# STATE OF NEW YORK

9013

# IN SENATE

May 4, 2022

Introduced by Sens. COONEY, BROUK -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the alcoholic beverage control law, in relation to licensing restrictions for manufacturers and wholesalers of alcoholic beverages on licensees who sell at retail for on-premises consumption; and to repeal certain provisions of such law relating thereto

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

Section 1. Clause (B) of subparagraph (ii) of paragraph (a) of subdivision 1 of section 101 of the alcoholic beverage control law is REPEALED and a new clause (B) is added to read as follows:

**(B) all that piece or parcel of land situate in part of Lot 35, Second Division, Township 13, Seventh Range of the Phelps and Gorham Purchase, in the City of Rochester, County of Monroe, State of New York and more particularly described as follows:**

**Commencing at the intersection of the northerly right-of-way Line of University Avenue and the easterly right-of-way line of Culver Road; thence southeasterly along the northerly right-of-way line of University Avenue a distance of 1012.49 feet to the southwesterly most property corner of lands now or formerly of University Avenue, LLC as laid forth in Liber 11267 of deeds page 398; thence continuing southeasterly along the northerly right-of-way line of University Avenue a distance of 391.30 feet to a point, said point being the true point and place of beginning. Thence the following courses and distance:**

**1. Thence northerly making an interior angle turning to the left of 89°52'00" with said northerly right-of-way line of University Avenue a distance of 174.75 feet to a point;**

**2. Thence easterly making an interior angle of 90°09'40" a distance of 21.70 feet to a point;**

**3. Thence northeasterly making an interior angle of 228°45'07" a distance of 15.43 feet to a point;**

**4. Thence southeasterly making an interior angle of 90°00'00" a distance of 13.15 feet to a point;**

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

LBD15297-02-2

5. Thence northeasterly making an interior angle of 270°00'00" a distance of 14.05 feet to a point;

6. Thence southeasterly making an interior angle of 90°00'00" a distance of 14.40 feet to a point;

7. Thence southerly making an interior angle of 131°14'53" a distance of 4.00 feet to a point;

8. Thence easterly making an interior angle of 270°00'00" a distance of 59.15 feet to a point;

9. Thence southerly making an interior angle of 89°50'45" a distance of 136.60 feet to a point;

10. Thence easterly making an interior angle of 269°35'35" a distance of 1.10 feet to a point;

11. Thence southerly making an interior angle of 90°00'00" a distance of 38.20 feet to a point on the aforementioned northerly right-of-way line of University Avenue;

12. Thence westerly along said northerly right-of-way line of University Avenue a distance of 121.85 feet to a point, said point being the true point and place of beginning.

Being and hereby intending to describe a portion of an existing building located at 1344 University Avenue Rochester, New York, having an area of 21,489 square feet or 0.493 acres.

§ 2. Subparagraph (ii) of paragraph (a) of subdivision 1 of section 101 of the alcoholic beverage control law is amended by adding a new clause (B-1) to read as follows:

(B-1) all that piece or parcel of land situate in part of Lot 35, Second Division, Township 13, Seventh Range of the Phelps and Gorham Purchase, in the City of Rochester, County of Monroe, State of New York and more particularly described as follows:

Commencing at the intersection of the northerly right-of-way Line of University Avenue and the easterly right-of-way line of Culver Road; thence southeasterly along the northerly right-of-way line of University Avenue a distance of 1012.49 feet to the southwesterly most property corner of lands now or formerly of University Avenue, LLC as laid forth in Liber 11267 of deeds page 398; thence continuing southeasterly along the northerly right-of-way line of University Avenue a distance of 391.30 feet to a point, said point being the true point and place of beginning. Thence the following courses and distance:

1. Thence northerly making an interior angle turning to the left of 89°52'00" with said northerly right-of-way line of University Avenue a distance of 174.75 feet to a point;

2. Thence easterly making an interior angle of 90°09'40" a distance of 21.70 feet to a point;

3. Thence northeasterly making an interior angle of 228°45'07" a distance of 15.43 feet to a point;

4. Thence southeasterly making an interior angle of 90°00'00" a distance of 13.15 feet to a point;

5. Thence northeasterly making an interior angle of 270°00'00" a distance of 14.05 feet to a point;

6. Thence southeasterly making an interior angle of 90°00'00" a distance of 14.40 feet to a point;

7. Thence southerly making an interior angle of 131°14'53" a distance of 4.00 feet to a point;

8. Thence easterly making an interior angle of 270°00'00" a distance of 59.15 feet to a point;

9. Thence southerly making an interior angle of 89°50'45" a distance of 136.60 feet to a point;

**10. Thence easterly making an interior angle of 269°35'35" a distance of 1.10 feet to a point;**

**11. Thence southerly making an interior angle of 90°00'00" a distance of 38.20 feet to a point on the aforementioned northerly right-of-way line of University Avenue;**

**12. Thence westerly along said northerly right-of-way line of University Avenue a distance of 121.85 feet to a point, said point being the true point and place of beginning.**

**Being and hereby intending to describe a portion of an existing building located at 1344 University Avenue Rochester, New York, having an area of 21,489 square feet or 0.493 acres.**

§ 3. This act shall take effect immediately; provided, however, that section one of this act shall take effect December 31, 2024, when upon such date the amendments made to subdivision 1 of section 101 of the alcoholic beverage control law made by section two of this act shall be deemed repealed.