

TOWN OF KINGSTON  
COMMUNITY PRESERVATION COMMITTEE

COMMUNITY PRESERVATION  
PROGRAM AND PLAN  
FY 2008

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SPRING 2007

## **A BRIEF INTRODUCTION TO THE COMMUNITY PRESERVATION ACT IN KINGSTON**

The Community Preservation Act (the “CPA”, M.G.L. c. 44B) allows any city or town in the Commonwealth of Massachusetts to adopt a property tax surcharge for the purpose of expending the revenues from this surcharge and state matching funds on the acquisition of open space, historic preservation, affordable housing and land for recreational use. The citizens of Kingston adopted the Community Preservation Act at Town Meeting in October 24, 2004 and a Town election in April 23, 2005. The surcharge went into effect with the start of Fiscal Year 2006 on July 1, 2005.

Consistent with the terms of the CPA and with a bylaw adopted at Kingston’s Town Meeting, a Community Preservation Committee was formed to study and recommend how Kingston should spend its CPA funds. The Committee appointed by the Selectmen, currently consists of two at large members (John LaBrache and Ralph Calderaro), and representatives of the Town Conservation Commission ( William Underhill), Finance Committee ( Matthew Hamilton), Historical Commission( Craig Dalton), Housing Authority ( Robert Pinato), Open Space Committee ( Pine DuBois), Planning Board ( Dennis Randall) and Recreation Commission ( Barbara Chandler).

In preparation for Fiscal Year 2007, the Community Preservation Committee has held several meetings to review and analyze the Town community preservation needs and strengths. After consulting with town residents and committees and holding a Public Hearing on these topics, the Community Preservation Committee has prepared this initial Community Preservation Program and Plan.

This document is available for review at the Town Hall and the Kingston Library and Town’s web site. The Committee welcomes comments. Please send them to the Community Preservation Committee, Town Administrator’s Office, Kingston Town House, 26 Evergreen Street, Kingston, MA 02364

The Committee shall make recommendations to the Annual Town Meeting in 2007 for approval. After presenting its FY 2008 recommendations, the Committee will begin preparations for the next fiscal year and accept proposals using the attached forms.

## **KINGSTON’S COMMITMENT TO COMMUNITY PRESERVATION**

For years, Kingston residents have expressed a strong interest in preserving our small town character. The Town’s Comprehensive Plan includes a Kingston Vision Statement, created through a community-wide visioning process. The vision statement (reproduced below) affirms the Town’s priorities in preserving open space and historic assets, providing affordable housing, and varied recreation activities. These themes have been repeated many times in the last twenty or more years but urgent needs such as schools, sewers and other critical commitments have made it difficult for the town to fund longer term priorities. In addition, within the last ten years Kingston has confronted an explosion of growth subsequent to the completion of the Old Colony Commuter Rail

system which has placed significant pressure upon Kingston's ability to provide necessary public services.

Therefore, it should be no surprise that Kingston residents have adopted the Community Preservation Act. The members of the Community Preservation Committee are pleased to help the town carry out its long-standing intent of acting to preserve our small town character. The projects and priorities described in this document reflect our best understanding for how to do so. We are heartened by the town's support for community preservation and welcome input on this topic.

## KINGSTON VISION STATEMENT

The Town of Kingston envisions itself as an extremely vibrant community with

- Its small town atmosphere maintained as it matures in the twenty-first century
- Its natural system of waterways extending from Kingston Bay and the Jones River throughout the town preserved and improved through pollution abatement and open space preservation
- The beauty of the its cranberry bogs and wooded roadside character maintained
- Its historic Main Street and other architectural resources preserved and enhanced  
and
- Its downtown area revitalized

Where the town proactively directs its development through a planning approach which is supported by the actions of public officials, citizen boards, and town citizens who continue to develop and reinforce their consensus through public forums;

Where the school system provides a superior education in state of the art facilities employing current technology in all grades and offers an exemplary adult education program;

Whose economic development results in expanded and new light industry and high-tech businesses in designated areas, providing jobs and generating an expanded tax base to provide needed public services, without increasing the tax burden of residents;

Where different types of housing are available and affordable;

Where a range of social and recreational opportunities is available to all residents;

and

Where Kingston citizens take pride in their community

(Source: Kingston Master Plan, 1998)

## Open Space

### **OPEN SPACE RESOURCES**

Kingston enjoys a variety of Open Space resources distributed throughout town. This includes The Silver Lake Sanctuary, the Hathaway Preserve, Sampson Park, Cranberry Watershed Preserve, Bay Farm, Grays Beach, Pawtuxet Park, and Camp Nekon. There exist many other open spaces in Kingston; however, most of these spaces are not protected in any permanent manner including but not limited to Camp Nekon and may fall victim to developmental pressures at any time.

### **OPEN SPACE GOALS:**

#### **GOAL 1**

#### **Protect the Quality of Kingston's Natural Environment**

##### OBJECTIVES

- A. Protect, (through acquisition, purchase, gift, conservation restriction, easement or tax title) the town's fragile and significant natural areas, and preserve the natural setting of the town's built environment.
- B. Educate the public on how local land use control can be used to the fullest extent feasible to protect the land, water and dependent biotic communities.
- C. Develop and implement management plans to improve and maintain surface water quality through management of sewage, street runoff, as well as other runoff.
- D. Provide for open space near or within residential areas.

