E # 21073199 11/22/2021 11:12:45 AM
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Register of Deeds, Rockingham County

RECORDING 90.00
SURCHARGE 2.00

DECLARATION OF PROTECTIVE COVENANTS
STILLWATER WOODS SUBDIVISION
GREENLAND, NEW HAMPSHIRE

NOW COMES **Brian Franklin Beck and Maria N. Beck**, husband and wife, of 655 Bayside Road, Greenland, Rockingham County, State of New Hampshire (hereinafter together with his successors and assigns referred to as "Declarant"), being the owner of a certain subdivision known as Stillwater Woods as shown on a plan entitled "Subdivision Plan for 177 Winnicut Road, LLC, Land of Brian & Maria Beck, 177 Winnicut Road, Greenland, N.H., Tax Map R-10, Lot 12A-2" prepared by Berry Surveying & Engineering, to be recorded in the Rockingham County Registry of Deeds (hereinafter "the Plan"), for the mutual benefit of the present and future owners and mortgagees of the lots as depicted on said plan (the "Lots"), hereby declare the following covenants and restrictions which shall run with the land, which are binding upon all present and future owners of the lots, their heirs, successors and assigns. These covenants shall be deemed appurtenant to the Lots, within the subdivision whether or not they are set out at length in subsequent conveyances.

1. **Road Provisions:** The Declarant and his successors, heirs and assigns understand that Stillwater Drive shall be a private road until such time as the Town of Greenland accepts it as a public road.

2. **Easement Areas:** As depicted on the subdivision plan for Stillwater Woods, this subdivision is subject to various easements for drainage, grading, cistern, and mailboxes, and portions of the subdivision are subject to a 75 foot setback from the Winnicut River. In addition to the particular easements which encumber individual lots within the subdivision, each lot is subject to an easement to allow pedestrian access to municipal officials to inspect the easement and setback areas. Further, the Town of Greenland shall have the right, but not the obligation to enter the grading and drainage areas to maintain drainage in the event that the Homeowners' Association should fail to maintain such drainage. In the event that the Town of Greenland does conduct maintenance of the grading and easement areas, the Town shall have the right to charge the Homeowners' Association for the costs and expenses of that maintenance.

3. **Stormwater Management:** The establishment and recording of these Covenants shall constitute notification to all owners of property within Stillwater Woods of the requirements and responsibilities of the approved stormwater management plan requirements for maintenance and reporting. The Homeowners Association is responsible for the maintenance of the drainage infrastructure and utilities and to implement the operation and maintenance requirements for the stormwater infrastructure as set forth in the Stormwater System Management, Inspection and Maintenance Manual, a copy of which is attached as Exhibit A..

4. **Cul-de-sac Island**: The center of the cul-de-sac for Stillwater Drive shall be a non-buildable lot owned by the Stillwater Woods Homeowners Association, and shall be maintained by the Association.

5. **Enforcement**: Enforcement of these Covenants shall be by (1) Declarant, so long as it owns a lot within the subdivision; and/or (2) any owners of any of the Lots against any person violating or attempting to violate any covenant herein established to enjoin the violation and/or recover damages. The prevailing party shall be entitled to recover costs and reasonable attorneys' fees.

6. **Separability**: Invalidity of any covenant by court order shall not affect the remaining covenants which shall remain in full force and effect.

Declarant shall have the right to amend these covenants for so long as it owns any lot within the subdivision, provided that any amendment be recorded at the Rockingham County Registry of Deeds.

After Declarant no longer owns any lots, these covenants may be amended by an instrument in writing executed with all the formalities of a deed and recorded at the Rockingham County Registry of Deeds by a two-thirds majority of the then owners of the lots in the subdivision. It is the specific intent of this paragraph that each lot shall have one vote to amend these covenants. A lot owned in co-tenancy, or by a corporation or by a trust or by other entity recognized by law shall be entitled to one vote, it being the responsibility of the entity owning the lot to select the individual who shall exercise the vote for said lot.

IN WITNESS WHEREOF, the undersigned Declarant has executed these Protective Covenants this 22nd day of November, 2021.

