STATE OF NEW YORK

5846

2019-2020 Regular Sessions

IN ASSEMBLY

February 20, 2019

Introduced by M. of A. FITZPATRICK -- Multi-Sponsored by -- M. of A. MANKTELOW, SALKA -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development

AN ACT to amend the parks, recreation and historic preservation law, in relation to establishing the Nissequogue River state park

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 13.32 to read as follows:

§ 13.32 Nissequogue River state park. 1. The commissioner shall designate, pursuant to section 13.03 of this article, those parcels of land specified in subdivision two of this section to be the part of the state park system to be known as the "Nissequogue River state park".

2. The Nissequogue River state park shall constitute those lands dedicated by the commissioner as the Nissequogue River state park in 1999, in addition to approximately 365.68± acres more or less of state lands within the former Kings Park Psychiatric Center, including two parcels aggregating 4.2± acres more or less located adjacent to a cemetery that is located on the western extremity of the 365.68± acre parcel.

All that certain tract, piece or parcel of land situate, lying and being in the town of Smithtown, county of Suffolk, state of New York, lying northerly of Main Street (NYS Route 25A), southeasterly of Old Dock Road and northwesterly of Lawrence Road, and being more particularly bounded and described as follows:

BEGINNING at the intersection of the common line between the lands of The People of the State of New York, Kings Park Psychiatric Center on the West and the lands now or formerly of United States Postal Service as described in Book 84 of Patents at Page 132 on the East with the Northerly margin of Main Street (NYS Route 25A) and runs thence from said point of beginning along said Northerly margin the following two (2) courses: 1) North 89 deg. 43 min. 51 sec. West, a distance of 141.48

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

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feet to a point; and 2) South 86 deg. 28 min. 22 sec. West, a distance of 772.70 feet to a point; thence through the lands of The People of the State of New York, Kings Park Psychiatric Center the following five (5) courses: 1) North 06 deg. 01 min. 19 sec. West, a distance of 754.45 feet to a point; 2) North 27 deg. 30 min. 31 sec. West, a distance of 229.09 feet to a point; 3) North 51 deg. 07 min. 07 sec. West, a distance of 60.04 feet to a point; 4) South 43 deg. 43 min. 06 sec. West, a distance of 376.03 feet to a point; and 5) South 36 deg. 34 min. 05 sec. West, a distance of 100.00 feet to a point of curvature; thence along a Southeasterly line of said lands of Kings Park Psychiatric Center the following ten (10) courses: 1) Southwesterly along a curve to the left of radius 1,263.40 feet, an arc distance of 125.53 feet to the point of tangency, the chord for the above described curve being South 33 deg. 43 min. 18 sec. West 125.48 feet; 2) South 26 deg. 48 min. 49 sec. West, a distance of 72.45 feet to a point; 3) South 24 deg. 20 min. 09 sec. West, a distance of 153.06 feet to a point; 4) South 22 deg. 17 min. 05 sec. West, a distance of 55.65 feet to a point; 5) South 22 deg. 51 min. 21 sec. West, a distance of 55.93 feet to a point; 6) South 22 deg. 51 min. 54 sec. West, a distance of 55.93 feet to a point; 7) South 24 deg. 22 min. 18 sec. West, a distance of 45.36 feet to a point of curve; 8) Southwesterly along a curve to the left of radius 670.00 feet, an arc distance of 125.11 feet to a point of compound curve, the chord for the above described curve being South 28 deg. 34 min. 19 sec. West 124.93 feet; 9) continuing Southwesterly along a curve to the left of radius 310.00 feet, an arc distance of 56.21 feet to a point of compound curve, the chord for the above described curve being South 39 deg. 06 min. 56 sec. West 56.13 feet; and 10) continuing Southwesterly along a curve to the left of radius 1,121.51 feet, an arc distance of 69.13 feet to a point on the aforementioned Northerly margin of said Main Street (NYS Route 25A), the chord for the above described curve being South 46 deg. 04 min. 27 sec. West 69.12 feet; thence along said Northerly margin North 80 deg. 55 min. 07 sec. West, a distance of 28.77 feet to a point; thence along a Northwesterly line of said lands of Kings Park Psychiatric Center the following five (5) courses: 1) North 45 deg. 10 min. 51 sec. East, a distance of 109.32 feet to a point; 2) North 31 deg. 38 min. 44 sec. East, a distance of 120.69 feet to a point; 3) North 24 deg. 00 min. 51 sec. East, a distance of 112. 76 feet to a point; 4) North 22 deg. 53 min. 51 sec. East, a distance of 251.72 feet to a point; and 5) North 13 deg. 25 min. 54 sec. East, a distance of 784.64 feet to a point; thence through said lands of Kings Park Psychiatric Center, North 12 deg. 22 min. 19 sec. West, a distance of 337.88 feet to a point on Old Dock Road; thence along said Old Dock Road the following seven (7) courses: 1) North 61 deg. 59 min. 23 sec. East, a distance of 30.39 feet to a point; 2) North 50 deg. 09 min. 22 sec. East, a distance of 91.38 feet to a point; 3) North 58 deg. 13 min. 23 sec. East, a distance of 208.66 feet to a point; 4) North 59 deg. 55 min. 23 sec. East, a distance of 352.92 feet to a point; 5) North 58 deg. 22 min. 23 sec. East, a distance of 387.32 feet to a point; 6) North 32 deg. 11 min. 22 sec. East, a distance of 146.97 feet to a point; and 7) North 22 deg. 38 min. 22 sec. East, a distance of 98.86 feet to a point; thence along a Southwesterly line of said lands of Kings Park Psychiatric Center the following three (3) courses: 1) North 34 deg. 02 min. 23 sec. West, a distance of 148.79 feet to a point; 2) North 49 deg. 42 min. 23 sec. West, a distance of 130.00 feet to a point; and 3) North 32 deg. 22 min. 23 sec. West, a distance of 252.00 feet to a point; thence through said lands of Kings Park Psychiatric Center the following four

