

## Section 6

### OPEN SPACE AND RECREATION

**Goal: Preserve and protect natural resources and natural systems.**

Policy: Develop an interconnected system of permanently protected open spaces.

Policy: Balance open space acquisition with future development.

**Goal: Provide opportunities for active and passive, formal and informal participation in recreational activities for all residents.**

Policy: Create additional recreational facilities to keep up with expanding population.

Policy: Expand Kingston's youth recreation program.

Policy: Establish Town Parks Department with paid administrator to promote and develop activities and facilities.

#### **INTRODUCTION**

As the amount of undeveloped land dwindles in eastern Massachusetts, communities are beginning to realize that land lost to development cannot be retrieved. This realization has created a sense of urgency as well as a strong protectiveness of existing open space resources. Many suburban residents have learned the value of open space the hard way -- by losing it.

With the continuous loss of undeveloped land, communities have begun to recognize the many functions that open space serves. From an environmental perspective, open lands provide wildlife habitat, protect aquifer recharge zones, control flooding and prevent erosion and siltation. Open spaces also provide active and passive recreation opportunities.

As discussed in the Open Space Planner's Workbook, there are economic benefits associated with preserving open space.

*Along with enhancing the quality of life, protecting open space can provide profound economic benefits. It can help a community avoid the costly mistakes of misusing or overwhelming available resources. A contaminated water supply, for example, must be replaced through expensive solutions such as piping water from other sources. In contrast, protected open space usually raises the taxable value of adjacent properties and*

*is less costly to maintain than the infrastructure and services required by residential development. Even taking into account the increased tax base that results from development, open space usually proves easier on the municipal budget in the long run.*

*Protecting [Kingston's] open spaces is not necessarily synonymous with costly acquisitions. Many municipalities and private nonprofit groups hold conservation restrictions on public and private property. These restrictions are interests in land acquired through gift, purchase, or regulatory exaction, and are designed to preserve natural resources from adverse future use.<sup>1</sup>*

*This Section highlights the main points and important information contained in the 1995 Open Space and Recreation Plan. For a more in-depth discussion of Kingston's open space and recreation resources and needs, please refer to this 1995 Plan, available at the Library.*

A questionnaire and open forum conducted by the Kingston 20/20 Planning Study committee in the fall of 1993 revealed that 60% of Kingston residents believe that open space is an asset to the community. The study generated consensus that the Town should take steps to control growth in the future. Survey respondents and forum participants acknowledged that residential growth is expensive and difficult to manage in terms of population density, schools and municipal infrastructure. Quality of life is dependent on open space and a 'clean' environment. Long-range planning is critical to the success of negotiating between competing entities.