#### **GOAL 2**

#### **Ensure that the land use activities will be compatible with maintaining the quality of local water supplies.**

##### Objectives

- A. Coordinate recreation and conservation land acquisitions with the Water Department to the fullest extent possible.
- B. Ensure that local land use control powers are used to the fullest extent possible to protect the quality of present and future public water supplies.

### **GOAL 3**

**Provide land and facilities to meet the needs of present and future generations for passive and active recreation.**

#### Objectives

- A. Improve management of existing town parks and conservation areas.
- B. Create one town entity to be responsible for the management of conservation lands.
- C. Provide public access to ponds, shorelines and forests.
- D. Educate the public about local open space and recreation areas.
- E. Develop projects and opportunities for strategic alliance among advocates for conservation, open space, recreation, historic preservation and affordable housing in order to maximize the financial advantages for the town and enhance community sustainability.
- F. Develop management guidelines to prevent conflicting recreational uses in natural resource areas.

### **GOAL 4**

**Preserve Kingston's history through public education and protection of local historic sites.**

#### Objectives

- A. Continue to identify and plan for the protection of sites of archeological and historic significance. (An example is Pulpit Rock near the Kingston Wastewater Treatment Facility)
- B. Protect the historic character of the town by developing appropriate by-laws defining "historic districts" and obtaining easements to mill sites and waterways. Support the Historic District Study.
- C. Ensure that local land use control powers are used to the fullest extent feasible to protect the values of archeological and historic sites.
- D. Create a program through the schools and other youth organizations to promote awareness of local history and the importance of protecting and sustaining the natural environment.

## **GOAL 5**

**Encourage land use activities which preserve privately owned land as open space.**

### Objectives

- A. Promote participation in voluntary restriction programs, including Chapter 61, Chapter 61A and Chapter 61B.
- B. Encourage donations of conservation easements.
- C. Encourage developer use of RDEOS (Residential Development Encouraging Open Space) passed as a Zoning By-law in 2000.

## **GOAL 6**

**Further the objective of the Bay Circuit Program which is: to establish a system of privately and publicly owned open spaces, including parks, forests, reservoirs and wildlife preserves, scenic and historic sites and other properties and reservations surrounding Metropolitan Boston connected by designated roads, trails, waterways, stopping stations and paths of various kinds, highlighted by appropriate markers, signs and educational notations. (Bay Circuit Program)**

### Objectives

- A. Cooperate with neighboring towns on the protection of inter-town natural areas and waterways.
- B. Develop linkages between Kingston's recreation and conservation areas and those of neighboring towns.

## **GOAL 7**

**Town officials should work with other authorities to ensure that minimal adverse impact to natural resources and recreational lands occurs with the development of new transportation facilities.**

### Objectives

- A. Create buffer strips of lands adjacent to the new facilities to reduce noise and visual impact of vehicles.
- B. Preserve existing walking trails and wildlife migration corridors while protecting the safety of residents and animals.
- C. Pursue replacement of open space lands lost, particularly in the vicinity of Camp Nekon, including both town-owned and State Forest property.

## **GOAL 8**

**Preserve and Enhance the Character of the Community by encouraging development of pedestrian trails and bikeways and by protecting the aesthetic of scenic roads.**

### Objectives

- A. Plan and develop a bikeway network throughout town.
- B. Plan and develop appropriate sidewalks.

## HISTORIC PRESERVATION

### **HISTORIC PRESERVATION RESOURCES**

Kingston is fortunate to have a very large number of historic resources and assets remaining. As one of the earliest settled areas in Massachusetts, many early structures were constructed within the town and still remain, providing residents and visitors with a sense of history and a visible progression in building styles and methods used by our predecessors. These structures, in part, help to define our town's character and relate its history.

#### **TOWN OWNED BUILDINGS:**

- The Frederic C. Adams Public Library (1898) - On National Historic Register. Placed on Massachusetts Historical Commission's 10 most endangered buildings list in 1999.
- Old Town House (1841) - On National Historic Register as part of Kingston Center Historic District. Placed on Massachusetts Historical Commission's 10 most endangered buildings list in 1999.
- Faunce School (1844) - On National Historic Register as part of Kingston Center Historic District.
- Hearse House (Late 1800s)
- Maple Ave. School (1900)
- Suprize Hose House (1887)
- Reed Community Building (1926)
- Water Department Headquarters (1888) - Elm St. Pumping Station

#### **PRIVATELY OWNED: JONES RIVER VILLAGE HISTORICAL SOCIETY (JRVHS)**

- Bradford House - Recently listed on the National Register of Historic Places
- Bradford House Barn - Recently renovated and expanded by the JRVHS

#### **PRIVATELY OWNED: JONES RIVER LANDING: ENVIRONMENTAL HERITAGE CENTER**

- Jones River Boatyard

#### **HISTORIC TOWN STRUCTURES WITHIN KINGSTON**

- Great Bridge - Rte 3A over Jones River
- Elm St. Bridge - over Jones River
- Railroad Stone Bridge over Jones River and Landing Road

The Massachusetts Historical Commission (MHC) requires each community to survey its major historic properties: houses, other structures, shops/stores, mills, railroad stations, schools, etc. The surveys are entered into the records of the MHC and become part of the historical inventory of the Commonwealth. No structure can be considered for National Register listing unless it has been surveyed. The survey also identifies potential historic districts.

Kingston Surveyed Structures: Approximately 500 individual structures are on file in the Kingston Town House - Historical Commission Files.

