

# Aquinnah Massachusetts

## Community Preservation Committee Plan Spring, 2019

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## **Overview of the Community Preservation Act (CPA)**

- **CPA Enabling Legislation:**
  - The Community Preservation Act, M.G.L. Chapter 44B, is Massachusetts State enabling legislation passed by the Legislature and signed into law in September 2000.
  - The CPA allows any city or town in the Commonwealth of Massachusetts to implement a voter-approved property tax surcharge of up to 3% to establish a dedicated local fund for open space, outdoor recreation, historic preservation and affordable housing projects.
  - Local adoption of the program triggers annual distributions of funds to the community from the statewide Community Preservation Trust Fund for CPA purposes.
  - Revenues to the statewide Community Preservation Trust Fund are derived from fees charged at the state's Registries of Deeds, and from state budget surplus funds.
  - Aquinnah voted to adopt the CPA in 2001 with a property tax surcharge of 3%.
  - Aquinnah elected to exempt from the surcharge the first \$100,000 of assessed value of each residential property, as well as low income homeowners and low and moderate income senior homeowners.

## **Basics of Community Preservation Act Implementation**

- **Annual Spending/Set-Aside Requirements**
  - Each year, at least 10% of the Town's CPA revenues must be set aside or spent on projects in each of the following three programmatic areas: historic preservation, open space and recreation, and community housing.
  - The remaining 70% of the funds are undesignated, and can be used for any allowable project in any of the CPA programmatic areas (5% of these funds may be allocated for the Community Preservation Committee's administrative needs each year).
  - The Town's Community Preservation Committee 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.
- **Spending of CPA funds is controlled by Town Meeting**
  - The Town Administrator, Town boards and departments, civic organizations, Town residents, and other Island entities can bring proposals for funding to the Aquinnah Community Preservation Committee (CPC). In some instances, the CPC may be the catalyst for projects.
  - The Aquinnah CPC reviews all grant applications. It will give favorable consideration to those proposals are consistent with Aquinnah goals in the areas of open space, recreation, historic resources and/or community housing.
  - What is allowable is clearly stated in the CPA Legislation (see detailed CPA Allowable Uses chart in Appendix, page 21)

## **Community Preservation Act Allowable Spending at a Glance**

- The CPA Allowable Spending Chart below provides a brief overview of the allowable uses of CPA funds in each of the CPA project categories: open space, recreation, housing, and historic preservation.
- This chart is critical for determining whether a proposed project is eligible for CPA funding. The Chart is adapted from “Recent Developments in Municipal Law”, Mass. Department of Revenue, October 2012.
- This matrix provides a detailed description of allowed spending in each CPA category.
- If the 10% is not spent, the funds are put in reserve for future projects; they cannot be spent in other areas.
- The remaining 70% of the funds are undesignated, and can be used for any allowable project in any of the CPA categories.

CPA Allowable Uses

	<b>Open Space</b> Mandated: 10% of funds each year	<b>Historic</b> Mandated: 10% of funds each year	<b>Recreation</b>	<b>Housing</b> Mandated: 10% of funds each year
<b>Acquire</b>	Yes	Yes	Yes	Yes
<b>Create</b>	Yes	No	Yes	Yes
<b>Preserve</b>	Yes	Yes	Yes	Yes
<b>Support</b>	No	No	No	Yes
<b>Rehabilitate and/or Restore</b>	Yes, if acquired or created with CPA funds	Yes	Yes ( <u>new 7/8/2012</u> )	Yes, if acquired or created with CPA funds

A more detailed chart of CPA allowable uses can be found in Appendix A on page 21.

## **Additional CPA Information**

- Additional information about the CPA including legislation, history, funding limitations, funding requirements, projects in other communities, and so forth can be found on the Community Preservation Coalition's website: <http://communitypreservation.org/>

## **Brief Overview of Aquinnah**

- Aquinnah is located at the westernmost end of Martha's Vineyard and comprises approximately 3,400 acres, about 5.36 square miles. It is the eighth smallest municipality in the Commonwealth and the smallest town on the Vineyard.
- Aquinnah retains the most purely rural qualities to be found on the Vineyard.
- Originally incorporated as the Town of Gay Head in 1870, the Town changed its name to Aquinnah in 1998.

### **Population:**

- In the last forty years, Aquinnah's population nearly tripled to approximately 350. The year-round population is projected to decline to about 194 people by 2035. The summer population of Aquinnah is 1500.
- Its 2016 population represents just over two percent (2%) of the total population of Martha's Vineyard. It is also the most ethnically diverse on the island, as 43% of its residents are ethnic minorities. The clear majority of these are descendants of the Island's original settlers, the Wampanoags, estimated at 30% of the population.
- Ancestors of the present Wampanoag community were once the sole occupants of Martha's Vineyard. Of today's tribal population of 1,142, less than half were members when the Tribe was federally recognized (1987) and less than a third of today's population are residents of Martha's Vineyard. One in ten Tribal Members live in the Town of Aquinnah.
- Aquinnah's year-round population is expected to have a marked growth in the older adult population and this population tends to have lower household income, both in Aquinnah and the County, indicating a need for more housing options to meet the needs of older adults including alternatives that are smaller, accessible, and have minimal maintenance needs.

### **Income:**

- About 27 % of Aquinnah's year-round households are estimated to have low/moderate income.
- 10% are below the poverty level.

### Housing:

- There are 432 houses in Aquinnah.
- Approximately 70% of the town's current housing stock is seasonal.
- Over 91% of the Island's housing stock is comprised of single-family homes compared to a state-wide average of 52%.
- 49 units of housing in Aquinnah are subsidized.
- Most of the affordable units in Aquinnah (thirty-three) are restricted as tribal housing and there are no affordable rental units that are not restricted as tribal housing.
- Multi-family dwellings are located almost exclusively in Down-Island towns.
- One -third of all households in Aquinnah involved individuals living alone.

### Tourism:

- Over 100,000 tourists visit the Aquinnah Circle each year.

# HISTORIC PRESERVATION

## **CPA Fund Historic Preservation**

CPA funds may be expended for: *the acquisition, preservation, rehabilitation and restoration of historic resources, where historic resources are defined as 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 Historical Commission to be significant in the history, archeology, architecture or culture of the Town of Aquinnah.*

## **The Circle**

- The Circle is an important national historic landmark, important to Wampanoag Tribe of Gay Head, Town residents, and visitors. It attracts over 100,000 visitors each year.
- The CPC has been prioritizing the Circle since the Town's purchase of the Vanderhoop Homestead. The need to move the Lighthouse kept the focus up there.
- The acquisition of the Manning property with CPC funds has been an additional piece of the preservation of the Circle.
- CPC resources are being used to improve and increase passive recreation at the Circle, including future improvements at the Overlook, which has long been neglected although it is an important historic landmark

## **The Gay Head Lighthouse**

- The Gay Head Lighthouse was the first lighthouse constructed on Martha's Vineyard. On November 7, 1799 the light was turned on for the first time.
- The Lighthouse was equipped with a whale oil fired, first-order, Fresnel lens. Work on the Fresnel lens was started in 1854 and first lit in 1856. It stands about 12 feet tall, weighing one and a half tons, and containing 1,008 hand-made crystal prisms, with a bright flash every 10 seconds. In 1952 the lens was moved to the Martha's Vineyard Museum where it is currently housed.
- In 2010 the lighthouse keeper realized the cliffs were deteriorating and that the lighthouse was in danger of falling. In May 2015 after two years of significant fundraising efforts the lighthouse was moved 134 feet to a new location that is expected to be safe for over 100 years. Funding included contributions from all CPCs on the Island.
- The National Trust for Historic Preservation had put the Gay Head Light on its 2013 list of America's 11 Most Endangered Historic Places.
- In February 2015 the Town of Aquinnah acquired the Gay Head Lighthouse.
- The Aquinnah Circle was designated a Cultural District.
- Through collaborative efforts, including planning and funding, the grounds surrounding the new Lighthouse location as well as the prior location are being refurbished to increase access and expand passive recreation. Aquinnah CPC has contributed to these improvements which

has included historic preservation of nearby buildings including the purchase of the Manning property.

