

LENOX COMMUNITY PRESERVATION COMMITTEE MASTER PLAN 2016



Members

Anthony Patella, Chair	Community Center
Tom Delasco, Vice Chair	Planning Board
Joe G. Strauch	Conservation Commission
Olga Weiss	Historical Commission
Catherine May	Lenox Housing Authority
Channing Gibson	Board of Selectmen, At Large
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Eugene Chague	At Large
Frederick Keator, Past Chair	At Large

**LENOX COMMUNITY PRESERVATION COMMITTEE
MASTER PLAN 2016**

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Updated May 2018

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LENOX COMMUNITY PRESERVATION COMMITTEE

MASTER PLAN 2016

Overview

The Lenox Community Preservation Committee (CPC) was established to carry out the mandates of the Community Preservation Act (CPA) enacted by the Commonwealth, General Laws Chapter 44B, which provides for matching state funding for selected community projects in three major areas: Open Space and Recreation, Historical Preservation, and Affordable Housing. The citizens of Lenox voted at the Town Meeting of 2006 to adopt the provisions of the CPA. The purpose of this report is to update the Master Plan of 2006 and provide the mission and goals of the Lenox CPC as the community grows into the next decade of CPA activity.

Mission Statement

The mission of the Community Preservation Committee is to study the needs, possibilities and resources of Lenox in the realms of 1) open space, including recreational areas, 2) historical resources and 3) community housing to maintain, promote and enrich the quality of life for all citizens through community preservation efforts. The CPC will recommend specific funding action with regard to each of these areas to the town at Town Meeting. The CPC will work in conjunction with the town Board of Selectmen, the Conservation Commission, the Historical Commission, the Planning Board, the Community Center Board, the Housing Authority and other constituent bodies to identify and develop short-term and long-term projects that will enhance the quality of life in Lenox.

Overall Objectives

- To secure and promote the quality of life in Lenox by acquiring and preserving open space, including, but not limited to, farm land, fields, forests, ridgelines, vistas, rivers, lakes and ponds. To create and preserve recreational opportunities, ecological preservation initiatives, and scenic beauty.
- To protect and preserve the historic resources of the community by acquiring, preserving and restoring buildings, structures, property, and artifacts that are a significant part of the history of Lenox.
- To develop and maintain the diversity of Lenox by creating and preserving affordable community housing that is accessible to individuals and families, including senior citizens.

Implementation of the CPC Mission and Objectives

In May 2006, the residents of Lenox voted to adopt the Community Preservation Act (CPA – MGL Chapter 44B). The CPA is a statewide enabling legislation that allows communities in Massachusetts to adopt a property tax surcharge to fund projects for open space preservation, creation of community housing, preservation of historic buildings and landscapes and the creation of recreation. The Lenox CPA surcharge is three percent of the local property tax bill - the first \$100,000 of residential value is exempt. In addition to the \$100,000 exemption, lower income taxpayers may apply for additional exemptions. As an incentive to adopt the CPA, the Commonwealth provides up to a one hundred percent match for funds raised by the property tax surcharge. As the number of communities adopting the CPA increased, it was not possible for the Commonwealth to continue the one-hundred percent match; however, Lenox has received substantial direct assistance from the Commonwealth to implement CPA projects. Lenox was eligible for its first state match in 2008. During the interval 2008 to 2018, the CPC has received more than \$ 1,500,000 in matching state funds.

The CPA requires that at least ten percent of the CPA funds received in each fiscal year be spent or reserved for each of the CPA's three main purposes: open space and recreation, historic preservation, and community housing. CPA funds that are not expended in one year may be banked and carried over to subsequent years. It is noted that once CPA funds are designated for a specific purpose, they must ultimately be used for the purpose for which they were originally designated. The remaining seventy percent of CPA funds in each fiscal year are available to be appropriated or banked, according to the Town's discretion, for one or more of four purposes: Open space and recreational uses, historical preservation and affordable housing. Finally, subject to certain restrictions, up to five percent of the CPA funds raised annually may be used for costs associated with administering the work of the CPC.

