

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(B) of subparagraph (ii) of paragraph (a) of subdivision 1 of section 101 of the alcoholic beverage control law is REPEALED and a new clause (B) is added to read as follows: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

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

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

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

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

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

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

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

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

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

22 § 2. Subparagraph (ii) of paragraph (a) of subdivision 1 of section
23 101 of the alcoholic beverage control law is amended by adding a new
24 clause (B-1) to read as follows:

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

29 Commencing at the intersection of the northerly right-of-way Line of
30 University Avenue and the easterly right-of-way line of Culver Road;
31 thence southeasterly along the northerly right-of-way line of University
32 Avenue a distance of 1012.49 feet to the southwesterly most property
33 corner of lands now or formerly of University Avenue, LLC as laid forth
34 in Liber 11267 of deeds page 398; thence continuing southeasterly along
35 the northerly right-of-way line of University Avenue a distance of
36 391.30 feet to a point, said point being the true point and place of
37 beginning. Thence the following courses and distance:

38 1. Thence northerly making an interior angle turning to the left of
39 89°52'00" with said northerly right-of-way line of University Avenue a
40 distance of 174.75 feet to a point;

41 2. Thence easterly making an interior angle of 90°09'40" a distance of
42 21.70 feet to a point;

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

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

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

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

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

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

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

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

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

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

9 Being and hereby intending to describe a portion of an existing building
10 located at 1344 University Avenue Rochester, New York, having an area of
11 21,489 square feet or 0.493 acres.

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