

The Monastery

Conservation and Management Plan

2018-2023



Jayne Guertin

Town of Cumberland

William S. Murray, Mayor

Planning Department
Highway Division
Parks and Recreation Department
Conservation Commission

April 17, 2018

Executive Summary

Consisting of about 500 acres, the Monastery is Cumberland's largest park. This remarkable site serves as an important cultural center as well as a refuge for wildlife and people who wish to enjoy a most beautiful natural landscape. Many consider the Monastery the "Jewel of Cumberland".

This Conservation and Management Plan succeeds the Plan adopted in 2004. The Town reaffirms that the Library, Senior Center, Office of Children Youth and Learning, veteran memorials, playground, public gardens, and a Town Highway garage, all located at the Monastery, provide critical geographically-specific public value.

A conservation easement enacted by the Town Council in 2004 requires there be no further development of the Monastery. Subsequent statutory enactments by the Rhode Island General Assembly in 2011 and 2016 have added significant barriers to revising or repealing this easement. The Town's 2016 Comprehensive Plan also confirms this protection of open space. With adoption of this plan the Town reaffirms its commitment to the preservation of the Monastery's natural environment.

This plan documents the Monastery's history, ecology, institutional uses, hiking trail system, other recreational uses, development restrictions, maintenance regimen, and allowed and prohibited activities. A number of minor site improvements are recommended. The Town is grateful to the Conservation Commission and Monastery Preservation Alliance for their contributions to this plan.

1. Introduction

This Conservation and Management Plan succeeds the Plan adopted in 2004. The Town reaffirms the Library, Senior Center, Office of Children Youth and Learning (OCYL), veteran memorials, playground, outdoor theater stage, public gardens, and a Town Highway Division garage all located at the Monastery, provide critical geographically-specific public value. The Town also reaffirms its commitment to the preservation of the Monastery's open space.

Located in the densely-developed Monastery Heights neighborhood, the Monastery consists of eight individual lots totaling about 500 acres. It is Cumberland's largest park.

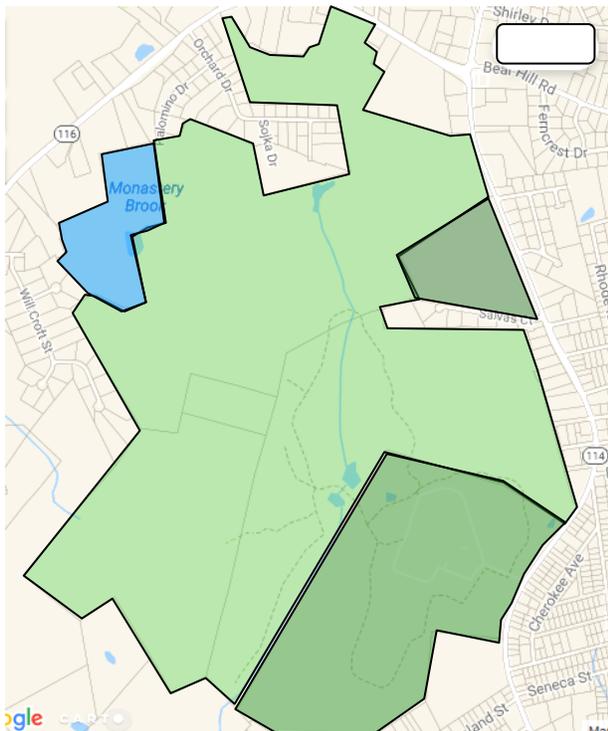
In 1902 the Trappists of the Foundation of Petit Clairvaux in Halifax, Nova Scotia acquired about 300 acres of land from the Diocese of Providence. The site became the Monastery of Our Lady of the Valley, one of the first Trappist monasteries in the United States.

The Cistercian monks farmed the land, diverted, impounded, and channelized the Monastery Brook, cultivated orchards and quarried Pigeon granite for the construction of the Abbey of Our Lady of the Valley. At one point after World War II as many as 130 monks lived, worked and prayed on the property.



Abbey of Our Lady of the Valley (ca. 1910)

On March 21, 1950 a huge fire all but destroyed the Abbey. Much of what remained was demolished. Remnants of the remaining structure have been preserved and adaptively reused as the Hayden Center and Cumberland Town Library. The Trappists relocated to Spencer, Massachusetts, where the order remains to this day.



The Town of Cumberland acquired the Monastery property in three separate purchases. The first was in 1968 by the Cumberland Water Department, a 20-acre lot (in blue, at left) at the northwestern most corner of the site. A water supply tank was erected there in 1972. Also in 1968, a second purchase of 365 acres (in light green) was accomplished with financial support from the Rhode Island "Green Acres" conservation program. The final purchase of 120 acres and the remnants of the Monastery buildings (in dark green), was made in 1972.

