STATE OF NEW YORK

3892--A

Cal. No. 351

2017-2018 Regular Sessions

IN SENATE

January 27, 2017

Introduced by Sen. FUNKE -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the parks, recreation and historic preservation law and the environmental conservation law, in relation to historic maritime communities; and providing for the repeal of certain provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The parks, recreation and historic preservation law is amended by adding a new section 35.14 to read as follows:

§ 35.14 Historic maritime communities. 1. The state finds that the state's maritime communities possess significant maritime related historic resources which warrant special recognition and state support to ensure appropriate protection and use. To the fullest extent practicable, the commissioner shall relate or integrate historic maritime communities into the statewide system of state designated heritage areas.

2. "Historic maritime community" shall mean the following communities: the village of Port Chester, village of Mamaroneck, city of New Rochelle, City Island, Port Washington, city of Glen Cove, Oyster Bay, Huntington Harbor, Northport Harbor, village of Port Jefferson, Mattituck, Stony Brook, Setauket, West Sayville, Patchogue, Cold Spring Harbor, Orient-Oyster Ponds, village of Sag Harbor and village of Greenport. The commissioner, in consultation with the secretary of state, shall survey and study other communities in the state where maritime activity has been part of their historic development including communities along the Hudson River, and Lakes Champlain, Erie and Ontario, and

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

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shall recommend appropriate communities to the legislature and the governor for inclusion in the classification of historic maritime communities.

3. Notwithstanding any other provision of law, upon the commissioner's making the finding that an historic maritime community is suitable and feasible for designation as a state designated heritage area, such community shall be deemed to be eligible to prepare a management plan pursuant to section 35.05 of this article and upon approval of such plan by the commissioner, shall be a state designated heritage area.

4. The commissioner through grants from funds made available therefor and technical assistance from the state historic preservation program shall support:

(a) Undertaking comprehensive historic resources surveys for the historic maritime communities where existing surveys are non-existent or inadequate, including a survey of districts; sites; buildings; structures; streetscapes; and objects, including vessels, shipwrecks and landscapes;

(b) Evaluating resources and identifying those districts, sites, buildings, structures and objects of historic significance at the local, state or national level which meet the criteria for listing on the state and national registers of historic places;

(c) Identifying resources of other historic or cultural interest to the historic maritime community; and

(d) Enacting of measures by the historic maritime community to preserve historic properties.

§ 2. Subdivision 2 of section 54-0901 of the environmental conservation law, as amended by chapter 377 of the laws of 2008, is amended to read as follows:

2. "Historic preservation project" means a project undertaken by a municipality or a not-for-profit corporation to acquire, improve, restore or rehabilitate property listed on the state or national registers of historic places to protect the historic, cultural or architectural significance thereof or a project for planning or structural assessments for such properties. "Historic preservation project" shall also mean a project undertaken by the office to improve, restore or rehabilitate state historic properties listed on the state or national registers of historic places to protect the historical, cultural or architectural significance thereof or a project for planning relating to or structural assessments of such properties. In addition, a project shall include a comprehensive historic maritime resources survey for a historic maritime community as identified pursuant to subdivision two of section 35.14 of the parks, recreation and historic preservation law undertaken by a municipality or a not-for-profit corporation.

§ 3. This act shall take effect immediately, provided that section two of this act shall expire and be deemed repealed April 1, 2022.