



TOWN OF WAREHAM COMMUNITY PRESERVATION PLAN 2019



The Town of Wareham adopted the Community Preservation Act in 2002 and established the Community Preservation Committee to enable the preservation of Wareham's small town character and protection of the town's natural resources.

This Community Preservation Plan update was completed by the Community Preservation Committee with the assistance from the Southeastern Regional Planning and Economic Development District (SRPEDD).

Cover photo: Kevin Ham, SRPEDD Drone Program

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TOWN OF WAREHAM

COMMUNITY PRESERVATION PLAN

Revised: January 9, 2019

COMMUNITY PRESERVATION ACT

INTRODUCTION

THE COMMUNITY PRESERVATION ACT (CPA), [M.G.L. Chapter 44B \(CPA\)](#), IS LEGISLATION WHICH ALLOWS CITIES AND TOWNS IN THE COMMONWEALTH OF MASSACHUSETTS TO ADOPT A PROPERTY TAX SURCHARGE WITH SURCHARGE REVENUES, PLUS MATCHING FUNDS FROM THE STATE, TO BE ALLOCATED FOR THE “ACQUISITION, CREATION AND PRESERVATION OF OPEN SPACE; THE ACQUISITION, PRESERVATION, REHABILITATION AND RESTORATION OF HISTORIC RESOURCES; ACQUISITION, CREATION, PRESERVATION, REHABILITATION AND RESTORATION OF LAND FOR RECREATIONAL USE; ACQUISITION, CREATION, PRESERVATION AND SUPPORT OF COMMUNITY HOUSING; REHABILITATION OR RESTORATION OF OPEN SPACE AND COMMUNITY HOUSING THAT IS ACQUIRED OR CREATED AS PROVIDED IN [M.G.L. Chapter 44B s. 5(b)(2)]...”¹

The CPA, signed into law on September 14, 2000, enables adopting communities to raise funds and establish a local dedicated pool of funds for the purpose of undertaking open space, historic preservation, outdoor recreation and community housing projects. CPA is financed by a voter-approved property tax surcharge along with matching funds from the statewide CPA Trust Fund. The CPA Trust Fund provides annual matching funds, distributed according to a formula that ranges from 5% to 100% of what is raised locally. Recording fees at the State’s Registries of Deeds fund the CPA Trust Fund, along with any additionally authorized funding sources, such as funds from the State’s budget surplus.

¹ *Community Preservation Act*, M.G.L. c. 44B, s. 5(b)(2).

THE COMMUNITY PRESERVATION ACT IN WAREHAM

Until the CPA was enacted, municipalities did not have the ability to generate a steady source of funding to preserve and improve the character and quality of life in their community. CPA was adopted by Wareham voters at Town Meeting in November 2001 and again – resoundingly – in April 2002 town elections. Residents approved a 3% real estate tax surcharge (with an initial \$100,000 property value exclusion), which qualifies the Town to receive matching funds from the Commonwealth each year.

THE COMMUNITY PRESERVATION COMMITTEE

“Community preservation committee”, the committee established by the legislative body of a city or town to make recommendations for community preservation, as provided in [M.G.L. c. 44B] section 5.²

Upon adoption of the CPA, the Town of Wareham established a Community Preservation Committee, pursuant to the Act, MGL c. 44B, s.5, to implement the CPA, making recommendations for community preservation in Wareham. The committee consists of seven (7) voting members, including representatives, appointed by the respective boards and committees, of the town’s Conservation Commission, Historical Commission, Housing Authority, Open Space Committee, Planning Board, and two (2) at-large citizen members appointed by the Board of Selectmen³.

Membership:

Current voting members are:

Sandra Slavin, Co-Chair & Treasurer
Brian Litchfield, Co-Chair
Sherbie Worthen, Clerk
George Barrett
Joe Leggett
Jean Connaughton
Barbara A. Smith

Representing:

Conservation Commission
Open Space Committee
Citizen-at-large
Planning Board
Citizen-at-large
Housing Authority
Historic Commission

² *Community Preservation Act*, M.G.L. c. 44B, s. 2

³ *Wareham Town By-laws*, 2018; Division VII, Article II, Chapter 1

Meetings:

The CPC meets on the second (2nd) and fourth (4th) Wednesdays of each month at 6:00 pm at the Town Hall, Room 24. See the [CPC's web page](#) for scheduled events. The web page is also a source of information about the work of the CPC, including current membership, meeting agendas and minutes, project applications, the CPC Plan, and other studies. The CPC can also be reached via email at cpc@wareham.ma.us.

