



## **TOWN OF CONCORD**

**Concord Community Preservation Committee**

## **PROCEDURES MANUAL**

*December 2022*

**FY23 Concord Community Preservation Committee**

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Burton Flint, Vice Chair (Select Board appointee) (term expiring 2025)  
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**TOWN OF CONCORD  
COMMUNITY PRESERVATION ACT  
PROCESS & PROCEDURES MANUAL**

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# FOR APPLICANTS

The Community Preservation Act (CPA) helps communities preserve open space and historic resources, create affordable housing, and develop outdoor recreational facilities to benefit the public.

One of 189 Massachusetts communities that has adopted the CPA, Concord typically distributes grants for CPA-eligible projects from the Concord Community Preservation Fund once per year. The Community Preservation Committee (CPC) accepts applications for projects in September for distribution the following July.\*

### ***Where Should a Potential Applicant Begin?***

*Is your project eligible for Community Preservation Act Funds? Please read the Project Eligibility Requirements carefully.*

*Does your project meet Concord community needs and goals? The project should meet Concord’s General Selection Criteria, and specific high-priority needs and goals for community housing, open space, recreation and historic preservation identified in the Concord Community Preservation Plan.*

*Does your organization or individual have a federal tax identification number (a legal requirement for all government funding)?*

*Do you have the consent of the property owner?*

*Does the grant schedule meet your project schedule needs?*

\*Under extraordinary special circumstances described in this manual, the CPC may consider “out of cycle” funding.

*If you are not certain whether your project fits the criteria, please contact Ann Clifford, Senior Planner in the Planning Department at 978-318-3290.*

## PROJECT ELIGIBILITY REQUIREMENTS

Community Preservation Act funds must be used for community preservation purposes that have a public benefit. **Community Preservation** is defined in Chapter 44B, section 2 as “the acquisition, creation and preservation of open space, the acquisition, creation and preservation of historic resources and the creation and preservation of community housing.” In addition, a portion of the funds may be used for recreation purposes.

Fund monies may be spent to undertake the following community preservation purposes:

**The acquisition, creation and preservation of open space.** Open space, as defined by the CPA, “shall include, but not be limited to, land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use.”

**The acquisition, creation, preservation and support of community housing.** The CPA defines community housing as “low and moderate income housing for individuals and families, including low and moderate income seniors.” Under Section 5(b)(2), funds may be used for the acquisition, creation, preservation and support of community housing and for the rehabilitation or restoration of such housing that is acquired or created. That section also requires the Community Preservation Committee to recommend, wherever possible, the reuse of existing buildings or the construction of new buildings on previously developed sites. See Page 59 for the full text of this section.

**The acquisition, preservation, rehabilitation and restoration of historic resources.** Historic resources are historical structures and landscapes including “a building, structure, vessel or real property, document or artifact that is listed or eligible for listing on the state register of historic places or has been determined by the Historical Commission to be significant in the history, archeology, architecture or culture of the town.”

**The acquisition, creation, preservation, rehabilitation and restoration of land for recreational use.** Recreational use is defined in the CPA as “active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field.” ‘Recreational use’ shall not include horse or dog racing or the use of land for a stadium, artificial turf field, gymnasium or similar structure.” Recreational uses do however include open air structures and park-like amenities such as pergolas, walkways and playground equipment so long as those activities take place on land dedicated to recreation.

**Reserve Funds.** Each year, the CPC will consider setting aside for future spending a portion of the annual receipts of the Concord Community Preservation Act Fund in order to build a reserve to be used primarily for future real property acquisitions, and/or other perceived needs. The amount of such set-aside is not based upon a formula, but is determined by the CPC each year, balancing current priorities with potential future opportunities. In appropriate circumstances, the CPC may recommend an appropriation from the reserve outside of the Standard Application Process annual cycle described beginning on Page 12. (See Page 14.)

**Chart 1  
COMMUNITY PRESERVATION FUND ALLOWABLE SPENDING PURPOSES (G.L. c. 44B, § 5)**

DEFINITIONS (G.L. c. 44B, § 2)	OPEN SPACE	HISTORIC RESOURCES	RECREATIONAL LAND	COMMUNITY HOUSING
<b>ACQUISITION</b> Obtain property interest by gift, purchase, devise, grant, rental, lease or otherwise. Only includes eminent domain taking as provided by G.L. c. 44B	Land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use  Yes	Building, structure, vessel, real property, document or artifact listed on the state register of historic places or determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of the city or town  Yes	Land for active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, play ground or athletic field. Does <u>not</u> include horse or dog racing or the use of land for a stadium, gymnasium or similar structure.  Yes	Housing for low and moderate income individuals and families, including low or moderate income seniors  Moderate income is less than 100%, and low income is less than 80%, of US HUD Area Wide Median Income  Yes
<b>CREATION</b> To bring into being or cause to exist. <i>Seideman v. City of Newton</i> , 452 Mass. 472 (2008)	Yes	X	Yes	Yes
<b>PRESERVATION</b> Protect personal or real property from injury, harm or destruction	Yes	Yes	Yes	Yes
<b>SUPPORT</b> Provide grants, loans, rental assistance, security deposits, interest-rate write downs or other forms of assistance directly to individuals and families who are eligible for community housing, or to entity that owns, operates or manages such housing, for the purpose of making housing affordable	X	X	X	Yes, includes funding for community's affordable housing trust
<b>REHABILITATION AND RESTORATION</b> Make capital improvements, or extraordinary repairs to make assets functional for intended use, including improvements to comply with federal, state or local building or access codes or federal standards for rehabilitation of historic properties	Yes if acquired or created with CP funds	Yes	Yes	Yes if acquired or created with CP funds

Source: Department of Revenue (DOR) 10-5-2012 conference, "Recent Developments in Municipal Law," Workshop B - Local Finances

## GENERAL SELECTION CRITERIA

The Community Preservation Committee (CPC) is responsible for reviewing all projects proposed for Community Preservation Act funding and for making recommendations to Town Meeting. In order to be considered eligible for review by the CPC, a project must at a minimum meet the statutory requirements of the CPA.

If a submitted project is deemed to be eligible for consideration by the CPC, it will be evaluated in relation to the General Selection Criteria and the specific criteria identified in the Needs Assessment for the appropriate use category (Community Housing, Historic Preservation, Open Space and Recreation) in the current Concord Community Preservation Plan.

Recommendations for funding will be based on how well the projects meet these criteria, recognizing that all criteria may not apply to every project.

The CPC will also give consideration to the urgency of the project, especially to those projects whose successful implementation is constrained by scheduling factors not in the control of the applicant. In these special situations, such as the imminent placing of land on the market or an indication of an intention to do so, the CPC will consider an application outside of the normal schedule outlined in this document. See Page 14 for more information concerning these special cases.

The following factors will be considered (*not* presented in order of priority or weight):

- a. The project's eligibility for CPA funding under the CPA legislation.
- b. The project's consistency with the current Town of Concord Community Preservation Committee Plan and Town-wide planning efforts and reports that have received broad-based scrutiny and input. Specifically, the 2018 *Envision Concord: Bridge to 2030* Comprehensive Long Range Plan's Systems Checklist (which can be found on Page 240):  
<https://www.concordma.gov/DocumentCenter/View/15258/Section-5---Implementation-Actions>
- c. The project's support by relevant Town boards and committees and community groups and its consistency with recent Town Meeting actions.
- d. The extent to which the project preserves, protects or enhances existing Town-owned open space, recreation, historic and/or housing assets.
- e. The extent to which the project serves multiple or underserved populations and/or is open to the public
- f. Whether or not the project fulfills more than one purpose of the legislation: housing, historic preservation, open space or recreation.
- g. Administrative and financial management capabilities of the applicant. Applicants which have previously received CPC funds should be prepared to demonstrate that they are in good standing with all paperwork and project conditions or requirements of the previous funding allocation. Applicants should be prepared to provide a status report on any open projects which includes information on expenditures, key project milestones, and the anticipated project completion date.
- h. The extent to which the applicant has successfully implemented projects of a similar type and scale or otherwise demonstrated the ability and competency to implement such a project.

