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

8303

2011-2012 Regular Sessions

I N A S S E M B L Y

June 10, 2011

Introduced by M. of A. SWEENEY, SAYWARD -- (at request of the Adirondack Park Agency) -- read once and referred to the Committee on Environmental Conservation

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 802 of the executive law is amended by adding a new subdivision 17-a to read as follows:

17-A. "COMMUNITY HOUSING" MEANS A DWELLING UNIT (I) NOT EXCEEDING ONE THOUSAND FIVE HUNDRED SQUARE FEET OF FLOOR SPACE EACH (EXCLUDING THE FIRST FLOOR OF A GARAGE), (II) LOCATED ON ONE CONTIGUOUS PARCEL, (III) LOCATED WITHIN A MODERATE INTENSITY USE OR LOW INTENSITY USE LAND USE AREA, (IV) LOCATED WITHIN THREE MILES OF A HAMLET LAND USE AREA AND NOT CLOSER THAN ONE-TENTH MILE OF A SHORELINE OF A LAKE, POND OR NAVIGABLE RIVER OR STREAM, OR LOCATED WITHIN ONE MILE OF THE LOCATION OF THE FOLLOWING POST OFFICES ON THE ENACTMENT DATE OF THIS SUBDIVISION AND NOT CLOSER THAN ONE-TENTH MILE OF A SHORELINE OF A LAKE, POND OR NAVIGABLE RIVER OR STREAM: ATHOL, NY 12810; BRANTINGHAM, NY 13312; GABRIELS, NY 12939; HOFFMEISTER, NY 13353; HULETT'S LANDING, NY 12841; KATTSKILL BAY, NY 12844; PAUL SMITHS, NY 12970; PISECO, NY 12139; SABAEL, NY 12864; WANAKENA, NY 13695; WHITE LAKE, NY 12786; AND (V) LIMITED IN PERPETUITY BY DEED OR OTHER LEGAL INSTRUMENT ENFORCEABLE BY A THIRD PARTY AND THE STATE OF NEW YORK TO PRIMARY SINGLE FAMILY DWELLINGS FOR PERSONS WITH ONE HUNDRED TWENTY PER CENTUM OR LESS OF THE AREA MEDIAN INCOME, ADJUSTED FOR FAMILY SIZE, AS DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE COUNTY IN WHICH SUCH PROJECT IS LOCATED; PROVIDED HOWEVER, THAT EACH DWELLING UNIT SHALL CONSTITUTE A SEPARATE LOT, PARCEL OR SITE FOR PURPOSES OF AGENCY JURISDICTION PURSUANT TO SUBPARAGRAPH ONE OF PARAGRAPH (B) AND SUBPARAGRAPH ONE OF PARA-

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

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GRAPH (A) OF SUBDIVISION TWO OF SECTION EIGHT HUNDRED TEN OF THIS ARTICLE.

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

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

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

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

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

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

S 5. This act shall take effect immediately and shall apply to applications received after such date.