

STATE OF NEW YORK

S. 5639

A. 7548

2019-2020 Regular Sessions

SENATE - ASSEMBLY

May 9, 2019

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

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

AN ACT to amend the alcoholic beverage control law, in relation to exempting certain parcels of land from the provisions of law which generally restrict manufacturers, wholesalers and retailers from sharing an interest in a liquor license

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

Section 1. Subparagraph (xii) of paragraph (a) of subdivision 1 of section 101 of the alcoholic beverage control law, as added by chapter 453 of the laws of 2018, is amended and a new subparagraph (xiii) is added to read as follows:

(xii) ALSO ALL THOSE TRACTS OR PARCELS OF LAND, situate in the Tenth Ward of the City of Troy, County of Rensselaer and State of New York, known as Lots Number Seven (7), A Seven (A7), Six (6), A Six (A6), Five (5), A Five (A5) and the southerly portions of Lots Four (4) and A Four (A4), as the same are laid down and described on a certain Map made by Frederick W. Orr, dated August 15, 1918, filed in the Office of the Clerk of the County of Rensselaer as Map No. 29 1/2, Drawer 18. The said premises hereby intended to be conveyed are bounded and described as follows:

COMMENCING at an iron rod in the westerly side of River Street at the most southeasterly corner of premises heretofore conveyed by Harry Goldberg and Norman Goldberg to Arthur E. Collins and another, by Deed dated November 8, 1940, recorded November 12, 1940 In the Office of the Clerk of the County of Rensselaer in Book 633 of Deeds at page 400 and running thence southerly along the westerly line of River Street 215.6 feet to a

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

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1 pipe in the most southeasterly corner of Lot No. A7; thence westerly
2 along the southerly line of Lots Nos. A7 and 7, 163 feet more or less to
3 the easterly shore of the Hudson River; thence northerly along the east-
4 erly shore of the Hudson River 216 feet more or less to the most south-
5 westerly corner of land heretofore conveyed by the said Harry Goldberg
6 and Norman Goldberg to Arthur E. Collins and another hereinbefore
7 recited; thence along the southerly line of lands heretofore conveyed to
8 said Collins and another easterly 31.75 feet; thence northerly 6.33
9 feet; thence easterly 18 feet; thence southerly 6.33 feet; thence east-
10 erly 150.57 feet to the point or place of beginning.

11 EXCEPTING THEREFROM that portion of the above described premises as
12 were conveyed by John B. Garrett, Inc. to Cahill Orthopedic Laboratory,
13 Inc. by deed dated June 22, 1993 and recorded in the Rensselaer County
14 Clerk's Office on June 24, 1993 in Book 1690 of Deeds at Page 215,

15 Containing 17,600 square feet of land more or less.

16 BEARINGS refer to the magnetic meridian of 1993. Said premises are
17 also described as follows: Ward & Plate: 1005500 669 RIVER ST: frontage
18 and depth 115.60 x 220.00 being the same premises described in Book 6534
19 of Deeds at Page 256 in the Rensselaer County Clerk's Office and being
20 the same premises in the 2009 City of Troy Assessment Rolls and
21 90.78-3-2.1 In Rem Serial No. AY0054 (RIVERVIEW PROPERTIES INC; CORINA,
22 ANGELO; MCLAUGHLIN, JOHN D & VASIL, SCOTT)[-]; and being further bounded
23 and described as follows: BEGINNING at a point marked by a capped iron
24 rod where the division line between lands now or formerly of Walter
25 Snyder Printer, Inc. (Liber 1334, Page 861) on the northeast and lands
26 herein described on the southwest intersects the northwesterly side of
27 River Street; running thence South 40° 01' 52" West along the northwes-
28 terly side of River Street a distance of 100.00 feet to a point; thence
29 North 49° 45' 31" West a distance of 41.97 feet to a point at the south-
30 westerly corner of the building located on the herein described prem-
31 ises, said point also being the northeasterly corner of the building
32 located on the property adjoining on the southwest; thence North 60° 59'
33 40" West along the building wall located on the property adjoining on
34 the southwest and the northwesterly continuation of same a distance of
35 140.88 feet to the easterly shore of the Hudson River; thence North 30°
36 16' 52" East along the shore of the Hudson River a distance of 90.90
37 feet to a point; thence South 60° 44' 08" East along lands now or
38 formerly of Walter Snyder Printer, Inc. (Liber 1334, Page 861) a
39 distance of 31.75 feet to a point; thence North 30° 16' 52" East contin-
40 uing along lands now or formerly of Walter Snyder Printer, Inc. a
41 distance of 6.33 feet to a point; thence South 60° 44' 08" East continu-
42 ing along lands now or formerly of Walter Snyder Printer, Inc a distance
43 of 18.00 feet to a point; thence South 30° 16' 52" West continuing along
44 lands now or formerly of Walter Snyder Printer, Inc. a distance of 6.33
45 feet to a point; thence South 60° 44' 08" East continuing along lands
46 now or formerly of Walter Snyder Printer, Inc. a distance of 149.40
47 feet to the point and place of beginning. Be the aforesaid dimensions in
48 this clause more or less and encompassing lands considered to be a
49 single contiguous parcel.