(Signatures on following page)

Witness

Witness

Brian Franklin Beck

Maria N. Beck

STATE OF NEW HAMPSHIRE
COUNTY OF Strafford

On this, the 22nd of November, 2021, before me, the undersigned Officer, personally appeared Brian Franklin Beck and Maria N. Beck, who executed the foregoing instrument for the purposes therein contained as their free and voluntary act.

Notary Public/Justice of the Peace
My commission expires:

TAMMY A. MELNICK
MY COMMISSION EXPIRES FEB. 21, 2023
NOTARY PUBLIC
NEW HAMPSHIRE

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BERRY SURVEYING & ENGINEERING
335 Second Crown Point Road
Barrington, NH 03825
Phone: (603) 332-2863
Fax: (603) 335-4623
www.BerrySurveying.Com

EXHIBIT A

Stormwater System Management:

Inspection and Maintenance Manual

177 Winnicut Road, Greenland
Tax Map R-10, Lot 12A-2
(Formerly Lot 21A)

Prepared for:

177 Winnicut Road, LLC
9B Kelsey Way
GREENLAND NH 03840

LAND OF:
BRIAN & MARIA BECK
655 BAYSIDE ROAD
GREENLAND NH, 03840

Prepared By

Berry Surveying & Engineering
335 Second Crown Point Road
Barrington, NH 03825
603-332-2863

File Number
DB2018-052

February 24, 2021
Revised 5/12/2021

Inspection and Maintenance Manual

Stormwater System Management

Table of Contents

Introduction

The Best Management Practices (BMP) described in this manual are specified in more detail within the plan set giving design details and specifications. The New Hampshire Stormwater Manual, Volume 2, Post-Construction Best Management Practices Selection & Design (December 2008, NHDES & US EPA) is included by reference to this manual. Additional details, construction specifications, and example drawings are provided within this reference. (http://des.nh.gov/organization/divisions/water/stormwater/)

The BMP's are covered below in the general order in which the storm water flows. Each BMP has a description and maintenance consideration listed. A Check List table is proved after the narrative to summarize the maintenance responsibilities and schedule. A Log Form is also provided for the owners use.

For details regarding the design of the Storm Water System see also Drainage Analysis & Sediment and Erosion, **February 24, 2021**, as revised. See also plan set completed for **177 Winnicut Road, LLC**, also dated February 24, 2021, as revised.

The developer, Troy Thibodeau, managing member of 177 Winnicut Woods LLC is responsible for the Operation, Inspection, and Maintenance of the Stormwater Management System, until it is turned over to the Home Owners Association. If the Town of Greenland accepts the roadway, they will have the ability but not the obligation to inspect and maintain the Stormwater Management System. A significant step in this responsibility is the Inspection and Maintenance of each component of the system. Ongoing, semi-annual, and annual inspection and maintenance requirement are documented below and must be taken seriously. Failure of any component of the system can result in surface water run-off ponding and possibly discharging runoff that is not properly treated. The owner must maintain, and have available, plans of the Stormwater System in order properly inspect and maintain the system. (Reduced copies attached.) The Applicant will conduct the inspections, complete the required maintenance, and will maintain the Inspection & Maintenance Check Lists and Logs, and will provide copies with the Annual Report to the Town of Greenland, Planning Board by December 15th of each year. A Home Owners Association (HOA) will be established and it will be responsible for the inspection and maintenance of the Catch Basins, Drain Manhole, Rain Gardens, Detention Pond, Outlet Structures, and level spreaders. The required inspection and maintenance reporting will be completed by the HOA. As part of the roadway maintenance, the Town of Greenland may require maintenance of the catch basins and drain manhole requiring communication with the

HOA. As stated above, the Town will have the ability to access the stormwater infrastructure but does not have an obligation to complete maintenance.

177 Winnicut Road LLC, is proposing to subdivide the remaining land of Tax Map R-10, Lot 12A., currently identified as Lot 12A-2. The proposed seven lots will be supported by 982.14 linear feet of roadway. Each lot will have a septic system for waste water disposal and an individual well for water supply. As part of the site development, several storm water management practices will be implemented for runoff treatment.

