"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.

MIMIMUM 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 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 **FINAL INQUIRY: Attached Digital**

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: F	esidual Acres	s:	
Will the subdivided acres be merged with another parcel? No Yes - Owne	r		
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 <u>board action</u>. (Letter, Meeting Minutes or Signature)

DRAWINGS AND DOCUMENTATION:

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

<u>Drawing</u> :	
Location of Structures	
Curtilage Area of existing residential structures. Yard, Personal Use Garage/Shed not Impacted	Confirm Residence, Driveway, Well, Septic, Planned by request. (staff can assist to clarify)
Identify Parcel access	
Include in the Notes:	
Identify which parcel receives right for additiona	l residential structure (if available)
Specify if additional subdivision can/cannot occu	ır
Confirm parcels still subject to terms of the Deed	d of Easement
Other Documents:	
Current Conservation Plan *Conservation Plan is requ	uired to be submitted with modification form
If appropriate: Engineer :	Contact Info:
SEO/Designer:	Contact Info:
ADDITIONAL COMMENTS:	
	_
IGNATURES— (All owners of the parcel must sign the requ	uest)
Landowner Signature	Date
Landowner Signature	Date

Easement Modification Requests to be brought before the BCALP Board shall be received by $\underline{12:00 \text{ noon two (2)}}$ 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