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

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:

Section 1. Subdivision 1 of section 814 of the executive law, as added by chapter 348 of the laws of 1973, is amended to read as follows:

1. Any state agency which intends to undertake any new land use or development within the Adirondack park, other than land use or development by the department of environmental conservation pursuant to the master plan for management of state lands[, irrespective of whether the land use area wherein the project is proposed to be located is governed by an approved local land use program] shall give due regard to the provisions of the plan, THE APPROVED LOCAL LAND USE PLAN and the shoreline restrictions and shall file a notice of such intent thereof with the agency. Such notice shall be filed at the earliest time practicable in the planning of such project, and in no event later than the submission of a formal budget request for the funding of such project or any part thereof. Such notice shall contain a description of the proposed project, together with such additional information relating thereto as the agency may determine necessary and appropriate for the purposes of this section. The state agency shall not undertake such project for a period of thirty days, or such earlier time as the agency may specify, following the filing of the notice of intent.

S 2. Section 816 of the executive law is amended by adding a new subdivision 4 to read as follows:

4. FOR ANY UNIT OF LAND FOR WHICH THE STATE ACQUIRES TITLE ON OR AFTER 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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SHALL BE VESTED IN THE LOCAL GOVERNMENT OR LOCAL GOVERNMENTS IN WHICH SUCH UNIT OR PORTION THEREOF IS LOCATED. USE OF SUCH BUILDING RIGHTS SHALL BE USED WITHIN A MODERATE INTENSITY USE OR LOW INTENSITY LAND USE AREA, LOCATED WITHIN THREE MILES OF A HAMLET LAND USE AREA AND NOT TO BE CLOSER THAN ONE-TENTH OF ONE 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: ATHOL, NEW YORK 12810; BRANTINGHAM, NEW YORK 13312; GABRIELS, NEW YORK 12939; HOFFMEISTER, NEW YORK 13353; HULETT'S LANDING, NEW YORK 12841; KATTSKILL BAY, NEW YORK 12844; PAUL SMITHS, NEW YORK 12970; PISECO, NEW YORK 12139; SABAEL, NEW YORK 12864; WANAKENA, NEW YORK 13695; AND WHITE LAKE, NEW YORK 12786. ALL SUCH BUILDING RIGHTS SHALL BE PROVIDED FOR IN THE APPROPRIATE LOCAL LAND USE PROGRAM AND SHALL BE SUBJECT TO THE DISCRETION OF THE GOVERNING BODY OF THE LOCAL GOVERNMENT.

S 3. This act shall take effect immediately.