

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:

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 A DWELLING UNIT (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; SBAEL, 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 AREA MEDIAN INCOME,
19 ADJUSTED FOR FAMILY SIZE, AS DEFINED BY THE UNITED STATES DEPARTMENT OF
20 HOUSING AND URBAN DEVELOPMENT FOR THE COUNTY IN WHICH SUCH PROJECT IS
21 LOCATED; PROVIDED HOWEVER, THAT EACH DWELLING UNIT SHALL CONSTITUTE A
22 SEPARATE LOT, PARCEL OR SITE FOR PURPOSES OF AGENCY JURISDICTION PURSU-
23 ANT 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.

LBD09472-04-1

1 GRAPH (A) OF SUBDIVISION TWO OF SECTION EIGHT HUNDRED TEN OF THIS ARTI-
2 CLE.

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

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

10 S 3. Subparagraph 17 of paragraph b of subdivision 1 of section 810 of
11 the executive law is renumbered subparagraph 18 and a new subparagraph
12 17 is added to read as follows:

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

15 S 4. Subparagraph 19 of paragraph c of subdivision 1 of section 810 of
16 the executive law is renumbered subparagraph 20 and a new subparagraph
17 19 is added to read as follows:

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

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