#### **SURVEYED STRUCTURES ON THE STATE AND NATIONAL HISTORICAL REGISTERS:**

- Frederic C. Adams Library
- Bradford House
- Kingston Center Historic District includes:
  - Faunce School
  - Town House
  - Hearse House

#### **HISTORIC DISTRICTS**

- Kingston Center Historic District: An area containing historic structures and grounds centered on the old Town House

#### **PROPOSED LOCAL HISTORIC DISTRICT**

- Olde Kingston Local Historic District: An area roughly defined as the structures and grounds that are within or close to the “triangle” formed by “the Point” (intersection of Main and Summer Streets) , “Tura’s Corner” (intersection of routes 106, 27 and Evergreen Street) and Kingston Center.

#### **OTHER IDENTIFIED POTENTIAL HISTORIC DISTRICTS**

- Stoney Brook Area - Summer St.
- Triphammer Area - Wapping Rd.
- Silver Lake Area - Grove St.

#### **ARCHAEOLOGICAL RESOURCES**

Kingston has a wealth of archaeological sites, some of most recent going back to the founding fathers of this country. Numerous Native American sites abound near the tidal estuaries and rivers that run through the town. The town also contains a large number of mill and forge sites, many of which are endangered. The MHC has a listing of all the identified sites in the town. Unfortunately, with this richness in archaeological resources comes a large burden in protecting and preserving those sites. State law prevents definitive disclosure of known or potential sites. Surveys of archaeological sites can only be made by state approved archaeologists who have received permits by the MHC. Many of these sites have been raided for years by amateur and professional archaeologists.

#### **HISTORIC PRESERVATION GOALS**

The Community Preservation Committee has identified the following goals with respect to Historic Preservation:

##### **GOAL 1:**

**Protect, preserve, enhance, restore and/or rehabilitate threatened properties of historic, archaeological and/or cultural significance.**

##### **GOAL 2:**

**Preservation of threatened properties, of particular historical and/or archaeological significance through acquisition and/or reuse of town or privately owned properties, to provide recreation, open space and/or affordable housing.**

**GOAL 3:**

**Foster research of the town's history and historical sites, and the education of the town's residents.**

**GOAL 4:**

**Preserve the remaining rural/historic character of the Town, including but not limited to, buildings, barns, outbuildings, burial grounds, markers, monuments, stone walls, fields, cart paths, country roads, historic land and streetscapes and scenic vistas.**

**GOAL 5:**

**The Planning Board and the Master Plan Implementation Committee in conjunction with other appropriate Town Committees and Commissions should develop a by-law that protects archeological sites prior to development of such parcels.**

## AFFORDABLE HOUSING

At present 3.78% of Kingston's housing units are classified as "affordable" by the state's Department of Housing and Community Development (for purposes of determining compliance with M.G.L. c. 40B requirements of 10% affordable housing).

### **Affordable Housing Goals:**

#### **GOAL 1:**

**Meet local housing needs along the full range of incomes, while promoting diversity and the stability of individuals and families living in Kingston.**

Kingston residents have long indicated their support for diversity in economic status, age, religion race and ethnicity. The preservation and production of affordable housing is a proven method for promoting diversity, allowing individuals and families with more limited means to afford to live in town. The Town will utilize Community Preservation funds to create new environments that offer current and future residents a wide range of housing options including rental and homeownership opportunities for families, individuals, persons with special needs and the elderly that are consistent with local and regional needs and feasible within the housing market in which they will be situated.

#### **GOAL 2:**

**Ensure that new affordable housing is harmonious with the existing community**

Developments will incorporate the characteristics stipulated in the Kingston Master Plan and incorporated in the Kingston Affordable Housing Plan adopted by the Board of Selectmen on September 30, 2003 including but not limited to:

- Concentrating commercial and industrial development in designated areas.
- Implementing innovating development planning providing for a wide range of housing options.
- Encouraging creation of housing that spans the spectrum of purchase price
- Preserve the unique natural topography and provide meaningful open space
- Ensure appropriate high quality design and site planning and high level of environmental amenity
- Minimize Town service responsibilities for streets, utilities, solid waste disposal, fire protection and police.
- Allow flexibility and creativity in the design of development through a carefully controlled special permit process.
- Establish significant buffers between abutting commercial/retail/residential uses by the planning of open space. Rather than small strips or lots, open space should be composed of large unified areas that may include dedicated open space; recreation uses including passive recreation facilities such as nature trails and bicycle/walking trails, buffers from existing roadways, and common areas in residential developments including an appropriate buffer strip, adjustable by the permitting authority, along the perimeter preferably left in its natural undisturbed

state except for required access roads. Said buffer would not be used for parking or active recreational activities.

- Encourage the utilization of the Town’s Residential Development Encouraging Open Space By-law (RDEOS) that permits higher than normal densities by “clustering” residential units for the planning of affordable housing developments and providing for the preservation of open space.
- Maintain the service levels that the Town has carefully analyzed through build out analyses commissioned by the Town as part of the 1998 Master Plan and by OEDC in 2000.

**GOAL 3:**

**Meet or exceed the 10% State Standard for affordable housing**

In order to ensure that future affordable housing development is consistent with the needs and character of the Town, Kingston must meet or exceed the State’s 10% affordable housing standard. Until that milestone is achieved, the town will be considered deficient in this area and will continue to be vulnerable to Ch. 40B applications which can circumvent town zoning by-laws.

