UPPER FREDERICK TOWNSHIP BOARD OF SUPERVISORS
Workshop Meeting - February 4, 2026 - 7:00 PM

Minutes

Executive Summary:
The Board had an open discussion about adopting an ordinance to round township and fire tax amounts to the nearest dollar to match county practice and simplify accounting, with staff asked to prepare the ordinance. Revisions to the volunteer tax credit program were proposed to clarify eligibility, require residency and minimum service thresholds, limit which organizations qualify (focusing on volunteer fire/EMS and fire police), and adjust certification/administration to reduce burden. Extensive updates to residential use regulations were reviewed—key topics included accessory structure height and size, ADU rules (setbacks, lot-size and size limits, occupancy enforcement, rental inspection frequency), elder cottage provisions, removal of several commercial uses (e.g., gas stations, airports), and additional definition changes. Staff will prepare agriculture use regulations changes for the next workshop on March 4, 2026.

- Call to Order -*the meeting was called to order at 7:03pm*
- Pledge to the Flag

REGULAR MONTHLY MEETING

- Executive session announcement -*No executive sessions were held since the last meeting*
- Public Comment Period -*There were no public comments*

MEETING MINUTES

- Approval of the BOS January 14, 2026 Meeting Minutes -*Approved with a vote of 3-0*

BUSINESS BEFORE THE BOARD

- New Business
    - Discussion on rounding for Tax Collector

- *Presenter: Deneen Rhodes-Kratz (Tax Collector)*
- *Proposal: Round township taxes (and Upper Frederick Emergency Fire tax) to whole-dollar amounts to simplify balancing now that pennies are being phased out; county currently rounds (50 cents and above rounds up, 49 cents and below rounds down).*

- *Materials: Sample ordinance/ resolution from a neighboring township reviewed*
- *Discussion & clarifications:*
    - *Asked for confirmation of county rounding rules (consensus to follow county rules so amounts align).*
    - *Board direction: authorize preparation and advertisement of an ordinance for consideration at a future business meeting; staff will gather county rounding specifics and incorporate any needed wording changes before adoption.*

- <u>Discussion on Volunteer Tax Credit ordinance requirements</u>

- *Township Manager reviewed the ordinance and proposed program refinements.*
- *Background: Program provides tax credits for volunteers (historically aimed at EMS/fire volunteers). Credits are: up to $50 earned income credit and a 25% reduction of real property tax (as discussed).*

Key issues identified and discussion points:

- *Eligible organizations:*
    - *Current ordinance named a specific organization — concern that naming a single organization may exclude others. Recommendation to avoid naming a single org and instead use broader eligibility language.*
    - *Program should be limited to volunteer emergency services (firefighters/EMS) and fire police (consistent with state focus), not broadly to social members or non-service volunteers.*
    - *Paid police officers likely ineligible under state volunteer-focused statute; staff to verify statutory scope.*
- *Residency & service location:*
    - *Eligibility should be limited to Upper Frederick Township residents (tax recipients) so the benefit supports local service by local residents.*
    - *Volunteers may serve with companies outside the township (e.g., Limerick, Green Lane) and still qualify if they are township residents who provide service in Upper Frederick.*
    - *Service should be performed at least partially within Upper Frederick or demonstrably benefit the township—staff to draft clearer language (majority-of-service or similar threshold to be considered).*
- *Minimum service threshold & types of service:*
    - *Current ordinance lacks minimum activity requirement; concerns raised that membership alone (or minimal activity like one call) should not automatically qualify.*
    - *Suggestions included a percentage of calls (example mentioned: 30% of calls), a minimum number of responses, or a combination option (calls OR set number of in-house/training/admin hours).*
    - *Need clarity regarding administrative/non-response volunteers (treasurers, secretaries, janitors) — proposed options include separate hour-based thresholds or allowing qualifying administrative roles if a minimum service-hour threshold is met.*
    - *Certification: Program currently requires certification (notarized) by organization officials; board discussed reliance on organizational records/bylaws to define "qualified volunteer," but cautioned about potential inconsistency between organizations. Staff*

will draft options to rely on an organization's internal qualification procedures while allowing township review.

