



## THE EXPRESS-TIMES

### More Kings Mill sessions

**Forks zoning board denies developer's petition to suspend hearings. Supervisors said to differ.**

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**By JD MALONE**  
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FORKS TWP. | The zoning hearing board Monday denied a petition by developer KMRD LP to suspend further hearings about its substantive challenge of the township's zoning laws.

"We shouldn't grant this continuance," zoning hearing board member Ronald Asteak said. The zoning hearing board backed him with a 5-0 vote.

However, the board of supervisors wants to stop litigating and begin negotiating, according to township Solicitor Karl Kline.

The supervisors have not declared publicly their wish to proceed with settlement talks, but Kline said the majority of the supervisors wants to find a solution instead of continuing with a protracted, expensive lawsuit.

John VanLuvanee, the attorney for KMRD, requested the continuance and said in a letter that the board of supervisors joined in the request.

Kline drafted a motion that he plans to present at Thursday's supervisors meeting asking the zoning hearing board to cease hearings regarding Kings Mill, a proposed 3,000-home development.

"It was my clear sense that the board would be OK with that," Kline said. "I believe the board will join in the postponement.

Supervisor David Howell asked the zoning hearing board to reject the postponement and wonders why the supervisors want to negotiate.

"I think this proceeding indicates there is a chink in the armor of our defense," Howell said.

Howell said he is in the minority for wanting to follow through with defending the township's zoning ordinances against KMRD.

Kline agreed.

"As a township solicitor, sometimes you are asked by a majority (of the board of supervisors) to convey certain messages," Kline said of his belief that most of the board wants to negotiate.

Supervisor John Ackerman, present for Monday's hearing, refused to discuss his opinion.

"I'll save my comments for Thursday night," he said.

Kline did not bring any witnesses to the hearing Monday. He said he hoped the continuance would be granted and that preparing witnesses would have wasted the township's money.

The zoning hearing board said hearings will resume Oct. 15. Zoning hearing board Solicitor Michael Shay asked that the township prepare witnesses so that something substantive could take place.

All five members of the zoning hearing board agreed to keep holding hearings on the matter.

"I want to get this over with," zoning board member Louis Moyer said. "As far as I am concerned, we pick this meeting up Oct. 15."

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