

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

1673

CA 08-01865

PRESENT: CENTRA, J.P., PERADOTTO, CARNI, PINE, AND GORSKI, JJ.

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IN THE MATTER OF TOWN OF SENNETT TOWN BOARD  
AND PAUL E. WEIMAN, JR., IN HIS OFFICIAL  
CAPACITY AS TOWN OF SENNETT CODE ENFORCEMENT  
OFFICER, PETITIONERS-RESPONDENTS,

V

ORDER

RYBACH & RIG PROPERTIES, LLC, ET AL.,  
RESPONDENTS,  
GREG RIGBY, RESPONDENT-APPELLANT,  
AND TOWN OF SENNETT ZONING BOARD OF APPEALS,  
RESPONDENT-RESPONDENT.

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GREG RIGBY, RESPONDENT-APPELLANT PRO SE.

CHENEY & BLAIR, LLP, SKANEATELES (DONALD J. CHENEY OF COUNSEL), FOR  
PETITIONERS-RESPONDENTS.

COSTELLO, COONEY & FEARON, PLLC, SYRACUSE (JOHN R. LANGEY OF COUNSEL),  
FOR RESPONDENT-RESPONDENT.

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Appeal from a judgment (denominated order and judgment) of the  
Supreme Court, Cayuga County (Thomas G. Leone, A.J.), entered July 14,  
2008 in a proceeding pursuant to CPLR article 78. The judgment,  
insofar as appealed from, denied the cross claim of respondents Rybach  
& Rig Properties, LLC, The East End Creamery, LLC, Greg Rigby, Mark  
Bachman and John Ryan.

It is hereby ORDERED that the judgment so appealed from is  
unanimously affirmed without costs for reasons stated at Supreme  
Court.

Entered: December 30, 2009

Patricia L. Morgan  
Clerk of the Court