**GOAL 4:**

**Leverage other public and private resources to the greatest extent possible**

Kingston does not receive federal or state funding for affordable housing on an entitlement basis. Kingston must be creative in utilizing its CPA funds to make affordable housing development possible. Creativity will be demonstrated by combining Community Preservation Funds with the various private, state and federal resources that are available on a non-entitlement “competitive” basis. This will include Federal Home Loan Bank funds, State HOME, Housing Stabilization, and Housing Innovations funds and Federal Low Income Housing Tax credits.

**Currently Proposed Affordable Housing Developments:**

**I. Developments being built pursuant to M.G.L. c. 40B (Requiring 25% of all units be affordable)**

Several Chapter 40B developments are being proposed to the Town by private developers, While it is difficult to know how many of these will actually receive permitting, it is estimated that these proposals potentially could add 139 affordable units of housing to the Town’s roster.

| <u>Development</u>   | <u>Total Number of Units</u> | <u>Affordable Units</u> |
|----------------------|------------------------------|-------------------------|
| Fountain Knolls*     | 156                          | 39                      |
| Old Colony Commons** | 200                          | 50                      |
| Barrows Brook        | 60                           | 15                      |
| Indian Pond Estates  | 90                           | 22                      |
| Mews                 | 40                           | 10                      |
| <u>Ryan’s Way</u>    | <u>14</u>                    | <u>3</u>                |
| TOTAL                | 560                          | 139                     |

\* Fountain Knolls is currently pursuing a RDEOS permit which would no longer make this a 40B development.

\*\*Old Colony Commons proposal is suspended depending on the outcome of Town’s application for approval of a 40R zoning overlay district on the O’Donnell Gravel Pit.

**II. Developments being built pursuant to M.G.L. c. 40R (Requiring 20% of all units be affordable)**

The Town is currently in the process of pursuing adoption of M.G.L. c. 40R zoning creating a “mixed use” overlay district at the property adjacent to the MBTA commuter rail station, also known as the “O’Donnell Gravel Pit.” If the proposed zoning change is adopted by the Town, it is anticipated that a private developer will propose to create a “mixed use” development (combining retail, commercial and residential uses) that projects as many as 176 additional affordable units of housing to the Town’s housing roster.

| <u>Development</u>                               | <u>Total Number of Units</u>   | <u>Affordable Units</u> |
|--|--|-------------------------|
| 1021 Kingston's Place<br>(Thorndike Development) | 730<br>includes a maximum of<br>176 apartments<br>of which all the apartments<br>would be counted as affordable<br>towards the 20% quota | maximum of 176          |

## **Conclusion**

In 2003, the Town adopted an Affordable Housing Plan; however, implementation of the Plan has been lagging. The use of Community Preservation Funds can be used to insure that the implementation of the Town's Affordable Housing Plan is consistent with the goals enunciated by the Community Preservation Committee. The Kingston Housing Authority should play a significant role in developing such an implementation plan.

The Community Preservation Act can be an effective tool in assisting Kingston meet its housing objectives. Utilization of these funds should enhance Kingston's ability to implement its Affordable Housing Plan with practical and fundable solutions. Implementation of the Town's Affordable Housing Plan should help our children, parents, and all Town employees to live in our Town. A fully implemented Affordable Housing Plan will serve as a highly effective tool in:

- Providing housing for our community needs  
and
- Preventing developers from imposing Ch. 40B projects on the Town that circumvent the Town's zoning by-laws.

## Land For Recreational Use

Funding through the Community Preservation Act is limited to the “acquisition, preservation and creation of land for recreational use.” *Acquisition* is defined as obtaining by gift, purchase, rental, lease etc. *Preservation* is defined as protection from injury, harm or destruction. In addition the land cannot be used for “a stadium, gymnasium or similar structure.” It can, however, be used for “community gardens, trails, and non-commercial youth and adult sports” and use as a “park, playground or athletic field.”

### **RECREATIONAL USE LAND RESOURCES.**

Kingston residents enjoy a variety of resources that support recreational activities. The specific resources under the jurisdiction of the Recreation Department include:

- Reed Community House and grounds: 9.51 acres, including 3 sports fields, a playground, tennis court and basketball court
- Gray’s Beach Park: 6.50 acres, which includes a basketball court, tennis court, and playground;
- Opachinski Athletic Field Complex: 46.15 acres (22 acres of fields), which includes 11 sports fields and a concession building

In addition, playing fields including the Benelli field and the Kingston Intermediate School Fields support organized sports such as soccer, baseball, softball, football, cheerleading and lacrosse. Opportunities for hiking, biking, walking and many other activities are provided by conservation land, open space and trails around town including Camp Nekon, Bay Farm, The Bay Circuit Trail, Mulliken’s Landing, the Kingston Multi-use Trail, Cherry Preserve on Rocky Nook, and Sampson Park to name a few. The Jones River, Kingston Bay, the Town Landing in Ah-De-Nah, Soules Ponds, Crossman Pond, Smelt Pond and several other ponds in town provide opportunities for boating and fishing.

### **RECREATIONAL USE LAND GOALS.**

#### **GOAL 1:**

**Where applicable to the mission of the Recreation Commission the goals enunciated in the Open Space Section are supported by the Recreation Commission and incorporated here by reference**

#### **GOAL 2:**

**Restoring and improving the facilities under its jurisdiction.**

#### **GOAL 3:**

**Restoring the stone patio and stairs at the rear of Reed Community Building**

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| <b>ADMINISTRATIVE EXPENSES</b><br><b>FY 2007</b> |
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The Community Preservation Act allows for up to 5% of annual Community Preservation revenues to be spent on administrative and operating expenses of the Community Preservation Committee. The Committee seeks to keep these costs to a minimum, but we recognize that community involvement and input is key to the success of the Community Preservation Act. We must have resources necessary to share information with and gather input from the community.

