



# TOWN OF GREAT BARRINGTON MASSACHUSETTS

## COMMUNITY PRESERVATION COMMITTEE

# COMMUNITY PRESERVATION PLAN

## INTRODUCTION

The Town of Great Barrington Community Preservation Committee (“Committee”) is pleased to present the 2022-2023 Town of Great Barrington *Community Preservation Plan* (“Plan”). This Plan describes the Community Preservation Act (“CPA”); reviews the allowable uses of CPA funds; summarizes the open space and recreation, affordable housing, and historic preservation needs and priorities of the Town; and, guides applicants seeking CPA funds.

The Community Preservation Act (CPA) was adopted by the voters of Great Barrington in 2012. The CPA (Massachusetts General Law Chapter 44B) is a tool that communities use to fund projects that preserve open space and historic resources, create affordable housing, and develop outdoor recreational facilities. The CPA also provides for a significant annual contribution of State funds to each participating municipality.

The Town of Great Barrington formed the Committee to implement the CPA law locally. By law, the Committee administers the community preservation fund, writes and adopts a Community Preservation Plan based on community input, receives proposals from the community for expenditures from the fund, and recommends projects to Town Meeting to be considered for funding. Town Meeting then votes to appropriate the CPA funds for the projects it approves. The Committee is comprised of nine members: two citizens-at-large and one member each from the Conservation Commission, Historical Commission, Parks Commission, Housing Authority Board, Planning Board, Select Board, and Finance Committee. The names of the members and the boards they represent are listed on the CPC page of the town website, [www.townofgb.org](http://www.townofgb.org).

This Plan was developed by the Committee after conferring with the town’s Master Plan, soliciting feedback from Town boards and during public meetings held by the Committee. This Plan was discussed, revised and approved at a public hearing on September 8, 2021. Annually hereafter, the Plan will be reviewed and discussed at a public hearing and amended if necessary.

## ALLOWABLE SPENDING PURPOSES OF CPA FUNDS

This section is intended to guide both the CPC and applicants on the allowable uses of CPA funds, which are spelled out in the CPA statute, MGL Chapter 44B. The following activities may be funded by CPA:

Great Barrington Community Preservation Plan 2022-2023

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

Chart adapted from "Recent Developments in Municipal Law", Massachusetts Department of Revenue, October 2012.

### Minimum Annual Allocations

CPA requirements and this Plan will guide the Committee's actions and funding recommendations. Pursuant to MGL Chapter 44B, each fiscal year the community must, at a minimum, spend or reserve a minimum of 10% of its annual CPA funds for each of the CPA's three main purposes: open space

and recreation, historic preservation, and community housing. CPA funds that are not expended in one year may be banked and carried over to subsequent years. The remaining 70% of funds may be allocated to any one or a combination of the allowable uses at the discretion of the Committee and subject to the approval of Town Meeting. Up to 5% of the annual CPA funds may be used for the CPC's costs to administer the CPA program.

### **Local or Regional Projects**

CPA funds may be spent anywhere in Massachusetts, meaning communities are not confined to expending funds only within their jurisdiction. For example, this flexible provision allows a community to purchase land surrounding its water supply even if located in another city or town. CPA funding may also support inter-community cooperation on regional housing needs, allowing development in one community that serves several towns. Notwithstanding, the Committee will generally view local projects more favorably than regional projects.

### **Maintenance**

CPA funds cannot be used for routine maintenance of existing facilities. For example, communities cannot use CPA funds for maintenance of a park (mowing the lawn or emptying trash barrels) or for maintenance of an historic building (cleaning the common areas or paying for utilities).

### **No Supplanting of Existing Funding**

CPA funds may only augment municipal funds, not replace existing funding. In other words, CPA funds may not be appropriated to pay for project costs that have already been appropriated from another source. Any CPA eligible costs for a project that are identified in a municipality's capital improvement program are eligible for funding under the CPA, assuming the municipality has not made a prior funding commitment to pay for such costs.

