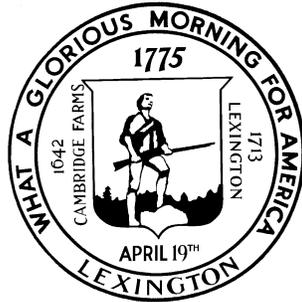


*Town of Lexington*

*2016 Community Preservation Plan:*

*A Needs Assessment*



*December, 2016*

*Town of Lexington  
Community Preservation Plan  
Overview*

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**The Community Preservation Act**

In March of 2006, the residents of Lexington voted to adopt the Community Preservation Act (CPA), a statute which communities across the Commonwealth may adopt to fund eligible and worthy projects in four categories: community housing, historic resources, open space and recreation. In order to fund these expenditures, CPA communities impose a surcharge on their own property taxes of up to 3%. The CPA statute also created a statewide Community Preservation Trust Fund as an incentive for communities to adopt the Community Preservation Act. In addition to the monies raised through the local surcharge, the trust fund provides annual distributions to participating cities and towns at a certain percentage, commonly referred to as the ‘state match.’

The CPA also requires each adopting community to establish a Community Preservation Committee (CPC), tasked with studying the needs, possibilities, and resources of the city or town regarding community preservation. The Community Preservation Committees are also required to make recommendations of eligible and worthy projects to their respective legislative bodies.

The CPA statute requires that at least 10% of the CPA funds received in each fiscal year be spent or reserved for each of the CPA's three main purposes: open space, historic resources, and community housing. CPA funds may also be also used for the acquisition, creation, preservation or the restoration/rehabilitation of recreational resources. CPA funds that are not expended in one year may be “banked” or carried over to subsequent years within each main designation. The remaining 70% of CPA funds received in each fiscal year are available to be appropriated or banked, according to the community’s discretion. Up to five percent of the CPA funds raised annually may be used for administrative activities related to the work of the CPC.

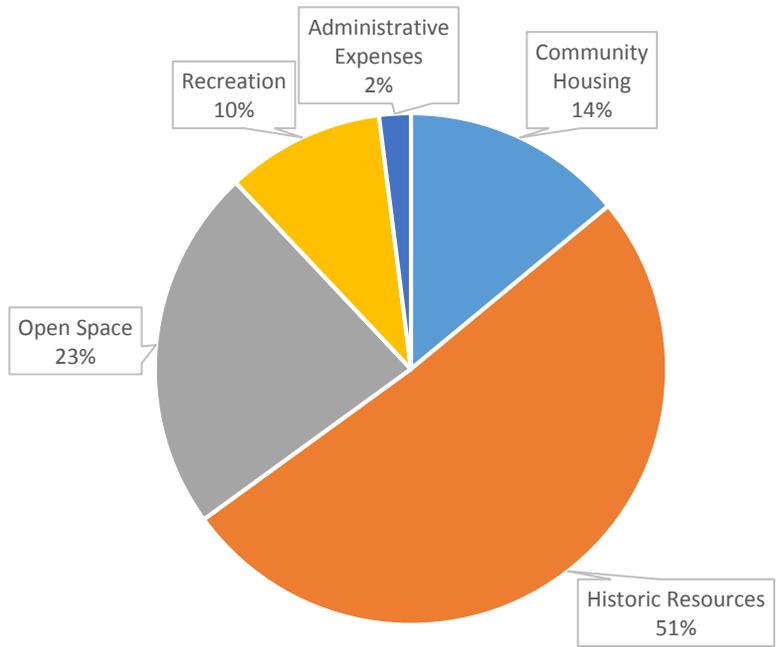
The Community Preservation Act, signed into law by Governor Cellucci in September 2000, provides a steady source of funding for expenditures that may otherwise be overlooked in favor of the essential, daily operating needs of cities and towns. The CPA provides communities with a tool to preserve their own unique character and quality of life. Since the CPA was signed into law, 172 cities and towns across Massachusetts have adopted the statute.

**The Community Preservation Act in Lexington**

Lexington voters adopted the maximum 3% surcharge on property tax bills upon the adoption of the CPA in 2006. Mindful of the burden on homeowners, however, the Town also adopted provisions which exempt the first \$100,000 of home value from the surcharge and grant a total exemption from the surcharge to lower income residents.

To-date, Lexington Town Meeting has appropriated nearly \$63 million in funding for CPA projects (not including debt service payments) in the four primary categories of Community Housing (\$8.8 million); Historic Resources (\$31.8 million); Open Space Preservation (\$14.4 million); and Recreational Resources (\$6.6 million) and administrative expenses (\$1.3 million). The chart below illustrates the percentage of Lexington’s CPA funds allocated to each category by Town Meeting from 2006-2016:

**Appropriated To-Date by Category as of 7/1/16**



Of the funds that have been appropriated from the Town’s Community Preservation Fund (CPF), over \$13.5 million has been provided from state supplemental matching funds and \$500,000 from a State Land (Local Acquisition for Natural Diversity) Grant. Therefore, nearly 21.5% of CPA funding has been provided by state matching funds.

In its initial year, fiscal year 2007 (FY07), the surcharge brought in approximately \$2.5 million dollars, which was fully matched with state funds. Since FY07, however, annual revenue from the local surcharge has steadily increased. Latest figures are available for FY16, for which the surcharge raised \$4,204,982. However, state matching funds, which come from a surcharge on Registry of Deeds transaction fees, have fallen since FY08 despite an increase in home sales over the last several years and a slight increase in collections this past year. This decrease in state

matching funds is due primarily to an increased number of communities passing CPA by-laws therefore competing for limited funds.

Lexington’s FY17 state match totals \$897,243, 21.3% of its surcharge. Initial estimates from the Department of Revenue (DOR) projected this year’s state match distribution at just 19%. While slightly higher than the initial estimates, the FY17 state match is substantially lower than the previous year’s distribution.

**Record of Lexington’s CPA State Matching Funds**  
*(Source: Massachusetts Department of Revenue)*

<b>CPA STATE MATCHING FUNDS TO DATE</b>		
<b>FISCAL YEAR</b>	<b>PERCENTAGE</b>	<b>AMOUNT</b>
<b>2008</b>	<b>100.00</b>	<b>\$2,556,362</b>
<b>2009</b>	<b>69.40</b>	<b>\$1,927,708</b>
<b>2010</b>	<b>36.17</b>	<b>\$1,060,390</b>
<b>2011</b>	<b>28.22</b>	<b>\$858,729</b>
<b>2012</b>	<b>27.62</b>	<b>\$885,463</b>
<b>2013</b>	<b>27.79</b>	<b>\$929,507</b>
<b>2014</b>	<b>54.09</b>	<b>\$1,932,347</b>
<b>2015</b>	<b>32.56</b>	<b>\$1,230,116</b>
<b>2016</b>	<b>30.70</b>	<b>\$1,229,774</b>
<b>2017</b>	<b>21.3</b>	<b>\$897,243</b>
<b>TOTAL</b>		<b>\$13,507,639</b>

During the last three consecutive fiscal years, Lexington has benefitted from surplus transfers from the state budget to the CPA Trust Fund. The FY16 budget authorized the transfer of \$10 million from the FY15 budget surplus, the FY15 budget authorized the transfer of \$11.4 million from the FY14 budget surplus and the FY14 budget authorized the transfer of \$25 million from the FY13 budget surplus. In July 2016, Governor Baker signed the fiscal year 2017 state budget which authorized the transfer of \$10 million from the FY16 budget surplus, marking the fourth year the state budget included a surplus transfer to the trust fund. Unfortunately, the FY16 state budget ultimately closed with a \$0 balance, therefore eliminating the possibility of the \$10 million transfer to the trust fund.