CPA Funding Requirements and Guidelines

Community Preservation Act funds must be used for public community preservation purposes. The following guidelines summarize these public purposes.

CPA defines community preservation as “the acquisition, creation and preservation of open space, the acquisition, creation and preservation of historic structures and landscapes, and the creation and preservation of community housing.” The monies may be spent to undertake the following primary 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...water marshes and other wetlands, ... river, stream, lake and pond frontage, ...lands to protect

scenic vistas, land for wildlife or nature preserve and land for recreational use.”

- The creation, preservation and support of community housing. The CPA defines community housing as, “low and moderate income housing for individuals and families, including low or moderate income senior housing.”
- The acquisition and preservation of historic resources. The CPA recognizes historic resources as, “historical structures and landscapes,” including “a building, structure, vessel or real property that is listed or eligible for listing on the state register of historic places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of a city or town.” For CPA purposes, the local historic preservation commission is the Town of Lenox Historical Commission.
- The acquisition, creation, and preservation of land for recreational use. The CPA defines recreational use as, “active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field”.

CPA funds may also be used for the following purposes:

- The rehabilitation or restoration of open space, historic resources, land for recreational use and community housing that is acquired or created using monies from the Fund.
- A community may set aside revenues for later spending.
- Annual “administrative and operating expenses” of the CPC, not to exceed five percent of the Fund’s estimated annual revenues.
- Annual principal and interest payments, preparation, issuance and marketing costs for bonds or notes for borrowings for community preservation purposes.
- Damages payable to property owners for real estate interests taken by the town by eminent domain for community preservation purposes.
- “Local share for state and federal grants” for allowable community preservation purposes.
- Property acquisition-related expenses including appraisal costs, expenses for title searches, and closing fees.
- Funds may also be used for consultants and experts for planning and evaluating permitted projects.

CPA funds may NOT be spent for the following purposes:

- Replacing existing operating funds, only augment them. The CPA fund is a supplementary funding source intended to increase available resources for community preservation acquisitions and initiatives.

- Pay for routine maintenance, defined as, “the upkeep of any real or personal property.”
- Projects without a public purpose or public benefit.

An overview chart of the allowable uses of CPA funds is found in **Appendix 1: DOR Allowable Uses Chart**.

Lenox Community Preservation Committee Operations

A nine-person committee with individual members from the Board of Selectmen, Conservation Commission, Historical Commission, Housing Authority, Planning Board, Community Center Board and three at-large members appointed by the Board of Selectmen. The Committee reviews funding applications and make recommendations to the Town Meeting for the appropriation of CPA monies.

The Committee meets on an as needed basis in the Fall and Winter to consider proposals prior to the Town Meeting in May. The CPC also holds a Public Hearing after the town meeting to address citizen interest and concerns. The CPC meetings are open to all and are posted on the Town Website and on the bulletin board in Town Hall in accordance with the requirements of the Open Meeting Laws of the Commonwealth.

History of CPC Activity and Projects to Date

Since 2007, the CPC has advanced more than 40 projects toward completion. Most of the projects have involved the restoration and preservation of historic resources. The key projects include the purchase of the Lenox Library in 2007, the Curtis Hotel porch restoration (2008 -2011), the Westinghouse street lights (2008), the Church on the Hill Cemetery restoration (2012 -2015), and the restoration of Lenox Fire Company historic firetrucks (2013-2014). Other key grants were made to Ventfort Hall, The Mount, Church on the Hill and Shakespeare and Company. There were other projects undertaken as well and are described in **Appendix 2: Table of Past Project Awards**.

Open space and recreation projects include the restoration of Baker’s Pond (2008), and the set aside of \$500,000 for the future purchase of land or conservation restrictions (2012, 2014, 2015). Major recreation projects that do not include open space acquisition include the Community Center basketball court restoration project, planning studies and project implementation to restore the Town Beach and beach house for safe accessibility for all users. The details of these projects are described in **Appendix 2: Table of Past Project Awards**.

