STATE OF NEW YORK

8941

IN SENATE

April 29, 2022

Introduced by Sen. PALUMBO -- 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 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. Subparagraph (xvii) of paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law, as added by chapter 299 of the laws of 2021, is amended and a new subparagraph (xviii) is added to read as follows:

(xvii) Parcel A

All that certain plot, piece or parcel of land, situate, lying and being in the borough of Manhattan, city, county and state of New York, bounded and described as follows:

Beginning at a point formed by the intersection of the northerly side of Wall Street and the easterly side of Pearl Street; running thence northerly along the easterly side of Pearl Street, 76 feet 1 inch; thence easterly on a line forming an angle on its northerly side with the easterly side of Pearl Street of 85° 33' 30", a distance of 43 feet 1 inch; thence southerly on a line which forms an angle on its westerly side with said last mentioned course of 90° 22', a distance of 1 foot; thence easterly on a line which forms an angle on its southerly side with said last mentioned course of 89° 24', a distance of 18 feet 3 inches, more or less, to a point where it is intersected by a line drawn along the westerly side of the one-story brick extension at the rear of the premises No. 122 Water Street; thence southerly on a line which on its westerly side forms an angle of 86° 43' with the preceding course and along said one-story brick extension, 17 feet 3 inches to the corner of said one-story brick building; thence easterly on a line which on its northerly side forms an angle of 91° 40' with the preceding course, 6 feet 8 1/2 inches to premises now known as No. 120 Water Street; thence southerly along a line which on its westerly side forms an angle of 91° 40' with the preceding course, 10 feet 9 inches to the premises now or

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

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late of Tontine Company; thence westerly along said premises on a line which on its northerly side forms an angle of 88° 20' with the preceding course, 20 feet; thence southerly and still along land now or late of Tontine Company on a line which on its easterly side forms an angle of 89° 09' with the preceding course, 53 feet 5 inches to the northerly side of Wall Street; and thence westerly along the northerly side of Wall Street on a line which on its northerly side forms an angle of 88° 08' with the preceding course, 48 feet 11 1/2 inches to the easterly side of Pearl Street at the point or place of beginning.

Parcel B:

All that certain plot, piece or parcel of land, situate, lying and being in the borough of Manhattan, city, county and state of New York, bounded and described as follows:

Beginning at the corner formed by the intersection of the northerly side of Wall Street with the westerly side of Water Street; running thence northerly, along the westerly side of Water Street, about fifty feet nine inches to the premises Number One Hundred and Twenty Water Street; thence westerly, along the southerly side of premises Number One Hundred and Twenty Water Street, about eighty feet seven inches to the easterly side of premises Number Eighty-Two Wall Street, thence northerly, along the easterly side of premises Number Eighty-Two Wall Street, to a point where it is intersected by a line drawn along the northerly face of the northerly wall of the four-story and basement brick building formerly erected thereon; thence westerly, along the northerly side of said northerly wall, about twenty feet to the westerly side of said premises Number Eighty-Two Wall Street; thence southerly, along the westerly side of said premises Number Eighty-Two Wall Street, about fifty-three feet six inches to the northerly side of Wall Street; and thence easterly along the northerly side of Wall Street, to the point or place of beginning.

Provided, however, that with respect to such retail licensee's interest in a business engaged in the manufacture or sale at wholesale of alcoholic beverages described in subdivision one-a of section one hundred one of this article: (i) such interest must have been acquired prior to the effective date of [~~the~~] chapter **two hundred ninety-nine** of the laws of two thousand twenty-one [~~which added this subparagraph~~]; (ii) such retail licensee may not purchase alcoholic beverages directly from any such manufacturer or wholesaler; and (iii) no more than fifteen percent of the annual dollar value of alcoholic beverages purchased by such retail licensee for sale on the premises may be produced by any such manufacturer[~~.~~]**; or**

(xviii) Real property in the Town of East Hampton, County of Suffolk, State of New York, described as follows:

ALL that certain plot, piece or parcel of land, situate, lying and being at Montauk, Town of East Hampton, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the northeast side of Surfside Place with the southeast side of Ocean view Terrace;

RUNNING THENCE from said point of beginning along the southeasterly side of Oceanview Terrace North 68 degrees 18 minutes 15 seconds East, 265.64 feet to land formerly of Montauk Improvement Inc.;

THENCE along said land South 24 degrees 34 minutes 52 seconds East, 321.71 feet to the northerly line of boardwalk easement;

THENCE still along said course, 82 feet, more and less (114.76 feet per survey), to the high water mark of the Atlantic Ocean;

THENCE southwesterly and along the high water mark of the Atlantic Ocean, 267 feet more or less (265,41 feet per survey) to the northeast side of the Surfside Place;

THENCE along the northeast side of Surfside Place North 24 degrees 34 minutes 52 seconds West, 425 feet, more or less, (448.98 feet per survey) to the point or place of BEGINNING.

Provided, however, that with respect to such retail licensee's interest in a business engaged in the manufacture or sale at wholesale of alcoholic beverages described in subdivision one-a of section one hundred one of this article: (i) such interest must have been acquired prior to the effective date of the chapter of the laws of two thousand twenty-two which added this subparagraph; (ii) such retail licensee may not purchase alcoholic beverages directly from any such manufacturer or wholesaler; and (iii) no more than fifteen percent of the annual dollar value of alcoholic beverages purchased by such retail licensee for sale on the premises may be produced by any such manufacturer.

§ 2. This act shall take effect immediately; provided, however, that the amendments to subparagraph (xvii) of paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law made by section one of this act shall not affect the repeal of such subparagraph and shall be deemed repealed therewith.