The following practices and drainage features will all require periodic inspections and maintenance based on this manual and drainage layout:

- Catch basins, drain manholes, culvert pipes.
- Rain Garden #101 with underdrain, rip rap spillway, and outlet protection.
- Rain Garden #102 with underdrain, rip rap spillway, and outlet protection.
- Rain Garden #103 with outlet structure, emergency spillway, and level spreader.
- Detention Pond #104 with outlet structure, rip rap spillway, and level spreader.

Conveyance Swales

Description: "Swales are stabilized channels designed to convey runoff at non-erosive velocities." (NHDES SWM) A conveyance swale is intended to move surface water runoff from one point to another where as a treatment swale will slow the velocity to a point where sediment will settle out of the stormwater flow.

Project Intent: The swales are individually designed in the drainage analysis and specified on the design plans.

Maintenance Considerations: Grassed swales will be inspected twice annually, removing accumulated sediment and gross solids. Grass will be mowed periodically but to a depth of not less than 4 inches. Any damage to the vegetation will be repaired and woody vegetation and invasive vegetation will be removed. Street sweeping will help to prevent the premature filling and required maintenance of conveyance swales.

Catch Basins and Drain Manholes

Description: Catch Basins are used in select locations to collect runoff and route it to the forebay of a subsurface gravel wetland. Catch Basins will be designed without a sump and any sump required in the precasting process be filled with washed crushed stone and will include a vented hood. During construction the catch basins will be protected by inlet protection per the approved construction plans. The practice of street sweeping on a bi-annual basis will help reduce maintenance of these deep sumps.

Maintenance Considerations: Sediment must be removed from Catch Basins and Drain Manholes on a regular basis, at least twice a year and more often if culverts and hoods become blocked. Inspections should be conducted periodically. At a minimum they should be cleaned after snow-melt and after leaf-drop. Damaged outlet hoods must be replaced. It is recommended that a vacuum truck be utilized as contrasted to a clam-shell method to avoid damage to the hood. Hydrocarbons found to be floating in the basin should be removed by skimming, absorbent materials, or other method. Disposal of all material, sediment, and debris must be done in accordance with state and federal regulations. Culvert pipes will be inspected to ensure that surface water runoff is capable of leaving the structures.

Culvert Pipes, Flared End Sections / Headwalls

Description: Culvert pipes are placed to route surface water runoff from catch basins to drain manholes, and drain manholes to a discharge point conveying the runoff in such a manner that erosion does not take place. Culvert pipes are often terminated with flared end sections or headwalls.

Maintenance Considerations: The entrance and exit of the culvert pipe should be cleaned of any trash and sediment build-up. The culvert should be clear to let runoff pass through the culvert unobstructed. Flared end sections and headwalls should be inspected for erosion and destabilization, with repairs made as required.

Sediment Forebay

Description: A sediment forebay is designed to reduce the velocity of incoming surface water runoff allowing sediment to fall out of suspension initially pre-treating the runoff before it is sent to a treatment structure. This earthen basin will have vegetated side-slopes and a check dam to further reduce and pretreat the runoff. At the point of incoming runoff, the basin will be protected by rip rap outlet protection construction and the outgoing edge will be protected with rip rap. The check dam will be constructed from one side of the basin to the other and cause runoff to either go through or over. The volume of the forebay is generally 10% the volume of the Water Quality Volume (WQV) for gravel wetlands, and 25% for rain gardens. Construction specifications are included in the plan set and New Hampshire Stormwater Manual, Volume 2, 4-4 Pretreatment Practices 1, Sediment Forebays.