Whenever possible, prior applicants should seek to expend all previous CPC funds and complete the project or project phase before requesting additional funds. When it is not advisable or possible to complete a previous phase first, applicants should be prepared to explain why an expedited process is advantageous or necessary.

- i. Whether or not the applicant has site control or written consent by the property owner to submit an application.
- j. Demonstrated financial need.
- k. Whether or not there will be multiple sources of funding for the project, including leveraging of other public and/or private funding.
- l. The feasibility of the project plan and whether or not the most reasonable approach for implementing the project has been selected.
- m. The urgency of the project, the flexibility of the schedule and the impact of any delay in initiating the project.
- n. The provision for maintenance of the project.
- o. The inclusion of an appropriate permanent deed restriction, preservation restriction, or conservation restriction.
- p. The CPC will generally not recommend that Town Meeting appropriate CPC funds for expenses incurred by a project prior to the CPC receiving an application for the project. The CPC may waive this requirement for a project involving the acquisition of land for one or more CPA-related interests if such a project is the focus of ongoing or pending active fundraising related to defraying the costs associated with this specific acquisition.
- q. The project incorporates design features that reduce the impact on the environment including but not limited to reduced energy consumption, enhanced energy and water conservation and the use of recyclable materials.
- r. The project addresses the following four sustainability principles (based on the American Planning Association's 4 Sustainability Objectives) adopted by the Select Board on July 25, 2011:
  - 1) Reduce dependence upon fossil fuels, underground metals, and minerals;
  - 2) Reduce dependence upon synthetic chemicals and other manufactured substances;
  - 3) Reduce encroachment upon nature; and
  - 4) Meet human needs fairly and efficiently; and to ask the Town Manager and Department Heads to report on methods and successes in implementing sustainable principles and balancing reductions in order to meet human needs fairly and efficiently.
- s. The use of qualified vendors which are located in Concord is encouraged when applicable.
- t. Land acquisition projects for which CPC funds are sought must also adhere to the requirements of Article 35 of the 2008 Annual Town Meeting (See Appendix VIII for APP #54 of the Town of Concord, August 2008). This article includes a requirement that affordable housing representatives be present at the start of any discussions with the Town concerning these acquisitions and the probable uses of the land. The CHA has a permanent representative on the CPC. As a result, discussions with the CPC that include the CHA representative address the provisions of Article 35. Applicants are also encouraged to consult with the Concord Housing



Development Corporation as early as possible about possible land acquisition projects.

**TIMELINE**

Public Information Sessions	March 29 and May 16, 2023
Application Deadline	Sept 8, 2023
Site visits	Sept 23, 2023
Applicant presentations	Sept – Oct 2023
CPC Funding projections received from state	Nov 2023
Deadline to submit letters of support for application	Nov 17, 2023
CPC vote on funding recommendations for Annual Town Meeting	Winter 2023
Annual Town Meeting vote	Apr 30, 2024
CPC Grant Awards Announced	May 2024
Funding becomes available	July 1, 2024
Project completion date	Dec 31, 2026

## STANDARD APPLICATION & REVIEW PROCESS

The Concord Community Preservation Committee invites proposals for CPC funding. The CPC is responsible for reviewing all applications and making recommendations as to which applications should be funded. The CPC expects to bring its recommendations to the Annual Town Meeting.

### STANDARD APPLICATION PROCESS:

1. Please contact the Senior Planner Ann Clifford ([aclifford@concordma.gov](mailto:aclifford@concordma.gov)) if you have questions about a potential project and would like advice on how to explore the project further. While community organizations and Town residents may generate ideas for projects and approach property owners to provide authorized signatures on applications, this signature presupposes robust communication with the property owner. Please keep in mind that projects involving Town property require sufficient notice and planning with Town boards and staff well in advance of the application deadline.
2. First time applicants, who have never submitted an application before, are highly advised to attend the public informational meetings, to be held on March 29 and May 16, 2023. Please see the agenda, once posted, for the meeting location or zoom link.
3. All applicants are advised to attend the pre-submittal (second) public informational meeting, which will be held on May 16, 2023. Please see the agenda for the meeting location or zoom link.
4. Submit 10 copies of the completed application by 12:00 p.m. on Friday, September 8, 2023 to the Planning Division Office, 141 Keyes Road. A pdf copy of all application materials is also encouraged.

Submit any letters of support by 12:00 noon on Friday, November 17, 2023, to the Planning Division Office, 141 Keyes Road.

### STANDARD REVIEW PROCESS:

Work with the Community Preservation Committee through the Review and Public Comment process. This process includes the following steps:

1. Each application is reviewed by the CPC and staff to determine its CPA eligibility, whether the project is sufficiently developed in terms of work plan and timing, whether it is consistent with the goals set forth in this Plan, and to confirm that it is signed by the property owner.
2. Meetings are held with applicants to review the proposals and address any questions. Where appropriate, a site visit will also be scheduled. A full Committee site visit has been scheduled for Saturday, September 23, 2023.
3. Throughout the review period, the CPC maintains communication with applicants and may request supplemental information to inform their funding recommendation decisions. For example, a recommendation for a grant may be made conditional upon an applicant's receipt of matching funds in a specific amount or upon any other matter the CPC deems appropriate.
3. Multiple public meetings are held and a public hearing may be held to allow the CPC to receive public input on the proposed projects before recommendations are made for Town Meeting.
4. The CPC provides the project funding recommendations to Town Meeting, which is scheduled for April 30, 2023. Final recommendations will be in the form of one or more warrant articles to

be voted on at Town Meeting. The CPC may recommend a project as proposed by the applicant, may modify the project, or may recommend partial funding or funding for only a portion or phase of the proposed project. The CPC's recommendation to Town Meeting may include detailed project scopes, conditions, and other specifications as the CPC, in its sole discretion, deems appropriate to ensure CPA compliance and project performance.

5. Please note that the CPC recommendation may be modified at any time prior to Town Meeting, especially following the Finance Committee public hearing. Thus, the CPC can alter or withdraw its Town Meeting Warrant Article(s) as additional information becomes available.
6. Applicants are encouraged to attend public hearings on the proposed warrant article(s) prior to the Annual Town Meeting.
7. Applicants are strongly encouraged to attend Town Meeting, which will determine whether to accept, reduce or reject the CPC recommendations.

**For Historic Preservation Projects Only:** Historic Preservation Project Applicants should provide a copy of the Historic Resource Inventory Form for the property in question with their application materials. Further, the Committee strongly encourages all Historic Preservation applicants to have a Historic Structure Report completed before requesting any CPC funds for restoration or rehabilitation projects. The Committee is likely to require the completion of a Historic Structure Report prior to the use of any CPC funding at historic sites and may recommend the reallocation of some or all of the requested funds for this purpose. See Appendix VII for additional information on Historic Structure Reports. Under the Community Preservation Act, Historic Preservation projects must meet the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. (See Appendix VI.)

