STATE OF NEW YORK

10198--A

IN ASSEMBLY

May 6, 2022

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Bronson) -- read once and referred to the Committee on Economic Development -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the alcoholic beverage control law, in relation to exempting certain parcels of land from licensing restrictions prohibiting manufacturers, wholesalers and retailers of alcoholic beverages from sharing an interest in a licensed premises

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

Section 1. Subparagraph (xiii) of paragraph (a) of subdivision 1 of section 101 of the alcoholic beverage control law, as added by chapter 429 of the laws of 2019, is renumbered subparagraph (xiv) and a new subparagraph (xv) is added to read as follows:

(xv) any such premises located on that certain tract or parcel of land, situate in the City of Rochester, County of Monroe and State of New York, bounded and described as follows:

BEGINNING at a point on the northerly right-of-way line of East Avenue; said point being easterly 125.43 feet from the easterly right-of-way line of Alexander Street, as measured along said northerly right-of-way line of East Avenue; thence,

1. N 07° 17' 46" E, a distance of 218.26 feet to a point; thence,

2. N 39° 14' 18" W, a distance of 27.51 feet to a point; thence,

3. N 20° 00' 35" E, a distance of 121.48 feet to a point; thence,

4. N 39° 47' 19" W, a distance of 32.64 feet to a point; thence,

5. .S 74° 12' 52" W, a distance of 30.93 feet to the point of intersection with the aforementioned easterly right-of-way line of Alexander Street; thence the following three (3) courses along said easterly right-of-way line.

6. N 20° 04' 36" E, a distance of 210.80 feet to an angle point; thence;

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

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7. N 20° 23' 26" E, a distance of 48.84 feet to a point of intersection with the common line dividing lands at 390 East Avenue on the south and lands of 350 Alexander Street on the north; thence,

8. N 20° 23' 26" E, continuing along the easterly right-of-way line, a distance of 141.65 feet to a point; thence,

9. S 68° 41' 56" E, a distance of 81.10 feet to a point; thence,

10. S 21° 46' 08" W, a distance of 142.27 feet to a point; thence,

11. S 68° 13' 59" E, a distance of 92.32 feet to a point; thence,

12. S 20° 04' 36" W, a distance of 600.00 feet to a point of intersection with the aforementioned northerly right-of-way line of East Avenue; thence,

13. N 71° 32' 04" W, along said northerly right-of-way line, a distance of 44.84 feet to the Point of Beginning,

TOGETHER WITH THE BENEFITS and subject of the burdens of a certain Easement Agreement for Ingress, Egress & Parking by and between City East LLC and 384 East Avenue Inn of Rochester, LLC dated February 22, 2017 and recorded February 23, 2017 in Liber 11824 of Deeds, page 507, as amended by a certain Amended and Restated Easement Agreement for Ingress, Egress & Parking by and between City East LLC and 384 East Avenue Inn of Rochester, LLC dated October 10, 2019 and recorded October 15, 2019 in Liber 12254 of Deeds page 451.

§ 2. Paragraph (a) of subdivision 1 of section 101 of the alcoholic beverage control law is amended by adding a new subparagraph (xvi) to read as follows:

(xvi) any such premises located on that certain piece or 2.68 acre parcel of land situate in the Village of Lake Placid, Town of North Elba, County of Essex, State of New York being part of Lot 279, Township 11, Old Military Tract, Richards' Survey lying northeast of Searle Lane, so-called, fka Park Place, Rider Street, New Street, and Shadyside, a partially opened street maintained by the Village of Lake Placid and Mirror Lake Drive, so-called fka Lake Placid Club Drive, Shore Drive, and Mirror Street, a village maintained street, and said parcel being more particularly described as follows:

Beginning at a point in the center of Searle Lane at the most southerly corner of the premises; Thence, North 36° 50' 00" West, 498.55 feet along the center of Searle Lane to a point in the bounds of Mirror Lake Drive, and being the most westerly corner of the premises; Thence, North 37° 10' 00" East, 255.37 feet along the bounds of Mirror Lake Drive to a point at the most northerly corner of the premises; Thence, South 52° 50' 00" East, 95.66 feet along a line parallel to and thirty-six feet (36') distant from the north wall of the "dorm", so-called, to a point; Thence, South 23° 43' 00" East, 80.00 feet along a line parallel to and thirty feet (30') distant from the east wall of the "dorm" to a point; Thence, South 00° 24' 00" East, 293.48 feet along the east line of the premises to an angle point; Thence, South 36° 50' 00" East, 150.00 feet along the east line of the premises to an angle point and being the most easterly corner; Thence, South 53° 10' 00" West, 135.00 feet along the southeast line of the premises to the Point-of-Beginning and encompassing therein 2.68 acres more or less. All bearings are oriented to NYS Grid North, East Zone. Together with all right, title and interest in and to the land to the center of Mirror Lake Drive as it abuts the premises herein above described. Granting and Reserving all structures, wires, lines, easements of record, if any, for public utilities and highway purposes as the same now exist upon or affect the premises hereinabove described. Being part of the premises conveyed by Lake Placid Land Corporation to Placid Gold, LLC by deed dated the 24th day

of May 1996 and recorded in the Essex County Clerk's Office in Deed Book 1113 at Page 302. The lands conveyed are subject to the Terms and Conditions of Adirondack Park Agency Permit Nos. 96-316, 96-316A, 96-316A, 97-38, 97-38A, 98-307, 98-307A which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees. Said parcel being the Dormitory lot and Lot Nos. 1, 2, 3 and 4 of the Executive Lodge Subdivision, Section 1, Lake Placid Resort, filed in the Essex County Clerk's Office as Map No. 3057 the 6th day of May 1981 and depicted on the 2010 Village of Lake Placid Tax Map No. 042.0HL in Block 7 as Parcel 29,000.

