

STATE OF NEW YORK

4051

2023-2024 Regular Sessions

IN ASSEMBLY

February 9, 2023

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

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

(xvii) All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being on the northerly side of Seneca Street in the city of Geneva, county of Ontario and state of New York, more particularly bounded and described as follows:

PARCEL 1

BEGINNING at a point in the northerly line of said Seneca street and distant one hundred eighteen and five-tenths (118.5) feet westerly, measured along said northerly line of Seneca Street, from the westerly line of Linden Street, as at present monumented by the city of Geneva; thence running (1) northerly at an angle in the northwest quadrant of ninety (90) degrees, sixteen (16) minutes with the northerly line of Seneca Street a distance of one hundred ninety-two and five-tenths (192.5) feet, more or less, to a point in the old line fence, which point is the northeasterly corner of the premises; thence running (2) westerly along said old line fence at an angle in the northwest quadrant of eighty-five (85) degrees, fifty-two (52) minutes with the line fence herein described a distance of seventy-eight and two-tenths (78.2) feet to a point; thence running (3) northerly at an angle in the northeast quadrant of ninety-four (94) degrees, four (4) minutes with the last

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

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described course and along a jog in said fence a distance of three and five-tenths (3.5) feet, more or less, to a point; thence running (4) westerly and continuing along said old fence line a distance of eleven and five-tenths (11.5) feet, more or less, to a point, which point is the northwest corner of the premises, and running thence (5) in a southerly direction a distance of two hundred two (202) feet, more or less, to the northerly line of said Seneca Street, as now monumented, which point is the southwest corner of the premises, and running thence (6) along the northerly line of said Seneca Street a distance of eighty-nine and seven-tenths (89.7) feet to the point or place of beginning.

PARCEL 2

All that certain lot, piece or parcel of land situate in the city of Geneva, County of Ontario and state of New York, more particularly bounded and described as follows:

Commencing at a point in the east line of lands of Agnes Dempsey Doxsee, said point being one foot south of the south wall of the present barn now on said land, and running thence southerly about twenty-nine (29) feet, more or less, to the north line of the lands of the S-G Theatre Corporation; thence westerly along the north line of the land of the S-G Corporation thirty-three (33) feet to a point; thence northerly and parallel with the first course hereof and along the westerly line of the lands of Agnes Dempsey Doxsee to a point; which point if measured in a straight line east and west would be one (1) foot south of the south line of the present barn; thence easterly thirty-three (33) feet to the place of beginning.

Being the same premises shown on a map of a survey prepared by William J. Newton, L.S. dated January 15, 1975 (Survey No. 74-202-C) filed in the Ontario County Clerk's office.

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

(xix) All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being on the northerly side of Seneca Street in the city of Geneva, county of Ontario and state of New York, more particularly bounded and described as follows:

PARCEL 1

BEGINNING at a point in the northerly line of said Seneca street and distant one hundred eighteen and five-tenths (118.5) feet westerly, measured along said northerly line of Seneca Street, from the westerly line of Linden Street, as at present monumented by the city of Geneva; thence running (1) northerly at an angle in the northwest quadrant of ninety (90) degrees, sixteen (16) minutes with the northerly line of Seneca Street a distance of one hundred ninety-two and five-tenths (192.5) feet, more or less, to a point in the old line fence, which point is the northeasterly corner of the premises; thence running (2) westerly along said old line fence at an angle in the northwest quadrant of eighty-five (85) degrees, fifty-two (52) minutes with the line fence herein described a distance of seventy-eight and two-tenths (78.2) feet to a point; thence running (3) northerly at an angle in the northeast quadrant of ninety-four (94) degrees, four (4) minutes with the last described course and along a jog in said fence a distance of three and five-tenths (3.5) feet, more or less, to a point; thence running (4) westerly and continuing along said old fence line a distance of eleven and five-tenths (11.5) feet, more or less, to a point, which point is the northwest corner of the premises, and running thence (5) in a south-

erly direction a distance of two hundred two (202) feet, more or less, to the northerly line of said Seneca Street, as now monumented, which point is the southwest corner of the premises, and running thence (6) along the northerly line of said Seneca Street a distance of eighty-nine and seven-tenths (89.7) feet to the point or place of beginning.

PARCEL 2

All that certain lot, piece or parcel of land situate in the city of Geneva, County of Ontario and state of New York, more particularly bounded and described as follows:

Commencing at a point in the east line of lands of Agnes Dempsey Doxsee, said point being one foot south of the south wall of the present barn now on said land, and running thence southerly about twenty-nine (29) feet, more or less, to the north line of the lands of the S-G Theatre Corporation; thence westerly along the north line of the land of the S-G Corporation thirty-three (33) feet to a point; thence northerly and parallel with the first course hereof and along the westerly line of the lands of Agnes Dempsey Doxsee to a point; which point if measured in a straight line east and west would be one (1) foot south of the south line of the present barn; thence easterly thirty-three (33) feet to the place of beginning.

Being the same premises shown on a map of a survey prepared by William J. Newton, L.S. dated January 15, 1975 (Survey No. 74-202-C) filed in the Ontario County Clerk's office.

§ 3. This act shall take effect immediately.