A quorum of the CPC membership is required to meet and conduct business and a quorum is considered a majority of the membership. The committee can then act on a majority of a quorum present at a meeting.⁴

Role of the Community Preservation Committee

The Community Preservation Committee has two key roles:

- 1) to develop a Community Preservation Plan, which is a study of the needs, possibilities and resources of the Town regarding community preservation⁵, and
- 2) to make recommendations to Town Meeting for the use of the CPA funds regarding the following:
 - a. the acquisition, creation and preservation of open space;
 - b. the acquisition, preservation, rehabilitation and restoration of historic resources;
 - c. the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; and
 - d. the acquisition, creation, preservation and support of community housing.⁶

COMMUNITY PRESERVATION PROGRAM

OVERVIEW

Community Preservation Plan as a Guide

Each community that adopts the CPA is then required to develop a Community Preservation Plan to guide the implementation of the Act. After the initial plan is developed, the town must

⁴ CPA IGR (00-209 as amended), 2007

⁵ *Community Preservation Act*, M.G.L. c.44B, s. 5(b)(1)

⁶ *Community Preservation Act*, M.G.L. c. 44B, s. 5(b)(2)

hold a public hearing and revise the Plan annually to reflect any changes to local circumstances. This plan then serves as a guide to all as to the types of projects that are eligible for Community Preservation funds and are consistent with community visions, goals and priorities identified by residents of Wareham.

In addition to the links to CPA resources and municipal plans included in this Plan, Appendix IV includes resource websites and information to enable accessing the municipal plans used by the Community Preservation Committee to identify their preservation strategies.

HOW CPA FUNDS CAN BE USED

The purpose of the Community Preservation Act is to enable community preservation, defined 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.” Within the Act, preservation is defined as, the “protection of personal or real property from injury, harm or destruction.” This and other definitions of terms relevant to the Community Preservation Act can be found in Appendix I.

As detailed by the CPA in Chapter 44B, s. 5(b)(2), the Community Preservation Committee is tasked with making recommendations to the legislative body of the municipality for the following community preservation purposes:⁷

- The “acquisition, creation, and preservation of open space” as well as for “rehabilitation or restoration of open space ... that is acquired or created as provided in [M.G.L. c. 44B, s. 5(b)(2)].”

Also of note, the CPA requires “a permanent restriction, recorded as a separate instrument, ... limiting the use of the interest to the purpose for which it was acquired” for all real property interests that are acquired with CPA funds.⁸ Until this step has been completed, the terms of the CPA acquisition have not been technically fulfilled.

- The “acquisition, preservation, rehabilitation, and restoration of historic resources.”
- The “acquisition, creation, and preservation, rehabilitation and restoration of land for recreational use;” although, the “acquisition of artificial turf for athletic fields shall be prohibited.”
- The acquisition, creation, preservation and support of community housing” and for “rehabilitation or restoration of... community housing that is acquired or created as provided in [M.G.L. c. 44B, s. 5(b)(2)].” Also, the Community Preservation Committee

⁷ *Community Preservation Act*, M.G.L. c. 44B, s. 2 and s. 5

⁸ *Community Preservation Act*, M.G.L. c. 44B, s. 12

shall “recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.”

The following Table, found on the [Community Preservation Coalition website](#), demonstrates the allowable uses of CPA funds:

Is Our Project Allowable?

	Open Space	Historic	Recreation	Housing
Acquire	Yes	Yes	Yes	Yes
Create	Yes	No	Yes	Yes
Preserve	Yes	Yes	Yes	Yes
Support	-No	No	No	Yes
Rehabilitate and/or Restore	Yes, if acquired or created with CPA Funds	Yes	Yes (new 7/8/2012)	Yes, if acquired or created with CP Funds

Community Preservation Coalition, adapted from “Recent Developments in Municipal Law”, Massachusetts Department of Revenue, October 2012.

CPA RESTRICTIONS

The Community Preservation website provides helpful information on the [CPA requirement of permanent restrictions](#) when CPA funds are used to acquire a “real property interest.” The intent of these restrictions is to ensure that property continues to be used for the applicable CPA purpose and follow the property – they apply to the current and future property owners.

Community Preservation Act, Section 12(a)

M.G.L. c. 44B, s. 12(a) states that when a real property interest is acquired with CPA monies, “it shall be bound by a permanent restriction, recorded as a separate instrument.” “Given this statutory requirement, a CPA project involving acquisition of any real property interest is technically not complete until the restriction is approved by the appropriate state agency and filed at the Registry of Deeds.”⁹

⁹ Community Preservation Coalition

The above Community Preservation Coalition website, provides further information on four types of restrictions, with samples of each, that are commonly used in CPA projects:

- For Open Space Conservation and Outdoor Recreation Projects:
Conservation Restrictions Approved by the MA Executive Office of Energy and Environmental Affairs (EOEEA)
- For Community Housing Projects:
Affordable Housing Restrictions: Approved by the MA Dept. of Housing and Community Development (DHCD)
- For Open Space Agricultural Projects:
Agricultural Preservation Restrictions: Approved by the MA Dept. of Agricultural Resources (DAR)
- For Historic Projects:
Historic Preservation Restrictions: Approved by the Massachusetts Historical Commission (MHC)

