

Easements

Why they are important

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- Township Committee
- Holmdel Environmental Commission

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What is an Easement?

- An easement is a legal obligation by which a property owner agrees restrict the use of a portion of his property.
- Owner still has ownership, and is not obligated to give public access.
- Once granted, subsequent owners are bound by the terms of the easement.

Is there an Easement on My Property?

- 38% of all lots have one or more easements.
- Existence found in pre-closing title search.
- Usually created as part of subdivision.
 - Map of subdivision can be found online at Monmouth County Public Records System, Subdivision Maps

Easement Types

- 18 Different Types
- Most Common:
 - Conservation
 - Drainage
 - Sight Triangle

Example of Easements

- Easements**
- Conservation
 - Conservation/Drainage
 - Conservation /Landscape
 - Drainage
 - Sanitary Sewer
 - Sight Triangle
 - Open Space
 - Open Space /Drainage
 - Access
 - Access /Utility
 - Utility
 - Sanitary Sewer /Utility



Sight Triangles

- Triangular shaped easements at the intersection of streets.
- No grading, planting or structure higher than 18 inches.



Drainage Easements

- Common Flavors
 - Stormwater runoff from roads
 - Watercourse of stream
 - Detention basin
- Last two combined with conservation / open space easements.
- Drainage easement for runoff
 - Maintenance by home owner
 - Preservation by Township when necessary
 - No structures, swimming pool, tennis courts, etc



Conservation Easements

- Protect environmentally sensitive areas
 - Streams
 - Steep Slopes
 - Wetlands
- Acts as a buffer to slow down and clean runoff
- Holmdel streams are major contributor to the Swimming River Reservoir-our drinking water.

Conservation Easement Restrictions

- Best left in natural state
 - No cutting, mowing, trimming
 - No removal trees shrubs or understory plants
 - No grass clippings or debris of any kind
 - No grading
- Can with permission of the Township
 - Remove diseased or hazardous trees or limbs
 - Non-native and invasive plants

The Future

- Web Based