- Over \$1 million dollars of Aquinnah CPC funds have been invested in the Aquinnah Circle area.
- In 2019 Aquinnah received an award of \$70,000 of PARC funds from the State as a matching grant for upgrades and restoration of the overlook. Aquinnah CPC funds provided the match.
- For additional information about the history of the lighthouse and the Fresnel lens see <http://gayheadlight.org/about-the-lighthouse/history/>

### **Vanderhoop Homestead**

- The c. 1890s house was built by Edwin DeVies, a member of the Vanderhoop family. The Homestead includes six acres and a historic house in the Circle near the clay cliffs.
- The Homestead was listed on the National Register of Historic Places in 2006.
- The Homestead is now owned by the town of Aquinnah and leased to the Aquinnah Cultural Center.
- It was purchased by the Town and the Martha's Vineyard Land Bank in a joint acquisition. Until its purchase by the Town and Land Bank it had been continuously owned by the Vanderhoop family.
- The Martha's Vineyard Land Bank is preserving the land around it. They have developed a trail system connecting the circle with the public beach area.
- The Town has made an effort to store the building.
- The CPC contributed to the Homestead mortgage and to restoration costs.

### **Aquinnah CPC Historic Preservation Funding in Aquinnah**

#### Past Projects:

Aquinnah CPC funds have been used for the preservation, rehabilitation and/or restoration of other historic resources in Aquinnah including:

- Aquinnah School/Library
- Aquinnah Town Hall
- Baptist Church and Parsonage
- Cattle Pound (allocated but unused)
- Manning property

#### Future Consideration:

Other potential historic resources in Aquinnah for future consideration, in addition to the above:

- Town Cemetery
- Other buildings, structures, vessels, property, documents or artifacts to be determined.

## **Aquinnah CPC Funding for Historic Preservation in Other Island Towns**

Aquinnah CPC Funding have been used for the preservation, rehabilitation and/or restoration of historic resources in other Island towns:

- Martha's Vineyard Museum
- Edgartown Court House
- Christiantown Chapel
- Agricultural Society Archives (posters)

### Future Consideration:

Other potential historic resources on the Vineyard for future consideration, in addition to the above, will be identified by other Vineyard towns.

## **Historic Preservation Goals**

- Preserve historic structures, vessels, property, documents or artifacts in the Town.

## **Historic Preservation Resources**

- Massachusetts Preservation Projects Fund
- Massachusetts Historic Commission
- Massachusetts Cultural Council
- Wampanoag Tribe of Gay Head
- Martha's Vineyard Permanent Endowment Funds
- Community Preservation Committees of other Island towns

# AFFORDABLE HOUSING

## **CPA Fund for Affordable Housing**

CPA funds may be expended for: “...the acquisition, creation, preservation, and support of **community housing** and for the rehabilitation or restoration of community housing that is acquired or created with CPA funds. Community housing is defined as low and moderate income housing for individuals and families, including low or moderate income senior housing.”

## **Overview**

For Aquinnah and all of the towns on Martha’s Vineyard, there is a significant imbalance between housing supply and housing demand for affordable housing options for year-round residents including workers, families, elders and children.

- Only 1 in 3 homes in Aquinnah are year-round.
- Aquinnah has proportionally the highest percentage of seasonal housing on the Island.
- More than a quarter of all year-round households in Aquinnah have low/moderate income.
- More than half of the year-round households spend more than 50% of their total gross income on housing.

## **Housing Options In Aquinnah**

### **Tribal Housing**

- Affordable tribal rental housing was constructed by the Tribe on Trust Lands in 1996.

### **CPC Funds Toward Single-Family Homes in Aquinnah**

- Aquinnah CPC funds have been used for land acquisition and/or pre-development costs in Aquinnah for owner occupied housing units. These included 801 State Rd. (Smalley’s Knoll) and others.
- Smalley’s Knoll was developed by Island Housing Trust (IHT). 4 acres of the land is being sold to the Land Bank. IHT will receive the money for the sale of the Land but will hold it for Aquinnah related projects.

### **Aquinnah CPC Funds Toward Rental Assistance on The Island**

- Dukes County Regional Housing Authority Rental Assistance Program is funded annually through Community Preservation funds from the six Island towns.
  - Funds are used to subsidize rental costs in all Island towns.
  - For more information on the Rental Assistance Program see <https://housingauthoritymarthasvineyard.org/rental-conversion-program/>

- Kuehn’s Way
  - Kuehn’s Way is rental housing in Tisbury developed by Island Housing Trust, (IHT)

### **Aquinnah CPC Funds Toward Rental Assistance in Aquinnah**

- Funds for improvement of the Community Baptist Church of Gay Head Parsonage
  - Historically the Parsonage has been rented at below market rates
- Pre-development for rental housing in Aquinnah

### **Affordable Housing Goals**

In the fall of 2016 and early 2017, The Town of Aquinnah participated in a process to produce a Housing Production Plan, to help the Town address its housing problems and create housing options that are affordable for our workers, families, elders and children. Funding was provided by the Martha’s Vineyard Commission and the State.

To view the entire plan see

<http://www.mvcommission.org/aquinnah-housing-production-plan-hpp>

### **Goals from the Aquinnah Housing Production Plan:**

- Goal 1: Housing Options  
Expand year-round housing options to provide more housing choice, both affordable and market rate units, such as houses on smaller lot sizes, cottage-style homes, accessory apartments, duplexes disguised as single-family houses, including units affordable to low/moderate and middle-income households.
- Goal 2: Household Types  
Increase year-round housing units, especially rental units, affordable to low/moderate income households including small families, single people, people with disabilities, and the elderly to support Aquinnah’s multicultural population.
- Goal 3: Community Character and Smart Growth  
Ensure new housing development is sensitively located, scaled, and designed to protect Aquinnah’s wild scenic beauty, rural nature, natural features, and peaceful, small-town feel. Foster new modest residential development that includes affordable units, with small houses on smaller lots near the town center area along State Road to help create a mixed-use, walkable area for people of all ages. Encourage new residential development on larger properties to be designed as cluster housing to maximize preservation of open space and scenic views. Explore Town-Tribe collaborative housing ventures that can utilize existing infrastructure.
- Goal 4: Resources & Capacity  
Engage seasonal and year-round residents and the Tribe to provide resources, such as funding, property, or infrastructure that support the community’s continued housing needs.
- Goal 5: Numerical Production  
Based on documented local housing needs that go beyond 40B goals, which Aquinnah has already met, support the creation of five or more rental housing units affordable to low/moderate-income (LMI) households over five years (an average of at least one unit per

year). In addition, support the creation of five or more ownership units affordable to households between 80-100% of the area median income over the next five years (an average of at least one unit per year).

### **Affordable Housing Resources**

- **Land Bank and Vineyard Conservation Society**
  - The CPC has collaborated with the Martha's Vineyard Land Bank and the Vineyard Conservation Society in identifying properties suitable for conservation and community housing as well as pursuing joint conservation and housing ventures.
  
- **Island Housing Trust and the Dukes County Regional Housing Authority (DCRHA)**
  - The town has a strong working relationship with the Island Housing Trust (IHT) and the Dukes County Regional Housing Authority (DCRHA). The former is a nonprofit community land trust and has developed our most recent owner-occupied dwellings following an RFP (Request for Proposals) process and holds ownership of a total of 5 Aquinnah properties.

