



## THE EXPRESS-TIMES

### **Forks market hearing stopped after oversight**

**Opponents never got copy of traffic study, causing postponement.**

Friday, January 19, 2007

By **COURTNEY LOMAX**  
The Express-Times

FORKS TWP. | A hearing to allow a grocery store at Sullivan Trail and Uhler Road stalled Thursday because a traffic impact study compiled by the developer was not provided to the group opposing the development.

Supervisors postponed the conclusion of the conditional use hearing and their vote on preliminary plans for the project until the traffic study is made available.

Attorney Gary Asteak said his client, Scott Gingold, was told in writing last week that the township did not receive a traffic study from Weis Market Forks, Inc., the developer that wants to build a 62,000-square-foot grocery and gas station on an 8.9-acre tract in the employment center district.

Township Engineer Fred Hay said the township received the study in August and he wasn't sure why zoning officer Tim Weis said the report was not received.

Weis said after the meeting he didn't know the report came to the township and it was an oversight.

"It was an oops," Weis said.

Supervisors agreed in July to allow the supermarket in the employment center district on the southeast corner of Sullivan Trail and Uhler Road as a conditional use, meaning supervisors can impose specific conditions on the appearance and operations.

The grocery store might not be built at all if a group of residents wins an appeal against the township for allowing the zoning change. Residents argue the zoning change was made with one developer in mind and constitutes spot zoning.

Jim Preston, attorney for the developer, said the conditional use hearing should continue Thursday with the traffic consultant's testimony because a traffic study was not required for the hearing.

"We have not introduced a traffic study into evidence," Preston said.

Asteak argued it was a disservice to continue with the hearing.

"(It's a) further insult to the community (that) a traffic study was hidden from supervisors and residents," Asteak said.

Township solicitor Karl Kline said the study was not intentionally hidden but agreed the challenger should have access to it.

"It's a very important issue," Kline said after the meeting. "It's the most important issue."

Reporter Courtney Lomax can be reached at 610-258-7171 or by e-mail at [clomax@express-times.com](mailto:clomax@express-times.com).