

# Dunstable Community Preservation Plan

2020 Update



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With Assistance from: The Northern Middlesex Council of Governments

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## Introduction: What is the Community Preservation Act?

By accepting the Community Preservation Act (CPA) created under Chapter 44B of the Massachusetts General Laws, Dunstable has established a special Community Preservation Fund by assessing a surcharge on annual real estate taxes. These local CPA funds are matched by the State through the CPA Trust Fund, which is supported by recording fees at the Commonwealth's Registries of Deeds and by annual appropriations from the legislature. The Trust Fund is administered by the Department of Revenue (DOR), a State agency that also provides annual distributions to communities that have adopted CPA.

The Town of Dunstable adopted the Community Preservation Act at the Special Town Meeting held on September 25, 2006. The 3% surcharge approved by Town Meeting was initially levied on real property beginning in 2007, with an exemption provided for low-income taxpayers. Any residential property entitled to an abatement or statutory exemption is automatically entitled to a proportional CPA exemption. An application for an exemption from the CPA surcharge, based on income, must be filed annually with the Assessor's office.

As shown in Table 1 below, Dunstable has collected more than \$5 million in CPA funds since Fiscal Year 2007.

**Table 1: Dunstable Community Preservation Revenue**

<b>Fiscal Year</b>	<b>Local Surcharge</b>	<b>Trust Fund Distributions</b>	<b>Percentage Match provided by State</b>	<b>Local CPA Surcharge plus Distribution</b>
2007	\$170,894	-----	----	\$170,894
2008	\$181,527	\$170,894	100.00	\$352,421
2009	\$192,602	\$181,527	100.00	\$374,129
2010	\$197,545	\$154,462	80.20	\$352,007
2011	\$206,355	\$122,127	61.82	\$328,482
2012	\$199,594	\$124,013	60.10	\$323,607
2013	\$209,004	\$124,144	62.13	\$333,148
2014	\$211,144	\$209,004	100.00	\$420,148
2015	\$225,027	\$157,662	74.70	\$382,689
2016	\$232,721	\$154,544	69.00	\$387,265
2017	\$248,918	\$112,687	48.42	\$361,605
2018	\$264,803	\$99,202	39.98	\$364,005
2019	\$275,316	\$129,733	47.10	\$405,049
2020	\$284,715	\$165,114	60.30	\$449,829
<b>Total</b>	<b>\$3,100,165</b>	<b>\$1,905,113</b>		<b>\$5,005,278</b>

## How Can CPA Funds Be Utilized?

The Community Preservation Act requires that at least 10 percent of the CPA funds received each fiscal year be spent or reserved for each of the following program categories: open space/recreation, historic resources, and community housing. CPA funds that are not expended in one year may be “banked” or carried over to subsequent years. However, once CPA funds are banked for a specific purpose, they must ultimately be used for that purpose. The remaining 70 percent of CPA funds can be appropriated or banked for one or more of the four purposes mentioned above. In addition, subject to certain restrictions, up to five percent of the CPA funds raised annually may be used for administrative activities related to the work of the Community Preservation Committee. Table 2 below summarizes the permitted use of CPA funds per DOR requirements.

**Table 2: Allowable Spending of Community Preservation Funds**

	Open Space	Historic	Recreation	Housing
<b>Acquire</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>
<b>Create</b>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>
<b>Preserve</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>
<b>Support</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>Yes</b>
<b>Rehabilitate/Restore</b>	<b>Yes</b> -if acquired or created with CPA funds	<b>Yes</b>	<b>Yes</b>	<b>Yes</b> -if acquired or created with CPA funds

Source: “Recent Developments in Municipal Law”, Massachusetts Department of Revenue, October 2012.

Up to 5% of the annual CPA revenues may be appropriated for administrative needs during the fiscal year. Once appropriated, administrative funds can be spent at the discretion of the CPC during the fiscal year. However, unlike a reserve fund, this account is only available for one fiscal year, and is transferred to the CPA Fund Balance account at year-end closeout.

### ***Open Space***

As outlined in Section 2 of the CPA legislation, open space includes the following categories found in Dunstable:

- Land to protect existing and future well fields
- Aquifers, recharge areas, and watershed land
- Agricultural land
- Grasslands, fields and 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
- Land for recreational use (as further described below).

CPA funds may be spent on the acquisition, creation, and preservation of open space, and for the rehabilitation or restoration of any open space that has been acquired or created using CPA funds. It is important to note that a permanent deed restriction is required for all real property interests acquired under CPA. This restriction must be filed as a separate instrument, such as a Conservation Restriction (CR) or Agricultural Preservation Restriction (APR).

### ***Historic Resources, Preservation and Rehabilitation***

The CPA legislation also defines historic resources, historic preservation, and rehabilitation. An historic resource is defined as a building, structure, vessel, real property, document or artifact that is either listed on the State Register of Historic Places or determined by the town's Historical Commission to be significant in terms of the history, archaeology, architecture, or culture of the community. CPA funds may be spent on the acquisition, preservation, rehabilitation and restoration of historic resources. Communities using CPA funds on historic resources must adhere to the *U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties*.

Due to a 2012 amendment to the CPA, funds may now be appropriated to pay a nonprofit organization to hold, monitor and enforce a deed restriction. Furthermore, the definition of "rehabilitation" now allows CPA funds to be allocated for improvements that make historic resources functional for their intended use, including improvements to comply with the Americans with Disabilities Act and other building and access codes.

### ***Housing***

CPA funds may be used to support the acquisition, creation, preservation, and support of community housing. The CPA requires that, whenever possible, preference be given to the adaptive reuse of existing buildings or construction of new buildings on previously developed sites. The rehabilitation and restoration of community housing that is acquired or created using monies from the fund is also allowed.

The CPA defines community housing as low- and moderate-income housing for individuals and families, including low- or moderate-income seniors. Low-income housing is for those persons and families whose annual income is less than 80 percent of the area-wide median income, as determined by the United States Department of Housing and Urban Development (HUD). Moderate-income housing is for persons and families whose annual income is less than 100 per cent of the area-wide median income. Low- or moderate-income senior housing is for those persons having reached the age of 60 or over who meet the income qualification for low- or moderate-income housing as determined by HUD. For

housing units created with CPA funds to be counted toward the town's Chapter 40B subsidized housing inventory (SHI), the units must serve those earning less than 80 percent of the area wide median income.

### ***Recreation***

The focus for CPA recreational projects is on outdoor passive or active recreation, including the use of land for the following purposes:

- Community gardens;
- Trails;
- Noncommercial youth and adult sports; and
- Parks, playgrounds or athletic fields

CPA funds may not be spent on routine maintenance or operating expenses, as only capital improvements are allowed. In addition, CPA funds may not be used for horse or dog racing facilities, or for a stadium, gymnasium, or similar structure. CPA funds may be used for the acquisition of land that is to be used for recreation, or for the creation of new recreational facilities on land a community already owns. CPA is designed to fund recreational activities that take place in outdoor, open, and natural settings, such as parks, playgrounds, and athletic fields, as well as community gardens, hiking and biking trails.

A 2012 amendment to CPA broadened the law to allow for the rehabilitation of existing, outdoor recreational facilities. "Rehabilitation" can include the replacement of playground equipment and other capital improvements to the land or the facilities in order to improve functionality for the intended recreational use. Another change outlined in the 2012 amendment was a prohibition on the use of CPA funds for the acquisition of artificial turf for athletic fields. Communities may still use their CPA funds for other aspects of a field project, but must appropriate non-CPA funds to acquire an artificial turf surface.

### **What is the Community Preservation Committee and How Does the Appropriation Process Work?**

The Community Preservation Committee (CPC) oversees the implementation of the Community Preservation Act in Dunstable. The nine-member committee includes representatives from the Conservation Commission, Planning Board, Park Commission, Historical Commission, Affordable Housing Committee and the Board of Selectmen. The Committee also includes three members at large. The current membership of the Committee is shown in Table 3 on the following page and a copy of the Committee's bylaws can be found in Appendix A.



**Table 3: Dunstable Community Preservation Committee**

<b>Name</b>	<b>Title</b>	<b>Term Expiration</b>
Kiernan Meehan	Conservation Designee	2020
Carol E. Bacon	Historical Comm. Designee	2020
George Basbanes	Planning Board Designee	2020
Tiffany Naughton	Park Commission Designee	2020
Alan Chaney	Affordable Housing Designee	2020
Leah D. Basbanes	Selectman Designee	2020
Catherine Irzyk	Member at Large	20
Joan M. Simmons	Member at Large	2020
Susan K. Psaledakis	Member at Large	2021

All residents are welcome to attend the CPC meetings. The times and locations of these meetings are posted at Town Hall and on the Town's website.

The role of the CPC is to consider project applications and make recommendations for the appropriation of CPA funds. Other duties of the CPC in Dunstable include:

- Assessing the town's preservation needs;
- Soliciting input from residents and other boards and committees;
- Preparing the Community Preservation Plan and subsequent annual updates; and
- Developing application materials and managing the application process.

The recommended appropriations of CPA funds must be voted and approved by a simple majority vote of Town Meeting. Town Meeting actions are limited to the following:

- Approving the recommendations of the CPC;
- Rejecting the recommendations of the CPC;
- Reducing the funding amounts recommended by the CPC; and
- Reserving the amount recommended by the CPC to an applicable reserve account, rather than approving the recommended project(s).

Town Meeting may not increase any recommended appropriation or reservation. In addition, Town Meeting may not appropriate or reserve any fund monies on its own initiative without a prior favorable recommendation by the CPC. The expenditure of CPA Administrative Funds does not require Town Meeting approval.

Borrowing for CPA purposes is allowed by a 2/3 vote of Town Meeting. Communities may borrow against the local CPA surcharge revenue they can reasonably expect to receive under the CPA in subsequent years. Bonds issued under the CPA are general obligation bonds of the Town, and in the event that CPA local surcharge revenues are insufficient to pay off the principal and interest, such obligations must be met with other municipal funds.



## Historic Resources and Needs

### a. Background and Introduction

Dunstable residents cherish the town's agricultural landscapes and historic resources. Such attributes contribute to Dunstable's visual character and set it apart from other area communities. Finding a means to preserve and protect the historic resources most valued by the community is one of the Town's greatest challenges. Landscape features such as stonewalls and foundations, burial grounds and cemeteries, agricultural fields outbuildings, and historic trees, are also an important part of the Town's history, contribute to its inventory of cultural resources and are key public assets.