Community Housing projects include the purchase of the Saw Mill Brook property for the future construction of affordable housing (2008) and direct grants to the Lenox Affordable Housing Trust in the amount of \$395,000 (2010 -2012, 2018).

Public vs Private Funding

The majority of the projects funded are town related projects that fall within the auspices of CPC sanctioned activity and as such are public projects intended for the public good. Town projects still must be appropriate for CPA funding. However, when a private organization or individual puts forth a project involving CPA funds, then an additional analysis is required. The law demands that money raised by taxation can be used only for public purposes and not for the advantage of private individuals. When the use of public funds may confer private as well as public benefit, the crucial test for determining whether the use of public funds is for a public purpose should be whether the expenditure confers a direct public benefit of a reasonably general character. (Opinion of the Justices to the House of Representatives, 368 Mass. 880, 885 (1975)).

The CPC has made awards to several private non-profit organizations for the restoration of historic structures. Because of the historical importance of the structure to the community the awards made to private entities are considered to be public in nature in that the public benefit outweighs the private benefit conferred to the recipient.

The CPC has developed a series of guidelines to evaluate all proposals that provide a regular procedure to determine the degree to which a proposal from a private entity conveys a greater public benefit than private benefit. The guidelines are discussed in more detail in the application process described below.

Application Process and Decision

The CPC considers proposals that are submitted in the regular application process described below. The application form may be obtained from Gwen Miller, Town Planner. Before submitting a project, applicants should read the Lenox CPA Bylaw (Chapter 23), the Community Preservation Plan (available from Town Hall or at www.townoflenox.com), and any yearly addendum to the application. Applicants are also encouraged to read information available on the Community Preservation Coalition website at www.communitypreservation.org.

Applicants should submit a letter of intent describing the project and its costs by September 1. The CPC will review the letters of intent and invite appropriate projects to submit the completed application and ten (10) copies, using the attached application and Project Cover Sheet. Submit ten (10) copies to Town Planner Gwen Miller, Lenox Town Hall, 6 Walker Street, Lenox, MA 01240. See **Appendix 3 for the application materials**.

Applicants may request funding for up to a five-year period. Applications must be submitted by the announced deadline to be considered for the next fiscal year.

Review Process

The Lenox CPC will review applications for completeness and eligibility. The CPC will evaluate whether the project is ripe for funding and whether it meets the goals of the CPC. The CPC may ask applicants to meet with the committee, and/or request applicants to provide further information.

The CPC will hold public meetings on projects it chooses for further consideration. Applicants will have the opportunity to present the project and respond to questions from the CPC and the public.

In addition to a comprehensive description of the proposed project, applications should fully document and provide evidence of the following key items:

- How the project fulfills the goals and mission of the CPC,
- Plans or drawings, if appropriate,
- Zoning compliance and other necessary permits and approvals,
- Detailed budget breakdown,
- Feasibility studies, if appropriate,
- Letters of community support,
- Background of applicant organization,
- Resume of key personnel, and
- Any other information that may help the Committee.

In evaluating how the project fulfills the goals and mission of the CPC, the Committee looks to answer the following questions, especially in regard to all applications from private organizations or individuals.

- Are CPA funds a catalyst for leveraging other funding sources,
- Breadth of impact on the lives of the citizens of the town,
- Economic benefit to the town,
- Long term benefits to the town,
- Long term costs to the town if action is not taken,
- Urgency of the project, and
- Any other factors that may be relevant to a specific project.

Proposals that provide the Committee with these answers are favored as each project that is not a public project must be justified by the additional demonstration that the public benefit outweighs the private interest.

