



What is the Community Preservation Act?

The Community Preservation Act (CPA) is a state law giving Massachusetts communities the ability to add a small surcharge to local property taxes as a means of funding a variety of local community projects. This surcharge is collected in Community Preservation Funds (CPF), which can be used for affordable housing, historic and open space preservation, and the development of outdoor recreation facilities. Adopting municipalities also gain access to the statewide Community Preservation Trust Fund, which provides matching financial support to local CPA projects.

The CPA became law in September of 2000, but its roots can be traced back 20 years earlier. The Nantucket Islands Land Bank was created in 1983 for the purpose of acquiring, maintaining, and managing the island's natural resources. The funding for this program derived from a 2% real estate transfer tax (RETT) on property sales, which proved both very successful and very popular. In time, the momentum of and support for expanding the Nantucket model gained the traction necessary to pass the Community Preservation Act.

Community Preservation Act in Practice

Today, more than 180 municipalities throughout the commonwealth have adopted the CPA locally. These communities have leveraged over \$2.65 billion of statewide community preservation funding, creating:

- 8,700+ affordable housing units
- 32,000+ acres of preserved open space
- 3,000+ outdoor recreation projects

Benefits of Adopting the CPA

Adoption of the CPA allows municipalities access to a statewide funding pool, the Community Preservation Trust Fund. The state's Department of Revenue distributes annual disbursements to those communities that have adopted the CPA, enhancing the funds collected through the local property tax surcharge.

These funds supplement local budgets, giving municipalities the ability to not just maintain their communities, but improve, preserve, and protect them as well. Typically, there is very little local funding available for the types of projects—preservation, affordable housing and outdoor conservation and recreation—that are the hallmarks of the CPA.

BRPC PROGRAM

Community Planning Program
berkshireplanning.org/programs

CPA Successes in Berkshire County

Currently, eight of the Berkshire's thirty-two municipalities have adopted the CPA. To date, these eight communities have raised over \$25 million between their local property tax surcharge and matching distributions from the state Community Preservation Trust Fund. Pittsfield, which utilizes a 1.0% surcharge, typically budgets between \$600-\$700,000 per year for CPA projects and usually funds about a dozen applications annually. In Great Barrington, voters approved a 3.0% surcharge, and since 2015 have appropriated approximately \$4 million in CPA project awards.

These resources have led to several community improvement projects throughout the region, including:

- In Great Barrington, funding the Great Barrington Affordable Housing Trust Fund's Down Payment Assistance program, which provides loans of up to \$25,000 to qualified homebuyers.
- In Pittsfield, restoration of the façade and roof of the famed Colonial Theatre, ensuring that the long history of live performances continues.
- In Stockbridge, funding for outdoor recreation projects including basketball facilities and bike paths, as well as much needed improvements to existing facilities.
- In Lenox, and in partnership with Massachusetts Audubon, the creation of a master plan for the town's trail network.

Adopting the Community Preservation Act

Municipalities may adopt the CPA by one of two methods. The first requires that the local legislative body must approve a proposal to present to the voters, including the amount of the property tax surcharge. Once the legislative body accepts the act, a ballot question to approve the acceptance of the CPA (and the surcharge amount) must be placed before voters at the next regularly scheduled municipal or state election.

Alternatively, residents of a municipality may file a ballot question petition to add a question seeking acceptance of the CPA, the surcharge amount, and any exemptions, to be paced on the ballot.

Should a community adopt the CPA, they must form a Community Preservation Committee (CPC), a five-to-nine-member advisory board that makes recommendations about CPA projects to the municipality's legislative body.

Sample Projects



Truman Wheeler Farmstead, Great Barrington



Playground equipment in Becket



Cable Mills in Williamstown