

STATE OF NEW YORK

6236

2021-2022 Regular Sessions

IN ASSEMBLY

March 10, 2021

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

AN ACT to amend the alcoholic beverage control law, in relation to an exemption for certain property from the prohibition of alcohol sales within a certain distance from a church

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

1 Section 1. Subdivision 7 of section 64 of the alcoholic beverage
2 control law is amended by adding a new paragraph (e-13) to read as
3 follows:

4 (e-13) Notwithstanding the provisions of paragraph (a) of this subdivi-
5 vision, the authority may issue a retail license for on-premises
6 consumption for a premises which shall be located within two hundred
7 feet of a building occupied as a church, synagogue or other place of
8 worship, provided such premises constitute a premises for the sale of
9 food or beverages at retail for consumption on the premises located
10 wholly within the boundaries of the county of Saratoga, bounded and
11 described as follows:

12 ALL THOSE CERTAIN PARCELS OF LAND and the improvements thereon situate
13 in the City of Saratoga Springs, County of Saratoga, State of New York
14 lying Northwesterly of and adjacent to Broadway, a.k.a. New York State
15 Route #50 and U.S. Route 9, and being more particularly bounded and
16 described as follows:

17 BEGINNING at the point of intersection of the division line between
18 the lands of Alice M. Bode as described in Book 808 of Deeds at Page 494
19 on the Northeast and other lands of Alice M. Bode as described in Book
20 808 of Deeds at Page 496 on the Southwest with the Northwesterly line of
21 Broadway and runs thence along said division line North 56 degrees 40
22 minutes 20 seconds West in part passing through the middle of the brick
23 wall between these premises and premises adjoining on South, a distance
24 of 151.18 feet to its intersection with the Southeasterly line of Long

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

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1 Alley; thence along said Southeasterly line North 33 degrees 34 minutes
2 10 seconds East a distance of 34.38 feet to its intersection with the
3 Southwesterly line of Walton Street; thence South 56 degrees 15 minutes
4 46 seconds East along said Southwesterly line a distance of 151.18 feet
5 to its intersection with the Northwesterly line of Broadway; thence
6 along said Northwesterly line South 33 degrees 34 minutes 10 seconds
7 West a distance of 33.30 feet to the point of beginning.

8 BEING the same premises conveyed by Deed by John A. Slade, as Adminis-
9 trator of the goods, chattels and credit of Alice Maude Jenkins to Alice
10 M. Bode dated January 1, 1967 and recorded in the Saratoga County
11 Clerk's Office on June 5, 1967 in Liber 808 of Deeds at Page 494.

12 Subject to an easement granted by Alice M. Bode to Carolyn B. Siewers
13 and Leslie J. Suprenant dated December 15, 1987 and recorded in the
14 Saratoga County Clerk's Office in Liber 1222 of Deeds at Page 113 on
15 December 15, 1987.

16 BEGINNING at the point of intersection of the division line between
17 lands of Alice M. Bode as described in Book 808 of Deeds at Page 494 on
18 the Northeast and other lands of Alice M. Bode as described in Book 808
19 of Deeds at Page 496 on the Southwest with the Northwesterly line of
20 Broadway, a.k.a. New York State Route #50 and U.S. Route 9, and runs
21 thence along said Northwesterly line South 33 degrees 34 minutes 10
22 seconds West a distance of 22.83 feet to its point of intersection with
23 the division line between the lands of Alice M. Bode as described in
24 Book 808 of Deeds at Page 496 on the Northeast and the lands of James W.
25 and Christine Breitenfeld as described in Book 1085 of Deeds at Page 323
26 on the Southwest; thence along said division line and the division
27 between the buildings located at 493 and 495 Broadway North 56 degrees
28 40 minutes 20 seconds West a distance of 106.98 feet to its point of
29 intersection with the division line between said lands of Bode on the
30 Southeast and the lands of John F. Baker as described in Book 1350 of
31 Deeds at Page 773 on the Northwest; thence along said division line
32 North 33 degrees 34 minutes 10 seconds East a distance of 22.83 feet to
33 a point on the first herein described division line; thence along said
34 division line South 56 degrees 40 minutes 20 seconds East, in part pass-
35 ing through the middle of the brick wall between these premises and
36 premises adjoining on North, a distance of 106.98 feet to the point of
37 beginning.

38 BEING a portion of the premises conveyed by Deed by John A. Slade, as
39 Administrator of the goods, chattels and credit of Alice Maude Jenkins
40 to Alice Bode dated January 1, 1967 and recorded in the Saratoga County
41 Clerk's Office on June 5, 1967 in Liber 808 of Deeds at Page 496.

42 TOGETHER with the appurtenances and all the estate which the decedent
43 had at the time of the decedent's death in the subject premises, and
44 also the estate therein, which the Party of the First Part has or has
45 power to convey and dispose of, whether individually, or otherwise.

46 § 2. This act shall take effect immediately.