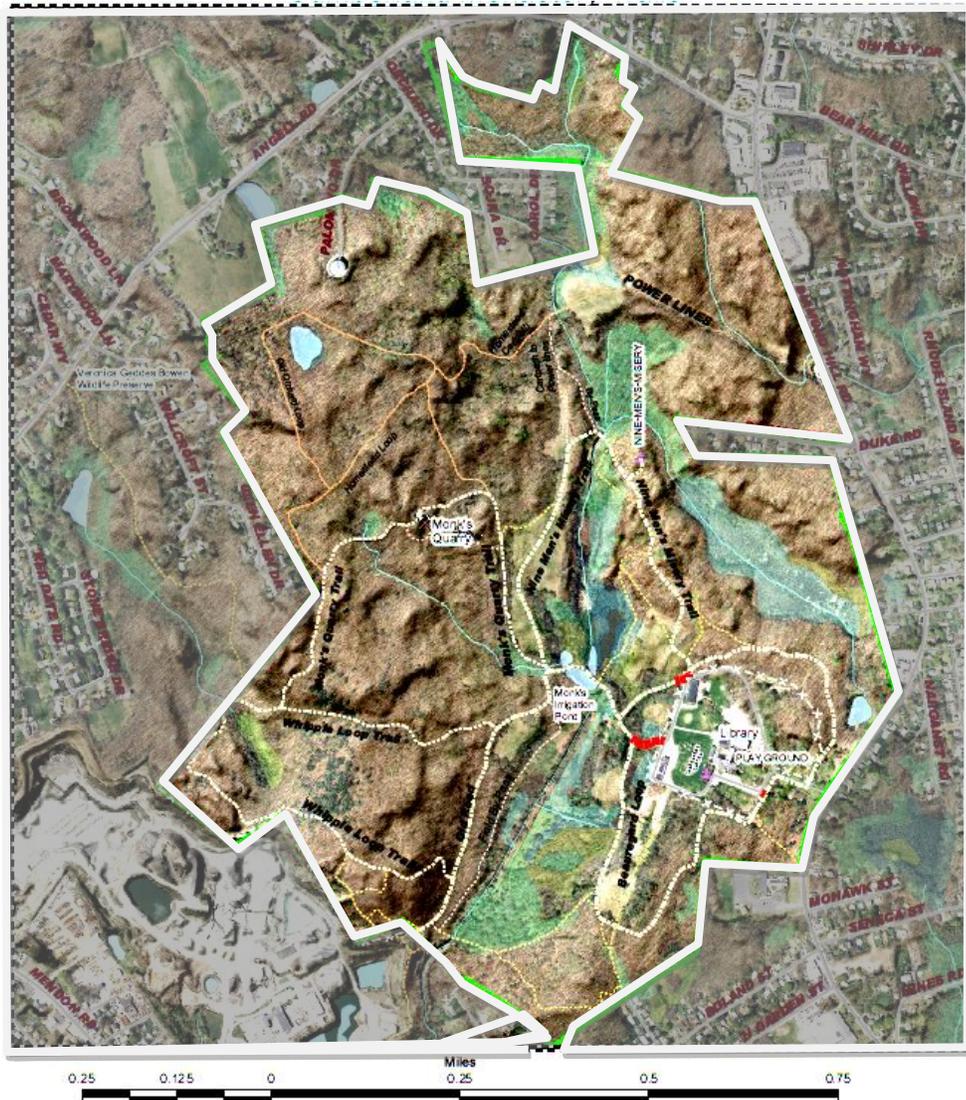
Today, the Monastery serves as an important cultural center as well as a refuge for wildlife and people who wish to enjoy a most beautiful natural landscape. What is not already developed for institutional uses is protected by a conservation easement prohibiting additional development. Many consider the Monastery the "Jewel of Cumberland".

2. Ecosystem

Wetlands and Streams. There are a number of wetlands on the Monastery property. Most are associated with Monastery Brook and its tributaries, which flow south and west through the site, under Mendon Road, on to the Blackstone River. There is an isolated shrub bog in the northern section, a forested wetland in the southwest section, and an artificial pond is near the main entrance on Diamond Hill Road.

Soils. Dominant general soils are Canton-Charlton-Sutton. Located in nearly level to moderately steep elevations, these are soils formed in loamy glacial till derived from crystalline rocks for which stormwater is well to moderately drained. These soils provide for good woodland and wildlife habitat. Mucky soils are found in and near the wetlands on the site. The soils around the Hayden Center are predominantly Canton and Charlton and Merrimac sandy loams. These are moderately suitable for building sites and sanitary facilities. They are on relatively low (3-8%) slopes (Appendix A).

Wildlife. The Monastery supports numerous species of breeding and migrating birds, including the Wild Turkey. Beaver, Striped Skunk, Raccoon, and Opossum are common. Medium to large mammals include the White-Tailed Deer, Gray Fox, and Red Fox (Appendix B).



2012 Aerial Photo. Source: RIGIS, and Edward J. O'Brien, Richard C. Morrissey, and the Friends of the Monastery Trails

3. Institutional Uses

The Hayden Center. The Hayden Center is maintained jointly by the Town and the Library Board of Trustees. Structures associated with the former Cistercian Monastery occupy the eastern portion of the property near the main entrance on Diamond Hill Road. These structures include the Edward J. Hayden/Cumberland Public Library, the Senior Center building, a food pantry (located to the rear of the Senior Center), a building which houses the Mayor's Office of Children Youth and Learning (OCYL), the Porter Lodge and the Cumberland Highway storage facility.