Dunstable has an impressive inventory of historic buildings and structures, spanning three centuries with the oldest structure dating back to c.1700. These historic resources include residences, religious and institutional structures, barns and outbuildings. Most of the town's historic buildings are privately owned, but there are also some that are owned by the Town and non-profit entities.

The town's architecture includes many styles that were popular in the 18<sup>th</sup>, 19<sup>th</sup>, and 20<sup>th</sup> centuries. Architectural styles include Colonial, Federal, Greek Revival, Georgian, Gothic Revival, Victorian, Classic Revival, Italianate, and Craftsman. Most of these buildings are well-preserved and maintained, and contribute to the visual character of the town. Several of the town's oldest homes reflect the characteristics of early farmhouses with large barns and outbuildings. Throughout Dunstable, the town's older homes define the views from its roadways. These homes are clustered in recognizable groupings that developed in response to both geographic limitations and historic roadway patterns.

Currently, Dunstable Town Hall is the only property listed on the Register. The Town Hall/Sarah Roby Memorial Building stands in what was once the town common. The building was constructed in 1907 and is a blend of Richardson Romanesque, Queen Anne, and Classical Revival styles. It was designed by Warren L. Floyd, who also designed the Union School. In addition to the building, the National Register listing also includes the World War II monument, the Civil War memorial, a small monument commemorating those who served in World War I, a flagpole, and the granite post that holds the sign identifying the building. More recently, monuments have been added to honor those who served in the American Revolution, and the Korean and Vietnam Wars.

The Historical Commission has focused its most recent efforts on inventories and National Register applications for East Main Street and the Town Center, as described on the following page:

- **East Main Street** Area is located between the Town Center and the Tyngsborough town line. Buildings on East Main Street include Colonial, Federal, Victorian Eclectic, Craftsman and Cape Cod style residences, a Federal period schoolhouse, several barns, and two windmills. Other resources in the area include a colonial period burial ground, centennial trees, and stone walls with distinctive wooden gates. A handful of modern buildings have been built in the area at a scale that does not negatively impact the historic resources.
- The core of the **Dunstable Center** historic district is located at the junction of High, Main, and Pleasant Streets and is comprised of residential, commercial, institutional and civic buildings. It also includes limited adjacent sections of Common Street, Hillcrest, and Highland Streets. Architectural styles include Colonial, Federal, Greek Revival, Gothic Revival, Victorian Eclectic and Colonial/Classical. Dunstable's present town center developed after the Revolutionary War, with many buildings constructed in the 19<sup>th</sup> century.

### ***Buildings***

There are 134 buildings listed in the MACRIS database for Dunstable. Table 4 below identifies that name, address, and year of construction for each structure.

**Table 4: Historic Buildings in Dunstable**

Property Name	Street	Year
Swallow, Florence House and Chicken Farm	121 Depot Rd	c 1900
NA	15 Fletcher St	c 1820
Fletcher, Francis House	34 Fletcher St	c 1825
Rideout, David F. House and Farm	291 Fletcher St	c 1885
Rideout, David F. Dairy Barn	291 Fletcher St	c 1900
Kendall, Capt. Jonas House	85 Forest St	c 1813
Butterfield, Leonard S. House	167 Forest St	c 1850
Butterfield, Leonard S. Barn	167 Forest St	c 1850
Brooks, Lawrence House	20 French St	c 1855
Brooks, Lawrence Chicken Coop	20 French St	c 1855
French, John House and Farm	94 French St	c 1800
French, Benjamin Shop	94 French St	c 1861
French, Benjamin Barn	94 French St	c 1861
Udot, Alexander House	Hall St	c 1905
Hall, Ira House	Hall St	r 1850
Camp Massapoag Cabin	Hall St	c 1940
Camp Massapoag Cabin	Hall St	c 1940
Camp Massapoag Cabin	Hall St	c 1940
Camp Massapoag Cabin	Hall St	c 1940
Camp Massapoag Cabin	Hall St	c 1940
Camp Massapoag Cabin	Hall St	c 1940
Camp Massapoag Cabin	Hall St	c 1960

**Table 4 (cont'd): Historic Buildings in Dunstable**

Property Name	Street	Year
Camp Massapoag Cabin	Hall St	c 1960
Camp Massapoag Cabin	Hall St	c 1960
Camp Massapoag Cabin	Hall St	c 1960
Camp Massapoag Cabin	Hall St	c 1960
Camp Massapoag Cabin	Hall St	c 1960
Kately, J. H. House	95 Hardy St	c 1734
NA	38 High St	c 1980
Taylor, Dea. Isaac C. House	40 High St	c 1827
NA	140 High St	c 1920
NA	140 High St	c 1920
Roby Apple Shed	166 High St	c 1890
Sargent, John B. House	346 High St	c 1896
Kendall, Dea. Zebedee House	473 High St	c 1775
NA	473 High St	c 1870
NA	473 High St	c 1870
Woodward, Jonathan House	73 Highland St	1760
Marshall, Clement House	62 Hollis St	c 1839
Tulley, Henry House	301 Hollis St	1873
Drake House	401 Hollis St	r 1880
Cummings, C. House and Farm	82 Kemp St	c 1850
Cummings, C. Barn	82 Kemp St	c 1850
Lake Massapoag Ticket Booth	Pond St	c 1955
NA	Lowell St	c 1925
Fairview Farm	Lowell St	r 1820
Fletcher, Dea. Joseph House	Main St	1735
Dunstable Congregational Church	Main St	1912
Nevins, John House	Main St	1731
Dunstable Public Library	Main St	1998
NA	21 Main St	c 1960
McLoon, Alfred P. House	59 Main St	c 1920
Winslow, Sarah Tyng Schoolhouse	64 Main St	1798
Cummings, Capt. Josiah House	104 Main St	c 1790
Butterfield, Capt. Leonard House	155 Main St	1783
Butterfield Farm Apple Cider Mill	158 Main St	c 1850
Larter House	194 Main St	c 1800
Butterfield, Asa House	285 Main St	c 1790
NA	310 Main St	c 1960
NA	380 Main St	c 1960
Dickenson, Charles House	383 Main St	c 1870
NA	404 Main St	c 1950
Brigham, Rev. Levi - Bennett, James House	416 Main St	c 1837
Kendall, Ebenezer House	425 Main St	c 1743
NA	458 Main St	c 1960
NA	466 Main St	c 1970

**Table 4(cont'd): Historic Buildings in Dunstable**

Property Name	Street	Year
Proctor, Ebenezer House	485 Main St	1733
NA	490 Main St	c 1970
Proctor House and Chicken Farm	493 Main St	1865
Proctor, Jasper House	503 Main St	1812
Hall, Ira House and Turkey Farm	504 Main St	c 1880
Dunstable Town Hall	511 Main St	1907
Calmore	519 Main St.	C 1812
Calmore Barn	519 Main St	c 1812
Union School	522 Main St	1895
Cummings, Jeptha House	529 Main St	c 1790
First Evangelical Church Parsonage	546 Main St	c 1859
Dunstable New Evangelical Church Parsonage	550 Main St	c 1950
NA	553 Main St	c 1830
NA	557 Main St	c 1980
Kendall, William House	558 Main St	c 1750
Dunstable Cornet Band Hall	563 Main St	c 1860
NA	573 Main St	c 1980
NA	589 Main St	c 1980
Starr, Dr. Ebenezer House	601 Main St	c 1778
NA	726 Main St	1948
Fletcher House	993 Main St	1755
NA	65 Mill St	c 1935
NA	65 Mill St	c 1935
Read, Capt. Caleb - Parkhurst, Jacob House	67 Mill St	c 1805
Swallow House	95 Mill St	c 1825
NA	155 Off Pond St	c 1930
Proctor, Ebenezer Jr. House	Pleasant St	1751
Parkhurst, George House	Pleasant St	1820
Dunn, William House and Store	1 Pleasant St	c 1850
Proctor House	7 Pleasant St	1812
Whitcomb, Lowell House - Brow's Store	17 Pleasant St	c 1850
Roby, Sarah S. House	22 Pleasant St	c 1880
Dunstable Fire House	28 Pleasant St	c 1950
Woodward, James C. House	29 Pleasant St	c 1850
West Auto Service	30 Pleasant St	c 1970
Wright, Rueben - Davis, Moses House	31 Pleasant St	c 1850
NA	46 Pleasant St	c 1940
Woodward, Jonathan Jr. House	56 Pleasant St	1790
Woodward, C. N. House	57 Pleasant St	c 1850
Parkhurst, Benajah House	70 Pleasant St	1823
Parkhurst, Americus House	87 Pleasant St	1823
NA	92 Pleasant St	c 1950
NA	101 Pleasant St	c 1980
Dunstable District Schoolhouse #2	107 Pleasant St	c 1825

**Table 4 (cont'd): Historic Buildings in Dunstable**

Property Name	Street	Year
NA	160 Pleasant St	c 1920
Curtin House and Farm	446 Pleasant St	c 1878
Blodgett, Josiah House	Pond St	c 1726
Taylor, Cyrus House	Pond St	1790
Parkhurst, Leonard House	Pond St	1812
Kendall, Peter House	Pond St	1823
NA	352 Pond St	c 1875
Blood, Eber House	158 River St	1700
Robbins, R. House	69 River St	r 1720
Wright, George Dairy Barn	Thorndike St	1853
Kendall, Jonas House	1 Thorndike St	c 1860
Kendall, Jonas Barn	1 Thorndike St	c 1860
Kendall, Jonas Shop	1 Thorndike St	c 1860
Kendall, Temple House	4 Thorndike St	1756
Swallow, Amaziah House	68 Thorndike St	c 1780
Cummings, Isaac P. House	222 Thorndike St	c 1825
Davis, Moses House	14 Valley St	c 1840
Cummings, Capt. John House	Westford St	c 1740
Steele, John House	Westford St	1740
Spaulding, Josiah House	Westford St	1795
Woods, Sumner House	64 Woods Ct	c 1825
Woods, Sumner Barn	64 Woods Ct	c 1861
Woods, Sumner Shed	64 Woods Ct	c 1861

Source: <http://mhc-macris.net>

These buildings include residences, barns, outbuildings, schools, town hall, churches, cabins and chicken coops. The Eber Blood house, located at 158 River Street, is the oldest structure and was constructed in 1700. Remarkably, there are 23 structures located in Dunstable that date back to the 18<sup>th</sup> century.

