

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

D16120
W/gts

_____AD3d_____

Submitted - May 17, 2007

A. GAIL PRUDENTI, P.J.
FRED T. SANTUCCI
JOSEPH COVELLO
EDWARD D. CARNI, JJ.

2006-07784

DECISION & JUDGMENT

In the Matter of Lincoln Mercury Holding Co.,
LLC., et al., petitioners, v Town of Orangetown,
respondent.

Dorfman Knoebel & Conway, LLP, Nyack, N.Y. (Burton I. Dorfman of counsel), for
petitioners.

Teresa M. Kenny, Town Attorney, Orangeburg, N.Y. (William J. Reddy of counsel),
for respondent.

Proceeding pursuant to EDPL 207 to review a determination of the Town Board of
the Town of Orangetown dated June 12, 2006, made after a public hearing, authorizing the
condemnation of the petitioners' property.

ADJUDGED that the determination is confirmed, with costs, the petition is denied,
and the proceeding is dismissed.

There is no merit to the petitioners' contention that the brief synopsis of the
determination and findings made by the Town Board of the Town of Orangetown with respect to the
subject eminent domain proceeding, and the notice of the brief synopsis, failed to sufficiently identify
the approximate location of the proposed public project as required by EDPL 204 (*see Matter of*
Wechsler v New York State Dept. of Env'tl. Conservation, 76 NY2d 923, 927; *Matter of C/S 12th*
Ave. LLC v City of New York, 32 AD3d 1, 8).

The petitioners' remaining contentions are without merit.

PRUDENTI, P.J., SANTUCCI, COVELLO and CARNI, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large, looping initial "J".

James Edward Pelzer
Clerk of the Court