## **FUNDING PROCESS**

The Town Manager, town boards, committees and departments, civic organizations and nonprofits, residents, businesses, and property owners may bring proposals for funding to the Committee. The Committee will give favorable consideration to those proposals that are eligible CPA activities; that best meet the guidelines of this Plan; and that are consistent with the goals of other applicable town plans and studies, such as the Master Plan or Open Space and Recreation Plan.

The Committee does not have the power to appropriate funds for particular projects, only to make recommendations to Town Meeting voters. ***Under the law, the power to appropriate CPA funds is reserved solely for Town Meeting voters, acting only upon the recommendations of the Committee.*** Voters at Town Meeting may vote for or against projects recommended by the Committee, or may approve projects recommended by the Committee with reduced CPA funding. Project funding cannot be increased by Town Meeting voters, nor can new projects be proposed and funded at Town Meeting.

The Committee will strive to take a town-wide and long-range perspective in evaluating projects. The Committee is dedicated to a transparent process through which organizations and citizens may gain access to CPA funds for projects that will enhance Great Barrington. Applicants should note that the Committee may choose to recommend to Town Meeting that some or all of the CPA funds be "banked"

for future projects or opportunities that are likely to become “ripe” for funding in the not too distant future.

Those seeking CPA funding will follow a two-step application process; the application due dates are set forth in the application forms. In the first step, applicants submit a brief project description to allow the Committee to determine if the project is eligible for CPA funding. If the Committee determines the project fits the eligibility requirements, the applicant will be invited to proceed to the second step of submitting a full application. The Committee will review the full application at public meetings, make its decisions no later than the end of February, coordinate with the Finance Committee and Selectboard as they develop the Town budget, and transmit its recommendations to Town Meeting. All recommendations must be approved by Town Meeting in order to receive funding. Applicants whose projects are being recommended to Town Meeting are expected to attend Town Meeting (usually the first Monday of May).

Applicants should be aware that the Committee may withhold some or all funds until applicable permits and approvals are in place. Successful applicants must enter into an agreement or contract with the Town governing the terms of payment and project timeline. The Committee may also require performance or completion bonds and may withhold funds for nonperformance.

### **Recent CPA Project Funding**

A total of \$6.5 million in CPA funding has been awarded to projects since the inception of CPA in Great Barrington. These CPA funds have been distributed among the CPA categories as follows: affordable housing 35%, historic preservation 38%, and open space and recreation 27%. A summary of previously funded projects may be found in the Committee’s annual report to Town Meeting, which can be obtained by emailing from the Town’s Planning Department.

## **PROJECT SELECTION CONSIDERATIONS**

Projects shall clearly demonstrate how they are consistent with this Plan and, when appropriate, consistent with other town and state plans such as the Master Plan, Open Space and Recreation Plan, or Housing Needs Study.

Depending on the eligibility and strength of applications, the Committee may recommend partial funding, full funding, or choose to not recommend an application. The Committee will use the following criteria to evaluate applications.

### Town Projects

Generally, Town-sponsored projects which would otherwise have to be funded through the capital budget will be viewed favorably. For example, repairs to a Town-owned historic building for community benefit would be preferred over repairs to a historic building that is not publicly owned or used. **For the Fiscal Year 2024 funding round (the round which opens during the fall of 2022 and will be voted at the May 2023 Annual Town Meeting), the Committee will give highest priority to projects on Town-owned property.**

### Public Benefit

CPA projects shall benefit the public. All applicants must clearly demonstrate how the project will benefit the public, such as by providing public access or incorporating educational components into

their project. (Please note that CPA funds generally cannot be used to fund educational materials and in some projects public access may not be desirable or possible.)

#### Leveraging (Use of Multiple Funding Sources)

CPA funds may be used as matching monies for state and federal grant programs that require a local match. CPA funds may also be used as matching or seed monies to acquire grants from private organizations or individuals. Projects may use other funds to supplement CPA and those that leverage additional funds from sources other than CPA will be viewed more favorably than those that do not.

