

4165

2011-2012 Regular Sessions

I N S E N A T E

March 22, 2011

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

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 DWELLING UNITS (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; SABAEL, 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 MEDIAN FAMILY INCOME FOR
19 THE COUNTY IN WHICH SUCH PROJECT IS LOCATED; PROVIDED HOWEVER, THAT EACH
20 DWELLING UNIT SHALL CONSTITUTE A SEPARATE LOT, PARCEL OR SITE FOR
21 PURPOSES OF AGENCY JURISDICTION.
22 S 2. Paragraphs h and i of subdivision 50 of section 802 of the execu-
23 tive law are relettered paragraphs i and j and a new paragraph h is
24 added to read as follows:

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

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1 H. UP TO FOUR DWELLING UNITS WHICH QUALIFY AS COMMUNITY HOUSING PURSU-
2 ANT TO SUBDIVISION SEVENTEEN-A OF THIS SECTION AND LOCATED ON A CONTIG-
3 UOUS PARCEL MEETING THE OVERALL INTENSITY GUIDELINES FOR ONE PRINCIPAL
4 BUILDING; PROVIDED HOWEVER, THAT EACH DWELLING UNIT SHALL CONSTITUTE A
5 SEPARATE LOT, PARCEL OR SITE FOR PURPOSES OF AGENCY JURISDICTION;

6 S 3. Subparagraph 17 of paragraph b of subdivision 1 of section 810 of
7 the executive law is renumbered subparagraph 18 and a new subparagraph
8 17 is added to read as follows:

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

11 S 4. Subparagraph 19 of paragraph c of subdivision 1 of section 810 of
12 the executive law is renumbered subparagraph 20 and a new subparagraph
13 19 is added to read as follows:

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

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