### Historic Areas

According to the Massachusetts Historical Commission (MHC), Dunstable has seven areas that are considered historically significant:

- Pond and Pleasant Streets Area;
- Meetinghouse Hill;
- Dunstable Center;
- West Dunstable-River Road Area;
- YMCA Camp Massapoag Family Outdoor Center;
- Dunstable Center (Expanded); and
- East Main Street Area.

The Pond and Pleasant Streets area was the site of a gristmill and cooper shop, a wheelwright, and blacksmith shop. Two of the homes in this area were constructed c. 1730. Part of this area is included in the National Register application prepared for the Town Center Historic District.

Meetinghouse Hill includes a cemetery that was established around the same time that the meetinghouse was constructed that formerly occupied the hilltop. The cemetery is the final resting place for those who lost their lives in the French and Indian War and for Revolutionary War soldiers. The area also includes the site of the first church built in Dunstable in 1753. The church was moved to the center of town in 1791. It is also the site of the Lawrence Brooks wheelwright shop and the George Wright blacksmith shop, located at the intersection of Thorndike and Main Streets. The town pound was established here in 1750. This area is incorporated within the pending National Register application for East Main Street.

The West Dunstable-River Road area contains 700 acres that once belonged to the Blood family and encompasses portions of Hollis Street, Fletcher Street and River Road. The Blood and Rideout cemeteries are now maintained by the town. An old grist mill was established near Joint Grass Brook around 1760, and the area formerly contained two school houses. The 1876 map of Dunstable shows that there were five one-room schoolhouses within the town boundaries during the 19<sup>th</sup> century, including one that lies within the Center District at 107 Pleasant Street.

Camp Massapoag was established early in the 20<sup>th</sup> century as a summer fresh-air camp for city children. The camp is rustic and includes 24 acres on the shore of Massapoag Pond. The oldest building is the dining hall, which was constructed in 1919. Most of the remaining structures are hipped-roof cabins that were built in the 1940s.

### **Historic Structures**

There are six (6) structures within Dunstable listed on the MACRIS. They include structures related to the former Nashua, Acton and Boston railroad, the stone walls along East Main Street, the Rideout Feed silos, the East Main Street gates and the town pound. Table 5 on the following page contains a listing of these structures, the oldest of which is the Dunstable Town Pound that dates back to 1754. The Rideout Feed Silos, which were constructed in 1925, are the newest listing under this category.

**Table 5: Historic Structures**

Structure Name	Address/Location	Year Built
Salmon Brook Railroad Bridge	Salmon Brook	1870
Dunstable Town Pound	Main Street	1754
East Main Street Gates	Main Street	1900
East Main Street Stone Walls	Main Street	1800
David F. Rideout Feed Silos	291 Fletcher Street	1925
Nashua, Acton and Boston Railroad Bed		1871

Source: <http://mhc-macris.net>

### Historic Objects

The Jonas H. French Memorial Fountain is the only historic object in MACRIS. Jonas H. French, a Bostonian descendant of Dunstable's French family, donated the fountain in 1888 as a public watering place. Made of granite, in the classical style, the monument features multiple drinking troughs for horse, oxen, man and dog. The fountain is located at the intersection of Main Street and Pleasant Street.

### Burial Grounds and Cemeteries

The Town has four historic burial grounds listed in MACRIS, as shown in Table 6 below. The Swallow Cemetery has not been included in the State's inventory, but is certainly eligible for inclusion. This is a small burial ground with forty-six occupants located on Brook Street where it intersects Depot Street. The earliest burial dates back to the pre-Revolutionary period.

**Table 6: Burial Grounds and Cemeteries**

Name	Address	Established
Rideout Family Cemetery	Fletcher Street	1844
Dunstable Central Burial Ground	Main Street	1754
Meetinghouse Hill Cemetery	Main Street	1754
Blood Cemetery	River Street	1823
Swallow Cemetery	Brook Street	1766

Source: <http://mhc-macris.net>

The Blood Cemetery is located in the western part of Dunstable at the intersection of River and Hollis Streets. This small cemetery was turned over to the town in 1834. Many individuals related to the Blood family are buried here. The earliest death recorded on the gravestones is 1827.

The Rideout Cemetery is a very small and may be the final resting place for six members of the Rideout and Blood families. The cemetery is located on Fletcher Street, close to where it intersects Hollis Street. The earliest death recorded on the gravestones is 1844.



Meetinghouse Hill Cemetery is located off Main Street in the eastern part of Dunstable. In 1757, the town voted to secure land for "a Burying Place & to take a Deed of ye same." The cemetery was established on the westerly slope of Meetinghouse Hill, the location of Dunstable's first meetinghouse. Many of the original founders of the church lie buried here. The earliest death recorded on the gravestones is 1754.

The Central Cemetery is located at the southeast corner of Main Street and Westford Street. It was created as a family burial ground, but the Town purchased the land for a public burial ground in 1801. Between 1821 and 1843, residents built tombs at the northern edge of the cemetery immediately adjacent to Main Street. The cemetery was enlarged in 1848. Ninety-four plots with the names of those interred are shown on a plan drawn in 1884. Sixty-nine additional plots were added in 1933. In 1949, nineteen additional acres were purchased from Lizzie Swallow, and at the turn of the 21<sup>st</sup> century, a triangular parcel of land was added to the cemetery, across from the former Kendall Tavern. Individuals buried in the 18<sup>th</sup> and 19<sup>th</sup> century section of the cemetery include locally prominent names such as Butterfield, French, Bennett, Kendall, Proctor and Cummings.

#### **b. Summary of Relevant Town Documents, Plans and Policies**

Dunstable adopted its Scenic Road Bylaw in 1995. The purpose of the bylaw is to help the town maintain and enhance its rural character, by ensuring that work done to trees and walls within the public right-of-way on designated scenic roads is reviewed and permitted by the Town. The Scenic Road bylaw applies to nearly every roadway in town, except Route 113. The Planning Board administers the bylaw.

In May 2006, Dunstable Town Meeting adopted a demolition delay bylaw that allowed the Historical Commission to stay for nine months the demolition of structures determined to be historically significant. Historically significant structures are generally defined as having been listed on the National Register of Historic Places, or having one or more of the following criteria: historical importance; architectural importance or geographic importance. The demolition delay provides time for an owner to explore and develop alternatives to demolition, such as seeking out a person or entity willing to purchase, preserve or restore the building or structure rather than demolish it. A demolition delay bylaw does not guarantee that historic buildings will be saved, as buildings may be demolished after the delay period has expired if the property owners fail to identify a feasible alternative to demolition.

In 2018, Dunstable updated its Master Plan. The Master Plan Committee considered the potential threats to the town's historic resources, such as historic homes, barns, stone

walls, and foundations, and concluded that threats from future development and neglect need to be addressed, in order to protect such irreplaceable resources.

Dunstable has pursued the creation of two National Register Historic Districts, as discussed previously. The Master Plan Committee recommended that the feasibility of establishing other National Register districts be investigated in areas such as Hollis Street, Fletcher Street, River Road, and Pond Street. However, the Committee noted that the strongest form of protection is a local historic district created through a local bylaw.

Local historic districts have three major purposes, as outlined in Chapter 40C of Massachusetts General Law:

- To preserve and protect the distinctive characteristics of buildings and places significant in the history of the Commonwealth and its cities and towns;
- To maintain and improve the settings of those buildings and places; and
- To encourage new designs compatible with existing buildings in the district.

The Master Plan Committee recommended that the Town consider the establishment of one or more local historic districts, most notably along Main Street. The formal historic district process generally begins with a request from the Historical Commission to the Board of Selectmen for the appointment of a Historic District Study Committee. The Historic District Study Committee is responsible for studying the desirability of establishing a local historic district, developing a report on its findings and recommendations, and conducting a public hearing on the proposal, prior to consideration by Town Meeting.

The town's 2018 Open Space and Recreation Plan recommends that the Town preserve its historic places by educating residents on the benefits of an historic district in increasing local control, and by encouraging nominations for the National Register of Historic Places for all eligible properties and sites.

When purchasing or buying an interest in an historic property using CPA funds, a Preservation Restriction is required. The Act is not specific as to whether a Preservation Restriction is required when CPA money is expended on an historic preservation project. Many towns have chosen to require a Preservation Restriction when any amount of CPA funds are awarded for rehabilitation or restoration of an historic property. This protects the Town's investment should the property change hands or become subject to additional development pressures. A Preservation Restriction is required whenever CPA funds are used to rehabilitate or restore historic properties, regardless of the property ownership.

The Master Plan noted that Dunstable's old barns represent significant landmarks that document the town's agrarian past. For those barns still in use, the structures appear to be relatively sound. However, many of the underutilized barns show evidence of deterioration. The Master Plan recommended that the Town work to encourage the preservation of these structures by their owners. CPA funds could be utilized for this purpose, in exchange for an executed preservation agreement with the property owner. The Master Plan Committee further recommended that the expenditure of CPA funds be allowed for historic preservation and restoration projects on both public and private property, based on established qualifying criteria. Dunstable does not have an inventory of farms, farmhouses, outbuildings, stone walls and other resources that symbolize the town's agrarian heritage. The Master Plan states that the Historical Commission should undertake such an inventory and identify those resources most at risk.

The Master Plan recommended that the Historical Commission initiate a program to collect and archive all known historical documents and records, particularly those that pre-date Town Hall (1907 and earlier). Many of these items are presently in the hands of private residents or non-profit organizations. The possible establishment of a museum to archive and display the documents and artifacts important to the town's history should be explored.