Hayden Public Library. The Edward J. Hayden Public Library and Hayden Center are located on the Monastery property. The Center has recently had work done to repair several leaks. The Library is located within two of the original Monastery buildings. The library extension, completed in 2000, houses the public areas and the original Library space is home to four meeting rooms and the Friends of the Library Bookstore. A grant from the Champlin Foundation in 2015 expanded the Teen Center to triple its original size.

years.

The activity at the Library has been steadily increasing for a number of

OCYL. Established in 2007, the Mayor's Office of Children Youth and Learning has developed into a progressive and supportive center offering high quality early childhood education, after-school enrichment classes, workshops, tutoring, teen leadership and civic engagement programs.

In the fall of 2011, the Early Childhood Literacy and Number Sense classes moved to the second floor of the OCYL building, creating a home base for most programs. In 2014, OCYL expanded into the third floor which had been renovated for registration, teacher work space, offices, tutoring rooms, and a Youth Commission office.



The former office on the first floor is now an enclosed classroom, targeted for use for the visual and performing arts programs and future partnership projects. OCYL programs have served more than 1,000 children annually and are currently serving twenty percent of Cumberland's preschool and school age children.



Senior Center. The Senior Center has grown from 603 members in 2003 to 780 today. The Senior Center building is located west of the library. A majority of indoor activities, including meals and bingo games, take place in one main room. Painting classes, walks, and picnics often occur outside on the Monastery grounds. The Senior Center also serves as a transportation hub for activities at other local senior centers, meal sites, shopping and bus trips to destinations beyond Cumberland. Other groups use the Senior Center for meetings and quilting and yoga classes.

The Porter's Lodge is a small granite building built by the Trappists, and is located within the Monastery's entryway. It is vacant and should be repurposed for a suitable use.

Existing structures should be repaired as needed and maintained in good order. The footprint of existing buildings and structures cannot be expanded, and no new buildings, structures, improvements may be erected on the property,



including mobile homes, signs, tennis courts, driveways, utility poles, towers, conduits, lines, fencing, or other structures beyond what existed in 2004. To ensure public safety, fencing may be allowed in such places as the trailway next to the Lynch quarry, where the trail abuts a steep slope.

Public Access and Parking. The main access point for the Monastery is a beautiful entranceway lined with Maples, located off of Diamond Hill Road. There are walking and hiking access points throughout the property. The 40-space northern lot services the Library; the southern lot is convenient to users of the Hayden Meeting Center's four meeting rooms and the Friends of the Cumberland Library Bookstore. The parking demand for the Senior Center is growing. The existing parking meets demands, although the northern lot can be congested during large or simultaneous events.

Existing lots should be repaved and/or re-lined. No new lots can be built. One improvement to the parking areas would be to install markers that direct users of the Monastery Trail to the trail entrances.

Utilities. The Monastery facilities are served by an existing water main that extends from the Town's water distribution system on Diamond Hill Road. The on-site sanitary collection system is connected to a common gravity sewer line that extends from the Highway storage facility area southerly to Lemieux Avenue, where it connects to the Town's sewer system. A 1972 Town water tower is located near the northern border of the site and is accessed from an adjacent residential development.

Maintenance Garage. The Highway Division has a storage garage west of the Library. The building once served as the stable for the horses of the Cumberland Police Department.

4. Gardens, Memorials and Cemeteries.

Gardens. The URI Master Gardiners maintains the water garden near the gazebo, north of the Library. This garden was planted with flora that attracts butterflies. The Cumberland Garden Club cares for the Ruth Carpenter Memorial Garden located to the south of the Library, a traditional perennial garden surrounded by hedges, which was formerly the cemetery for the monks. They use a tool shed behind the Library for the storage. Recently, the University of Rhode Island has planted an experimental garden to in a quest to find a natural predator for the Lilly Leaf Beetle.



Memorials. A series of veteran memorials are located along the south side of the Monastery entrance.

The most historic is the original plaque commemorating the dedication of the Veterans Memorial Park in Valley Falls on May 30, 1924. Designed by J.G. Hardy and struck by Gorham Manufacturing Company, this classical bas relief bronze piece and the granite on which it is mounted was relocated to the Monastery in the 1980's.

Its inscription reads: "To the honor and glory of those who fought to establish the Republic, to maintain inviolate the union of states, to free oppressed peoples from

tyrannical governments, and to spread throughout the world the principles of democracy this monument and park are dedicated by the grateful townspeople of Cumberland, Rhode Island, May 30th anno domini

1924.” The plaque references the six American conflicts up to that point: the American Revolution (“1776”), War of 1812 (“1812”), Mexican War (“1846”), Civil War (“1861”), Spanish-American War (“1898”) and World War I (“1917”). Also included are the insignia of the three service branches of the period: Navy, Army and Marine Corps.

Other mounted plaques in the veteran memorials collection are the Combat Veterans Memorial and the Vietnam Memorial. These are maintained by the Cumberland Veterans Council and the Town Highway Division.