(4) courses: 1) North 25 deg. 21 min. 21 sec. West, a distance of 364.34 feet to a point of curve; 2) thence Northerly along a curve to the right of radius 589.48 feet, an arc distance of 199.92 feet to a point of tangency, the chord for the above described curve being North 15 deg. 38 min. 23 sec. West 198.96 feet; 3) North 05 deg. 55 min. 26 sec. West, a distance of 212.87 feet to a point; and 4) North 16 deg. 45 min. 08 sec. West, a distance of 223.59 feet to a point; thence along a Westerly line of said Kings Park Psychiatric Center, North 11 deg. 25 min. 15 sec. West, a distance of 848.78 feet to a point, thence along a Northerly line of said lands of Kings Park Psychiatric Center the following eight (8) courses: 1) North 74 deg. 23 min. 38 sec. East, a distance of 109.98 feet to a point; 2) North 59 deg. 02 min. 08 sec. East, a distance of 180.03 feet to a point; 3) North 68 deg. 15 min. 28 sec. East, a distance of 359.79 feet to a point; 4) North 72 deg. 11 min. 48 sec. East, a distance of 135.88 feet to a point; 5) North 85 deg. 38 min. 48 sec. East, a distance of 159.99 feet to a point; 6) North 63 deg. 05 min. 59 sec. East, a distance of 254.76 feet to a point; 7) North 55 deg. 10 min. 02 sec. East, a distance of 73.28 feet to a point; and 8) North 68 deg. 59 min. 40 sec. East, a distance of 869.00 feet to a point, thence along a Northeasterly line of said lands of Kings Park Psychiatric Center, South 33 deg. 45 min. 20 sec. East, a distance of 296.85 feet to a point on said Old Dock Road; thence along said Old Dock Road the following six (6) courses: 1) North 36 deg. 40 min. 17 sec. East, a distance of 5.68 feet to a point; 2) North 54 deg. 08 min. 23 sec. East, a distance of 158.17 feet to a point; 3) North 58 deg. 19 min. 23 sec. East, a distance of 128.17 feet to a point; 4) North 60 deg. 53 min. 23 sec. East, a distance of 1,024.18 feet to a point; 5) North 48 deg. 16 min. 22 sec. East, a distance of 151.67 feet to a point; and 6) North 41 deg. 04 min. 22 sec. East, a distance of 959.20 feet to a point; thence along a Westerly line of said lands of Kings Park Psychiatric Center, South 79 deg. 14 min. 34 sec. East, a distance of 282.24 feet to a point; thence along the Westerly line of said lands of Kings Park Psychiatric Center, North 07 deg. 36 min. 23 sec. East, a distance of 74.76 feet to a point; thence along a Northerly line of said lands of Kings Park Psychiatric Center, South 84 deg. 14 min. 03 sec. East, a distance of 180.61 feet to a point; thence along the common line between said lands of Kings Park Psychiatric Center on the South and lands under the jurisdiction of the New York State Parks on the North, North 71 deg. 36 min. 11 sec. East, a distance of 322.67 feet to a point; thence along the common line between said lands of Kings Park Psychiatric Center on the Southwest and said lands under the jurisdiction of New York State Parks on the Northeast, South 49 deg. 31 min. 56 sec. East, a distance of 502.91 feet to a point; thence along the common line between said lands of Kings Park Psychiatric Center on the North and said lands under the jurisdiction of New York State Parks on the South the following eight (8) courses: 1) South 39 deg. 45 min. 00 sec. West, a distance of 5.66 feet to a point of curve; 2) Southwesterly along a curve to the right of radius 248.87 feet, an arc distance of 198.38 feet to a point of tangency, the chord for the above described curve being South 57 deg. 13 min. 44 sec. West 193.17 feet; 3) South 74 deg. 42 min. 27 sec. West, a distance of 179.53 feet to a point; 4) South 15 deg. 17 min. 33 sec. East, a distance of 40.00 feet to a point; 5) South 74 deg. 42 min. 27 sec. West, a distance of 124.10 feet to a point of curve; 6) Westerly along a curve to the right of radius 548.04 feet, an arc distance of 240.01 feet to a point of tangency, the chord for the above described curve being South 87 deg. 15 min. 11 sec. West