In 2016, a record 16 communities in Massachusetts placed CPA adoption on their ballots. 11 of those communities voted during the November election to adopt the Community Preservation Act, including the cities of Boston and Springfield. While most of the adopting communities

voted for just a 1% or 1.5% surcharge (Watertown adopted a 2% surcharge), the impact of these additional communities on future state disbursements will be seen in FY18.

While Lexington's FY17 state match is heavily impacted by the lack of state budget surplus funds and its FY18 state match expected to be impacted by the additional CPA communities, CPA advocates hope that these foreseeable decreases will strengthen the effort to pass legislation that calls for a permanent fix to the CPA Trust Fund. A piece of legislation introduced in 2015 entitled, *An Act to Sustain Community Preservation Revenue*, calls for a review of the fees collected at the Registries of Deeds (the trust fund's primary source of funding). The current transaction fees have not been adjusted since the CPA was signed into law in 2000. If passed, it would call upon the Department of Revenue to calculate the necessary fees that would allow for all CPA communities to receive a 50% match in their first round distribution. The bill received a favorable recommendation from the Joint Committee on Revenue in 2015. An update on this legislation is expected in January 2017.

The Lexington CPC consists of nine members, one each appointed by the Conservation Commission, Planning Board, Housing Authority, Historical Commission, Housing Partnership and Recreation Committee, and three at-large members appointed by the Board of Selectmen. The Committee is supported by a part-time Administrative Assistant.

The CPC is required to study the "needs, possibilities and resources" for community preservation in Lexington. To that end, the Committee has reviewed existing plans and documents related to the four purposes designated for funding under the CPA: open space, historic resources, community housing and recreation.

In reviewing new projects, the CPC:

- Acts as a reviewing body for projects which fall within the CPA purview;
- Acts as a funder, not a developer;
- Seeks to advance community goals previously set forth in public documents that have received wide review and public input;
- Attempts to meet multiple community preservation goals in its selection of projects to recommend to Town Meeting, and to the extent possible, meet multiple goals within each project; and
- Communicates its mission and goals to applicants, to other community boards and committees and to the general public.

After completion of its review, the CPC's recommendations are forwarded to Town Meeting for discussion and voting by Town Meeting members.

## **Purpose**

This Needs Assessment Report ("the Assessment") is a summary of the CPC's work in developing community preservation goals for Lexington. The CPC has attempted to synthesize

all planning efforts addressing the four purposes identified in the CPA. The Committee has reviewed Lexington's current resources and has outlined the needs and possibilities for community preservation activities which will enhance open space, recreation, historic resources and community housing. The CPC has set out the guidelines it will use to evaluate project proposals as well as the process it will follow during this undertaking.

This Assessment sets out the goals and aspirations of the CPC, now in its tenth year of implementation. The purpose of the Assessment is to:

- Provide a clear statement of both broad and specific goals that lie behind the CPC's recommendations; and
- Lay out the specific framework the CPC will use in formulating its recommendations, both for the guidance of applicants and the understanding of Town Meeting.

## **Goals**

Lexington's committees and commissions have a long-standing history of carefully assessing Town needs and goals in light of the shared values of its residents. The Lexington Comprehensive Plan, the Open Space and Recreational Plan, and the Town's Consolidated Housing Strategy and Plan were created in this spirit. (For a complete list of Plans, Documents and Studies that are used as CPC sources, see Appendix A). In the ten years since the adoption of the CPA in Lexington, the CPC has strived to remain impartial while recommending worthwhile projects that fall within the purview of the statute to Town Meeting. The CPC expects that the CPA will continue to be a resource for carrying out the thoughtful community preservation recommendations contained in these studies.

Subsequent sections of this Assessment discuss community goals and projects specific to preservation within each of the four designated purposes of the CPA. In addition to these goals, the CPC has articulated a set of guidelines that apply to projects generally. The CPC will use these guidelines in its review and decision-making process. They are intended to provide additional guidance to those preparing applications for funding. Not all guidelines will be appropriate for every project.

## **Decision-Making Guidelines**

The CPC will only consider proposals that are eligible for CPA funding according to the terms of the statute (M.G.L. c.44B), specifically, proposals for:

- The acquisition, creation and preservation of open space;
- The acquisition, preservation, rehabilitation and restoration of historic resources;
- The acquisition, creation, preservation and support of community housing (including the creation of a housing trust for the purpose of preserving or expanding the affordable housing supply; support in the form of rental assistance,

security deposit assistance, interest rate write-downs or other financial assistance for persons who qualify for community housing);

- The acquisition, creation, preservation and rehabilitation and/or restoration of land for recreational use; and
- The rehabilitation and restoration of open space and community housing that has been acquired with CPA funds.

Preference will be given to proposals which meet as many of the following general criteria as possible, specifically those which:

- Are consistent with current planning documents adopted by the Town;
- Preserve the essential character of the Town as described in the Comprehensive Plan;
- Save resources that would otherwise be threatened;
- Benefit a currently under-served population;
- Serve more than one CPA purpose (for example, in linking open space, recreation and community housing, or the reuse of historic resources for community housing) or demonstrate why serving multiple needs is not feasible;
- Demonstrate practicality and feasibility, and demonstrate that they can be implemented expeditiously and within budget;
- Produce an advantageous cost/benefit value;
- Leverage additional public and/or private funds;
- Preserve or use currently owned Town assets;
- Receive endorsement by other municipal boards, committees or departments; and
- Provide long-term contribution and/or enhancement to the Town.

## **Process**

The Town Manager, Town boards, committees and departments, civic organizations and residents may bring proposals for funding to the CPC. Such proposals must be submitted by November 1 in the form prescribed by the CPC, in order to be considered for funding at the next Annual Town Meeting. Except in exigent circumstances, the CPC does not review and submit proposals to Fall Special Town Meetings. In cases where proposals are contingent upon Town budget processes, or upon receipt of professional estimates, appraisals and the like, and cannot be completed by November 1, initial proposals must be submitted by November 1, and completed proposals must be submitted no later than January 15 of the following year. Proposals submitted after January 15 will not be reviewed and submitted by the CPC to the Annual Town Meeting, but may, after review and with the agreement of the applicant, be submitted to a subsequent Town Meeting.

