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Kings Mill developers appeal to highest state court

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By **TONY NAUROTH**

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FORKS TWP. | The developer who wants to build 3,000 homes on land zoned for farmland preservation has appealed his case to the state Supreme Court.

Township solicitor Karl Kline told supervisors Thursday night that KMRD has asked the state's highest court to overturn an April 2008 Northampton County judge's decision in favor of the township. The state's Commonwealth Court upheld the county court's decision.

KMRD accuses the township of failing to follow proper procedures in amending its 1983 zoning ordinance with 2006 changes.

The developer is attempting to force rezoning through two lawsuits that would allow construction on 436 acres along Richmond Road in the northeast corner of the township.

"I am disappointed, but not surprised, that KMRD has filed a petition to the Pennsylvania Supreme Court," Kline wrote in a letter to the supervisors.

Appeals to the Supreme Court are not automatic, meaning the top court can decline to hear the appeal.

A separate lawsuit focusing on the content of KMRD's objection to the township denying the company's building plans is still moving through the courts.

The Kings Mill plan consists of 3,000 town homes, apartments and mobile homes.

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