Grant Awards and Restrictions

Proposals that have been recommended for funding by the CPC are incorporated into the Warrants presented for approval at the annual town meeting in May. If voted for approval by the citizens, funding for the project may begin no earlier than the

beginning of the fiscal year in July. All grants are subject to all Town of Lenox policies and procedures. All funded projects are also subject to any and all liens, deed restrictions and other means of security necessary to preserve and secure the investment of the of the citizens of Lenox. All encumbrances must be completed in the fiscal year of the project, however, extensions of time to complete may be granted by the CPC upon request.

Long Term Goals and Annual Hearing

In addition to short term actions, the CPC shall identify community preservation needs with respect to future generations in each of the three areas of the committee's charter. Such long-range planning may include the anticipation of acquiring real property in order to accomplish the mission of the CPC , and must necessarily be made in conjunction with the Board of Selectmen and other town boards who share a vested stake in the future quality of life for all.

It is not possible to anticipate the future needs of the community; however the CPC, through the annual grant awards and with the welcomed input from the Citizens of Lenox both at the annual CPC hearing which will be held May 16th in the Lenox Town Hall and individual project meetings, strives to continue to preserve and create Lenox as the wonderful community it is.

Appendix 1: DOR Allowable Uses Chart

	OPEN SPACE	HISTORIC RESOURCES	RECREATIONAL LAND	COMMUNITY HOUSING
Definitions (G.L. c. 44B, §2)	Land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use	Building, structure, vessel, real property, document or artifact 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.	Land for active or passive recreational use including, but not limited, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field. Does <u>not</u> include horse or dog racing or the use of land for a stadium, gymnasium or similar structure.	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.
ACQUISITION Obtain property interest by gift, purchase, devise, grant, rental, rental purchase, lease or otherwise. Only includes eminent domain taking as provided by G.L.c. 44B.	YES	YES	YES	YES
CREATION To bring into being or cause to exist. <i>Sedeman v. City of Newton</i> , 452 Mass. 472 *200*)	YES	NO	YES	YES
PRESERVATION Protect personal or real property from injury, harm or destruction.	YES	YES	YES	YES
SUPPORT 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.	NO	NO	NO	YES, INCLUDES FUNDING FOR COMMUNITY'S AFFORDABLE HOUSING TRUST.
REHABILITATION AND RESTORATION 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