COMMUNITY PRESERVATION CATEGORY SPECIFIC PROGRAM

Over the last two years, Wareham residents participated in two public planning processes as the town developed the 2018 Master Plan Vision and the Wareham Open Space and Recreation Plan 2017-2024 (OSRP) update. The 2018 Master Plan Vision includes general mission statements that will guide the development of the future Master Plan and the generation of more detailed Goals and Strategies. The vision statements included came from previous planning documents, the review of municipal data, and directly from Wareham residents, business-owners, and officials. In order to receive this public input, two (2) public workshops were held and “virtual public participation” was provided through online forums such as Facebook, emails, a project web page, and a Master Plan Survey. Additional public processes, including a public survey, solicited input for the update of the 2010 OSRP. The 2013 Housing Production Plan includes strategies based on the 2004 Affordable Housing Plan, reports, interviews, studies, the updated Housing Needs Assessment, local housing goals, and the experience of other comparable localities in the area and throughout the Commonwealth.

Thanks to the public input process, visions for open space, natural and cultural resources, and housing inform the Community Preservation program of this Community Preservation Committee's Plan.

In addition, the Community Vision of the 2017 - 2024 OSRP states, "Preserving land as open space and providing recreational facilities for Town residents is an integral component of maintaining Town character, protecting valuable natural resources, and improving the overall quality of life for Wareham residents. The need to protect and improve access to open space, upgrade recreational facilities, safeguard watershed areas, and protect river corridors, ponds and coastlines is widely recognized by Wareham's residents."¹⁰ The 2017 – 2024 OSRP reaffirms Wareham's desire to acquire, protect, and preserve open spaces, expand and improve recreational facilities, develop biking and hiking trails, and improve public access and awareness for the Town's natural and recreational resources.

OPEN SPACE

The CPA requires communities to allocate a minimum of 10% of their annual CPA revenues for open space preservation, and the Community Preservation Committee to make recommendations regarding open space preservation to the legislative body for:

THE ACQUISITION, CREATION, AND PRESERVATION OF OPEN SPACE; ... AND FOR THE REHABILITATION OR RESTORATION OF OPEN SPACE ... THAT IS ACQUIRED OR CREATED AS PROVIDED IN [M.G.L. c. 44B, s. 5(b)(2)] ... HOWEVER, THAT FUNDS EXPENDED PURSUANT TO THIS CHAPTER SHALL NOT BE USED FOR MAINTENANCE.¹¹

Background

Wareham has 57 miles of coastline and a total area of just under 24,000 acres. According to the 2018 Wareham Master Plan Vision, Wareham has approximately 3,547 acres (14.9%) of its land areas permanently protected. An additional 5,028 acres is under some type of limited, temporary, or conditional protection (e.g. Chapter 61, 61A, or 61B), an additional 21.2% for a total of approximately 36% of its land area currently permanently or conditionally protected.¹²

The Wareham Open Space and Recreation Plan 2017-2024 notes that over 600 acres have been protected since 2010. It has taken the combined efforts of the Town, along with state agencies

¹⁰ Wareham Open Space and Recreation Plan 2017 – 2024, Section 6 Community Vision

¹¹ Community Preservation Act, M.G.L. c. 44B, s. 5(b)(2)

¹² 2018 Wareham Master Plan Vision, Town of Wareham "Protected" Area map, p. 71

and nonprofit conservation organizations to achieve this. The Community Preservation Act fund were identified as “integral to this achievement.”¹³

Since enactment of Proposition 2-1/2, many municipalities, including Wareham, have had difficulty appropriating funds for the purchase and protection of open space. Across the Commonwealth, national, regional and local conservation organizations and land trusts have attempted to bridge the funding gap and have, by purchase or through conservation restrictions, protected thousands of acres of open space. Wareham enjoys properties protected by Massachusetts Audubon, the Wildlands Trust of Southeastern Massachusetts, the Trustees of the Reservation with Buzzards Bay Coalition and the Wareham Land Trust.

OPEN SPACE STRATEGIES

Results of the Wareham Open Space and Recreation Plan 2017-2024 survey show that Wareham residents believe “the most important goal [is]... to preserve coastal areas, wetlands, and land along rivers and ponds, closely followed by the need to conserve open space for wildlife habitat and scenic areas.

Preserving open space also preserves the scenic quality and visual character of the town.”¹⁴ The 2018 Master Plan Vision and survey, Wareham Open Space and Recreation Plan 2017-2024 and survey found protection of Wareham's water resources, including coastal waters, river systems, ponds and wetlands to be of primary concern to Wareham residents.