In 1991 the portion of the conservation land purchased in 1968 was dedicated to environmentalist Margaret Pederson, former Chair of the Cumberland Conservation Commission and indefatigable advocate for that purchase. A memorial to Mrs. Pederson is located behind the Senior Center.

Cemeteries. Two Rhode Island historic cemeteries are located on this property. Our Lady of Atonement Cemetery is believed to be where a property caretaker is buried. A number of monks were once buried at what is now the site of the Ruth Carpenter Memorial Garden. They have since been reburied in Spencer, Massachusetts.

The Nine Men’s Misery Cemetery is marked by a Memorial Stone with a bronze plaque that reads “Pierce’s Fight, 9 Soldiers, 3/26/1676.” It was likely erected in the early twentieth century by Cistercian monks to commemorate nine Englishmen killed during the King Philip’s War (1675-78).



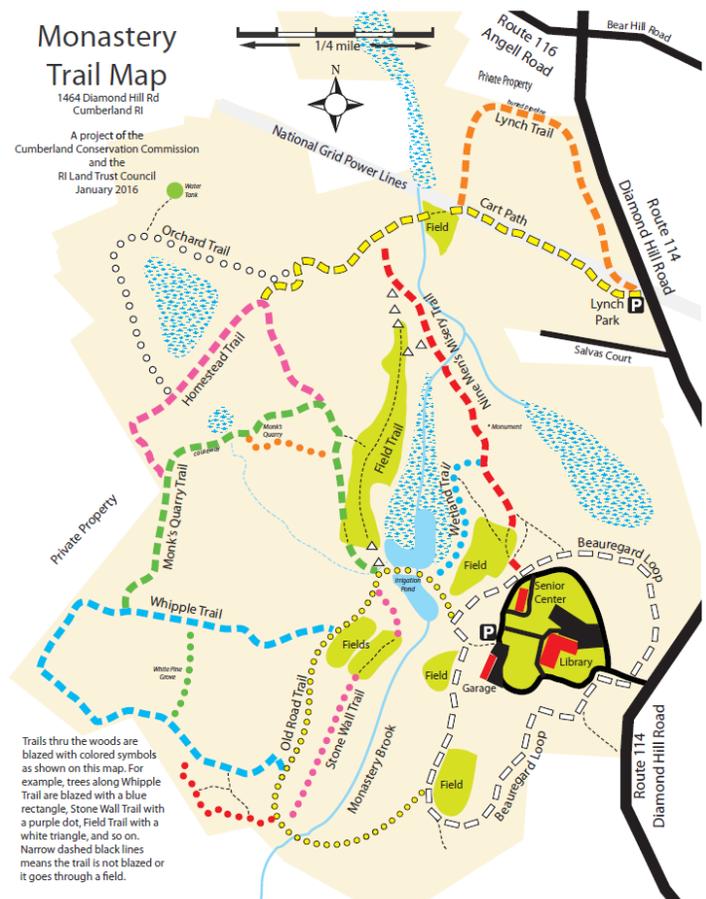
5. Recreational Uses

Hiking Trails. The Monastery is crisscrossed with paved and dirt trails in open and forested areas, crossing streams and wetlands, along the powerline easement, in fields, and in developed areas. Trails enter the site from surrounding residential neighborhoods on west, north, east, and southeast borders. There are no signs at the trailheads, but there should be.

The *Beauregard Trail* (Main Trail) is 1.2 miles in length and accessed from the existing paved parking lots, and includes many side trails and loops.

In 2004, trail improvements on the Monument Loop Trail off of the Nine Men’s Misery Trail were completed, making it more accessible for the physically-challenged. In 2016 the Town installed \$35,000 in DEM-funded improvements to the trail system with water bars to divert running water off the trails, adding new gravel and stone dust to the hiking trails and installing new doggy disposal bag stations.

In 2016 the Conservation Commission published new Monastery trail maps and brochures (see image at right).



The Monastery is a very important part of the Cumberland Greenway, championed by the Cumberland Land Trust and other conservationists. Their goal is to create one contiguous open space area containing numerous walking trails, from the Monastery north to the Massachusetts state line. Acquisitions of additional properties such as the 219-acre purchase of Mercy Woods (at present the Sisters of Mercy Mount Saint Rita campus) is a top priority, as specified in Cumberland's 2016 Comprehensive Plan.

Playground. A playground is located on the north side of the main entryway. There are picnic areas nearby and picnic tables in the open area north of the Library near the gazebo. Group recreational activities may be scheduled with the Recreation Director.

Cross country meets. The Cumberland High School and Middle School cross country teams frequently uses the Monastery for its practices and meets.

Recreation development policy. No additional recreational uses, including ballfields, or expansion of existing uses are permitted under the Easement. The existing trails throughout this space should continue to be maintained by the Town, but no new trails added.

6. Development Restrictions

The Town's initial Monastery acquisitions from the College of Our Lady of Atonement were in 1968. The first was 20.3 acres by the Cumberland Water Department for the purpose of erecting a water tank, which was built in 1972.