238.10 feet; 7) North 80 deg. 12 min. 03 sec. West, a distance of 279.54 feet to a point of curve; and 8) Westerly along a curve to the left of radius 328.31 feet, an arc distance of 38.63 feet to a point, the chord for the above described curve being North 83 deg. 34 min. 19 sec. West 38.61 feet; thence along the common line between said lands of Kings Park Psychiatric Center on the West and said lands under the jurisdiction of New York State Parks on the East, South 19 deg. 53 min. 50 sec. West, a distance of 348.24 feet to a point; thence along the common line between said lands of Kings Park Psychiatric Center on the Southwest and said lands under the jurisdiction of New York State Parks on the Northeast, South 33 deg. 54 min. 31 sec. East, a distance of 719.38 feet to a point; thence along the common line between said lands of Kings Park Psychiatric Center on the Northwest and said lands under the jurisdiction of New York State Parks on the Southeast, South 56 deg. 05 min. 29 sec. West, a distance of 390.88 feet to a point; thence along the common line between said lands of Kings Park Psychiatric Center on the North and said lands under the jurisdiction of New York State Parks on the South, South 84 deg. 49 min. 55 sec. West, a distance of 468.82 feet to a point on the Easterly proposed margin of St. Johnland Road; thence along the Easterly, Northeasterly, Northerly margins of said St. Johnland Road also being the Westerly, Southwesterly and Southerly line of said lands under the jurisdiction of New York State Parks the following fourteen (14) courses: 1) South 19 deg. 39 min. 01 sec. East, a distance of 94.48 feet to a point of curve; 2) Southerly along a curve to the right of radius 2,331.00 feet, an arc distance of 279.98 feet to a point of tangency, the chord for the above described curve being South 16 deg. 12 min. 34 sec. East 279.81 feet; 3) South 12 deg. 46 min. 06 sec. East, a distance of 72.56 feet to a point of curve; 4) Southerly along a curve to the right of radius 432.34 feet, an arc distance of 55.43 feet to the point of compound curve, the chord for the above described curve being South 09 deg. 05 min. 43 sec. East 55.39 feet; 5) Southerly along a curve to the right of radius 665.00 feet, an arc distance of 93.90 feet to the point of tangency, the chord for the above described curve being South 09 deg. 28 min. 03 sec. East 93.83 feet; 6) South 13 deg. 30 min. 46 sec. East, a distance of 50.00 feet to a point of curve; 7) Southeasterly along a curve to the left of radius 131.87 feet, an arc distance of 85.34 feet to a point of tangency, the chord for the above described curve being South 31 deg. 14 min. 47 sec. East 83.99 feet; 8) South 48 deg. 58 min. 47 sec. East, a distance of 406.74 feet to a point of curve; 9) Southeasterly along a curve to the left of radius 455.67 feet; an arc distance of 131.31 feet to a point of compound curve, the chord for the above described curve being South 57 deg. 14 min. 07 sec. East 130.86 feet; 10) Easterly along a curve to the left of radius 1,649.33 feet, an arc distance of 311.42 feet to the point of tangency, the chord for the above described curve being South 70 deg. 54 min. 00 sec. East 310.96 feet; 11) South 76 deg. 18 min. 33 sec. East, a distance of 89.00 feet to a point of curve; 12) Easterly along a curve to the left of radius 896.05 feet, an arc distance of 125.95 feet to a point of tangency, the chord for the above described curve being South 80 deg. 20 min. 49 sec. East 125.85 feet; 13) South 84 deg. 23 min. 06 sec. East, a distance of 204.07 feet to a point of curve; and 14) Easterly along a curve to the right of radius 498.44 feet, an arc distance of 152.76 feet to a point, the chord for the above described curve being South 75 deg. 36 min. 19 sec. East 152.16 feet; thence along a Southeasterly line of said lands of Kings Park Psychiatric Center, South 23 deg. 10 min. 28 sec. West, a distance of 29.91 feet to a point on

