

1. PURPOSE

The purpose of this document is to provide Richmond Township residents with a step by step permitting guide to build an agricultural structure.

2. SUMMARY

Building an agricultural structure in Richmond Township can be a challenging process if you are unsure of how to go about it. The permitting requirements pertaining to the placement of agricultural structures are a combination of state laws and local ordinances. This guidance document is intended to assist property owners who are proposing placement of agricultural structures on their property in Richmond Township. Regulations impacting such structures fall into four categories: Land Development Planning, Earth Disturbance Permitting, Stormwater Management, and Zoning Permitting.

3. BACKGROUND / SUPPORT EXPLANATION

3.1 Land Development Planning

Land development planning related to agricultural structures generally encompasses all aspects of the development including access, grading, off-site impacts, stormwater management, erosion control and any other impacts which such a development might have on the site and community. Recognizing that most agricultural structures are located on relatively large tracts and therefore the potential for off-site impacts is somewhat diminished, Richmond Township has adopted criteria whereby qualifying applicants may forego the full scope of land development planning. The criteria are:

- Proposed structure must be used for agricultural purposes as part of an existing agricultural operation.
- The new structure must not result in an expansion of the current agricultural operation
- The maximum plan area of the proposed structure(s) shall be 15,000 sq. ft. Computation of the total new building area shall be cumulative beginning with construction commenced on or after March 1, 2011.
- No new structure may be closer than 150 feet to any property line or municipal right-of-way.
- Use of the new structure(s) will not result in increased truck traffic on adjacent municipal roads

For those applications meeting all of these conditions, the requirement for land development planning is automatically waived conditioned upon compliance with the stormwater management design, erosion control and zoning permitting requirements.

Occasionally, Applicants meeting most of the listed criteria have applied for a waiver of the land development specifically related to their site. To apply for such a waiver, an Applicant should submit a letter requesting the waiver which states the reason(s) why the proposed plan does not meet the automatic waiver criteria and justification as to why the waiver should be granted. It is recommended that a sketch depicting the proposal be included with any waiver request. Requests must be submitted to the Township Office and will be reviewed by the Township Planning Commission and the Board of Supervisors. It is recommended that Applicants appear at both meetings in support of their request.

If land development planning is required either as a result of non-qualification for or denial of the waiver, the Applicant should retain a professional consultant to assist in preparation of the required plans and designs (including stormwater management and erosion control).

Any questions related to land development planning may be directed to Gary D. Kraft, PE at Kraft Engineering, 610-777-1311 or kraftengr@aol.com

3.2 Earth Disturbance Permitting

All construction projects which will involve the disturbance of more than 5,000 sq. ft. of surface area are required to obtain earth disturbance approval from the Berks County Conservation District. This may be accomplished as part of land development planning or as a separate effort if a planning waiver is obtained as described above. Either working through a professional consultant or on their own, Applicants are encouraged to contact the Berks County Conservation District regarding specific permitting needs. The District's information is as follows:

Berks County Conservation District
1238 County Welfare Road, Suite 200
Leesport PA 19533
Phone: 610-372-4657
Web site: www.berkscd.org

Evidence of District approval, typically an approval letter, must be provided prior to issuance of the local zoning permit.

If the anticipated earth disturbance is under 5,000 sq. ft., no earth disturbance permit is required; however, in such cases, the need for erosion controls will be evaluated as part of the Township's stormwater management review.

3.3 Stormwater Management

For all proposed improvements resulting in an increase in impervious surface of greater than 500 sq. ft., stormwater management planning is required. All of the requirements are outlined in the Richmond Township Stormwater Management Ordinance. While the substance of the Ordinance is geared toward the design professional, there are a few basic items which can be evaluated by most Applicants as a start.

The first step is to determine just how much new impervious surface is proposed. By ordinance, all roofs, gravel area and paved areas are considered impervious. So, if a proposed structure is to be placed over an area where the current ground cover is gravel or where a building was recently removed, that area, or partial area, is already considered as impervious and does not count toward the determined increased impervious surface. For example, if a 900 sq. ft. building is proposed and the building will be placed over 500 sq. ft. of what is now gravel, the net increase in impervious surface is only 400 sq. ft. In that case, no stormwater planning is required. As a second example, assume that the same 900 sq. ft. building is proposed to be placed over 300 sq. ft. of gravel. In this case, the net increase in impervious surface is 600 sq. ft. and stormwater planning is then required for the net increase area of 600 sq. ft.

To assist Applicants for small projects, the Township has adopted a short-cut method for design of a stormwater facility that can be completed without professional assistance. That guidance is found in Appendix I of the Township's Stormwater Management Ordinance. Applicants are cautioned, however, that the short-cut design may not be cost effective for projects with an impervious surface increase of over 1,000 sq. ft. Generally, it is more cost-effective to have a qualified professional design the stormwater facility for larger projects. Township engineering review fees are charged based upon the actual time spent in reviewing the design submittal. Fees, which are typically less than \$200, are collected when the Zoning Permit is issued.

