



Simoncic, Blumberg and Tricolla of Forchelli, Curto, Deegan, Schwartz, Mineo & Terrana, LLP obtain favorable decisions; Nassau County Supreme Court in two article 78 proceedings

August 10, 2015 - Long Island

Forchelli, Curto, Deegan, Schwartz, Mineo & Terrana, LLP partners, Judy Simoncic and Richard Blumberg, assisted by associate Danielle Tricolla obtained two favorable decisions in Nassau County supreme court in two separate Article 78 proceedings filed against the village of Muttontown zoning board of appeals and the Village of Muttontown Site and Architectural Review Board (SARB). In the first decision, justice John Galasso overturned the zoning board's improper imposition of a condition on their clients' building permit in connection with construction of an indoor riding arena for their clients 60-acre horse farm and boarding facility. Galasso also annulled the zoning board's decision finding it was arbitrary and capricious and not supported by the record. In the second decision against the SARB, Galasso converted the village's motion to dismiss their Article 78 proceeding into a motion for summary judgment in favor of their clients, finding that the village had defaulted on its own time period in which to act on their clients application and as a result the application was approved by default.

Galasso went on to nullify any further attempt by the village to deny the application again finding the village arbitrarily and capriciously.

Simoncic concentrates her practice in the areas of zoning, land use, environmental, municipal, and real estate law. She represents national franchises, Fortune 500 companies, national corporations, large real estate development companies as well as individual real estate developers in the development of both residential and commercial properties throughout Nassau and Suffolk Counties.

Blumberg focuses on commercial and real estate litigation. He has litigated a broad variety of claims, including homeowner association disputes, commercial and residential landlord/tenant proceedings, tax lien matters and boundary line disputes.

Tricolla and concentrates her practice in the areas of litigation, corporate and commercial, land use and real estate law.

New York Real Estate Journal - 17 Accord Park Drive #207, Norwell MA 02061 - (781) 878-4540