

"WHOLE FARM SUBDIVISION"

A "WHOLE FARM SUBDIVISION" can occur only if the Eased Parcel meets the minimum criteria and the right to subdivide has not been exhausted.

MINIMUM CRITERIA:

No parcel of less than 52 acres may be created by subdivision.

Each parcel created or remaining as a result of subdivision shall meet all of the following:

At least fifty percent (50%) of its soils in USDA Soil Capability Class I-IV.

At least fifty percent (50%) of its area utilized for crop or pastureland.

Site characteristics (including but not limited to slopes, topography, shape, location of roads, streams, wetlands, ponds, access) that allow for practicality and reasonable efficiency of agricultural activity.

ADDITIONAL CONSIDERATIONS:

The prohibitions, restrictions, and conditions of subdivision of eased land shall be recited verbatim in the deed for all subdivided and remaining parcels.

The subdivided parcels shall continue to be subject to the terms of the original agricultural conservation easement.

The subdivision guidelines are intended to preserve as much farmland as possible in integral parcels and to promote viable agricultural enterprises.

All costs associated with subdivision shall be the responsibility of the landowners.

Nothing shall relieve the landowners of any municipal, county, state regulations or other entities procedures or requirements necessary for the subdivision of land.

Approval of a subdivision shall be requested, in writing, of and granted by the County Board and by the State Board

STEPS REQUIRED

- ⇒ Contact BCLPB to request a modification form and aerial photography be provided.
- ⇒ Modification form shall be completed by landowner and returned with aerial photograph identifying the location of the proposed farm subdivision, the location of the new subdivision's borders, present buildings and curtilage plus buildings and identify land uses.
- ⇒ A copy of the current Conservation Plan must be submitted with the Modification Form. Submissions can be mailed, dropped off in the office, or E-mailed to DeptofAg@BerksPA.gov
- ⇒ Include any Township and any other entities approval.
- ⇒ Documentation will be reviewed by staff for program compliance and notification will be sent to applicant. The BCALP Board can provide concept approval if required for municipal review.
- ⇒ Final Plans shall be provided for BCALP Board approval. Staff will send letter to applicant and the a copy of the plan and approval letter to the State Bureau of Farmland Preservation Board for their required approval.
- ⇒ Staff will provide a letter to the applicant confirming the State Boards decision.
- ⇒ Staff can assist with review of documents to assure proper language for compliance to the Deed of Easement before recording the subdivision.
- ⇒ Three copies of the fully executed plans should be provided to the office. Digital Copies are acceptable.



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

GENERAL SUBDIVISION/ANNEXATION

CONCEPT INQUIRY: Aerial Photograph Required
Attached Digital

FINAL INQUIRY: Engineered Drawing Required
Attached Digital

GENERAL INFORMATION:

ACE Farm Owner(s): _____

Mailing Address : _____

Easement Address: _____ (same)

Phone : _____ Email: _____

MINIMUM REQUIREMENT CONFIRMATION:

Total farm acres: _____ Subdivision Acres: _____ Residual Acres: _____

Will the subdivided acres be merged with another parcel? No Yes - Owner _____

Which parcel retains the right to the additional residential structure? _____

MUNICIPAL INFORMATION

Municipality : _____

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

Will both parcels have road 50' road frontage? YES NO

Land Development Plan Required YES NO N/A

Date Issued: _____

Municipal Engineer/Zoning Officer: _____

Projected Start Date: _____ Completion Date: _____

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 including the following)

Drawing:

_____ Location of Structures

_____ Curtilage Area of existing residential structures. Confirm Residence, Driveway, Well, Septic, Planned Yard, Personal Use Garage/Shed not Impacted by request. (staff can assist to clarify)

_____ Identify Parcel access

Include in the Notes:

_____ Identify which parcel receives right for additional residential structure (if available)

_____ Specify if additional subdivision can/cannot occur

_____ Confirm parcels still subject to terms of the Deed of Easement

Other Documents:

_____ Current Conservation Plan *Conservation Plan is required to be submitted with modification form

If appropriate: Engineer : _____ 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