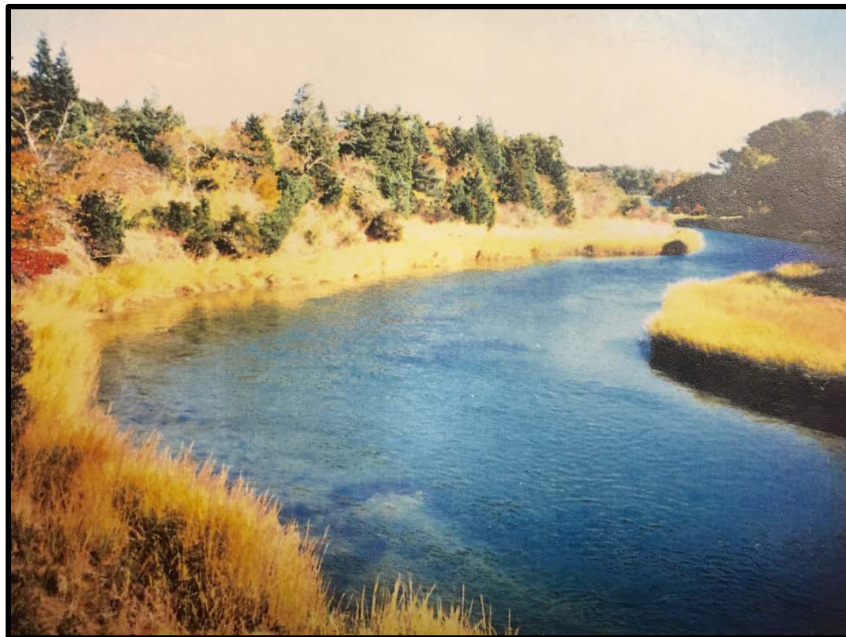


## ***Kent's Point Conservation Area Management Plan***



*View from Lonnie's River overlooking Kent's Point*

*The property of Kent's Point is open to entry and use by all persons regardless of race, color, national origin, sex, sexual orientation, age, or disability.*

**October 27 2015**

## **TABLE OF CONTENTS**

<b>Introduction</b>	<b>1</b>
<b>Overview of Land</b>	<b>1-3</b>
<b>Mission of Management Plan</b>	<b>3-4</b>
<b>Objectives of Management Plan</b>	<b>4</b>
<b>Land Uses</b>	<b>5-6</b>
<b>Responsibility for Management and Maintenance</b>	<b>6</b>
<b>Closing</b>	<b>7</b>
<b>Appendix</b>	

Deed for Kent's Point: Book 6575 Page 248

## Introduction

This 2015 plan supersedes all previous management plans for this land purchased by citizens of Orleans. Specifically, the plan consists of six interrelated sections. The substance of each section can stand alone. Yet, the import of this plan is best appreciated when sections are viewed together. First, the **Overview of Land** section gives a sense of boundaries and environmental characteristics of the land. Second, the **Mission** statement centers on the seriousness of the work ahead. Third, specific and manageable objectives are stated in the **Objectives of Management Plan** section. Fourth, **Land Uses** are advanced for consideration. Issues of enforcement are addressed in this section by noting which restrictions of use are anchored in town bylaws or state and federal laws. It is clear that town police can only enforce conservation property rules matching a specific town, state, or federal statute. Next, the **Responsibility for Management and Maintenance** section identifies the town commission and departments accountable for the success of the new management plan. Finally in the **Closing** section, thinking about equal access is detailed and leadership for effective problem solving is encouraged.

