

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

470

CA 17-01455

PRESENT: SMITH, J.P., CARNI, NEMOYER, AND WINSLOW, JJ.

IN THE MATTER OF ANDREW R. KOMAREK,
PETITIONER-APPELLANT,

V

ORDER

PLANNING BOARD OF TOWN OF MIDDLESEX, TOWN
BOARD OF MIDDLESEX AND TOWN OF MIDDLESEX,
RESPONDENTS-RESPONDENTS.

MORGENSTERN DEVOESICK PLLC, PITTSFORD (VIVEK J. THIAGARAJAN OF
COUNSEL), FOR PETITIONER-APPELLANT.

HANCOCK ESTABROOK, LLP, SYRACUSE (JANET D. CALLAHAN OF COUNSEL), FOR
RESPONDENTS-RESPONDENTS.

Appeal from a judgment (denominated order and judgment) of the
Supreme Court, Yates County (W. Patrick Falvey, A.J.), entered
December 1, 2016 in a proceeding pursuant to CPLR article 78. The
judgment, among other things, denied 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: April 27, 2018

Mark W. Bennett
Clerk of the Court