The second was a 364.9-acre purchase at a cost of \$151,200, including \$75,600 from the Federal Government and \$37,800 from the Town, matching a Rhode Island "Green Acres" grant of \$37,800. An April 4, 1968 Council Resolution authorizing the Green Acres grant request specified that the Town "desires to develop certain land known as Monastery Park, which is land to be held and used for permanent Recreation or Conservation land as an intensive use Park". A restrictive easement on the Green Acres parcel dated September 27 of that year stated that the land was to be used for recreation or conservation purposes, and in accordance with the "Plan of Land to be Purchased from College of our Lady of Atonement by the Town of Cumberland and the Green Acres Land Acquisition Act of 1964, Chapter 174 of Public Laws 1964".

The 1972, Cumberland acquired an additional two lots totaling 120 acres from the College of Our Lady of Atonement, which included the remnants of the Monastery buildings. A December 14, 1972 Council Resolution authorized \$200,000 from an Industrial National Bank note and \$35,000 from a Green Acres-Public Works/Open Space account to make the purchase.

The December 15, 1972 conveyance from the College of Our Lady of the Atonement included a restrictive easement which for a 30-year period the premises "be used solely for public uses and purposes...either municipal, state or federal."

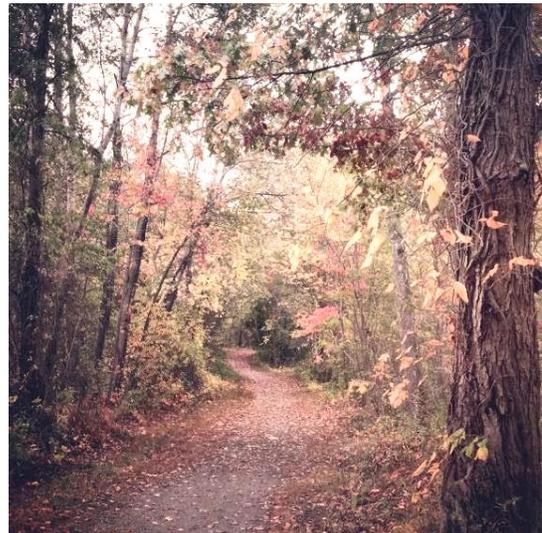
2004 Council actions. In the 2004 campaign for mayor, candidate David Iwuc proposed that all-terrain motorized vehicles (ATV's) be allowed to use some of the trails at the Monastery.

This prospect galvanized the incumbent Town Council. On October 20 they adopted a Conservation and Management plan for the Monastery. Under "Future Actions", the Plan stated "The property should be preserved in perpetuity and protected with a Conservation Easement similar to the ones originally placed on the property."

On November 3 the Council amended Chapter 28 of the Code of Ordinances to include a new section 28-27, which struck the condition “without the Town Council’s official permission following two public hearings” from the provision “no additional recreational uses or expansion of existing uses shall be allowed”.

On November 8 the Council took further action. It adopted a Conservation Easement and Restrictive Covenants, which was recorded in the land evidence records in book 1236, page 298 (the “Easement”). This easement protects the Monastery lands in perpetuity, and describes in detail the allowed and prohibited uses of the land and its legal status governed under Rhode Island General Laws Chapter 34-39.

Easement. The Monastery property must be used and maintained in accordance with the terms of the Easement enacted by ordinance in 2004. The purpose of the easement is “to assure that the Premises will be retained forever in its open, natural, scenic, historic, ecological, or educational condition and to prevent any use of the Premises that will significantly impair or interfere with the conservation values of the Premises.” It was drafted and recorded to protect the Monastery property in perpetuity, and enumerates the restrictions that would be placed on the land under Rhode Island Law.



In accordance with the Easement, certain activities and uses in effect in 2004 (including upkeep and maintenance of buildings, structures, and parking areas that were in place in 2004) are permitted; all other activities and uses that were not in effect in 2004 or that conflict with Easement or its purposes are prohibited (Appendix C and D).

2011 and 2016 State statutory amendments. In 2011, General Assembly amended Chapter 34-39-5c of the Rhode Island General Laws (“Conservation and Preservation Restrictions on Real Property” - “Release of a Restriction”) added significant barriers to revising or repealing this easement. This law forbids a municipal government from passing an ordinance which release an existing conservation easement.

In 2016, the General Assembly again amended Chapter 34-39-5c by P.L. 2016, Chapter 80, s1 and P.L. 2016, Chapter 78, s1, specifying: “A conservation or preservation restriction may not be terminated or amended in such a manner as to materially detract from the conservation or preservation values intended for protection, without the prior approval of the court in an action in which the attorney general has been made a party.” (Appendix C)

2014 Public Safety Complex Site Proposal. A referendum was proposed which intended to enable the location of a new Town Public Safety Complex at a site at the northernmost section of the Monastery land near the intersection of Route 116 and 114. In the face of a potential legal challenge, that proposal was withdrawn.

2016 Comprehensive Plan. Adopted by the Town Council and approved by the State, the Plan reaffirms that the Monastery land is to be maintained its present state and not further developed.