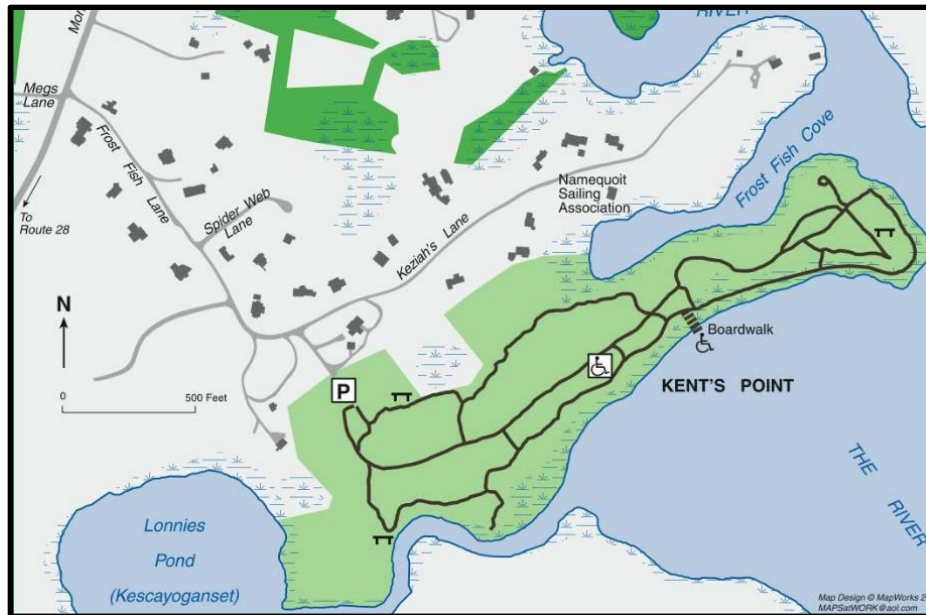
## Overview of Land

The Town of Orleans purchased Kent's Point on 24 October 1988 for \$1,800,000. In so doing the citizens of Orleans secured 27.7 acres of highly desirable salt waterfront land for our community and its valued visitors from development.

Specifically, in accordance with Book 6575, Page 248 recording of the Quitclaim Deed, the 24 October 1988 Special Town Meeting Article 21 for the Proposed Land Acquisition states: Voted written ballot, For - 394, Against - 175, motion passes 2/3rd majority that the Board of Selectmen is authorized to acquire by purchase, by eminent domain, or otherwise, for conservation..., for passive recreation, and open space purposes, the land together with the building thereon situated in the Town of Orleans known as Kent's Point (Charlotte A. Kent Property) situated on Keziah's Lane. Specifically the Deed says in part that the land "...shall be held in the perpetual public trust by the grantee for open space conservation purposes which shall include use of said land for a Town shellfish laboratory and shellfish propagation program..." (see Deed attached).

Further, in August 1989 the Town was awarded a \$50,000 private grant from The Dietrich Foundation in support of the public's use of Kent's Point and its maintenance.

Public access to the Kent's Point Conservation Area from Monument Road is via Frost Fish Lane and then onto Keziah's Lane into the parking lot. Visitors park in the circular parking area which is intended to include 20 designated parking spaces. Within the conservation land, there are two other parking spaces for physically challenged visitors located at the ramp leading to a platform near the shore.



An informational kiosk at the edge of the parking lot describes three major trails. The main entry leading to the former Kent house site goes up the center of the property. Abutting Frost Fish Cove to the left is the Cove Trail and to the right along the Meetinghouse River and Kescayogansett or Lonnie's River into Lonnie's Pond is the River Trail. The River Trail extends down to the beach where there are stairs up to the Point from the beach. All trails start from or near the parking lot.

The topography of Kent's Point contains a long, transverse, 30' high ridge, gradually descending from southwest to northeast and running into a low place three-quarters of the way out on the Point. The land surface then rises again to create the headland at the east end of the Point. The highest spot on the property is 40' above sea level at the Keziah's Lane entrance of the property.

Coastal banks encircle Kent's Point. These banks are generally short and steep, yet are dramatically 20' tall surrounding the northeastern headland. All of the Coastal Banks as well as some of the upland is within the Pleasant Bay Area of Critical Environmental Concern (ACEC). The Conservation Area is primarily upland derived of glacial deposits, of which only .6 acre is salt marsh or sandy beach. Most of the mile-long shorefront of Kent's Point is fronted by a narrow fringe of salt marsh.

Kent's Point is surrounded by salt-water bodies: Kescayogansett or Lonnie's River and Pond on the south and west; Meetinghouse River, known as The River, on the south and east; and Frost Fish Cove on the north. Lonnie's River is a winding, narrow tidal stream connecting Lonnie's Pond to Pleasant Bay. It also supports the Town's most important anadromous fish run for alewives and blueback herring spawning in Pilgrim Lake. Frost Fish Cove, a small, shallow linear inlet, is a sheltered backwater for shorebirds, especially popular with great blue herons in the winter.

The center of the property is dominated by pitch pine and oak with small pockets of little blue stem grass between red cedars in the more open areas. Large cherry trees grow along the River Trail. To the northeast, the former Kent house site retains an open grassy area as well as ornamentals such as lilac, yew, lily of the valley, day lily, trumpet vine, spruce, Norway maple and, the common tree around old house sites on Cape Cod, black locust. All buildings were removed because of their poor condition and the expense to repair them. A stand of white pine grows on the headland and there are poplars on the coastal bank.

The Kent's Point Conservation Area is developed for public use with a system of walking trails constructed through the property, parking areas, and an informational kiosk. There are also a number of benches installed for scenic viewing. Additionally, two corridors totaling 5 acres are reserved as undisturbed natural habitat for fostering wildlife.