Under the CPA statute, the CPC does not have the power to appropriate funds for particular projects, only to make recommendations to Town Meeting. While the power to appropriate CPA funds is reserved solely for Town Meeting, it may act only upon the recommendations of the CPC. It may choose to deny or reduce funding for a project recommended by the CPC, but it

may not increase a recommended appropriation. Town Meeting also may not appropriate CPA funds for any project that is not recommended by the CPC.

The CPC seeks a Town-wide and long-term perspective. The Committee expects to recommend projects that will have a significant long-term benefit to the Town. It may choose to recommend to Town Meeting that some or all of CPA funds be “banked” or reserved for significant projects and opportunities in the future. It may also recommend bonding of significant acquisitions and projects in order to benefit the public good. The CPC strives to provide Town Meeting with a strong and consistent rationale for its recommendations and to create an effective joint process through which departments, organizations and citizens may gain access to CPA funds for projects that will enhance the Town.

## **Further Information**

This document, and a wide range of community preservation information, including the **Application for Community Preservation Funding**, is available on the Town's web site at <http://www.lexingtonma.gov/community-preservation-committee>.

Additional information on the Community Preservation Act, current CPA news and events, and other CPA communities and projects can be found on the Community Preservation Coalition's website: [www.communitypreservation.org](http://www.communitypreservation.org).

The General Guidelines and Process set out above apply in combination with category-specific goals outlined in the next four sections of this Assessment.

This Community Preservation Needs Assessment is respectfully submitted to the residents of Lexington in the hope that it will provide a focus and catalyst for significant enhancement of community preservation goals in Lexington.

## **BACKGROUND**

The majority of Lexington’s population is in the middle-income category, earning over 80 percent of area median income. Updated in May 2014, Areawide Median Income for a family of four in the Boston region was determined by the U.S. Department of Housing and Urban Development (HUD) to be \$94,100 in FY 2013. Eighty percent of the Areawide Median Income for a family of four in the Boston region was \$67,350 for the same period. (Due to HUD’s complex formula for determination of this 80% figure, it is not simply arithmetic.) About 1 in 5 Lexington households falls into the moderate-, low-, or extremely-low income categories. Lexington is faced with a declining population in the 18 to 44 age group. High housing costs make it difficult for young people to afford a home in Lexington; the *median* sales price for a single family home is in excess of \$1,000,000 at present. At the same time, the population over 65 is on the increase. Members of this group often live on fixed incomes. There is a clear need to create affordable rental and ownership opportunities for young families and senior citizens who fall into the low-income or moderate-income categories.

Lexington has three housing organizations that are advocates for low and moderate income housing.

### **Lexington Housing Authority (LHA)**

The Lexington Housing Authority was established in 1968 pursuant to Chapter 121B of the General Laws of Massachusetts. Its role is to provide safe, clean and affordable housing for low-income individuals and families, including veterans, the elderly and the disabled. Housing units administered by the Housing Authority are supported by either State or Federal funds. Since 2007, CPA funds have been used for capital expenditures to ensure that these units are safe and functional. The Housing Authority is governed by a five-member Board of Commissioners, four of whom are elected by Town voters and one of whom is appointed by the Governor.

### **Lexington Housing Assistance Board (LexHAB)**

In 1983 the Lexington Housing Assistance Board, Inc. was established by an Act of the General Court as requested by Town Meeting and the Board of Selectmen. The immediate impetus for LexHAB’s creation was the conversion of the former Muzzey Junior High School to affordable housing. The charge to LexHAB was broadly framed to enable it to look beyond the Muzzey units in order to provide housing for young families and other residents who could not qualify for housing provided by the Housing Authority or for whom no LHA unit was available, but who were nevertheless in need of housing assistance. The Town charged LexHAB, subject to the direction of the Board of Selectmen, to “investigate and implement” housing alternatives for low,

moderate and middle income families. LexHab provides rental housing to eligible persons and families whose incomes do not exceed either 60% or 80% of the area median income for the greater Boston area. Since it is locally sponsored, it is able (in cases where need is equal) to give preference to applicants who have a Lexington connection through residence, work or school. LexHAB is governed by a nine-member board appointed by the Selectmen.

### **Lexington Housing Partnership (LHP)**

In 2003 the Lexington Housing Partnership was formed to promote and support affordable housing activities and to recommend appropriate actions to the Board of Selectmen and the Planning Board to further these goals. The LHP Board, appointed by the Selectmen, consists of 15 voting members and six liaisons representing the many committees, groups and individuals who share a goal of providing affordable housing in Lexington.

### **CURRENT RESOURCES**

The **LHA** administers 240 affordable units of low/moderate income housing including apartment complexes at Greeley Village, Vynebrooke Village and Countryside Village. In addition, the authority owns a two-family house and seven condominium units. The majority of the units are State-subsidized (154 units) while most of the remainder are subsidized by the Federal Department of Housing and Urban Development (HUD) (77 units), with the State responsible for capital improvement to all LHA units. The units are mostly occupied by seniors and by disabled and handicapped individuals and families. The LHA also administers Federal Section 8 choice vouchers and Massachusetts Rental Voucher Program project-based vouchers, which combined, serve up to an additional 74 units. While none of the Lexington Housing Authority units were purchased with CPA funds, there have been several CPA-funded projects that have benefitted the Housing Authority by preserving existing units. These include window, roof and siding replacement at Greeley Village, window replacement at Vynebrooke Village, and the funding of a design study and funding for Vynebrooke Village to identify and improve on-site drainage. In addition, CPA funds have been used for the construction of four additional units at Greeley Village which are barrier-free and accessible for elderly residents and will help bring this housing complex into compliance with State accessibility standards.

**LexHAB** presently owns 64 units, all of which are rented to qualifying individuals or families. There is no line item in the Town budget supporting LexHAB. It does not receive State or Federal funds. The seed money for LexHAB was provided by the developers of Potter Pond and Brookhaven, who donated funds for affordable housing in order to comply with the Planning Board's inclusionary housing policy. LexHAB purchased units at the former Muzzey Junior High School, Emerson Gardens and Parker Manor. Since FY09, 10 units have been purchased with CPA funds. A number of units have been donated to LexHAB as a result of rezoning plans negotiated by the Planning Board and approved by Town Meeting. Two homes were donated to LexHAB by their owners and were subsequently moved to Town-owned lots. Utilizing donations and rental income from its housing units, LexHAB has built or rehabilitated 12 single and two-family homes on scattered sites throughout the Town with the help of Minuteman Career & Technical High School students and the Rotary Club.