#### Multiple Community Preservation Purposes

Projects that serve more than one of the purposes of the CPA will be viewed more favorably than those that do not. For example, a project that creates affordable housing in a preserved historic building with a new riverfront recreational resource would meet all three of the CPA purposes.

#### Community Input and Support

Projects that can demonstrate that they have been developed through a participatory process in which the public has had the opportunity to provide input will be viewed more favorably than those that have not had public input. Evidence of public/community support (i.e., with unique letters) is strongly encouraged.

#### Project Team

Applicants should demonstrate the relevant experience of their team, including project managers, engineers, contractors, and other associated personnel.

#### Viability of Applicant

All applicants must demonstrate that they have the staff and other resources necessary to see the proposed project successfully through to completion.

## **AFFORDABLE HOUSING**

The [November 2020 Great Barrington Housing Study](#), which was commissioned by the CPC and paid for with CPA funds, updated and reinforced what we already knew: the town needs more affordable housing. The housing stock in Great Barrington is expensive, limited in supply, and generally old. The ripple effects of the COVID-19 pandemic have exacerbated the housing crisis, driving supply to the lowest levels (0% vacancy for rental units) and prices to the highest levels we have ever seen.

The metric of measuring whether housing is “affordable” is if a household spends not more than 30 percent of their household income on housing costs (leaving other income available for other things like food, transportation, education, savings, entertainment, and so on). By that definition, much of Great Barrington’s housing is unaffordable. The 2020 Housing Needs Study indicated that there are only 1,637 affordable housing units in Great Barrington but there are 1,898 households earning a moderate income or less; this represents a deficit of 261 affordable units. Forty-seven percent (47%) of Great Barrington households earn less than \$50,000 per year, and 58% earn less than \$75,000 per year. For the current year, 2022, the HUD-determined area median income (AMI) for a four-person household in Great Barrington is \$92,100.

Both renters and owners are “cost burdened” spending more than 30 percent of their income on housing. According to the 2018 US Census American Community Survey (2018 ACS), nearly 43% of renter households in Great Barrington spend more than 30 percent of their household incomes on housing costs, and the median rent is “only” \$897. And about one-third, 32%, of homeowners are cost burdened.

The Housing Needs Study indicated that 2018 median value of homes in Great Barrington was \$340,000, and the median *sales* price in July 2018 was \$340,000. These are pre-COVID levels, obviously, and sales prices now are higher. For example, data from November 2020 indicated the median list price of for-sale homes in Great Barrington was \$525,000, and trends see many homes selling for above the list price. In contrast, a typical moderate-income household, who, assuming they had roughly \$1,000 of other monthly debt (such as car payments or student loans) and that they could muster a \$30,000 down payment, could only afford a home priced at \$225,000.<sup>1</sup>

Given the deep cost burdens in Great Barrington, the greatest housing needs are for those households earning 80 percent or less of the area median income, and new subsidized housing units for this level of income or less are eligible to be counted on the state’s Subsidized Housing Inventory. However, CPA housing funds may be used to serve the needs of households earning up to and including 100 percent of the area median income, as determined by the US Dept. of HUD, and the Committee will consider proposals that do so.

The Town has had some success in proactively meeting its housing needs using a multi-pronged approach that includes (1) assisting low and moderate income households to stay in their homes, through CDBG-funded housing rehabilitation programs for example, (2) zoning to increase housing opportunities throughout town, at a variety of price points, and (3) directly subsidizing the creation of affordable housing, whether construction of new rental housing or through down payment assistance for homeownership units. Since this latter goal is one of the more difficult to achieve, as there is little available and affordable land on which to create new units, utilizing land, buildings and resources that are available, such as vacant historic buildings, will become more and more important.

Additionally, local nonprofit organizations have recently developed or permitted more than 130 new units of affordable rental housing, all with the support of CPA funding.<sup>2</sup> The Town has awarded \$2.4 million in CPA funds for housing, which has resulted in over \$45 million worth of housing projects completed or underway. Projects include Forest Springs, Bostwick Gardens, and Bentley Apartments, which are built and already occupied, and 910 Main Street, which began construction in 2022. Waiting lists for each of these rental housing developments are very long.