Therefore, the Community Preservation Committee will request that amount \$7,500.00 be set aside for administrative costs in FY07. This year's expenditures generally can be categorized as follows: (1) administrative expense such as mailings and staff. (2) Certain funds such as legal fees may or may not need to be used during FY 07. The funds, however, need to be authorized in order to complete projects that may come forth during the year.

Committee Administration – Funds Recommended for FY07: \$7,500.00

Purpose: Administrative costs

|                   |               |
|-------------------|---------------|
| Personal Services | \$1,125       |
| Expenses          |               |
| Office Supplies   | \$ 225        |
| Postage/Notices   | \$ 150        |
| Legal Fees        | \$2,775       |
| Consultants       | \$2325        |
| Miscellaneous     | <u>\$ 900</u> |
| TOTAL             | \$7,500       |

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| <b>ADMINISTRATIVE EXPENSES</b><br><b>FY 2008</b> |
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The Community Preservation Act allows for up to 5% of annual Community Preservation revenues to be spent on administrative and operating expenses of the Community Preservation Committee. The Committee seeks to keep these costs to a minimum, but we recognize that community involvement and input is key to the success of the Community Preservation Act. We must have resources necessary to share information with and gather input from the community.

Therefore, the Community Preservation Committee will request that amount \$10,000.00 be set aside for administrative costs in FY08. This year's expenditures generally can be categorized as follows: (1) administrative expense such as mailings and staff. (2) Certain funds such as legal fees may or may not need to be used during FY 08. The funds, however, need to be authorized in order to complete projects that may come forth during the year.

Committee Administration – Funds Recommended for FY08: \$10,000.00

Purpose: Administrative costs

|                      |                 |
|----------------------|-----------------|
| Personal Service     | \$1,500         |
| Expenses             |                 |
| Office Supplies      | \$ 300          |
| Postage/Notices      | \$ 200          |
| Legal Fees           | \$ 3,700        |
| Consultants          | \$ 3,100        |
| <u>Miscellaneous</u> | <u>\$ 1,200</u> |
| <b>TOTAL</b>         | <b>\$10,000</b> |

## GENERAL SELECTION CRITERIA

The Community Preservation committee requires that all proposed projects be eligible for CPA funding according to the requirements described in the state's CPA statute.

Projects will be evaluated according to the following minimal general criteria:

- Consistency with the Kingston Master Plan, Open Space and Recreation Plan, the Affordable Housing Plan and other planning documents that have received wide input and scrutiny.
- Satisfies multiple categories of the Community Preservation Act
- Feasibility and Practicality: Project can be implemented expeditiously and within budget.
- Urgency
- Affordability
- Efficient use of CPA funds
- Serving currently under-served population
- Serving multiple needs and populations
- Consistency with recent town meeting actions
- Preservation or utilization of currently owned town assets
- Preservation of the essential character of Town of Kingston
- Preservation, acquisition or rehabilitation of threatened resources
- Project has multiple sources of funding available and/ or leverages additional public and/or private funds
- Project has means or plans of financial support for future maintenance
- Project, when required, uses local contractors where possible
- Project is endorsed by other official town boards, departments, commissions committees or groups
- Project has public support

In addition to the above General Criteria, more specific criteria may be applicable to each of the four main funding areas of the CPA: Open Space, Affordable Housing, Historic Preservation and Recreation.

The Town Meeting will have the ultimate approval for any project that is recommended by the CPC, as the law requires Town Meeting approval for all Community Preservation Committee funding recommendations.

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| <p style="text-align: center;"><b>Guidelines for Submission of Project(s) to the<br/>Kingston Community Preservation Committee</b></p> |
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- 1) Each project request must be submitted in writing to the CPC using the attached Community Preservation Committee Project Submission Cover Sheet. Copies of this form are available on-line, at the Checkout desk of the Kingston Town Library and at the Town Clerk's Office.
- 2) Applicants should review the CPA, the Kingston CPA Bylaw (Chapter 4, Article 13), and this *Community Preservation Plan* prior to submitting CPA funding applications.
- 3) Applicant must supply ten (10) copies of all documents submitted to the CPC.
- 4) Requests must include a written response to all points of Applicant Information, A-1 through A-6, and Project Description, P-1 through P-19 as contained in this packet. The pages of your response must be serially numbered.
- 5) Requests for funding may be for up to a 5-year period from FY 2008 to FY 2012 and if request is part of a longer-term project, include the total project cost and allocations.
- 6) For applicants that have multiple project requests, please prioritize projects.
- 7) Applicants will receive confirmation of their application's receipt, **IF** they submit the attached Receipt of Application **and** self addressed stamped envelope with their application.
- 8) Submissions must be prepared according to the guidelines set forth herein. Selection of the successful applicant(s) will be based upon an evaluation and analysis of the information and materials required under the submission.
- 9) The Community Preservation Committee shall provide notice to the Selectmen and the Town Administrator of all project applications submitted to the Community Preservation Committee.
- 10) Project applications should be received no later than November 30<sup>th</sup> to be considered for recommendation at the Annual Town Meeting. Complex projects may need more advance time for review and their approval prior to the next Annual Town Meeting.