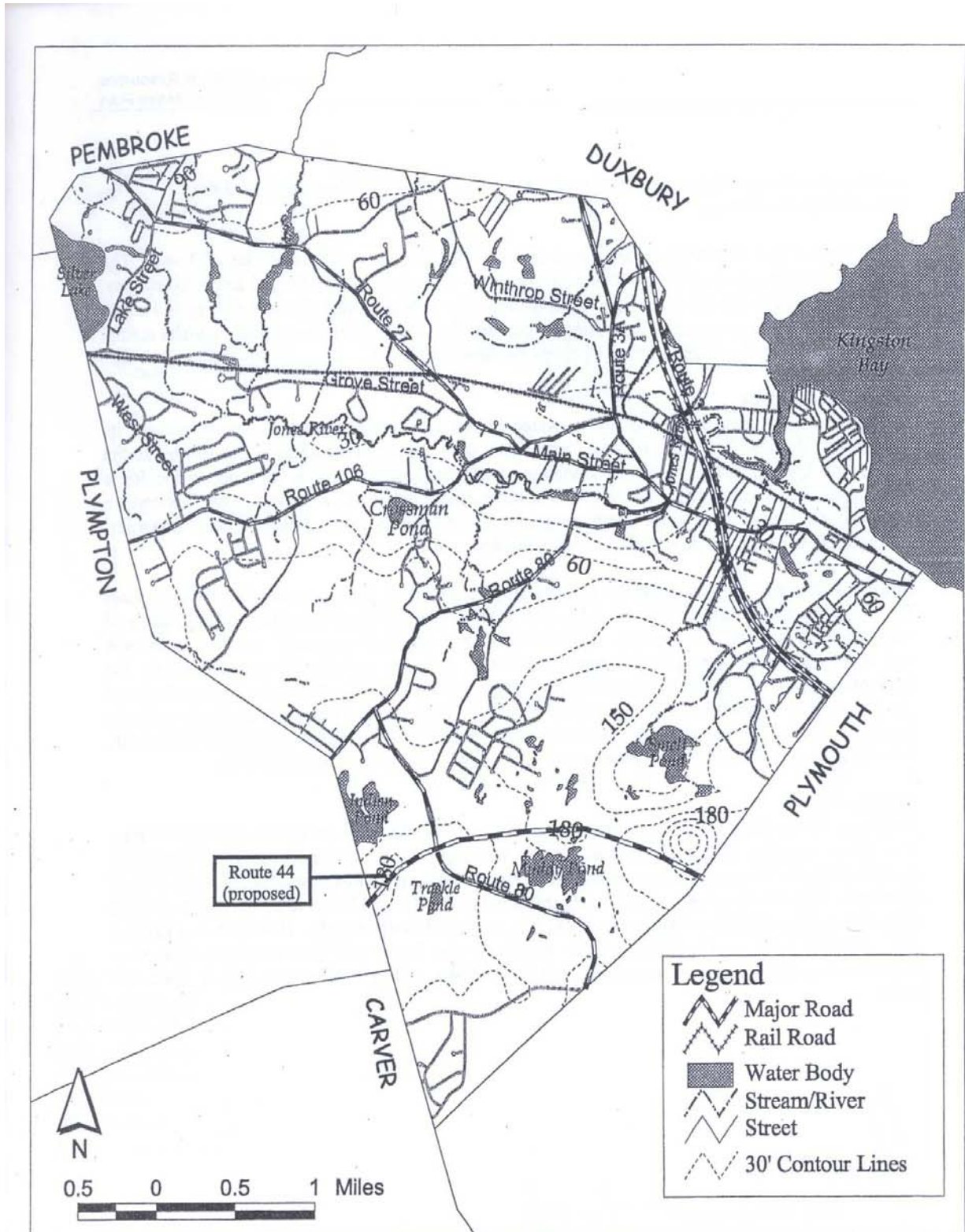
Beyond protecting open space, the citizens of Kingston, at several forums, agreed that there were recreational needs that were not currently being met. Because of the Town's location on the ocean and its many inland ponds and brooks, there was a particular emphasis on improving freshwater and saltwater recreation activities, such as fishing and boating. Residents also identified a need for more soccer fields and for large protected areas for nature walks and camping. Additionally, survey respondents and forum participants believed that all open space and recreation areas in Kingston should be accessible to all residents.

## **OPEN SPACE PROTECTED FROM DEVELOPMENT**

The purpose of this section is to identify all conservation and recreation lands protected from future development. Parcels protected from development include those managed by the Conservation Commission, Town-owned parcels not intended for sale or development but

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<sup>1</sup> The Open Space Planner's Workbook. 1990. Massachusetts Executive Office of Environmental Affairs, Division of Conservation Services and the Department of Environmental Management



Source: MassGIS

**BEALS AND THOMAS, INC.**

Civil Engineering  
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Floor, Waltham, MA

Figure 5-1: Topography  
Kingston, MA

December 1997  
BTT Project No. W-1335

managed by organizations other than the Conservation Commission (e.g., Water Department well sites), parcels owned by the State or Federal government, and quasi-public properties.