In addition, the 2018 Master Plan Vision and the Wareham Open Space and Recreation Plan 2017-2024 identified expanding existing permanently protected sites, creating linked networks of open space throughout town, and protecting Wareham’s valuable habitats, water resources, and agricultural areas as goals and strategies.

The CPC encourages projects that seek to:

- preserve waterfront property from development;
- protect open space throughout our watershed, within the Plymouth Aquifer and especially, properties contiguous with Wareham or Onset water supplies; and
- create greenbelts and wildlife corridors by linking rivers, streams or other protected forests, meadows or marshes.

¹³ *Wareham Open Space and Recreation Plan 2017 – 2024*, p. 2.

¹⁴ *Wareham Open Space and Recreation Plan 2017 - 2024*, p. 1.

Open space projects that incorporate multiple objectives and involve other organizations (governmental conservation agencies or private land trusts) to leverage funding potential will receive priority consideration.

HISTORIC PRESERVATION

The CPA requires communities to allocate a minimum of 10% of their annual CPA revenues for historic preservation, and make recommendations to the legislative body for:

THE ACQUISITION, PRESERVATION, REHABILITATION AND RESTORATION OF HISTORIC RESOURCES; ... HOWEVER, THAT FUNDS EXPENDED PURSUANT TO THIS CHAPTER SHALL NOT BE USED FOR MAINTENANCE.¹⁵

Background

Wareham's history is long and culturally diverse. The Town was settled as a fishing and farming community in the seventeenth century. Industries, such as salt works, shipbuilding and iron foundries blossomed in the next century, leaving behind a wealth of historically significant residential and commercial buildings and structural remains. In the nineteenth and early twentieth centuries, shorefront communities and religious summer camps grew to prominence leaving yet another layer of historical strata to preserve or restore.

Current efforts to preserve Wareham's historic properties are directed by the Historical Commission (Town-appointed), the Historic District Commission (Town-appointed), the Historical Society (private, non-profit), and from time-to-time, project-specific groups, such as the Tremont Nail Factory Master Plan Committee.

The Historical Commission completed a CPA-funded local inventory of all historic structures in the town. The Historic District Commission is responsible for protecting the Town's three (3) historic districts and the Historical Society owns and maintains several historic properties and structures.

Several Wareham properties of national significance are included on the National Register of Historic Places and many other properties of state significance are included on the Massachusetts Historical Commission inventory of historic places. Other sites are of regional or local significance, such as Native American archeological sites and historic structures or remnants of buildings important to the cranberry business or to the local Cape Verdean community.

¹⁵ *Community Preservation Act*, M.G.L. c. 44B, s. 5(b)(2)

Critical Issues

Future growth and development within the town could be a threat to the preservation of historic landscapes and structures.

The 2018 Master Plan Vision includes a strategy to create a historic preservation plan to catalogue, protect, and promote Wareham's Historic Sites, Special Places, and Special Events. Public visioning comments created a list of historic sites, special places and special events.¹⁶

HISTORIC PRESERVATION STRATEGIES

The CPA provides a funding source to assist in the preservation of the most significant of Wareham's historical properties. The CPC seeks historical projects that include one or more of the following:

- acquisition of threatened properties of historical significance;
- protection, preservation, or restoration of historic, cultural, architectural or archaeological resources of significance, especially those that are threatened, including historic records and artifacts;
- protection, preservation, rehabilitation or restoration of town-owned properties of historic and/or cultural importance;
- protection of resources to retain historic integrity, in terms of location, context, design, style, workmanship and materials;
- preservation of historic landscapes and vistas; or
- preservation of historic buildings for conversion to community housing or other community uses.

Please see Appendix II for the Secretary of the Interior's Standards for Rehabilitation.

In March 2018, the MA Supreme Judicial Court issued a ruling in *Caplan v. Town of Acton*, a taxpayer lawsuit against the Town of Acton regarding the town's award of CPA funds to renovate a historical church that was privately owned and being used for religious purposes. The church withdrew its request and the case was ultimately dismissed.

This case brings to light the many complicated considerations for grant requests seeking public funding for historic preservation projects involving religious properties. Should the Community

¹⁶ 2018 Master Plan Vision, pp. 81-83

Preservation Committee receive such a project submittal, the CPC will request assistance from Wareham's Town Counsel in its consideration of funding such requests.

COMMUNITY HOUSING

The CPA also requires communities to allocate a minimum of 10% of their annual CPA revenues for community housing, and to make recommendations to the legislative body for the:

ACQUISITION, CREATION, PRESERVATION AND SUPPORT OF COMMUNITY HOUSING; AND FOR REHABILITATION OR RESTORATION OF ... COMMUNITY HOUSING THAT IS ACQUIRED OR CREATED AS PROVIDED IN [M.G.L. c. 44B, s. 5(b)(2)]]; PROVIDED, HOWEVER, FUNDS EXPENDED PURSUANT TO THIS CHAPTER SHALL NOT BE USED FOR MAINTENANCE.¹⁷

Community housing includes low- and moderate-income housing for individuals and families, including low- or moderate-income senior and disabled person housing.

