

## **APPENDIX J**

### ***FENCES, SHRUBS AND FILLING WITHIN EASEMENTS ARE SUBJECT TO THE FOLLOWING RESTRICTIONS WHEN LOCATED ON THE FOLLOWING EASEMENTS:***

#### **Easements For Floodway/Overland Flow/Stormwater Detention**

1. **NO** filling, blocking, fencing, storage buildings or above surface vegetation planting is to be undertaken within a floodway/stormwater detention easement.

#### **Easements for Overland Flow of Private Drainage**

1. Site screen fences are **NOT** allowed **unless prior written approval is given by the Kent County Drain Commission** and they are installed above the top of the bank or the edge of the easement, whichever is higher.
2. Chain link fences will be allowed **if it is determined by the Kent County Drain Commission** and the chain link fence will not obstruct or divert the flow of water.
3. If the fences are removed for drain access or maintenance, they are to be replaced by the owner of the fence at the owner's expense.
4. **NO** shrubs or trees are to be placed below the top of the bank or the edge of the easement, whichever is higher.
5. **NO** filling, blocking, or storage buildings are allowed within any drainage easement used for overland flow.

#### **Easements for Underground Utilities**

1. Fences and pavement are allowed over easements designated for underground utilities. If the fences or pavement must be removed for the purpose of construction or maintenance of these utilities, the Kent County Drain Commission or its contractor will remove them. However, the fence or pavement must be replaced by the owner at the owner's expense.
2. Shrubs and trees are not permitted within an easement used for underground utilities and storm sewer.