Table 6-1 summarizes the acreage by owner and/or protection type of all the parcels identified in the Open Space Inventory.

<b>Table 6-1: Summary of Protected Land in Municipal, State, and Private Ownership</b>		
<b>Category</b>	<b>Acreage</b>	<b>Percent</b>
Town Owned Conservation	455.5	20.7%
Town Water Department	272.0	12.4%
Town Owned Non-Conservation	17.6	0.8%
State Owned	189.0	8.6%
Private (Chapter 61, 61A and 61B)	1,171.3	53.4%
Private, Unrestricted	91.0	4.1%
<b>TOTAL:</b>	<b>2,196.4</b>	<b>100.00</b>

Of the 12,144 assessed acres in Kingston, 2,196.4 acres, or 18%, are used for open space, recreation, or agricultural purposes.

Protected parcels include approximately 1,025 acres owned by the Town, the state and private non-profit conservation organizations. Protected Town lands (approximately 745 acres) include Conservation Commission land holdings, Water Department lands for wellhead protection and other lands under the Town’s ownership. The Town owns an additional 272 acres of unprotected land (193.9 acres of which are contained in Camp Nekon). The Commonwealth has control of 189 acres of land for conservation purposes. Although it is entirely possible for governmental agencies to remove land from public ownership, this scenario is unlikely and would require considerable public scrutiny if proposed. Private non-profit conservation land trusts such as the Wildlands Trust of Southeastern Massachusetts own an additional 91 acres in Kingston.

*Of the 12,144 total acres of land in Kingston, approximately 1,025 acres are protected from development because they are owned by the Town, the State, or by non-profit conservation organizations.*

*Town-Owned Land*

Conservation Land - managed by the Conservation Commission

Kingston’s Conservation Commission presently manages approximately 456 acres of Town land, including Sampson Park and Faunce Memorial Forest, Pawtuxet Park, Jones River Brook and Jones River, Blackwater Swamp on Stoney Brook, the Hathaway property, Silver Lake Sanctuary Bay Farm, and approximately 20 other parcels throughout Town. In addition to its wetland protection permitting responsibilities, the Conservation Commission also seeks to protect natural resources and preserve open space, increase environmental awareness, and promote linkages of open space corridors including the Bay Circuit Trails.

Recreation Land - managed by the Recreation Commission and School Department

Public recreation facilities in Kingston are listed in Table 6-2. The Recreation Commission and/or School Department manage these facilities. The Town does not currently have a Town Parks Department. The maintenance and upgrading of the facilities is divided among various Town organizations.

<b>Table 6-2: Recreational Facilities in Kingston</b>		
<b>Facility</b>	<b>Location</b>	<b>Managed by</b>
1. Reed Community Center	Summer Street	Recreation Commission
2. Bailey Memorial Playground	Summer Street	Recreation Commission
3. Pottle Field	Pottle Street	Recreation Commission
4. Gray’s Beach Park	Howlands Lane	Recreation Commission
5. Silver Lake Regional High	Pembroke Street	Regional School Department
6. Kingston Elementary School	Off Main Street	Volunteers

Source: Kingston Recreation Commission, 1996.

The Recreation Commission is responsible for promoting and developing recreation programs. A Town Parks Department should be created, with a professional staff, to develop and maintain most recreational facilities and properties. Table 6-3 lists the amenities available at the recreational facilities.