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Appendix 2: Table of Past Project Awards								
Project Name	APPR YR	OS	CH	R	H	DESCR	STATUS	CPA_TOT
Historic Lenox Library building	2007				x	Pay the annual debt service incurred on a ten year bond for the purpose of purchasing the Historic Lenox Library building.	Project complete	\$1,500,000.00
Baker's Pond Restoration	2008	x				Restore historic pond area.	Project complete	\$60,000.00
Lenox Community Center	2008				x	Window Project	Project cancelled	\$50,000.00
Sawmill Brook Affordable Housing	2008		x			Phase II Engineering & Architect Costs	Project complete	\$40,000.00
George Bisacca Cannon Restoration	2008				x	Restore important landmark (Bisacca Cannon) in Lilac Park.	Project complete	\$5,000.00
Lenox Housing Authority Curtis Porch Restoration	2008				x	Restore the porch at the historic Curtis Hotel a converted 54 unit affordable housing project.	Project complete	\$15,000.00
Westinghouse Streetlamp Project	2008				x	Restore historic Westinghouse Streetlamps on Church Street.	Project complete	\$100,000.00
Church on the Hill Restoration	2008				x	Restore historic steeple	Project complete	\$17,000.00
Lenox Housing Authority Curtis Porch Restoration	2009				x	Roof Restoration	Project complete	\$15,000.00
Sawmill Brook Affordable Housing	2009		x			Construction costs for new affordable housing ownership units	Project cancelled	\$110,000.00
Baczek Land Purchase	2009	x				Purchase Open Space	Project cancelled	\$100,000.00
Library Exterior Renovations	2010				x	Roof, roof balustrade and window shutter restoration.	Project in progress	\$50,000.00
Lenox Housing Authority Curtis Porch Restoration	2010		x		x	Continued work on the restoration of the historic Curtis Building porch. The Curtis Building is a housing authority building.	Project complete	\$50,000.00
Lenox Affordable Housing Trust	2010		x			Funding given to the new Lenox Affordable House Trust.	Project complete	\$120,000.00
Form B - Historic Inventory Forms	2010				x	Hire Historian to prepare Form B - Historic Inventory Forms.	Project complete	\$7,800.00
Berkshire Scenic Railway/Town of Lenox	2011				x	Restore historic scenic vista at the Berkshire Railway Museum.	Project cancelled	\$100,000.00
Sawmill Brook Affordable Housing	2011		x			Purchase property for the purpose of developing a community housing project.	Project in progress	\$600,000.00
Lenox Housing Authority Curtis Porch Restoration	2011				x	Continued work on the restoration of the historic Curtis Building porch. The Curtis Building is located in the Lenox Historic District and is a Lenox Housing Authority property.	Project complete	\$50,000.00
Lenox Affordable Housing Trust	2011		x			Money for the Lenox Affordable Housing Trust	Project complete	\$10,000.00
Lenox Historic Street Signs	2011				x	Restore the historic streets signs in the Lenox Historic District.	Project complete	\$8,000.00
Lenox Housing Authority Curtis Porch Restoration	2012				x	Final phase of the Curtis Porch Restoration.	Project complete	\$28,000.00
Church on the Hill Restoration	2012				x	Steeple Restoration - Bell Tower Restoration.	Project complete	\$45,300.00
The Mount - Restoration of the historic Stable	2012				x	The restoration of the exterior of the Stable at the Mount.	Project complete	\$50,000.00
Church on the Hill Cemetery Restoration Plan	2012				x	Prepare a Master Conservation Plan for the Church on the Hill Burying Grounds.	Project complete	\$20,000.00
Roche Reading Park Restoration	2012				x	The Town purchased the Library and Roche Reading Park with CPA funds. The Village Improvement Committee will use the funds to begin work on the restoration of the Park.	Project complete	\$20,000.00
Ventfort Hall - Elevator	2012				x	Construction of an exterior elevator to make the resource more functional. The CPC and Town Meeting require that matching funds be raised prior to releasing funds to Ventfort Hall.	Project cancelled	\$20,000.00
Lenox Affordable Housing Trust	2012		x			CPA funds placed in the Lenox Affordable Housing Trust.	Project complete	\$15,000.00
Open Space and Recreation Plan	2012	x			x	Hire a consultant to assist the Town prepare an update to the Open Space and Recreation Plan.	Project in progress	\$20,000.00
The Mount - Restoration of the historic Stable	2013				x	The Mount - Historic Stable Restoration Phase 2	Project in progress	\$30,000.00
Church on the Hill Cemetery Restoration Plan	2013				x	Church on the Hill Cemetery Restoration Work Phase 1	Project complete	\$75,000.00
Lenox Fire Company Fire Truck Restoration	2013				x	Restoration of the 1932 Buffalo Stewart Fire Truck. CPA funds to pay for parts and specialized labor for the restoration project. General labor and work to be donated by Fire Company members as in-kind donation.	Project complete	\$18,500.00
Lenox Fire Company Fire Truck Restoration	2014				x	Restoration of antique American LaFrance Pumper fire truck that private Lenox Fire Co owns	Project in progress	\$50,000.00
Roche Reading Park Improvements	2014	x				Roche Reading Park Improvements	Project complete	\$10,000.00
Church on the Hill Cemetery Restoration Plan	2014				x	Church On the Hill Cemetery Restoration Phase II	Project in progress	\$66,000.00
Community Center Basketball Court Restoration	2014	x				Community Center Backyard Basketball Restoration (\$10,650 engineer costs & not to exceed \$64,350 for construction costs).	Project complete	\$75,000.00
Community Center Town Beach	2014	x				Community center Town Beach Architectural Study	Project complete	\$8,000.00
Ventfort Hall Master Plan	2015				x	Ventfort Hall will complete a master facilities plan to identify all of the existing challenges to full code compliance and identify a prioritized improvement plan to bring the building into full code compliance.	Project completed	\$23,490.00
Kennedy Park Improvements	2015				x	The Town of Lenox will create a handicap accessible picnic area and restore a handicap accessible trail loop to full ADA compliance. If provided with matching funding from the State, they will also address the invasive	Project completed	\$9,965.00

