

4165--A

Cal. No. 1103

2011-2012 Regular Sessions

I N   S E N A T E

March 22, 2011

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Introduced by Sen. LITTLE -- (at request of the Adirondack Park Agency)  
-- read twice and ordered printed, and when printed to be committed to  
the Committee on Finance -- reported favorably from said committee,  
ordered to first report, amended on first report, ordered to a second  
report, and to be reprinted as amended, retaining its place in the  
order of second report

AN ACT to amend the executive law, in relation to community housing in  
the Adirondack park

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 802 of the executive law is amended by adding a new  
2     subdivision 17-a to read as follows:  
3     17-A. "COMMUNITY HOUSING" MEANS A DWELLING UNIT (I) NOT EXCEEDING ONE  
4     THOUSAND FIVE HUNDRED SQUARE FEET OF FLOOR SPACE EACH (EXCLUDING THE  
5     FIRST FLOOR OF A GARAGE), (II) LOCATED ON ONE CONTIGUOUS PARCEL, (III)  
6     LOCATED WITHIN A MODERATE INTENSITY USE OR LOW INTENSITY USE LAND USE  
7     AREA, (IV) LOCATED WITHIN THREE MILES OF A HAMLET LAND USE AREA AND NOT  
8     CLOSER THAN ONE-TENTH MILE OF A SHORELINE OF A LAKE, POND OR NAVIGABLE  
9     RIVER OR STREAM, OR LOCATED WITHIN ONE MILE OF THE LOCATION OF THE  
10    FOLLOWING POST OFFICES ON THE ENACTMENT DATE OF THIS SUBDIVISION AND NOT  
11    CLOSER THAN ONE-TENTH MILE OF A SHORELINE OF A LAKE, POND OR NAVIGABLE  
12    RIVER OR STREAM: ATHOL, NY 12810; BRANTINGHAM, NY 13312; GABRIELS, NY  
13    12939; HOFFMEISTER, NY 13353; HULETT'S LANDING, NY 12841; KATTSKILL BAY,  
14    NY 12844; PAUL SMITHS, NY 12970; PISECO, NY 12139; SABAE, NY 12864;  
15    WANAKENA, NY 13695; WHITE LAKE, NY 12786; AND (V) LIMITED IN PERPETUITY  
16    BY DEED OR OTHER LEGAL INSTRUMENT ENFORCEABLE BY A THIRD PARTY AND THE  
17    STATE OF NEW YORK TO PRIMARY SINGLE FAMILY DWELLINGS FOR PERSONS WITH  
18    ONE HUNDRED TWENTY PER CENTUM OR LESS OF THE AREA MEDIAN INCOME,  
19    ADJUSTED FOR FAMILY SIZE, AS DEFINED BY THE UNITED STATES DEPARTMENT OF  
20    HOUSING AND URBAN DEVELOPMENT FOR THE COUNTY IN WHICH SUCH PROJECT IS  
21    LOCATED; PROVIDED HOWEVER, THAT EACH DWELLING UNIT SHALL CONSTITUTE A

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 SEPARATE LOT, PARCEL OR SITE FOR PURPOSES OF AGENCY JURISDICTION PURSU-  
2 ANT TO SUBPARAGRAPH ONE OF PARAGRAPH (B) AND SUBPARAGRAPH ONE OF PARA-  
3 GRAPH (A) OF SUBDIVISION TWO OF SECTION EIGHT HUNDRED TEN OF THIS ARTI-  
4 CLE.

5 S 2. Paragraphs h and i of subdivision 50 of section 802 of the execu-  
6 tive law are relettered paragraphs i and j and a new paragraph h is  
7 added to read as follows:

8 H. UP TO FOUR COMMUNITY HOUSING DWELLING UNITS WHICH QUALIFY PURSUANT  
9 TO SUBDIVISION SEVENTEEN-A OF THIS SECTION AND ARE LOCATED ON A CONTIG-  
10 UOUS PARCEL MEETING THE OVERALL INTENSITY GUIDELINES CONSTITUTE ONE  
11 PRINCIPAL BUILDING;

12 S 3. Subparagraph 17 of paragraph b of subdivision 1 of section 810 of  
13 the executive law is renumbered subparagraph 18 and a new subparagraph  
14 17 is added to read as follows:

15 (17) COMMUNITY HOUSING AS DEFINED IN SUBDIVISION SEVENTEEN-A OF  
16 SECTION EIGHT HUNDRED TWO OF THIS ARTICLE.

17 S 4. Subparagraph 19 of paragraph c of subdivision 1 of section 810 of  
18 the executive law is renumbered subparagraph 20 and a new subparagraph  
19 19 is added to read as follows:

20 (19) COMMUNITY HOUSING AS DEFINED IN SUBDIVISION SEVENTEEN-A OF  
21 SECTION EIGHT HUNDRED TWO OF THIS ARTICLE.

22 S 5. This act shall take effect immediately and shall apply to appli-  
23 cations received after such date.