### **Mission of Management Plan**

The major purpose of this management plan is to ensure reasons for purchasing Kent's Point are realized. To this end, it is important to acknowledge this land was bought by the people for the people. As detailed in the town's 2006 Conservation, Recreation, and Open Space Plan (CROS), properties like Kent's Point are purchased to ensure open space and to advance the town's commitment to provide ample opportunities for recreation. Orleans voters identified one key factor that makes Orleans exceptional is its ecological character.

Accordingly, Orleans voters made a considerable financial commitment so that children and adults of all families may access the benefits of Kent's Point; while meeting their obligation to ensure its safekeeping. The open space and recreation opportunities at Kent's Point are maintained by the town of Orleans so that every interested individual and family has equal rights to this land. The new 2015 management plan, then, is intended to advance and promote the varied benefits this land provides so that all

people are encouraged to appreciate, use, and conserve the environ of Kent's Point. This truly rare resource of Orleans adds meaningfully to the quality of life for our year round residents and attracts visitors who contribute to the social diversity and economic vitality of Orleans.

### **Objectives of Management Plan**

The objectives advance what is to be accomplished, help determine actions to take, and serve as criteria for deciding the extent to which the plan is successful. Specifically, five interrelated objectives give direction to the management plan for Kent's Point:

- To make open space and recreation accessible, welcoming, and educational for all visitors to Kent's Point consistent with its 27.7 acres and salt waterfront recreational potential;
- To ensure that parking and major trail access at Kent's Point are compliant with Americans with Disabilities Act requirements;
- To communicate guidelines for use of Kent's Point in positive and educational ways that are respectful and consistent with Town of Orleans Bylaws;
- To preserve native plants, manage invasive plants, and foster wild habitat and biological diversity at Kent's Point;
- To assure management of Kent's Point remains consistent with the Town of Orleans' Plan for Conservation, Recreation, and Open Space (CROS), and with existing Town Bylaws.

The objectives, consistent with the mission, guide the management plan. It is the responsibility of the Orleans Conservation Commission, in concert with its agent, to manage Kent's Point. Together they serve as key leaders for spelling out the particulars of what needs to be done to reach these objectives and hence accomplish the larger mission. In order for the Conservation Commission and its agent to accomplish the objectives, interdepartmental communication and cooperation are essential. This collaborative approach will better ensure that Kent's Point is enjoyed by all and that careful conservation and meaningful environmental education are fostered.

## Land Uses

Conservation lands across Orleans are purchased for a variety of active and passive recreational uses. Owing to the waterfront nature of Kent's Point, this particular resource also supports a number of water-dependent activities.

The area's recreational opportunities include:

- Trail walking
- Bird watching and animal observation
- Picnicking
- Scenic viewing
- Dog walking
- Shore fishing
- Small boat landing
- Swimming
- Shell fishing
- Shell fish propagation, with permission from Orleans Conservation Commission

Activities restricted by law and activities disallowed under management of the Conservation Commission are listed below but not limited to:

- Littering (Orleans Bylaw 125)
- Unrestrained Dogs (Orleans Bylaw 85)
- Discharge of Firearms (Orleans Bylaw 158-30)
- Tenting or camping (Orleans Bylaw 124-5)
- Open fires and cooking
- Use of fireworks
- Storing or launching of boats
- Smoking
- Hunting
- Busses for hire
- Bicycling beyond the parking lot
- Horseback riding
- Use of soaps, detergents, or shampoo
- Damaging structures or landscape
- Harassing wildlife or visitors
- Motorized recreational vehicles (ATVs, dirt bikes, motorcycles, snowmobiles)

- Alcoholic beverage consumption

Additionally, the hours for use of the property and use by groups of visitors are:

- Kent's Point Conservation Area is open for enjoyment by the general public daily from sunrise to sunset.
- Trails or sections of the Conservation Area may be closed from time to time
- Groups of 10 or more, celebrating special occasions such as weddings, birthdays, or family gatherings are required to coordinate use with the Conservation Office. School groups in buses are encouraged.

To ensure enjoyment for all visitors, certain activities are limited by law while other activities are prohibited by the Conservation Commission as the managing agent. Violations of Federal, State or Orleans Bylaws are enforced by Orleans Police. Violations of Conservation Commission created regulations will be enforced. It is assumed all visitors will practice personal responsibility and exercise common sense.

### **Responsibility for Management and Maintenance**

There is one commission responsible for management and two Orleans departments responsible for maintenance and protection of this property:

- The Orleans Conservation Commission is responsible for overall management of the property including; promotion of use, design and implementation of actions to improve physical conditions, periodic evaluation of the extent to which objectives are being accomplished, and procurement of financial resources to ensure successful conservation.
- The Orleans Department of Public Works provides necessary maintenance to road access for safe travel. They also provide routine operational maintenance; including mowing, pruning, clearing, and cleanup.
- The Orleans Police Department enforces Town Bylaws by responding to complaints and by patrolling the area.



