

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

696

CA 11-00319

PRESENT: SCUDDER, P.J., CENTRA, PERADOTTO, GORSKI, AND MARTOCHE, JJ.

IN THE MATTER OF ALFONS J. POHOPEK,
PETITIONER-APPELLANT,

V

ORDER

TOWN OF WESTERN ZONING BOARD OF APPEALS AND
DONALD CROFT, RESPONDENTS-RESPONDENTS.

GUSTAVE J. DETRAGLIA, JR., UTICA, FOR PETITIONER-APPELLANT.

CHARLES W. ENGELBRECHT, ROME, FOR RESPONDENT-RESPONDENT TOWN OF
WESTERN ZONING BOARD OF APPEALS.

Appeal from a judgment (denominated order) of the Supreme Court, Oneida County (Anthony F. Shaheen, J.), entered June 29, 2010 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

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 10, 2011

Patricia L. Morgan
Clerk of the Court