S T A T E O F N E W Y O R K

100

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. SAMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the alcoholic beverage control law, in relation to a license to sell liquor at retail for consumption on certain premises

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

Section 1. Subdivision 7 of section 64 of the alcoholic beverage control law is amended by adding a new paragraph (e-4) to read as follows:

(E-4) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVISION, THE AUTHORITY MAY ISSUE A RETAIL LICENSE FOR ON-PREMISES CONSUMPTION FOR A PREMISES WHICH SHALL BE LOCATED WITHIN TWO HUNDRED FEET OF A BUILDING OCCUPIED EXCLUSIVELY AS A CHURCH, SYNAGOGUE OR OTHER PLACE OF WORSHIP, PROVIDED SUCH PREMISES CONSTITUTES A PREMISES FOR THE SALE OF FOOD OR BEVERAGES AT RETAIL FOR CONSUMPTION ON THE PREMISES LOCATED WHOLLY WITHIN THE BOUNDARIES OF THE COUNTY OF KINGS, BOUNDED AND DESCRIBED AS FOLLOWS:
PARCEL A
ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED SITUATE, LYING AND BEING IN THE BOROUGH OF BROOKLYN, COUNTY OF KINGS, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF AVENUE D AND THE WESTERLY SIDE OF UTICA AVENUE;
RUNNING THENCE WESTERLY ALONG THE SOUTHERLY SIDE OF AVENUE D, 40 FEET 4 INCHES;
THENCE SOUTHERLY PARALLEL WITH UTICA AVENUE AND PART OF THE DISTANCE THROUGH A PARTY WALL, 20 FEET;

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

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THENCE EASTERLY PARALLEL WITH AVENUE D AND PART OF THE DISTANCE THROUGH A PARTY WALL, 40 FEET 4 INCHES TO THE WESTERLY SIDE OF UTICA AVENUE;
THENCE NORTHERLY ALONG THE WESTERLY SIDE OF UTICA AVENUE, 20 FEET TO THE POINT OR PLACE OF BEGINNING.
SAID PREMISES BEING KNOWN AS 1250 UTICA AVENUE, BROOKLYN, NEW YORK.
PARCEL B
ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, SITUATE, LYING AND BEING IN THE BOROUGH OF BROOKLYN, COUNTY OF KINGS, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE WESTERLY SIDE OF UTICA AVENUE, DISTANT 40 FEET SOUTHERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF UTICA AVENUE WITH THE SOUTHERLY SIDE OF AVENUE D;
RUNNING THENCE WESTERLY PARALLEL WITH AVENUE D, 69 FEET 9 INCHES;
THENCE NORTHERLY PARALLEL WITH UTICA AVENUE, 40 FEET TO THE SOUTHERLY SIDE OF AVENUE D;
THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF AVENUE D, 4 FEET 9 INCHES;
THENCE SOUTHERLY PARALLEL WITH UTICA AVENUE, 20 FEET;
THENCE EASTERLY PARALLEL WITH AVENUE D AND PART OF THE DISTANCE THROUGH A PARTY WALL, 65 FEET TO THE WESTERLY SIDE OF UTICA AVENUE;
THENCE SOUTHERLY ALONG THE WESTERLY SIDE OF UTICA AVENUE, 20 FEET TO THE POINT OR PLACE OF BEGINNING.
SAID PREMISES BEING KNOWN AS 1252 UTICA AVENUE, BROOKLYN, NEW YORK.
BEING THE SAME PREMISES AS CONVEYED BY DEED DATED FEBRUARY 16, 1999 FROM DORIS HECHT AS EXECUTRIX OF THE LAST WILL AND TESTAMENT OF FRED HECHT AND TOUBA HECHT AND DORIS HECHT, INDIVIDUALLY, TO 212 FIFTH AVENUE, LLC, AND RECORDED IN THE KINGS COUNTY OFFICE OF THE CITY REGISTER ON JULY 16, 1999 IN REEL 4527 AT PAGES 1644 AND 1648.

S 2. This act shall take effect immediately.