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

S. 4104 A. 5939

2013-2014 Regular Sessions

S E N A T E - A S S E M B L Y

March 8, 2013

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Local Governments

AN ACT to amend the town law, in relation to including preservation of coastal areas at risk of coastal flooding due to storms and projected sea level as part of preservation of community character for the purposes of the Peconic bay region community preservation funds

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

Section 1. Subdivision 4 of section 64-e of the town law, as amended by chapter 373 of the laws of 2008, is amended to read as follows:

4. Preservation of community character shall involve one or more of the following: (a) establishment of parks, nature preserves, or recreation areas; (b) preservation of open space, including agricultural lands; (c) preservation of lands of exceptional scenic value; (d) preservation of fresh and saltwater marshes or other wetlands; (e) preservation of aquifer recharge areas; (f) preservation of undeveloped beachlands or shoreline; (g) establishment of wildlife refuges for the purpose of maintaining native animal species diversity, including the protection of habitat essential to the recovery of rare, threatened or endangered species; (h) preservation of pine barrens consisting of such biota as pitch pine, and scrub oak; (i) preservation of unique or threatened ecological areas; (j) preservation of rivers and river areas in a natural, free-flowing condition; (k) preservation of forested land; (l) preservation of public access to lands for public use including stream rights and waterways; (m) preservation of historic places and properties listed on the New York state register of historic places and/or protected under a municipal historic preservation ordinance or

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

LBD08900-01-3

law; (N) PRESERVATION OF COASTAL AREAS AT A SIGNIFICANT RISK OF COASTAL FLOODING DUE TO STORMS AND AREAS PROJECTED TO BE AT SIGNIFICANT RISK OF COASTAL FLOODING DUE TO PROJECTED SEA LEVEL RISE AND FUTURE STORMS; and [(n)] (O) undertaking any of the aforementioned in furtherance of the establishment of a greenbelt.

S 2. This act shall take effect immediately.