



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Lance Chebin- Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 000819464L et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- D&Z SUPERMARKET CORP Hearing Date: 11/04/2024 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$350.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000819464L	Sustained	10/22/2023	42 WEST 56 STREET Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA51	24 -163	Sustained	\$350.00

Findings of Fact & Conclusions of Law

Lance Chebin appeared for the Respondent. Michael Grosso, DEP Inspector, appeared for the Petitioner.

The Respondent was charged with idling the engine of a vehicle for more than three minutes at 42 W. 56th 83 Street in Manhattan on October 22, 2022.

The Petitioner relied on the summons and submitted evidence (PET EXHS 1-5, redacted idling complaint, affirmation of citizen's complaint, images, and a mobile device video). The Respondent's Representative did not provide a defense.

I find the Petitioner's presentation to be persuasive evidence that the Respondent was in violation on the date of issuance.

The summons is hereby sustained.

C. Charles

11/04/2024

11/04/2024

Claude Charles, Hearing Officer

Date