Low-income housing is defined as housing for those persons and families whose annual income is less than 80 percent of the area-wide median income (as determined by the United States Department of Housing and Urban Development).

Moderate-income housing is defined as housing for those persons and families whose annual income is less than 100% of the area-wide median income (as determined by the United States Department of Housing and Urban Development).

Low or moderate-income senior housing is defined as housing for persons age 60 or over who would qualify for low or moderate-income housing. Persons with disabilities may qualify at a lower age than 60.¹⁸

Background

Wareham is a suburban community with a higher percentage of lower cost homes than other towns in the region. The mix of housing ranges from large, waterfront estates to modest summer cottages to manufactured (mobile) homes.

As of February 2018, Wareham has 764 units on the Subsidized Housing Inventory (SHI) or 7.73% of Wareham's year-round housing units classified as "affordable" by the

¹⁷ *Community Preservation Act*, M.G.L. c. 44B, s. 5(b)(2)

¹⁸ *Community Preservation Act*, M.G.L. c. 44B, s. 2

Massachusetts Department of Housing and Community Development (for the purpose of chapter 40B).

This is not to say that Wareham should not strive to provide housing for all levels of its economically mixed population. Indeed, as outlined in the 2018 Master Plan Vision, a mission statement states that “residents have housing needs that require a wide variety of strategies”¹⁹ and, according to the 2013 Housing Production Plan, the town’s priority housing needs require a mix of housing choices²⁰ and notes four major housing goals carried over from the 2004 Housing Production Plan:²¹

- Meet the needs of local residents including those who grew up here, those that work for the community, and those that work in the community;
- Preserve the existing diverse housing stock, including units that are affordable;
- Add to the housing stock in a way that is compatible with the fabric, architecture, natural resources, and services of the existing neighborhoods; and
- Be proactive in producing and supporting larger affordable housing projects so the Town can control the income guidelines, density, design, environmental impact, and type of housing produced.

The CPC believes that the rehabilitation of existing structures and thoughtful, well-placed development can help to meet these goals. In fact, the CPA dictates: "With respect to Community Housing, the CPC shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites."²²

COMMUNITY HOUSING STRATEGIES

The CPA seeks projects that:

- update the 2013 Housing Production Plan;
- survey the affordable housing environment;
- convert historic buildings, such as former churches or vacant schools, to affordable/community housing;
- purchase existing properties for rehab as affordable housing;

¹⁹ 2018 Master Plan Vision, p. 10

²⁰ 2013 Housing Production Plan, p. 1, p. 33

²¹ *Ibid.*, p. 2

²² Community Preservation Act, M.G.L. c. 44B, s. 5(b)(2)

- consider funding projects driven by private organizations (such as Habitat for Humanity) with the preference that new building occur only in already-developed areas (already equipped with public water, sewage, etc.);
- provide funding for accessibility and to assure ADA compliance for community housing;
- create housing opportunities on town-owned land;
- provide rehab opportunities for the homes of elderly and disabled persons in exchange for affordable deed restriction; or
- provide funding for programs offering first and last month's rent assistance to qualified low and moderate income persons, and otherwise assist Wareham citizens to secure safe and adequate rental housing and emergency shelter in the community.

Projects that create housing units counted by the Department of Housing and Community Development as "affordable" will receive priority consideration. It is also preferred that, when possible, individuals that live and work in Wareham will receive preference for affordable housing created.

RECREATION

The CPA also enables communities to allocate their annual CPA revenues for recreational use and to make recommendations to the legislative body for the:

ACQUISTITION, CREATION, PRESERVATION, REHABILITATION AND RESTORATION OF LAND FOR RECREATIONAL USE. ... WITH RESPECT TO RECREATIONAL USE, THE ACQUISITION OF ARTIFICIAL TURF FOR ATHLETIC FIELDS SHALL BE PROHIBITED.²³

Background

The Town of Wareham manages and maintains recreational facilities, areas and programs throughout the Town. Recreational properties include a number of playgrounds and playing fields, the Birch Island and Fearing Hill conservation areas, Minot Forest, and public beaches that are maintained by the Recreation Department, School Department, Municipal Maintenance Department, Conservation Commission or Minot Forest Committee.

In 2012 the CPA legislation was amended to allow communities to rehabilitate existing parks, playgrounds and athletic fields using CPA funds. The Town undertook a study of

²³ *Community Preservation Act*, M.G.L. c. 44B, s. 5(b)(2)

the needs of the town of recreational assessments and generated a town-wide playground and open space evaluation and recommendation report, *Playground and Open Space Assessment and Recreation Plan*. The report includes “site specific playground and open space program improvement strategies along with maintenance recommendation[s],” which are provided for each individual site and can be used” to form future capital needs improvement forecasting and potential site exacting projects.”²⁴ The full plan can be viewed on the Town of Wareham’s Open Space Committee’s web page [here](#).

