

# **Town of Shutesbury Community Preservation Bylaw**

## ***Chapter 1: Establishment***

The Town of Shutesbury hereby establishes a Community Preservation Committee, consisting of nine (9) voting members pursuant to MGL Chapter 44B, Section 5. The composition of the committee, the appointment authority and the term of office for the committee members shall be as follows:

One member of the Conservation Commission as designated by the Commission for a term of three years.

One member of the Historical Commission as designated by the Commission for a term of three years.

One member of the Planning Board as designated by the Board for a term of one year and thereafter for a term of three years.

One member to act in the capacity of, or perform like duties of, a member of a housing authority; this member is to be appointed by the Select Board for an initial term of two years and thereafter for a term of three years.

One member of the Open Space Committee as designated by the Committee for an initial term of three years.

One member to act in the capacity of, or perform like duties of the Board of Park Commissioners; in the absence of such Board the Select Board shall designate a member of the Select Board for a term of one year, and to reappoint thereafter on an annual basis.

One At-large member to be appointed by the Board of Selectmen, for a term of two years and thereafter for a term of three years.

One member of the Recreation Committee for a term of two years and one member of the Finance Committee for a term of one year and thereafter for terms of three years.

Should any of the Commissions, Boards, Councils or Committees who have appointment authority under this Chapter be no longer in existence for what ever reason, the appointment authority for that Commission, Board, Council, or Committee shall become the responsibility of the Select Board.

## **Chapter 2: Duties**

(1). The community preservation committee shall study the needs, possibilities and resources of the town regarding community preservation. The committee shall consult with existing municipal boards, including the conservation commission, the historical commission, the planning board, the recreation committee and the housing authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the committee shall hold one 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 weeks preceding a hearing in a newspaper of general circulation in the town.

(2). The community preservation committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space, for the acquisition and preservation of historic

resources, for the acquisition, creation and preservation of land for recreational use, for the creation, preservation and support of community housing and for rehabilitation or restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided in this section. With respect to community housing, the community preservation committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

(3). The community preservation committee may include in its recommendation to the 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.

(4) In every fiscal year, the annual revenues of the community Preservation Fund shall be distributed among open space, historic resources, community housing, and administrative and operating expenses of the community Preservation committee, according to the following allocation:

- Not less than ten percent (10%) of the annual revenues in the community preservation Fund shall be spent , or set aside for later spending, for open space (not including land for recreational use); additional revenues allocated to open space beyond this ten percent may include land for recreational use
- Not less than ten percent (10%) of the annual revenues shall be spent, or set aside for later spending, for historic resources
- Not less than ten percent (10%) of the annual revenues shall be spent, or set aside for later spending for community housing

### **Chapter 3: Requirement for a quorum and cost estimates**

The community preservation committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the community preservation committee shall constitute a quorum. The community preservation committee shall approve its actions by majority vote. Recommendations to the Town Meeting shall include their anticipated costs.

### **Chapter 4: Amendments**

This Chapter may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not cause a conflict to occur with MGL, Chapter 44 B.

### **Chapter 5: Severability**

In case any section, paragraph or part of this chapter be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

### **Chapter 6 Appointments**

Each appointing authority shall have thirty (30) days after the bylaw takes effect to make their initial appointments. Should any appointing authority fail to make their appointments within that allotted time, the Select Board shall make the appointment.

A true copy. Attest: Lucie Orselodge  
Shutesbury Town Clerk

