

STATE OF NEW YORK

7391

2017-2018 Regular Sessions

IN ASSEMBLY

April 25, 2017

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

AN ACT to amend the alcoholic beverage control law, in relation to licenses to sell liquors at retail for consumption on certain premises

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

1 Section 1. Subdivision 7 of section 64-a of the alcoholic beverage
2 control law is amended by adding three new paragraphs (c-4), (c-5), and
3 (c-6) to read as follows:

4 (c-4) Notwithstanding the provisions of subparagraph (i) of paragraph
5 (a) of this subdivision, the authority may issue a retail license for
6 on-premises consumption for a premises which shall be within two hundred
7 feet of a building occupied exclusively as a school, church, synagogue
8 or other place of worship, provided such premises constitutes a premises
9 for the sale of food or beverages at retail for consumption on the prem-
10 ises located wholly within the boundaries of the city of Binghamton,
11 county of Broome, bounded and described as follows:

12 ALL THAT TRACT OR PARCEL OF LAND situate in the City of Binghamton,
13 County of Broome, State of New York, more particularly bounded and
14 described as follows:

15 BEGINNING at the intersection of the east line of Front Street and the
16 south line of Main Street; thence easterly along the south line of Main
17 Street making an interior angle of 100° 54' with the east line of Front
18 Street a distance of 35.36 feet to a point in the center line of a
19 former ten-foot right of way; thence southerly making an interior angle
20 of 79° 15' with the last course a distance of 107 feet to a point in the
21 north line of an alley; thence westerly along the north line of said
22 alley and making an interior angle of 90° 07' with the last course a
23 distance of 35 feet to a point in the east line of Front Street; thence
24 northerly along said east line of Front Street and making an interior
25 angle of 89° 44' with the last course a distance of 100.46 feet to the

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

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1 point of beginning. Hereby intending to describe the premises commonly
2 known as 11 Main Street.

3 (c-5) Notwithstanding the provisions of subparagraph (i) of paragraph
4 (a) of this subdivision, the authority may issue a retail license for
5 on-premises consumption for a premises which shall be within two hundred
6 feet of a building occupied exclusively as a school, church, synagogue
7 or other place of worship, provided such premises constitutes a premises
8 for the sale of food or beverages at retail for consumption on the prem-
9 ises located wholly within the boundaries of the city of Binghamton,
10 county of Broome, bounded and described as follows:

11 All that tract or parcel of land, situate in the City of Binghamton,
12 County of Broome and State of New York, on the west side of the Chenango
13 River at the west end of the Court Street Bridge, and bounded and
14 described as follows: Commencing at the southeasterly corner of premises
15 conveyed by Harry Smolensky and Anna Smolensky to Guilio Mattioli and
16 Anthony F. Mattioli, Sr. by Full Covenant Deed dated February 28th, 1963
17 and recorded in the Broome County Clerk's office in Book 1063 of Deeds
18 at page 731 and running thence northerly along the easterly line of
19 premises so conveyed in a straight line to lands formerly the homestead
20 property of Benjamin F. Sisson, the southerly part of which is the third
21 parcel of land described in a Warranty Deed from Archie S. Beers by
22 Roland F. Beers, his attorney in fact to Arthur Kradjian and Kenneth
23 Kradjian dated April 18, 1967 and recorded in the Broome County Clerk's
24 office in Book 1119 of Deeds at page 737; thence in an easterly direc-
25 tion along the south line of the said premises formerly of Arthur Krad-
26 jian and Kenneth Kradjian to the Chenango River; thence southerly along
27 the westerly bank of the Chenango River as it winds and turns to the
28 north side of Main Street; thence in a westerly direction along the
29 north side of said Main Street to the point or place of beginning.

30 (c-6) Notwithstanding the provisions of subparagraph (i) of paragraph
31 (a) of this subdivision, the authority may issue a retail license for
32 on-premises consumption for a premises which shall be within two hundred
33 feet of a building occupied exclusively as a school, church, synagogue
34 or other place of worship, provided such premises constitutes a premises
35 for the sale of food or beverages at retail for consumption on the prem-
36 ises located wholly within the boundaries of the city of Binghamton,
37 county of Broome, bounded and described as follows:

38 All that tract or parcel of land situate in the City of Binghamton,
39 County of Broome and State of New York, being a strip of land twelve
40 (12) feet wide, front and rear taken off the entire southerly side of
41 premises described in 1936 as follows: All that tract or parcel of land
42 situate in the City of Binghamton, County of Broome and State of New
43 York, and being the homestead property of Benjamin F. Sisson, deceased,
44 situate on the east side of Front Street in said city and being about
45 eighty-seven (87) feet wide front on Front Street and extending to the
46 Chenango River and bounded as follows: on the north by lands of Carrie
47 M. Waldron (formerly owned by Charles D. Rogers), on the south by lands
48 of Conine & Gleason, C. F. & W. W. Sisson, Ida R. Buckingham and James
49 W. Lyon; on the east by the Chenango River and on the west by Front
50 Street, and including all the lands conveyed to Benjamin F. Sisson by
51 three deeds, to wit: one from the Village of Binghamton dated April 10,
52 1867 and recorded in the Broome County Clerk's office in Book 74 of
53 Deeds at page 125; one from Sarah R. Graves and Herman W. Graves dated
54 July 9, 1875 and recorded in the Broome County Clerk's office in Book 93
55 of Deeds at page 174; and one from Charles D. Rogers and wife dated July
56 9, 1875 and recorded in the Broome County Clerk's office in Book 98 of

1 Deed at page 369 and also includes the northerly part of lands conveyed
2 to Benjamin F. Sisson by John S. Wells and wife by deed dated June 28,
3 1853 and recorded in the Broome County Clerk's office in Book 39 of
4 Deeds at page 401 and 402 to all of which deed reference is had.

5 § 2. This act shall take effect immediately.