents and other supplemental information as necessary to support the application and define the proposed project is expected.

2) The applicant must document the project's scope and cost. Where work is to be done by an outside contractor, the committee expects the applicant to provide three written proposals, quotations or estimates no older than three months at the time of application submission, as well as any other pertinent information. The applicant shall indicate the proportion of cost to be met with CPA funds and sources of outside funding, if any. Where estimates are provided, the applicant shall explain fully the basis for the estimate.

3) If the request is part of a multi-year project, include an estimate of the total project cost and allocations, including specifying whether there will be further requests for CPA funding.

4) The applicant shall demonstrate how the project will benefit the Town of Braintree and how it promotes CPA goals and objectives. (See attached Goals and Criteria for Community Housing, Historic Preservation, and Open Space/Recreation.) When reviewing applications, the CPC will also consider if the project:

   - saves resources that would otherwise be threatened;
   - meets multiple needs and serves multiple populations and/or a currently underserved population;
   - has an advantageous cost/benefit value;
   - allows for leverage of other funding, either financial or in-kind;
   - satisfies the goals of the Town's Master Plan, Open Space and Recreation Plan, Affordable Housing Plan, and other planning documents adopted by the Town.

5) If applicable, the application shall describe the endorsement, support or other recommendations of town boards, committees, departments and/or citizen groups.

6) The applicant shall provide examples of similar project proposals in other communities, if any, including examples of project scope, project cost, and status of completion.

7) Applicants who have multiple project requests shall prioritize projects.

8) Applicants must submit a detailed project budget and project timeline.

9) The use of Community Preservation funds is not allowed for maintenance purposes. Therefore, should there be costs for operation and/or maintenance upon completion of a

project, the applicant shall indicate the party responsible for said costs. Provide details if public funding is required for ongoing operation and maintenance.

10) In the case of a private entity, an applicant shall provide proof to the Community Preservation Committee that its administrative and financial capabilities are sufficient to ensure the completion of the project in a timely manner and that the resource can be maintained for continued public benefit.

11) If the application pertains to a parcel of land or building, the applicant shall provide information on any mortgages, liens and/or encumbrances on the parcel and must provide information relative to any legal ramification or issue to be resolved for this project to move forward.

12) The applicant must provide information relative to any and all legal contingencies including, but not limited to, special permits, variances, or any other local, state, or federal permit requirements.

13) Applicant must be present, as requested, at CPC meetings to respond to Committee inquiries.

14) If the application pertains to a parcel of land or building, the applicant shall provide a copy of the deed to the property and/or a legal description of the property.

The Community Preservation Committee
reserves the right to amend these guidelines at any time.

Open Space/Recreation Goals and Criteria

Due to the intense development pressure in Braintree over the last several years protection of the town's remaining undeveloped land has become urgent. Community Preservation Act funds are available to preserve land in perpetuity. The Community Preservation Committee works with the town's Conservation Commission, Parks & Recreation Advisory Board and any interested parties on preserving land and increasing recreational opportunities. Note that open space preservation may not require outright purchase, but may include purchase of conservation restrictions.

The CPA defines "open space" as, "including, 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."

The CPA allows expenditure for the acquisition, creation and preservation of open space as well as the rehabilitation or restoration of open space that is acquired or created with CPA funding. (For definitions of these terms, see the attached chart.)

Open Space Goals

Goal 1 Preserve strategic tracts of undeveloped land
Goal 2 Create open space through the removal of degraded structures and restoration to open space

Open Space Criteria

In deciding whether to recommend funding for open space projects, the CPC will consider whether the project:

- Preserves the character of the town and/or neighborhood
- Protects lands important to current and future drinking water quantity and quality
- Protects important surface water bodies, including wetlands, vernal pools or riparian zones
- Provides flood control/stormwater storage
- Protects or enhances wildlife habitat including corridors for wildlife movement or prevents fragmentation of wildlife habitat
- Improves public passive recreational opportunities as well as access and connection to existing trails or potential trail linkages
- Uses land protection strategies that maximize protection at the lowest public cost, such as purchasing development rights as an option to outright purchase

Recreation

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

The CPA allows expenditure for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use. (For definitions of these terms, see the attached chart.)

Recreation Goal

Expands the range of recreational opportunities for residents of all ages, including community gardening, biking, swimming, fishing, skating, boating, canoeing, hiking and walking, and non-commercial youth and adult sports and the use of land as a park; playground or athletic field

Recreation Criteria

In deciding whether to recommend funding for recreation projects, the CPC will consider if the project creates new recreational opportunities.

Historic Preservation Goals and Criteria

The CPA defines "Historic resources" as "a building, structure, vessel or real property 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."

The CPA allows funding for the acquisition, preservation, rehabilitation and restoration of historic resources. (For definitions of these terms, see the attached chart.)