Utility easements. There are two recorded utility easements: a transmission line easement with Blackstone Valley Gas and Electric dating to the early 1900’s, that allows the right to “trim, cut down, or remove trees, underbrush, or obstructions to the electric lines” (Book 68, Page 160); and petroleum pipeline easement with the Standard Oil Company of New York (Book 81, Page 137).

7. Maintenance

The Highway Division repairs pavement, mows grass, rakes leaves, repairs fences and lighting, maintains the playground, and removes litter from March through December. In winter the Division plows snow in the parking lots. Library staff maintains their offices and public areas.

Trails. The Highway Division trail maintenance includes regularly grooming and brush trimming to keep the trails safe for public use. The Cumberland High School cross country team often assists. Debris and impediments causing flooding are cleared. Areas subject to erosion and vandalism are repaired.

The Conservation Commission marks and blazes the established trails according to the Appalachian Mountain Club system. The Commission's 2016 Monastery Trail Map has proved very popular.

There are a sufficient variety of trails that serve people who need a paved path as well as those who are looking for more of a wilderness experience. No new trails are necessary. The Easement precludes the creating of any new trails, and actually requires the existing trails be properly maintained.

The Highway Division will maintain the Monastery in a manner consistent with the Easement and designed to preserve the land in its natural state to the fullest extent possible. The Town recently purchased a mini excavator, scaled for maintaining trails without damaging perimeter areas. The Recreation Director and Highway Division will be available to the Conservation Commission, the Monastery Preservation Alliance and others in the event maintenance issues or concerns arise.

Forest Management. Since the majority of the Monastery land is forested, the Monastery land should be actively managed. This includes, at minimum, having Town staff and Conservation Commission members walk the property at least once a year to document its current condition, track any changes that might affect the property's conservation values, and develop plans to address any issues in a timely fashion. It may also include sustainable forestry practices, such as clearing deadwood, cutting old trees, making room for new growth, and similar maintenance. If the Town does not have the time or financial resources to manage the non-trail wooded areas using sustainable forestry practices, the Planning Department will explore alternatives and partnerships with nonprofit forestry experts.

Fields. The fields that existed at the time the Easement was enacted should be maintained in their natural state, left undisturbed in order to allow nectar sources for butterflies to develop and nesting birds to fledge their young. The Highway Division may engage a farmer to hay the fields on an as-needed basis, so long as haying/mowing is done no more than once a year, no earlier than late August or autumn, and with mower blades set to a minimum height of 10 inches; provided, however, that if the Fire Chief determines that extreme dry weather conditions cause the fields to present a fire hazard, the Town may hay/mow earlier than late August or autumn in order to protect life and property. The Highway Division also may flail cut the main pathways that now exist through the fields no more than twice per season.

Beaver dams. The Highway Division is working diligently to remove impediments to water flow that threaten the trail system when they occur. They installed two culverted hiking trail bridges to allow safe hiker passage.

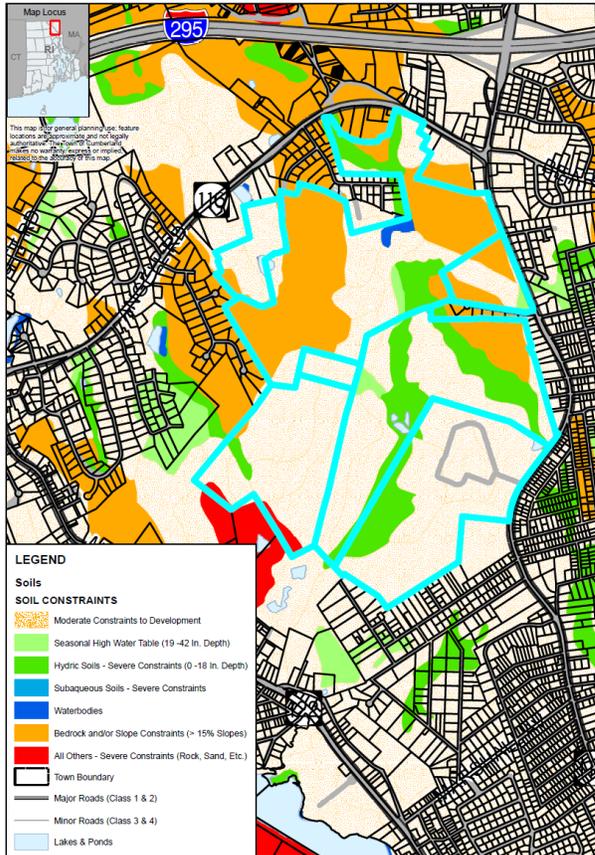
Pet Waste. New pet waste stations were purchased in 2016 for trail system users.

Cultural Artifacts. The Monastery has several anthropological cultural artifacts including Native American arrowheads. Under no circumstances are these to be removed from the property. Remnants of old foundations and cold cellars located near the Highway Garage should also not be disturbed.