						hardy kiwi in the park area.		
St. Martin's Hall Phase I	2015				x	Shakespeare and Company will secure the envelope of St. Martin's Hall, a central building of their campus to prevent further deterioration and begin crafting a master plan for its renovation and reuse.	Project completed	\$20,000.00
Church on the Hill Cemetery Restoration Plan	2015				x	The Town of Lenox will continue the stabilization and restoration of grave stones at the Church on the Hill Cemetery.	Project in progress	\$25,000.00
Old Court House Cupola	2015				x	Replicate and place a new version of the historic cupola on the former county court house.	Project withdrawn	\$27,750.00
Open Space Reserve	2015	x				The CPC voted to appropriate said funds to the Open Space Reserve for future land or conversation restriction acquisition.	Project in progress	\$100,000.00
Lenox Library Step Repair	2015				x	The Lenox Library will remove its worn, uneven marble steps located at the front of the building on main Street and replace with similar marble steps installed in a manner to avoid impacts of weathering that have made them unstable in recent years.	Project completed	\$20,000.00
Lenox Town Beach	2016	x				To equip the public beach on Laurel Lake with universal access and modernize the bathhouse. All are welcome at the beach, free of charge: Lenox residents, visitors and residents of other towns.	Project completed	\$169,290.00
The Mount Stable Restoration (II)	2017				x	Finalize building envelope restoration including window replacement	Project in progress	\$75,000.00
Parson's Marsh Trail	2017	x				Building a parking area, trail and accessible boardwalk to Parson's Marsh	Project in progress	\$235,000.00
Ventfort Hall Masonry Stabilization Efforts	2017				x	Stabilize architectural details to ensure safety of guests and visitors.	Project completed	\$30,000.00
Trinity Church	2018				x	Restore masonry on western wall	Project in progress	\$41,000.00
The Mount	2018				x	Restore terrace on mansion.	Project in progress	\$75,000.00
Town of Lenox	2018	x	x			Fund community garden, refresh Housing Trust account, fund feasibility study for shared use path.	Project in progress	\$277,745.00
Frelinghuysen Morris House and Studio	2018				x	Restore terrace on house & studio building.	Project in progress	\$19,185.00

Appendix 3: Community Preservation Committee Funding Application



TOWN OF LENOX COMMUNITY PRESERVATION COMMITTEE APPLICATION FOR CPA FUNDING

There are two (2) steps to apply for CPA funding in the Town of Lenox. Only applicants who have successfully completed both steps will be considered for funding. Interested applicants are encouraged to discuss project ideas with the Town Planner and/or CPC Chairperson.

STEP 1: Preliminary applications will be accepted until *September 1, 2017 at 4:00 PM*. Any preliminary application received after September 1, 2017, 4:00 PM will be rejected. After reviewing preliminary applications, the CPC will invite eligible applicants to submit Step 2 of the Application. Only projects completing Step 1 and invited to continue the process may submit the second phase of application.

STEP 2: Final applications must be received no later than *October 31, 2017 at 4:00 PM*. **For both steps, ten (10) hard copies and one (1) electronic copy (PDF) of the application must be received on or before the deadline.** All applications must be typed. Handwritten applications will not be accepted. Please limit application material to documents and information specifically relevant to the funding request. Do not include marketing or promotional materials.

Hard copies should be provided to the Town Planner at Lenox Town Hall, 6 Walker Street, Lenox, Massachusetts 01240 on or before the deadline. The electronic version should be provided on a disc or e-mailed to gmler@townoflenox.com on or before the deadline.