### **c. Vision and Goals**

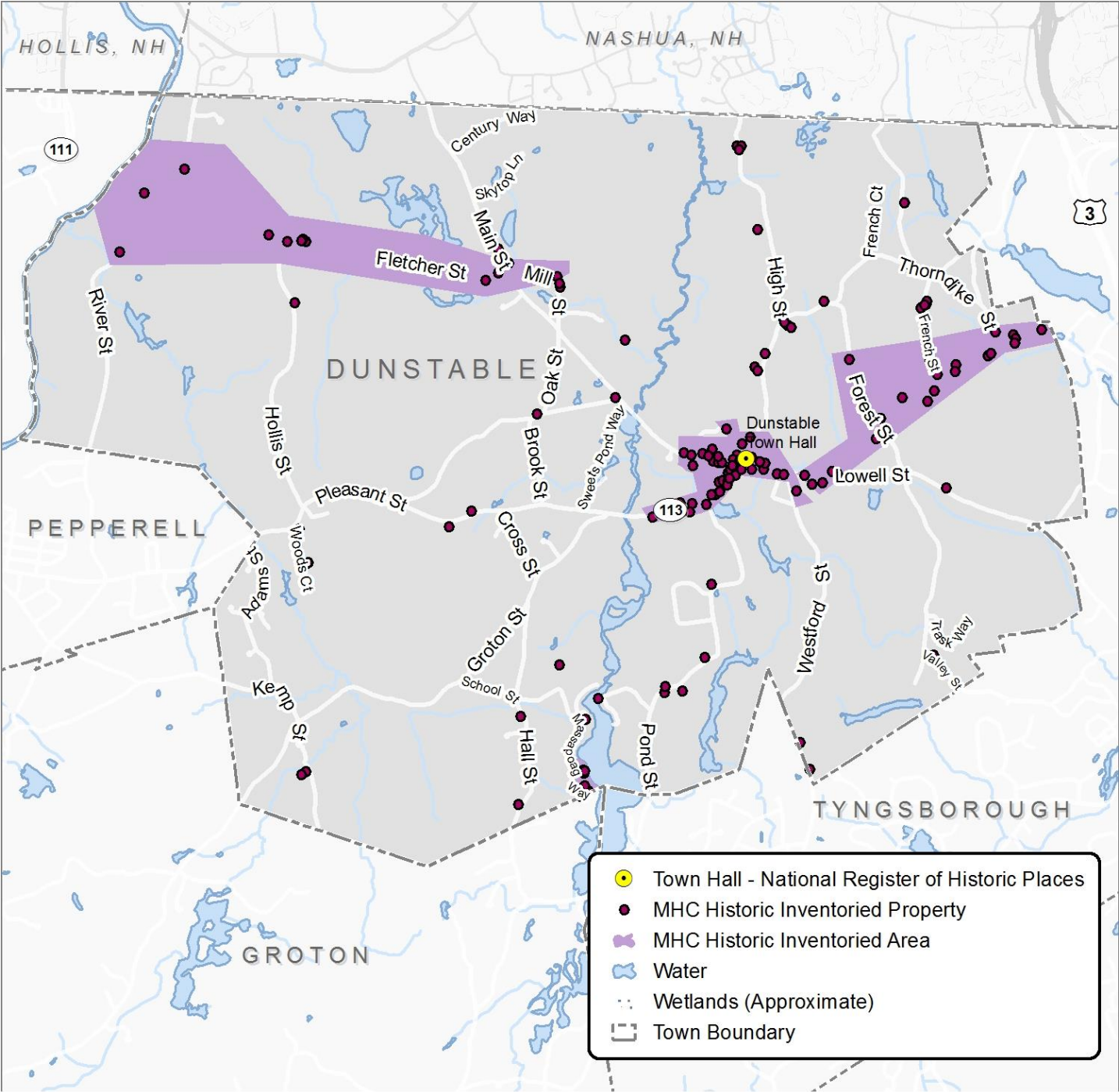
The 2018 Master Plan outlined a Vision for the community ten years into the future that includes the following statement regarding the town's historic assets and landscapes:

*"In 2028, Dunstable is a tranquil community with a high quality of life, reflective of the town's commitment to protecting the community character and its historic heritage. The bucolic rural landscape is the result of the town's efforts to promote and protect agricultural resources and enterprises. Planning and development regulations include design guidance that preserves and safeguards the historic and architectural quality of Dunstable historic buildings and landscapes."*

The Master Plan also contains the following goals that are relevant to historic preservation:

- Preserve, maintain and continue to document Dunstable's legacy of historic farmsteads, buildings and landmarks.
- Preserve Dunstable's historical artifacts and documents.
- Protect the visual features, agricultural landscapes, and view sheds that give Dunstable its unique character.

Map 1: Dunstable Historic Resources



**Sources:**  
MassGIS (Massachusetts Historical Commission MACRIS);  
MassGIS/NMCOG (2013 roads, town boundaries); MassDEP  
(2009 hydrology); NH GRANIT (roads, boundaries)

Data depicted on this map is not sufficient for either boundary  
determination or regulatory interpretation.

Produced by NMCOG: 4/21/2017



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Council of Governments**  
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## Open Space and Recreation Resources and Needs Assessment

### a. Background and Introduction

Dunstable has been engaged in Open Space and Recreation Planning since the completion of its first Open Space and Recreation Plan in 1976. The 1976 plan described residents' concerns regarding the vulnerability of the town's rural character as a result of future land development. In 1990, the Town formed the Rural Design Study Committee, comprised of representatives from the Board of Selectmen, Historical Commission, Conservation Commission and Planning Board. The Committee hired a consultant to prepare a Rural Landscape and Design Study and to formulate recommendations for revising the town bylaws and regulations.

In 2005, the Town prepared an updated Open Space and Recreation Plan that laid out goals for preserving open space lands, creating recreation opportunities, maintaining the town's agricultural and scenic landscape, and protecting natural resources. The 2005 Plan resulted in the adoption of the Community Preservation Act (CPA), the purchase of Flat Rock Conservation Area, an improved entrance to the Arched Bridge Conservation land, improvements at Blanchard Hill, improved management of several forested conservation parcels, development of a Forest Management Plan for the Flat Rock Hill Conservation Area, and the purchase of the Howard's Brook Conservation Area.

In 2010, the Town updated the *2005 Open Space and Recreation Plan*. The new Plan stressed the importance of preserving Dunstable's many hilltops, including Blanchard, Drake, Horse, Nuttings and Spectacle Hills. The 2010 Plan also focused on the protection of scenic roads through the preservation of shade trees, stone walls, historic sites, and open fields. The protection of marsh and pond shorelines, preservation of forest lands, and addressing the visual quality of new residential development were also identified as priorities.

The most recent update to the Open Space and Recreation Plan was adopted in 2018. Protecting Dunstable's natural resources and preserving its rural character are the two primary conservation goals in the 2018 update. Among the priorities identified in the document are the completion of the Salmon Brook and Unkety Brook Greenways, protection of the town's hilltops and the Route 113 Gateway, linkages between the Pierce Town Forest and the Spaulding Proctor Reservation, and connecting the Farnsworth Wildlife Refuge and Fitch Wildlife Management area to Massapoag. Protecting the eastern bank of Salmon Brook is also a priority.

As outlined in the town's Master Plan and shown in Table 7 below, 4,882.89 acres within Dunstable are classified as open space, of which 3,045.20 acres are considered to be permanently protected. Forty years ago, Dunstable only had 341 acres of Conservation Land, according to the town's *1976 Open Space and Recreation Plan*. By 1998, there were 1,600 acres of permanently protected open space in Dunstable, and by 2010, that number increased to 2,763 acres.<sup>1</sup>

**Table 7: 2017 Open Space Acreage by Ownership/Category**

Ownership/Category	Acreage
Commonwealth of Massachusetts	586.70
Town of Dunstable (protected)	1,139.37
Dunstable Rural Land Trust	785.59
Conservation Restrictions	398.07
Water Department Lands	25.28
Cemeteries	28.23
Chapter 61	421.86
Chapter 61A	1,146.07
Chapter 61B	30.44
Institutional, Other Non-profit, Private	50.89
Agricultural Preservation Restrictions	249.04
Other Town-owned (unprotected or protection status unknown)	73.26
<b>Total 4,882.89</b>	

Source: Dunstable Tax Assessor Records

Most of Dunstable's outdoor recreation areas are owned and maintained by the Town, State, or private entities. Town-owned lands used for active recreation are concentrated at the Town Fields located near the Swallow Union School or at the Larter Memorial Recreation Area. The Town Fields contain facilities for baseball, soccer, basketball, and tennis. The area also has a playground. The Town is fortunate to have many conservation lands with trail networks. As the town continues to grow, some of the trail network may be lost, unless efforts are undertaken to acquire easements from private owners.

Many of the open space properties in Dunstable offer a variety of passive recreation opportunities, including hiking, jogging, bird watching, mountain biking, horseback riding, and cross-country skiing. The Nashua River Rail Trail provides hiking, bicycling, jogging and horseback riding opportunities for residents. The facility is owned and managed by the Massachusetts Department of Conservation and Recreation. It extends over eleven miles, from Ayer to Nashua, New Hampshire. Hiking trails on River Street connect the Rail Trail to the Robbins Farm parcels and the Dunstable Rural Land Trust Wildlife Refuge.

<sup>1</sup> Town of Dunstable, *2010 Open Space and Recreation Plan*, p. 75.



The results of nearly 300 written surveys submitted for the Master Plan indicated that the Town's residents are pleased with the open space and recreation assets in Dunstable, as indicated below:

- Over 60% of the respondents rated the number of recreational facilities and opportunities as excellent or good;
- Approximately 87% of the respondents rated the amount of protected open space as excellent or good;
- 52% of respondents favored acquiring additional open space; and
- 69% of respondents favored protecting additional agricultural lands.

Through the survey for the 2018 Open Space and Recreation Plan, residents expressed a preference for simple recreational activities, such as walking and bicycling. In addition, organized youth sports were found to be very important to young families. The survey identified a need for sidewalks, bicycle facilities, and a toddler playground. Many residents also requested that additional information on the town's hiking trails be made available through the Town's website.

The 2018 Master Plan found that more should be done to promote the Town's conservation and recreation areas, through an updated guide map linked to the Town's website. Winter access to the conservation and recreation areas was identified as a need due to a lack of plowing at most parking areas. The need for increased water access for boating, kayaking, canoeing and fishing was also identified in the Plan. Access could be improved through enhanced greenways along the town's waterways. Although Massapoag Pond is the most heavily utilized waterbody in town, there is no public access within Dunstable.

Dunstable residents have long valued open space and recreation resources, and have consistently demonstrated their commitment through the approval of local funding for open space acquisition and the use of Community Preservation Act (CPA) funds. CPA funding has been utilized for the following projects:

- Purchase of Ferrari Farm;
- Preservation of the historic Stone Arched Bridge;
- Clearing of Blanchard Hill;
- Purchase of 10-acre Howard's Brook Conservation Area;
- Purchase of 12-acre Best Triangle;
- Agricultural Preservation Restriction (APR) for Tully Farm;
- Conservation restriction for the Miller property;
- Westford Street Conservation Restriction;
- Middle School track improvements; and
- The Swallow Union Playground.