50 (xiii) ALSO ALL THOSE TRACT OR PARCEL OF LAND, situate, lying and
51 being in the City of South Glens Falls, County of Saratoga and State of
52 New York, being more particularly bounded and described as follows:
53 BEGINNING at a point at the southwest corner of the herein described
54 parcel. Also being the southeast corner of Lands of Village of South
55 Glens Falls (L. 1448 P. 709) and being on the north boundary of West
56 Marion Street, thence from said point of beginning: n 21-21'-57" E

150.72 feet along lands of the Village of South Glens Falls to a point on the south boundary of South Glens Falls, thence S 67-34'-02" E 189.04 feet along lands of Village of South Glens Falls and Mounir Rahal to a point at the southeast corner of Rahal and on the west boundary of U.S. Rte. 9, thence S 21-16'-27" W 150.81 feet along Rte. 9 to a point at the intersection of the west boundary of Rte. 9 and the north boundary of West Marion Street, thence North 67-32'-32" West 189.29 feet along West Marion Street to the point and place of beginning. Said parcel containing 0.507 plus or minus acres.

§ 2. Subparagraph (xii) of paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law, as amended by chapter 453 of the laws of 2018, is amended and two new subparagraphs (xiii) and (xiv) are added to read as follows:

(xii) all those tracts or parcels of land, situate in the Tenth Ward of the City of Troy, County of Rensselaer and State of New York, known as Lots Number Seven (7), A Seven (A7), Six (6), A Six (A6), Five (5), A Five (A5) and the southerly portions of Lots Four (4) and A Four (A4), as the same are laid down and described on a certain Map made by Frederick W. Orr, dated August 15, 1918, filed in the Office of the Clerk of the County of Rensselaer as Map No. 29 1/2, Drawer 18. The said premises hereby intended to be conveyed are bounded and described as follows:

COMMENCING at an iron rod in the westerly side of River Street at the most southeasterly corner of premises heretofore conveyed by Harry Goldberg and Norman Goldberg to Arthur E. Collins and another, by Deed dated November 8, 1940, recorded November 12, 1940 In the Office of the Clerk of the County of Rensselaer in Book 633 of Deeds at page 400 and running thence southerly along the westerly line of River Street 215.6 feet to a pipe in the most southeasterly corner of Lot No. A7; thence westerly along the southerly line of Lots Nos. A7 and 7, 163 feet more or less to the easterly shore of the Hudson River; thence northerly along the easterly shore of the Hudson River 216 feet more or less to the most southwesterly corner of land heretofore conveyed by the said Harry Goldberg and Norman Goldberg to Arthur E. Collins and another hereinbefore recited; thence along the southerly line of lands heretofore conveyed to said Collins and another easterly 31.75 feet; thence northerly 6.33 feet; thence easterly 18 feet; thence southerly 6.33 feet; thence easterly 150.57 feet to the point or place of beginning.