- *Injuries and coverage language:*
    - *Current language references injuries "responding, during, or coming back from" calls. Board raised concern about liability/coverage definitions (e.g., driving to station — coverage under workers comp may be contested). Staff will review relevant state statute language and clarify how injury provisions apply.*
- *Administrative burden and practicality:*
    - *Concerns that onerous tracking/documentation for relatively small credits ($50 earned income, 25% property tax reduction amount varies) could deter participation and create administrative burden.*
    - *Suggested approach: allow volunteer organizations to submit an annual certified list of qualifying volunteers for township processing rather than require individual proof for each applicant.*

- <u>Discussion on Use Regulations for Residential</u>

- *Purpose: Review proposed updates to use regulations/definitions for residential zoning districts as part of a broader multi-month modernization process. The Board reviewed and discussed many definitions, use deletions, and new/modified use regulations. The changes are derived from a county/regional template last adopted in the early 1990s; this is a significant update.*
- *Process note: Staff indicated a plan for a four-month series of meetings to review all use regulations thoroughly. This workshop focused on residential definitions/uses; commercial and other sections will be covered in later sessions.*

General decisions & themes:

- *Several uses were intentionally removed from permitted uses (examples cited: refuse/landfill, airports, automobile service stations with gas, hotels/motels, tattoo parlors, mini-storage, heliports). Removing a use from the township's allowable uses does not necessarily prohibit those uses in the regional or county planning context where they may be carried elsewhere.*
- *Staff confirmed removal of "refuse collection facility" and similar uses and replacement language in the Table of Contents to warn about potential limitations to maximizing land use under updated codes.*
- *Board members asked staff to check page numbering and organization of the draft ordinance materials (some attendees had trouble following an out-of-order PDF); staff to re-order and republish for future meetings.*

Specific notable definition and use discussions (by subject):

- *Bed & Breakfast / Inn / Pub definitions*
    - *Concern: Current "bed and breakfast" language treats it as a home occupation and may prohibit converting a non-owner-occupied building (e.g., a purchased Perkiomen-area building) to a B&B.*
    - *Proposal: Remove the 30-day occupancy limit or expand it (e.g., up to 180 days/seasonal timeframe) to allow reasonable seasonal rentals; discuss making B&B a standalone use rather than strictly a home occupation.*

    - *Additional suggestion: Add definitions for "pub" and "inn" (historical/smaller scale lodging definitions) for flexibility later; clarification that hotels/motels were always confined to the commercial district.*
- *Automotive / Gas Stations*
    - *Auto service stations (with gas) have been removed as allowed uses; board confirmed this was intentional (e.g., Wawa nearby already provides gas retail in commercial zones). Result: no new gas stations in the township, except potentially in already zoned commercial areas.*
- *Office / Professional Offices*
    - *Suggested language clarification: use "including, but not limited to" when listing professions to avoid an exhaustive list and allow flexibility for professions not enumerated.*
- *Personal Services / Service or Personal Care Establishment*
    - *Consolidate duplicate definitions by deleting old "personal services" term and retaining the new combined definition for clarity.*
- *Restaurant vs. Pub distinction*
    - *Clarify difference where a restaurant is primarily food-service and establishments where alcohol consumption is the predominant revenue source would be a pub/bar; this mirrors liquor law distinctions (food revenue percentage test).*
- *Accessory Dwelling Units (ADUs)*
    - *Significant discussion. Key provisions in draft and board comments:*
        - *ADU types allowed: internal/in-law units and external/standalone units.*
        - *Proposed limitations: One external ADU per lot; ADUs should conform to underlying zoning setbacks, riparian buffers, and other environmental constraints.*
        - *Lot size limitations: Draft required lots to be two acres or greater for ADUs (staff rationale: septic system expansion/availability of replacement sites). Board members noted internal ADUs (within the principal dwelling) should not be subject to a two-acre minimum; consensus to clarify that the 2-acre requirement applies only to external ADUs.*
        - *Rental permitting / inspection requirements: Draft tied ADUs to Chapter 202 rental licensing, which currently requires annual rental permits. Board expressed concern annual inspections are administratively burdensome. Consensus direction: change to require inspection/permit upon change of tenant or at a regular interval (suggestion: every five years, or whichever occurs first — change of renter or five years). Staff to update Chapter 202 reference/ language accordingly.*
        - *Occupancy limits: Draft limited ADU occupancy to no more than three individuals. Board discussion noted enforcement difficulty and differences between adults/children; suggestions included raising to four persons or relying on building code/septic capacity regulations to implicitly limit occupancy. No final numeric decision; board favored a reasonable occupant cap with room for enforcement based on building and health codes and suggested flexibility via variance process.*
        - *Size limits: Draft proposed ADU floor area limit equal to lesser of 50% of the primary dwelling or 1,200 square feet. Concerns raised that the 1,200 sq ft cap*