Finally, the Town has created and funded a Municipal Affordable Housing Trust Fund in order to preserve and create affordable housing. Housing Trusts have the ability to leverage additional funds, use other town resources, including land, and partner with local nonprofits in order to carry out its mission, and the most successful Housing Trusts are supported with annual grants of CPA funds. The Trust has made four down payment assistance loans to date, using CPA funds granted to it, allowing low-moderate income households to buy a home in town. The Trust also purchased land for housing, using CPA funds, and is partnering with Habitat for Humanity to build up to 20 affordable homes there. That projected is expected to begin permitting in late 2022.

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<sup>1</sup> This is assuming an annual income of \$72,900, down payment of \$30,000, other monthly debt of \$1,000, and a 30-year mortgage at 3.92 percent. The monthly mortgage payment would be approximately \$1,200 (including taxes but not utilities).

<sup>2</sup> 11 at Forest Springs, 31 new at Bostwick Gardens, 45 at the Bentley Apartments, and 45 at 910 Main Street

To address Great Barrington’s housing needs, the Committee will continue to support these types of efforts. The affordable housing funding priorities for the coming year are to:

- Create more affordable rental and homeownership housing, preferably in a manner that will ensure affordable units throughout the town, not just in a few large projects.
- Rehabilitate vacant historic buildings and reuse abandoned sites in order to create new affordable housing.
- Preserve threatened affordable housing resources and rehabilitate existing affordable housing units
- Ensure long term affordability

The Committee also strongly encourages affordable housing projects that:

- Ensure that development contributes to the viability and character of our village centers
- Direct development and growth into the village centers
- Encourage infill in developed areas
- Create a variety of housing types
- Promote and provide pedestrian connections, sidewalks and crosswalks, walking trails, bike paths and parks, when possible to connect housing to downtown, commercial, civic, cultural, educational, and recreational activities
- Use high quality construction and include “green” building materials and “green” technologies and efficiency/conservation measures to reduce occupants’ operating costs and environmental impacts
- Have stable and proven management capability
- Include a long-term maintenance plan (CPA funds are not eligible for maintenance)
- Include mixed use or multiple uses that are desired or needed in the particular location
- Provide housing that is harmonious in design and style with the surrounding neighborhood
- Encourage mixed-income projects in which a variety of unit sizes accommodate a diversity of ages and family sizes among its residents
- Give priority to local residents and/or employees of local businesses to the extent permitted by law
- Provide a permanent restriction to preserve the affordability of the housing unit(s) (required if the land is acquired with CPA funds)
- All projects are encouraged to utilize the services of local or regional businesses and nonprofit organizations

## **HISTORIC PRESERVATION**

Great Barrington’s historic legacy and cultural resources are important contributors to our quality of life and economy. They are essential to our small town feeling and sense of place, and are vital elements of our tourism sector. Recognizing this, the Town has granted CPA historic funds to projects like the preservation of the former St. James Church, the Mahaiwe Theater, funding to fix the roof on Town Hall and the Mason library cupola, the Housatonic School, the restoration of the Newsboy Monument, the Wheeler Farmstead, and the Manse at the First Congregational Church.

Historic resource preservation helps Great Barrington be a more sustainable community. It reuses existing buildings and directs growth pressures to locations where infrastructure already exists,

allowing for the conservation of important landscapes. It creates jobs and increases property tax revenue and tourism. It preserves important educational opportunities and resources.

Historic resources have other benefits as well. For example, cemeteries have historic significance in their own right, and they double as accessible open space which many people use for walking and contemplation. Historic mill buildings already are home to small businesses, and may in the future provide opportunities for housing units.

Many historic resources, including town-owned buildings and structures are in need of preservation, rehabilitation and/or restoration. These include Town Hall, Mason and Ramsdell libraries, the former Housatonic elementary school, the Southern Berkshire courthouse (the former Dewey elementary school), as well as historic structures including the Castle Street tunnel under the railroad tracks, the former trolley shelter at Belcher Square, and monuments.