Lawrence Road, thence along said Lawrence Road the following thirteen (13) courses: 1) North 54 deg. 39 min. 32 sec. West, a distance of 2.26 feet to a point; 2) North 70 deg. 11 min. 30 sec. West, a distance of 143.78 feet to a point; 3) South 79 deg. 57 min. 33 sec. West, a distance of 198.66 feet to a point; 4) South 49 deg. 40 min. 34 sec. West, a distance of 317.84 feet to a point; 5) South 60 deg. 14 min. 34 sec. West, a distance of 372.03 feet to a point; 6) South 46 deg. 31 min. 34 sec. West, a distance of 219.36 feet to a point; 7) South 39 deg. 41 min. 35 sec. West, a distance of 349.93 feet to a point; 8) South 34 deg. 55 min. 35 sec. West, a distance of 299.94 feet to a point; 9) South 58 deg. 17 min. 34 sec. West, a distance of 199.96 feet to a point; 10) South 79 deg. 25 min. 33 sec. West, a distance of 139.97 feet to a point; 11) South 72 deg. 33 min. 33 sec. West, a distance of 99.98 feet to a point; 12) North 89 deg. 41 min. 28 sec. West, a distance of 129.98 feet to a point; and 13) South 82 deg. 53 min. 33 sec. West, a distance of 48.98 feet to a point; thence through said lands of Kings Park Psychiatric Center the following seven (7) courses: 1) North 46 deg. 23 min. 29 sec. West, a distance of 655.00 feet to a point; 2) North 43 deg. 36 min. 31 sec. East, a distance of 169.63 feet to a point; 3) North 46 deg. 23 min. 29 sec. West, a distance of 292.93 feet to a point; 4) South 43 deg. 36 min. 31 sec. West, a distance of 180.21 feet to a point; 5) North 46 deg. 23 min. 29 sec. West, a distance of 130.77 feet to a point; 6) South 43 deg. 36 min. 31 sec. West, a distance of 629.13 feet to a point; and 7) South 46 deg. 23 min. 29 sec. East, a distance of 1,147.41 feet to a point on Lawrence Road, thence along said Lawrence Road the following six (6) courses: 1) South 22 deg. 59 min. 34. sec. West, a distance of 430.27 feet to a point; 2) South 22 deg. 05 min. 34 sec. West, a distance of 189.96 feet to a point; 3) South 10 deg. 52 min. 34 sec. West, a distance of 169.96 feet to a point; 4) South 06 deg. 34 min. 34 sec. West, a distance of 139.97 feet to a point; 5) South 13 deg. 38 min. 28 sec. East, a distance of 449.90 feet to a point; and 6) South 17 deg. 31 min. 28 sec. East, a distance of 671.86 feet to a point on the aforementioned Northerly margin of Main Street (NYS Route 25A); thence along said Northerly margin, North 88 deg. 28 min. 08 sec. West, a distance of 759.83 feet to a point; thence along the common line between said lands of Kings Park Psychiatric Center on the East and said lands of United States Postal Service on the West, North 01 deg. 31 min. 52 sec. East, a distance of 300.00 feet to a point; thence along the common line between said lands of Kings Park Psychiatric Center on the North and said lands of United States Postal Service on the South, North 88 deg. 49 min. 43 sec. West, a distance of 49.06 feet to a point; thence through said lands of Kings Park Psychiatric Center the following (3) courses: 1) North 00 deg. 34 min. 25 sec. East, distance of 422.31 feet to a point; 2) North 89 deg. 36 min. 00 sec. West, a distance of 333.71 feet to a point; and 3) South 00 deg. 45 min. 14 sec. East, a distance of 418.03 feet to a point; thence along the common line between said lands of Kings Park Psychiatric Center on the North and said lands of United States Postal Service on the South, North 88 deg. 49 min. 43 sec. West, a distance of 360.62 feet to a point; thence along the first herein mentioned common division line between said lands of Kings Park Psychiatric Center on the West and said lands of United States Postal Service on the East, South 00 deg. 16 min. 09 sec. West, a distance of 299.34 feet to the point or place of beginning, containing 376.90± acres of land.