## OPEN SPACE AND RECREATION

CPA funds may be expended for: *the acquisition, creation and preservation of open space, and for the rehabilitation and restoration of open space acquired or created with CPA funds. This includes 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.*

CPA funds may be expended for: *“...the acquisition, creation, preservation, rehabilitation and restoration of land for **recreational** use ... Recreational use is defined as active or passive. The Act prohibits use of CPA funds to acquire, create, preserve or rehabilitate land for a stadium, gymnasium, or similar structure, or for horse or dog racing.*

### Overview

Aquinnah is essentially “an island within an island;” it is separated from Chilmark, its only neighboring town, by a boundary that runs largely through water bodies (Menemsha Bight, Basin, and Pond and Squibnocket Pond). The two Towns share a common land boundary for just 3,000 feet: 1,791 feet on Long Beach, and 1,209 feet between the ponds. This small stretch between the ponds is the location of the single road providing access from Aquinnah to all other points on Martha’s Vineyard.

Aquinnah’s landscape is defined by soft rolling hills, low heathlands, magnificent ocean vistas, and the famous Gay Head Cliffs, a recognized Natural Landmark. Regionally, Aquinnah shares certain characteristics with the other towns on Martha’s Vineyard: overall seclusion from the mainland, highly variable seasonal populations, lifestyles and landscapes dominated by the ocean, and unique economic constraints

While open space is necessary for all six towns, it is especially important up-Island, to maintain the visual diversity of Martha's Vineyard.

### OPEN SPACE

- **The following are the main Town owned open spaces in Aquinnah:**
  - Aquinnah Lighthouse – 1.1 acre
  - Lobsterville Beach – 18 acres (two linear miles) of beachfront owned by the Town and open to the public.
  - West Basin Town Landings – Moorings for about two dozen boats with direct access to
  - Aquinnah Circle
  - Philbin Beach – A six-acre south shore beach.

- **The Martha’s Vineyard Land Bank - This public land trust holds four properties in Aquinnah:**
  - Aquinnah Headlands Preserve (50.8 acres),
  - Gay Head Moraine (103.2 acres),
  - Toad Rock Preserve (14.6 acres),
  - Menemsha Rock Preserve (12.8 acres)
  
- **Sheriff’s Meadow Foundation – This private conservation organization owns almost 88 acres in Aquinnah:**
  - Leonard Estate, Lighthouse Road (13.3 acres),
  - Eastman property open to the public, Menemsha Pond (7.2 acres),
  - Various other smaller and unconnected parcels.
  
- **Vineyard Conservation Society – This non-profit conservation organization has conserved 354 acres in Aquinnah, including the Moshup Trail Sanctuary:**
  - VCS Fee Ownership Total: 55.87 acres
  - VCS Conservation Restrictions: 10.17 acres
  
- **Wampanoag Tribe of Gay Head (Aquinnah) – The following parcels are held in trust by the United States on behalf of the Tribe.**

The parcels are held in Trust by the United States per the Massachusetts Indian Land Claims Settlement Act. Several of the parcels have conservation restrictions and/or public right-of-way.

  - Cranberry Lands, Menemsha Neck (228 acres). Conservation restrictions, shoreline, road and parking rights-of-way.
  - Clay Cliffs (32.8 acres). Conservation restrictions.
  - Cook Lands/Herring Creek, between Squibnocket and Menemsha Ponds. Shoreline, , road and parking rights-of-way.
  
- **Other unique coastal areas targeted to preserve**
  - Dunes
  - Wetland areas
  - Sand plain – Aquinnah is the site of some globally important habitats, such as the distinctive sandplains.
  - Large unfragmented woodlands may still be potentially important open spaces from a scenic or recreational standpoint. These woodlands and other properties through proximity can provide walking trails.
  
- **The following are the main privately held properties:**
  - Agricultural Lands
    - Two parcels totaling 12 acres under Chapter 61 protection in Aquinnah.
    - Current agricultural land represents a fraction of the land from previous generations, many areas of the Vineyard are still strongly associated with farming. There is a desire to preserve the remaining working farms and to provide for the possibility from prime agricultural land to be returned to farming.

- Kennedy Estate
  - Approximately 300 acres, the largest singly owned piece of land in Aquinnah other than Wampanoag Tribal lands. It is completely private but its location and quality make it geographically and ecologically an important open space resource to the town.

## **PARKS AND RECREATION**

- **The Aquinnah Circle Cultural District – Passive Recreation**

The Aquinnah Circle Cultural District is also a key feature in the Town. The designation by the Massachusetts Cultural Council (MCC) was the result of a unique collaboration between the Town, Tribe, and several partner organizations. The MCC started the Massachusetts Cultural District Initiative in 2010, to stimulate new arts and cultural activity in towns as well as attract creative business to the district areas. A Cultural District is a specific area in a town that has a concentration of cultural facilities, activities and assets.

- **Aquinnah Recreation Area**

- A small recreation site with one basketball court and playground behind the fire station. The basketball facility was recently improved. CPC funds have been set aside for playground upgrades.

- **Island playgrounds and outdoor sports fields**, including public school fields and playgrounds.

## **Conservation and Open Space Goals**

- **The Town completed an Open Space Plan in 2018.**

- The plan is quite comprehensive.
- The goals and objectives in the Open Space Plan are in the Appendix on page 14.
- Copies of the plan are available at Town Hall.

- **Recent Open Space Survey**

- In a recent survey bike trails were the top selection for open space planning. Other highly rated facilities included children’s play areas, interconnected walking trails and hiking trails. The Following are the three top goals of that survey.
- Goal 1. Walking Trails
  - The Town and other entities seek to provide additional walking and other trails. Focus will be on the connection between other trails and large areas of land.
  - Attention will be paid to develop existing trails for bicycle access.
  - Plan and develop a cross town coast to coast pedestrian trail. Other trails may connect to this primary route.

- Goal 2. The Circle
  - The Circle is an important feature to both the Town and Tribe and should be focused on and enhanced.
  - The Town shall seek to improve the overlook, shop and circle features to include bathrooms and to improve the accessibility for disabled visitors and residents.
  - There should be enhanced connection to the Circle from paths and trails.
- Goal 3. Support active recreational pursuits for Aquinnah residents
  - Locate and work to purchase additional land for active recreation in the Town.
  - Existing playground and active recreational facilities should be improved.
  - Elderly and young adults are not utilizing such facilities are because they are in disrepair and have not been upgraded.

## **Park and Recreation Goals**

- The Town of Aquinnah completed an in-depth Open Space Plan in 2018.
  - The goals and objectives in the Open Space Plan included recreation.
  - The goals and objectives in the Open Space Plan are in the Appendix on page 35.
  - One goal is to support active recreational pursuits for Aquinnah residents with the following objectives:
    - Locate and work to purchase additional land for active recreation in the Town.
    - Existing playground and active recreational facilities should be improved.
    - Elderly and young adults are not utilizing such facilities are because they are in disrepair and have not been upgraded.
- The Park and Recreation Committee has been inactive for several years. As a result, there are no additional current goals from the Park and Recreation Committee. However, the Committee has recently been reconstituted.

## **Conservation, Open Space and Recreation Resources**

- **Potential Sources of Funds for Conservation and Open Space**
  - Sheriff's Meadow Foundation
  - MV Land Bank Commission
  - Vineyard Conservation Society
  - Trustees of Reservation
  - Vineyard Open Land Foundation
  - The Nature Conservancy
  - State of Massachusetts
  - Wampanoag Tribe of Gay Head/Aquinnah

- **Potential Sources of Funds for Parks and Recreation**
  - Massachusetts Department of Recreation PARK grants
  - Massachusetts EOE grants
  - Private donors

# APPLICATION CRITERIA AND APPROVAL PROCESS

## General Criteria

Projects eligible for CPA funds must benefit Aquinnah or elsewhere on Martha's Vineyard by meeting one or more of the following criteria:

- The acquisition, creation and preservation of open space
- The acquisition, rehabilitation and preservation of historic resources
- The acquisition, creation, preservation and support of affordable housing
- The acquisition, creation and preservation of land for recreational use, and;
- The rehabilitation and restoration of open space and community housing acquired or created with CPA funds.