Wareham residents provided the following comments regarding the recreation facilities available in the town-wide survey conducted for the Wareham Open Space and Recreation Plan 2017-2024:

- Beaches are once again the preferred recreation option, followed by protected conservation areas that provide wildlife habitat and walking trails. A multi-use bike path/rail trail ranked third. Playgrounds and neighborhood parks also ranked very high as favorite recreation options.
- Playgrounds in particular are reported as needing repair and improvements to eliminate safety issues such as poorly maintained equipment and broken glass.
- Most requested improvements for recreation areas include the need for playground maintenance and trash removal, improved access to boat, canoe and kayak launch areas, update playgrounds for special needs, improvements to outdoor ball fields, and several requests to provide bathrooms at beaches.
- Wish list for recreation opportunities: creation of a bike path, more dog friendly spaces including a dog park, creating more walking trails, and increasing the recreation opportunities for seniors such as pickle ball, bocce, or chair volleyball. Seniors would like more accessible walking trails with benches and noted that playgrounds with broken gates and uneven surfaces are difficult to navigate.

Taking into consideration public input received, the Wareham Open Space and Recreation Plan 2017-2024 includes the following objectives:

- Protect land for passive outdoor recreation and land that provides scenic vistas.
- Upgrade and maintain existing recreational facilities including playgrounds, playing fields, and beaches.
- Expand recreational facilities that can accommodate persons with reduced mobility
- Create a park dedicated to safe canine activities.
- Create a multi-use community pathway that will provide a safe, enjoyable year-round place to enjoy such activities as walking, jogging, or riding a bicycle.

²⁴ The 2014 *Playground and Open Space Assessment and Recreation Plan*, Section I Executive Summary.

- Improve canoe and kayak river access.
- Improve access to conservation areas.
- To acquire, protect, and preserve open spaces, expand and improve recreational facilities, develop biking and hiking trails, and improve public access and awareness for the Town's natural and recreational resources.
- To replace aging playground equipment and would like to see improved access to boat, canoe, and kayak launch areas. Seniors remind the town that walking trails, playgrounds, and benches need to be accessible and accommodate those with reduced mobility and the need for a non-motorized, multi-use pathway to provide a safe place to walk.
- To strive to increase our protected land for recreation, wildlife habitat, and to protect our watershed. ... efforts to improve, maintain, and expand recreational opportunities in Wareham must continue.

RECREATION STRATEGIES

As a result of the Goals and Strategies of the Wareham Open Space and Recreation Plan 2017-2024 identified above, the CPC identifies the following as priorities, not in any particular order, for Community Preservation funding:

- Acquisition of land for any of the above-mentioned objectives or for other manners of passive and/or active recreation;
- Creation of linkage of existing areas of passive recreation, specifically, by creating walking or hiking trails;
- Construction of a multi-purpose bike trail;
- Exploration of the possibility of connecting the bike path with other towns and the Cape Cod;
- Upgrade and expand existing recreation facilities in Wareham including parks, playgrounds and beaches;
- Provide improved means of access to town recreational areas and encourage access to private lands for walking; or
- Rehabilitation to existing recreational and open space areas identified in the 2014 Playground and Open Space Assessment and Recreation Plan as "Primary Recommendations" or "Secondary Recommendations."

APPLICATION AND PROJECT REVIEW

APPLICATION AND PROJECT REVIEW PROCESS

The Wareham Community Preservation Committee conducts two (2) funding rounds, one (1) in the winter to be eligible for the Spring Town Meeting warrant and one in early summer to be eligible for the Fall Town Meeting warrant. The application can be found [on the Community Preservation Committee's web page](#) and in Appendix III.

Due dates for submitting a Community Preservation Grant request are:

	<u>Round 1</u>	<u>Round 2</u>
<i>Completed Applications due:</i>	<i>2nd Tues. of Dec.</i>	<i>2nd Tues. of June</i>
<i>Town Meeting action:</i>	<i>4th Mon. of April</i>	<i>4th Mon. of October</i>

Only under exceptional circumstances that are time sensitive, will an application be recommended for consideration outside published due dates. CPC reserves the right to accept applications of a time-sensitive basis after the due date. Potential applicants who believe that their circumstances call for such unusual action may contact the committee chair to discuss the possible submission of an application outside published due dates.

It should also be noted that all projects may not be funded, even if funds are available, and that, in a given year, funds may be carried over to subsequent years for future projects.

