

MASSACHUSETTS 182ND GENERAL COURT -- 2002 REGULAR SESSION

SENATE BILL 2343

CHAPTER 165.

THE COMMONWEALTH OF MASSACHUSETTS
IN THE YEAR TWO THOUSAND AND TWO.

VERSION: Enacted

VERSION-DATE: July 18, 2002

**AN ACT RELATIVE TO HISTORIC RESOURCES IN THE COMMUNITY
PRESERVATION ACT.**

Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to provide for community preservation of historic resources, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 2 of chapter 44B of the General Laws, as appearing in the 2000 Official Edition, is hereby amended by striking out, in line 15 and 16, the words "structures and landscapes" and inserting in place thereof the following word: - resources.

SECTION 2. Said section 2 of said chapter 44B, as so appearing, is hereby further amended by striking out, in line 24, the words "structures and landscapes" and inserting in place thereof the following word: - resources.

SECTION 3. Said section 2 of said chapter 44B, as so appearing, is hereby further amended by adding the following definition: -

"Rehabilitation", the remodeling, reconstruction and 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 use, including but not limited to improvements to comply with the Americans with Disabilities Act and other federal, state or local building or access codes. With respect to historic resources, rehabilitation shall have the additional meaning of work to 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.

SECTION 4. Subsection (b) of section 5 of said chapter 44B, as so appearing, is hereby amended by striking out paragraph (2) and inserting in place thereof the following paragraph: -

(2) The community preservation committee shall make recommendations to the legislative body for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration 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 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.

SECTION 5. Sections 1, 2, 3 and 4 of this act shall apply with respect to projects approved by cities and towns pursuant to chapter 44B of the General Laws both before and after the effective date of this act.