EXCEPTING THEREFROM that portion of the above described premises as were conveyed by John B. Garrett, Inc. to Cahill Orthopedic Laboratory, Inc. by deed dated June 22, 1993 and recorded in the Rensselaer County Clerk's Office on June 24, 1993 in Book 1960 of Deeds at Page 215, Containing 17,600 square feet of land more or less.

BEARINGS refer to the magnetic meridian of 1993. Said premises are also described as follows: Ward & Plate: 1005500 669 RIVER ST: frontage and depth 115.60 x 220.00 being the same premises described in Book 6534 of Deeds at Page 256 in the Rensselaer County Clerk's Office and being the same premises in the 2009 City of Troy Assessment Rolls and 90.78-3-2.1 In Rem Serial No. AY0054 (RIVERVIEW PROPERTIES INC; CORINA, ANGELO; MCLAUGHLIN, JOHN D & VASIL, SCOTT)[-]; and being further bounded and described as follows: BEGINNING at a point marked by a capped iron rod where the division line between lands now or formerly of Walter Snyder Printer, Inc. (Liber 1334, Page 861) on the northeast and lands herein described on the southwest intersects the northwesterly side of River Street; running thence South 40° 01' 52" West along the northwesterly side of River Street a distance of 100.00 feet to a point; thence North 49° 45' 31" West a distance of 41.97 feet to a point at the south-

1 westerly corner of the building located on the herein described prem-
2 ises, said point also being the northeasterly corner of the building
3 located on the property adjoining on the southwest; thence North 60° 59'
4 40" West along the building wall located on the property adjoining on
5 the southwest and the northwesterly continuation of same a distance of
6 140.88 feet to the easterly shore of the Hudson River; thence North 30°
7 16' 52" East along the shore of the Hudson River a distance of 90.90
8 feet to a point; thence South 60° 44' 08" East along lands now or
9 formerly of Walter Snyder Printer, Inc. (Liber 1334, Page 861) a
10 distance of 31.75 feet to a point; thence North 30° 16' 52" East contin-
11 uing along lands now or formerly of Walter Snyder Printer, Inc. a
12 distance of 6.33 feet to a point; thence South 60° 44' 08" East continu-
13 ing along lands now or formerly of Walter Snyder Printer, Inc a distance
14 of 18.00 feet to a point; thence South 30° 16' 52" West continuing along
15 lands now or formerly of Walter Snyder Printer, Inc. a distance of 6.33
16 feet to a point; thence South 60° 44' 08" East continuing along lands
17 now or formerly of Walter Snyder Printer, Inc. a distance of 149.40
18 feet to the point and place of beginning. Be the aforesaid dimensions in
19 this clause more or less and encompassing lands considered to be a
20 single contiguous parcel.

21 (xiii) ALSO ALL THOSE TRACTS OR PARCEL OF LAND, situate in the City of
22 Saratoga Springs, Saratoga County, New York, bounded and described as
23 follows: Beginning at a point 55 feet south on Beekman Street, from
24 where the west line of Beekman Street intersects the south line of
25 Congress Street, and running thence southerly along the west line of
26 Beekman Street 55 feet, more or less, to the north line of the premises
27 now or formerly owned or occupied by Henry Curtis; thence westerly along
28 said Curtis' north line 65 feet, more or less, to the east line of the
29 premises heretofore conveyed to Edward M. Merritt; thence northerly
30 along said Merritt's east line 55 feet, more or less, to a point 55 feet
31 south of the south line of Congress Street; thence easterly on a line
32 parallel with the south line of Congress Street 65 feet, more or less,
33 to the point and place of beginning; and being further bounded and
34 described as follows: BEGINNING at a point in the Southerly line Grand
35 Avenue at the intersection of the Westerly line of Beekman Street, said
36 point also being the Northeast comer of lands now or formerly of Dublin
37 Underground, LLC as conveyed in Book 1769 of Deeds at Page 657, thence
38 along said Westerly line of Beekman Street, South 01°02'45"West, 55.00
39 feet to a point at the intersection of the common division line between
40 lands now or formerly of Haggerty as conveyed in Book 1595 of Deeds at
41 Page 480 on the South and lands of said Dublin Underground LLC on the
42 North, thence along said division line, North 88°57'15"West, 65.00 feet
43 to a point at the intersection of the common division line between lands
44 now or formerly of Haynes as conveyed in Book 1630 of Deeds at Page 727
45 on the West and said lands of Dublin Underground UC on the East, thence
46 along said division line, North 01°02'45"East, 55.00 feet to a point in
47 the Southerly line of Grand Avenue, thence along said Southerly line,
48 South 88°57'15"East, 65.00 feet to the point or place of beginning and
49 containing 3576 ± square feet of land; and being further bounded and
50 described as follows: BEGINNING at a point where the east line of an
51 alley intersects the south line of Grand Avenue, running thence easterly
52 fifty-five (55) feet, more or less, to the west line of property now or
53 formerly owned by one Desidora; thence southerly one hundred ten (110)
54 feet, more or less, to the northerly line of property now or formerly
55 owned by one Gutierresl thence westerly fifty-five (55) feet, more or
56 less to the easterly line of an alley; thence northerly one hundred ten