At the 2014 Annual Town meeting, voters approved CPA funding for LexHAB to construct two residences, each with three apartments, on a half-acre portion of the Busa land, purchased earlier with CPA funds. One apartment in each building will be handicapped accessible. The motion authorized LexHAB to utilize \$535,000 in unused CPA funds from the two previous years' appropriations, as well as an additional \$750,000. An application for initial Department of Housing and Community Development approval of this Local Initiative Program project will be submitted in the near future.

LexHAB is also in the process of developing four units of housing on a 25,000 square foot parcel on Fairview Avenue purchased with its own funds. This project entails rehabilitation of an existing house and construction of a new residence with three apartments, one handicapped accessible. This project has been approved by the Selectmen, DHCD and the Zoning Board of Appeals. Construction is underway with completion expected in April 2017

At the 2009 Annual Town Meeting, Town Meeting Members approved use of about 30,000 square feet of the 14 acre Leary parcel for affordable housing. More than five years ago, a Committee appointed by the Board of Selectmen made recommendations for housing at this site. Progress to date is limited to the removal of the Leary residence from the site.

LexHAB will be rehabilitating a single family home on the one-acre Wright Farm parcel. CPA funds for this work have been approved. The Town completed the purchase of the property in February 2016 and transferred ownership of the parcel to LexHAB for the renovations to take place. Approvals by DHCD and the Zoning Board of Appeals are necessary before construction begins.

## **NEEDS**

Both locally and statewide, the demand for housing affordable to low and moderate income residents exceeds supply. The lack of such housing leads to a loss of diversity at the local level and a loss of population at the state level as individuals and families abandon Massachusetts for more affordable areas of the country. The State has sought to foster the creation of affordable housing through M.G.L. c.40B, which mandates that each municipality have a minimum of 10% of its housing stock in the affordable category in order to avoid the potential imposition of housing developments that do not conform to local zoning bylaws.

In Lexington there continue to be frequent "teardowns" of existing smaller homes, to be replaced by much larger and more costly homes. This pattern contributes to the very high average cost for single family homes in Town. While the Town of Lexington is currently in compliance with the 10% requirement of State law, as more market rate housing is constructed, and as price restrictions on some currently affordable housing units expire, the Town could easily drop below the 10% threshold, allowing a developer who allocates 25% of a rental project to affordable housing to avoid being subject to the density and siting restrictions of Lexington's Zoning Bylaw. This provides a practical incentive for the Town to continue to add affordable units to its inventory. It should also be noted that the 11.2% SHI figure which is presently quoted as Lexington's percentage of affordable housing comprises both deed-restricted affordable units *as well as* market rate rental units. The inclusion of market rate units to determine a community's

compliance with 40B was allowed by the Department of Housing and Community Development (DHCD) to encourage communities to create additional rental units. If this formula for determining compliance should change, Lexington's SHI figure would drop to around 5.5%, or roughly half, - an incentive to continue to fund affordable housing projects.

It is important to recognize that an adequate stock of affordable community housing is an important Lexington goal independent of the desire to avoid overly dense or otherwise undesirable housing developments. Beginning as a farming community, Lexington has become a suburban residential and commercial center with a population that is both ethnically and economically diverse. After World War II, it attracted a large number of residents involved in academic and scientific pursuits at nearby universities. Since then, its excellent schools and other amenities have continued to draw new residents, many with origins outside the United States. While the median household income in the Town is well above the State's median, Lexington's profile increasingly includes retiring seniors who need less costly housing to stay in Town, as well as municipal employees, veterans, and others who seek more modest housing. At present, Lexington housing is largely unaffordable to young singles and families between 20 and 45, depriving the Town of the contributions of this demographic. Traditionally, Lexington's culture has not been based primarily on the high price of admission, that is, expensive housing. The Town has evolved as a place of academic and professional achievement with a commitment to diversity and shared community involvement. The commitment to providing a range of housing opportunities is a part of the Town's character.

## **GOALS**

### **1. Preservation and support of existing community housing, including State and Federally subsidized units.**

a.) Preservation of existing community housing through projects such as the following recent endeavor managed by the LHA:

- Installation of drainage structures and replacement of failing siding at Vynebrooke Village;
- Replacement of windows and roofs at Greeley Village.

b.) Financial support to LexHAB toward current acquisitions and renovations so that it can maintain reserve funds sufficient to purchase community housing units at such time as their deed restrictions expire.

### **2. Creation of additional units of affordable housing at an annual rate which will allow Lexington, at a minimum, to maintain its current Subsidized Housing Inventory of State-approved community housing at approximately 11% of the Town's housing stock**

a.) Provide funds to LexHAB to enable it to purchase and rehabilitate existing housing units which will then be deed restricted to maintain them as affordable units;

- b.) Provide funds to LexHAB, or another responsible entity acceptable to the Town, to contract for and manage the construction of new units of affordable housing on Town-owned lands, particularly on the Leary property;
- c.) Encourage the Town Board of Selectmen to consider housing (as well as each of the other purposes set out in the CPA) when acquiring land for the Town and designating its use.

**3. Adoption of a Lexington Housing Production Plan to meet State requirements, to clarify community housing needs and goals for Lexington residents, and to lay out a blueprint for action for the next ten years.**

## **RECOMMENDATIONS**

As Lexington seeks to provide housing for different age groups and income levels, there are a number of approaches which might make constructive use of CPA funds:

- Acquisition or construction by LexHAB, or another responsible entity acceptable to the Town, of at least two to three additional affordable rental units per year on scattered sites throughout the Town, including parcels similar to the one secured by and to be utilized by LexHAB on Fairview Avenue;
- Construction by LexHAB, or another responsible entity acceptable to the Town, of additional affordable units, rental or ownership, on Town-owned parcels, such as the Leary land on Vine Street and the Busa Farm property;
- When a site for affordable housing is identified, as in the cases of the Busa and Leary properties, establish by action of the Board of Selectmen, at an early time, target dates for completion of the steps necessary to bring the housing to completion;
- Support of LexHAB funding to acquire housing units in existing multi-family projects when their affordability restrictions expire;
- Purchase of deed restrictions on existing homes to bridge the gap between current market prices and affordable prices, so as to preserve smaller homes from tear down and replacement;
- When the Town acquires land, establish, at an early time, by action of the Board of Selectmen, a well-publicized, public opportunity for the groups advocating for the varied Town core values to present proposals for use of all or part of the land in question;
- Investigation of specific housing programs for veterans and senior citizens; and

- Support of first-time homebuyer programs, including the Soft Second Loan Program administered by the State Department of Housing and Community Development. The 2012 amendments to the Community Preservation Act explicitly provide that “support of community housing “ includes “programs that provide grants, loans, rental assistance, security deposits, interest rate write downs or other forms of assistance, directly to families or individuals who are eligible for community housing”.

In determining which strategies to support with recommendations for CPA funding, the Lexington CPC will be guided by our Town’s specific needs and preferences regarding community housing.

