



CONSERVATION EASEMENTS

Protecting Natural Resources in Kingwood Township



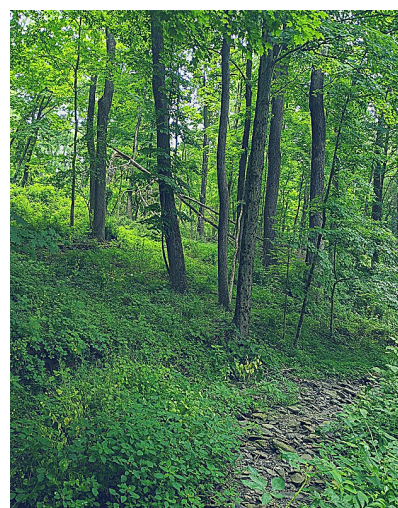
What is a Conservation Easement?

Sensitive environmental areas such as freshwater wetlands, stream corridors, and riparian buffers are often impacted by commercial and residential developments and nearby roadways. This construction can reduce forest cover and critical wildlife habitat, and increase stormwater runoff and pollutants from fertilizers, pesticides, road salts, or dumping. The best way to protect sensitive areas and water resources is by restricting construction activities and providing protective conservation buffers around streams, lakes, wetlands, floodplains, and wildlife habitat areas. The establishment of conservation easements helps ensure long term preservation and maintenance of Kingwood Township's natural resources.

A conservation easement is a permanent, legal restriction that is recorded on your deed and filed with the county clerk to perpetually protect lands and natural resources. A Conservation Easement Ordinance adopted by the Kingwood Planning Board calls for conservation easements to be deeded to the Township prior to, or as a condition of, subdivision or site plan approval. The ordinance also identifies limitations on activities that may be conducted within a conservation easement area. An easement ensures that the current and future property owner abides by any conservation restrictions. This guide serves as a reference for Conservation Easement Grantees on best practices in the management of these sensitive and ecologically important areas.

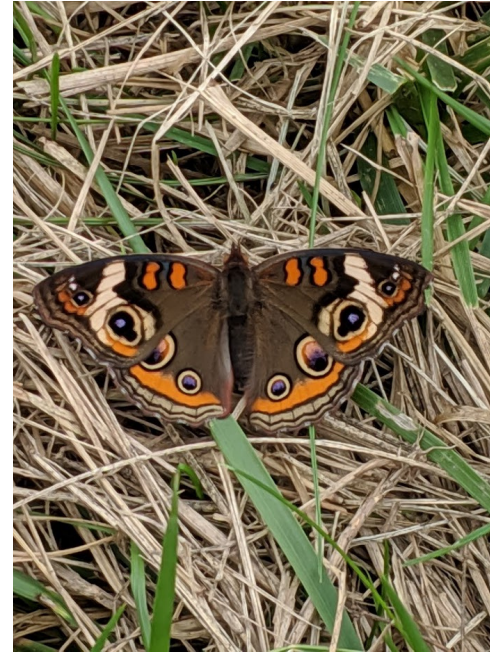
WHAT YOU'LL FIND INSIDE:

- **LAND OWNER RIGHTS**
- **CARING FOR PRESERVED LANDS**



Conservation Goals and Objectives

- **Protect sensitive environmental resources** from destruction or degradation, including but not limited to steep slopes, ridgelines, trout streams, wetlands, stream corridors, potable water supplies, watersheds, aquifers, rivers, viewsheds, forests and grasslands, soils, habitats of threatened and endangered species and unique natural systems.
- **Maintain the rural character of Kingwood Township** using design options such as minimizing impervious cover, protecting steep slopes, habitat, agriculture and open space, and preventing sprawl subdivision patterns.
- **Preserve large contiguous tracts of agricultural land** to assure that farming remains a viable and permanent land use.
- **Preserve natural vegetation along stream corridors** and prevent unnecessary disturbance and cutting of trees along stream corridors and within floodplains.
- **Control the rate and quality of stormwater runoff** and limit the potential discharge of pollutants to ground and surface waters through the implementation of land development regulations.
- **Retain open space throughout the community** including the preservation of trees and natural vegetation.



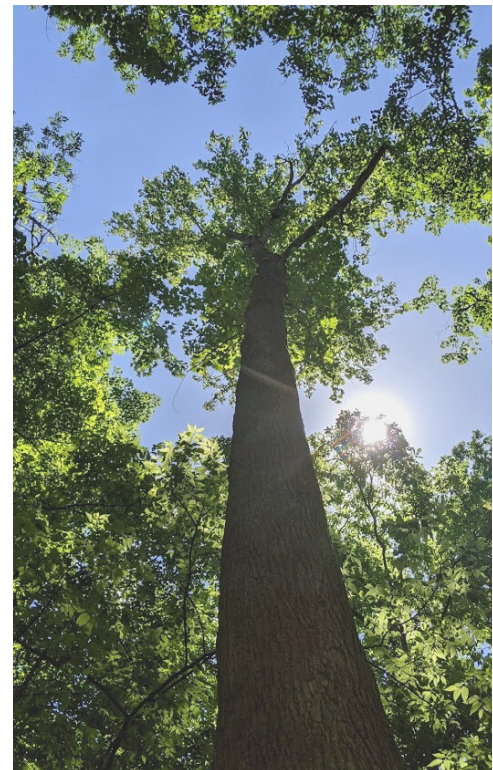
"Unless we practice conservation, those who come after us will have to pay the price of misery, degradation, and failure for the progress and prosperity of our day."

