



## THE EXPRESS-TIMES

### Forks officials give OK to Weis

Grocery store faces possible legal action from residents.

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By **COURTNEY LOMAX**  
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FORKS TWP. | In a split vote, supervisors gave Weis Market final approval to build a grocery store at the intersection of Sullivan Trail and Uhler Road.

Supervisors Chairman David Hoff and Supervisors Donald Miller and C. David Howell voted in favor of the motion while supervisors Bonnie Nicholas and John Ackerman voted against it.

Construction on the store won't start anytime soon, said the developer's attorney, Jim Preston. Preston said construction won't begin until appeals against the project are settled.

A group of residents lost an appeal with the zoning hearing board Monday when the zoning board ruled supervisors acted within their rights when they added a grocery store to a list of uses already permitted at the intersection.

Scott Gingold, an appellant in the case, said Monday he planned to appeal the zoning board's decision in the court of common pleas. The group of appellants is also appealing the supervisors February decision, which gave the developer preliminary approval.

Ackerman said he voted against the development because he does not like the way the developer is handling traffic on Sullivan Trail.

The approval assures the developer must make sure the air conditioner on the top of the building is not visible from the street and provide adequate space between cars at the gas pumps and cars near the pumps. A traffic plan will also be submitted to the state Department of Transportation for final approval.

Weis Market Forks Inc. plans to build an approximately 60,000-square-foot grocery and gas station on an 8.9-acre tract in the employment center district at the intersection.

Hoff read a letter from resident group's attorney Gary Asteak that said the board of supervisors would be acting prematurely if it approved the project before the issues are resolved in court.

Nicholas asked if supervisors could vote on the project before the appeals were finalized.

Township Solicitor Karl Kline said the developer will be acting at its own risk if construction begins before the appeals are settled.

"I certainly think the zoning (board) acted appropriately," Kline said.

Preston said he hopes to handle all appeals at one time so as not to delay the process, he said.

"People have not come forward too much at hearings to object (to the project)," Hoff said.

Ackerman agreed.

"(There are) more people that said they want the grocery store in that area than not," he said. Ackerman said those residents agreed with his concerns about the road.

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