

STATE OF NEW YORK

4999

2023-2024 Regular Sessions

IN SENATE

February 21, 2023

Introduced by Sen. HELMING -- 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 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:

1 Section 1. Paragraph (a) of subdivision 1 of section 101 of the alco-
2 holic beverage control law is amended by adding a new subparagraph
3 (xvii) to read as follows:

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

9 PARCEL 1

10 BEGINNING at a point in the northerly line of said Seneca street and
11 distant one hundred eighteen and five-tenths (118.5) feet westerly,
12 measured along said northerly line of Seneca Street, from the westerly
13 line of Linden Street, as at present monumented by the city of Geneva;
14 thence running (1) northerly at an angle in the northwest quadrant of
15 ninety (90) degrees, sixteen (16) minutes with the northerly line of
16 Seneca Street a distance of one hundred ninety-two and five-tenths
17 (192.5) feet, more or less, to a point in the old line fence, which
18 point is the northeasterly corner of the premises; thence running (2)
19 westerly along said old line fence at an angle in the northwest quadrant
20 of eighty-five (85) degrees, fifty-two (52) minutes with the line fence
21 herein described a distance of seventy-eight and two-tenths (78.2) feet
22 to a point; thence running (3) northerly at an angle in the northeast

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

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1 quadrant of ninety-four (94) degrees, four (4) minutes with the last
2 described course and along a jog in said fence a distance of three and
3 five-tenths (3.5) feet, more or less, to a point; thence running (4)
4 westerly and continuing along said old fence line a distance of eleven
5 and five-tenths (11.5) feet, more or less, to a point, which point is
6 the northwest corner of the premises, and running thence (5) in a south-
7 erly direction a distance of two hundred two (202) feet, more or less,
8 to the northerly line of said Seneca Street, as now monumented, which
9 point is the southwest corner of the premises, and running thence (6)
10 along the northerly line of said Seneca Street a distance of eighty-nine
11 and seven-tenths (89.7) feet to the point or place of beginning.

12 PARCEL 2

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

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

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

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

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

38 PARCEL 1

39 BEGINNING at a point in the northerly line of said Seneca street and
40 distant one hundred eighteen and five-tenths (118.5) feet westerly,
41 measured along said northerly line of Seneca Street, from the westerly
42 line of Linden Street, as at present monumented by the city of Geneva;
43 thence running (1) northerly at an angle in the northwest quadrant of
44 ninety (90) degrees, sixteen (16) minutes with the northerly line of
45 Seneca Street a distance of one hundred ninety-two and five-tenths
46 (192.5) feet, more or less, to a point in the old line fence, which
47 point is the northeasterly corner of the premises; thence running (2)
48 westerly along said old line fence at an angle in the northwest quadrant
49 of eighty-five (85) degrees, fifty-two (52) minutes with the line fence
50 herein described a distance of seventy-eight and two-tenths (78.2) feet
51 to a point; thence running (3) northerly at an angle in the northeast
52 quadrant of ninety-four (94) degrees, four (4) minutes with the last
53 described course and along a jog in said fence a distance of three and
54 five-tenths (3.5) feet, more or less, to a point; thence running (4)
55 westerly and continuing along said old fence line a distance of eleven
56 and five-tenths (11.5) feet, more or less, to a point, which point is

1 the northwest corner of the premises, and running thence (5) in a south-
2 erly direction a distance of two hundred two (202) feet, more or less,
3 to the northerly line of said Seneca Street, as now monumented, which
4 point is the southwest corner of the premises, and running thence (6)
5 along the northerly line of said Seneca Street a distance of eighty-nine
6 and seven-tenths (89.7) feet to the point or place of beginning.

7 PARCEL 2

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

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

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

25 § 3. This act shall take effect immediately.