

5188

2011-2012 Regular Sessions

I N S E N A T E

May 3, 2011

Introduced by Sens. LITTLE, FARLEY, GRIFFO, SEWARD -- 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 granting local governments in the Adirondack park the building rights on land acquired by the state

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

1 Section 1. Subdivision 1 of section 814 of the executive law, as added
2 by chapter 348 of the laws of 1973, is amended to read as follows:
3 1. Any state agency which intends to undertake any new land use or
4 development within the Adirondack park, other than land use or develop-
5 ment by the department of environmental conservation pursuant to the
6 master plan for management of state lands[, irrespective of whether the
7 land use area wherein the project is proposed to be located is governed
8 by an approved local land use program] shall give due regard to the
9 provisions of the plan, THE APPROVED LOCAL LAND USE PLAN and the shore-
10 line restrictions and shall file a notice of such intent thereof with
11 the agency. Such notice shall be filed at the earliest time practicable
12 in the planning of such project, and in no event later than the
13 submission of a formal budget request for the funding of such project or
14 any part thereof. Such notice shall contain a description of the
15 proposed project, together with such additional information relating
16 thereto as the agency may determine necessary and appropriate for the
17 purposes of this section. The state agency shall not undertake such
18 project for a period of thirty days, or such earlier time as the agency
19 may specify, following the filing of the notice of intent.
20 S 2. Section 816 of the executive law is amended by adding a new
21 subdivision 4 to read as follows:
22 4. FOR ANY UNIT OF LAND FOR WHICH THE STATE ACQUIRES TITLE ON OR AFTER
23 THE EFFECTIVE DATE OF THIS SUBDIVISION, ALL LAST BUILDING RIGHTS THEREON

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

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1 SHALL BE VESTED IN THE LOCAL GOVERNMENT OR LOCAL GOVERNMENTS IN WHICH
2 SUCH UNIT OR PORTION THEREOF IS LOCATED. USE OF SUCH BUILDING RIGHTS
3 SHALL BE USED WITHIN A MODERATE INTENSITY USE OR LOW INTENSITY LAND USE
4 AREA, LOCATED WITHIN THREE MILES OF A HAMLET LAND USE AREA AND NOT TO BE
5 CLOSER THAN ONE-TENTH OF ONE MILE OF A SHORELINE OF A LAKE, POND OR
6 NAVIGABLE RIVER OR STREAM, OR LOCATED WITHIN ONE MILE OF THE LOCATION OF
7 THE FOLLOWING POST OFFICES: ATHOL, NEW YORK 12810; BRANTINGHAM, NEW YORK
8 13312; GABRIELS, NEW YORK 12939; HOFFMEISTER, NEW YORK 13353; HULETT'S
9 LANDING, NEW YORK 12841; KATTSKILL BAY, NEW YORK 12844; PAUL SMITHS, NEW
10 YORK 12970; PISECO, NEW YORK 12139; SABAEL, NEW YORK 12864; WANAKENA,
11 NEW YORK 13695; AND WHITE LAKE, NEW YORK 12786. ALL SUCH BUILDING
12 RIGHTS SHALL BE PROVIDED FOR IN THE APPROPRIATE LOCAL LAND USE PROGRAM
13 AND SHALL BE SUBJECT TO THE DISCRETION OF THE GOVERNING BODY OF THE
14 LOCAL GOVERNMENT.

15 S 3. This act shall take effect immediately.