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

8502

2011-2012 Regular Sessions

I N A S S E M B L Y

June 20, 2011

Introduced by M. of A. HOYT -- read once and referred to the Committee on Economic Development

AN ACT to amend the alcoholic beverage control law, in relation to authorizing the liquor authority to issue certain licenses to manufacture and sell alcoholic beverages in a premises commonly known as a restaurant-brewer

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

Section 1. Subdivision 10 of section 64-c of the alcoholic beverage control law, as added by chapter 538 of the laws of 1997, is amended to read as follows:

10. (A) Except as provided in subdivisions seven, eight, nine, twelve, thirteen, fourteen and sixteen of this section, no person licensed under this section may be interested directly or indirectly in any other premises in this state where alcoholic beverages are manufactured or sold. Any person who has an interest in premises eligible for conversion under subdivision nine of this section shall not be issued any license under this section unless and until a conversion application has been filed with and approved by the authority.

(B) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVISION, THE AUTHORITY MAY ISSUE, TO THE HOLDER OF A RESTAURANT-BREWER'S LICENSE, A RETAIL LICENSE FOR ON PREMISES CONSUMPTION FOR THE FOLLOWING PREMISES:

ALL THAT TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF BUFFALO, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF INNER LOT NO. 200, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST LINE OF ELLICOTT STREET WHERE SAID WEST LINE IS INTERSECTED BY THE SOUTHERLY LINE OF SAID INNER LOT NO. 200, WHICH POINT IS ONE HUNDRED EIGHTY-NINE AND SIX TENTHS (189.60) FEET SOUTH OF THE INTERSECTION OF SAID WEST LINE OF ELLICOTT STREET WITH THE SOUTH LINE OF HURON STREET; RUNNING THENCE WESTERLY ALONG THE SOUTH LINE

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

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OF SAID INNER LOT NO. 200, ONE HUNDRED (100) FEET; THENCE NORTHERLY PARALLEL WITH ELLICOTT STREET FORTY-EIGHT AND FIVE HUNDREDTHS (48.05) FEET; THENCE EASTERLY AND AT RIGHT ANGLES TO ELLICOTT STREET EIGHTEEN AND THIRTY-SIX HUNDREDTHS (18.36) FEET; THENCE SOUTHERLY ONE (1) FOOT MORE OR LESS TO A DIVISION LINE OF THE NORTHERLY WALL OF BUILDING KNOWN AS NO. 338-342 ELLICOTT STREET AND SOUTHERLY WALL OF BUILDING KNOWN AS NO. 346 ELLICOTT STREET: THENCE EASTERLY AND AT RIGHT ANGLES TO ELLICOTT STREET EIGHTY-ONE AND SIXTY-FOUR HUNDREDTHS (81.64) FEET TO THE WESTERLY LINE OF ELLICOTT STREET; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF ELLICOTT STREET FORTY-SIX AND SEVENTY-TWO HUNDREDTHS (46.72) FEET TO THE POINT OR PLACE OF BEGINNING.

(C) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVISION, THE AUTHORITY MAY ISSUE, TO THE HOLDER OF A RESTAURANT-BREWER'S LICENSE, A RETAIL LICENSE FOR ON PREMISES CONSUMPTION FOR THE FOLLOWING PREMISES:

BEGINNING AT A POINT IN THE EASTERLY LINE OF ELLICOTT STREET ONE HUNDRED EIGHTY-FIVE (185) FEET NORTHERLY FROM THE INTERSECTION OF THE NORTHERLY LINE OF CHIPPEWA STREET WITH THE EASTERLY LINE OF ELLICOTT STREET ABOUT ONE HUNDRED EIGHTEEN (118) FEET; THENCE WESTERLY ONE HUNDRED TWENTY-NINE AND FIVE HUNDREDTHS (129.05) FEET TO ELLICOTT STREET; THENCE SOUTHERLY ON THE EAST LINE OF ELLICOTT STREET TWENTY-FOUR (24) FEET TO THE PLACE OF BEGINNING, BE THE SAME MORE OR LESS.