1 (110) feet, more or less to the point or place of beginning. Be the
2 aforesaid dimensions in this clause more or less and encompassing lands
3 considered to be a single contiguous parcel.

4 (xiv) ALSO ALL THOSE TRACTS OR PARCEL OF LAND, situate in the City of
5 Saratoga Springs, County of Saratoga and State of New York, bounded and
6 described as follows: Starting at an iron pipe on the southerly side of
7 New York State Highway 9P at the intersection of the lands now of
8 formerly of Ernst and one Walbridge and runs thence along the said high-
9 way S 64 degrees 25' E 72.4 feet to a concrete state monument; thence S
10 35 degrees 9' E 135.6 feet to an iron pipe on the Westerly side of an 18
11 foot wide Right of Way extending from the aforementioned highway to the
12 Low Water Mark of Saratoga Lake; thence along the said Right of Way S 17
13 degrees 20' W 115 feet to an iron pipe, the place of beginning; thence
14 in the same straight line along the said Right of Way 78.4 feet to an
15 iron pipe; thence still along the said Right of Way S 38 degrees 9' W
16 208 feet to an iron pipe; thence N 51 degrees 51' W 81 feet to an iron
17 pipe; thence N 14 degrees 34' E 54.2 feet to an iron pipe; thence N 56
18 degrees 0' E 242.8 feet to the place of beginning, the aforementioned
19 dimensions more or less; and being further bounded and described as
20 follows: BEGINNING at an iron pipe of the southerly side of New York
21 State Highway 9P at the intersection of the lands now of formerly of
22 Ernst and one Walbridge and runs thence along said highway S. 64 degrees
23 25' E. 72.4 feet to a concrete state monument; thence still along the
24 said highway S. 35 degrees 9' E. 135.6 feet to an iron pipe on the
25 westerly side of a Right of Way 18 feet wide running from the beforemen-
26 tioned highway to the Low Water Mark of Saratoga Lake; thence across the
27 said Right of Way S. 26 degrees E. 21.15 feet to the Easterly side of
28 the said Right of Way, the place of beginning; thence along the said
29 Right of Way S. 17 degrees 20' W. 171.1 feet to a point; thence still
30 along the said Right of Way S. 38 degrees 9' W. to the Low Water Mark of
31 Saratoga Lake; thence along the Low Water Mark of the said lake to an
32 iron pipe on the Westerly side of the said Highway which point is about
33 435 feet Easterly at right angles from the Easterly side of the before-
34 mentioned Right of Way; thence along the said Highway N. 10 degrees 57'
35 W. 653.5 feet to a concrete monument; thence N. 26 degrees 10' W. 9.85
36 feet to the place of beginning. Be the aforesaid dimensions in this
37 clause more or less and encompassing lands considered to be a single
38 parcel.

39 § 3. This act shall take effect immediately.