The Committee and all projects are bound by the CPA law, which states that historic funds may be spent only on resources that are on the state register of historic places, or which have been determined by the Historical Commission to be significant to Great Barrington's history, culture, architecture or archeology. All CPA-funded historic projects must comply with the US Secretary of the Interior's standards for the treatment of historic properties.

To address the needs of Great Barrington's historic resources, the Committee's historic preservation funding priorities for the coming year are to:

- Preserve, rehabilitate and/or restore Town-owned historic buildings and structures
- Identify and document historic resources throughout town, and develop a historic preservation action plan that recommends National Register listings and prioritizes preservation projects
- Preserve buildings in a Local Historic District
- Preserve buildings and sites that are listed in the National Register of Historic Places including designated National Historic Landmarks
- Preserve artifacts, documents or other records that are significant to the history and culture of the town

The Committee also strongly encourages historic preservation projects that:

- Preserve a threatened historic resource
- Include a long-term maintenance plan (CPA funds are not eligible for maintenance)
- Be endorsed by the Great Barrington Historical Commission and/or Historic District Commission
- Allow for public access to the historical asset

## **OPEN SPACE AND RECREATION**

Great Barrington's natural resources, including its agricultural land, water bodies and waterways, and scenic landscapes are as important to the character and legacy of the Town as its historic resources. Significant tracts of town are permanently preserved, and most residents live within a short walk of a park, playground or open space resource.



Recent CPA projects have included farmland preservation, the creation of new trails or improving existing trails and connectivity between open space resources, and the preservation of unique resources like Lake Mansfield and the Housatonic River Walk. The Fairgrounds may yet provide a place for the community to gather and recreate, and cleanup of the Housatonic River is on the horizon. But significant needs remain, as documented by the 2013 Master Plan and the Open Space and Recreation Plan. These include improving opportunities for recreation for people of all ages and abilities, rehabilitation of existing open space and park assets, farmland preservation, cleanup and accessibility of the Housatonic River, management of invasive species, outdoor recreation, and conservation of ecologically important areas, such as those illustrated in BioMap II, the Conservation Assessment and Prioritization System (CAPS) program and the Master Plan (see maps of Priority Conservation Areas and Unique and Scenic Features).

There are also the mounting realities of climate change that need to be addressed. Our area is already experiencing a hotter and a wetter climate, and the natural resources on which our community and our economy depend – for food, recreation, and scenery for example – will be stressed by changing temperatures and precipitation patterns. Agriculture, fields, and forests will be more susceptible to invasive species as well as, extreme drought and extreme precipitation. A variety of measures will be needed to protect natural resources, as well as to protect low income and disadvantaged people in our community who will be impacted first, worst, and longest by the climate change crisis.

Our community’s open space and recreational needs and goals are set forth by the 2013 Master Plan and Open Space and Recreation Plan, and have recently been refined during the Town’s 2020-2021 Municipal Vulnerability Preparedness (MVP) planning process:<sup>3</sup>

- Serve the changing needs of our community, particularly those most in need of convenient places for cooling, recreation, and community gathering, as well as our aging and less mobile population.
- Connect Housatonic and Great Barrington
- Connect neighborhoods and village centers to community resources
- Create additional greenways (walking and biking trails) and “blueways” (paddling trails)
- Create new open space and recreational resources
- Create access to, and increase recreational use of, the Housatonic River
- Protect biodiversity, habitat, and natural resources
- Create and/or conserve agricultural land and agricultural soil
- Create and support community gardens and community supported agriculture

To address these needs, the Committee’s open space and recreation funding priorities for the coming year are to:

- Support projects designed to help mitigate the impacts of climate change on our community.
- Support projects that preserve and rehabilitate/restore Town-owned open spaces, parks and recreational assets
- Support existing and the development of long-envisioned recreation connections

The Committee also strongly encourages open space and recreation projects that:

- Preserve and/or connect open space or recreation resources

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<sup>3</sup> The update of the 2013 Open Space and Recreation Plan was stalled to due COVID, but will resume in 2021.

