

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

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CA 18-02342

PRESENT: WHALEN, P.J., CENTRA, LINDLEY, NEMOYER, AND TROUTMAN, JJ.

IN THE MATTER OF TOWN OF LERAY,
PETITIONER-PLAINTIFF-APPELLANT,

V

ORDER

VILLAGE OF EVANS MILLS AND VILLAGE OF EVANS
MILLS PLANNING BOARD,
RESPONDENTS-DEFENDANTS-RESPONDENTS.

HRABCHAK & GEBO, P.C., WATERTOWN (MARK G. GEBO OF COUNSEL), FOR
PETITIONER-PLAINTIFF-APPELLANT.

BOND, SCHOENECK & KING, PLLC, SYRACUSE (BRODY D. SMITH OF COUNSEL),
FOR RESPONDENTS-DEFENDANTS-RESPONDENTS.

Appeal from a judgment (denominated order) of the Supreme Court, Jefferson County (James P. McClusky, J.), entered May 23, 2018 in a CPLR article 78 proceeding and declaratory judgment action. The judgment, among other things, determined that the zoning laws of respondent-defendant Village of Evans Mills apply to the construction of a new entrance from Willow Street.

It is hereby ORDERED that the judgment so appealed from is unanimously affirmed without costs for reasons stated in the decision at Supreme Court.

Entered: June 7, 2019

Mark W. Bennett
Clerk of the Court