**For Land Acquisition Projects:** Applicants for the acquisition of real property or real property interests in any of the four funding categories should be aware that a permanent deed restriction is required if all or a portion of the land is purchased with CPC funds as specified in Section 12(a) of the Community Preservation Act. (See the Concord Community Preservation Plan, Appendix I.) The type of restriction required will vary depending on the funding category and may require the review of a State or other government entity. Applicants should identify the holder of the restriction as early in the process as possible and be prepared to submit a draft restriction as part of their CPC funding review. While the Committee understands that land acquisition projects can be difficult to coordinate with a review schedule, it is important that the CPC have adequate time to consider the application. All decisions on the use and ownership of the land should be made before the application is submitted. Furthermore, Land Acquisition projects must adhere to the requirements of APP #54 of the Town of Concord. (See Appendix VIII.)

## **SPECIAL APPLICATION PROCESS**

There are some special situations, such as the imminent placing of land on the market or an indication of an intention to do so, that the CPC will consider outside of the normal annual schedule outlined in this document.

### **Purpose**

For any use eligible for CPA funding, under special circumstances as determined by the CPC, the CPC will consider a special application outside of the Standard Application Process on Page 12 if it meets the criteria listed below. The principle warranting special consideration outside of the Standard Application Process is that a unique opportunity is presented that, if missed, is likely to remove or make unavailable to the Town and its citizens a valuable resource within the Town. By way of example, the most common of these circumstances might be the imminent placing of real property on the market, but they could include time-sensitive stabilization or restoration of an historic asset damaged by flood or fire, or other emergency situations.

### **Process**

In all such cases, the CPC will adhere to the procedures applicable under the Standard Application Process, except for the submission and hearing deadlines outlined in that process, and in all such cases, the CPC will hold a public hearing to review such an application.

If the timing of the application is such that the CPC cannot meet the deadline for the Annual Town Meeting, the CPC will consider such an application only if the applicant or the Selectmen have committed to calling a Special Town Meeting, one of the purposes of which will be to consider the appropriation of CPC funds for the project described in the application.

The CPC will consider such an application as expeditiously as possible but will not recommend holding a Special Town Meeting or any other changes in the Town's calendar. The proponents and supporters of such an application will be responsible for calling a Special Town Meeting or securing other necessary changes in the Town's calendar.

### **Criteria**

The CPC will consider a proposal under the Special Application Process only if the project meets the General Selection Criteria on Page 7, the Specific Criteria referred to in the Needs Assessments for Community Housing, Open Space, Recreation and Historic Preservation in the Concord Community Preservation Plan, and the following additional criteria:

- The proponents were unaware of the opportunity to undertake the project; or the proponents did not have authority to identify such opportunity prior to the Standard Application Deadline (for example, the potential sale was still confidential).
- The proponents have either: (a) a letter of intent signed by the current owner of the real property expressing an interest in selling to the applicant; or (b) legal control (an option, signed purchase and sale agreement or legal title) of the real property.
- The project is supported by one or more Town Boards with responsibility for projects of a similar nature.
- Failure to secure CPC funding will create a high likelihood that the project will not be able to be carried out for the benefit of the Town, because the opportunity is of very short duration.

- Appropriation of CPC funding will contribute materially to the likelihood of success for the project.
- The project holds a high priority in the Comprehensive Long Range Plan and/or the Open Space Plan, the Historic Resources Masterplan, or in other planning documents currently accepted and utilized by the Town.

## GUIDELINES FOR SUBMISSION

The following guidelines should be used in preparing an application for CPC funding. Applicants are advised to read the *Community Preservation Plan* thoroughly and address all of the submission requirements and Selection Criteria.

1. Each project funding application must be submitted using the Town of Concord Community Preservation Committee Application for CPC Funding form as a cover sheet. Additional pages should be added as necessary. ***Please note, however, that the application, excluding supporting materials, should not exceed 6 pages in length.***
2. Requests must include a statement of need and be documented with appropriate supporting information. This information should include a project scope containing detailed descriptions of each item or step of the project and its estimated cost. Any existing restrictions (deed, preservation, conservation, or other) should be clearly noted. The use of maps, visual aids and other supplemental information is encouraged.
3. Each application must include a very brief summary of the project stating the funding category, project goals, key steps to be taken to reach this goal, and a budget summary.
4. Applicants should obtain professionally prepared quotes for project costs whenever possible. If such quotes are not available, detailed cost estimates may be used provided the basis of the estimates is fully explained. The budget should also include any administrative expenses (appraisals, copying, closing costs, registering the deed, legal notices, etc.) associated with the project. Such expenses may account for up to 10% of the total budget.
5. If the funding application is part of a multi-year project, the applicant should include the total project cost and how it will be distributed over each fiscal year period. Fiscal years should align with the Town's working calendar, running from July to June.
6. For applicants with multiple applications, it is important to prioritize projects.
7. The Application for Funding for the fiscal year beginning July 1, 2024 must be received by 12:00 noon on Friday, September 8, 2023 to be considered for recommendation at the 2024 Annual Town Meeting.
8. The application must be kept unbound – No application or support materials will be accepted in any form of binding including 3-ring binders. All material must be photocopier-ready. All pages should be numbered and double sided when possible. Each copy should be paper clipped into its own folder. A electronic pdf copy of all application materials is strongly encouraged in addition to the paper copies.
9. Applicants should review the Town of Concord Community Preservation Plan that includes the State CPA legislation prior to submitting any applications for CPC Funding. This document is available at <http://www.concordma.gov/906/Community-Preservation-Committee> and in the Planning Division Office at 141 Keyes Road.

Please keep in mind that there are legal limitations on the use of CPA funds. Additional information about the CPA and the Community Preservation Committee can be found at the website noted above. The CPC can be reached through the Planning Division at [planningdivision@concordma.gov](mailto:planningdivision@concordma.gov).

Please submit the Application for Funding and accompanying documentation to the Community Preservation Committee, Dept. of Planning and Land Management, 141 Keyes Road, Concord, MA 01742.

## APPLICATION REQUIREMENTS AND ATTACHMENTS

### Submit 10 copies of the application and any attachments.

*(The application should not exceed 6 pages and should be submitted unbound.*

*Copies should be double-sided whenever possible.)*

1. CPC Cover Sheet – Complete form. Please note that the applicant must be a legally recognized entity, with a Federal Tax Identification Number. Except in the case of acquisition projects, an authorized signature of the property owner must be provided. While community organizations and Town residents may generate ideas for projects and approach property owners to provide authorized signatures on applications, this signature presupposes robust communication with the property owner. In the case of Town property, the applicant is typically the department head responsible for the care of the property, and the Town Manager signs on behalf of the Town of Concord as the property owner.
  2. Brief Project Summary – Introduce the project with a brief summary which notes the category, goals, project scope, and budget at the start of each application packet. This summary should be a maximum of one paragraph in length and be suitable for distribution to other Boards and Commissions as a reasonable depiction of the overall project.
  3. Map - Indicate the location of the project using a Town GIS map. Include additional maps as helpful including aerial, zoning, vegetation, and abutting buildings.
  4. Narrative – Expand on the information presented in the project summary and provide a complete description of the project and its proposed use relative to the CPA. Describe what agency or organization will be responsible, what kind of community support has been given to the project, and why Town Meeting should support it. Include an implementation plan describing the steps or phases for completion and the processes needed for approval. Summarize the goals of the project and how they will be measured.
  5. CPC's Selection Criteria and Needs Assessment – Please include responses as to how your project (if applicable) addresses the issues raised in the CPC's General Selection Criteria and the Specific Use Criteria for your project category from the Needs Assessment.
  6. Budget – Outline the total budget for the project and how CPC funds will be spent. Break the project down by year of expenditure. Describe all funding sources. Where applicable, describe how much of the proposed CPC funding should be ascribed to each of the four CPA purposes. **Make sure to consider any administrative expenses required to complete the project (appraisals, environmental assessments, bidding requirements, copying, legal notices, etc.) and explain how they have been accounted for in this budget. This is particularly necessary for construction and land acquisition projects and can include up to 10% of the budget.**
- Please Note:** Non Profit Organizations should also include a current financial statement.
7. Feasibility – Summarize and attach any feasibility reports that may have been prepared. Explain all further actions that will be required for completion of the project such as zoning, environmental assessment, permits, restrictions, agreements or other potential impediments to implementation.
  8. Statement of Sustainability – If the project incorporates sustainable design features, explain how they



will reduce impacts on the environment including, but not limited to, reducing energy consumption, enhancing energy and water conservation, and the use of recyclable materials. Applicants should address the four Sustainability Principles adopted by the Town as stated on Page 29 in condition r. in the 2018 CPC Plan.