Please keep in mind there are legal limitations on what CPA funds can be used for.  
A Community Preservation Act - Question and Answers page can be found at:

<http://www.communitypreservation.org/QandA.cfm>

- If you are in doubt about your project's eligibility, please submit it so we have the opportunity to review it.
- You may also review information on the Community Preservation Act, Town of Kingston's Community Preservation Committee, and CPC Funding application information at the Town of Kingston's CPC website at <http://www.kingstonmass.org>
- You may also contact the Chairman of the CPC, Mr. Ralph Calderaro at 781- 585 4309

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Please submit your completed application and supporting documents to:

Community Preservation Committee  
Kingston Town Hall  
26 Evergreen St.  
Kingston, MA 02364

## APPLICATION PROCESS

### **STEP 1: Complete Current Fiscal Year CPA Project Submission Application.**

Submit completed application and all supporting documents (10 copies of all) to:

Chairman Kingston Community Preservation Committee  
Kingston Town Hall  
26 Evergreen St.  
Kingston, MA 02364

- Application deadline is no later than November 30th. However, the Kingston Community Preservation Committee may accept late applications after this deadline, for emergency or other appropriate reasons, solely at the Committee's discretion.
- Applicant will be notified by return of "Receipt of Application Form" at end of this application

### **STEP 2: COMMUNITY PRESERVATION COMMITTEE REVIEW AND PUBLIC COMMENT**

- A. Application Review: The Kingston Community Preservation Committee (CPC) will review applications as submitted to determine whether:
- Application is complete
  - Proposed projects are eligible for Community Preservation funding
  - Proposed projects meet the General Selection Criteria requirements outlined in this packet
  - Proposed projects are sufficiently developed in terms of their work plan and merit further consideration
- Applicants will be notified if additional information is required. Failure to respond to requests for additional information will eliminate proposal from consideration.
- B. The Committee reserves the right to reject any and all proposals if it believes that such rejection is in the best interests of the Town of Kingston.
- C. The Committee may ask to meet with the applicant(s) or its representatives at a Committee Meeting, to discuss their applications. The Committee may ask for further information from the applicant(s) or to schedule a site visit.
- D. Public Comment: Applicants chosen for consideration will be given an opportunity at a public hearing to present the project and to respond to questions from the CPC and the public. Applicants or their representatives must be present at this public hearing.
- E. Following the public hearing(s) the CPC will make its final funding recommendations to the Board of Selectmen in the form of warrant articles to be voted on at the next Annual Town Meeting.
- F. Submissions may be modified, corrected or withdrawn only by written notice, received by the CPC prior to the last public hearing held before upcoming Town Meeting. The notice must reference the original proposal.
- G. Applicants will be notified in writing if their submission is to be recommended favorably to Town Meeting, by the Committee. The CPC will draft the appropriate Warrant Articles for Town Meeting, however, applicant(s) should expect to aid the CPC in preparing its information about the project in advance of Town Meeting.

### **STEP 3: TOWN MEETING APPROVAL**

Town Meeting has the final authority to award funds from Kingston's Community Preservation Fund. A majority vote is required to approve funding; a two-thirds vote is required for borrowing. An applicant(s), or their representative, of a project that is to be recommended by the CPC to Town Meeting will be required to attend Town Meeting to respond to questions, aid in the presentation or present information about the proposed project.

#### **STEP 4: FUNDING AWARD**

- A. Applicants will be notified in writing as to the status of their application within four (4) weeks after the end of the Town Meeting, which carried the corresponding article for their application.
- B. Funding for Town Meeting approved projects will be available following Town Meeting, subject to satisfaction of any closing conditions established by the CPC.
- C. Project milestones will be established for all Town Meeting approved projects. Periodic status reports will need to be filed according to a schedule agreed to by the applicant and the CPC. These milestones will guide the release of funds to successful applicants.
- D. Funds are awarded on a disbursement basis. In order to receive disbursement funds, the applicant must submit an invoice (that includes your organization's tax ID number) and receipts of expenditures. The CPC will supply the successful applicants with a detailed memo describing the complete award process, which adheres to the guidelines of Massachusetts Procurement Law.
- E. Unless an agreement has been reached between the applicant and the CPC prior to funding, all allocated but unexpended funds will be returned to the Community Preservation Act Funds on or before June 30 of the funded fiscal year. Funding for projects will not be available before July 1<sup>st</sup> of the funded fiscal year.
- F. Before July 1, of the funded fiscal year all successful applicants for the purchase of a real property interest with monies from the Community Preservation Fund must have on file with the CPC a copy of either an appropriate historic preservation restriction, affordable housing restriction or open space restriction running in favor of an entity authorized by the Commonwealth to hold such a restriction for expenditures of said resources, meeting the requirements of Chapter 184 of the General Laws pursuant to section 12 of the Community Preservation Act. In short, the applicant should be aware that appropriate deed restrictions on the proposed project would be necessary to obtain funding. In a case whereby a project is believed to be exempt from such a deed restriction, the Applicant must provide proper documentation supporting this exemption. It is the ultimate decision of the Committee to accept or reject this exemption from the deed restriction.
- G. The applicant is advised that there may be additional legal and regulatory requirements, including but not limited to Massachusetts General Law, Chapter 44B and the applicable Department of Revenue Regulations, that need to be met before funds are disbursed.