## **b. Summary of Relevant Town Documents, Plans and Policies**

The 2018 Master Plan has recommended that the following actions be taken in the future relative to open space and recreation:

- Continue to acquire key parcels for the protection of natural resources, wildlife, agricultural lands, water protection, heritage landscapes, and historical resources, and to meet recreation needs.
- Support agricultural preservation through the promotion of the Agricultural Preservation Restriction Program (APR), farmers market, an agricultural coop, food processing facility and other initiatives that promote local agriculture.
- Continue the establishment of greenways along the town's waterways.
- Establish linkages between conservation areas and pursue easements needed for future linkages.
- Promote the Town's conservation and recreation areas, through an updated guide map linked to the Town's website.
- Establish connections between local and regional trails to create an interconnected network, and work with proponents of future development projects on preserving the easements/rights-of-way needed for these connections.
- Integrate recreation and environmental protection through initiatives, such as nature walks, establishment of an environmental education center, and interpretative trails.
- Develop a Resource Protection Strategy to identify priority parcels for potential future acquisition, outline possible financing mechanisms, and inform residents as to why certain parcels have been prioritized for preservation.
- Create a process for prioritizing lands under Chapter 61, 61A and 61B for potential future acquisition, and outline a cooperative process for moving forward with future acquisitions in a timely manner.
- Institutionalize and strengthen the Open Space Residential Development Bylaw so that it is mandatory for subdivisions over a certain size.
- Create a steep slope bylaw and work toward preserving hilltop lands, such as Forest Hill, Drake Hill, Spectacle Hill and Nuttings Hill.
- Encourage forest landowners to enroll in Chapter 61 and provide information on available assistance from the Conservation District and the New England Forestry Foundation.
- Develop a Use, Management and Maintenance Plan for all municipal recreation facilities and parks.
- Monitor and assess future demand for additional playing fields.

- Examine the feasibility of establishing a bike lane along Route 113 from Railroad Square in Pepperell to Dunstable Center.
- Work with neighboring towns on conservation and recreation issues, including the possible establishment of a regional trail for off-road vehicles, such as ATVs and snowmobiles.
- Improve winter access to the conservation and recreation areas for cross-country skiing, snowshoeing, and winter hiking by plowing parking areas.
- Increase water access for boating, kayaking, canoeing and fishing through enhanced greenways along the town's waterways.

Dunstable adopted its first Open Space and Recreation Plan in 1976 to guide policy and decision-making in a way that offers genuine protection of natural resource areas and recreation assets. The Town's passion for protecting scenic areas, rural and agricultural landscapes, environmental resources, historical resources, wildlife, forests and other habitat areas has not faded over the years. In fact, continued development pressures have increased awareness of the need to protect those resources that remain undisturbed.

Given the rural nature of the town, the 2018 Open Space and Recreation Plan focuses on making it easier for residents to enjoy the natural environment. The recently updated plan seeks to increase the town's trail network, protect scenic areas, preserve the community's rural character, preserve the town's agricultural lands, preserve and enhance wildlife habitat, and protect environmental resources, through a seven-year action plan. The action plan focuses on the continued acquisition of conservation land along the town's waterways and wetlands, the implementation of sustainable land use practices, protection of farmland, and the creation of additional trails and linkages between conservation properties.

### **c. Vision and Goals**

The 2018 Master Plan provides the following language within its Vision Statement relative to open space and recreation:

*"...Dunstable residents embrace the concept of sustainability whereby natural resources and manmade features are well managed and wisely used, so that they will be available for future generations... The preservation of open space, water resources and wildlife habitat has resulted in high environmental quality, and allowed the town to maintain its rural character. Open Space and recreation facilities and programs serve the fitness and social needs of the entire community, and are well distributed, maintained, and accessible to everyone."*

The Master Plan also outlines the following open space and recreation goals:

- Continue to acquire open space, as opportunities arise and resources allow;
- Connect Dunstable's open space and recreation lands through a network of trails and pathways; and
- Educate residents on the value and importance of open space.

The 2018 Open Space and Recreation Plan is based on the primary goals of protecting natural resources and preserving rural character. The Plan states that "an ideal open space system that would achieve these goals would include complete Greenways along Dunstable's major streams, with enlarged conservation lands that are linked into a comprehensive open space network that protects Dunstable's outstanding scenic places and natural resources". The primary recreation goals are to "provide adequate fields for athletic and other outdoor recreational uses, to assure access to the town's waterbodies for fishing and boating, and to protect and improve the town's trails for foot travel, bicyclers and horseback riders".

There are a number of individual goals listed within the Action Plan of the Open Space and Recreation Plan including:

- Protect water resources;
- Preserve scenic areas;
- Protect farmlands;
- Protect wildlife habitat;
- Protect land with high recreational potential;
- Preserve historic places;
- Encourage more participation in conservation;
- Protect environmental resources through strengthened development controls;
- Improve the use of existing conservation areas;
- Create a book of all open space properties;
- Develop facilities and/or partnerships to meet recreational needs; and
- Improve the use of existing recreation facilities.

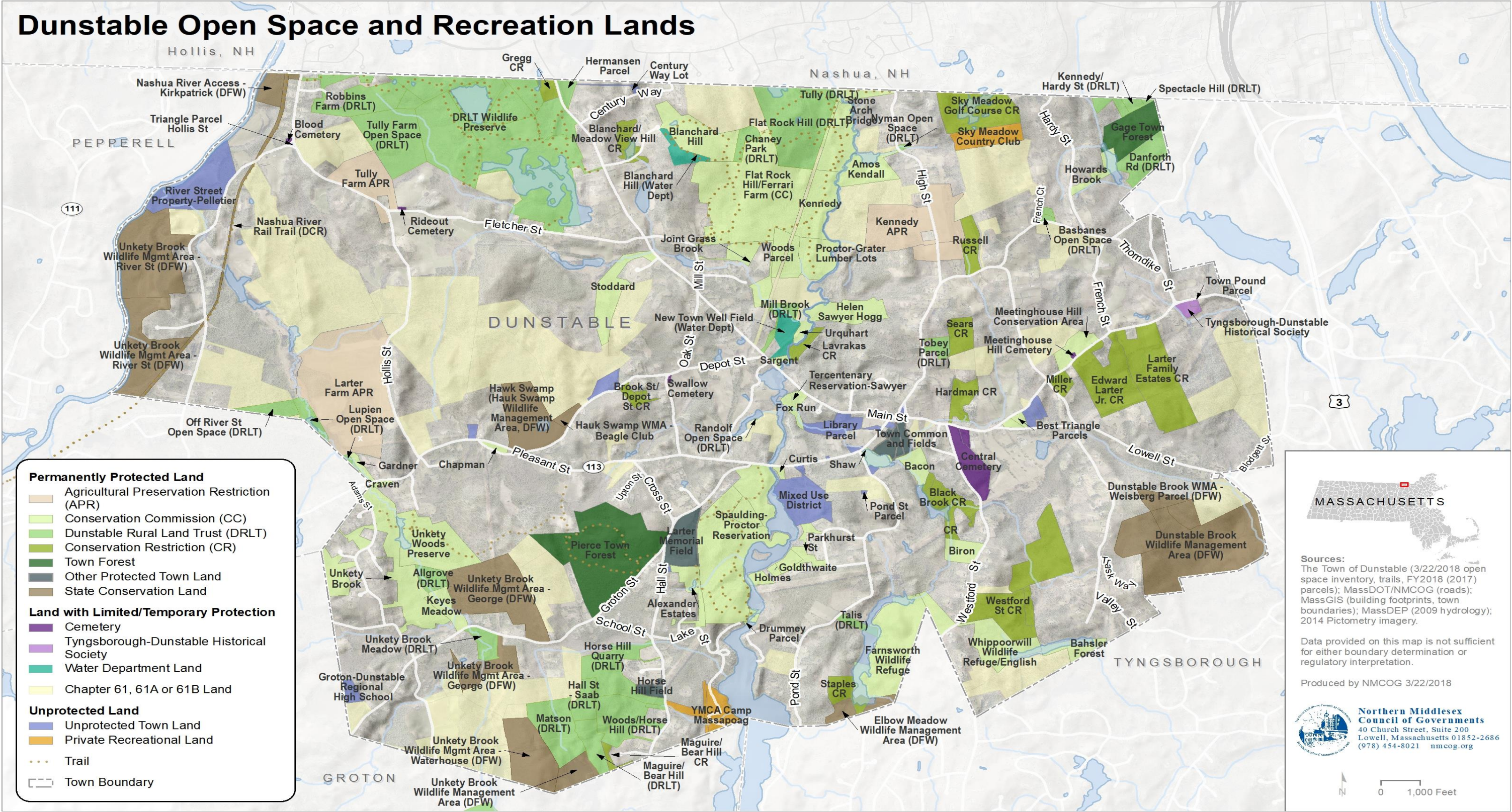
Within the Open Space and Recreation Plan, a number of goals are enumerated specifically to address the protection of the town's scenic areas, including the following:

- Protection of hilltops as natural areas free from development;
- Protection of scenic roads through preservation of shade trees and stone walls;
- Preservation of open fields;
- Protection of shrub marsh and pond shorelines from development;
- Preservation of scenic quality of new residential development;
- Protection of historic sites through the nomination of an historic district(s);
- Access to scenic areas; and
- Preservation of forest lands.



MAP 2

# Dunstable Open Space and Recreation Lands





## Community Housing Needs Assessment

### a. Background and Introduction

Housing affordability thresholds are calculated annually by the U.S. Department of Housing and Urban Development (HUD), and are based on a combination of household income and the total number of individuals living in a given household. The income thresholds are calculated on a regional basis, and in the case of Dunstable, based on household incomes in the Lowell Metro Fair Market Rent Area, as shown in Table 8 below.

**Table 8: Adjusted Income Limits by Household Size, Lowell Metro FMR Area, FY 2019**

Income Limit Area	Area Median Income	FY 2019 Income Limit Category	Household Size							
			1- Person	2- Person	3- Person	4- Person	5- Person	6- Person	7- Person	8- Person
Lowell, MA HUD Metro FMR Area	\$107,600	30%-Extremely Low	\$22,650	\$25,850	\$29,100	\$32,300	\$34,900	\$37,500	\$40,100	\$43,430
		50% - Very Low	\$37,700	\$43,050	\$48,450	\$53,800	\$58,150	\$62,450	\$66,750	\$71,050
		80% - Low	\$52,850	\$60,400	\$67,950	\$75,500	\$81,500	\$87,600	\$93,650	\$99,700

Source: U.S. Department of Housing and Urban Development. Dunstable is included in the Lowell Metropolitan Fair Market Rent (FMR) region

Public officials generally agree on a definition of affordable housing as that which costs no more than 30% of a household's total annual income. Households that spend between 30% and 50% of their annual incomes on housing and related costs (including basic utilities and fuels) are said to be moderately burdened, while those spending more than half of their incomes on housing are considered severely burdened.