9. Outreach Strategy – Briefly describe how you have consulted with or how and when you plan to consult with any abutters or interested parties about your project. How has that consultation impacted your project?
10. Timeline – Describe the major milestones and when the project will be completed. Include an estimate of when the CPC funds requested will be needed.
11. Architectural plans, site plans, photographs, if appropriate.
12. Letters of Support are welcome from the public or other appropriate organizations.

**Note: If the CPC recommends the project, additional documentation may be required such as verification of ownership, plans, title verification, purchase and sale agreements and zoning compliance information. If this is readily available, it may be attached at any stage**

# FOR AWARDEES

## CPC AWARD PROCESS

1. Following the conclusion of Concord's Annual Town Meeting (and in the case of a Special Town Meeting involving Community Preservation funds), each successful applicant will receive an award letter from the Community Preservation Committee confirming its funding award. The letter will be accompanied by either a Grant Agreement for non-Town Projects or a Memorandum of Understanding (MOU) for Town Projects that outlines the agreed upon Project and the Terms and Conditions of the funding. Grant Agreements must be returned to the Town with an Authorized Signature of the grant recipient (Awardee) as soon as possible. Typical conditions and terms are found in the Sample Grant Agreement and MOU in Appendix IV and Appendix V.
2. The Town Manager's Office, with input from the CPC, may prepare other contracts related to approved CPC projects that may be required for their execution.
3. The award letter will request that the grant recipient notify the CPC when work on the project has commenced and is completed and provide periodic updates concerning the progress of the project. Awardees will provide annual Status Reports each Spring and a Final Status Report upon project completion, which is typically within thirty (30) months of the award.
4. Each grant recipient is expected to implement the approved project work in accordance with the Grant Agreement or MOU. Any material changes to the project from what was represented at Town Meeting shall require prior approval from the CPC to ensure that such changes are CPA-eligible expenditures and within the scope of the project as approved by Town Meeting. Please contact the Planning Division Office at 978-318-3290 or by email at [planningdivision@concordma.gov](mailto:planningdivision@concordma.gov) to help determine which changes are material and, if necessary, to schedule an appointment with the CPC.
5. In order to be reimbursed with CPC funds, the Awardee must either submit documentation to the CPC staff in the Planning Division as specified in the Reimbursement Process for non-Town projects found on page 20, the Payment Process for Town projects found on page 22, or the Alternative Payment Process for Community Housing Construction Projects found on page 23. Submissions can be done incrementally over the course of the project or as a single submission at the end of the project. Please check your Grant Agreement or MOU for any additional requirements that must be met in order to receive payment. The CPC or its staff may conduct one or more site visits to confirm that the work has been completed. Once the CPC approves payment to the recipient, CPC staff will send a letter notifying the Finance Director that she/he is authorized to pay the grant recipient from CPC funds. The Town will then issue a check to the recipient.
6. Unless there is a compelling and documented reason, projects receiving CPC funds must be completed within 30 months following the Town Meeting approval. The CPC may recommend at a subsequent Town Meeting the rescission of any authorized CPC funds remaining unexpended or undocumented after 30 months. Extension Requests must be accompanied by a detailed Status Report.
7. Projects for which 50% (or other fraction) of costs will be paid from awarded CPC funds will be reimbursed on the basis of 50% (or that other fraction) of actual expenditures up to the amount of the total CPC grant.

8. Any appropriated CPC project funds not expended at the completion of the approved work will be returned to the CPC fund for possible re-appropriation at the next Town Meeting unless specific approval has been voted by the CPC for the completion of additional specific and related tasks. In doing so, such approval will depend upon whether the proposed tasks are within the general scope and intent of the original application. Any project savings should be returned in the same proportion that it was used in the project. The CPC will work with the Finance Director to determine the correct number.
9. CPC recipients are required to acknowledge the Community Preservation Act in all press releases, publicity materials, news, and written or oral announcements about work supported by CPC funds.
10. CPC funding for projects involving properties or artifacts which are owned by nonprofit organizations is conditioned on the public benefit received from the completed work. The sale or gift of these properties or artifacts within five years from the date of the award letter shall require the reimbursement of the entire amount awarded unless the CPC waives this requirement in part or in its entirety.
11. For construction projects, CPC funding recipients may be asked to instruct their general liability insurer to add the Town of Concord as an additional insured as related to this specific CPC funded project, and to require that all contractors on the project do the same. Proof of this coverage must be submitted for the CPC's files prior to the first request for reimbursement. Projects on Town owned properties (such as Emerson Umbrella or 51 Walden Street) which are already required to indemnify the Town may be asked to reconfirm this before the first funding distribution.

### **TOWN POLICY ON CPC-FUNDED TOWN PROJECTS**

A Memorandum of Understanding (MOU) will be drafted by the Community Preservation Committee and provided to the Town Manager and Project Manager/Department for review and comment as part of the project review process prior to Town Meeting. It is the general policy of the Town of Concord that all Town staff and departments who receive CPC project funding will adhere to the terms and recommendations included in the Final Executed MOU in administering the project.

## **REQUESTING AWARDED CPC FUNDS: REIMBURSEMENT PROCESS FOR AWARDEES (Non-profits and Others)**

CPC funds are distributed as reimbursements for allowable project costs through the Town's Finance Department. Materials submitted for payment must meet both the Town's requirements for payment (described below) as well as any conditions specified in the Grant Agreement when the CPC funds are awarded. Awardees are asked to work with the CPC's staff to ensure that all of the requirements are met.

The Grant Agreement typically includes the condition that Grantees forward RFP's, bid documents, contracts and/or quotes to the CPC for review for prior to spending CPC funds. This review ensures that the purchase is allowable under the Community Preservation Act and meets the approved scope of work.

In general, the following materials are required for the reimbursement of funds. Please keep in mind, however, that additional materials or steps may be required depending on the type and scale of the project. CPC members or staff may request a site visit at any time.

- Cover Letter - Each request for reimbursement should be accompanied by a letter stating how and when the conditions for funding were satisfied. This letter should clearly outline both the expenses incurred and the total reimbursement requested.
- Paid invoices for materials or labor - These invoices should be signed as appropriate to pay by either the Awardee or its project manager.
- Canceled Checks - These must be attached to the individual invoice(s) for which the checks were written. If canceled checks are not available, bank statements which identify the payee and appropriate project budget category will also be accepted.
- Project Budget Spreadsheet - Payment requests should also include the project's up to date budget information in spreadsheet form. At a minimum, this spreadsheet should contain a detailed summary of the CPC-funded portion of the project to date, including: the overall CPC project budget; previous CPC expenses; CPC expenses associated with the current request for reimbursement; CPC receipts; and the remaining balance of CPC funds. If CPC funds help support a larger project, the CPC may request information on the financial status of the larger project.

