STATE OF NEW YORK

7665

2019-2020 Regular Sessions

IN ASSEMBLY

May 14, 2019

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 a license to sell liquor at retail for consumption on certain premises

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

Section 1. Subdivision 7 of section 64 of the alcoholic beverage control law is amended by adding a new paragraph (e-11) to read as follows:

(e-11) Notwithstanding the provisions of paragraph (a) of this subdivision, the authority may issue a retail license for on-premises consumption for a premises which shall be located within two hundred feet of a building occupied as a church, synagogue or other place of worship, provided such premises constitute a premises for the sale of food or beverages at retail for consumption on the premises located wholly within the boundaries of the county of Broome, bounded and described as follows:

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

BEGINNING at a point at the intersection of the northerly street boundary of Henry Street and the easterly street boundary of Water Street, at the southwesterly corner of the premises herein described;

THENCE N 17°-02'-44" E along said easterly street boundary of Water Street a distance of 96.66 feet to a point;

THENCE N 19°-42'-08" E along said easterly street boundary of Water Street a distance of 25.28 feet to a 5/8 inch rebar with plastic yellow cap marked "Jennings" found at the southwesterly corner of lands owned by the City of Binghamton as recorded in the Broome County Clerk's Office in Liber 549 at page 418;

THENCE S 77°-19'-48" E along the southerly boundary of lands owned by said City of Binghamton a distance of 118.89 feet to a masonry nail

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

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found in the westerly boundary of lands owned by Samuel Diamond (Liber 1198, page 377);

THENCE S 17°-49'-47" W along said westerly boundary of lands owned by Diamond a distance of 14.00 feet to a 1/2 inch rebar found;

THENCE S 82°-36'-13" E along the southerly boundary of lands owned by said Diamond a distance of 5.06 feet to a point at the northwesterly corner of lands owned by Washington Building Management Company (Liber 1750, page 69);

THENCE S 15°-00'-17" W along the westerly boundary of lands owned by said Company a distance of 42.68 feet to a point;

THENCE, S 83°-53'-13" E along the southerly boundary of lands owned by said Company a distance of 28.00 feet to a point at the northwesterly corner of lands owned by Kenneth and Isabelle Mitchell (Liber 1316, page 33) on the exterior face of a building wall;

THENCE, along the westerly boundary of lands owned by said Mitchell the following three courses:

1. S 11°-52'-47" W along said wall a distance of 33.68 feet to a point in a party building wall;

2. S 84°-51'-13" E along said party wall a distance of 7.57 feet to a point;

3. S 14°-48'-47" W along the centerline of a party building wall a distance of 35.26 feet to a point in said northerly street boundary of Henry Street;

THENCE N 77°-32'-37" W along said northerly street boundary of Henry Street a distance of 165.87 feet to the point of beginning as surveyed by Paul B. Koerts, Professional Land Surveyor on March 11, 1996. The bearings are referenced to record north for lands owned by said City of Binghamton (Liber 549, page 418).

Together with the following:

1. A right-of-way over the westerly 12.5 feet of so much of the premises described above as adjoins the premises formerly of Charles A. Wilkinson, now of Clare B. Risk, on the west (being the northerly 40 feet thereof, more or less), and adjoining the premises described above on the east, as granted in a deed from Charles A. Wilkinson, et al, to John Hull, Jr., et al, dated February 24, 1886 and recorded in the Broome County Clerk's Office on November 20, 1886 in Book 130 of Deeds at page 546.

2. The benefits contained in an agreement between Hull, Grummond & Co. and George F. O'Neil providing for the erection of a party wall recorded in the Broome County Clerk's Office on October 28, 1913 in Book 247 of Deeds at Page 313.

3. The benefits contained in an agreement between Mabel D. Eggleston and Hull-Grummond & Co., Inc. providing for the erection of a party wall recorded in the Broome County Clerk's Office on August 28, 1918 in Book 281 of Deeds at page 179.

§ 2. This act shall take effect immediately.