Maintenance Considerations: The basin and slopes will be periodically mowed, at least twice per year ensuring that woody material does not get an opportunity to grow. Sediment accumulated in the basin will be removed and properly disposed of when it reaches half the height of the check dam. Erosion or other damage to the basin will be repaired and revegetated. (See Outlet Protection)

Bio-Filtration System (Rain Gardens) & Bio-Swales

Description: Rain Gardens, or bio-filtration areas are located close to the source of runoff. They are intended to integrate with the site landscaping an become an aesthetically attractive opportunity to provide highly effective stormwater treatment. The rain gardens associated with this proposed development contribute toward recharge of surface water run-off into the ground. It is important that sediment be removed from run-off prior to discharge into the bio-filtration area to preserve the

mulch and soil mix ratio. During construction it is important that the ground surface not be exposed to traffic or construction equipment to preserve the infiltration capabilities of the existing soil. Construction specifications are included in the plan set and New Hampshire Stormwater Manual, Volume 2, 4-3 Treatment Practices, 4c Bioretention System. (Bio-media and bio-filtration mean bioretention filter media.)

Maintenance Considerations:
Rain Gardens should be inspected at least twice annually and following any rainfall event exceeding 0.25 inches in a twenty-four hour period. Maintenance rehabilitation will be conducted as warranted by each inspection. Trash and debris will be removed at each inspection.

On an annual basis the infiltration capabilities need to be confirmed by evaluation the drawdown time. If the bio-filtration system does not drain within 72-hours following a rainfall event, a qualified professional will assess the condition of the rain garden to determine measures required to restore the infiltration function. This is normally the direct result of sediment accumulation which will be removed to restore the filter media ratio.

Also on an annual basis the vegetation should be inspected to ensure healthy condition. Invasive species need to be removed along with dead or diseased vegetation.

Detention Pond

Description: Detention Ponds are also constructed ponds with the purpose of detaining runoff but not necessarily for infiltration purposes. During construction it is important that the ground surface not be exposed to traffic or construction equipment to preserve the infiltration capabilities of the existing soil. Construction specifications are included in the plan set and New Hampshire Stormwater Manual, Volume 2, 4-3 Treatment Practices, 3B, In-ground Infiltration Basin and 1A Micro-pool Extended Detention Pond.
Maintenance Considerations:
Detention Ponds should be inspected at least twice annually and following any rainfall event exceeding 0.25 inches in a twenty-four hour period. Maintenance rehabilitation will be conducted as warranted by each inspection. Trash and debris will be removed at each inspection.

On an annual basis the infiltration capabilities need to be confirmed by evaluation the drawdown time. If the infiltration system does not drain within 72-hours following a rainfall event, a qualified professional will assess the condition of the basin to determine

measures required to restore the infiltration function. This is normally the direct result of sediment accumulation which will be removed to restore the filter media ratio.

Also, on an annual basis the vegetation should be inspected to ensure healthy condition. Invasive species need to be removed along with dead or diseased vegetation.

Outlet Protection & Emergency Spillway

Description: Outlet Protection consists of a riprap apron or preformed scour hole that is designed to provide velocity reduction of the surface water run-off that is leaving a culvert. The design is dependent on the culvert size, soil conditions, velocity, and quantity of the run-off. There are to be no bend or curves at the intersection of the conduit and apron. Level spreaders are intended to provide a level lip where surface water runoff is allowed to continue downhill closer to sheet flow. The level lip is to be constructed as level as possible for the entire length. Emergency Spillways are rip rap reinforced outlets near the top of the berm that allow runoff to leave a practice during periods of very high flow.

Maintenance Considerations: The riprap outlet protection will be inspected annually for damage, which must be corrected immediately. Any sediment buildup will be removed and disposed of correctly. Sediment and subsequent vegetation will build up in the Level Spreader. This material will be cleaned out along with any gross solids and disposed of properly. (See invasive species below) Any rip rap that has been displaced from the original construction will be repaired, especially recreating the level lip.

