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Appeal delays market plans

Weis may have to wait a year for legal action to wind through court.

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By JD MALONE
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FORKS TWP. | Developers of a Weis Market planned for Sullivan Trail and Uhler Road might be at least another year away from breaking ground.

Scott Gingold and the Residents Who Care group filed an appeal last week of a Northampton County Court ruling, sending the case to the Commonwealth Court. Township Solicitor Karl Kline said the appeal could take a year to complete.

"I think there is absolutely no merit to their challenge," Kline said.

Kline said he spoke to Weis attorney James Preston and learned Weis plans to ask the court to force Gingold to post a bond of several hundred thousand dollars so Weis can recover damages due to the delay an appeal might cause.

Kline said Weis could collect the bond if Gingold loses on appeal.

Preston, Gingold and Gingold's attorney, Gary Asteak, were unavailable for comment Friday.

Judge F.P. Kimberly McFadden ruled March 3 the board of supervisors did not err when it granted a conditional use approval to Weis Markets in 2007, paving the way for a 77,000-square-foot store and gas pumps.

Gingold said the store would choke the two roads with traffic and he would continue to fight its development as long as possible.

The stretch of Sullivan Trail between Uhler Road and Elizabeth Avenue has seen a flurry of new retail and residential construction in the past five years.

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