#### **STEP 5: USE OF FUNDS**

- A. CPA monies are public funds raised from dedicated Kingston tax revenues and from State subsidies to the Town. Therefore, projects financed with CPA funds must comply with all applicable State and Town requirements, including the State procurement law, which requires special procedures for the selection of products, vendors, services and consultants. For Example: Purchases over \$5,000 require the solicitation of at least three quotes. Purchases over \$25,000 require the publication of "invitations for bids" or "requests for proposals". Contracts for goods and services must be awarded to the lowest qualified bidder, which may be someone other than who assisted the applicant with a project application. Project purchases cannot be split to avoid the State procurement laws.
- B. Funds for creating, implementing and monitoring any deed restrictions associated with the project may not be derived from CPC funds.
- C. Funds may only be spent on items listed on the submitted budget within the approved application. All changes to budgets must be approved by the CPC first. Funding from the CPC may not be used to replace, or free up for any other use, alternate funds or revenue sources.
- D. Applicants must note the CPC as a funding source for their project. This notation must appear on any materials involving this project (i.e. press release, brochures, etc.) In order for Kingston citizens to see the result of their tax funding, CPA signage shall be displayed on the property until the completion of the project.

Project Submission COVER Sheet

Fiscal year 2007

Town of Kingston Community Preservation Committee

Project Name: \_\_\_\_\_  
\_\_\_\_\_

Submission Date: \_\_\_\_\_

Applicant Name: \_\_\_\_\_  
Applicant Address \_\_\_\_\_

Applicant's email address: \_\_\_\_\_

Applicant's Phone Number: (\_\_\_\_) \_\_\_\_\_

Co-Applicant's email address: \_\_\_\_\_

Co-Applicant Name: (if needed) \_\_\_\_\_  
See NOTE BELOW  
Co-Applicant Address \_\_\_\_\_

(Provide Contact Name if not same as Applicant)  
Project Contact's email address: \_\_\_\_\_

Co-Applicant's Phone Number: (\_\_\_\_) \_\_\_\_\_

Total CPA Fundings to be requested:  
(Including any anticipated requests for future CPA funding on the same project)  
\$ \_\_\_\_\_

Project Contact Name: \_\_\_\_\_  
Project Contact Address \_\_\_\_\_

Project Contact's Phone Number: (\_\_\_\_) \_\_\_\_\_  
Sponsoring Organization, Committee/Commission (if applicable): \_\_\_\_\_

Sponsoring Organization-Public or Private? \_\_\_\_\_

**PLEASE NOTE:** If the proposed project is on Town-owned real estate, either the Applicant or the Co-Applicant must be the Town Board or Department in control of the land or building.

Purpose: (please select all that apply)  
 Open Space  
 Affordable Housing  
 Historic Preservation  
 Recreation

Signature of applicant \_\_\_\_\_  
Date: \_\_\_\_\_

Signature indicates that the applicant has the right to enter into contracts for the organization seeking funding and has read and understands all regulations within this CPC Funding Packet.  
.....

For Community Preservation Committee Use

Received on: \_\_\_\_\_ | Associated Town Committee: \_\_\_\_\_

Reviewed on: \_\_\_\_\_ | Determination: \_\_\_\_\_

**APPLICANT INFORMATION:** Respond to ALL the following questions/points. To facilitate the review of your application, number your responses to match the questions below. Applications will be returned as incomplete if all requested information is not provided. Include supporting materials as necessary.

**A-1.** Organizational goals and objectives of the Applicant:

**A-2.** History of the applicant within the organization:

**A-3.** Names of members of governing board of organization of applicant (if applicable)

**A-4.** Legal and tax status of applicant and organization:

**A-5.** Description of previously completed projects similar to proposed project:

**A-6.** Complete and attach the Tax Compliance Certification, Certification of Non-Collusion Forms with your submission. The authorized individual(s) representing the submitting entity must sign these forms.

**PROJECT DESCRIPTION:** Respond to ALL the following questions/points. To facilitate the review of your application, number your responses to match the questions below. Applications will be returned as incomplete if all requested information is not provided. Include supporting materials as necessary.

**P-1. Summary and Goals:** Provide an Executive Summary of the Project, including but not limited to:

- A description of the property involved and its proposed use.
- A description of how the projects meet the requirements of the Community Preservation Act.
- A description of the project and its benefits to the Town.
- Information indicating how this project can be used to achieve additional community benefits.

**P-2. Community Need:** Why is the project needed? Does it address needs identified in existing Town Plans or other publicly vetted priority setting planning documents? Does it address one or more of the specific criteria identified as Town priorities with respect the Town of Kingston Community Preservation Plan with respect to the CPA category or categories applicable to the Project?

**P-3. Community Support:** What is the nature and level of support for this project? Include letters, petitions and other documentations of support. Provide information that the project will foster long-term stewardship and generate a community ethic through citizen involvement, such as public participation in the project. Provide information about how the project will involve public outreach, and seek to disseminate information on project goals, results, project partners and the sources of funding and other support provided, or otherwise compliment or encourage other local projects.

**P-4. Timeline:** What is the schedule for project implementation, including a timeline for all critical elements including commencement and completion dates?

**P-5. Credentials:** How will the experience of the applicant contribute to the success of this project?

**P-6. Success Factors:** How will the success of this project be measured? Be as specific as possible.

**P-7. Budget:** What is the total budget for this project, and how will CPA funds be spent? All items of expenditure must be clearly identified. Provide detail specifying if the funds will be used for actual project implementation or program support such as administration. Include actual project quotes if possible. (NOTE: CPA funds may NOT be used for maintenance.)