Historic Preservation Goals

Goal 1 Protecting historical resources, especially those that are threatened
Goal 2 Promoting the use of the Town's historic resources for the enjoyment of the public
Goal 3 Recognizing, preserving and enhancing the historic heritage and character of the Town for current and future generations

In order for an historic resource to be eligible for funding, it must be determined to be of historic or cultural significance, not just old. The burden of proving historic significance is the responsibility of the applicant. In order to be considered of historic significance, a resource must have retained its physical character and integrity and must be architecturally significant, be associated with individuals who have historical significance, or have potential to yield important historical or archaeological information.

There are two ways a resource can qualify:

1 The resource is listed on the state or national historic register.
2) The applicant provides a written determination by the Braintree Historical Commission that the resource is significant for its history, architecture, archaeology or cultural value.

Historic Preservation Criteria

In deciding whether to recommend funding for historic resource projects, the CPC will consider:

- level of historical significance
- public benefit
- public support
- appropriateness and professionalism of proposed work
  [Rehabilitation work is expected to comply with Standards for Rehabilitation in the Secretary of the Interior's Standards for the Treatment of Historic Properties.
  http://www.nps.gov/hps/tps/standguide/]

PLEASE NOTE: The CPA specifically excludes funding for maintenance. The Act does, though, allow for the rehabilitation and restoration of historic resources for the purpose of making such historic resources functional for their intended use, including improvements to comply with the Americans with Disabilities Act and other building or access codes.

PER THE REQUEST OF THE BRAINTREE HISTORICAL COMMISSION FOR APPLICANTS CONSIDERING FUNDING UNDER HISTORIC RESOURCES SEE BELOW

Braintree Historical Commission
Guidelines for Determination of Historical Significance
Adopted November 13, 2012

Purpose:

Under M.G.L. Chapter 44B, Sections 3 to 7, otherwise known as the Massachusetts Community Preservation Act (CPA), the Community Preservation Commission (CPC) may fund projects which include the following:

1. The acquisition, creation, and preservation of open space,
2. ***The acquisition, preservation, rehabilitation, and restoration of historic resources,***
3. The acquisition, creation, preservation and support of community housing
4. The acquisition, creation, preservation, rehabilitation and restoration of land for recreational use and
5. The rehabilitation or restoration of open space, community housing that is acquired or created as provided in MGL Capt.44B, Section 5

In order for proposed projects to be considered for funding by the CPC under Item No. 2, above, the proposed project must involve a structure:

- 2a. Currently listed in the **National Register of Historic Places**
- 2b. Currently listed in the **Massachusetts State Register of Historic Places**
- 2c. Determined by the Braintree Historical Commission to be **Historically Significant**

The Determination has been sought in order for projects to be eligible for making application for funding requests to the Braintree Community Preservation Commission (CPC).

The Guidelines below, proposed and adopted by the Braintree Historical Commission on November 13, 2012 are intended to assist CPA applicants requesting a **Determination of Historical Significance** from the Braintree Historical Commission to confirm in advance, whether the project would be applicable for consideration.

Guidelines
for the Braintree Historical Commission Evaluation of CPA Applications
For Determination of Historical Significance

A. Braintree Historic District(s)

1. Structures within the existing or any future Braintree Local Historic Districts that are deemed, by their location, to have historical significance.

B. National Park Service – National Register of Historic Places or the Massachusetts Historical Commission – State Register of Historic Places

1. Structures currently included in the National Register of Historic Places or the Massachusetts State Register of Historic Places **shall be** considered to have historical significance.

C. Eligibility for inclusion in the National Register of Historic Places or the Massachusetts State Register of Historic Places

1. Structures eligible for, but not currently included in the National Register of Historic Places or the Massachusetts State Register **may be** submitted, along with the completed documentation to date for inclusion in either of the Registers, to the Braintree Historical Commission for consideration regarding their status as historically significant.

D. Age of a Structure

1. Structures not falling under Guideline Items A, B, or C, above, may be considered depending upon their age as follows:

   a. Structures **more than** 100 years old at the date of application **will be** considered by the BHC
   b. Structures **more than** 75 years old at the date of application **will be** considered by the BHC
   c. Structures **less than** 50 years old at the date of application **may be** considered by the BHC

E. Architectural Features or Historical Events

1. Structures not falling under Guideline Items A, B, C, or D, but displaying important architectural styles or features, **and/or** having documentable evidence of having served as the location for important historical events within Braintree, **may be** submitted, along with the any accompanying documentation, to the Braintree Historical Commission for consideration regarding their status as historically significant.

F. Community Use

1. Many community institutions, by their very nature are historical. However, since some groups **may** espouse views, which may not be shared by the entire township, the Braintree Historical Commission reserves the right to **not review** particular community use projects for a Determination of Historical Significance as required M.G.L. Chapter 44B, Sections 3 to 7, Item No.2 of the Massachusetts Community Preservation Act (CPA).