The CPC reserves the right to refuse to consider applications that are incomplete and/or to request additional information of any applicant. All applicants should be aware that awards are subject to all Town of Lenox policies and procedures. All funded projects are also subject to any and all liens, deed restrictions and other means of security necessary to preserve and secure public benefit.

All encumbrances must be completed in the fiscal year of the project, though extensions may granted by the CPC upon request.

Prior to submitting an application, applicants should familiarize themselves with the Lenox CPA Bylaw (Chapter 23), the Community Preservation Master Plan (available on the CPC page at www.townoflenox.com). Additional information is available on the Community Preservation Coalition website at www.communitypreservation.org.

REVIEW AND APPROVAL PROCESS

The CPC will review all applications and make all decisions during open public meetings. Applicants will be informed of the meetings and are required to attend. For each application step, applicants should be prepared to clearly state their project goals, timeline, funding request, additional funding sources, and how the project fits in with other community goals as defined in existing planning documents such as the 2013 Open Space and Recreation Plan and the 1999 Comprehensive Master Plan¹.

STEP 1 applications will be reviewed for:

1. Compatibility with CPA legislation and local CPC plans
2. Completeness of information
3. Impact of project to local community

STEP 2 applications will be reviewed for:

1. Whether the CPA funds serve as a catalyst for leveraging other funding sources,
2. The breadth of impact on the lives of the citizens of the town,
3. The economic benefit to the town,
4. The long term benefits to the town,
5. The long term costs to the town if action is not taken,
6. Urgency of the project, and
7. Any other factors that may be relevant to a specific project.

Following the Step 2 review, the Committee will recommend projects to Town Meeting for funding. Applicants, the Board of Selectmen and the Finance Committee will be notified of the decisions no later than February 1, 2018. The final decision to fund or not fund a project recommended by the Committee is in the hands of town voters at the May 2018 Town Meeting.

Non-municipal project applicants whose projects are funded by Town Meeting will be expected to enter into a contract with the Town of Lenox that will govern the project scope, timeline, deliverables, payment amount and timing, insurance, and other special conditions as may be required. The Committee may withhold some or all funds until applicable permits and approvals are in place. The Committee may also require performance or completion bonds and may withhold funds for nonperformance. In special cases, the CPC may vote to accept applications requiring consideration outside of the normal funding cycle. Potential applicants who believe their specific circumstance call for this action may contact the Town Planner and CPC Chair to discuss the potential submission of an off-cycle application.

¹ Available from the Town Planner's office.

TOWN OF LENOX COMMUNITY PRESERVATION COMMITTEE APPLICATION FOR CPA FUNDING: Step 1

Date Received (office use only) _____

Applicant Name: _____

Project Name: _____

Project Address: _____

Contact Person: Title: _____

Phone No.: _____ E-Mail: _____

Brief Project Description (Attach up to 1 additional page if necessary)

Amount of CPA funding to be requested: _____

The property is current with all payments to the town (taxes, water/sewer bills, etc.): _____

Property Owner (if different from applicant)

Owner's Name: _____

Owner's Address: _____

Phone No.: _____ E-Mail: _____

If the Owner is different from the applicant, you must include a letter signed by the Owner giving permission to apply for funds for the specified project on the Owner's property.

In the following chart, mark the box(es) which best describe your project.

Boxes indicating "NO" are not CPA eligible activities.

Step 1 Application

Allowable Uses Chart Check applicable category to the right.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	OPEN SPACE	HISTORIC RESOURCES	RECREATIONAL LAND	COMMUNITY HOUSING
Definitions (G.L. c. 44B, §2)	Land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use	Building, structure, vessel, real property, document or artifact 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.	Land for active or passive recreational use including, but not limited, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field. Does <u>not</u> include horse or dog racing or the use of land for a stadium, gymnasium or similar structure.	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.
ACQUISITION Obtain property interest by gift, purchase, devise, grant, rental, rental purchase, lease or otherwise. Only includes eminent domain taking as provided by G.L.c. 44B.	YES	YES	YES	YES
CREATION To bring into being or cause to exist. <i>Sedeman v. City of Newton</i> , 452 Mass. 472 *200*)	YES	NO	YES	YES
PRESERVATION Protect personal or real property from injury, harm or destruction.	YES	YES	YES	YES
SUPPORT 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.	NO	NO	NO	YES, INCLUDES FUNDING FOR COMMUNITY'S AFFORDABLE HOUSING TRUST.
REHABILITATION AND RESTORATION 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