Project funds cannot be used for routine maintenance.

A detailed PDF of the Mass. Dept of Revenue Allowable Chart is in Appendix A on page 21. The PDF provides a detailed description of what is allowed in each category.

## **1. Application Process – Community Preservation Committee:**

- A copy of the CPA application form can be found in the Appendix on page 27.
- All applications that are submitted prior and up to the announced deadline will be considered by the CPC Committee for funding
- The application form is available from on the Town website at: <http://www.aquinnah-ma.gov/>, the Town Administrator, Jeffrey Madison, 508-645-2300; or Derrill Bazy, CPC Committee Chair, 508-560-0548.
- The CPC will meet in an open, public meeting to discuss each application, determine eligibility of each application, and ultimately, to vote on whether to approve the application (as submitted or modified) or reject it. Details of project evaluation criteria are explained below.
- Applicants may be provided an opportunity to more fully explain their application and answer questions that the CPC Committee may have regarding the application.
- If an application is rejected, the applicant will not receive CPC funds for that funding year.

## **2. Project Evaluation Criteria During Review by Community Preservation Committee:**

The goal of the CPC is to fund those applications that afford the most benefit to the Town or the Island while making best use of the limited funding available. The following factors will be considered in evaluating each proposed project:

- Financial and administrative feasibility
- Timing (Is the timeline presented realistic? Does the project require immediate attention?)
- If the project has already been completed it is not eligible for CPC funding.
- Degree to which project serves multiple community needs and populations
- Degree to which project helps preserve Town or Island assets
- Whether the project involves the acquisition or preservation of threatened resources
- Availability of other sources of funding
- Whether the project has a means of support for maintenance and upkeep
- Degree of community support

## **3. Application Process – Town Meeting:**

- If the application is approved by the CPC, the CPC will move to place it on the Annual Town Meeting or Special Town Meeting Warrant.
- In order for a project to receive funding it must be approved at a Town Meeting.
- If a CPA project warrant article is approved at a Town Meeting, the CPA funds will be allocated to the applicant in accordance with financial procedures followed by the Town.
- If the CPA project warrant article is not approved, the money will not be appropriated or disbursed and will remain in the CPC account from which it was proposed to be taken. These funds will be available for future projects.

## **4. If a CPA Project is Approved at Town Meeting:**

All CPA project applicants receiving CPA funding are responsible for:

- Documenting how the CPA grant money is allocated and complying with all financial procedures required by the Town.
- Keeping the CPC informed of the project's progress, including:
  - Status of the project
  - Estimated completion date
  - Any issues with the project as originally proposed

- Notification of any unforeseen delays
- A record of funds expended to date
- Any assistance you might need from the CPC in order to complete the project
- After completion of the project all remaining unspent CPA project funds will revert to the Aquinnah CPA account from which they were taken.

## **Community Preservation Plan Process**

The CPC does not have the power to appropriate funds for particular projects, only to make recommendations to Town Meeting.

- Under the law, the power to appropriate CPA funds is reserved solely for Town Meeting, acting only upon the recommendations of the CPC.
- For these reasons, the CPC wants to provide a strong and consistent rationale for recommendations to Town Meeting.
- The Aquinnah CPC seeks a Town-wide and long-term perspective through a Community Preservation Plan that will assist the CPC in developing this perspective.

Aquinnah Community Preservation Plan was developed with input from the relevant Town boards, committees and the public.

Based on information gathered from this collaborative process, the CPC developed this Community Preservation Plan to help the Town make the maximum use of CPA funds.

- The Plan will be used to assist with the evaluation of proposed projects, although it is not binding upon the CPC.

The Plan Development process included five phases:

- Review of plans from other cities and towns
- Gathering information for the Community Preservation Plan
- Review of draft plan
- Finalize plan

## APPENDIX

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# APPENDIX A. COMMUNITY PRESERVATION ALLOWABLE SPENDING

Chart 1  
COMMUNITY PRESERVATION FUND ALLOWABLE SPENDING PURPOSES (G.L. c. 44B, § 5)

	OPEN SPACE	HISTORIC RESOURCES	RECREATIONAL LAND	COMMUNITY HOUSING
<b>DEFINITIONS</b> (G.L. c. 44B, § 2)	Land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use	Building, structure, vessel, real property, document or artifact listed on the state register of historic places or determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of the city or town	Land for active or passive recreational use including, but not limited 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 <b>Does not include</b> 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 <b>Moderate income is less than 100%, and low income is less than 80%, of US HUD Area Wide Median Income</b>
<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>Stokman 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 entities that own, 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 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 CP funds	Yes	Yes	Yes if acquired or created with CP funds

**APPENDIX B.  
MEMBERS OF THE AQUINNAH COMMUNITY  
PRESERVATION COMMITTEE**

Derrill Bazy, Park and Recreation  
Kathy Newman, Conservation Committee  
Mitzi Pratt, Housing Committee  
Bettina Washington, At-Large  
Richard Skidmore, Housing Authority  
Beth Green, At-Large  
Juli Vanderhoop, Selectmen  
Jim Mahoney, Planning Board  
Woody Vanderhoop, At-Large

**APPENDIX C.**  
**Town of Aquinnah, Massachusetts**  
**Application for**  
**Community Preservation Act Funding for 2019**

If you have questions about this form contact Derrill Bazy, Community Preservation Committee Chair, 508-560-0548

Proposals must be submitted to the Community Preservation Committee:

- ✓ By **4 pm on Thursday, February 21, 2019**
- ✓ By **email**
- ✓ To Derrill Bazy: **dbazy@vineyard.net**

1. The Community Preservation Committee (CPC) will review all applications.
2. The CPC may ask for more information before deciding to recommend the proposal for funding.
3. If the project is selected for a funding recommendation by the CPC, they will submit it to May 2019 Aquinnah Annual Town Meeting. Town Meeting has the sole authority to fund projects.

**Application Form**

Please include the following information on your application.  
It does not have to be on this form.

Project Title: \_\_\_\_\_

CPA Funding Request: \$\_\_\_\_\_ Total Cost of Proposed Project: \$\_\_\_\_\_

Applicant name: \_\_\_\_\_

Organization/Town Department if applicable:  
\_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Community Preservation Act Category: Please check all that apply  
Affordable Housing \_\_\_ Historic Preservation \_\_\_ Open Space/Recreation \_\_\_

\_\_\_\_\_

Please submit a minimum of 2 pages that addresses the following.  
Include supporting materials as necessary.

Goals:

What are the goals of the proposed project? Include a narrative description.

Action Plan & Timeline:

What is the schedule for project implementation, including start and completion dates?

Maintenance:

If ongoing maintenance is required for your project, how will it be funded?

Budget:

What is the total budget for the project? All expenditures must be clearly identified. Attach any estimates or documentation that budget is tied to actual projected expenses.

Community Support:

Is there community support for this project? If so please describe.

Other Funding:

Specify what additional funding sources (public/private/in-kind) and amounts available, committed, or under consideration. Include commitment letters, if available, and describe any other attempts to secure funding for this project.

Procurement and Prevailing Wage:

For information on Mass General Law relevant to Procurement and Prevailing wages see: [https://www.communitypreservation.org/procurement\\_laws](https://www.communitypreservation.org/procurement_laws)

**APPENDIX D.  
PROJECTS THAT HAVE RECEIVED AQUINNAH CPC FUNDING  
2014-2018**

CPC project funding started in 2001. Projects from 2014-2018 is to provide a picture of how CPC funds are being spent. For additional years see Aquinnah Town reports which are available at Town Hall.