## **Closing**

The new 2015 management plan for Kent's Point will be revisited for possible updating after five years of implementation and at ten year intervals thereafter. The new plan supersedes all previous management plans for this land purchased by the citizens of Orleans.

The Conservation Commissioners, in concert with the Conservation Agent, are key leaders responsible for reaching the five interrelated objectives recommended for the new plan. As these leaders use their expertise and creative intelligence to identify and solve problems, collect and consider valid data, and make wise decisions; the implementation of the 2015 management plan becomes a reality. Across the management plan there is a deeply held value that all people deserve equal access to this conservation land.

QUITCLAIM DEED

CHARLOTTE AUSTIN KENT, of the City, County, and State of New York, for \$1,800,000.00 consideration paid, hereby GRANTS to the TOWN OF ORLEANS, a Massachusetts municipal corporation located in Orleans, Barnstable County, Massachusetts, acting through its Conservation Commission under the provisions of M.G.L. Chapter 40, section 8C with QUITCLAIM COVENANTS, but IN TRUST nevertheless as hereinafter provided, the following contiguous parcels of land with the buildings and other improvements thereon situated on the shores of Long Frost Fish Cove, Pleasant Bay, and the Kescayogansett River and Pond in said Orleans, described as follows.

FIRST PARCEL: The premises conveyed to the grantor by Jessie Adams Kent by deed dated July 11, 1941, recorded with Barnstable County Registry of Deeds, Book 581, Page 221, EXCLUDING therefrom the premises conveyed by the grantor to Katherine H. Udall by deed dated June 14, 1984, recorded with said Deeds, Book 4145, Page 301.

SECOND PARCEL: The premises conveyed to the grantor by said Katherine H. Udall by deed dated February 7, 1984, recorded with said Deeds, Book 4145, Page 300.

Said parcels are hereby granted subject to the real property taxes assessed thereon as of January 1, 1988, for the municipal fiscal year ending June 30, 1989, which taxes the grantee hereby assumes and agrees to pay.

This conveyance is made upon the express trust that all of said land shall be held in perpetual public trust by the grantee for open-space-conservation purposes, which shall include use of said land for a Town shellfish laboratory and shellfish-propagation program and which shall permit a lease of said premises or a portion thereof to the grantor upon such terms and conditions as the grantee shall determine.

\*\*without limiting the generality of the foregoing

Witness my hand and seal this 15<sup>th</sup> day of December, 1988, Massachusetts deed excise tax stamps in the amount of \$4,104.00 [insert amount of tax at \$2.28 per \$1,000 of consideration] being hereto affixed and canceled.

*Charlotte Austin Kent*  
CHARLOTTE AUSTIN KENT

DEEDS REC'D  
BARNSTABLE  
01/03/89  
CANCELED  
4104.00  
4104.00  
7735A000 13:04  
EXCISE TAX

Street address of premises: 39 Keziah's Lane, Orleans.

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Book 6575 / Pg 248

STATE OF NEW YORK

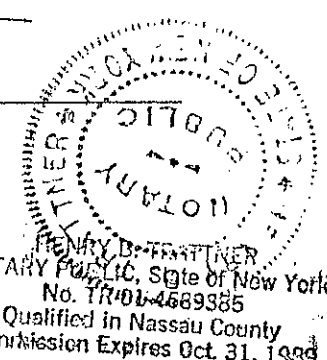
Nassau County, ss. DECEMBER, 15, 1988

Then personally appeared the above-named CHARLOTTE AUSTIN KENT and acknowledged the foregoing instrument to be her free act and deed, before me,

*[Handwritten Signature]*

Notary Public

My commission expires:



[Notarial Seal]

ACCEPTANCE

The undersigned grantee hereby ACCEPTS the foregoing conveyance upon the trust therein set forth.

Executed under seal this \_\_\_\_\_ day of December, 1988.

TOWN OF ORLEANS  
Acting through its  
Orleans Conservation Commission

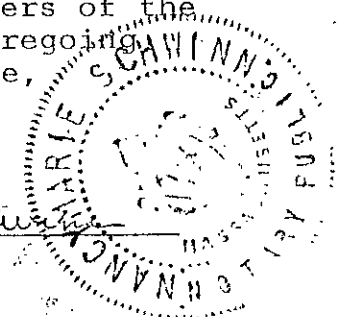
BY: *[Handwritten Signature]*  
By: *[Handwritten Signature]*

By: *[Handwritten Signature]*

By: *[Handwritten Signature]*

Then personally appeared the above-named members of the ORLEANS CONSERVATION COMMISSION and acknowledged the foregoing instrument to be their free act and deed, before me,

*[Handwritten Signature]*  
Notary Public



My commission expires: 9-2-94.

RECORDED DEC 29 88