



Township of Lower Makefield

August 12, 2025

The Honorable Lee Zeldin, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: Technical Assistance Request – Proposed Development at 136 Old Oxford Valley Road and Recent Energy Transfer Pipeline Leak Incident (PHMSA CPF No. 4-2025-054-NOPSO)

Dear Administrator Zeldin:

I write on behalf of Lower Makefield Township (generally hereinafter “Township”) as a follow-up to the recent correspondence sent to your office by U.S. Representative Brian Fitzpatrick dated July 29, 2025 regarding the potential development on the parcel located at 136 Old Oxford Valley Road in Lower Makefield Township, Bucks County, Pennsylvania. The Township appreciates Representative Fitzpatrick’s commitment to environmental protection and community safety, and we share his interest in ensuring that any proposed land development in the region is evaluated with close attention to environmental and regulatory compliance.

In Pennsylvania, the land use approval process generally begins with an applicant seeking relief from applicable Zoning Ordinance provisions, if necessary, by submitting a request for variances to the local Zoning Hearing Board. Once zoning compliance is addressed, the applicant typically submits a subdivision and/or land development application for review. This application is circulated to various municipal advisory boards and commissions—such as the Planning Commission, Environmental Advisory Council, and/or other relevant committees—for review and recommendations. Following these reviews, the governing body considers the application and takes formal action in accordance with the Pennsylvania Municipalities Planning Code.

The Township has not received a formal subdivision and land development application for the referenced project at 136 Old Oxford Valley Road. However, the equitable owner did submit a Zoning Hearing Board application relating to the proposed construction of sixteen (16) townhomes on the site requesting variances from two Zoning Ordinance provisions relating to required housing type mix and permitted density (4.65 dwelling units per acre vs. the permitted 4.60 dwelling units per acre). The Zoning Hearing Board plan exhibit submitted by the applicant can be found at <https://www.lmt.org/media/5853/packet-8525.pdf>.

At their meeting on August 5, 2025, the Zoning Hearing Board conducted a public hearing on the application and did grant the requested variance for house type mix and the applicant

ultimately withdrew their request for the variance relating to maximum density and agreed to reduce the unit count to 15 townhomes. Should a subdivision and land development application be submitted to the Township, the applicant will be required to demonstrate full compliance with all applicable local, state, and federal laws, including those pertaining to environmental impact.

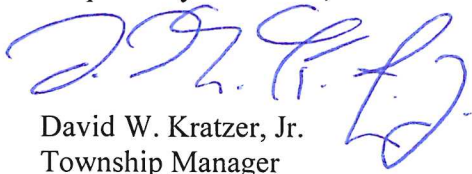
While the project remains in its early stages, the Township would welcome any technical assistance and/or guidance the U.S. Environmental Protection Agency can provide—either directly from your office and/or in coordination with Region 3 EPA staff—if a subdivision and land development application is submitted to the Township.

Please be assured that stormwater management is a top priority for the Township. In April 2025, we adopted a comprehensively updated Stormwater Management Ordinance (<https://ecode360.com/LO1561/laws/LF2362526.pdf>), which includes some of the most progressive and stringent requirements in the Commonwealth of Pennsylvania. These standards exceed the state minimum and reflect our proactive approach to mitigating runoff, reducing flood risk, and improving long-term water quality.

In addition to the above matter, we also respectfully request the EPA's attention to the recent Energy Transfer pipeline leak (U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration CPF No. 4-2025-054-NOPSO) that occurred in Upper Makefield Township, near its boundary with Lower Makefield. Although the incident took place outside our jurisdiction, its proximity, the potential for cross-boundary environmental impacts, and the uncertainty as to whether the line is still leaking are deeply concerning. We would appreciate any support and/or oversight your agency can provide in evaluating the situation, identifying risks to residents and natural resources, and ensuring that the site is fully and safely remediated.

Thank you for your leadership and for the critical role the EPA plays in safeguarding our communities. The Township looks forward to working collaboratively with your agency and our elected and appointed officials from all levels of government as these matters develop. If you have any questions, please contact this office at (267) 274-1100 or via email at dkratzer@lmt.org.

Respectfully submitted,



David W. Kratzer, Jr.
Township Manager

cc: The Honorable Amy Van Blarcom, EPA Region 3 Administrator
The Honorable Brian Fitzpatrick, U.S. House of Representatives
The Honorable Steve Santarsiero, Pennsylvania State Senate
The Honorable Perry Warren, Pennsylvania House of Representatives