Stabilization for Long Term Cover

Vegetated Stabilization – Original Planting

All areas that are disturbed during construction will be stabilized with vegetated material within 30 days of breaking ground. Construction will be managed in such a manner that erosion is prevented and that no abutter's property will be subjected to any siltation, unless otherwise permitted. All areas to be planted with grass for long-term cover will follow the specification and on Sheet E-102 using seeding mixture C, as follows:

Mixture	Pounds per Acre	Pounds per 1,000 Sq. Ft.
Tall Fescue	24	0.55
Creeping Red Fescue	24	0.55
Total	48	1.10

Conservation Mix

Mixture	Pounds per Acre	Pounds per 1,000 Sq. Ft.
Tall Fescue	15	0.35
Creeping Red Fescue	15	0.35
Annual Ryegrass	5	0.12
Perennial Ryegrass	5	0.12
Kentucky Bluegrass	15	0.35
White Clover	7	0.16
Total	**62**	**1.45**

Conservation Mix will used to stabilize all 2:1 slopes and all land area disturbed within the wetland buffer. As the site is to be stabilized with erosion control mix as a mulch, the vegetation should be established with a high percentage of white clover for growth to be established.

The lined areas of Detention Ponds will be planted with Ernst Conservation Seeds, ERNMX-126 or approved equal.

Rain garden mix

The grass that is planted within a rain garden bio-filtration system within the bio-media must consist of a combination of warm season grass seed and cold season grass seed in order for the grass to start growing for stabilization and continue growing in the sandy well-drained environment. Planting specification will meet the requirements as outlined in 'Vegetation New Hampshire Sand and Gravel Pits' mix 1 (warm season grasses) (15 lbs/ac) and include annual and perennial rye grass seed (15 lbs/ac); the New England native warm season grass mix (23 lbs/ac) by New England Wetland Plants, Inc.; rain garden mix 180 (15 lbs/ac & 15 lbs/ac of rye) / rain garden grass mix 180-1 (20 lbs/ac & 10 lbs/ac of rye) by Ernst Conservation Seeds; or approved equal.

Detention Pond:

The grass that is planted within a Detention Pond will be a mix designed for both inundation and dry conditions such as Ernst Seeds, Retention Basin Floor Mix ERNMX-126.

Maintenance Considerations: Permanent seeded areas for long-term cover will be inspected on a periodic basis looking for signs of growth loss or erosion. Any areas found to be damaged will be repaired and replanted to reestablish the growth. The grass should be mowed at least twice per year and any dead material removed. Any woody growth that becomes established will need to be cut and removed.

Long-term maintenance of the land cover is critical and must be maintained at least 85% grass / vegetation coverage, must be inspected for concentrated flow, rills, and channels; and must be repaired as necessary to prevent erosion.

CONTROL OF INVASIVE PLANTS

During maintenance activities, check for the presence of invasive plants and remove in a safe manner as described on the following pages. They should be controlled as described on the following pages.

Invasive plants are introduced, alien, or non-native plants, which have been moved by people from their native habitat to a new area. Some exotic plants are imported for human use such as landscaping, erosion control, or food crops. They also can arrive as "hitchhikers" among shipments of other plants, seeds, packing materials, or fresh produce. Some exotic plants become invasive and cause harm by:

- becoming weedy and overgrown;
- killing established shade trees;
- obstructing pipes and drainage systems;
- forming dense beds in water;
- lowering water levels in lakes, streams, and wetlands;
- destroying natural communities;
- promoting erosion on stream banks and hillsides; and
- resisting control except by hazardous chemical.

Annual Report

Description: The owner is responsible to keep an **I & M Activity Log** that documents inspection, maintenance and repairs to the storm water management system, and a **Deicing Log** to track the amount and type of deicing material applied to the site. The original owner is responsible to ensure that any subsequent owner (s) have copies of the Inspection & Maintenance Manual, Stormwater System Management, copies of past logs and check lists. This includes any owner association that might become involved with the property. The Annual Report will be prepared and submitted to the Town of Greenland Planning Board with copies of both logs and check lists no later than December 15th of each year and made provided to NHDES on that same date. Upon an ownership change, the Annual Report will include the Transfer of Ownership Responsibility Forms duplicated from the form found below.

The plans that accompanies this manual includes one sheets, "Stormwater Operation Inspection & Maintenance Plan". The owners and municipality will also maintain a complete set of the approved original design plans.

