

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

751

CA 21-00652

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

SCHACHTLER STONE PRODUCTS, LLC, SCHACHTLER
FAMILY TRUST, ERIC T. SCHACHTLER AND PJK
PROPERTIES, LLC,
PLAINTIFFS-PETITIONERS-RESPONDENTS,

V

MEMORANDUM AND ORDER

TOWN OF MARSHALL, TOWN BOARD OF TOWN OF
MARSHALL, ZONING BOARD OF APPEALS OF TOWN OF
MARSHALL AND CODE ENFORCEMENT OFFICER DANIEL J.
FORD, DEFENDANTS-RESPONDENTS-APPELLANTS.
(APPEAL NO. 2.)

ROSSI & ROSSI, NEW YORK MILLS (VINCENT J. ROSSI, JR., OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS-APPELLANTS.

BROWN, DUKE & FOGEL, P.C., SYRACUSE (MICHAEL A. FOGEL OF COUNSEL), FOR
PLAINTIFFS-PETITIONERS-RESPONDENTS.

Appeal from an amended judgment (denominated amended order) of
the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered
March 25, 2021. The amended judgment, among other things, granted
relief to plaintiffs-petitioners on their amended complaint-petition
and denied a motion to intervene.

It is hereby ORDERED that said appeal is unanimously dismissed
without costs.

Same memorandum as in *Schachtler Stone Prods., LLC v Town of
Marshall* ([appeal No. 1] – AD3d – [Oct. 7, 2022] [4th Dept 2022]).

Entered: October 7, 2022

Ann Dillon Flynn
Clerk of the Court