END OF GUIDELINES FOR HISTORICAL SIGNIFICANCE

Community Housing Goals and Criteria

The CPA defines "community housing" as "low and moderate income housing for individuals and families, including low or moderate income senior housing." Low income housing is defined as housing for those persons and families whose annual income is less than 80 per cent of the area-wide median income, while moderate income housing is defined as housing for those whose annual income is less than 100 per cent of the area-wide median income. The area-wide median income is determined by the United States Department of Housing and Urban Development.

The CPA allows funding for the acquisition, creation, preservation and support of community housing, as well as the rehabilitation or restoration of community housing that is acquired or created with CPA funding. (For definitions of these terms, see the attached chart.)

Community Housing Goals

Goal 1 Maintain or enlarge the Town's percentage of affordable housing units
Goal 2 Ensure affordability in perpetuity
Goal 3 Promote re-use of existing buildings and housing stock for affordable housing
Goal 4 Encourage private/public partnerships
Goal 5 Bring current affordable housing up to code or make it accessible
Goal 6 Preserve or enhance existing affordable housing

Community Housing Criteria

In deciding whether to recommend funding for affordable housing projects, the CPC will consider if the application requesting funding is for a project which:

- Promotes affordable housing for a variety of income levels, with the Range of Affordability up to 100% of the Area Median Income
- Aids the town in achieving or maintaining 10% of housing as affordable to for those with up to 80% of the Area Median Income
- Provides affordable housing at a scale in harmony with the existing neighborhood
- Allows for local preference pools when administering the renting, sale or re-sale of affordable housing units and promotes diversity
- Ensures continued availability of affordable housing in the future
- Brings current affordable housing up to code
- Preserves or enhances existing affordable housing for its occupants

Additional Information

Funds may be spent only on items covered in the motion voted by the committee and approved by the Town Council.

For most projects, funding will be dispensed by the Director of Planning and Community Development. Funding will only be dispensed for items budgeted in the application. The CPC must approve any proposed budget change before the change may be made.

For all projects, the Community Preservation Committee requires reports on the status of the project at least quarterly and notification of when the project is complete. Reports should include the progress of work and the degree to which expenditures have been made or committed.

CPC funding may not be used to replace, or free up for another use, alternate funds or revenue sources.

For those projects requiring a deed or other restriction as mentioned above projects must have a deed restriction in place prior to dispersal of funds

Applicants are required to note the CPC as a funding source for their project. This notation would appear on any materials involving this project, i.e. press releases, brochures, etc. Applicants are required to place a sign indicating the use of CPA funding on the property during construction and for six months after completion of project.

Signatures on the application indicate that applicant has the right to enter into contracts for the organization seeking funding and has read and understands all requirements set by the CPC.

BRAINTREE COMMUNITY PRESERVATION COMMITTEE
2013-2014 APPLICATION FORM

Project Name _____

Project Location_____

Assessors' Plan and Plot _____

Recorded at _____ Book _____ Page _____

Category (check all that apply):

____Open Space Number of acres in parcel _____

____Recreation Number of acres in parcel _____

____Historic Preservation

____Affordable Housing Number of proposed housing units _____

CPA Funding requested: $_____

Fiscal Year Request:
2014 $_____ 2015 $_____

2016 $_____

Expected annual operational/maintenance cost to the town after completion of project:
$_____ (Include narrative explaining)

Project Sponsor/Organization _____

Contact _____

Address _____

Day-time Phone # _____ E-Mail _____

Applicant's Signature _____

Date Submitted _____

ACKNOWLEDGEMENT OF MEETING WITH THE PLANNING & COMMUNITY DEVELOPMENT DIRECTOR

Per the submission requirements on page 2:

All applicants SHALL schedule a pre-submission appointment with the Director of Planning and Community Development and are required to include the meeting form (part of materials) at the time of application.

Date of Meeting with Director:_____

Name of Person(s) Meeting with Director:_____

_____

Signature of Person attending Meeting:_____

Date of signing:_____

Community Preservation Fund Allowable Spending Purposes

	Open Space	Historic Resources	Recreational Land	Community Housing
Definition	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.	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.	Land for 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. Does not include horse or dog racing or the use of land for a stadium, gymnasium or similar structure or the acquisition of artificial turf for athletic fields	Housing for low and moderate income individuals and families, including low or moderate income seniors. Moderate income is less than 100% and. low income is less than 80% of US HUD areawide median income.
Acquire	**Yes**	**Yes**	**Yes**	**Yes**
Create	**Yes**	**No**	**Yes**	**Yes**
Preserve protect personal or real property from injury, harm or destruction.,	**Yes**	**Yes**	**Yes**	**Yes**
Support includes, but is not limited to, 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.	**No**	**No**	**No**	**Yes**

Rehabilitate 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.	**Yes if acquired or created with CP funds**	**Yes**	**Yes**	**Yes if acquired or created with CP funds**
Restore	**Yes if acquired or created with CP funds**	**Yes**	**Yes**	**Yes if acquired or created with CP funds**