Respectfully
BERRY SURVEYING & ENGINEERING

James F. Hayden
Engineering Technician
Assistant Project Manager

Kenneth A. Berry, PE, LLS
CPSWQ, CPESC, CESSWI
Principal, VP – Technical Operations

STORMWATER SYSTEM OPERATION AND MAINTENANCE PLAN

Inspection & Maintenance Manual Checklist

177 Winnicut Road, LLC
9B Kelsey Way
GREENLAND NH 03840

☑	Date	BMP / System	Minimum Inspection Frequency	Minimum Inspection Requirements	Maintenance / Cleanout Threshold
		Pavement Sweeping	Three Times Per Year	N/A	N/A
		Litter/Trash Removal	Routinely	Inspect dumpsters, outdoor waste receptacles area, and yard areas.	Parcel will be free of litter/trash.
		Deicing Agents	N/A	N/A	Use salt as the primary agent for roadway safety during winter.
		Invasive Species	Two times per year.	Inspect for Invasive Species	Remove and dispose invasive species.
		Closed Drainage System:			
		Drainage Pipes	1 time per 2 years	Check for sediment accumulation & clogging.	Less than 2" sediment depth
		Deep Sump Catch Basins & Catch	2 times per year	Check for sediment accumulation &	Sediment accumulated to a

		Basins		clogging.	depth of 2 feet.
☑	**Date**	**BMP / System**	**Minimum Inspection Frequency**	**Minimum Inspection Requirements**	**Maintenance / Cleanout Threshold**
		Rain Gardens, & Detention Pond	2 times per year	Check for sediment and debris accumulation buildup.	Remove sediment & debris when required. Remove Invasive Species
		Rain Garden	Annually	72-Hour drawdown time evaluation and vegetation evaluation. Underdrain flushing.	Remove dead & diseased vegetation along with all debris, take corrective measures of filtration media if required. Flush underdrain clean-outs with a hose.
		Riprap Outlet Protection	Annually	Check for sediment buildup and structure damage.	Remove excess sediment and repair damage.
		Winter Maintenance	Ongoing	Remove snow as directed.	Ongoing
		Post Winter Maintenance	Annually	Remove excess sand, gross solids, and repair vegetation and plantings	Parcel will be free of excess sand, litter/trash. Vegetation per approved plans.
		Annual Report	1 time per year	Submit Annual Report to Greenland Planning Dept. and kept on file by the owner.	Report to be submitted on or before December 15th each year.

Inspection Check List: Page 3

The following drainage features will all require periodic inspections and maintenance based on this manual and drainage layout:

- Deep sump catch basins, drain manholes, culvert pipes.
- Rain Garden #101 with underdrain, rip rap spillway, and outlet protection.
- Rain Garden #102 with underdrain, rip rap spillway, and outlet protection.
- Rain Garden #103 with outlet structure, emergency spillway, and level spreader.
- Detention Pond #104 with outlet structure, rip rap spillway, and level spreader.

STORMWATER SYSTEM OPERATION AND MAINTENANCE PLAN

Inspection & Maintenance Manual Log Form

177 Winnicut Road, LLC

9B Kelsey Way

GREENLAND NH 03840

BMP / System	Date Inspected	Inspector	Cleaning/Repair (List Items & Comments)	Repair Date	Performed By:

STORMWATER SYSTEM OPERATION AND MAINTENANCE PLAN

Deicing Log Form

177 Winnicut Road, LLC

9B Kelsey Way

GREENLAND NH 03840

Date	Amount Applied	Performed By:	Date	Amount Applied	Performed By:

STORMWATER SYSTEM OPERATION & MAINTENANCE PLAN CERTIFICATION

Owner	Responsibility
Name: 177 Winnicut Road LLC Troy Thibodeau, managing member Address: 9B Kelsey Way Greenland, NH 03840 Telephone: (603) 235-8469	The owner is responsible for the conduct of all construction activities, and ultimate compliance with all the provisions of the Stormwater System Operation & Maintenance Plan and the implementation of the Inspection and Maintenance Manual.

OWNER CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signed: _____ Date: _____

Printed Name:

Representing: 177 Winnicut Road LLC