Based upon data from the 2012-2016 American Community Survey, 28.3% of Dunstable homeowners with a mortgage and 24.2% without a mortgage were considered moderately burdened by their housing costs. In total, 211 households with a mortgage and 94 households without a mortgage are experiencing housing costs of 30% or more. Similarly, 27% of homeowners with a mortgage and 14.2% without a mortgage are considered to be slightly burdened, since their housing costs fall within the 20-29% range, as shown in Table 9 on the following page.

**Table 9 : Monthly Housing Costs as a Percentage of Annual Household Income: 2012-2016**

Characteristics	Households in Dunstable	No Burden (Less than 20%)		Slightly Burdened (20%-29%)		Moderately Burdened (30% or more)	
		Number	Percent	Number	Percent	Number	Percent
Households with a mortgage	745	333	44.7	201	27.0	211	28.3
Households without a mortgage	388	239	61.6	55	14.2	94	24.2

Source: 2012-2016 American Community Survey

Renters can also be burdened by monthly rental payments. According to data collected in the 2012-2016 ACS, 21 rental households in Dunstable, or 65.6% of all rental households, are moderately burdened due to the housing costs being 30% or more of their income. Similar to the ownership households, rental households can be slightly burdened as well when the overall housing costs fall within the 20-29% range, as shown in Table 10.

**Table 10: Gross Rent as a Percentage of Household Income (2012-2016)**

Rent as a Percent of Income	Number of Rental Households	Percent of Rental Households
Less than 15%	5	15.6
15% to 19%	6	18.8
20% to 24.8%	0	0.0
25% to 29.9%	0	0.0
30% to 34.9%	21	65.6
<b>Total</b>	<b>32</b>	<b>100.0</b>

Source: 2012-2016 American Community Survey

The Commonwealth has established a 10% affordable housing goal for every community across the state. Presently, Dunstable does not have any affordable housing units that meet the criteria for inclusion on the state's Subsidized Housing Inventory (SHI). The Town of Dunstable is committed to diversifying its housing stock to address the gaps between its housing needs and its existing housing supply. The Dunstable Affordable Housing Committee focused on the affordable housing needs of the community through the development of the *Town of Dunstable Housing Production Plan (HPP) for 2016-2020* prepared by NMCOG, and the *Town of Dunstable Age Restricted Housing Supply and Demand Study* prepared by the LDS Consulting Group, LLC.

## **b. Summary of Relevant Town Documents, Plans and Policies**

Within the *2016-2020 Housing Production Plan*, Affordable Housing Strategies were outlined that received the overall support of the Dunstable Board of Selectmen and Planning Board. The following strategies are also incorporated within the Housing section of the Master Plan:

1. Maintain Existing Housing and Expand Housing Opportunities
  - a. Upon the development of affordable housing units, be proactive in monitoring and maintaining them.
  - b. Develop more affordable rental housing (less than 30% of annual income) with the increased availability of 3- and 4-bedroom units.
  - c. Encourage re-use or redevelopment of underutilized property.
  - d. Document the specific needs of Dunstable veterans and construct affordable veterans housing units that meet those needs.
  - e. Consider Chapter 61 properties as potential affordable housing opportunities in the future.
  - f. Promote inclusion of affordable housing development under the Open Space Development Bylaw.
  - g. Incorporate the *Housing Production Plan* into future updates to the Dunstable Master Plan.
  - h. Work with State agencies and other stakeholders to develop group homes to provide supported, supervised living arrangements for citizens with mental and physical disabilities.
  - i. Utilize the Dunstable Affordable Housing Committee to implement the DHCD-approved *Housing Production Plan*.
2. Policies, Programs and Services
  - a. Evaluate and revise existing development regulations and guidelines for fairness and efficiency through the development of an Affordable Housing Permitting Guide to assist applicants in navigating the review process.
  - b. Working in conjunction with the Planning Board, Board of Selectmen, Zoning Board of Appeals and other town committees and boards, build upon the approved zoning changes so as to provide more affordable housing opportunities, such as through special permits for multi-family units, accessory apartments, assisted living facilities and retirement communities.
  - c. Develop an Inclusionary Housing Bylaw to encourage the development of new housing that is affordable to low and moderate-income households.
  - d. Utilize available Community Preservation Funds to support affordable housing development with a focus on the following programs and services:
    - Community education regarding affordable housing programs;
    - First-time home buyer's assistance program;



- Rental assistance;
  - Renovation and sale of properties as affordable unit(s) from town tax lien properties acquired;
  - Purchase of property for use as an affordable housing development;
  - Provide betterment to donated buildings and/or land for use of affordable housing; and
  - Partnerships with private developers and public agencies for affordable housing initiatives that address the housing needs of the community.
- e. Support legislative and/or regulatory reforms at the state level that recognize the efforts of communities like Dunstable to proactively provide “workforce housing” to serve households at 80-120% of the area median income (AMI), in addition to current efforts supporting households earning below 80% of the AMI.
- f. Adopt local selection preferences that are consistent with DHCD Affirmative Fair Housing Marketing Plan (AFHMP) Guidelines and all applicable State and Federal laws/regulations. The project will justify the extent of the local preference (the percentage of units proposed to be set aside for local preference, but in no event will a local preference exceed 70% of the (affordable) units in a project.
- Allowable Preference Categories:
    - i. Current residents: A household in which one or more members is living in the town at the time of application. Documentation of residency should be provided, such as rent receipts, utility bills, street listing or voter registration listing.
    - ii. Municipal employees: Employees of the municipality, such as teachers, janitors, firefighters, police officers, librarians, or town hall employees.
    - iii. Employees of Local Businesses: Employees of businesses located in a municipality.
    - iv. Households with children attending the locality’s schools, such as METCO students.

### 3. Education

- a. Provide affordable housing training and educational opportunities to local Board and Committee members and staff, including the Affordable Housing Committee. These training opportunities could include updates on current policies to support affordable housing (i.e. the Comprehensive Permit Guidelines) and any revisions to state law or regional opportunities. This will allow boards and committees to provide guidance to the development community so as to improve the quality of proposals and result in a more expedited permitting process.

- b. Increase public awareness of and support for affordable housing through increased outreach and public education.
- 4. Funding
  - a. Pursue the purchase of units and provide a subsidized buy-down on the purchase price to qualified first-time homebuyers.
  - b. Develop local partnerships with developers to utilize the State's Local Initiative Program (LIP) as a means to develop "friendly 40B" development projects.
  - c. Research federal and state grant opportunities for the enhancement of affordable housing including, HUD's Housing for the Elderly (Section 202) Program, the Community Economic Development Assistance Corporation (CEDAC) and NeighborWorks Capital (NWC).
- 5. Regional Coordination
  - a. Participate in a Regional Housing Committee to create a Regional Housing Plan for the Greater Lowell region.
  - b. Work with non-profit entities, such as the Common Ground Development Corporation, a subsidiary of Community Teamwork, Inc. and the Coalition for a Better Acre to develop and manage affordable housing projects.
  - c. Collaborate with other communities to promote First-Time Homebuyer Program opportunities in the region and State to make existing homes more affordable.
  - d. Research and promote Foreclosure Assistance Programs through the State's Emergency Homeowners Loan Program (EHLPP) or Community Teamwork, Inc. to help homeowners avoid foreclosure and maintain strong residential neighborhoods.

Within the Dunstable Housing Production Plan, specific potential housing sites were identified. In addition, the Best Triangle, Dumont property and the Pelletier property were identified as potential housing development sites during the Master Plan process. The 2018 Master Plan contains the following recommendations relative to housing:

- Use the DHCD-approved Housing Production Plan as a management tool to develop new housing opportunities in meeting the Town's annual housing production goals.
- Implement the recommendations of the Dunstable Age Restricted Housing Supply and Demand Study.
- Address the housing needs of the elderly, young families and low- and moderate-income families. Partner with non-profit and private developers to develop new housing units.
- Revisit the Growth Management Bylaw to determine whether it should be continued or removed from the Town's zoning regulations. Retaining the bylaw impacts the

Town's ability to leverage some state grant funds, such as Housing Choice capital funds.

- Apply for designation as a Housing Choice Community if the Town meets the housing production eligibility.
- Apply for Housing Choice Capital and Technical Assistance Grants if designated as a Housing Choice Community.
- Modify the Zoning Bylaw to more clearly accommodate assisted living facilities.
- Review the opportunities available under an Act to Promote Housing Choices to determine if the Town wants to take advantage of the simple majority voting provision for Town Meeting actions on certain zoning changes. (proposed legislation)
- Apply for MassWorks funding and research funding opportunities under USDA Rural Development to address water infrastructure issues.
- Encourage the Affordable Housing Committee to issue its Request for Proposals (RFP) for the MUD District once the water infrastructure issue has been addressed.
- Focus on the potential development sites identified in the Dunstable HPP, as well as the Best Triangle, Dumont property and Pelletier property, for housing development.
- Establish design standards for Comprehensive Permit projects to ensure that such development projects maintain and protect the town's rural character, and benefit the community.
- Evaluate the zoning classifications for eleven parcels identified in the Housing Production Plan as potential sites for future affordable housing to determine whether zoning changes are appropriate.
- Utilize homebuyer and homeowner education programs to encourage home ownership.

### **C. Vision and Goals**

The 2018 Master Plan Vision Statement states that "housing options are available for residents of all age groups and incomes". In addition, the Master Plan outlines the following housing goals:

- Create housing opportunities that meet the needs of the community, as outlined in the Dunstable Housing Production Plan.
- Develop a design guidance document to ensure that future development projects are well-designed, consistent with local needs, respectful of the town's character, and compatible with the goals outlined in the policies documents, including the Master Plan, Open Space and Recreation Plan, and the Housing Production Plan.

- Address the water infrastructure issue in order to facilitate the production of affordable and senior housing.
- Utilize CPA and state funds to support the production of affordable and workforce housing.
- Develop partnerships with non-profit and for profit developers to produce housing units to address the needs of seniors, young families and low- and moderate-income residents.

