



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 0703722223 et al. (1 Summons) DEPT OF TRANSPORTATION, -against- CROWN CASTLE NG EAST LLC Hearing Date: 01/26/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0703722223	Dismissed	10/15/2024	1 AVENUE AND EAST 80 STREET Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AD1C	34RCNY 2-11(C)(1)(III)	Dismissed	\$0.00

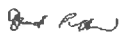
Findings of Fact & Conclusions of Law

The Respondent, CROWN CASTLE NG EAST LLC., appeared by its Attorney-at-Law, MICHAEL SARGO, ESQ. Petitioner appeared by Inspector KEITH WHITE. The summons alleges that the Respondent failed to have the required markings on the street and that the IO identified the Respondent with an application number.

In further support of the Petitioner's case, Inspector White presented an evidence package that consists of photos that were taken by the IO. (PX1). The photos show different angles of the cited area. Mr. Sargo moved to dismiss the violation on the basis that the alleged condition is contingent upon the issuance of the permit. Inspector White agreed that the permit had not yet been issued, and the required markings only come into play after the issuance of the permit and before the Respondent

commences the work.

The statutory language for the cited violation comes under the heading of permit; therefore, I find the Petitioner's interpretation reasonable that the violation was contingent upon the issuance of a permit. I find that the summons was issued prematurely and is therefore dismissed.



01/27/2026

01/27/2026

Janet Pitter, Judicial Hearing Officer

Date