

Public Hearing
Motor Freight Terminal Conditional Use Hearing #18
June 23, 2008

The North Middleton Township Supervisors held a continued public hearing on June 23, 2008 at the Township Municipal Building, 2051 Spring Road, Carlisle PA. Chairman Richard A. Bucher called the hearing to order at 6:30 p.m. Board members present Vice Chairman Robert Shearer, Supervisor Harry Kelso, Supervisor Dennis Hurley, Supervisor Robert Reisinger, Solicitor Mark Allshouse, and Recording Secretary Dana A. Billet.

Visitors: **See attachment #1**

The Pledge of Allegiance to the American Flag opened the meeting.

Solicitor Allshouse, the Board and the Attorney's had discussion regarding meeting dates, Mr. Moore's testimony and other items.

Thomas Benjey of 546 East Springville Road, Carlisle was called to the stand to give his testimony. Mr. Benjey stated he was on the Board of Directors of the Clean Air Board but his testimony is not on the behalf of the Clean Air Board. Mr. Benjey testified in regards to air monitor testing on 624 West Penn Street performed March 6, 2008 to April 8, 2008. Mr. Wolf provided documentation from DEP in reference to two other air monitoring sites. One site is in North Middleton Township and one is in the Borough of Carlisle.

Mr. Moore had no questions for Mr. Benjey.

Mr. Bossert, representing Mr. Shepley, then had the opportunity to question Mr. Benjey. Mr. Bossert ask Mr. Benjey to explain where the monitors are located. Mr. Benjey stated the one in North Middleton Township is located off Imperial Court at the water tower and the one in the Borough of Carlisle is located on Walnut Street.

Supervisor Hurley stated he did not understand the relevance of the data provided. Mr. Benjey explained that the monitor measures the particulates of pollution. Mr. Hurley ask if the particulates come from emissions. Mr. Benjey stated it comes from exhaust. It generally comes from a vehicle using diesel fuel.

Supervisor Kelso, Supervisor Reisinger and Supervisor Shearer had no questions for Mr. Benjey.

Supervisor Bucher ask why the one reading was 44.9 and another was 15. One day it was high another day it wasn't. Mr. Benjey stated that it depends on the wind and the heat. Supervisor Bucher ask if they could do readings and note the weather for the day.

Supervisor Bucher ask where the device was located. Mr. Benjey stated it was about 2 meters off the ground.

Supervisor Bucher ask that from March 6 to April 6 how many days did he see the machines. Mr. Benjey stated he saw it several times.

Mr. Wolf and Mr. Bossert were given the opportunity to ask questions of Mr. Benjey after the Board did their questioning.

Solicitor Allshouse admitted Objector's Exhibits 23 through 27.

Testimony was heard from Steve Strayer of Cocciardi and Associates located in Mechanicsburg. Mr. Strayer stated he manages the Cocciardi and Associates office in Mechanicsburg and has been with the company for twelve years.

Mr. Wolf stated he would like Mr. Strayer qualified as an expert in Air Quality Impact Assessment. Mr. Moore had no objections. After Mr. Bossert questioned Mr. Strayer he had no objections to admitting him as an expert witness.

Mr. Strayer stated he did testing at Mr. Hoover's home and Mr. Moore's home on April 17 and April 18 of this year. The samples were collected by Mr. Clark who is employed by Cocciardi and Associates. The samples were sent to NHL to be analyzed.

Mr. Strayer testified in regards to the results of the testing that was performed at Mr. Hoover and Mr. Moore's home. Mr. Strayer stated that with the data collected he feels that further testing should be completed.

Mr. Moore was then given the opportunity to question Mr. Strayer.

Mr. Bossert was given the opportunity to question Mr. Strayer.

Solicitor Allshouse stated he would prefer to have Mr. Strayer finish his testimony first on July 9th.

Discussion was held regarding additional hearing dates in August. The Board set additional hearing dates for August 11 at 6:30pm and August 14 at 6:30pm.

A full transcript of the hearing can be found at the Municipal Building.

Adjournment

Supervisor Shearer moved to continue the public hearing to July 9, 2008 at 6:30 p.m. Supervisor Kelso seconded the motion, and the motion carried.

The meeting was adjourned at 9:07 p.m.

Respectfully submitted,

Deborah A. Ealer
Township Secretary

Dana A. Billet
Recording Secretary