

**TOWN OF TISBURY  
COMMUNITY PRESERVATION ACT BYLAWS  
Tisbury, Massachusetts 02568**

**Article 11, Section 6 - Voted April 12, 2022**

**Article 12, Section 1- Voted April 12, 2022**

**Tisbury Special Town Meeting**

**Date Convened: April 12, 2022**

**Approved by State Attorney General's Office - September 27, 2022**

**TO AMEND SECTION 1 AND SECTION 6 OF THE  
COMMUNITY PRESERVATION COMMITTEE BYLAWS**

Acting on Article 11, and Article 12, the town voted to adopt these amendments as follows:

**COMMUNITY PRESERVATION COMMITTEE BYLAW**

**Section 1. Establishment**

1. There is hereby established a Community Preservation Committee consisting of nine voting members pursuant to Massachusetts General Laws Chapter 44B. The Committee shall consist of the following members:

- One member of the Conservation Commission, as designated by the Commission for for a term of one year.
- One member of the Tisbury Housing Committee as designated by the Committee for a term of one year.
- One member of the Historical Commission as designated by the Commission for a term of one year.
- One member of the Planning Board as designated by the Board for a term of one year.
- One member of the Open Space and Recreation Committee as designated by the Committee for a term of one year.
- Four at-large members to be designated by the Select Board and appointed by the Select Board as follows:
  - One member to be appointed for a term of one year and thereafter a term of three years;
  - One member to be appointed for a term of two years and thereafter a term of three years;
  - Two members to be appointed for a term of three years.

*Amended Section 01.05, April 12, 2022, Acting on Article 12.*

2. Terms for the four at-large members will begin on June 1 of each year and will be staggered three-year terms. Any vacancy on the Community Preservation Committee shall be filled by the commission, authority, board or committee that designated the member who creates the vacancy, by designating another member in accordance with Section (1) above for the unexpired term.

3. Should any commission, authority, board or committee designating a member for the Community Preservation Committee cease to exist for whatever reason, the Select Board will determine the appropriate alternative designating commission, authority, board or committee.

## **Section 2. Duties**

1. The Community Preservation Committee shall study the needs, possibilities and resources of the town regarding community preservation. The committee shall consult with town boards and others including, the Historical Commission, the Housing Authority, the Housing Committee, the Planning Board, and the Open Space and Recreation Committee, in conducting such studies. As part of its studies, the Committee shall hold one or more public informational hearings on the needs, possibilities and resources of the town regarding community preservation possibilities and resources, notice of which shall be posted publicly, including on the town's web page, and published for each of the two weeks preceding a hearing in a newspaper of general circulation in the town. The Committee will file an annual report on its activities with the Town Clerk.

2. The Community Preservation Committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, rehabilitation, restoration and preservation of historic resources; for the acquisition, creation and preservation of land for recreational use; for the creation, preservation and support of community housing; and for the rehabilitation or restoration of such open space, land for recreational use and community housing that is acquired or created as provided in this section. With respect to community housing, the Community Preservation Committee shall recommend, wherever possible, the reuse of existing buildings, or construction of new buildings on previously developed sites.

3. The Community Preservation Committee may include in its recommendations to the Town Meeting, a recommendation to set aside for later spending, funds for specific purposes that are consistent with community preservation, but for which sufficient funds are not then available in the Community Preservation Fund to accomplish that specific purpose, or to set aside for later, spending funds for general purposes that are consistent with community preservation.

## **Section 3. Requirements for a Quorum and Cost Estimates**

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Community Preservation Committee shall constitute a quorum. The Community Preservation Committee shall approve its actions by majority vote. Meetings will be held in accordance with the Open Meeting Law (G.L. Chapter 39, Section 23B). Recommendations to the Town Meeting shall include their anticipated costs.

## **Section 4. Amendments**

The Community Preservation Committee shall, from time to time, review the administration of this By-law, making recommendations, as needed, for changes in the By-law and in administrative practice to improve the operations of the Community Preservation Committee. The first review shall be completed at least by November 1, 2008 and subsequent reviews shall be completed at intervals of no more than five years. This Bylaw may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments are not in conflict with Chapter 44B of the Massachusetts General Laws.

## **Section 5. Severability**

In case any section, paragraph or part of this By-law be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part, shall continue in full force and effect.

## **Section 6. Action upon Approval**

Upon approval of this By-law by the Attorney General of the Commonwealth, the Select Board shall request the Historical Commission, the Tisbury Housing Committee, the Open Space and Recreation Committee, the Planning Board and the Conservation Commission to designate a member to serve on the Community Preservation Committee. The Board of Selectmen will designate four at-large members of the Community Preservation Committee.

*Amended Section 06, April 12, 2022, Acting on Article 11.*

IT WAS MOVED, SECONDED AND VOTED TO APPROVE ARTICLE 11, AMENDING SECTION 6 BY CHANGING:

"Upon approval of this bylaw by the Attorney General of the Commonwealth, the Board of Selectmen shall request the Historical Commission, the Tisbury Housing Committee, the Board of Public Works Commissioners, the Planning Board and the Conservation Commission, to designate a member to serve on the Community Preservation Committee. The Board of Selectmen will designate four at-large positions to the Community Preservation Committee."

TO:

"Upon approval of this bylaw by the Attorney General of the Commonwealth, the Select Board shall request the Historical Commission, the Tisbury Housing Committee, the Open Space and Recreation Committee, the Planning Board and the Conservation Commission, to designate a member to serve on the Community Preservation Committee. The Select Board will designate four at-large positions to the Community Preservation Committee." or take any action relative thereto.

IT WAS MOVED, SECONDED AND VOTED TO APPROVE ARTICLE 12, AMENDING SECTION 1 BY CHANGING:

"One member of the Board of Public Works Commissioners as designated by the Commissioners for a term one year."

TO:

"One member of the Open Space and Recreation Committee as designated by the Committee for a term of one year."

VOTED: MAJORITY IN FAVOR