STATE OF NEW YORK

7711

2025-2026 Regular Sessions

IN SENATE

May 1, 2025

Introduced by Sen. O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the alcoholic beverage control law, in relation to an exemption for certain property from the prohibition of alcohol sales within a certain distance from a church

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

Section 1. Subdivision 7 of section 64 of the alcoholic beverage control law is amended by adding a new paragraph (e-17) to read as follows:

(e-17) Notwithstanding the provisions of paragraph (a) of this subdivision, the authority may issue a retail license for on-premises consumption for a premises which shall be located within two hundred feet of a building occupied exclusively as a school, church, synagogue or other place of worship, provided such premises constitutes a premises for the sale of food or beverages at retail for consumption on the premises located wholly within the boundaries of the village of Hammondsport, county of Steuben, bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND situated in the Village of Hammondsport, County of Steuben, and State of New York, being bounded and described as follows: commencing at a point on the centerline of Shethar Street, said point also being the northwest corner of lands now or formerly of Jensen and Clark (L 1058/ P 806), thence along lands of said Jensen and Clark S 04°32'09" W a distance of 98.55 feet to a point; thence further along said Jensen and Clark S 10°45'51" W a distance of 26.25 feet to a point; thence further along said Jensen and Clark S 14°11'46" W a distance of 19.72 feet; thence further along said Jensen and Clark S 09°16'39" W a distance of 34.64 feet to a 5/8" rebar; thence along lands now or formerly of Pennise (L 1137/ P 246 & L 1137/ P 248), N 83°21'00" W a distance of 22.94 feet to a 5/8" rebar; thence along

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

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lands now or formerly of Warner (L 998/ P 1000), the following eight courses and distances for the west line of the ground floor of the premises:

1. N 05°03'14" E a distance of 53.23 feet to a point; thence
2. N 06°23'07" E a distance of 26.30 feet to a point; thence
3. S 84°53'38" E a distance of 8.00 feet to a point; thence
4. N 04°39'53" E a distance of 9.75 feet to a point; thence
5. N 85°20'07" W a distance of 4.00 feet to a point; thence
6. N 04°39'53" E a distance of 11.00 feet to a point; thence
7. S 85°20'07" E a distance of 4.00 feet to a point; thence
8. N 04°14'32" E a distance of 76.20 feet to a point located on the centerline of Shethar Street and, commencing at the same point as the course number one (No. 1) hereinabove, the following five courses and distances for the west line of the second floor of the premises:

1. N 05°03'14" E a distance of 53.23 feet to a point; thence
2. N 06°23'07" E a distance of 26.30 feet to a point; thence
3. S 84°53'38" E a distance of 8.00 feet to a point; thence
4. N 04°39'53" E a distance of 20.75 feet to a point; thence
5. N 04°14'32" E a distance of 76.20 feet to a point located on the centerline of Shethar Street, said point being the same centerline point referred to in course number eight (No. 8) hereinabove; thence along the centerline of Shethar Street S 88°52'51" E a distance of 23.00 feet to the point and place of beginning. Containing an area of 0.100 acres.

ALL AS MORE FULLY SHOWN on a survey map entitled "Plan of Lands to be Conveyed to 41 Shethar Street, LLC", prepared by Gilbert Land Surveying Services, Job No. GLS-707, dated February 4, 2010, said map to be filed in the Steuben County Clerk's Office contemporaneously herewith.

Together with an easement for the use and maintenance of the water pipe or the water main under Shethar Street through the north wall of the premises, immediately adjoining on the west of the premises hereby conveyed, and the connection which then runs through the west cellar wall of the premises hereby conveyed. There is also an easement in connection with the use of soil pipe from toilets across the basement of the building immediately adjoining on the west of the above described premises and running to a cesspool. Together with the easement and right to enter upon the premises immediately adjoining on the west of the above described premises for the purpose of inspecting, repairing, and maintaining adequate water supply from said water main and to the premises hereby conveyed, and also to repair and maintain the soil pipe in the event the adjoining owners fail to do so. The wall now situated on the west side of the premises hereby conveyed which runs north and south, is a party wall, and the maintenance shall be done equally by each adjoining owner. The roof on the entire structure also is considered as a party roof as to that portion which covers the party wall aforesaid.

Together with the stairway easement for ingress and egress by means of the stairway in the easterly side of the said premises immediately adjoining on the west of the premises hereby conveyed.

Together with the right of way and the right to travel on foot and with teams and vehicles over the alleyway and 12 feet of the right of way leading from Shethar Street and along the west side of the Town Hall, and former Fire House and then easterly along the rear of the buildings to the east line of the premises hereby conveyed.

TOGETHER WITH AND SUBJECT TO the rights of the public in and to lands within any public street, any and all easements, oil and gas leases,

restrictions and right(s) of way of record, as the same may affect said premises.

BEING THE SAME PREMISES conveyed to the STEVENS LIVING TRUST from James H. Stevens by Deed dated June 9, 2000 and recorded in the Steuben County Clerk's Office on June 12, 2000 in Liber 1662 of Deeds at Page 176.

§ 2. This act shall take effect immediately.