Excepting and reserving from the above described parcel: all that certain tract, piece or parcel of land situate, lying and being in the town of Smithtown, county of Suffolk, state of new York, lying generally westerly of St. Johnland Road, and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the common line between the lands of The People of the State of New York, Kings Park Psychiatric Center on the North and the lands under the jurisdiction of New York State Parks on the South with the Westerly proposed margin of St. Johnland Road; thence along said Westerly margin the following eight (8) courses: 1) Southerly along a curve to the left of radius 440.50 feet, an arc distance of 3.26 feet to a point of tangency, the chord for the above described curve being South 19 deg. 26 min. 18 sec. East 3.26 feet; 2) South 19 deg. 39 min. 01 sec. East, a distance of 94.48 feet to a point of curve; 3) Southerly along a curve to the right of radius 2,281.00 feet, an arc distance of 273.97 feet to a point of tangency, the chord for the above described curve being South 16 deg. 12 min. 34 sec. East 273.81 feet; 4) South 12 deg. 46 min. 06 sec. East, a distance of 72.56 feet to a point of curvature; 5) Southerly along a curve to the right of radius 382.34 feet, an arc distance of 49.02 feet to a point of reverse curve, the chord for the above described curve being South 09 deg. 05 min. 43 sec. East 48.99 feet; 6) Southerly along a curve to the left of radius 703.16 feet, an arc distance of 100.95 feet to a point of tangency, the chord for the above described curve being South 09 deg. 28 min. 03 sec. East 100.86 feet; 7) South 13 deg. 30 min. 46 sec. East, a distance of 50.00 feet to a point of curve; and 8) Southerly along a curve to the left of radius 188.16 feet, an arc distance of 51.55 feet to a point of reverse curve, the chord for the above described curve being South 21 deg. 22 min. 01 sec. East 51.39 feet; thence along the common line between the said lands of The People of the State of New York, Kings Park Psychiatric Center and the said lands under the jurisdiction of New York State Parks the following eleven (11) courses: 1) Southerly along a curve to the right of radius 56.48 feet, an arc distance of 51.05 feet to a point of compound curve, the chord for the above described curve being South 14 deg. 09 min. 54 sec. West 49.33 feet; 2) Westerly along a curve to the right of radius 254.29 feet, an arc distance of 158.36 feet to a point, the chord for the above described curve being South 69 deg. 37 min. 39 sec. West 155.82 feet; 3) North 06 deg. 34 min. 12 sec. West, a distance of 83.30 feet to a point; 4) Westerly along a curve to the right of radius 1,013.93 feet, an arc distance of 318.03 feet to a point of tangency, the chord for the above described curve being North 88 deg. 06 min. 03 sec. West 316.73 feet; 5) North 79 deg. 37 min. 55 sec. West, a distance of 15.81 feet to a point of curve; 6) Northwesterly along a curve to the right of radius 162.39 feet, an arc distance of 96.65 feet to a point of compound curve, the chord for the above described curve being North 63 deg. 48 min. 30 sec. West 95.23 feet; 7) Northwesterly along a curve to the right of radius 249.72 feet, an arc distance of 203.61 feet to a point of tangency, the chord for the above described curve being North 24 deg. 37 min. 35 sec. West 198.02 feet; 8) North 01 deg. 16 min. 05 sec. West, a distance of 162.61 feet to a point; 9) North 03 deg. 53 min. 39 sec. East, a distance of 114.67 feet to a point of curve; 10) Northeasterly along a curve to the right of radius 70.44 feet, an arc distance of 87.69 feet to a point of tangency, the chord for the above described curve being North 39 deg. 33 min. 37 sec. East 82.14 feet; and 11) North