§ 3. Paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law is amended by adding a new subparagraph (xviii) to read as follows:

(xviii) on real property located on that certain tract or parcel of land situated in the Town of Shelby, County of Orleans and State of New York, being part of Great Lot No. 32 in Township 14, Range 3 of the Holland Land Purchase and bounded and described as follows:

Beginning at the point of intersection of the centerline of Maple Ridge Road, a/k/a New York State Route No. 31A (66 foot wide right-of-way) with the centerline of Bates Road;

thence (1) North 00° 12' 14" West and along the centerline of said Bates Road a distance of 225.00 feet to a point; thence (2) North 89° 47' 46" East and along the south line of lands now or formerly owned by Joyce and Raymond Cook, Jr. (See Liber 392 of Deeds at page 246 and Tax Account No. 080.00 - 03 - 15.3) a distance of 200.00 feet to a point; thence (3) North 00° 12' 14" West and along the westerly line of lands now or formerly of said Joyce and Raymond Cook, Jr. and also along the westerly line of lands now or formerly owned by Mark G. and Evon C. Navarra (See Liber 498 of Deeds at page 88 and Tax Account No. 080.00 - 03 - 15.2) and lands now or formerly owned by John E. Harris, Jr. (See Liber 452 of Deeds at page 207 and Tax Account No. 080.00 - 03 - 16.0) a distance of 300.00 feet to a point; thence (4) South 89° 47' 46" West and along the north line of lands now or formerly of said John E. Harris, Jr. a distance of 200.00 feet to a point in the centerline of Bates Road;

thence (5) North 00° 10' 30" West and along the centerline of said Bates Road a distance of 1414.14 feet to a point; thence (6) North 89° 46' 17" East and along the south line of lands now or formerly owned by Harry R. and Lois A. Deyarmin (See Liber 466 of Deeds at page 322 and Tax Account No. 080.00 - 03 - 17.00) and also along the south line of lands now or formerly owned by Michael J. Healy and Vincent J. Licata (See Liber 391 of Deeds at page 1077 and Tax Account No. 080.00 - 03 - 01.4) a distance of 398.06 feet to a point on the westerly line of lands now or formerly owned by the Niagara Mohawk Power Corporation (See Liber 360 of Deeds at page 186 and Tax Account No. 080.00 - 03 - 23.0); thence (7) South 02° 21' 51" East and continuing along the westerly line of lands now or formerly owned by the said Niagara Mohawk Power Corporation a distance of 1932.39 to a point in the centerline of Maple Ridge Road, a/k/a New York State Route No. 31A; thence (8) South 88° 47' 20" West and along the centerline of said Maple Ridge Road, a/k/a New York State Route No. 31A, a distance of 471.69 feet to the point of beginning.

Hereby intending to describe a parcel of land shown on a Survey Map made by Clark Patterson Associates, dated August 7, 2006, being Project No. 9418.00 and Drawing Number BNDY - 2. Together with the right, privilege and easement for use of one or more of four road crossings not to exceed 20 feet in width, as reserved in the Warranty Deed made by Glenn L. Hill

and Nola A. Hill to the Niagara Mohawk Power Corporation, dated November 2, 1972 and recorded November 3, 1972 in the Orleans County Clerk's Office in Liber 360 of Deeds at page 186. ALSO ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Shelby, County of Orleans and State of New York, being part of Great Lot No. 32 in Township 14, Range 3 of the Holland Land Purchase and bounded and described as follows:

Commencing at the point of intersection of the centerline of Maple Ridge Road, a/k/a New York State Route No. 31A (66 foot wide right-of-way) with the centerline of Bates Road; thence (A) North 88° 47' 20" East and along the centerline of said Maple Ridge Road, a/k/a New York State Route No. 31A a distance of 621.72 feet to the point of beginning; thence (1) North 02° 21' 51" West and along the easterly line of lands now or formerly owned by the Niagara Mohawk Power Corporation (See Liber 360 of Deeds at page 186 and Tax Account No. 080.00 - 03 - 23.0) a distance of 1931.96 feet to a point;

thence (2) North 89° 45' 02" East and along the south line of lands now or formerly owned by Douglas A. Holka (See Liber 545 of Deeds at page 43 and Tax Account No. 080.00 - 03 - 1.1) a distance of 1378.90 feet to a point; thence (3) South 00° 12' 37" East and along the westerly line of lands now or formerly owned by Franklin Tower (See Liber 489 of Deeds at page 185 and Tax Account No. 080.00 - 03 - 14.0) a distance of 1908.72 feet to a point in the centerline of said Maple Ridge Road, a/k/a New York State Route No. 31A; thence (4) South 88° 47' 20" West and along the centerline of said Maple Ridge Road, a/k/a New York State Route No. 31A, a distance of 1306.49 feet to the point of beginning.

Hereby intending to describe a parcel of land shown on a Survey Map made by Clark Patterson Associates, dated August 7, 2006, being Project No. 9418.00 and Drawing Number BNDY - 2. Together with the right, privilege and easement for use of one or more of four road crossings not to exceed 20 feet in width, as reserved in the Warranty Deed made by Glenn L. Hill and Nola A. Hill to the Niagara Mohawk Power Corporation, dated November 2, 1972 and recorded November 3, 1972 in the Orleans County Clerk's Office in Liber 360 of Deeds at page 186.

§ 4. This act shall take effect immediately.