**Table 6-3: Amenities Available at Recreational Facilities**

Amenity	Facility Name
Playgrounds	<ul style="list-style-type: none"> <li>• Bailey Memorial Playground</li> <li>• Gray’s Beach Park</li> <li>• Kingston Elementary School</li> </ul>
Basketball Courts (outdoor)	<ul style="list-style-type: none"> <li>• Bailey Memorial Playground (1)</li> <li>• Gray’s Beach Park (1)</li> <li>• Kingston Elementary School (2)</li> </ul>
Basketball Courts/Gymnasium (indoor)	<ul style="list-style-type: none"> <li>• Silver Lake Regional High School (2)</li> <li>• Kingston Elementary School (2)</li> </ul>
Community Center/Meeting Rooms	<ul style="list-style-type: none"> <li>• Reed Community Center</li> </ul>
Football/Soccer Fields	<ul style="list-style-type: none"> <li>• Silver Lake Regional High School (1 football/soccer)</li> <li>• Kingston Elementary School (2 soccer)</li> </ul>
Baseball/Softball Diamonds	<ul style="list-style-type: none"> <li>• Bailey Memorial Playground (3 baseball)</li> <li>• Pottle Field (1 softball)</li> <li>• Silver Lake Regional High School (2 baseball; 1 soccer)</li> </ul>
Tennis	<ul style="list-style-type: none"> <li>• Bailey Memorial Playground (2)</li> <li>• Gray’s Beach Park (1)</li> <li>• Silver Lake Regional High School (2)</li> </ul>
Track	<ul style="list-style-type: none"> <li>• Silver Lake Regional Junior High School (1)</li> </ul>

Source: Kingston Recreation Commission; School Administrators.

Residents heavily use existing playgrounds, tennis courts, baseball fields, and basketball courts. Soccer is considered to be the most popular organized youth activity in Kingston. Although Kingston is rich in freshwater ponds and streams, no public fishing and boating accesses have been developed. Additional recreational programs for Kingston’s youths are needed.

Water Department Lands

Kingston has five existing water supply areas supporting six wells. Five of the wells are currently in operation. The Water Department maintains 272 acres of land for the purpose of current and future water supply protection. These lands are also considered protected from development.

**State-owned Lands**

The Commonwealth of Massachusetts presently owns three parcels of land comprised of 178 acres in Kingston. The largest is nearly 161 acres in size, located off of Route 80, extending east

to Pratt's Pond. However, this forest has been fragmented into three separate sections by the proposed relocation plan of the new Route 44. The other two properties are much smaller and known as the little Kingston State Forest and part of Bay Farm. State-owned land is considered protected from development. There are no parcels of land in Kingston that are owned by Plymouth County.

## **OPEN SPACE NOT PROTECTED FROM DEVELOPMENT**

Private open lands have various levels of protection. The designation of private parcels as Forest lands (Chapter 61), Farm lands (Chapter 61A), or Private Recreation lands (Chapter 61B) restricts the use of land in exchange for significant reduction in taxes. Land that is currently taxed under the exemptions allowed by M.G.L. Chapters 61, 61A, or 61B have very little protection. Based on the Assessor's 1997 data, there are currently no Chapter 61B Recreation Lands in Kingston.

Land may be taken out of Chapter 61, 61A or 61B classification by notifying the Town and paying a withdrawal penalty tax. However, such land may not be sold for, or converted to, residential, commercial or industrial use while taxed under the classification without written notification to the municipality in which it is located. The Town has 120 days to exercise its right of first refusal option to purchase the land. Should this time period pass and/or the Town state in writing that it will not act on its option, the land may be developed for alternative use(s), thus removing it from its "open" status as forest, farm or recreation land.

*M.G.L. Chapters 61, 61A, and 61B offer minimal protection of forest, farm, and recreation land in exchange for reduced taxes. Kingston has 1,711.3 acres in Chapter 61, 61A, or 61B tax status.*

### Chapter 61 Forest Lands

Forest lands require a minimum of ten contiguous acres under a minimum 10-year management plan certified by the State Forester. Once the application has been received and approved, the classification statement functions as a lien upon the land for taxes levied under the provisions of M.G.L. Chapter 61. The landowner must refile every ten years or the Town Assessor will remove the land from the Chapter 61 status. A tax is payable on stumpage income for the two years prior to management and much reduced property tax is payable once per year of management. In 1997, Kingston had 150 acres of forest classified under Chapter 61.

