

CONSTRUCTION CANNOT BEGIN BEFORE APPROVAL LETTER RECEIVED

THE BOARD MUST REVIEW SITE SELECTION FOR COMPLIANCE TO DEED OF EASEMENT TO PREVENT UN-NECESSARY COST TO APPLICANT. NO E & S PLANS, PERK TESTS OR WELL DRILLING SHOULD OCCUR PRIOR. FINAL BOARD APPROVAL OF CURTILAGE WILL OCCUR AFTER DESIGNS ARE SUBMITTED.

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. This includes the residence, driveway, well, septic, planned yard, and personal use garage/shed.
- ◆ 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. Landowners will have to prove otherwise that it does not harm economic viability as stated in the Deed of Easement.
- ◆ 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.

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 acknowledgment. The Board has the right to request it be relocated as stated in the Deed of Easement.
- ⇒ Submissions can be mailed, dropped off in the office, or E-mailed to DeptofAg@BerksPA.gov



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.berkspa.gov/departments/agriculture

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 to municipality and provide the following)

_____ Copy of current Conservation Plan with practices implemented

_____ 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, and 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 :

If appropriate: Engineer : _____ C I _____ Contact Info: _____

SEO/Designer : _____ Contact Info: _____

ADDITIONAL COMMENTS:

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.

**SUBMISSIONS CAN BE MAILED, DROPPED OFF IN THE OFFICE, OR E-MAILED TO DEPTOFAG@BERKSPA.GOV
FOR ADDITIONAL INFORMATION REFER TO ATTACHED DOCUMENT OR CONTACT THE OFFICE**