



Maintaining Various Easement Types and Stream Buffer Areas

Drainage Easements

If you have any type of drainage feature on your property, maintenance is the responsibility of the property owner. In most cases, such a feature will be contained within a recorded drainage easement (sometimes called a private drainage easement), but in some cases they are not. Drainage features or easement areas are often shared by two properties, thereby making maintenance responsibilities shared as well. Such areas may have been designed so that the stormwater flows on top of the ground, or it may have been designed with a pipe underneath the ground to convey water. Property owners are responsible for keeping these areas properly stabilized in order to prevent erosion. They are also responsible for insuring that the flow of stormwater across the easement is not impeded. It may be necessary to use erosion control matting or other technique to help establish or re-establish vegetation in these areas. It is also important to keep these areas free of debris, large obstructing vegetation (such as trees), and structures such as fences or sheds and play equipment.

Town-Maintained Utility Easements

If you have a “utility easement” (sometimes called a sewer or water line easement) on your property, it contains an underground public utility line (either water or sanitary sewer), and the Town is required by the State to maintain access to these areas and to conduct annual routine inspections, repair, and maintenance. For this purpose the Town requires full access to these easement areas. Any plantings are required to be low growing and non-obstructing, and it is important to be aware that plantings installed within this type of easement may be damaged or destroyed during the course of maintenance activities. The Town is not responsible for damage to plantings, fences, accessory structures, etc. located either within an easement or in any manner restricting access to the easement.

Low growing groundcover includes small and medium shrubs, groundcovers, or grasses. These plantings may be planted by the property owner within an easement (as noted above) as long as the plantings do not inhibit access of the easement with required equipment by the Town and/or its agents. Small trees (under 30 feet in height at maturity) may be planted a minimum of 10 feet from the centerline of the closest utility pipeline within the easement or 10 feet from the center of the easement, whichever is greater, and subject to the preceding paragraphs. Small trees as defined above shall include redbuds, fringe tree, serviceberry, crepe myrtle, golden raintree, hawthorn, hornbeam, saucer or star magnolia, sassafras, smoke tree, sourwood, and sumac. Large trees, fences, gates, sheds, or any other type of structures (e.g. retaining walls or utility sheds) may not be placed within any utility easement.

Stream Buffers Areas

Your property may also contain regulated stream buffers. Regulated stream buffers are vegetated areas on either side of a stream or dry watercourse that provide benefits for overall water quality in your watershed. The benefits include: reduction of structure flooding, reduction of sediment loss into adjacent water bodies, enhanced stream bank stabilization, reduction of nitrogen, maintenance of more constant water temperature, provision of wildlife habitat, and the extension of natural corridors between habitat areas. The vegetation in these areas must be protected. Dead trees & invasive plant species should be removed and only native vegetation used. All work should be conducted by hand if possible in a manner not to disturb other existing vegetation. Not all stream buffers are subject to the same rules, as there are different “zones” of restriction. For questions about stream buffer zones and what activities you can undertake in them, please contact the Town of Holly Springs Engineering Department.

Stream Bank and Drainageway Maintenance Activities

It is important to remember before beginning any significant maintenance activity along a stream bank or drainageway (especially such activities as grading or installation of rock or concrete or pipe) that you need to contact the Town of Holly Springs Engineering Department at (919) 557-3938 for guidance on obtaining applicable approvals and/or permits. Some approvals and permits can be issued by the Town for certain work, but often the work also requires state and/or federal permits. The type of improvements allowed along stream banks and drainageways is very regulated at local, state, and federal levels.

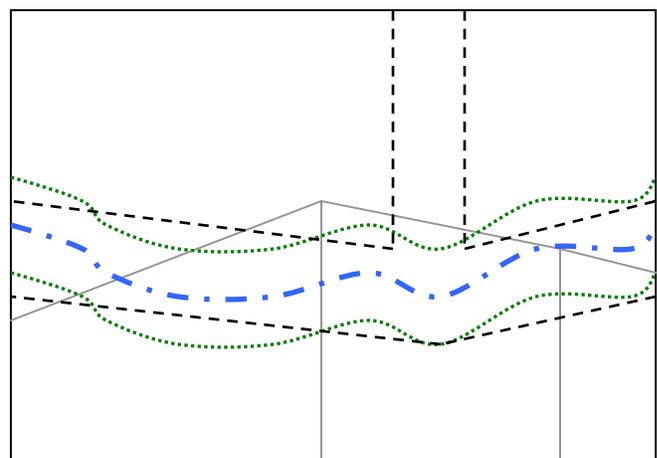
A good rule of thumb is to, whenever possible, utilize natural materials such as wildflowers, grasses, and shrubs to stabilize shorelines and stream banks. Root structure under the ground (known as root wads) should be left in place, even if a tree or vegetation above the ground is removed. Root structure is one of the best ways to prevent erosion while preserving habitat. Always vegetate bare soil as quickly as possible with an appropriate, native vegetative cover, such as sod or seed. Be sure to mulch the area with straw, erosion control matting or other appropriate cover to prevent erosion until the seeds germinate.

On the other hand, rip-rap (large rocks), concrete, and/or pipe greatly reduce or eliminate riparian habitat and can cause erosion problems for neighboring properties that do not have similar structures. These types of “hardscape” structures are recommended only in the case of extremely erosion-prone areas with swift moving water. If you have an existing area that has been rip-rapped, try supplementing the area with native aquatic vegetation to help restore lost aquatic habitat. In some cases engineered natural stream restoration techniques may be required. Always use natural methods of stabilization including living plant materials whenever possible, and remember not to undertake any significant activities without proper approvals.

What happens when easements, buffers, and drainageway areas overlap?

On many properties, the various types of easements, buffers, and drainageway areas may overlap. For instance, there may be a utility easement for sanitary sewer adjacent to a stream channel on your property. When this happens, the Town’s Public Works Department is still required to maintain the utility easement as mentioned above (mow and clear brush and trees so as not to permit them to negatively affect the sanitary sewer line). Again, these areas may be supplemented by the property owner with low growing ground cover or vegetation to prevent erosion. Choices of native stream bank vegetation in this case can be more difficult. Plants such as willows tend to be a good choice. For more information on native plants, please contact the Town of Holly Springs Environmental Services and Stormwater Management Division (Please see phone number and e-mail address below).

For more information or guidance, contact the Town of Holly Springs Stormwater Hotline at 919.567.4011 or e-mail at stormwater@hollyspringsnc.us Remember, clean water starts with you and me!



For general guidance about stormwater issues, please see:
http://www.ncstormwater.org/pages/public_technicalassist.html

- Utility Easement Line
- Lot Line
- - - - - Stream or Drainage Way
- Buffer Area