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Forks grocery store decision delayed

Board continues a hearing to next month because of traffic study.

By Joe Nixon Of The Morning Call

Decisions by Forks supervisors on whether to give conditional use approval and pass judgment on preliminary plans for a proposed supermarket at Sullivan Trail and Uhler Road will wait until next month.

Supervisors held a public hearing Thursday on a conditional use application from a Luzerne County developer to build a Weis Market, but had to continue that session to allow objectors time to view a traffic impact study on the project. The hearing will resume Feb. 6.

When the conditional use hearing was shelved, so was a decision by supervisors on the land-development plans.

An apparent mix-up left township code officer and building inspector Tim Weis with the understanding the township had not received a traffic study, when the report had actually been received by the township in August. "It was an oversight," said Weis after the meeting.

Attorney Gary Asteak, representing the citizens group Residents Who Care, asked that the hearing be continued so he could review the study and continue his questioning of the developer's traffic consultant. During the hearing, Asteak said he had requested the study, but was told by Weis the township had not received it.

Though the traffic study isn't a requirement for conditional use approval, traffic impact is a factor that is considered. Conditional use approval is needed because the grocery store was listed as a conditional use when the township last year amended its zoning code to allow a large grocery in the employment center zoning district. Conditional uses are permitted, but the township has the power to add conditions in areas such as traffic, safety and project compatibility with the surrounding area.

Residents Who Care is challenging that zoning change before the township Zoning Hearing Board, contending the township engaged in illegal spot zoning. The township is defending the change, saying it applies to more than just the proposed grocery site in a business park at the southeast corner of Sullivan Trail and Uhler Road. The township has also said a large grocery is compatible with other uses already allowed in the employment center district.

The township Planning Commission recommended preliminary approval of the grocery store land development plans in November and last week recommended conditional use approval.

The grocery store, 62,000 square feet with possible expansion of another 8,000 square feet, is being proposed by SamCar Ltd. of Pittston. The developer initially proposed a CVS drugstore on a 3-acre lot in the business park. That plan is still on the table. The genesis of the grocery store plan came when the developers approached the township with the grocery store idea after they said they received interest from numerous chains.

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