**2014**

\$12,000	for replenishment of rental assistance Dukes county regional Housing Authority
\$5850	related to purchase a property at 45 State Rd.
\$10,694	for painting exterior at Vanderhoop Homestead
\$8882	for Boardwalk, tree at the library, removing invasive plants along Moshup trail
\$100,000	to relocation of the lighthouse
\$20,000	for landscaping at the lighthouse
\$20,310	for mortgage costs related to 45 State Rd.
\$12,860	for mortgage costs related to Vanderhoop Homestead
\$5000	for repairs to the roof of the future Martha's Vineyard museum
\$1580	for upgrading wiring at the courthouse
\$1200	for preservation of artifacts of the agricultural society
\$5000	for repair of Stone wall behind Town Hall
\$20,000	for emergency restoration of old parsonage at 3 Church St.

**2015**

\$15,000	for stone wall work at lighthouse
\$12,000	for connector path boardwalk at circle
\$60,000	for relocation of lighthouse
\$11,300	for mortgage costs related to Vanderhoop Homestead
\$6000	for emergency repair to future Martha's Vineyard Museum
\$24,720	for purchase of 45 State Rd.
\$12,000	for subsidy of affordable rents
\$31,630	for paying bond to acquire number 9 and 13 Aquinnah Circle
\$5000	for stone wall restoration behind Town Hall
\$8700	for improvements of the high school track
\$5000	for mortgage on Vanderhoop Homestead

\$6500	for planning and design of Aquinnah Circle
\$15,000	for boardwalk and beach
\$21,000	for burying wires at the Aquinnah Circle

## 2016

\$10,520	for final year of mortgage costs at Vanderhoop Homestead
\$25,000	for continued restoration of the lighthouse
\$19,160	for documentation of the cultural center historic collection
\$15,000	for restoration of Christian Town chapel
\$6000	for emergency repair to the roof of the future museum
\$28,800	for mortgage costs for 45 State Rd.
\$20,000	for planning and site evaluation for ownership and rental housing efforts
\$10,000	for subsidy of affordable rents
\$20,000	for costs related to affordable rental in Tisbury- Kuehn's Way
\$30,520	for mortgage of 9 and 13 Aquinnah Circle
\$15,000	for restoration of Aquinnah Circle overlook
\$8000	for analysis of Aquinnah Circle
\$300,000	over a ten-year timeframe for the Aquinnah Circle (Max \$35,000 in a given year)

## 2017

\$32,500	for continued restoration of the lighthouse
\$26,640	for mortgage costs at 801 State Rd.
\$11,500	for affordable rent subsidy
\$9250	for rental in Tisbury Kuehn's Way
\$66,095	to acquire number 13 Aquinnah Circle
\$13,229	for baseball field at high school
\$5000	for West Tisbury soccer field and basketball court
\$875	for hydrology study at the Cliffs
\$780	for Vanderhoop Homestead deck
\$1507	for windows at the courthouse
\$997	for purchase of 801 State Rd.
\$15,000	remaindered from Stonewall at the lighthouse to be used for burial of overhead wires at the circle

**2018**

\$15,000	for restoration of lighthouse
\$20,000	for continued restoration of Vanderhoop Homestead
\$4000	for administrative expenses
\$26,000	for ongoing mortgage costs of 801 State Rd.
\$6000	for pre-development costs for affordable housing
\$10,000	for subsidy of affordable rent
\$67,000	for mortgage costs related to 13 Aquinnah Circle
\$5000	for playground at Chilmark school
\$5000	for burial of wires in replacement of lighting at the steps to lighthouse Park
\$2000	for wheelchair at beach
\$20,000	for improvements at Aquinnah Circle for retaining wall and gathering space
\$5000	for mortgage payments at the Homestead to be re-allocated for continued restoration
\$12,000	remaining from Boardwalk construction to be spent for burial of overhead wires at Aquinnah Circle
\$88	remainder of Library landscaping account to be spent for burial of overhead wires at Aquinnah Circle
\$520	remaining from Aquinnah Circle loan mortgage to be spent for burial of overhead wires at Aquinnah Circle

## APPENDIX E.

### AQUINNAH CPA NINETEEN YEAR ANNUAL BUDGET TOTALS.....11/21/18 update

<b>FY '02</b>	
• CPA income from FY '02 surcharge	\$ 34,323
• State match (none)	\$ 0
• <b>Total income for FY '02</b>	<b>\$ 34,323</b>
• <b>Total reserved/appropriated for FY'02</b>	<b><u>\$ 31,454</u></b>
○ <i>Underage for final budget number</i>	\$ 2,869
<b>FY '03</b>	
• CPA income from FY '03 surcharge	\$ 34,669
• State match from FY '02	\$ 34,323
• <b>Total income for FY '03</b>	<b>\$ 68,992</b>
• <b>Total reserved/appropriated for FY'03</b>	<b><u>\$ 64,500</u></b>
○ <i>Underage for final budget number</i>	\$ 4,492
<b>FY '04</b>	
• CPA income from FY '04 surcharge	\$ 46,034
• State match from FY '03	\$ 34,669
• <b>Total income for FY '04</b>	<b>\$ 80,703</b>
• <b>Total reserved/appropriated for FY'04</b>	<b><u>\$ 66,800</u></b>
○ <i>Underage for final budget number</i>	\$ 13,903
<b>FY '05</b>	
• CPA income from FY '05 surcharge	\$ 51,867
• State match from FY '04	\$ 46,034
• <b>Total income for FY '05</b>	<b>\$ 97,901</b>
• <b>Total reserved/appropriated for FY'05</b>	<b><u>\$ 70,000</u></b>
○ <i>Underage for final budget number</i>	\$ 27,901
<b>FY '06</b>	
• CPA income from FY '06 surcharge	\$ 53,296
• State match from FY '05	\$ 51,867
• <b>Total income for FY '06</b>	<b>\$ 105,163</b>
• <b>Total reserved/appropriated for FY'06</b>	<b><u>\$ 102,000</u></b>
○ <i>Underage for final budget number</i>	\$ 3,163
<b>FY '07</b>	
• CPA income from FY '07 surcharge	\$ 58,703
• State match from FY '06	\$ 53,296
• <b>Total income for FY '07</b>	<b>\$ 111,999</b>
• <b>Total reserved/appropriated for FY'07</b>	<b><u>\$ 105,000</u></b>
○ <i>Underage for final budget number</i>	\$ 6,999
<b>FY '08</b>	
• CPA income from FY '08 surcharge	\$ 63,293
• State match from FY '07	\$ 58,703
• <b>Total income for FY '08</b>	<b>\$ 121,996</b>
• <b>Total reserved/appropriated for FY'08</b>	<b><u>\$ 119,000</u></b>
○ <i>Underage for final budget number</i>	\$ 2,996
<b>FY '09</b>	
• CPA income from FY '09 surcharge	\$ 65,798
• State match from FY '08	\$ 63,293

