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

7240

2009-2010 Regular Sessions

I N A S S E M B L Y

March 26, 2009

Introduced by M. of A. FINCH, BUTLER, KOLB, WALKER, McDONOUGH -- Multi-Sponsored by -- M. of A. CROUCH -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to enacting the wetlands homeowner's relief act

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

Section 1. This act shall be known and may be cited as the "wetlands homeowner's relief act".

S 2. The environmental conservation law is amended by adding a new section 24-0302 to read as follows:

S 24-0302. HOMEOWNERS; WETLANDS.

1. A HOMEOWNER WHO CURRENTLY LIVES WITHIN A WETLANDS DESIGNATED AREA SHALL NOT HAVE TO APPLY FOR BUILDING PERMITS ISSUED BY THE DEPARTMENT FOR USE OF LAND WITHIN FIFTY FEET FROM THE PERIPHERY OF SUCH HOMEOWNER'S HOUSE AND GARAGE.

2. ONCE THE DEPARTMENT HAS ISSUED A WETLANDS MAP FOR ANY GIVEN GEOGRAPHICAL AREA, A NEW MAP SHALL NOT BE ISSUED WITHOUT APPROVAL BY THE LEGISLATURE.

3. THE DEPARTMENT IS PROHIBITED FROM DELINEATING WETLANDS BEYOND THE BOUNDARIES OF MAPPED WETLANDS SHOWN ON THE DEPARTMENT'S OFFICIAL WETLANDS MAPS.

S 3. This act shall take effect immediately.

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

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