



# BERKS COUNTY *agricultural land* PRESERVATION BOARD

Berks County Agricultural Center  
1238 County Welfare Road, Suite #260  
Leesport, PA 19533 - 9199  
(610) 378-1844 Fax (610) 378-7983  
www.countyofberks.com/departments

## EASEMENT MODIFICATION REQUEST ADDITIONAL RESIDENTIAL STRUCTURE

### GENERAL INFORMATION:

ACE Farm Owner(s): \_\_\_\_\_

Mailing Address : \_\_\_\_\_

Easement Address: \_\_\_\_\_ (same)

Phone : \_\_\_\_\_ Email: \_\_\_\_\_

### OCCUPANCY REQUIREMENT INFORMATION

Occupant(s): \_\_\_\_\_

Relationship: \_\_\_\_\_

### MUNICIPAL INFORMATION

Municipality : \_\_\_\_\_

Was the Municipality informed that this activity is planned on an BCALP ACE Farm?      YES              NO

Will this residence have a shared driveway?    YES              NO

Will this residence have 50' road frontage?    YES              NO

Does the Municipality require the existing structure to be removed?                      YES              NO

Is existing or new residence being considered for subdivision?                              YES              NO

#### Municipal Approval :

Zoning Permit Required              YES              NO              N/A              Date Issued : \_\_\_\_\_

Building Permit Required              YES              NO              N/A              Date Issued: \_\_\_\_\_

Land Development Plan Required      YES              NO              N/A              Date Issued: \_\_\_\_\_

OTHER \_\_\_\_\_    Date Issued: \_\_\_\_\_

Municipal Engineer/Zoning Officer: \_\_\_\_\_

Contact Information: \_\_\_\_\_

*\*Proof of municipal approval/acknowledgement may be required for board action. (Letter, Meeting Minutes or Signature )*

**DRAWINGS AND DOCUMENTATION:**

*(Submit all documents, plans and drawings provided the to municipality and provide the following)*

- \_\_\_\_\_ Property setbacks
- \_\_\_\_\_ Dimensions and location of Structure/s
- \_\_\_\_\_ Curtilage Area total square feet/acreage.
- \_\_\_\_\_ Metes and Bounds of curtilage

**MUST INCLUDE:** Residence, Driveway, Well, Septic, Planned Yard. Personal Use Garage/Shed

For associated structures provide details of what it will be used for and/or what it will be stored in it :

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If appropriate: Engineer : \_\_\_\_\_ Contact Info: \_\_\_\_\_  
 SEO/Designer : \_\_\_\_\_ Contact Info: \_\_\_\_\_

**ADDITIONAL COMMENTS:**

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**SIGNATURES— ( All owners of the parcel must sign the request )**

\_\_\_\_\_  
*Landowner Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Landowner Signature*

\_\_\_\_\_  
*Date*

*Easement Modification Requests to be brought before the BCALP Board shall be received by 12:00 noon two (2) weeks prior to the regular board meeting unless an exception is approved by the Executive Director or board officer.*

**BCALP Guideline Language - ADDITIONAL RESIDENTIAL STRUCTURE**

In addition to structures existing on the eased land at the date of the granting of the easement, one additional residential structure may be constructed subject to the following conditions:

- ◆ The construction and use of the residential structure is limited for the landowners’ principal residence or for an immediate family member or for the purpose of providing necessary housing for persons employed in farming the subject land on a seasonal or full-time basis.
- ◆ No other residential structure has been constructed since the settlement or the right has not been relinquished or extinguished by current or previous owner(s).
- ◆ The additional residential structure and its curtilage occupy no more than two acres or less if a previous landowner entered into an agreement relinquishing part of the allowed 2 acres.
- ◆ The location of the residential structure and its driveway will not significantly harm the economic viability of the subject land for agricultural production or a commercial equine activity.
- ◆ If the eased land is subdivided prior to the construction of a residential structure the landowners shall do the following:
  - a. Inform the County Board of specific subdivided tract upon which the right to construct and use such a residential structure is reserved and clearly sets forth the reservation of this right.
  - b. Ensure that all deeds to remaining subdivided tracts recite that no such residential structure may be constructed on remaining subdivided tracts.

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**STEPS REQUIRED**

- ⇒ Confirm with Office that ACE Parcel still has the ability to build the residential structure or if any documents were recorded to reduce the allowed acreage.
- ⇒ Request and Return a completed Modification Form.
  - Provide drawings for final approval or for conceptual approval— use aerial photograph to identify:
    - Roads, streets, driveways, utility right-of-way, streams.
    - Location of EXISTING: buildings, sheds, barns, dwellings, and other structures.
    - Location of PROPOSED:
      - \_\_\_\_\_ Residential structure
      - \_\_\_\_\_ Driveway (Minimum 15’ width)
      - \_\_\_\_\_ Septic System & Well
      - \_\_\_\_\_ Personal Use Structures (garages/sheds)
      - \_\_\_\_\_ New Curtilage (yard area)
- ⇒ Submit the Modification Form and required drawings/maps to office for BCALP Board review and acknowledgement. See footer of page 1 for submission deadlines.

**Construction cannot begin before Approval letter received**