	• <b>Total income for FY '09</b>	<b>\$ 129,091</b>
	• <b>Total reserved/appropriated for FY'09</b>	<b><u>\$ 120,000</u></b>
	○ <i>Underage for final budget number</i>	\$ 9,091
<b>FY '10</b>		
	• CPA income from FY '10 surcharge	\$ 70,813
	• State match from FY '09	\$ 65,798
	• <b>Total income for FY '10</b>	<b>\$ 136,611</b>
	• <b>Total reserved/appropriated for FY'10</b>	<b><u>\$ 124,000</u></b>
	○ <i>Underage for final budget number</i>	\$ 12,611
<b>FY '11</b>		
	• CPA income from FY '11 surcharge	\$ 72,577
	• State match from FY '10	\$ 70,813
	• <b>Total income for FY '11</b>	<b>\$ 143,390</b>
	• <b>Total reserved/appropriated for FY'11</b>	<b><u>\$ 135,000</u></b>
	○ <i>Underage for final budget number</i>	\$ 8,390
<b>FY '12</b>		
	• CPA income from FY '12 surcharge	\$ 74,148
	• State match from FY '11	\$ 72,577
	• <b>Total income for FY '12</b>	<b>\$ 146,725</b>
	• <b>Total reserved/appropriated for FY'12</b>	<b><u>\$ 145,000</u></b>
	○ <i>Underage for final budget number</i>	\$ 1,725
<b>FY '13</b>		
	• CPA income from FY '13 surcharge	\$ 81,590
	• State match from FY '12	\$ 74,148
	• <b>Total income for FY '13</b>	<b>\$ 155,738</b>
	• <b>Total reserved/appropriated for FY'13</b>	<b><u>\$ 150,000</u></b>
	○ <i>Underage for final budget number</i>	\$ 5,738
<b>FY '14</b>		
	• CPA income from FY '14 surcharge	\$ 90,079
	• State match from FY '13	\$ 81,590
	• <b>Total income for FY '14</b>	<b>\$ 171,669</b>
	• <b>Total reserved/appropriated for FY'14</b>	<b><u>\$ 152,000</u></b>
	○ <i>Underage for final budget number</i>	\$ 19,669
<b>FY '15</b>		
	• CPA income from FY '15 surcharge	\$ 94,141
	• State match from FY '14	\$ 90,079
	• <b>Total income for FY '15</b>	<b>\$ 184,220</b>
	• <b>Total reserved/appropriated for FY'15</b>	<b><u>\$ 170,000</u></b>
	○ <i>Underage for final budget number</i>	\$ 14,220
<b>FY '16</b>		
	• CPA income from FY '16 surcharge	\$ 98,321
	• State match from FY '15	\$ 94,141
	• <b>Total income for FY '16</b>	<b>\$ 192,462</b>
	• <b>Total reserved/appropriated for FY'16</b>	<b><u>\$ 186,500</u></b>
	○ <i>Underage for final budget number</i>	\$ 5,963

<b>FY '17</b>	
• CPA income from FY '17 surcharge	\$ 102,792
• State match from FY '16	\$ 73,249
• <b>Total income for FY '17</b>	<b>\$ 176,041</b>
• <b>Total reserved/appropriated for FY'17 (targeted)</b>	<b>\$ 190,000</b>
○ <i>Overage for final budget number</i>	\$ (13,959)
<b>FY '18</b>	
• CPA income from FY '18 surcharge	\$ 108,296
• State match from FY '17	\$ 63,815
• <b>Total income for FY '18</b>	<b>\$ 172,111</b>
• <b>Total reserved/appropriated for FY'18 (targeted)</b>	<b>\$ 175,000</b>
○ <i>Overage for final budget number</i>	\$ (2,289)
<b>FY '19</b>	
• CPA income from FY '19 surcharge ( <i>projected</i> )	\$ 110,000
• State match from FY '18	\$ 85,761
• <b>Total income for FY '19 (<i>projected</i>)</b>	<b>\$ 195,057</b>
• <b>Total reserved/appropriated for FY'19 (from annual funding)</b>	<b>\$ 170,000</b>
• <b>Total reserved/appropriated for FY'19 (from Undesignated Fund)</b>	<b>\$ 10,000</b>
○ <i>Projected underage for final budget number</i>	\$ 15,057
<b>FY '20</b>	
• CPA income from FY '20 surcharge ( <i>projected</i> )	\$ 112,000
• State match from FY '19 ( <i>projected</i> )	\$ 68,000
• <b>Total income for FY '20 (<i>projected</i>)</b>	<b>\$ 180,000</b>
• <b>Total reserved/appropriated for FY'20 (targeted)</b>	<b>\$ 175,000</b>
○ <i>Projected underage for final budget number</i>	\$ 5,000
<b>TOTAL <u>PROJECTED</u> INCOME OVER 19 YEAR PERIOD</b>	<b>\$2,522,775</b>
<b>TOTAL RESERVED/APPROPRIATED OVER 19 YEAR PERIOD</b>	<b>\$2,281,424</b>
• <b>TOTAL PROJECTED UNDERAGE FOR 19 YEAR PERIOD</b>	<b>\$ 148,282 *</b>

*\*not including revenues from: Annual interest from designated & undesignated reserves / Annual interest from unspent balances on appropriated funds / Surplus administrative funds at close of fiscal year / Fees and interest on unpaid CPA taxpayer surcharge. \*Note: Total Projected Underage does not include appropriations taken from Undesignated Fund.*

## **APPENDIX F. AQUINNAH'S HOUSING GOALS**

From Aquinnah Housing Production Plan Fy2018-2022  
With Funding Provided by The Martha's Vineyard Commission and The Commonwealth of Massachusetts

The Housing Production Plan includes specific strategies, a number of Island-wide initiatives, and a detailed action plan.

The entire Aquinnah Housing Production Plan is available at:  
<https://www.mvcommission.org/sites/default/files/docs/Aquinnah%20HPP%20Consolidated.pdf>

### **Goal 1: Housing Options**

Expand year-round housing options to provide more housing choice, both affordable and market rate units, such as houses on smaller lot sizes, cottage-style homes, accessory apartments, duplexes disguised as single-family houses, including units affordable to low/moderate and middle-income households.

### **Goal 2: Household Types**

Increase year-round housing units, especially rental units, affordable to low/moderate income households including small families, single people, people with disabilities, and the elderly to support Aquinnah's multicultural population.

### **Goal 3: Community Character and Smart Growth**

Ensure new housing development is sensitively located, scaled, and designed to protect Aquinnah's wild scenic beauty, rural nature, natural features, and peaceful, small-town feel. Foster new modest residential development that includes affordable units, with small houses on smaller lots near the town center area along State Road to help create a mixed-use, walkable area for people of all ages. Encourage new residential development on larger properties to be designed as cluster housing to maximize preservation of open space and scenic views. Explore Town-Tribe collaborative housing ventures that can utilize existing infrastructure.

### **Goal 4: Resources & Capacity**

Engage seasonal and year-round residents and the Tribe to provide resources, such as funding, property, or infrastructure that support the community's continued housing needs.

## **Goal 5: Numerical Production**

Based on documented local housing needs that go beyond 40B goals, which Aquinnah has already met, support the creation of five or more rental housing units affordable to low/moderate-income (LMI) households over five years (an average of at least one unit per year). In addition, support the creation of five or more ownership units affordable to households between 80-100% of the area median income over the next five years (an average of at least one unit per year).  
Aquinnah's Housing Strategies

To achieve the community's ten-year housing vision and five-year goals will require the town's focused effort to implement a variety of local initiative strategies and local regulatory strategies as well as support and participation in Island-wide strategies. The community's housing vision and goals are ambitious and can't be achieved overnight or by a sole, isolated action.

The strategies are presented as a package of strategies rather than a menu of choices because they are designed to work together to be most effective. They are like pieces of a puzzle that, when assembled and embraced together, can help the community accomplish its goals.

### **Local initiative strategies (#1-3)**

These strategies refer to initiatives that the town can undertake to foster the creation of more housing options, especially affordable housing. These initiatives are not regulatory in nature - they deal with allocation of town resources including staff time, funding, and property.

### **Island-wide strategies (#4-8)**

Island-wide strategies are initiatives that each town would contribute to for the benefit of the whole Island community. For these strategies to have maximum effect and success, it will be critical for each town on the Island to contribute with active support and coordinated efforts. Most of the Island-wide strategies would require special legislation, which will require a great deal of local political support to promote state adoption.

