

State of New York
Supreme Court, Appellate Division
Third Judicial Department

Decided and Entered: March 7, 2024

CV-22-2340

In the Matter of VICTOR
LAMOUREUX, on Behalf of
FRIENDS FOR
RESPONSIBLE VESTAL
ZONING, an Unincorporated
Association,

Appellant,

v

TOWN OF VESTAL TOWN BOARD
et al.,
Respondents.

MEMORANDUM AND ORDER

Calendar Date: January 8, 2024

Before: Garry, P.J., Pritzker, Lynch, Fisher and Powers, JJ.

Rupp Pfalzgraf LLC, Albany (*William F. Demarest III* of counsel), for appellant.

David S. Berger, Vestal, for Town of Vestal Town Board, respondent.

Hinman, Howard & Kattell LLP, Binghamton (*Sarah G. Campbell* of counsel), for
LCD Acquisitions, LLC and another, respondents.

Pritzker, J.

Appeal from a judgment of the Supreme Court (Mark G. Masler, J.), entered November 10, 2022 in Cortland County, which dismissed petitioner's application, in a proceeding pursuant to CPLR article 78, to review, among other things, a determination

of respondent Town of Vestal Town Board adopting a negative declaration of environmental significance.

Judgment affirmed, upon the opinion of Justice Mark G. Masler.

Garry, P.J., Lynch, Fisher and Powers, JJ., concur.

ORDERED that the judgment is affirmed, without costs.

ENTER:

A handwritten signature in black ink that reads "Robert D. Mayberger". The signature is written in a cursive, slightly slanted style.

Robert D. Mayberger
Clerk of the Court