The 2016 Housing Production Plan contains the following goals for creating additional housing within Dunstable:

1. Provide a variety of housing opportunities that serve all segments of the community, especially those below 80% of the area median income.
2. Maintain the rural, residential and historic character of the town through housing development.
3. Create diverse rental units, in terms of types of units (duplexes vs. multi-family) and number of bedrooms (three or more) for Dunstable residents.
4. Support the creation of workforce housing units and broaden the range of potential homebuyers and tenants.
5. Develop rental and ownership options for senior citizens, disabled residents and veterans that allow them to live independently.
6. Encourage new housing development consistent with community character and identified needs.
7. Update the zoning bylaw, development review processes and permitting policies so they are clear and consistent.
8. Coordinate the activities of the Affordable Housing Committee, Planning Board, Board of Selectmen and Zoning Board of Appeals to achieve consistency in the interpretation and administration of affordable housing requirements.
9. Ensure that affordable housing development in Dunstable adheres to the Commonwealth's Sustainable Development Principles.
10. Utilize the DHCD-approved *Housing Production Plan* as a management tool to develop new housing opportunities in meeting the Town's annual production goals.

## CPA Project Eligibility

The Dunstable Community Preservation Committee looks forward to working with members of the community in advancing projects that enhance our Town's use of CPA funds. Please refer to the eligibility criteria described on pages 2 through 4 of this document to ensure that your project is eligible for CPA funding. Additional information on project eligibility can also be found by visiting [www.communitypreservation.org](http://www.communitypreservation.org) or by visiting the Town's website. The Committee can be reached by email at [cpc@dunstable-](mailto:cpc@dunstable-)

[ma.gov](http://ma.gov) if you have questions. If you are uncertain as to a project's eligibility, you are encouraged to submit an application so that the Committee can determine whether your project is eligible based on the legal limitations on the use of CPA funds.

## **The CPA Application Process**

Interested applicants may obtain a copy of the CPA grant application online at [https://www.dunstable-ma.gov/sites/dunstablema/files/uploads/dunstable\\_cpc\\_application\\_2020.pdf](https://www.dunstable-ma.gov/sites/dunstablema/files/uploads/dunstable_cpc_application_2020.pdf). Each project should be submitted using the application form, with additional pages and documentation added as necessary. Applications are accepted on a rolling basis, however, all applications for funding must be received at least 90 days prior to Town Meeting to allow for adequate review time.

## **Guidelines for Submission of Applications**

The following guidelines are provided for the development and submittal of a CPA application:

1. The entire application must be completed. Requests must include a statement of need and be documented with appropriate support information. The use of maps, design plans, photos and other visual aids, as well as other supplemental information is encouraged.
2. Obtain quotes for project costs whenever possible. If quotes are not available, estimates may be used, provided the basis of the estimate is fully explained.
3. If the request is part of a multi-year project, include the total project cost along with requested allocations by fiscal year in the appropriate table within the application.
4. For applicants that have multiple project requests, please prioritize projects.
5. Applicants must be present at a CPC meeting to answer questions regarding the project funding request. The CPC meeting schedule for project proposal review is available upon request by contacting the Committee chair or Town Hall. All CPC meetings are posted on the Town's website.

**Nine (9) copies of the completed application with accompanying documentation must be submitted to the following address:**

Community Preservation Committee  
Chair Joan M. Simmons  
P.O. Box 130  
Dunstable, MA 01827

## Application General Review Criteria

The Dunstable Community Preservation Committee will give preference to proposals that address as many of the following general criteria as possible:

- The project is eligible for Community Preservation Act (CPA) funding according to the requirements described in the CPA legislation;
- The project is consistent with the town's Master Plan, Open Space and Recreation Plan, the 2014 Assessment of Dunstable Memorials, the Historic Committee Report, the DHCD-approved Housing Production Plan, and/or other planning and policy documents that have received wide scrutiny and input, and that have been adopted by the town;
- The project preserves the essential character of the town as described in the Master Plan and Open Space and Recreation Plan;
- The project saves, restores or preserves resources that would otherwise be threatened;
- The project serves a currently under-served population;
- The project either serves more than one CPA purpose (especially in linking open space, recreation and community housing), or the applicant has demonstrated why serving multiple purposes is not feasible.
- The application demonstrates practicality and feasibility, and demonstrates that the project can be implemented expeditiously and within budget;
- The project produces an advantageous cost/benefit value;
- The project leverages additional public and/or private funds;
- The project preserves or utilizes currently owned town assets; and
- The project has received the endorsement of other municipal boards or departments.

## Category Specific Review Criteria

**Open space** proposals that address as many of the following specific criteria as possible will receive preference:

- Permanently protects important wildlife habitat, including areas that:
  - Are of local significance for biodiversity;
  - Contain a variety of habitats, with a diversity of geologic features and types of vegetation;
  - Contain a habitat type that is in danger of vanishing from Dunstable; or
  - Preserve habitat for threatened or endangered species of plants or animals.
- Preserves Dunstable's rural and agricultural character.
- Provides opportunities for passive recreation and environmental education.

- Protects and enhances wildlife corridors, promotes connectivity of habitat or prevents fragmentation of habitats.
- Provides connections with existing trails or potential trail linkages.
- Preserves scenic views.
- Borders a scenic road.
- Protects drinking water quantity and quality.
- Provides flood control/storage.
- Preserves important surface water bodies, including wetlands, vernal pools or riparian zones.
- Preserves a primary or secondary parcel identified in the Open Space and Recreation Plan.

**Historical** proposals that address as many of the following criteria as possible will receive preference:

- Protects, preserves, enhances, restores and/or rehabilitates historic, cultural, architectural or archaeological resources of significance, especially those that are threatened.
- Protects, preserves, enhances, restores and/or rehabilitates town-owned properties, features or resources of historical significance.
- Protects, preserves, enhances, restores and/or rehabilitates the historical function of a property or site.
- The project is within a Dunstable Historic District, on a State or National Historic Register, or eligible for listing on such registers, or on Dunstable's Historic Structure Inventory.
- The project demonstrates a public benefit.
- The project demonstrates the ability to provide permanent protection for maintaining the historic resource,

**Community Housing** proposals that address as many of the following criteria as possible will receive preference:

- Contributes to the goal of 10% affordability by being eligible for inclusion on DHCD's subsidized housing inventory.
- Promotes a socioeconomic environment that encourages a diversity of income, ethnicity, religion and age.
- Provides housing that is harmonious in design and scale with the surrounding community.
- Intermingles affordable and market rate housing at levels that exceed state requirements for the percentage of affordable units.
- Ensures long-term affordability.
- Promotes the use of existing buildings or construction on previously-developed or town-owned sites.
- Converts market rate housing units to affordable units.



- Gives priority to local residents, Town employees, and employees of local businesses.

**Recreation** proposals that address as many of the following criteria as possible will receive preference:

- Supports multiple recreation uses.
- Serves a significant number of residents.
- Expands the range of recreational opportunities available to Dunstable residents of all ages.
- Jointly benefits Conservation Commission and Recreation Commission initiatives by promoting passive recreation, such as hiking, horseback riding, and cross-country skiing, on town-owned property.
- Maximizes the utility of land already owned by Dunstable.
- Promotes the creative use of railway and other corridors to create safe and healthful non-motorized transportation opportunities.

### **Summary of Projects Funded with CPA Funds**

The Dunstable Community Preservation Committee (CPC) approved its first CPA project in 2007 to purchase Ferrari Farm. Table 11 on the following page provides a summary of all CPA projects approved by the CPC through 2019.

Table 11: CPA Projects Approved Through 2019

Approval Date	Project Name	Description	CPA Category				Project Funding					Total Cost
			Historic	Community Housing	Open Space	Recreation	CPA	Other Town	Private	State	Federal	
2/26/2007	Ferrari Farm	Purchase of 135 acres of conservation land. The land is a key parcel for conservation connecting five protected areas owned by the Dunstable Conservation Commission and the Dunstable Rural Land Trust (DRLT).	X		X		\$1,500,000	\$70,000	\$110,000	0	\$420,971	\$2,100,971
5/12/2008	Town Center Watering Trough	Preservation and repair of the granite 1888 Town Center Watering Trough (also known as the Jonas French Memorial Fountain).	X				\$3,583	0	0	0	0	\$3,583
5/12/2008	Stone Arched Bridge	Preservation of the stone arched bridge through creation of emergency access for police and fire	X			X	\$6,539	0	0	0	0	\$6,539
5/12/2008	Blanchard Hill Clearing	Creation of a picnic area and scenic vista atop Blanchard Hill				X	\$7,500	0	0	0	0	\$7,500
5/11/2009	Town Hall Slate Roof	Repair Town Hall slate roof to preserve and protect the historic building constructed in 1907.	X				\$18,000	0	0	0	0	\$18,000
5/11/2009	National Register Project	Finalize the Town Center Historic District application and designation process	X				\$4,500	0	0	0	0	\$4,500
1/25/2010	Howard’s Brook Conservation Area	Purchase of 10+ acres of woods, fields and wetlands for conservation purposes. Provide access to 50 acres of town-owned landlocked open space			X	X	\$219,000	0	\$46,000	0	0	\$265,000
5/10/2010	Union School windows	Supplementing the cost differential to upgrade the replacement of the Union School windows with historically accurate replacement windows	X				\$26,851	0	0	\$47,484	0	\$74,435
5/10/2010	Inclusionary Zoning Bylaw	Support affordable housing production through the development and enactment of an inclusionary zoning bylaw		X			\$2,500	0	0	0	0	\$2,500
5/10/2010	McGovern’s Farm Wall	Engineering costs to preserve the historic nature of a retaining wall along Route 113	X				\$6,000	0	0	0	0	\$6,000
5/9/2011	Central Cemetery Monuments Restoration	Restoration and repair of 18 <sup>th</sup> and 19 <sup>th</sup> century monuments	X				\$4,500	0	0	0	0	\$4,500
6/26/2012	Best Triangle	Purchase of 12 acres of open field and adjacent lands for open space preservation and recreation, and for other future CPA purposes			X	X	\$674,000	0	\$25,000	0	0	\$699,000

