

STATE OF NEW YORK

11386--A

IN ASSEMBLY

May 15, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. P. Carroll)
-- read once and referred to the Committee on Local Governments --
committee discharged, bill amended, ordered reprinted as amended and
recommitted to said committee

AN ACT in relation to authorizing the town of Clarkstown in Rockland
county to alienate certain lands used as parklands for the purposes of
installing a cellular tower

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

1 Section 1. (a) Subject to the provisions of this act, the town of
2 Clarkstown, in the county of Rockland, acting by and through its govern-
3 ing body and upon such terms and conditions as determined by such board
4 is hereby authorized to discontinue as parklands and to lease at fair
5 market value to Homeland Towers LLC for a term not to exceed thirty
6 years, the lands more particularly described in section two of this act
7 for the placement and operation of a wireless communication tower.

8 (b) All proceeds from such lease shall be used for capital improve-
9 ments to existing park and recreational facilities and/or for the acqui-
10 sition of additional park and recreational facilities.

11 § 2. The parklands authorized by section one of this act to be leased
12 are described as follows:

13 All that tract or parcel of land being a Proposed Alienation Parcel
14 situate in the Town of Clarkstown, County of Rockland and State of New
15 York; being bounded and described as follows:

16 Beginning at the northwest corner of said Proposed Alienation Parcel,
17 said point being North 83°38'58" East a distance of 324.65 feet from the
18 northwest corner of lands of the Town of Clarkstown (Instrument No.
19 2020-00000341), being on the easterly bounds of Brewery Road; running
20 thence North 83°38'58" East along the northerly bounds of lands of Town
21 of Clarkstown (Instrument No. 2020-00000341) a distance of 119.06 feet
22 to a point; running thence along the easterly, southerly and westerly
23 bounds of said Proposed Alienation Parcel, through the lands of Town of
24 Clarkstown (Instrument No. 2020-00000341), the following three courses
25 and distances:

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

LBD15903-02-6

- 1 1) South 06°21'02" East 80.00 feet;
- 2 2) South 83°38'58" West 119.06 feet;
- 3 3) North 06°21'01" West 80.00 feet;

4 to the point of beginning. Containing 0.219 acre of land.

5 § 3. Should the lands described in section two of this act cease to be
6 used for the purposes described in section one of this act, the lease
7 shall terminate and those lands shall revert to the town of Clarkstown
8 for public park and recreational purposes. At the time of such rever-
9 sion, the removal of such wireless communication tower shall take place
10 and the property shall be returned to its previous state, consistent
11 with park and recreational purposes.

12 § 4. In the event that the town of Clarkstown received any funding
13 support or assistance from the federal government for the purchase,
14 maintenance or improvement of the parklands set forth in section two of
15 this act, the discontinuance and alienation of such parkland authorized
16 by the provisions of this act shall not occur until the town of Clarks-
17 town has complied with any federal requirements pertaining to the alien-
18 ation or conversion of parklands, including satisfying the secretary of
19 the interior that the alienation or conversion complies with all condi-
20 tions which the secretary of the interior deems necessary to assure the
21 substitution of other lands shall be equivalent in fair market value and
22 usefulness to the lands being alienated or converted.

23 § 5. This act shall take effect immediately.