Review by the Community Preservation Committee (CPC)

After the application is received, it will be reviewed and the applicant will be notified by a CPC member if additional information is needed. It is the responsibility of the applicant to include all supporting materials that will enable CPC to make an informed decision. Incomplete applications may not be eligible for the current funding round, at the discretion of CPC. All applicants submitting complete applications will be invited to a public meeting to present the scope and details of the project and respond to questions from CPC and the public. CPC will then discuss the application as it relates to the Community Preservation Act guidelines and make funding recommendations during the current or future public meeting.

Funding Decisions

CPC will vote on the application to either support or not support the request. CPC will determine the funding source for the grant request. CPC will present the grants, funding sources and town meeting article to both the Board of Selectmen and the Finance Committee. Applicants may be requested to attend both the Board of Selectman and/or the Financial Committee meetings to present their project. Once the CPC articles are placed on the town meeting warrant, town meeting voters have the final say which grants are funded. Expected time frame from submitting an application to approval of funding could be as much as five to six months.

1. CPC vote to support or not support the request for funding.
2. CPC to determine the funding source for the grant request.
3. CPC presents funding request, sources and town meeting article to the BOS and Finance Committee.
4. Applicants BOS and Finance Committee meetings to present project request.
5. BOS determines if warrant article is placed on the Town Meeting warrant.
6. Town Meeting acts on funding request.

ANNUAL REPORT OF THE COMMUNITY PRESERVATION COMMITTEE

The Community Preservation Committee provides a report annually in the Town of Wareham Annual Report, which can be found on the Town's website [here](#). The CPC also provides reports to the Town at the spring and fall Town Meetings. These reports can be found on the [CPC website](#).

APPENDICES

APPENDIX I. DEFINITIONS

The following definitions, and other relevant definitions, can be found in M.G.L. c. 44B, s. 2.

“Acquire” obtain by gift, purchase, devise, grant, rental, rental purchase, lease or otherwise.

“Acquire” shall not include a taking by eminent domain, except as provided in [M.G.L. c. 44B].

“Capital improvement” reconstruction or alteration of real property that: (1) materially adds to the value of the real property, or appreciably prolongs the useful life of the real property; (2) becomes part of the real property or is permanently affixed to the real property so that removal would cause material damage to the property or article itself; and (3) is intended to become a permanent installation or is intended to remain there for an indefinite period of time.

“Community housing”, low and moderate income housing for individuals and families, including low or moderate income senior housing.

“Community preservation”, the acquisition, creation and preservation of open space, the acquisition, creation and preservation of historic resources and the creation and preservation of community housing.

“Historic resources”, a building, structure, vessel real property, document or artifact that is listed on the state register of historic places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of a city or town.

“Low income housing”, housing for those persons and families whose annual income is less than 80 per cent of the areawide median income. The areawide median income shall be the areawide median income as determined by the United States Department of Housing and Urban Development.

“Low or moderate income senior housing”, housing for those persons having reached the age of 60 or over who would qualify for low or moderate income housing.

“Moderate income housing”, housing for those persons and families whose annual income is less than 100 per cent of the areawide median income. The areawide median income shall be the areawide median income as determined by the United States Department of Housing and Urban Development.

“Open space”, 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.

“Preservation”, protection of person or real property from injury, harm or destruction.

“Real property”, land, buildings, appurtenant structures and fixtures attached to buildings or land, including, where applicable, real property interests.

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

“Rehabilitation”, capital improvements, or the making of extraordinary repairs, to historic resources, open spaces, lands for recreational use and community housing for the purpose of making such historic resources, open spaces, lands for recreational use and community housing functional for their intended uses, including, but not limited to, improvements to comply with the Americans with Disabilities Act and other federal, state or local building or access codes; provided, that with respect to historic resources, “rehabilitation” shall comply with the Standards for Rehabilitation stated in the United States Secretary of the Interior’s Standards for the Treatment of Historic Properties codified in 36 C.F.R. Part 68; and provided further, that with respect to land for recreational use, “rehabilitation” shall include the replacement of playground equipment and other capital improvements to the land or the facilities thereon which make the land or the related facilities more functional for the intended recreational use.

“Support of Community housing”, shall include, but not be limited to, programs that provide grants, loans, rental assistance, security deposits, interest-rate write downs or other forms of assistance directly to individuals and families who are eligible for community housing, or to an entity that owns, operates or manages such housing, for the purpose of making housing affordable.

APPENDIX II. THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall 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 architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall 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.

Additional Resources²⁵:

- The Secretary of the Interior's [Standards for Rehabilitation & Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings](#). (Includes official guidelines on how to make changes to improve energy efficiency and preserve the character of historic buildings.)
- The National Trust for Historic Preservation's [Weatherization Guide for Older and Historic Buildings](#). Information and resources regarding Historic Windows may also be found with searching this site.