- Include a long-term maintenance plan (CPA funds are not eligible for maintenance)
- Protect resources that are identified as conservation priorities by local, regional, and state planning documents
- Provide recreation opportunities
- Provide for a demonstrated community open space or recreational need and be accessible for a variety of ages and abilities
- Protect and/or connect scenic views and resources
- Provide connections and links of recreation resources and habitat areas
- Provide vital ecosystem services such as water quality and floodplain protection
- Provide an easement or other restriction to preserve natural resources
- Protect and/or connect the special places and features of our community, such as historic treasures, natural resources, farms, and open space—all that contribute to Great Barrington's distinctive character
- Include public access where appropriate

## GLOSSARY

*From the text of the Community Preservation Act (MGL Ch. 44B, sec. 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 this chapter.

“Annual income”, a family’s or person’s gross annual income less such reasonable allowances for dependents, other than a spouse, and for medical expenses as the housing authority or, in the event that there is no housing authority, the department of housing and community development, determines.

“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.

“Community preservation committee”, the committee established by the legislative body of a city or town to make recommendations for community preservation, as provided in section 5.

“Community Preservation Fund”, the municipal fund established under section 7.

“CP”, community preservation.

“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.

“Legislative body”, the agency of municipal government which is empowered to enact ordinances or by-laws, adopt an annual budget and other spending authorizations, loan orders, bond authorizations and other financial matters and whether styled as a city council, board of aldermen, town council, town meeting or by any other title.

“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.

“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.

“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 personal 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.

“Real property interest”, a present or future legal or equitable interest in or to real property, including easements and restrictions, and any beneficial interest therein, including the interest of a beneficiary in a trust which holds a legal or equitable interest in real property, but shall not include an interest which is limited to the following: an estate at will or at sufferance and any estate for years having a term of less than 30 years; the reversionary right, condition or right of entry for condition broken; the interest of a mortgagee or other secured party in a mortgage or security agreement.

“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.

## REFERENCES

Community Preservation Act: Massachusetts General Laws Chapter 44B, as amended by St. 2012, c. 139, §§ 69-83. See <http://www.communitypreservation.org/content/text-legislation>.

Great Barrington CPA Bylaw. See [http://www.townofgb.org/Pages/GBarringtonMA\\_CPC/index](http://www.townofgb.org/Pages/GBarringtonMA_CPC/index).

2013 Great Barrington Master Plan. See [http://www.townofgb.org/Pages/GBarringtonMA\\_MsterComm/Index](http://www.townofgb.org/Pages/GBarringtonMA_MsterComm/Index)

Housing Needs Assessment: Great Barrington, MA – Sheffield, MA, prepared by the Berkshire Regional Planning Commission, November 6, 2013. Available at Great Barrington Planning Dept.

Housing Needs Assessment, November 2020  
[https://www.townofgb.org/sites/g/files/vyhlf636/f/uploads/housing\\_needs\\_assessment\\_nov\\_20\\_20.pdf](https://www.townofgb.org/sites/g/files/vyhlf636/f/uploads/housing_needs_assessment_nov_20_20.pdf)

Great Barrington Hazard Mitigation and Climate Adaptation Plan  
[https://www.townofgb.org/sites/g/files/vyhlf636/f/uploads/great\\_barrington\\_hazard\\_mitigation\\_and\\_climate\\_adaptation\\_plan\\_mvp\\_sof\\_-\\_11192020.pdf](https://www.townofgb.org/sites/g/files/vyhlf636/f/uploads/great_barrington_hazard_mitigation_and_climate_adaptation_plan_mvp_sof_-_11192020.pdf)

*Other useful information:*

Bio Map II. See <https://maps.massgis.state.ma.us/dfg/biomap2.htm>

Conservation Assessment and Prioritization System (CAPS). See <http://www.umass.edu/landeco/research/caps/data/iei/iei.html>

Massachusetts Cultural Resource Information System (MACRIS). See <http://mhc-macris.net/>

Community Preservation Coalition. See <http://www.communitypreservation.org/>