§ 57-0135. Judicial review.

Any person aggrieved by a final determination by any governing body acting under this title, may within thirty days from the date of such determination seek judicial review pursuant to article seventy-eight of the civil practice law and rules in the supreme court. The commission shall be a party to any such proceeding. In the event that the court finds that the determination of such governing body constitutes the equivalent of taking without just compensation, the commission may set aside the determination of such governing body, or if the land so regulated otherwise meets the goals and objectives of this title and if the commission or the governing body has sufficient funds therefor, the commission or the governing body may acquire such land or interest in lands as have been taken, proceeding under the power of eminent domain. All issues in any proceeding under the power of eminent domain shall have preference over all other civil actions or proceedings.