²⁵ Community Preservation Coalition, [The Secretary of the Interior's Standards for the Treatment of Historic Properties](#)

APPENDIX III. APPLICATION FOR COMMUNITY PRESERVATION ACT GRANT

Town Meeting Cycle:

PROJECT NAME:

Date:

Name of Applicant:

Sponsoring Organization:

Applicant's Address:

Phone Number:

Email:

CPA Category (Circle all that apply. Please indicate approximately what percentage applies to each category.)

Open space Historic Preservation ***Recreation*** ***Affordable Housing***

CPA Funding Request: \$

Total Cost of Proposed Project:

Community Preservation Committee
Memorial Town Hall
54 Marion Road
Wareham, MA 02571

09/2016

Project Description: *Please attach answers to the following questions. Include supporting materials as necessary.*

- 1. Project Description and Scope of Work:** Describe the project and what will be done.
- 2. Goals:** What are the goals of the proposed project?
- 3. Community Need:** Why is this project needed? Does it address needs identified in current town plans?
- 4. Community Support:** What is the nature and level of support for this project? Include letters of support.
- 5. Timeline:** What is the schedule for project implementation, including a timeline for all critical elements?
- 6. Credentials:** How will the experience of the applicant contribute to the success of this project?
- 7. Success Factors:** How will the success of this project be measured? Please be as specific as possible.
- 8. Budget:** What is the total budget for the project? How will CPA funds be spent?
- 9. Other Funding:** What additional funding sources are available, committed or under consideration?
- 10. Maintenance:** If ongoing maintenance is required for your project, how will it be funded?
(NOTE: CPA funds may NOT be used for maintenance.)

ADDITIONAL INFORMATION: *Provide the following additional information, as applicable.*

11. Documentation that you have control over the site, such as Purchase and Sale Agreement, option or deed.
12. Evidence that the project does not violate any zoning bylaws or any other laws or regulations.
13. Evidence that the proposed site is free of hazardous materials or that there is a plan for remediation in place.

14. Evidence that appropriate professional standards will be followed if construction, restoration or rehabilitation is proposed.
15. Information indicating how this project can be used to achieve additional community benefits.

09/2016

Community Preservation Act Grant Budget Sheet

Project Name:

Please fill in all categories that apply to your proposal. Please ask questions of the Community Preservation Committee if you are not clear on any budget items.

<u>Project Income</u>	<u>Project Expenses*</u>
Private donations	Purchase price
Fundraising activities	Real estate fees
Grants	Restoration
Town budget	Labor
Amount from CPA funds	Legal fees
Amount from other sources (List all sources and amounts)	Supplies
	Building permits
	Consultants
Miscellaneous	Misc. (Mailing, phone, etc.)
Other	Other
 TOTAL INCOME \$	 TOTAL EXPENSES \$

*Include quotes where appropriate.

(Be sure that total expenses and total income are equal.)

09/2016

APPENDIX IV. RESOURCE LIST

Resource Websites

Community Preservation Act, M.G.L. c. 44B

Website:

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter44B>

Community Preservation Coalition

Website: <http://www.communitypreservation.org>

Wareham Community Preservation Committee

Web page: <https://www.wareham.ma.us/community-preservation-committee>

Municipal Plans

All of the following plans referenced in this Community Preservation Committee's Plan are located on the Town of Wareham website, found on their respective department or board's web page.

Town of Wareham

Website: <https://www.wareham.ma.us>

2018 Wareham Master Plan Vision

Plan may be found on the Planning Board and Zoning Board of Appeals web page using the "Planning Board Documents" link to the "Master Plan Draft Edits" link.

Web address:

https://www.wareham.ma.us/sites/warehamma/files/uploads/draft-wareham-master-plan-vision-030618_kjb.pdf

2017 – 2024 Open Space and Recreation Plan

2010 – 2017 Open Space and Recreation Plan

These plans may be found on the Open Space Committee's web page using the "Open Space Plans" link.

Web address:

<https://www.wareham.ma.us/open-space-committee/pages/open-space-plans>

2014 Playground and Open Space Assessment and Recreation Plan

Plan may be found on the Community Preservation Committee's web page then using the "Studies" link. It can also be accessed using the Open Space Committee's web page, then the "Open Space Plans" link.

Web address:

https://www.wareham.ma.us/sites/warehamma/files/uploads/playground_and_open_space_plan_2014.pdf

2013 Housing Production Plan

Plan may be found on the Affordable Housing Trust web page then using the "Planning Board Documents" link to the "Housing Plan" link.

Web address:

https://www.wareham.ma.us/sites/warehamma/files/uploads/wareham_housing_production_plan7.pdf

2004 Affordable Housing Plan

Plan may be found on the Planning Board and Zoning Board of Appeals web page using the "Planning Board Documents" link to the "Housing Plan" link.

Web address:

https://www.wareham.ma.us/sites/warehamma/files/uploads/housing_plan.pdf