*Town of Lexington  
Community Preservation Plan  
Historic Resources*

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## **BACKGROUND**

The Town of Lexington is rich in cultural resources. Its role in the Revolutionary War has created a stewardship responsibility for its historical sites that extends to the nation at large; its later role in commercial expansion due to the arrival of the railroad created a building boom of late 19<sup>th</sup> and early 20<sup>th</sup> century housing stock that continues to distinguish the Town. Structures of the recent past – Moon Hill, Five Fields and the Peacock Farm enclaves throughout Town, among others – enhance Lexington’s diverse architectural heritage.

Lexington has received national and state recognition of its historic resources: four properties or areas, the Battle Green, Buckman Tavern, the Hancock-Clarke House, and the Minuteman National Historical Park, have been designated as National Historic Landmarks by the U.S. Secretary of the Interior. Ten additional properties are individually listed on the National and State Registers of Historic Places, in addition to the Town’s listed National Register Historic Districts (The Lexington Green Historic District, the Buckman Tavern Historic District, the Sanderson House - Munroe Tavern Historic District, the Peacock Farm Historic District and the Six Moon Hill Historic District) and their contributing properties. The Metropolitan State Hospital Multiple Property National Register listing, (shared with the towns of Belmont and Waltham) also contains a number of significant buildings. In addition, the recently-listed Mid Century Modern Houses of Lexington Multiple Property Submission highlights the unique characteristics of Lexington’s modern architecture. In total, approximately 600 properties are protected through inclusion within one or another of the Town-established local historic districts (Battle Green, East Village, Hancock-Clarke, Munroe Tavern).

The Town has recognized this wealth in its “Vision Statement: Fostering a Sense of Community”. Prepared by the Vision 2020 group, the first vision listed was that of appreciation of the Town’s history, through the “preservation and celebration of historic Town assets, including local events and interest points as well as Lexington’s national attractions.” And in the Planning Board’s 2002 Comprehensive Plan, “The Lexington We Want,” the authors recognized that the Town’s stewardship responsibility to its Revolutionary War heritage has been executed “with effective care” but at the same time urged the adoption of a preservation plan that would rationalize preservation efforts throughout the Town. Lexington’s history enhances its citizens’ sense of place, attracting people to come and live here – and stay. The impact of our historic resources also extends beyond the boundaries of the Town, providing educational opportunities for the nation’s youth and for historical scholars, and bringing important tourist dollars to support the local economy.

## **CURRENT RESOURCES**

To manage these cultural resources, the Town employs a powerful array of tools. They include oversight by the Lexington Historic Districts Commission, the Lexington Historical Commission, the Design Advisory Committee and, for those resources located in the Town Center, the Lexington Center Committee. Two nationally known historic resources are located within Lexington, the Scottish Rite Masonic Museum and Library and the Minute Man National Historical Park, which is part of the National Park System. In addition, 2016 Spring Town Meeting approved enabling legislation to permit Neighborhood Conservation Districts upon application and approval of the requesting neighborhoods.

### **Historical Districts Commission (HDC)**

The Historic Districts Commission of Lexington was established in 1956 by Special Act of the Legislature to “promote the educational, cultural, economic and general welfare of the public through the preservation and protection of historic buildings, places and districts through the development of appropriate settings for said buildings, places and districts and through the maintenance of said buildings, places and districts as landmarks of historic interest.” The HDC ensures that development or demolition of properties within the four historic districts may proceed only following a determination of appropriateness. The five full and four alternate members of the HDC are appointed by the Selectmen, to serve at large, and from candidates proposed by the Historical Society, the Arts and Crafts Society, and the Cary Library Trustees.

### **Lexington Historical Commission (LHC)**

Similarly, the Lexington Historical Commission was created in 1975 by vote of Town Meeting “for the preservation, protection and development of the historical or archeological resources” of the Town. The LHC has prepared an inventory of historical structures located throughout the Town that documents over 2,000 buildings, structures and objects and is accessible through the Town web site. The LHC administers the Town’s Demolition Delay Bylaw to ensure that every effort is made to preserve these historically and architecturally significant structures. The LHC also endeavors to educate citizens on the breadth and importance of Lexington’s cultural heritage. The five members of the LHC are appointed by the Town Manager.

### **Neighborhood Conservation Districts (NCDs)**

The creation of Neighborhood Conservation Districts was approved under Article 29 of the 2016 Spring Town Meeting "to preserve, protect and enhance" Lexington's "unique and distinctive" neighborhoods by conserving and preserving existing buildings, fostering appropriate reuse and encouraging compatible new construction, all through Town-appointed neighborhood review boards. To date, two neighborhoods have applied to self-regulate through an NCD: the Turning Mill Neighborhood and the Byron/Lockwood Neighborhood.

## **Lexington Historical Society**

On a private level, the Lexington Historical Society plays a number of key roles, including the ownership and management of the Hancock-Clarke House, Munroe Tavern and the Depot and management of Buckman Tavern under a long-term lease from the Town, as well as through publications, the presentation of educational programs and the maintenance of an important archive.

## **The Scottish Rite Masonic Museum and Library**

The Scottish Rite Masonic Museum and Library, founded and supported by the Scottish Rite Freemasons, also provides resources and programs on American history and culture that draw national and international visitors and complement the cultural management efforts of the Town.

## **The Minute Man National Historical Park**

The Minute Man National Historical Park, established in 1959 and located in Lexington as well as Lincoln and Concord, is a 1.2 mile linear park commemorating the opening battle of the American Revolution in 1775. Sites in Lexington include Fiske Hill, an important battle site, the Jacob Whittemore House and the site of “Parker’s Revenge”.

## **NEEDS AND GOALS**

The goals for historic preservation in Lexington are embodied in the criteria for evaluation of potential CPA projects. The CPC seeks projects that:

- Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened;
- Protect, preserve, enhance, restore and/or rehabilitate Town-owned properties, features or resources of historical significance;
- Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site;
- Support the adaptive reuse of historic properties;
- Affect a site within a Lexington Historic District, on a State or National Historic Register, or eligible for placement on such registers, or on the Lexington Historical Commission’s Cultural Resources Inventory;
- Demonstrate a specific public benefit; and/or
- Provide permanent protection for maintaining a historic resource.

## RECOMMENDATIONS

These goals can be addressed, first, through the comprehensive identification of the historic resources that are at risk in Lexington due to lack of funding, insensitive alterations or deferred maintenance, or other lack of stewardship. Second, the Town needs to provide the incentives to promote successful and sensitive rehabilitation/restoration projects, in compliance with the Secretary of the Interior's Standards for Rehabilitation (Department of Interior Regulations, 36 CFR 67) and the adaptive reuse of historic buildings that have outlived their original purposes. Third, Lexington should be aware of the full complement of preservation techniques available to it, including the creation of conservation overlay districts to protect areas where the substantial oversight and control of a historic district is not warranted or feasible, and the purchase of preservation easements from owners of historic houses that would equalize their economic value so that they could be sold as houses rather than teardown opportunities. Special attention should be paid to threatened classes of resources, such as Mid-Century Modern homes and landscapes, post-World War II buildings, historic schools, and unique examples of Lexington's commercial and residential architecture, especially those reflecting a high level of architectural and historical significance, with accompanying design integrity, intact settings or landscapes, and associations with notable individuals and/or architects.