### Chapter 61A Farm Lands

Farm land requires a minimum of five contiguous acres "actively devoted" to agricultural or horticultural use, including animal husbandry, fruit and vegetable production, and/or production of forest products. To qualify as "actively devoted" the land must generate a minimum of 500 dollars in gross sales income during the two years prior to its Chapter 61A designation. One

must apply to the Town Board of Assessors for consideration, and the tax status must be renewed every year. A reduced tax is applied if approved. In 1997, Kingston had 1,021 acres classified under Chapter 61A as farm lands.

#### Private Tax Exempt Land

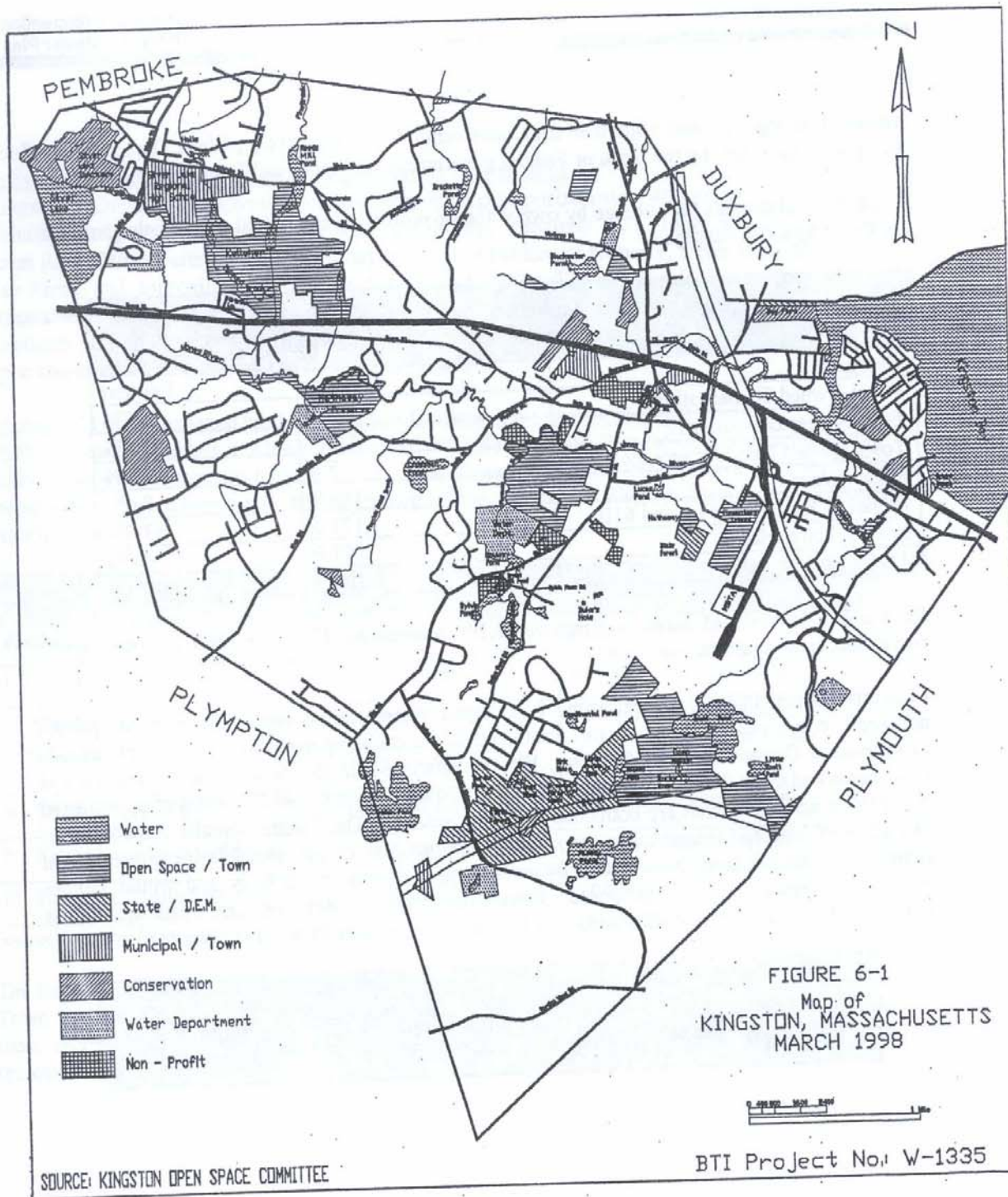
While publicly owned property is the most highly protected from future development, private tax-exempt land does offer some protection. Types of private tax exempt lands include those lands owned by civic and fraternal organizations, etc. Although these uses are tax exempt, the land is privately owned, and the owners have the right to sell or develop this property for other uses in conformance with zoning requirements as they see fit. Several private non-profit conservation entities own over 90 acres of land in Kingston; these organizations include: the Boy and Girl Scouts of Kingston, Inc., the Wildlands Trust of Southeastern Massachusetts, the Jones River Village Historical Society, the Evergreen Cemetery Association, the John Howland Pilgrim Society, and the Roman Catholic Archbishop of Boston. Conservation groups, such as the Wildlands Trust of Southeastern Massachusetts, have historically been able to respond more quickly than the local government in terms of purchasing open space threatened with development.