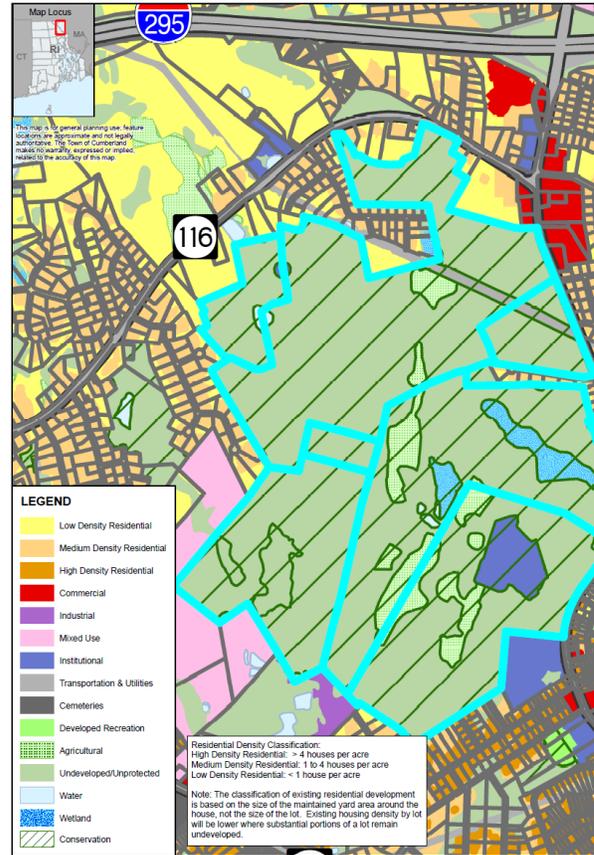
Survey. The Town should commission a survey to establish the exact acreage and boundaries of the Monastery lands.

Appendix A: Soils and Land Use

Soil	Soil Name	Hydric Soil	Farmland Rating	Suitable Uses
Aa	Adrian Muck	Yes	Not Rated	Wetland Wildlife Habitat
CdA	Canton and Charlton Fine Sandy Loams (0-3%)	No	Prime	Cultivated Crops, Development, Wildlife Habitat
CdB	Canton and Charlton Fine Sandy Loams (3-8%)	No	Prime	Cultivated Crops, Development, Wildlife Habitat
CeC	Canton and Charlton Fine Sandy Loams, very rocky (3-15%)	No	Not Rated	Development, Wildlife Habitat
ChB	Canton and Charlton very Stony Fine Sandy Loams (3-8%)	No	Not Rated	Development, Wildlife Habitat
ChC	Canton and Charlton very Stony Fine Sandy Loams (8-15%)	No	Not Rated	Development, Wildlife Habitat
ChD	Canton and Charlton very Stony Fine Sandy Loams (15-25%)	No	Not Rated	Development, Wildlife Habitat
CkC	Canton and Charlton extremely Stony Fine Sandy Loams (3-15%)	No	Not Rated	Development, Wildlife Habitat
Co	Carlisle Muck	Yes	Not Rated	Wetland Wildlife Habitat
HkC	Hinkley Gravelly Sandy Loam (3-8%)	No	Important	Development, Wildlife Habitat, Cultivated Crops
MmB	Merrimac Sandy Loam (3-8%)	No	Prime	Cultivated Crops, Development, Wildlife Habitat
StB	Sutton Fine Sandy Loam (3-8%)	No	Prime	Cultivated Crops, Development, Wildlife Habitat
SuB	Sutton very Stony Fine Sandy Loam (0-8%)	No	Not Rated	Development, Wildlife Habitat



Soils



Land Use

Appendix B: RI Natural Heritage Program Species (2014 DEM data)

The Rhode Island Department of Environmental Management maintains lists of plant and animal species of conservation interest. The Rhode Island Natural History Survey gathers and disseminates the information on the State's animals and plants, geology, and ecosystems, to support the management of natural resources. RIDEM, RINHS, the Rhode Island Chapter of the Nature Conservancy and the URI Environmental Data Center keeps track of rare and endangered species and natural communities in Rhode Island.