### **Local regulatory strategies (#9-11)**

Regulatory strategies deal with amendments to the local zoning bylaws. However, it is important to note that for Aquinnah and all of the towns on Martha's Vineyard, the imbalance between housing supply and housing demand means that regulatory reform alone will not solve all of the island's affordable housing problems.

Often, Chapter 40B is the best way to create affordable housing because of the design flexibility that comes with a comprehensive permit. Even though Aquinnah exceeds the 10 percent statutory minimum under Chapter 40B, the Board of Appeals can still grant comprehensive permits and the Town should be open to doing so. However, zoning techniques to increase

supply can, when paired with other actions, provide new opportunities for growing the affordable housing inventory.

## **GOAL IN THE AQUINNAH HOUSING PRODUCTION PLAN THAT RELATES SPECIFICALLY TO THE AQUINNAH CPC**

### **Explore possibility of increasing allocations of local Community Preservation Act funds to create affordable housing**

According to the Community Preservation Coalition CPA online database<sup>8</sup>, about 23 percent of total Community Preservation Act (CPA) revenue collected since adoption (2001) has been allocated for community housing initiatives. Of total CPA revenue collected by all Island towns, about 30 percent has been allocated for community housing initiatives. CPA funds are locally controlled, requiring Town Meeting consideration of CPC recommendations.

In Aquinnah, CPA revenue is generated from a 3 percent local property tax surcharge and a variable distribution from the State Community Preservation Trust Fund. The state distribution in Aquinnah was 100% FY2003-2016 and 74.5% in FY2017. Total revenue in FY2017 was \$73,249 and has ranged year to year from \$34,323 to \$94,171 since adoption.

Per MGL c.44B, section 5(b)(1), CPCs are required to  
*. . . study the needs, possibilities, and resources of the city or town regarding community preservation . . .*

*The committee shall consult with existing municipal boards, including the conservation commission, the historical commission, the planning board, the board of park commissioners and the housing authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the committee shall hold one or more public informational hearings on the needs, possibilities and resources of the city or town regarding community preservation possibilities and resources . . .*

Many CPCs create a five-year Community Preservation Plan based on this study and update the plan annually. A target allocation can be established in the Community Preservation Plan for CPA categories (open space and recreation, historic preservation, and community housing) that exceeds the minimum 10 percent allocation required by the statute.

Through this strategic planning process, which should involve input from the multiple boards/commissions listed in the statute and can also involve broader community input, community preservation resources and needs are thoroughly evaluated and the community can set allocation goals and priorities.

The target for any one CPA category can range between 10 and 80 percent. Funds can be set aside for housing in the CPA housing reserve or allocated to a housing trust. During the third community workshop, residents discussed this concept with mixed feelings but generally indicated that it should be investigated further to understand the impact on other CPA needs (especially in historic preservation) and with recognition of the existing bond repayment commitments.

### **Implementation Milestones:**

- CPC to prepare Community Preservation Plan (CP Plan) to study the needs, possibilities, and resources for community preservation and to strategically plan for use of CPA funds over five years (FY2018-2022). CPA can utilize administrative funds (up to five percent of total annual CPA revenue) to support this planning effort, if needed. Planning effort should consider impacts of increasing allocations of CPA funds for housing.
- As part of such a proactive planning effort, identify specific housing initiatives to support with CPA fund allocation. These initiatives would likely include supporting development of municipal property for affordable housing and may include funding sewer connections for applicable lots. These initiatives should be identified in the CPC Plan and can include rough budgets for such initiatives.
- Update application and review criteria for CPA funds to reflect goals and possibilities identified through strategic CPA planning effort (CP Plan).
- CPC recommendations between FY2018-2022 would reflect priorities established in the CP Plan.

## APPENDIX G. OPEN SPACE RESOURCES IN AQUINNAH

This table identifies the various open space resources in Aquinnah. It details the various permanently controlled open space from both local government and non-profit organizations. (*Town of Aquinnah Open Space Plan- DRAFT June 28, 2018*)

**Aquinnah Open Space/Conservation Land Matrix - 12/14/17**

Site Number	Name	Acres	Owner(s)	Conservation Status	Physical Description	Purpose
1	Gay Head Cliffs	35.13	Wampanoag Tribe	Perpetuity	Clay cliffs	Conservation
2	Aquinnah Headlands Preserve	17.81	Martha's Vineyard Land Bank (MVLB)	Perpetuity		Conservation
3	Gay Head Lighthouse	1.75	USA & Town of Aquinnah	USA Land - perpetuity; Town Land - Limited*		Historic
4	Aquinnah Circle Area	8.87	Town of Aquinnah	Limited*		Historic & Recreation
5	Gay Head Beach & Walkway	44.12	Town of Aquinnah, Dukes County, MVLB, & Sheriff's Meadow Foundation (SMF)	Perpetuity	Beach with walking path to/from parking lot	Conservation
6	Philbin Beach	8.49	Town of Aquinnah	Some parcels in Perpetuity & one parcel	Beach	Recreation
7	SMF Nuovo	2.50	Sheriff's Meadow Foundation	Perpetuity		Conservation
8	Tribe 9-184	2.66	Wampanoag Tribe	Unknown		Unknown
9	SMF Moshup Trail	5.04	Sheriff's Meadow Foundation	Perpetuity		Conservation
10	SMF 12-19	1.73	Sheriff's Meadow Foundation	Perpetuity		Conservation
11	Toad Rock Preserve	24.95	Martha's Vineyard Land Bank & Smith (Conservation Restriction)	Perpetuity; 1 parcel w/CR held by MVLB		Conservation
12	Moshup Trail	49.17	Town of Aquinnah, Private (w/CR held by VCS), Vineyard Conservation Society (VCS)	Perpetuity & 1 Town parcel unknown		Conservation
13	Town 12-73	2.84	Town of Aquinnah	Unknown (is vacant town land)		Unknown
14	SMF Nuovo	2.38	Sheriff's Meadow Foundation	Perpetuity		Conservation
15	Town 11-22	5.76	Town of Aquinnah	Unknown		Unknown
16	SMF Squibnocket Pond	8.30	Sheriff's Meadow Foundation	Perpetuity		Conservation
17	Cook Lands	6.84	Wampanoag Tribe	Limited		Conservation
18	Town 8-26 & 8-31	15.63	Town of Aquinnah	Unknown		Unknown
19	SMF Nuovo	16.36	Sheriff's Meadow Foundation	Perpetuity		Conservation
20	Gay Head Moraine	103.66	Town (w/CR held by MVLB) & Martha's Vineyard Land Bank	Perpetuity		Conservation
21	Town 9-X & SMF Wisniewski	8.34	Town of Aquinnah & Sheriff's Meadow Foundation	Town - unknown; SMF - perpetuity		Recreation & Conservation and Unknown
22	Town 9-X	5.43	Town of Aquinnah	Unknown		Recreation & Conservation and Unknown
23	SMF Egger	3.90	Sheriff's Meadow Foundation	Perpetuity		Conservation
24	Indian Burial Ground	0.16	Gross	Limited		Other
25	Gay Head Cemetery	1.55	Town of Aquinnah	Limited*		Historic
26	SMF Lighthouse Rd	6.58	Private (2 parcels w/CR held by SMF) & SMF owns 1 parcel	Perpetuity		Conservation
27	SMF Lehman CR	1.32	Lehman w/CR held by SMF	Perpetuity		Conservation
28	SMF Leonard Preserve	15.06	Sheriff's Meadow Foundation	Perpetuity		Conservation
29	Town 5-59	3.57	Town of Aquinnah	Unknown		Unknown
30	Dogfish Bar Beach Access	2.46	Department of Fish and Game	Perpetuity		Recreation & Conservation
31	Town 5-88	2.87	Town of Aquinnah	Unknown		Unknown
32	Knapp Preserve	6.78	Sheriff's Meadow Foundation	Perpetuity		Conservation
33	SMF Eastman	16.89	Eastman (w/CR held by SMF) & Sheriff's Meadow Foundation	Perpetuity		Conservation
34	Cranberry Lands	227.21	Wampanoag Tribe	Perpetuity		Conservation
35	Menemsha Neck Preserve	12.20	Martha's Vineyard Land Bank	Perpetuity		Conservation
36	Menemsha Neck	4.01	Wampanoag Tribe	Limited Protection*		Conservation
37	Town 3-5	1.73	Town of Aquinnah	Perpetuity		Conservation
38	Town 3-33	13.65	Town of Aquinnah	Unknown		Unknown
39	Town 4-X	2.88	Town of Aquinnah	Unknown		Conservation
40	Tribe 8-9	0.69	Wampanoag Tribe	Unknown		Unknown