(D) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVISION, THE AUTHORITY MAY ISSUE, TO THE HOLDER OF A RESTAURANT-BREWER'S LICENSE, A RETAIL LICENSE FOR ON PREMISES CONSUMPTION FOR THE FOLLOWING PREMISES.

ALL THAT TRACT OR PARCEL OF LAND, SITUATED IN THE CITY OF BUFFALO, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF INNER LOT NUMBER SEVENTY-ONE (71), DESCRIBED AS FOLLOWS:

BEGINNING IN THE WESTERLY LINE OF PEARL STREET AT THE SOUTHEAST CORNER OF INNER LOT NUMBER SEVENTY ONE (71), WHICH IS ALSO THE NORTH LINE OF INNER LOT NUMBER SEVENTY (70), ONE HUNDRED TWENTY AND THREE TWELFTHS (120 3/12) FEET TO A POINT DISTANT EASTERLY FROM THE EASTERLY LINE OF FRANKLIN STREET ONE HUNDRED TWELVE (112) FEET MEASURED ALONG SAID SOUTH LINE OF INNER LOT NUMBER SEVENTY-ONE (71), WHICH POINT IS THE SOUTHEAST CORNER OF A CERTAIN "COURT" DESCRIBED IN DEED RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 1316 OF DEEDS AT PAGE 210; RUNNING THENCE NORTHERLY PARALLEL WITH FRANKLIN STREET AND ALONG THE EASTERLY LINE OF THE "COURT" LAST MENTIONED EIGHTY (80) FEET MORE OR LESS TO THE NORTH LINE OF INNER LOT NUMBER SEVENTY-ONE (71); THENCE EASTERLY ALONG THE SAID NORTH OF INNER LOT NUMBER SEVENTY-ONE (71); ONE HUNDRED TWENTY AND THREE TWELFTHS (120 3/12) FEET MORE OR LESS TO THE WESTERLY LINE OF PEARL STREET; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF PEARL STREET SEVENTY-NINE HUNDREDTHS (79.97) FEET TO THE PLACE OF BEGINNING.

(E) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVISION, THE AUTHORITY MAY ISSUE, TO THE HOLDER OF A RESTAURANT-BREWER'S LICENSE, A RETAIL LICENSE FOR ON PREMISES CONSUMPTION FOR THE FOLLOWING PREMISES:

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE CITY OF BUFFALO, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF LOT NO. 248 OF THE PARISH TRACT SO CALLED, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY LINE OF AMHERST STREET 445 FEET WESTERLY FROM THE INTERSECTION WITH THE WESTERLY LINE OF GRANT STREET; THENCE NORTHERLY AT RIGHT ANGLES TO AMHERST STREET, 175.22 FEET; THENCE WESTERLY 37.49 FEET; THENCE SOUTHERLY PARALLEL WITH THE FIRST DESCRIBED

LINE 162.79 FEET TO AMHERST STREET; THENCE EASTERLY ALONG THE NORTHERLY LINE OF AMHERST STREET 35 FEET TO THE PLACE OF BEGINNING.

ALL THAT TRACT OR PARCEL OF LAND, SITUATED IN THE CITY OF BUFFALO, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PARK OF LOT NUMBER TWO HUNDRED FORTY-EIGHT (248) OF THE PARISH TRACT, SO CALLED, AND FURTHER DISTINGUISHED AS THE EAST FIFTEEN (15) FEET OF SUBDIVISION LOT NUMBER NINE (9) AND THE WEST TWENTY (20) FEET OF SUBDIVISION LOT NUMBER ELEVEN (11) AS SHOWN AS MAP FILED IN ERIE COUNTY CLERK'S OFFICE UNDER COVER NUMBER 24, AMHERST STREET, NORTHWEST SIDE, FOUR HUNDRED FIFTY (450) FEET EAST OF MILITARY ROAD.

S 2. This act shall take effect immediately.