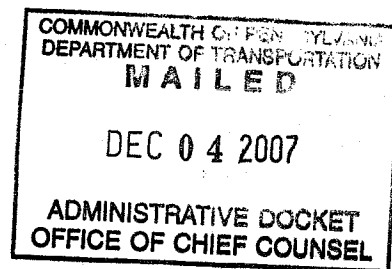


COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
ADMINISTRATIVE DOCKET
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET - 9TH FLOOR
HARRISBURG, PENNSYLVANIA 17120-0096



RE: WAYNE PEALER, CATHERINE :
PEALER, BRIAN PEALER AND :
CARROLL CITIZENS FOR SENSIBLE :
GROWTH ("CCSG") PETITION TO :
INTERVENE IN LOBAR PROPERTIES :
HIGHWAY OCCUPANCY PERMIT :
APPLICATION NO. 194527 FOR :
SOUTH MOUNTAIN COMMONS, :
CARROLL TOWNSHIP, YORK COUNTY: NO. 035 A.D. 2007

ORDER

AND NOW, this 4th day of December, 2007, on consideration of the Petition to Intervene and the answer of Lobar Properties, LLC, thereto, it being a matter of dispute whether the requested permit would affect the petitioners' protected interests and whether they otherwise enjoy standing to challenge the permit application, it is hereby ordered that limited intervention is granted on the following terms and conditions:

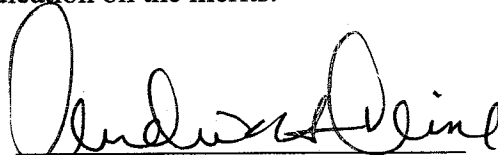
1. Engineering District 8-0 Office shall permit the petitioners to inspect and copy (at their expense) the subject Highway Occupancy Permit (HOP) application and the supporting documents and shall provide the petitioners a reasonable opportunity to submit comments.

2. The District Office shall provide the petitioners' counsel with contemporaneous written notice of any formal action it takes with respect to the HOP application.

3. An appeal from the final decision of the District Office may be filed by submitting a request for hearing within 30 days after the mailing date of the District's written notice. The request shall include the appropriate filing fee as prescribed by 67 Pa. Code § 491.5(a)(1) and the current schedule of filing fees published in the Pennsylvania Bulletin.

4. The granting of the intervention does not stay the underlying permit application procedure, and the District Office may continue to process the HOP application in the normal course.

5. The granting of intervention is not a determination by the Department that the petitioners have a substantial, immediate, and direct interest in the proceeding or that they would be aggrieved by the Department's adjudication on the merits.



Andrew H. Cline
Department Hearing Officer

cc: J. Dwight Yoder, Esquire
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