### **OPPORTUNITY AREAS**

Kingston has several opportunities to expand its inventory of publicly available open space and recreation land. Four tracts of prime open space or lands adjacent to waterways, totaling 287 acres, were targeted for acquisition in the 1995 Open Space Plan. One large tract, Dukes Hole, has been lost to development. Most of the 81 acres in the Jones River Corridor has been obtained with the purchase of the Hathaway property. With the aid of state Self-Help Grants, 1997 Annual Town Meeting voted to purchase approximately 80 acres of the Emerson land for the Silver Lake Sanctuary. At the 1997 Special Town Meeting, the Town voted to purchase the Kelleher property, 277 acres in the northwestern portion of town with 27 acres of cranberry bogs and three streams and reservoirs. These properties are listed in Table 6-5. Specific locations with appropriate maps of the properties can be found with the Open Space Plan at the Town Library.

*Scarce financial resources and the need to contain the residential tax burden creates pressure to develop as much land as possible with commercial and industrial activities. However, Kingston must balance its future development with its desire to obtain and protect more open space.*

As the parcels in Table 6-5 become available, the Town could attempt to acquire them or obtain development restrictions on them.



<b>Table 6-5: Parcels Targeted for Future Access, Acquisition and/or Protection</b>		
<b>Name</b>	<b>Acres</b>	<b>Comments</b>
Jones River Corridor/Trail System, * 77 acres purchased in 1997	81	Walkway and trail easements to be determined.
Silver Lake Sanctuary * 80 acres purchased in 1998	80	Easements and conservation restrictions apply.
Kelleher property 277 acres to be purchased in 1998	277	Cranberry bogs, three brooks and reservoirs, many trails, wetland and watershed protection.
Stoney Brook Park next to Bradford Gardens	1	Old railway bed over Stoney Brook in the Town Center.
Duke's Hole Open Space Corridor, * lost to development in 1996	150	From Camp Nekon to the Sampson Forest, with a branch to the elementary school.

Source: 1995 Open Space Plan, and recent additions.

The Jones River Corridor/Trail System will provide access to most of the River along its entire length from Kingston Bay to Silver Lake. Beyond creating needed trails for walking and bicycling, the corridors will protect the watershed and provide an important link to the Bay Circuit Trail System. Silver Lake Sanctuary is a critical habitat for both flora and fauna. The former right-of-way for the Greenbush line of the Boston to Plymouth Railroad Line over Stoney Brook Park would serve as an ideal park in the center of Town. Acquisition of Kelleher property will provide tremendous protection of streams and wetlands for a large portion of the Jones River watershed, alternative routes for the Jones River and Bay Circuit Trails, a revenue source for the town with the active cranberry bogs, and much land for future municipal use.