75 deg. 13 min. 35 sec. East, a distance of 445.92 feet to the point or place of beginning, containing 8.54± acres of land.

Also excepting and reserving from the above described parcel all that certain tract, piece or parcel of land situate, lying and being in the town of Smithtown, county of Suffolk, state of New York, lying generally southwesterly of St. Johnland Road and designated as Fire District Parcel as shown on the map entitled "Proposed Subdivision Kings Park Psychiatric Center," prepared by C.T. Male Associates, P.C. dated April 7, 2003, last revised December 28, 2006, bearing drawing No. 03-231, and being more particularly bounded and described as follows:

BEGINNING at a point on the proposed Southwesterly margin of St. Johnland Road as shown on the above described map and runs thence through the lands of the People of the State of New York, Kings Park Psychiatric Center the following eight (8) courses: 1) South 41 deg. 30 min. 10 sec. West, a distance of 459.41 feet to a point; 2) North 46 deg. 27 min. 27 sec. West, a distance of 287.90 feet to a point; 3) North 42 deg. 38 min. 22 sec. East, a distance of 62.57 feet to a point; 4) North 39 deg. 49 min. 30 sec. East, a distance of 95.51 feet to a point; 5) North 35 deg. 52 min. 44 sec East, a distance of 89.48 feet to a point; 6) North 38 deg. 08 min. 29 sec. East, a distance of 47.91 to a point; 7) North 35 deg. 12 min. 24 sec. East, a distance of 36.02 feet to a point; and 8) Northeasterly along a curve to the right of radius 23.50 feet, an arc distance of 19.51 feet to a point on the aforementioned Southwesterly margin of St. Johnland Road, the chord for the above described curve being North 53 deg. 27 min. 31 sec. East 18.95 feet; thence along said Southwesterly margin the following two (2) courses: 1) Southeasterly along a curve to the left of radius 505.67 feet, an arc distance of 88.97 feet to a point, a chord for the above described curve being South 60 deg. 27 min. 02 sec. East 88.85 feet and 2) Southeasterly along a curve to the left of radius 1699.33 feet, an arc distance of 229.13 feet to the point or place of beginning, the chord for the above described curve being South 69 deg. 21 min. 12 sec. East 228.95 feet containing 2.68± acres of land.

§ 2. This act shall take effect immediately.