-Gifford Pinchot

Grantor Rights and Responsibilities

Conservation areas should be protected because they benefit all citizens in a variety of ways: by filtering pollutants and keeping our streams and drinking water clean; by controlling storm runoff to prevent flood damages; by controlling erosion; and by providing wildlife habitats and recreational opportunities. To achieve this there are certain restrictions placed on conservation easements. These include:

- A restriction on the removal or destruction of trees or shrubs on lands within the easement area, except for removal of invasive exotic tree and shrub species.
- Provisions to preserve the natural function of a floodplain, through a restriction against topsoil, sand, gravel or mineral disturbance, excavation or removal, except as may be required to build a pond, and then only when the Township approves the design and structure of the pond.
- A restriction on the construction of buildings, structures, roads, driveways, or trails for motorized vehicles of any kind.
- A restriction against fill of any kind.
- A limitation on motorized and non-motorized vehicle access within the easement other than travel or access necessary to perform activities, which may be permitted within the easement area.



Grantee Rights and Responsibilities

- To preserve and protect the Easement Area
- To prevent any activity on or use of the Easement Area that is inconsistent with the purpose of the Easement and to require the restoration of such areas or features of the Easement Area that may be damaged by any inconsistent activity or use
- To enter upon the Property at reasonable times in order to monitor compliance with and otherwise enforce the terms of the Easement (upon at least 24 hours prior notice to Grantors except in cases where Grantee determines that immediate entry is required to prevent, terminate, or mitigate a violation of the Easement).
- All boundaries of the protected area shall be delineated by the Township with a sufficient number of permanent boundary markers to clearly identify the boundaries of the protected area. All such boundary markers shall consist of a post and a marker and spaced according to Ord. 132-111.1 and Ord. 115-6.5.



"Land health is the capacity for self-renewal in the soils, waters, plants, and animals that collectively comprise the land."
-Aldo Leopold

Caring for Your Conservation Easement

Respecting the boundaries of the conservation area and retaining the land in its natural and undisturbed state are conditions of the conservation easement that are required under the deed restriction. There are a number of ways that land owners can help to protect and preserve these areas beyond the requirements of the agreement.

- **Plant native plants** in your backyard. New Jersey has many beautiful native flowers, shrubs and trees that provide food for native wildlife, including birds, bees and butterflies. They'll also need less water and maintenance than non-native plants, saving you time and money.
- **Get rid of invasive, non-native plants** in your backyard that may spread to the conservation area. Invasive plants such as Japanese barberry, wisteria, and autumn olive have a negative impact on native flora and fauna.
- **Rethink the traditional lawn.** Consider reducing the area of your lawn and replacing turf with native grasses which will allow you to water less frequently. Mow less often, keep grass a little higher, and leave grass clippings in place as mulch. Avoid using herbicides and insecticides.
- **Protect rivers and streams.** If you have a stream or wetland on your property, make sure to leave a large buffer of trees and shrubs to shade it and filter stormwater runoff. Have your septic pumped regularly, at least every 3 years to help reduce harmful bacteria and nutrient levels in our streams and groundwater.

Need Further Assistance?

If ever you're unsure about the legality of a proposed project on your land, would like assistance in understanding your rights and responsibilities as a Grantor, or need advice on how a potential action may impact your conservation easement, please use the following contact information.

Kingwood Township Clerk
Cynthia L. Keller, RMC
908-996-4276
ckeller@kingwoodtownship.com

This brochure generated by the
Kingwood Township Environmental Commission
ec@kingwoodtownship.com



Resources

- Some content of this brochure adapted from the **Kingwood Township Conservation Plan** element of the Master Plan. To view in entirety, visit www.kingwoodtownship.com/ktdocuments/KT-ConservationPlanElement-10-08-2008.pdf
- Content of this brochure also adapted from **Caring For Backyard Conservation Buffers: A Guide to Protect Clean Water and Wildlife**. Stony Brook-Millstone Watershed Association.
- To view the **Kingwood Township ordinance on Conservation Easements** visit <https://ecode360.com/10106463#13389914>
- For more information on native plants and what will grow best in your yard, visit the **Jersey Friendly Yards** website at www.jerseyyards.org, the New Jersey Native Plant Society website at www.npsnj.org
- To learn more about identifying and removing invasive plants, go to the **New Jersey Invasive Species Strike Team** website at www.fohvos.info/invasive-species-strike-team.
- Become a **River-Friendly Resident** and learn about ways you can protect our water resources at www.njriverfriendly.org/
- Landscape Plants Rated by Deer Resistance <https://njaes.rutgers.edu/deer-resistant-plants/>
- **NJ Forest Service Riparian Forest Buffers** <https://www.nj.gov/dep/seeds/docs/rfb.pdf>
- **Going Native! A Guide to Landscaping with Native Plants** in the Barnegat Bay Watershed http://www.barnegatbaypartnership.org/wp-content/uploads/2017/08/BBP_Native-Plant-brochure-May2012_six-pgs85x11-forWeb.pdf
- **USDA conservation programs** <https://www.nrcs.usda.gov/wps/portal/nrcs/main/nj/programs/>
- **USDA Conservation Technical Assistance (CTA)** in New Jersey https://www.nrcs.usda.gov/wps/portal/nrcs/detail/nj/farmerrancher/?cid=nrcs141p2_018727
- **Natural Resources Conservation Service New Jersey Conservation Practice Standard Riparian Forest Buffer** <https://www.raritanheadwaters.org/wp-content/uploads/2018/03/NRCS-Riparian-Buffer-Guide.pdf>