Specific projects might include the following:

- **Acquisition of historic properties** – buildings, landscapes, sites, structures or preservation easements. CPA funds could help bridge the economic gap to make possible the acquisition and adaptation of older, historic homes for affordable housing or assisted living as an alternative to teardown and redevelopment. Lexington CPA funding contributed to the acquisition and reuse of the M. H. Merriam and Co. Building on Oakland Street, a former factory that was converted into the Douglas House, a residence for survivors of brain injuries; and the Tower Estate on Marrett Road, formerly the headquarters of the Scottish Rite Masons and now rehabilitated and repurposed as the Town's multigenerational Community Center.
- **Bricks and mortar repairs and rehabilitation**, including preparation of plans and specifications for construction, architectural/engineering assessments, and modifications for accessibility, and HVAC updates, to historic resources, including modifications for the purpose of making such historic resources accessible and/or functional for their intended use, all completed in accordance with the Secretary of the Interior's Standards for Rehabilitation. Examples of past projects include the restoration of the exterior of the Stone Building (East Lexington Library) on Massachusetts Avenue, the Hancock-Clarke House, Munroe Tavern and Buckman Tavern. Importantly, the CPA-funded rehabilitation of the Cary Memorial Building and the Community Center is now complete. Future projects could include restoration and rehabilitation of other buildings on the Battle Green and the interiors of the Hosmer Home ("White House") and the Stone Building.

- **Documentation, survey, conservation and restoration of historic landscapes,** including historic burying grounds and monuments. Examples would be recent CPA-funded projects for restoration of two of the Town's historic burying grounds.
- **Application for survey and planning grants** for updating existing inventories and National Register nominations, with special emphasis on Mid-Century Modern neighborhoods and the social changes that accompanied these resources. CPA funds provide important matching funds for other grant opportunities, including grants from the Massachusetts Historical Commission. Past CPA grants have enabled the updating, correction and posting on-line of the Town's Cultural Resources Inventory, as well as a study of the Mid-Century Modern movement in Lexington. Projects recently completed include the preparation of National Register of Historic Places nominations for the Peacock Farm and Six Moon Hill neighborhoods, a review of the Inventory listings on Meriam Hill and the research and documentation of 123 new properties long pending for inclusion in the Inventory.
- **Educational projects** such as research of historic sites and buildings and the installation of informational signs that encourage the preservation of historic resources. CPA has provided funding for extensive archaeological research into the battle site of Parker's Revenge, within the Minuteman National Historical Park. CPA funding has also enabled the placement of directional and informational signage throughout the historic center of Town, as well as the posting online of a survey of historical periods in Lexington, historic maps, a guide to the architectural styles of houses found here and a bibliography of additional reading about Lexington's history. Future needs might include the restoration and repair of the Tercentenary guidepost signs formerly located at key intersections and the guideposts for the "Preserving Our Heritage" Walking Trails.
- **Preservation of historic documents and archival materials.** The Town Clerk has evaluated, restored and digitized many of the Town's historic records in a multi-year project using CPA funding. The Lexington Historical Society and the Cary Memorial Library have similarly used CPA funds to conserve important Society records.

## **BACKGROUND**

Open space is one of the defining characteristics of Lexington. It enhances the historical and scenic character of the Town, protects important watershed and biological values, including wetlands, streams, floodplains and wildlife habitat and affords opportunities for passive recreational and educational uses, including hiking, walking, bird watching, picnicing, and nature exploration.

## **CURRENT RESOURCES**

The Town Conservation Commission is entrusted with promoting and managing the Town's natural resources, enforcing the Massachusetts Wetlands Protection Act (M.G.L. c. 131 §40) and acquiring and managing open space. The seven-member Commission is appointed for overlapping three-year terms by the Town Manager with the approval of the Selectmen.

Out of approximately 10,650 acres, Lexington currently has more than 1,350 acres of conservation land, and approximately 400 acres reserved for recreation, including parkland. Town fiscal demands and restraints associated with Proposition 2½ have been accompanied by the constant pressure of development, resulting in an absence of land acquisition by the Town in the 10-15 years prior to the adoption of the CPA. (For a list of specific goals and priorities for open space and recreation purposes, see the 2015 Lexington Open Space and Recreation Plan, which can be viewed in the Conservation Office or online at [http://www.lexingtonma.gov/conservation/pages/conservation-land#anchor\\_plan](http://www.lexingtonma.gov/conservation/pages/conservation-land#anchor_plan)). The CPA has enabled the acquisition and protection of open space by providing funds for the outright purchase of land to be owned by the Town or for the purchase of permanent conservation or agricultural restrictions that provide protection to privately owned land. Since the passage of the CPA, the Town has purchased six parcels of land totaling approximately 65.1 acres. Of this total, 57.2 acres has been devoted to conservation purposes. These include the two Goodwin Parcels off Hartwell Avenue, the Leary Parcel off Vine Street, the Cotton Farm Parcel off Marrett Road and the Wright Farm property off Grove Street. The 7.9 acre Busa Farm parcel off Lowell Street was also purchased with CPA funds. It has been subdivided, and a 20,198 square foot parcel has been designated for community housing (per Approval not Required Plan, dated February, 2014.).

## **NEEDS AND GOALS:**

The goals for open space include, but are not limited to the following:

**Protection, through acquisition or conservation restrictions, of parcels of highest scenic and historic character.** Parcels are considered significant if they preserve one or more of the following:

- Historic landscapes and the visual relationships between historic buildings and their settings;
- The visual character of the Town, particularly of those areas designated as scenic; and/or
- Open fields and meadows visible from public roads.

**Protection, through acquisition or conservation easements, of parcels of highest environmental value.** Parcels are considered significant if they preserve one or more of the following:

- Wetlands and watershed resources;
- Agricultural land;
- Greenway connections and wildlife corridors; and/or
- Wildlife habitat.

**Acquisition of appropriate parcels to enhance recreational and educational opportunities of open space.** Parcels appropriate for this purpose may include but are not limited to the following:

- Trail connections or access to conservation land;
- Open spaces near schools, and
- Open spaces accessible to people of all ages and abilities.

## **RECOMMENDATIONS**

- The Town should continue to monitor the status of parcels on its Land Acquisition Planning Report so as to be able to move promptly when such parcels become available for sale or donation to the Town.

