

Public Hearing

Motor Freight Terminal Conditional Use Hearing # 23

September 22, 2008

The North Middleton Township Supervisors held a continued public hearing on September 22, 2008 at the Township Municipal Building, 2051 Spring Rd., Carlisle, PA 17013. Chairman Richard A. Bucher called the hearing to order at 6:37 p.m. Board members present: Vice Chairman Robert Schearer, Supervisor Harry Kelso, Supervisor Dennis Hurley, Supervisor Robert Reisinger, Solicitor Mark Allshouse, and Recording Secretary, Tracy Gates.

Visitors: **See Attachment #1**

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

Administrative Issue:

Chairman Bucher announced that the board did have an executive session prior to the meeting to discuss: potential litigation issues, party status issues, and the bifurcation decision that will be discussed later this evening.

Solicitor Mark Allshouse informed the board that Stewart and Jean Heishman transferred interest in this case to Trevor J. Onukiavage and Amber N. Fluck, the new property owners of 1162 Newville Road.

A few hearings ago, the board questioned the possibility of having a bifurcated decision as to if the application met the motor freight terminal under the North Middleton Township codes and potentially moving the decision forward for review. After written correspondences were received from all parties and discussion with the board during the executive session, the decision to have a bifurcated decision is considered a dead issue and hearings will proceed.

Hearing:

Mr. Wolfe called Victor P. Stabile, he is an attorney, and holds a seat on the Middlesex Township planning committee. Mr. Stabile was sworn in for testimony. Mr. Lucas opposed to have Mr. Stabile testify. Mr. Lucas and Mr. Wolfe presented information as to whether Mr. Stabile should be allowed to testify. The board posed questions to Mr. Stabile. The board made the decision to allow Mr. Stabile to testify, but only with regards to the two terminals previously mentioned by the applicant, Knight and Heartland.

Mr. Stabile testified to the concerns that Middlesex Township has had with Knight and Heartland, such as lighting issues, cleanliness, and the amount of impervious area. He made mention of the small community in Middlesex off of Letort Drive that is adjacent to route 11 and the handful of home off of Mill Road that sits next to Knight Transportation. Mr. Stabile also

mentioned that across the street from Knight Transportation is the Roadway Hotel that does house full-time residents in addition to travelers.

Mr. Moore cross examined Mr. Stabile. Mr. Lucas had no questions. The board members posed questions. Supervisor Hurley had no questions. Supervisor Kelso had questions with regards to lighting issues, the length that Knight has been operating, the primary use of the Knight and Heartland, and the issue of oil and diesel getting into the stream. Supervisor Reisinger asked for areas of interest that Middlesex Township could do to make these businesses more community friendly. Supervisor Schearer asked if the township has received complaints from residents of Middlesex village strictly to Knights Transportation, and with the issue of the bottles of urine. Chairman Bucher asked questions regarding to Hazmat issues concerning these two specific facilities. If any changes could be made in conditional uses for Knight, Mr. Stabile would like to see less impervious area, run-off issues, and lighting.

Redirect questions were asked and Mr. Stabile was excused.

Next hearing is scheduled for October 20, 2008. November 12, 2008 hearing was set previously. A hearing for December 10, 2008 was scheduled.

Chairman Bucher moved to continue the public hearing to October 20, 2008. Supervisor Kelso seconded the motion, and the motion carried.

The meeting adjourned at 8:29 p.m.

Respectfully Submitted,

Deborah A. Ealer
Township Secretary

Tracy Gates
Recording Secretary