Genus	Species	Common Name	Last Observed
Saxifraga	virginiensis	Early Saxifrage	1992
Asclepias	quadrifolia	Four-leaved Milkweed	1993
Cypripedium	calceolus	Large Yellow Lady's-slipper, Moccasin-flower, or Golden Slipper, Whip-poor-will Shoes	2007
Isoetes	riparia	River-, Riverbank-, or Shore-quillwort	1992
Cryptotaenia	canadensis	Honewort, Wild Chervil	1992
Penstemon	digitalis	Tall White or Foxglove Beard-tongue	1992
Matteuccia	struthiopteris	Ostrich Fern	2006
Lampetra	appendix	American Brook Lamprey	1990
Atrytonopsis	hianna	Dusted Skipper	1991
Corydalis	sempervirens	Pale or Tall Corydalis, Rock-harlequin	2006
Aralia	racemosa	Wild Spikenard, Life-of-man	2005
Hedeoma	pulegioides	American Pennyroyal, Pudding-grass	1993
Triosteum	aurantiacum	Wild Coffee, Feverwort, Horse-gentian	1992
Triosteum	aurantiacum	Wild Coffee, Feverwort, Horse-gentian	1992
Helianthus	divaricatus	Woodland-sunflower	1995
Panax	quinquefolius	Wild or American Ginseng, Sang	2007
Triosteum	aurantiacum	Wild Coffee, Feverwort, Horse-gentian	
Atrytonopsis	hianna	Dusted Skipper	1993
Botrychium	simplex	Dwarf or Little Grapefern, Least Moonwort	1984
Anemonella	thalictroides	Rue-anemone	2003
Agalinis	tenuifolia	Common Agalinis, Slender Gerardia	1991
Hottonia	inflata	Featherfoil, Water-violet	2006
Geranium	bicknellii	Bicknell's Geranium	1992
Saxifraga	virginiensis	Early Saxifrage	1982
Corallorhiza	maculata	Spotted Coral-root	2005
Solidago	flexicaulis	Zigzag or Broad-leaved Goldenrod	1985
Asclepias	exaltata	Poke or Tall Milkweed	1993
Corydalis	sempervirens	Pale or Tall Corydalis, Rock-harlequin	2006
Sanguinaria	canadensis	Bloodroot, Red Puccoon	1992
Cononholis	americana	Sauaw-root, Cancer-root	2005
		Rich Red Maple - Ash Swamp	
Cicindela	rufiventris	Red-bellied Tiger Beetle	1995
		Atlantic White Cedar Swamp	1988
Cornus	rugosa	Round-leaved Dogwood	1992
Corallorhiza	odontorhiza	Late or Autumn Coral-root	2005
Aeshna	mutata	Spatterdock Darner	2002

Source: RI Natural Heritage Program Rare Species Listing 2014, Paul Jordan DEM

Appendix C: Easements

The 2004 Town Easement's purpose statement:

"It is the purpose of this Conservation Easement and Restrictive Covenants to assure that the Premises will be retained forever in its open, natural, scenic, historic, ecological, or educational condition and to prevent any use of the Premises that will significantly impair or interfere with the conservation values of the Premises. The Town intends that its Conservation Easement will confine the use of the Premises to the uses as are consistent with the purpose of this Conservation Easement and the Conservation Management Plan developed by the Town (hereinafter referred to as the "Management Plan") and adopted by the Cumberland Town Council on October 20, 2004, which Management Plan sets forth specific procedures by which the Premises shall be maintained including, but not limited, to the adequate maintenance of the Premises to preserve the natural values, public access and other matters as may be required for the preservation of the Premises."

The 2016 General Assembly amendment to Chapter 34-39-5c by P.L. 2016, Chapter 80, s1 and P.L. 2016, Chapter 78, s1 specifies:

"A conservation or preservation restriction may not be terminated or amended in such a manner as to materially detract from the conservation or preservation values intended for protection, without the prior approval of the court in an action in which the attorney general has been made a party. Termination or amendment that materially detracts from the conservation or preservation values intended for protection may be approved only when it is found by the court that the conservation or preservation restriction, or the provision proposed to be amended, as the case may be, does not serve the public interest or publicly beneficial conservation or preservation purpose, taking into account, among other things, the purposes expressed by the parties in the restriction. An amendment that materially detracts from a specific conservation or preservation value intended for protection may be approved only when it is found by the court that the proposed amendment: is between a separate distinct conservation or preservation restriction holder and the fee landowner; creates a net gain in the overall conservation or preservation purpose for which it was intended; and is consistent with the conservation or preservation purposes expressed by the parties in the restriction and the public conservation or preservation interest. No such approval may be sought except with the consent of the holder. If the value of the landowner's estate is increased by reason of the amendment or termination of a conservation or preservation restriction, that increase shall be paid over to the holder, or to such non-profit or governmental entity as the court may designate, to be used for the protection of conservation lands or historic resources consistent, as nearly possible, with the stated publicly beneficial conservation or preservation purposes of the restriction."

Appendix D: Allowed and Prohibited Uses

As indicated throughout this Plan, the Town must prevent any use of the Monastery in a way that would significantly impair or interfere with the conservation of the land, including that the land be retained forever in its open, natural scenic, and ecological condition. Any uses not listed below are prohibited.

Use	Allowed / Prohibited	Special Conditions
walking/hiking	A*	* Dogs must be on leash
jogging /cross country	A	
playground activity	A	
skiing/snowshoeing	A	
picnicking	A	
bird watching	A	
veterans ceremonies	A	
fishing	A	
gardening	A*	* Recreation Director approval required
weddings/photography	A*	* Recreation Director approval required
agricultural (haying)	A*	* under Highway Division supervision
bicycling	A*	* on paved trails and driveways only
in-line skating	P	
skateboarding	P	
horseback riding	P	
ice skating	P	
kayaking/canoeing	P	
dirt biking/ATV	P	
snowmobiling	P	
basketball/ baseball/softball	P	
soccer/football	P	
swimming	P	
sledding	P	

Appendix E: Sources

- Freitas, Amanda, Community Liaison, 2016. *Rhode Island Wildlife Action Plan*.
- Jordan, Paul, Supervising GIS Specialist Department of Environmental Management. 2016 interview.
- Cumberland Public Library. 2004. *History of the Monastery: Abbey of Our Lady of the Valley*.
- Cumberland Public Library. <http://www.cumberlandlibrary.org/planning-hike>
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