**APPENDIX H.**  
**AQUINNAH OPEN SPACE PLAN 5-YEAR GOALS AND OBJECTIVES**  
**FROM “OPEN SPACE PLAN FOR THE TOWN OF AQUINNAH 2018”**

The following represents the communities 5-year plan. The plan is addressed in several goals and the implementing policies.

**Goal 1. Walking Trails**

The Town and other entities seek to provide additional walking and other trails. Focus will be on the connection between other trails and large areas of land. Attention will be paid to develop existing trails for bicycle access.

Objective:

- Plan and develop a cross town coast to coast pedestrian trail. Other trails may connect to this primary route.

**Goal 2. The Circle**

The Circle is an important feature to both the Town and Tribe and should be focused on and enhanced.

Objectives:

- The Town shall seek to improve the overlook, shop and circle features to include bathrooms and to improve the accessibility for disabled visitors and residents.
- There should be enhanced connection to the Circle from paths and trails.

**Goal 3. Support active recreational pursuits for Aquinnah residents**

Objectives:

- Locate and work to purchase additional land for active recreation in the Town. Existing playground and active recreational facilities should be improved. Elderly and young adults are not utilizing such facilities are because they are in disrepair and have not been upgraded.
- Increase accessibility and make sites more compliant with the Americans with Disabilities Act (ADA). Utilize ramps and other mechanisms to provide beach access.

**Goal 4. Conservation and Recreation**

Provide adequate land permanently dedicated for conservation, recreation & educational use for present and future residents and visitors of Aquinnah. Identify and protect rare wildlife habitats.

Objectives:

- Promote permanent conservation restrictions, easements or gifts of important ecological resources within the town.
- Review the building permit allocation system, and determine its effectiveness.
- Where necessary, purchase open space with town appropriations or other funds.

### **Goal 5. Protection – key wetlands, streams, ponds, marshes, bogs, and water resources**

Protect the abundant & pristine ponds, stream, fresh and salt marshes, bogs & other wetlands and water resources within the town that sustain the shellfish industry, provide wildlife habitat and a base for the recreational tourist industry in the town.

Objectives:

- Work closely with the Tribe, island non-profit groups & private landowners to achieve maximum protection of key wetland resource areas and habitats through acquisition and appropriate regulations.
- Provide vigorous enforcement of the Wetland Protection Act (Ch. 131:40) & the Coastal Wetland Restriction Act (Ch. 130:105) and the local wetlands bylaw.
- Work with various public and private parties to decrease the levels of nitrogen reaching Aquinnah estuaries.

### **Goal 6. Protection - Moshup Trail**

Protect the magnificent vistas and extraordinary ecological diversity of the Moshup Trail area.

Objective:

- Town Boards will work cooperatively among themselves and with Tribal Council, Island non-profit conservation groups, State agencies, Martha’s Vineyard Land Bank, and the Martha’s Vineyard Commission to assure maximum protection of this vital economic, recreational and ecological resource.
- The Town shall develop a cooperative public private program to preserve viewshed by regularly maintaining/pruning back vegetation that blocks views.

### **Goal 7. Protection – groundwater and scenic views**

Balance the use of land especially suited for agriculture and forestry with the objectives of protecting groundwater and scenic values.

Objectives:

- Identify appropriate land for agriculture in consideration of the objective of protecting groundwater quality. Where appropriate, promote the use of incentives such as Chapter 61A tax abatement.
- Promote selective cutting for woodland management.

### **Goal 8. Encourage preservation through philanthropy**

Encourage landowners and visitors to assist Town in its preservation efforts through CPA funding and philanthropy.

Objective:

- Establish a mechanism whereby monetary donations can be collected for the express purpose of land purchase similar to the establishment of the Permanent Endowment of the Martha's Vineyard fund.
- Continue to focus on CPA funding for active and passive recreation uses

# APPENDIX I. PROCUREMENT AND PREVAILING WAGE LAWS FOR PROJECTS FUNDED WITH CPA FUNDS OVERVIEW

[https://www.communitypreservation.org/procurement\\_laws](https://www.communitypreservation.org/procurement_laws)

## **Capital Improvement Projects (MGL c.149 and c.30 s.39M)**

Capital improvement projects are “brick and mortar” projects such as creation of a new playground, restoration of a building, construction of housing, wetlands restoration, etc.

The matrix below very generally describes how the procurement laws may apply to the various types of capital improvement projects, depending on who owns the property and who administers the project.

<b>Property Owner</b>	<b>Project Administrator</b>	<b>Do Procurement &amp; Prevailing Wage Laws Apply?</b>
Municipality/State/Other public entity	Municipal/State/Other Public Entity	YES
Municipality/State/Other public entity	Community Group (e.g., PTO, friends group, neighborhood association, etc.)	YES*
Private entity (non-profit organization, private citizen, etc.)	Private entity	NO
Municipally owned and leased by private entity	Private leasing entity	POSSIBLY**

\* Note: Even if a service is discounted or donated, prevailing wage may still apply.

\*\*Note: For complex situations, an opinion from municipal counsel or the Attorney General’s Office may be needed.

## **Acquisition of Real Property (MGL c.30B)**

Acquisition of real property includes buying land, buildings, artifacts or a real estate interest (such as a deed restriction). The purchasing laws (c.30B) that apply to acquisition of real property using public funds deal with how to establish fair market value. This area of the law makes a special exception specifically for real property acquired with Community Preservation Act funds.

The Community Preservation Act (MGL c.44B s.5(f)) states that “Section 16 of chapter 30B shall not apply to the acquisition by a city or town of real property or an interest therein . . . no such real property, or interest therein, shall be acquired . . . for a price exceeding the value of the property as

determined by such city or town through procedures customarily accepted by the appraising profession as valid.”

The bottom line is: Acquisitions of real property interests under CPA are exempt from MGL c.30B, but you must get an appraisal prior to acquiring any real property interest. And the municipality cannot appropriate more than the appraised value to acquire the real property interest.

### **Contracting Professional Services (MGL c.7 s.44-57 and c.30B)**

Contracting professional services includes hiring a housing consultant, planner, appraiser, landscape architect, etc.

MGL c.7 s.44-57 applies when procuring design services for public building projects and establishes a designer selection process for construction projects with estimated pricetags over \$100K and estimated design fees of \$10K or more. Prevailing wage does not apply to these types of design services.

MGL c.30B applies to other professional services and establishes three monetary thresholds that trigger different selection and procurement procedures, with the most latitude established for contract amounts under \$10K. If a contract is between \$10K and \$34,999, then three quotes must be solicited. And, for contracts at and over \$35K, sealed bids or proposals are required.

### **More Information**

The procurement and prevailing wage laws are complicated – they apply in various ways depending on circumstances of the situation and sometimes exemptions may apply. That is why it’s important to ask the advice of your procurement officer, town counsel, and/or the appropriate state agency, as described below.