Once these materials have been received and verifications are complete, CPC staff will present the materials to the CPC Treasurer or Chairman for approval. Once approved, the CPC will request that the Finance Department release the appropriate amount from the CPC funds allocated to the project. This request is signed by either the CPC Treasurer or Chairman and forwarded with its supporting documentation to the Finance Department for payment on the next available warrant.

## **REQUESTING AWARDED CPC FUNDS: TOWN OF CONCORD PROJECTS**

Concord's Town Departments work directly with the Finance Department to pay invoices associated with construction and/or consulting projects and therefore typically do not follow the reimbursement process described in the previous section. Each Department receiving CPC funding will work directly with the Finance Department to request Purchase Orders and to complete bidding requirements necessary for-municipal projects. Purchase Orders are required for all purchases over \$2000.

The Memorandum of Understanding typically includes the condition that Awardees forward RFP's, bid documents, contracts and/or quotes to the CPC for review for prior to spending CPC funds. This review ensures that the purchase is allowable under the Community Preservation Act and meets the approved scope of work.

Town Departments submit the Requisition for a Purchase Order and accompanying quotes, contracts and/or other documentation to CPC staff for review by the staff and Treasurer. If approved, the Treasurer will submit a signed letter to the Finance Department authorizing the Requisition. Once the Purchase Order is in place, all invoices associated with that Purchase Order may then be paid without further review by the CPC. This initial review provides the benefit of allowing the Department to receive all necessary approvals at the start of their project and it is hoped will prevent any delays in payments on individual invoices. Individual invoices do not need to be submitted for pre-approval under this process. However, Awardees will be asked to provide copies of all invoices in their Interim or Final Status Report to the CPC to complete documentation for the CPC project file.

Town Departments also have the option of: 1) submitting individual invoices as they arrive, or 2) paying directly for goods or services, then requesting reimbursement.

*[Please note that the following process is under review.] If the Applicant chooses to submit individual invoices instead, then the standard reimbursement process for Town Projects will apply. Applicants should submit invoices for completed work on CPC funded projects directly to the Finance Director. The Finance Director will process any invoices for CPC funded projects for payment and will forward copies of the paid invoices to the CPC for their project files.*

Site visits may be scheduled periodically during the course of a project in order to document the work for the CPC project files.

**REQUESTING AWARDED CPC FUNDS:**  
**ALTERNATIVE PAYMENT PROCESS FOR COMMUNITY HOUSING CONSTRUCTION PROJECTS**

The CPC has approved an alternative payment process to expedite payment of construction invoices for Community Housing projects. This process differs from those described above in that it allows applicants to use CPC funds to pay invoices directly rather than through the reimbursement process. In these cases, the amount of CPC funds released per invoice is based on the percentage of the project funded through the CPC, taking into account both any third-party financing and/or funds raised by the Awardees through other sources. For example, if CPC funds represent 1/3 of the total project budget, then the applicant may request CPC funding for up to 1/3 of each construction invoice.

Prior approval from the CPC is required for the use of this payment process. Awardees considering this process should plan to meet with the CPC to review the project and receive approval for the inspection process well before construction begins. At a minimum, the CPC will require the following materials before approval will be given to use this process:

- A project budget and timeline. These documents must be submitted prior to the start of any construction and should be detailed enough for the CPC to establish the percentage of funds to be paid per invoice as well as the overall payment schedule.
- Letter stating who will be inspecting the property on behalf of the Awardee. The inspection process may take several forms but will most commonly be an inspector hired by a third-party funding source or the Awardee, or may be a project architect or other professional. The project inspector must be approved by the Committee prior to the receipt of the first request for payment.

Once an Awardee has been approved to use this process, requests for payment may be submitted according to the timetable agreed upon at the start of the project. As with the reimbursement process, there are specific materials which must be submitted for payment to be released. Individual Requests for Payment must include:

- Verification that the work has been satisfactorily completed. Documentation may include, but is not limited to, verification by an inspector acceptable to the Committee and approved or employed by the third-party financier or by the sponsor. This verification must be in written form and should include a list of the work completed as well as photographic documentation.
- A copy of the invoice from the contractor for the project. This invoice should be signed by the project architect as ready to be paid and should include a list of the work completed during this period.
- A letter or other verification from any third-party funding sources that their funds have been released. Typically, this will come from a bank or other financial institution which is releasing funds from a construction loan for the project.

Once these materials have been submitted for payment, the process follows the same one as outlined for Reimbursements. CPC staff will review and verify that the materials have been submitted as required and may conduct a site visit. Once approved by the Chair or Treasurer of the Committee, the materials will be sent to the Finance Department for processing on the next available Town warrant.

## STATUS REPORTS

With a typical 30-month project, there will be annual Status Reports each Spring, followed by a Final Report. The Status Report will include a narrative as well as a detailed Expenditure Report summarizing all expenses to date.

- Status Report Narrative. See Appendix II for Status Report Form.
- Project Budget Spreadsheet - At a minimum, the Project Budget Spreadsheet should contain a detailed summary of the CPC-funded portion of the project to date, including: the overall CPC project budget; CPC expenses; CPC receipts; and remaining balance of CPC funds. If the CPC funds help support a larger project, the CPC may request information on the financial status of larger project.

## EXTENSION REQUESTS

If you find that the project will extend beyond the projected 30-month period, please submit an extension request in the form of a letter explaining the progress to date and reason for the extension along with a detailed Status Report.

## FINAL REPORTING & CLOSING PROCESS

Once a project has been completed or all of its CPC funds expended, the Grantee must notify the CPC in writing and submit a Final Report. Then, the CPC will begin the process of officially closing the project file. The Closing Process ensures that all of the project conditions and requirements have been met, and that the project file is complete.

Final Report. The Awardee must complete a detailed Final Project Status Report to the Community Preservation Committee. The Final Report will include a Narrative, a detailed Project Budget Expenditure Report including all expenses funded by the CPC grant, as well as representative Before, During and After Photographs of the project (if applicable). (See Appendix II for Status Report Form and check the box for Final Report.)

Once this notification and final report is received, CPC Staff will review the Final Report, initial acceptance letter and Grant Agreement/MOU to ensure that the Terms and Conditions have been met. If required documentation is missing, Staff will contact the Awardee to request copies. CPC staff or members may contact the Grantee to schedule a final site visit to the property to review the completed work.

CPC staff will confirm receipt of all required documentation and submit the Grantee's Final Report to the CPC Chair and/or full Committee for review and approval.