- Because land acquisitions are expensive, the CPC may consider banking CPA funds designated for open space over the annually required 10% to insure that open space reserves will be available to initiate such purchases.

## **BACKGROUND**

The Recreation Committee's goal is to provide a wide range of quality programs and facilities for the broad spectrum of Lexington residents. The Recreation and Community Programs Department, supported by the Town Manager-appointed 5-member Recreation Committee, administers and promotes recreation and wellness programs in the Town and manages the Lexington Community Center, neighborhood parks and playgrounds, athletic fields and other recreational facilities – including the public swimming facilities at the Irving H. Mabee Town Pool Complex, the Old Reservoir and Pine Meadows Golf Course.

## **CURRENT RESOURCES**

- The Recreation and Community Programs Department manages approximately 439 acres of parks and recreation land. A most important recreational resource for Lexington is the Pine Meadows Municipal Golf Course, which is one of the main revenue sources for funding capital improvements through the Recreation Enterprise Fund. Regular course improvements and upgrades to the facility have made Pine Meadows a popular destination for local golfers, thus helping to ensure the financial strength of the Enterprise Fund and its role in supporting Department programs. Other important recreational resources include: the Irving H. Mabee Town Pool Complex, Old Reservoir, tennis courts, Center Track, bikeways, walking trails, the skate park, outdoor basketball courts, multi-use athletic fields, Community Center, and neighborhood parks and playgrounds.

## **NEEDS AND GOALS**

The need for rehabilitation of recreation facilities, especially athletic playing fields, has increased as activities have grown to include younger participants and senior adults, gender equality and special needs issues, longer and multiple seasons, and a greater number and variety of new sports and activities.

General recreation goals include:

- Preserve, rehabilitate, restore or add new recreational uses of and access to Lexington's natural and recreational resources;
- Preserve, rehabilitate, restore and/or and protect existing recreational facilities such as: the Irving H. Mabee Town Pool Complex, Old Reservoir, Pine Meadows Golf Course,

tennis courts, Center Track, bikeways, walking trails, the skate park, outdoor basketball courts, multi-use athletic fields and neighborhood parks and playgrounds.

- Acquire land for active and passive recreation, including playing fields; consideration should be given to recreational uses whenever the Town looks to acquire additional open space;
- Provide integration of recreational activities, such as the CPA-supported West Lexington Greenway for bicycles and walkers, with other Town Departments, such as the Conservation Department;
- Provide a balance of recreation and leisure activities (active, passive, structured and unstructured) for residents of Lexington; and
- Collaborate with Town Departments in continuous planning and implementing recreation and leisure opportunities for residents of all ages and abilities at the new Community Center.

## **RECOMMENDATIONS**

- Additional athletic fields to meet the increasing needs of the community.
- New active recreational resources, including playing fields and playgrounds, with special attention to universal access, as well as adult/senior and toddler recreational needs.
- More recreational access/use of open spaces and natural resources (where appropriate), including areas for hiking, bicycling, cross-country skiing, and fishing.
- Preserve, protect, and improve Lexington's recreational infrastructure through rehabilitation and restoration of existing recreation facilities as outlined in the Recreation 5-Year Capital Plan, the Open Space and Recreation Plan, and the 2014-2016 Recreation Strategic Plan.
- Preservation, rehabilitation, and restoration measures to extend the life and use of existing recreational facilities, such as neighborhood parks and playgrounds, tennis courts, as well as larger projects including drainage improvements at the Center Playing Fields, the Old Reservoir, and Pine Meadows Municipal Golf Course.

*Town of Lexington  
Community Preservation Plan  
Appendix A  
Plans, Documents and Studies*

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**BOARD OF SELECTMEN**

Selectmen's Goal Setting (annual documents 1997-2015).

**PLANNING BOARD**

- Design Guidelines for Commercial Districts, Volume I: Public Improvements (1990) and Volume II: Private Sector Improvements (David Dixon & Associates; The Halvorson Company, 1990).
- Report on Housing Characteristics in Lexington: Promises and Performance, August, 1990.
- Land Use Change in the Eighties Lexington, MA. April, 1993.
- New Large Houses in Existing Neighborhoods. Robert A. Boyer, 1994.
- Socio-Economic Characteristics of Lexington, MA, Vol. 1: Population. April, 1994.
- Commercial Development in the CRO, CM and CD Zoning Districts. April, 1997.
- New Larger Houses in Existing Neighborhoods. July, 1997.
- Lexington Center Parking Study. Vanasse Hangen Brustlin, Inc., 2001.
- Lexington Comprehensive Plan:
  - Land Use (1/2002).
  - Natural and Cultural Resources (1/2002).
  - Housing, Selectmen's Goal Setting (2005).
  - Economic Development (1/2002).
  - Transportation (6/2003).
- Lexington Center Analysis. Taintor Associates, Inc., 2004.

- Marrett Road/Spring Street/Bridge Street Intersection Study Phase I (7/2005) and Phase II (5/2006).
- Revised Zoning Map of Lexington 2009.
- Lexington Center Streetscape Concept Plan. December, 2011.
- Town of Lexington, Parking Technical Assistance Final Report. Nelson Nygaard, July, 2010.
- East Mass Ave Roadway Improvement Project, Functional Design Report. BSC Group, January 2014.

## **CAPITAL EXPENDITURES COMMITTEE**

- Town Five-Year Capital Plan

## **2020 VISION COMMITTEE**

- Visioning Reports, 2000 –2007.
- Report of the Demographic Change Task force – Final, March 19, 2010.

## **COMMUNITY HOUSING**

- Lexington Consolidated Housing Strategy (2006-2010).
- Affordable Housing Subsidy Executive Summary, 2010.
- Affordable Housing Subsidy Plan, 2010.
- Lexington Housing Partnership and LexHAB “Affordable Housing Assistance Program” Design. January 20, 2010.

## **HISTORIC PRESERVATION**

- Lexington Cultural and Historic Inventory (updated December, 2015), online at <http://historicsurvey.lexingtonma.gov>.
- “Lexington Reconnaissance Report for the Massachusetts Heritage Landscape Inventory Program”, 2006.