can be too small for large lots or penalize owners of small historic farmhouses. Suggestions: consider a sliding scale or exemption/variance process for older, smaller homes and for larger lot sizes; board acknowledged people can apply for a variance when appropriate. Staff recommended monitoring variance frequency and revisiting the standard if variances are common.
        - *Sewage / septic review references should be updated from "sewage enforcement officer" to the township engineer (administrative update requested).*
        - *General consensus: keep ADUs accessory/subordinate to primary dwelling; allow internal ADUs on any lot; require external ADUs on larger lots or with septic capacity.*
- *Elder Cottage (Temporary accessory dwelling for elder care)*
    - *Clarified as a separate use from ADU: intended for temporary placement of a family elder on the same property (manufactured/temporary unit, not a permanent second house).*
    - *Permit term: Draft required annual renewal; board suggested simplifying administration: allow initial permit and have it expire on termination of the elder's occupancy (or similar), avoiding mandatory yearly renewals unless circumstances change.*
    - *Removal timeline: After the elder passes or the use ends, the structure must be removed (180 days in draft). Board agreed to permit the temporary nature and streamline renewals.*
- *Accessory use — Non-Residential / Shipping Containers / Trailers*
    - *Draft language disallowed use of trailers, freezers, or shipping containers (removed from wheels or not) as accessory structures for residential or non-residential uses.*
    - *At least one Supervisor raised concerns about banning shipping containers completely, noting many residents use them for storage and agricultural purposes. Board directed staff to revise to allow trailers and conex storage on agriculture uses.*
- *Mini-storage / warehouse language*
    - *Some uses removed or redefined; staff confirmed distinctions between mini-storage (small rental units) and contractor storage/warehouse uses are carefully worded and where conditional uses remain, they are preserved in relevant sections.*
- *Pole Barns*
    - *To be allowed with a height of 26 feet and up to 1600sqft or the size of the primary dwelling whichever is smaller*
- *Other administrative/formatting notes*
    - *Board asked staff to correct typos or minor spelling errors in the draft.*

- Old Business
    - None

UPCOMING MEETINGS

Board of Supervisors Business Meeting – 02/11/2026 at 7:00 pm
Park and Rec Board – 2/17/2026 at 7:00PM

Planning Commission – 2/19/2026 at 7:00PM
Open Space – 2/19/2026 at 7:00pm
Board of Supervisors Workshop Meeting –3/04/2026 at 7:00pm

ANNOUNCEMENTS

None

-Meeting motioned and Adjourned at 8:16pm

ATTEST:

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Aaron Walizer, Manager

BOARD OF SUPERVISORS
UPPER FREDERICK TOWNSHIP

Signed Copy on Record
_____
William Landman, Chairman

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Elizabeth Fischer, Vice Chairman

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William Karaffa, Member