

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

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CA 11-01078

PRESENT: SCUDDER, P.J., SMITH, CARNI, AND SCONIERS, JJ.

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IN THE MATTER OF FRANCES S. BRADLEY,  
PETITIONER-RESPONDENT,

V

ORDER

TOWN OF BOONVILLE ZONING BOARD OF APPEALS,  
RESPONDENT.

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FORREST C. BARTELOTTE AND MARILYN G.  
BARTELOTTE, INTERVENORS-APPELLANTS.  
(APPEAL NO. 1.)

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DURR & RILEY, BOONVILLE, PETER M. HOBAICA, LLC, UTICA (GEORGE E.  
CURTIS OF COUNSEL), FOR INTERVENORS-APPELLANTS.

THE AYERS LAW FIRM, PLLC, PALATINE BRIDGE (MEGHAN M. MANION OF  
COUNSEL), FOR PETITIONER-RESPONDENT.

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Appeal from an order of the Supreme Court, Oneida County  
(Bernadette T. Clark, J.), entered February 18, 2011 in a proceeding  
pursuant to CPLR article 78. The order granted petitioner two  
variances.

It is hereby ORDERED that said appeal is unanimously dismissed  
without costs (*see Hughes v Nussbaumer, Clarke & Velzy*, 140 AD2d 988;  
*Chase Manhattan Bank, N.A. v Roberts & Roberts*, 63 AD2d 566, 567; *see*  
also CPLR 5501 [a] [1]).

Entered: March 16, 2012

Frances E. Cafarell  
Clerk of the Court