TOWN OF LENOX COMMUNITY PRESERVATION COMMITTEE APPLICATION FOR CPA FUNDING: Step 2

Date Received (for office use only) _____

All applicants invited to submit Step 2 must include a copy of their Step 1 application. This application contains thirteen (13) questions which must be answered by ALL applicants. Category specific projects must also answer the specific category sections provided. If your project can be categorized into multiple CPA categories, you must provide responses to ALL pertinent category specific questions.

You may attach additional sheets as necessary to answer the numbered questions. Please clearly organize and mark your additional sheets for the Committee’s review with your project name, contact information, and headings indicating which questions and category of project you are referencing in your narrative sheets. Please include page numbers.

Address: _____

Map _____ Lot _____

Deed Book/Page _____ / _____

- 1) Existing use or deed restrictions, permanent easements, historic designations, special permits, etc. if any:
- 2) Project Budget (list all sources and uses, including grants, fundraising, etc.)

Project Category	Community Housing	Historic Preservation	Open Space	Recreation	
	Y1	Y2	Y3	Y4	Y5
Source Name					
Amount					
% of Total					
Used for					
Committed?					
Total Project Budget:					
CPC Request:					

Attach additional budget sheets or project budget as necessary. Include project management, oversight, engineering, and administrative costs that may be incurred.

- 3) Timing of Funds: Describe when CPA funds and other funding sources are to be received.

- 4) Proposed Use or Deed Restrictions after Project Completion (in accordance w/ CPA rules):

Community Housing Projects

(Only Community Housing projects must fill out this section)

14) Please explain how this community housing project meets CPC goals, and goals expressed in other community planning documents:

15) Please Identify Affordability Level(s):

_____ % of area median income	no. of units _____
_____ % of area median income	no. of units _____
_____ % of area median income	no. of units _____

16) Please describe any additional aspects to the project, including existing site conditions, remediation, permitting, zoning regulations, whether it is the adaptive reuse of an existing building or site, whether the site is close to community services (such as schools or transportation) etc. and how your project will address these:

17) Community housing projects should provide a letter of support from the Lenox Housing Trust and Committee indicating support of the project.

Historic Preservation Projects

(Only Historic Preservation projects must fill out this section)

Applicants should note: All CPA-funded historic preservation projects must comply with the US Secretary of the Interior's standards for the treatment of historic properties.

18) Clearly describe how the project meets Historic Preservation goals of the Community Preservation Plan and the 1999 Comprehensive Master Plan:

19) Describe any other relevant information about the project and the site.

20) Historic preservation projects should provide information describing the historic, cultural, architectural and archeological significance of their site and a letter of support from the Historical Commission.

Open Space and Recreation Projects

(Only Open Space and Recreation projects must fill out this section)

21) Clearly describe how the project meets the Open Space and Recreation goals of the Community Preservation Plan and the 2013 Open Space and Recreation Plan.

22) Explain the long-term maintenance and operating plan for the project upon completion.

23) Explain how the site will be marked or signed to indicate it is a public resource.

Certification

24) This application was prepared, reviewed, submitted by:

Name: _____

Phone No.: _____

E-Mail: _____

I hereby certify that all of the above and included information is true and correct to the best of my knowledge. [for non-municipal applicants only: I further declare my willingness to enter into a Contract with the Town of Lenox, including liens, deed restrictions and other means of security to govern the use and expenditure of CPA funds.]

Signature: _____

Date: _____