Appendix I



**TOWN OF CONCORD  
COMMUNITY PRESERVATION COMMITTEE**

141 KEYES ROAD, CONCORD, MA 01742  
TEL. (978) 318-3290 FAX (978) 318-3291

**Application for CPC Funding**

**Due no later than 12:00 noon on Friday, September 8, 2023**

Applicant\*: \_\_\_\_\_

Federal Tax Id. No.\*: \_\_\_\_\_

Co-Applicant (if applicable): \_\_\_\_\_

Project Name\*: \_\_\_\_\_

Project Location/Address (if applicable): \_\_\_\_\_

Purpose\*: (Select all that apply)

- Open Space
- Community Housing
- Historic Preservation
- Recreation

Project Budget\*:

Amount of CPC Funds Requested: \$ \_\_\_\_\_

Amount from Other Funding Sources: \$ \_\_\_\_\_

Total Project Budget: \$ \_\_\_\_\_

(If multi-year project, note current phase only)

Please check which of the following is included with this Application:

- |  |  |
|--|--|
| <input type="checkbox"/> One Paragraph Project Summary *<br><input type="checkbox"/> Map (if applicable)<br><input type="checkbox"/> Narrative *<br><input type="checkbox"/> Selection Criteria and Needs Assessment<br><input type="checkbox"/> Detailed Project Budget *<br><input type="checkbox"/> Feasibility Assessment<br><input type="checkbox"/> Statement of Sustainability (if applicable)<br><input type="checkbox"/> Timeline * | <input type="checkbox"/> Architectural plans, site plans, photographs (if appropriate)<br><input type="checkbox"/> Copy of IRS determination letter (Non-profit Organizations only)*<br><input type="checkbox"/> Copy of Audit or most recent Financial Information ( <u>Non-profit Organizations</u> only)*<br><input type="checkbox"/> Letters of Support (if any) |
|--|--|

Project Contact Person\*: \_\_\_\_\_

Project Contact Address\*: \_\_\_\_\_

Project Contact Phone\*: \_\_\_\_\_ Email\*: \_\_\_\_\_

**Authorized Signature of Applicant\*:** \_\_\_\_\_

**Authorized Signature of Property Owner\* (if different):** \_\_\_\_\_

**\* Required**

**For Historic Preservation Projects Only** – please check the box below left and acknowledge:

- I/We have read the **U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties** and understand that planning for and execution of this project must meet these standards.



**Appendix II**

**PROJECT STATUS REPORT  
for the Community Preservation Committee**

Project Name: \_\_\_\_\_ Project Number: \_\_\_\_\_

Date: \_\_\_\_\_  Interim Status Report  Final Status Report\*

1. What percentage of the project has been completed? \_\_\_\_\_

2. Describe work completed to date:

3. What key project milestones have been reached?

4. Expenditure Report:

a. What is the date your project began or will begin spending CPC funds? \_\_\_\_\_

b. Attach a detailed Expenditure Report.

c. In a brief narrative, account for the amount of CPC funds expended to date:

5. Describe remaining work and projected timeline:

6. Describe your outreach efforts.

7. What is the expected project completion date? \_\_\_\_\_

Name of person who completed this form: \_\_\_\_\_ Date: \_\_\_\_\_

Contact Information /Email Address: \_\_\_\_\_

\*For Final Status Reports, please include representative Before, During and After Photographs of your project, if applicable.

### Appendix III            SAMPLE FUNDING AWARD NOTIFICATION LETTER

DATE

ADDRESSEE

Dear \_\_\_\_\_:

We are pleased to confirm that Concord's 20XX Annual Town Meeting approved the recommendation of the Community Preservation Committee (CPC) to appropriate \$XX of Community Preservation Act (CPC) funds under the direction of the Town Manager for the Project Name. The funding appropriations are contingent upon the Applicant meeting the requirements noted in the Grant Agreement. Please see the attached Grant Agreement for further information on any requirements specific to this project.

The Community Preservation Committee appreciates notice when work on a project has commenced and periodic updates, if relevant, concerning the project's progress. The Committee requests that the completion of all CPC funding projects be followed by a written notice to the CPC for its files. This information on the project and its progress assists the Committee to better understand the needs of different types of projects and to further refine the CPC funding process.

Good publicity is also very important to your project. It is exciting for Concord citizens to know where their CPC funds are being spent and essential that the CPA remains strong at the State level. Therefore, the CPC asks that you make every effort to credit the source of this funding in promotional materials by stating **"This project has been generously supported by the Town of Concord Community Preservation Fund."** If possible, please also submit a letter to the Concord Journal detailing how the funds have benefited your project.

All funding recipients are responsible for ensuring that their projects comply with all applicable State and local laws, particularly those involving the procurement of goods and services. Please make sure that you are aware of any such laws before soliciting proposals or bids for this project.

The CPC funds will officially be available for distribution beginning on July 1. However, the Finance Department has requested that applicants wait until after July 15 to request reimbursement. If this is an issue, please let us know as soon as possible so that alternate arrangements can be made.

Thank you for working in partnership with the CPC to make a significant and lasting difference in our town.

Sincerely,  
Diane Proctor, Chair  
Community Preservation Committee

CC: Town Manager  
Select Board  
Natural Resources Commission  
Historical Commission  
Planning Board  
Housing Authority  
Director of Planning and Land Management  
Finance Director

## Appendix IV SAMPLE GRANT AGREEMENT FOR NON-TOWN PROJECTS

Grant Agreement dated \_\_\_\_\_, 20XX, by and between \_\_\_\_\_, a private non-profit organization duly organized under the laws of the Commonwealth of Massachusetts and having a principal office at (Address), Concord, Middlesex County, Massachusetts 01742 (the “Grantee”), and the Town of Concord, a municipal corporation with its principal offices at 22 Monument Square, Concord, Middlesex County, Massachusetts 01742, acting by and through its Town Manager (the “Town”):

WHEREAS, the Grantee has sought funding from the Town pursuant to the Community Preservation Act, G.L. c. 44B, to complete (brief project description) located at (address of property); and

WHEREAS, at the 20XX Annual Town Meeting the Town voted to appropriate the sum of (Spell out Amount) Dollars (\$) under Article XX from the FYXX anticipated fund revenues (or undesignated reserve, previous funds, etc.) of the Community Preservation Fund (the “Funds”) for that purpose, and authorized the Town Manager to enter into an agreement with the Grantee requiring that said amount may be used solely for the purposes outlined in the application and Town Meeting materials; and

WHEREAS, the Town and the Grantee wish to memorialize herein the terms governing the disbursement of the Funds appropriated by the Town at the 20XX Annual Town Meeting, and the repayment of the Funds with interest in the event that the funds are not used for the project goals as approved for funding by the Town;

NOW, THEREFORE, in consideration of the mutual covenants herein set forth, the parties agree as follows:

1. The Grantee agrees that the Funds shall be used solely for (list project specifics). The Grantee represents that the Project is (state goal of project and funding category) and that the Project is therefore fundable under the Community Preservation Act, G.L. c. 44B, § 5(b)(2). The Grantee shall make no other use of the Funds.

2. The Grantee will meet the requirements of the following conditions which are specific to this project and have been previously discussed and agreed upon:

- a. List agreed upon conditions here
- b.

3. The Grantee agrees to submit a copy of the signed contract or contracts for the work to be completed with CPC funds to the CPC prior to the start of any work.

4. The Grantee agrees to make copies of any drawings or other proposed bid documents available for inspection by the Town at the Town’s request. Any documentation procured with the Funds shall be limited to work necessary or appropriate to carry out the Project, and shall be consistent with the (creation, support preservation, rehabilitation and restoration dependent on category) for (CPA funding category) use.