All stormwater designs must be submitted in duplicate. Once approved, the approved stormwater design documents will be forwarded to the Code Department for issuance with the Zoning Permit.

Any questions related to stormwater design may be directed to Gary D. Kraft, PE at Kraft Engineering, 610-777-1311 or kraftengr@aol.com

3.4 Zoning Permitting

As a final step in the process, Applicants must obtain a Zoning Permit for the structure. Applications are available from the Township Manager at the Richmond Office (610-944-0348) during normal office hours on Monday, Tuesday, Thursday and Friday or can be obtained on-line at the Code Department website – www.kraftcodeservices.com

The completed application must be submitted at the Township Office. A submittal fee of \$150.00 by check payable to Richmond Township is required with the application.

A sketch of the proposed site and building location along with evidence of earth disturbance permit approval, as applicable, must be submitted along with the application.

4. STEP BY STEP GUIDELINES

- 4.1 Obtain a copy of the zoning permit from the township office or from the Kraft Code Services web site:

http://www.kraftcodeservices.com/Permit_Info_Applications.html

Fill out the permit and return it to the Richmond Township office.

- 4.2 Contact the Richmond Township engineer for a project overview discussion and to obtain guidance as to which of the following steps are required.
- 4.3 Land Development – Review the scope of the project with the township engineer to evaluate against Township policy criteria allowing applicants to be waived from the requirements of full land development planning. Options are: Automatic Waiver, Waiver, or get a Land Development plan.
- 4.4 Based on recommendations from the township engineer and the individual's abilities and desire to execute the permitting process, consider need to hire a surveyor or engineering consultant.
- 4.5 Contour Map Development – The Berks Country Conservation District, who is approving the Erosion & Sediment (E & S) design, will require a contour map and topographic map. These requirements can vary from a sketch to a detailed map with elevation contour lines every 1' depending on the complexity of the project.
- 4.6 Site Layout and grading plan must be prepared for proposed structure. Cut / Fill details and earth balance analysis can be used to bid excavation. This step can also vary from a sketch to a detailed engineering drawing based on the complexity of the project.
- 4.7 Test Bores / Perc Tests – This is required by the stormwater management design, but can be waived depending on the type of structure that is proposed. For example, if you are taking a cut that is more than 3' deep it will likely be required. If you are building a stormwater facility at grade, soils testing may not be required. Recent perc test results that are not far from the site can be helpful and may preclude further testing.
- 4.8 Erosion and Sedimentation Plan development –
- 4.8.1 If the project disturbs over an acre, an NPDES Permit is required. This needs to be done by a professional surveyor.
 - 4.8.2 If under 5,000 sq. ft., no permit is required.

- 4.8.3 If between 5,000 sq. ft. and 1 acre, a plan is required. It is project specific whether an E&S Plan must be developed by an engineer.
- 4.8.4 If it is over 5,000 sq. ft., an approval letter must be provided to the zoning officer prior to issuing the zoning permit.
- 4.9 Stormwater Management – The Township Engineer may accept a sketch plan showing arrows or general elevations for simple projects, but complex projects will require an engineered stormwater management plan.
- 4.10 Projects involving the disturbance of more than 1 acre require an NPDES permit which is a more involved process for earth disturbance permitting adding a significant amount of time, requirements and costs.
 - 4.10.1 This may require an individual permit issued by the Pennsylvania State DEP.
 - 4.10.2 This plan and permit addresses the containment of all soils/sediment on site during construction
 - 4.10.3 This plan will also increase the complexity of post construction stormwater management and infiltration
 - 4.10.4 Additionally, the newly released requirements for NPDES permits require construction inspections of the stormwater controls and measures by the professional engineer who designed the facilities
- 4.11 An Operations and Maintenance Agreement is required for all storm water management plans and must be obtained from the Township Solicitor.
- 4.12 Zoning Permit Fee is \$150 (For ag structure on the current building permit, use “Other”)

5. DEFINITIONS

- 5.1 Ag Structures - Agricultural buildings are structures designed for farming and agricultural practices, including but not limited to: growing and harvesting of crops and raising livestock and small animals. Examples of agricultural structures include:
 - 5.1.1 barns
 - 5.1.2 greenhouses
 - 5.1.3 storage buildings for farm equipment, animal supplies or feed
 - 5.1.4 storage buildings for equipment used to implement farming and/or agricultural practices
 - 5.1.5 storage buildings for crops grown and raised on site (cold storage)
 - 5.1.6 horticultural nursery.
- 5.2 Land Development - Related to agricultural structures, land development encompasses all aspects of the development process including access, grading, off-site impacts, storm water management, erosion control, and any other impacts which such development might have on the site or community.
- 5.3 NPDES Permit - NPDES, which stands for National Pollution Discharge Elimination System, is the federally mandated program that regulates all discharges to surface waters. Among the NPDES permit group are permits related to construction activities which involve the disturbance of 1 acre or more of the ground surface. The permit locally must be obtained through the Berks County Conservation District.