**P-8. Other Funding:** What additional funding sources are available, committed or under consideration? Include commitment letters, if available, and describe any other attempts to secure funding for this project.

**P-9. Multi-Year Funding:** If project is expected to continue over more than one year or if bonding the project is anticipated detail the cost of project on the following chart.

| Fiscal Year | CPC Funds Requested | Other Funding Sources | Total Cost |
|-------------|---------------------|-----------------------|------------|
| 2008        |                     |                       |            |
| 2009        |                     |                       |            |
| 2010        |                     |                       |            |
| 2011        |                     |                       |            |
| 2012        |                     |                       |            |
| Total       |                     |                       |            |

- Indicate type of match here; “C” for cash, “K” for in-kind, “O” for other. Include source of match in the budget detail with documentation supporting whether the match is promised, in-hand, or requested.
- Provide a detailed breakdown of costs identified in the above table and a justification for those costs.
- Include a work plan showing the anticipated steps or phases for completion of the Project and their timing and estimated costs.

Please note that projects on Town-owned land may require public bidding under applicable statutes (M.G.L. c. 30, 30B, and 149). Projects on private land will require a funding agreement between the Town and the applicant. The funding agreement will provide for project timelines and status reports as appropriate.

**P-10. Maintenance:** If on-going maintenance is required for your project, how will it be funded?

**P-11. Control of Site:** Documentation that you have control over the site, such as a Purchase and Sales Agreement, option or deed. If the applicant does not have site control, please explain how public benefits will be protected in perpetuity.

**P-12. Deed Restrictions:** In order for funding to be distributed, all applicants must have filed with the CPC a copy of the appropriate restriction as described in “Application Process STEP 4, ITEM F. Provide a copy of the actual or proposed restrictions that will apply to this project.

**P-13. Acquisitions:** For acquisition projects, attach appraisals and agreements if available. Please set forth name of present owner and attach copy of deed up to present owner. In addition to property address, please provide the Kingston assessors office identification Map, Block and Lot Numbers.

**P-14. Feasibility:** Provide a list of all further action or steps that will be required for completion of the Project, such as environmental assessments, zoning or other approvals, agreement on terms of any required conservation, affordability or historic preservation restrictions, and any other known barriers to moving forward.

**P-15. Hazardous Materials:** Provide evidence that the proposed project site is free of hazardous materials or there is a plan for remediation in place.

**P-16. Permitting** Applicants are responsible for all costs associated with permitting, including, but not limited to abutter mailings and appropriate advertising. Provide evidence that the project does not violate any zoning ordinances, covenants, restrictions or other laws or regulations. What permits, if any, are needed for the project? Provide list and expected date of receipt of those permits. Provide copies of any permits already acquired. Provide assurance that the project will expeditiously meet environmental and other permitting requirements, so that on-the-ground activities will begin within the first 12 months after the project’s start date. (Evidence of consultation with Conservation Commission, Highway-Dept, Tree and Parks Dept., Planning Board, Historical Commission, Board of Selectmen, etc. where applicable, is strongly recommended.)

**P-17. Environmental Concerns:** Identify all known wetlands, floodplains and/or any natural resource limitation that occur within the boundaries of your submission.

**P-18. Professional Standards:** Evidence that appropriate professional standards will be followed if construction, restoration or rehabilitation is proposed. Evidence that the applicant has the proven or potential capacity to conduct the scope and scale of the proposed project, as evidenced by project leaders with appropriate qualifications and technical experience or access to necessary technical expertise.

**P-19. Further Attachments:**

Assessor’s map showing location of the project

Photographs, renderings or design plans if applicable

Architectural plans and specifications for new construction or rehabilitation

Historic structure report or existing condition reports

Mass. Historical Commission Historic Inventory Sheet

Include Names and addresses of project architects, contractors and/or consultants  
Any other information useful for the Committee to consider the Project

**NOTE:** The Community Preservation Committee **WILL NOT BE RESPONSIBLE FOR ANY EXPENSES INCURRED IN PREPARING AND SUBMITTING RESPONSES.** All submittals shall become the property of the Town of Kingston. All plans, specifications and other documents resulting from this contract shall become the property of the Town of Kingston. Unless specifically exempt under the Massachusetts public records law, the Town has the right to disclose information contained in submissions.

CERTIFICATE OF NON-COLLUSION

The undersigned certifies under penalties of perjury that this proposal has been made and submitted in good faith and without collusion or fraud with any person. As used in this certification, the “person” shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

\_\_\_\_\_  
Signature of person signing application

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Name of Organization / Business

\_\_\_\_\_  
Project Name (As is on your submission)

\_\_\_\_\_  
Date

TAX COMPLIANCE CERTIFICATION

Pursuant to M.G.L. 62C, 49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

\_\_\_\_\_  
Federal Employer ID Number

\_\_\_\_\_  
Name of Corporation

By: \_\_\_\_\_  
President's Signature

Date:

\_\_\_\_\_  
Printed Name

By: \_\_\_\_\_  
Treasurer's Signature

Date:

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Project Name (As is on your submission)

**RECEIPT OF APPLICATION**

**(For Applicants' Records)**

Community Preservation Committee

Received from \_\_\_\_\_, an application

Entitled: \_\_\_\_\_

On the Day of \_\_\_\_\_ 200\_\_.

Received by: \_\_\_\_\_  
(signature)

Please indicate the person and address where you would like this receipt sent:

Name: \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_