5. The Grantee agrees that the Town shall have the right to require written confirmation by the Grantee that the Funds were used solely for the intended purpose.
6. The Grantee agrees that as recipients of CPC funds they will conform to all relevant Federal, State, and local laws and regulations, including the Americans with Disabilities Act, State Building Code and other relevant regulations. It is the responsibility of the Grantee to ensure that all of their project's relevant requirements are met, and to attain any required approvals or permits before any CPC funding is received.
7. The Grantee agrees to acknowledge the "Concord Community Preservation Fund " support for this project on any websites and in all press releases, publicity materials, news and written or oral announcements.
8. The Grantee will install a temporary sign acknowledging the Concord Community Preservation Fund support for the project in a visible location on the site while the CPC-funded project (or portion thereof) is being carried out. The temporary sign will be provided by the Community Preservation Committee (CPC). If permanent signage is installed, the CPC will require that the CPC funding contribution be noted.
9. The Grantee acknowledges that any material changes to the project from what was approved at Town Meeting and represented in the Town Meeting materials and during the project selection process must be approved in advance by the CPC. Work which is outside of the scope of Town Meeting's CPC funding approval for the project will not be reimbursed.
10. CPC Staff may contact the Grantee periodically to check on the status of a project or schedule a site visit to document any completed work. The CPC appreciates notification by email or in writing when a project has commenced and again when it is complete. Project Status Reports shall be submitted at least once a year, and more often as requested by the Committee, until the completion of the project.
11. The Grantee will contact the CPC upon completion of the project or the portion of the project completed with CPC funds and will notify the CPC in writing that the work for which the CPC funds were allocated has been completed in accordance with the application (as modified with CPC approval). The Grantee will submit a Final Report to document the project.
12. The Grantee agrees to complete the portions of the project for which CPC funding has been allocated within **30 months** following Town Meeting approval unless the CPC grants an extension for good cause. If the Grantee anticipates that the CPC-funded portion of the project will extend beyond the 30-month grant period, the Grantee will provide an extension request and detailed status report with an explanation for the need for an extension.
12. In the event that the total cost of the Project is less than the budgeted amount, or if the project is terminated prior to its completion, any unexpended portion of the Funds that have been allocated to the Grantee shall be refunded to the Town and returned to the general CPC fund. Funds shall be returned in the proportion that they were used to make up the entire project budget. The Grantee may also ask to use the excess funds to complete additional Project work so long as that work is within the

scope of the project as approved by Town Meeting. This use of excess funds must be approved in advance and in writing by the CPC.

13. The Grantee shall draw on the Funds only as necessary to meet its current and imminent payment obligations, which it shall certify in the form of a letter to the Town Manager. The Grantee will follow the reimbursement process as outlined in the Community Preservation Plan (Page 47). All documentation shall be submitted to the CPC’s staff for review and processing.

14. In the event of a sale of the Property to another party within ten (10) years of the date of the delivery of the Funds (the “Disbursement Date”), then, at the election of the Community Preservation Committee, the Grantee shall repay the Town no later than the time of any such sale the principal amount of the grant (\$XX, less any amount refunded pursuant to paragraph 9, above), with interest at three percent (3%) per annum, commencing on the Disbursement Date. Repaid funds will be returned to the Town’s general Community Preservation Act fund. Interest shall be compounded annually on the anniversary of the Disbursement Date for a period of five years. On the fifth anniversary of the Disbursement Date, interest shall cease to accrue, but shall remain due and payable, together with the principal amount, until the tenth anniversary of the Disbursement Date, or until the outstanding principal and interest is repaid as provided herein. This clause shall not apply to the Property so long as a permanent deed restriction upholding the purpose of the original CPC funding grant is executed for the Property and filed with the Registry of Deeds.

15. So long as the Property has not been sold so that the principal and interest were paid as provided above, the Grantee’s obligation to pay the principal and interest on the grant shall terminate on the tenth anniversary of the Disbursement Date.

16. The Town’s grant of funds to the Grantee is made with the understanding that the Town has no other obligation to provide other or additional support to the Grantee for the Project or otherwise.

17. The Town hereby certifies that the Funds have been duly appropriated and will be available as of July 1, 20XX to meet the Town’s obligations as stated in this Agreement.

Executed under seal as of the date first set forth above.

TOWN OF Concord  
By its Town Manager

(Applicant)

\_\_\_\_\_

BY: \_\_\_\_\_  
Authorized Signer, *duly authorized*

**Appendix V****SAMPLE  
MEMORANDUM OF UNDERSTANDING FOR TOWN PROJECTS**

**Date:** May X, 20XX

**To:** [Applicant]  
Kerry Lafleur, Town Manager  
Gail Dowd, Finance Director

**From:** Diane Proctor, Chair  
Community Preservation Committee

**Cc:** Select Board  
[NRC, CHC, etc]

**Re:** 20XX CPC Funding for [Project Name]

---

The Community Preservation Committee is pleased to confirm that your application for Community Preservation Act funding of the [Project Name] was approved by Concord's 20XX Annual Town Meeting. The intent of this memo is to memorialize the approved project details and review the CPC funding process.

**Amount:** \$Amount                      **Category:** Community Housing, Historic Preservation,  
Open Space and/or Recreation

**Project Objective as Approved By Town Meeting:** The Town of Concord will use the funds to [Brief Project Explanation]

**Accessing CPC Funds:** The Town project reimbursement process is outlined in the Community Preservation Plan and a copy of the agreed upon process is attached. While the CPC relies on the Finance Director to review and process all Town project requests for CPC funding, applicants are asked to keep the CPC informed of the status of the CPC funded work. Please forward copies of any invoices for CPC funded work to CPC staff for inclusion in the CPC's project files.

**Project Updates:** CPC staff may contact you periodically to check on the status of a project or schedule a site visit. Provide annual Status Reports and Final Reports via email to CPC staff at [planningdivision@concordma.gov](mailto:planningdivision@concordma.gov). Extension Requests for projects over 30 months should also be submitted to CPC staff.

**Project Changes:** Town Meeting has allocated these CPC funds only for the use specified in the Town Meeting Motion and Presentation. Any material changes to the project from what was represented during the project selection process in relationship to the use of CPC funds must be approved in advance and in writing by the CPC. In making its decision, the CPC will determine whether the new CPC

funding use is consistent with the Town Meeting approval. Any project work funded from other (non CPC) sources is not subject to this process.

**Signage:** If the project involves construction or restoration work, the CPC will provide a temporary sign recognizing that Community Preservation Funds have been used to complete this work. The sign can be installed on an existing fence or wall, or using posts, and should remain in a visible location while the CPC funded work is underway. Any articles, website postings, or project announcements should also note the "Concord Community Preservation Fund " support for this project. If permanent signage is installed, the CPC will require that the CPC funding contribution be noted.

**Project Completion:** Once the project is complete, submit a Final Report documenting the project a narrative, photographs and expenditure report to the CPC staff. The CPC or its staff may request copies of any completed studies or materials for its files. Whenever possible, projects should be completed within 30 months following Town Meeting approval.

**Unused Project Funds:** In the event that the total cost of the project is less than the budgeted amount, or if the project is terminated prior to its completion, any unexpended funds that have been allocated to the Grantee shall be refunded to the Town and returned to the CPC fund. Funds shall be returned in the proportion that they were used to make up the entire project budget.

**Conditions Specific to This Project:** The following conditions specific to this project are required to be met:

- [List of Project Conditions/Materials Requested](#)

**Appendix VI****CPA Historic Preservation Projects and the U.S. Secretary of the Interior's  
Standards for the Treatment of Historic Properties**

The CPA Statute states that Historic Preservation projects funded through CPA must comply with the U.S. Secretary of the Interior's *Standards for the Treatment of Historic Properties* codified in 36 C.F.R. Part 68. (Section 2, Definitions, "Rehabilitation")

For information on the four "treatments" codified in the *Standards* (Preservation, Rehabilitation, Restoration, and Reconstruction), please explore this website: [The Secretary of the Interior's Standards for the Treatment of Historic Properties - Technical Preservation Services \(U.S. National Park Service\) \(nps.gov\)](https://www.nps.gov/tps)

Since the vast majority of projects Rehabilitate historic properties, preserving historic building materials and character-defining features while also accommodating the structure for contemporary use, the *Standards* for Rehabilitating Historic Properties is provided here for your convenience:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



## Appendix VII

### HISTORIC STRUCTURE REPORT ADDITIONAL INFORMATION

Historic Structure Reports provide a valuable foundation for the rehabilitation, restoration, stabilization or reconstruction of an historic building. They are particularly important if the proposed work involves fabricating significant missing architectural or landscape features, recapturing the appearance of a property at one particular period of its history, removing later additions, or substantially modifying existing historic fabric. This document provides a project architect with the information necessary to make appropriate decisions on whether to restore or remove fabric, and on the period of restoration as recommended in the “Secretary of the Interior’s Standards for the Treatment of Historic Properties.” The report should basically provide a clear description of the building’s architectural history including its original appearance; what changes were made and when; and its present condition. In addition, it should provide guidance with respect to any proposed new work. For additional information, please see the National Park Service’s Preservation Brief #43 at [www.nps.gov/hps/tps/briefs/brief43.htm](http://www.nps.gov/hps/tps/briefs/brief43.htm) which provides detailed information on the purpose and development of Historic Structure Reports.