In addition to the priority acquisition parcels, the following areas in Table 6-6 were identified for possible acquisition, expansion or repair.

**Table 6-6: Potential Areas for Acquisition, Expansion or Repair**

<b>Facility</b>	<b>Improvement &amp; proposed activity</b>
Smelt Pond	Weed control (fishing & boating) – improved public access
Indian Pond	Weed control (fishing & boating) public access needed
Silver Lake	Access permit (fishing)
Gray’s Beach	Expansion & tennis court (swimming, tennis)
Pottle Field	Loam, fencing & new soccer field (soccer)
Camp Nekon	New beach & trails (swimming, biking, hiking)
Faunce Memorial Forest	Maintain & handicapped improved (passive recreation)
Pawtuxet Park	Develop community garden (passive recreation)
Monk’s Hill	Clear vegetation (scenic viewing)
Bay Farm	Regular maintenance (passive recreation) boardwalks
Sampson Park	Regular maintenance (passive recreation)
Pratt’s Pond Parcel	Acquisition (linkage for passive recreation)
Jones River Corridor	Acquisition (linkage for passive recreation)

Source: Town of Kingston, 1996.

In general, the needed expansion or development of the above facilities is related to a demand that cannot be adequately met for the activities that they support. A region-wide survey of Southeastern Massachusetts in the Statewide Comprehensive Outdoor Recreation Plan (SCORP) reflects the local needs of Kingston. High priority issues with regard to recreation planning include the shortage of tennis courts, development and expansion of water-based recreation, acquisition and protection of wildlife habitat and scenic areas, development and expansion of handicapped access, and development and expansion of trail corridors.

**Implementation Schedule**

<b>Open Space and Recreation Action</b>	<b>Implementing Party (ies)</b>	<b>Time Frame</b>
<b>Develop an interconnected system of permanently protected open spaces</b>		
Preserve and enhance the beach, waterfront and Jones River area for public use and enjoyment.	BOS, WC, JAWSA, OSC, Rec	1998 & Ongoing
Develop a system of bike path/walking areas.	CC, OSC	1998 & Ongoing
Provide greater public access to Town ponds.	BOS, OSC	1998 & Ongoing

<b>Open Space and Recreation Action</b>	<b>Implementing Party (ies)</b>	<b>Time Frame</b>
<b>Balance open space acquisition with future development.</b>		
Continue to fund and purchase open space aggressively in order to demonstrate a commitment to provide for future municipal needs.	BOS, TM, OSC	1998 & Ongoing
Develop guidelines to prevent conflicting recreational uses in resource areas.	CC, OSC, Rec	1998 & Ongoing
Improve management of existing town parks and conservation areas.	BOS, Rec, CC, OSC	1998 & Ongoing
Provide and improve public access to ponds, shorelines and forests.	CC, OSC, BOS, TM, Rec	1998 & Ongoing
Educate the public about local open space and recreation areas.	CC, OSC, Rec	1998 & Ongoing
<b>Create additional recreational facilities to keep up with expanding population.</b>		
Develop an area(s) for “sports and recreation” (for youths and adults) to include areas for family and civic activities.	Rec, OSC	1999
Develop programs & build facilities for recreation and community use by residents of all age groups.	Rec, Council on Aging	1999
Establish an arts center that provides studios, art classes, dance, theater, music, art displays, etc.	BOS, Arts Council	1999
Build bicycle/walk paths connecting key areas of Town.	TM, PB	1998
Expand the youth recreation program.		
Expand water based recreation opportunities	BOS, TM	1999
<b>Establish a Town Parks Department with a professional staff to develop and maintain parks and facilities.</b>		