Table 11 (cont'd): CPA Projects Approved Through 2019

Approval Date	Project Name	Description	CPA Category				Project Funding					Total Cost
			Historic	Community Housing	Open Space	Recreation	CPA	Other Town	Private	State	Federal	
5/11/2015	Town Records Preservation Project	Preservation of Town records. Work includes disbanding, cleaning, de-acidfying, repairing and rebinding town vital records and selectmen’s records for the 18 <sup>th</sup> , 19 <sup>th</sup> and 20 <sup>th</sup> centuries. Records were scanned, microfilmed and digitized.	X				\$50,000	0	0	0	0	\$50,000
5/11/2015	Tully Agricultural Preservation Restriction (APR)	Agricultural Preservation Restriction (APR) on 41 acres of farmland known as Tully Farm.			X		\$364,500	0	0	\$480,500	0	\$845,000
5/11/2015	Miller Property Conservation Restriction (CR)	Purchase of a conservation restriction (CR) on a six-acre open field owned by the Miller family and located at the corner of Forest Street and Route 113			X		\$65,000	\$20,000	\$25,000	\$167,000	0	\$277,000
5/9/2016	Portrait Frame Restoration	Restore the damages frame of Christopher Roby, an important 18 <sup>th</sup> century resident. The portrait hangs in the library.	X				\$1,250	0	0	0	0	\$1,250
5/9/2016	Dunstable Master Plan Update-Housing Chapter	Update the Housing Chapter of the Dunstable Master Plan. Other chapters of the Master Plan were funded through the DLTA and Community Compact programs.		X			\$5,000	0	0	0	0	\$5,000
5/9/2016	Town Hall Building Evaluation	Evaluate the condition of town hall to protect the integrity of the historic structure, including the deteriorated slate roof.	X				\$4,000	0	0	0	0	\$4,000
5/9/2016	Westford Street Conservation Restriction (CR)	Purchase of a conservation restriction (CR) on 87 acres of working forest to protect open space and provide habitat for rare species. Logging roads will be used as hiking trails.			X		\$246,568	\$18,632	0	\$398,000	0	\$663,200
5/9/2016	Middle School Track	Repair track surface to address safety issues and enhance recreational opportunities for middle and elementary school students. Project was funded jointly with the Town of Groton, a partner in the regional school district.				X	Dunstable- \$35,592  Groton- \$119,156	0	0	0	0	\$154,748
5/9/2016	Housing Feasibility Study for Mixed Use District (MUD)	Investigate the feasibility of constructing community housing in the MUD district. Reallocation of funds from the Best Triangle project that was cancelled after being approved in 2014.	X				\$30,000	0	0	0	0	\$30,000
5/8/2017	Recreation Space at Swallow Union Fields	Install a new playground and recreation space on town land abutting the Swallow Union School.				X	\$226,656	0	0	0	0	\$226,656

Table 11 (cont'd): CPA Projects Approved Through 2019

Approval Date	Project Name	Description	CPA Category				Project Funding					Total Cost
			Historic	Community Housing	Open Space	Recreation	CPA	Other Town	Private	State	Federal	
5/8/2017	Historic Sign Restoration	Restore and remount two signs erected in 1930 as part of the 300 <sup>th</sup> Anniversary of the Bay State Colony	X				\$1,500	0	0	0	0	\$1,500
5/8/2017	Town Hall Stage Backdrop Curtains Restoration	Restoration and hanging of two stage backdrop curtains originally painted and hung on the Town Hall stage during the first half of the 20th Century	X				\$10,000	0	0	0	0	\$10,000
5/8/2017	Kendall Cranberry Bog	Acquisition of 11.47 acres along Salmon Brook abutting conservation land to the south and west. Contains a small brook, Salmon Brook meadow and a cranberry bog.			X		\$10,000	\$70,000	0	\$120,000	0	\$200,000
5/15/2018	Central Cemetery Wall and Tomb Repair	Rehabilitation of the cemetery wall along Route 113 containing tombs from the 1700s, in order to preserve the historic and culturally significant property	X				\$2,500					\$2,500
5/15/2018	Lake Massapoag Preservation	Preservation of Lake Massapoag through removal of invasive weed species.				X	\$45,000	\$25,000 (Tyngsborough funds)	\$14,650			\$84,650
5/15/2018	Frye Field Conservation Restriction	Purchase of a Conservation Restriction (CR) on a 12-acre parcel, preserving one of the scenic vistas on a main artery through town. A stream flows through the property, with an associated wet meadow and small pond. There is potential to provide a linkage with Town forest trails. This is the site of a 19 <sup>th</sup> century sawmill.			X		\$120,000	\$50,000		\$255,000		\$425,000
5/15/2018	Town Records Preservation	Continuation of a project begun in 2015 to preserve town records.	X				\$25,000					\$25,000
5/13/2019	Town Hall Roof and Façade Restoration	Restoration of the wooden façade (27,900) and slate roof (9,500) were originally submitted to CPA as two requests, later combined into one article at town meeting	X				\$37,400					\$37,400
5/13/2019	High School Track Renovation	Track at the Groton Dunstable High School will have repairs made to the base as needed and the rubberized surface will be replaced.				X	\$25,000	\$125,000				\$150,000
5/13/2019	Larter Field conversion of one baseball field to a softball field	One of the baseball fields at Larter Field to be used for softball.				X	\$17,000					\$17,000
5/13/2019	National Register District Signs	Manufacture and installation of National Register District signs	X				\$4,500					\$4,500

Table 11 (cont'd): CPA Projects Approved Through 2019

Approval Date	Project Name	Description	CPA Category				Project Funding					Total Cost
			Historic	Community Housing	Open Space	Recreation	CPA	Other Town	Private	State	Federal	
5/13/2019	MUD Housing Infrastructure/Development	Mixed Use Development project for preliminary design work and engineering needed for affordable housing/community housing. This project was originally submitted in two requests: road and waterline work (10000) and engineering, consultation/RFP (25000), and combined into one article at annual town meeting.	X				\$35,000					\$35,000
5/13/2019	Dugout Roof and Structure Replacement	Four dugouts at Larter Field will have demolition of existing roofs and structures, proper disposal, followed by replacement structures.				X	\$32,000					\$32,000

## **Appendix A: Dunstable Community Preservation Committee Bylaws**

## **Dunstable Community Preservation Committee Bylaw**

**NOTE:** There was an amendment to the Community Preservation Act after the effective date of this bylaw. Communities wishing to use this bylaw as a model should make the following change so that the bylaw is consistent with current CPA law:

In § 2(B), the word “acquisition” should be added to the list of permitted uses for community housing, so that the phrase reads “...*for the creation, preservation and support of community housing;*”

**(Adopted 9-25-2006, Special Town Meeting, Article 1; Approved by Attorney General 10/16/2006, Effective Date 10/25/2006)**

### **§ 1. Establishment**

In accordance with Massachusetts General Laws, Chapter 44B, known as the “The Community Preservation Act,” there is hereby established a Community Preservation Committee (“the Committee”) consisting of nine (9) members. The composition of the Committee, the methods of appointment of the members and the terms of office of the members of the Committee shall be as follows:

One (1) member of the Conservation Commission, as designated by that Commission, for a term of one (1) year;

One (1) member of the Historical Commission, as designated by that Commission, for a term of one (1) year;

One (1) member of the Planning Board, as designated by that Board, for a term of one (1) year;

One (1) member of the Parks Commission as designated by that Commission, for a term of one (1) year;

One (1) member of the Affordable Housing Committee as designated by that Committee, for a term of one (1) year;

One (1) member of the Board of Selectmen as designated by that Board, for a term of one (1) year;

Three additional (3) members, at large, to be appointed by the Board of Selectmen, one (1) to be appointed for an initial term of one (1) year and thereafter for a term of three (3) years, another to be appointed for an initial term of two (2) years and thereafter for a term of three (3) years; and the other to be appointed for an initial term of two (2) years and thereafter for a term of three (3) years. Each such constituent Board or Commission shall advise the Board of Selectmen in writing of its designation as

aforesaid, and the Board of Selectmen shall in turn file with the Town Clerk due notification of all designations and appointments to the Committee.

In the event of any vacancy on the Committee, it shall be filled in the manner provided above, and in the case of a vacancy involving one of the official board, commission or committee members, by appointment of another member of such board, commission or committee. Such vacancy shall be filled by appointment within thirty (30) days of such vacancy, failing which; the Selectmen shall fill the vacancy by appointment as provided in Section 6, herein below. In the event of the inability or failure of any member of the Committee to discharge his or her duties as a Committee member hereunder, a written finding by the Board of Selectmen of such fact filed with the Town Clerk shall be conclusive proof of a vacancy in regard to such position.

## **§ 2. Duties**

(A) The Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The Committee shall consult with existing Town boards, including the Conservation Commission, the Historical Commission, the Planning Board, *the Housing Authority if the Town should establish one*, and *the Open Space Acquisition Committee if the Town should establish one*, or groups or persons acting in those capacities or performing like duties, in conducting such studies; and the Committee may consult with other Town boards or agencies, or independent groups as it shall in its discretion deem advisable. As a part of its study, the Committee shall hold one (1) or more public informational hearings on the needs, possibilities and resources of the Town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two (2) weeks preceding such hearing in a newspaper of general circulation in the Town.

(B) The Committee shall 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 and preservation of land for recreational use; for the creation, preservation and support of community housing; for the rehabilitation or restoration of such open space, land for recreational use and community housing that is acquired or created as provided in the Community Preservation Act; and for any other lawful activities or expenditures that may become possible by reason of amendment of the Community Preservation Act.

(C) The Committee may include in its recommendation to Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose, or to set aside for later spending funds for general purposes that are consistent with community preservation.



### **§ 3. Quorum Requirement**

The Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Committee shall constitute a quorum. The Committee shall approve its actions by majority vote of those members then present.

### **§ 4. Amendments**

This Bylaw may be amended from time to time by a majority vote of Town Meeting, provided that no such amendment may cause this Bylaw to be in legal conflict with the Community Preservation Act.

### **§ 5. Severability**

In case any section, paragraph or other part of this Bylaw shall be for any reason declared invalid, unlawful or unconstitutional by any court of competent jurisdiction, every other section, paragraph and part hereof shall continue in full force and effect insofar as lawfully feasible.

### **§ 6. Effective Date**

This Article shall take effect immediately upon approval of the Attorney General of the Commonwealth and due publication as required by applicable law. Each of the authorities designated in Section 1 shall after such approval make its designation known to the Board of Selectmen in writing within thirty (30) days, provided that a designation by any such Board submitted prior to such approval and subsequent to the vote of the Town enacting this Bylaw shall, upon such approval and publication, be deemed a lawful and sufficient designation.