The following is a suggested format for Historic Structure Reports:

#### Table of Contents

##### Forward or Introduction (when appropriate)

- Purpose of the report
- Preservation objectives

##### Brief History of the Property

- Significance and historic events, local and regional, persons associated, ownership history, etc. (Much of this information should be available in existing local/national nomination forms.)

##### Construction History (original and subsequent alterations)

- Chronology
- Historical documentation (letters, diaries, vouchers, newspaper articles, etc.)
- Site work (including ordering of materials, construction, unusual craft work, etc.)
- Reference to craftsmen/builders/architects associated with the property
- Early views, photographs, etc., showing appearance at different periods
- Physical investigation (e.g. analysis of paint layers relative to construction events) may be necessary to clarify which construction events are historic

##### Architectural Evaluation

- Assessment of all exterior and interior features and finishes
- Identification of those architectural features, materials and finishes that are character defining and therefore significant, and which must be preserved in the course of project work
- Prioritization of these features (premiere, important, contributing, non-contributing)

- Room-by-room evaluation, including identification of materials, construction techniques, features (lighting, paneling, wainscoting, radiators, glazing, cabinetwork, fireplaces) and finishes
- Prioritization of architectural significance of spaces (premiere, important, contributing, non-contributing).
- Description and evaluation of building mechanical systems (heating, lighting, plumbing, electrical, etc.)

**Existing Conditions**

- Analyze existing conditions, damage, structural problems, materials deterioration, etc.
- Prioritize repair/stabilization work
- Assess the need for materials conservation

**Maintenance Requirements**

- Outline the need for a plan and program for general and periodic maintenance, recognizing that deferred maintenance is not an option for historic resources

**Archeology**

- Depending on the nature of the property, its site and setting, and on potential funding sources, it may be desirable or necessary to include this section to address any archeological concerns associated with any proposed stabilization plans or project work

**Proposed Work**

- Recommendations for any proposed work based on existing conditions and preservation objectives (this might include a list of work priorities, phasing, and estimated costs)
- Categories of work: Architectural, Structural, Mechanical, Electrical, Archeological, Conservation, etc.

**Drawings and Photographs**

- Copies of original drawings and specifications, along with similar documentation of subsequent alterations are of great importance. Drawings of the existing facility are also important.
- Historic and current photographs are of critical importance. A good, clear set of current photographs for both the exterior and interior, including overviews and details. As complete a package as possible of this type of documentation should be provided.

**Bibliography** (as needed)**References** (as needed)**Appendices** (as needed)

(California State Parks Office of Historic Preservation -HSR format-2-03)

## Appendix VIII

Date Adopted: 08-12-08

**TOWN OF CONCORD****APP\* #54****Decision Process for Land Acquisition****General Purpose**

At the 2008 Annual Town Meeting, the Town voted under Article 35 “to establish a process whereby when land acquisitions involve Town funds, affordable housing is considered as one possible use of the land before any final commitments are made. The Town Manager and the Board of Selectmen will be responsible for ensuring that a housing representative is present from the start of discussions with the Town to determine probable land uses.”

This Administrative Policy is hereby adopted jointly by the Board of Selectmen and Town Manager in order to administer the vote of Town Meeting under Article 35.

**Policy Guidelines**

The following interpretations and practices shall be followed in the decision process for land acquisitions involving Town funds.

- ***Appointment of Housing Representatives.*** A housing representative and an alternate to serve when the housing representative is unavailable will be appointed annual by the Board of Selectmen from members of the Concord Housing Development Corp. (“CHDC”). The CHDC may be invited to suggest which of its members should be chosen as the representative and alternate, but such suggestion shall not be binding on the Selectmen. Notwithstanding the foregoing, in the case of projects and funding proposals before the Community Preservation Committee (“CPC”), the CPC member appointed by the Concord Housing Authority shall constitute the housing representative. In cases where the housing representative and alternate are unavailable and prompt action is needed, the Selectmen may appoint an ad hoc housing representative. The Selectmen may remove a housing representative in its discretion with or without cause. Any housing representative so removed shall be promptly replaced by the Selectmen.
- ***Start of Discussions.*** The “start of discussions with the Town” shall mean the meeting of the Board of Selectmen where the possibility of a land acquisition involving a reasonable possibility that Town funds will be used is discussed, provided that in the case of a project or funding proposal before the CPC, it shall mean the meeting of the CPC where such land acquisition is first discussed.
- ***Land.*** For the purposes of this process, “land” shall mean real property on which there is a reasonable likelihood (taking into account zoning, wetlands, presence of hazardous wastes and other pertinent factors) where there is a reasonable expectation that housing can be

constructed or where existing structures can reasonably be converted into affordable housing. "Land" shall not include easements, rights of way, stub parcels, ponds and other parcels of property where no reasonable chance of constructing housing or converting existing structures to affordable housing exists.

- **Presence of Housing Representative.** The Selectmen will invite the housing representative to be present at the start of discussions as set forth above. "Present" shall include participation by telephone. In the case of funding for a land acquisition to be discussed by the CPC, the Chair of the CPC shall be requested to continue the initial discussion of such acquisitions when the CPC housing representative is not present. It is not expected that the housing representative will be present at every conversation by Town officials concerning a given land acquisition, but only that the housing representative be present at the start of discussions with the Town and on request be kept reasonably informed about the progress of discussions and be given an opportunity to advocate for the inclusion of housing. The housing representative shall be asked to inform the Selectmen (or CPC, as the case may be) as soon as possible if a given parcel is not deemed suitable in the housing representative's opinion for affordable housing.
- **Responsibility of Housing Representative, Etc.** The fact that the housing representative advocates for the Town to use land for affordable housing shall not require the Selectmen, CPC or Town to do so. It is anticipated (though the Selectmen shall have not responsibility for ensuring) that the housing representative shall communicate with appropriate housing groups in Town concerning potential land acquisitions, provided that the housing representative shall at all times keep strictly confidential any information concerning a potential land acquisition as requested to do so by the Town Manager and Selectmen. The housing representative shall not be held personally responsible in any way for the inclusion or omission of affordable housing from the use of any land acquired with the help of Town funds.
- **Acquisition of Land.** The fact that the housing representative for some reason is not present from the start of discussions with the Town or any subsequent discussion concerning the acquisition of a parcel shall not in any case render the Town's decision to acquire such parcel illegal or invalid.
- **Town Funds.** "Town funds" shall not include any funds provided by private organizations such as Concord Land Conservation Trust, but shall include funds provided through the CPC and Town Meeting.

Distribution: Department Heads  
Committee and Board Chairs  
Community Preservation Committee members

\*APP = Administrative Policies and Procedures