- Lexington Battle Green Area Master Plan, Town of Lexington, March 14, 2011, online at <http://www.lexingtonma.gov/battle-green-master-plan>.
- History of Lexington Municipal Buildings, September 21, 2011, online at <http://historicsurvey.lexingtonma.gov/municipal-buildings-report.pdf>.
- Planning Report for the Stone Building, June 2008, Volume 1 and 2, on file at the Cary Memorial Library.
- Stone Building Historic Structure Report and Recommendations for Rehabilitation and Reuse, September, 2009, on file at the Community Preservation Committee office.
- Historic Structure Report, the Hosmer (White) House, November 30, 2010, online at <http://www.lexingtonma.gov/hammond-hosmer-house-white-house/pages/historic-structures-report>.
- Cary Memorial Building Evaluation, Final Report, June 1, 2011, online at <http://records.lexingtonma.gov/WebLink8/0/doc/226298/Page5.aspx>.
- Leary House Condition Report, March 1, 2010, on file at the Community Preservation Committee Office.
- Muzzev Junior High Condominiums Envelope and Systems Analysis, April 9, 2008, on file at the Community Preservation Committee office.
- Estabrook School Historic Structure Report, June 2012, on file with the Lexington Historical Commission.
- Hancock-Clarke House, 2007 Restoration Report, on file at the Community Preservation Committee office.
- Munroe Tavern Historic Structure Report, January, 2010, on file at the Community Preservation Committee office.
- Buckman Tavern, Historic Structure Report, October 21, 2012, on file at the Community Preservation Committee office.

## **OPEN SPACE/CONSERVATION/RECREATION**

- Open Space and Recreation Plan, Updated 2009. 2015 Open Space and Recreation Plan draft pending Board of Selectmen approval (at press time).

- Recreation 5-Year Capital Plan.
- Priority Habitat and Estimated Habitat Map for Rare Species.
- BioMap and Living Waters Plans and Map.
- Aerial Photo Survey of Potential Vernal Pools.
- Priority Resource Map.
- Western Greenway Map.
- “Lexington Reconnaissance Report for the Massachusetts Heritage Landscape Inventory Program”, 2006.

#### **DEPARTMENT OF PUBLIC WORKS**

- Town Maps

**Capital Improvements**

“Capital Improvements” - 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 income housing” - housing for those persons and families whose annual income is less than 80 per cent of the area-wide median income. The area-wide median income is determined annually by the United States Department of Housing and Urban Development for specific regions, including the Boston Metropolitan Area.

“Moderate income housing” - housing for those persons and families whose annual income is less than 100 per cent of the area-wide median income. The area-wide median income is determined annually by the United States Department of Housing and Urban Development for specific regions, including the Boston Metropolitan Area.

“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.

**Community Preservation Act (CPA)**

The Community Preservation Act (CPA) (MGL c. 44B) is legislation designed to help communities plan ahead for the preservation of important resources and to raise funds to achieve their goals. CPA allows towns to levy a community-wide property tax surcharge of up to 3 per cent for the purpose of creating a local Community Preservation Fund (CPF) and qualifying for State matching funds. The Fund must be used to acquire, create, preserve and rehabilitate or restore (if purchased with CPA funds) open space; acquire, preserve and rehabilitate or restore historic resources; acquire, create, preserve, support and rehabilitate or restore (if purchased with CPA funds) community housing, and may be used to acquire, create, preserve or restore or rehabilitate recreational resources. The State will provide “matching” funds to communities approving CPA by-laws, which Lexington did in 2006 at a 3% level.

### **Community Preservation Committee (CPC)**

A nine-person committee with individual members appointed by the Conservation Commission, Historical Commission, Housing Authority, Housing Partnership, Planning Board, Recreation Committee, and three at-large members appointed by the Board of Selectmen. The Committee reviews funding applications and makes recommendations to Town Meeting for the appropriation of CPA monies to support approved projects. It consults broadly with Town organizations, boards and committees.

### **Community Preservation Fund (CPF)**

A separate Town account for the deposit of all surcharges collected and State matching funds. Sub-accounts of CPF (sometimes referred to as “buckets”) have been established to ensure that required shares of the annual revenue added to the CPF are either spent each year or allocated to the appropriate reserve funds. These are:

- Open Space Reserve Fund (minimum of 10% annually)
- Historic Resources Fund (minimum of 10% annually)
- Community Housing Reserve Fund (minimum of 10% annually)
- Unbudgeted Reserve Fund (remaining 70% of funds, less administrative costs)
- Undesignated Fund Balance
- Administrative /Operating Fund (up to 5%)

The CPC is permitted to appropriate up to 5% of the funds for administration and operational expenses of the Committee. For example, these funds can be used to hire support staff, purchase office supplies, do mailings and cover the cost of professional services as needed. Any administrative monies not used in a given fiscal year are returned to the CPF Undesignated Fund Balance.

Recreation projects are eligible for CPA funding but there is no minimum amount specified by the Act.

Beyond these required disbursements, Town Meeting, acting upon the recommendations of the CPC, will decide the allocation of the remaining 70% of annual CPA revenues. For example, the CPC could recommend and Town Meeting could allocate the remaining 70% of annual revenue to one purpose, spread it evenly among all four, or set the funds aside for future spending. These allocations can be changed each year.

### **Community Preservation Surcharge**

The locally raised share of CPA revenue comes from a surcharge (additional amount based on the real-estate tax) on real estate tax bills. Lexington voted a 3% surcharge which is separately stated on each tax bill.

## **Community Preservation Surcharge Exemptions**

Taxpayers currently exempt from real property taxes under Chapter 59 of Massachusetts General Laws are exempt from the CPA surcharge. In addition, Town Meeting approved exemption of the first \$100,000 of taxable value of residential real estate. Exemptions, as well as the surcharge percentage, can be changed at any time with the approval of Town Meeting and subsequent voter referendum; however, a sufficient surcharge must remain each year to meet any remaining long-term obligations (e.g., debt service on bonds) of the CPF.

## **Historic Resources**

“Historic resources” shall mean 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 Historical Commission to be significant in the history, archeology, architecture or culture of a city or town.

## **Lexington Community Preservation By-Law**

A copy of the By-Law can be obtained online at <http://www.lexingtonma.gov/community-preservation-committee>.

## **Maintenance**

Incidental repairs which neither materially add to the value of the property nor appreciably prolong the property’s life, but keep the property in a condition of fitness, efficiency or readiness.

## **Open Space**

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**

“Preservation” shall mean protection of personal or real property from injury, harm or destruction.

## **Recreational Use**

“Recreational use” shall mean active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and non-commercial 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**

“Rehabilitation” shall mean the 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, land for recreational use and community housing functional for their intended use, including but not limited to improvements to comply with the American with Disabilities Act and other Federal, State or local building or access codes; provided that with respect to historic resources, “rehabilitation” comply with the Standard for Rehabilitation stated in the United States Secretary of the Interior’s Standards for the Treatment of Historic Properties codified in 36 CFR 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**

“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.

**Updated by the Community Preservation Committee, December, 2016.**

Marilyn Fenollosa, Chair (Historical Commission)  
Richard Wolk, Vice-Chair, (Conservation Commission)  
Charles Hornig (Planning Board)  
Norman Cohen (at large, appointed by the Board of Selectmen)  
David Horton (at large, appointed by the Board of Selectmen)  
Jeanne Krieger (at large, appointed by the Board of Selectmen)  
Robert Peters (Housing Authority)  
Robert Pressman (Housing Partnership)  
Sandra Shaw (Recreation Committee)

