

# 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:

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

4 (e-17) Notwithstanding the provisions of paragraph (a) of this subdivi-  
5 vision, the authority may issue a retail license for on-premises  
6 consumption for a premises which shall be located within two hundred  
7 feet of a building occupied exclusively as a school, church, synagogue  
8 or other place of worship, provided such premises constitutes a premises  
9 for the sale of food or beverages at retail for consumption on the prem-  
10 ises located wholly within the boundaries of the village of Hammonds-  
11 port, county of Steuben, bounded and described as follows:

12 ALL THAT TRACT OR PARCEL OF LAND situated in the Village of Hammonds-  
13 port, County of Steuben, and State of New York, being bounded and  
14 described as follows: commencing at a point on the centerline of Shethar  
15 Street, said point also being the northwest corner of lands now or  
16 formerly of Jensen and Clark (L 1058/ P 806), thence along lands of said  
17 Jensen and Clark S 04°32'09" W a distance of 98.55 feet to a point;  
18 thence further along said Jensen and Clark S 10°45'51" W a distance of  
19 26.25 feet to a point; thence further along said Jensen and Clark S  
20 14°11'46" W a distance of 19.72 feet; thence further along said Jensen  
21 and Clark S 09°16'39" W a distance of 34.64 feet to a 5/8" rebar; thence  
22 along lands now or formerly of Pennise (L 1137/ P 246 & L 1137/ P 248),  
23 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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1 lands now or formerly of Warner (L 998/ P 1000), the following eight  
2 courses and distances for the west line of the ground floor of the prem-  
3 ises:

4 1. N 05°03'14" E a distance of 53.23 feet to a point; thence

5 2. N 06°23'07" E a distance of 26.30 feet to a point; thence

6 3. S 84°53'38" E a distance of 8.00 feet to a point; thence

7 4. N 04°39'53" E a distance of 9.75 feet to a point; thence

8 5. N 85°20'07" W a distance of 4.00 feet to a point; thence

9 6. N 04°39'53" E a distance of 11.00 feet to a point; thence

10 7. S 85°20'07" E a distance of 4.00 feet to a point; thence

11 8. N 04°14'32" E a distance of 76.20 feet to a point located on the  
12 centerline of Shethar Street and, commencing at the same point as the  
13 course number one (No. 1) hereinabove, the following five courses and  
14 distances for the west line of the second floor of the premises:

15 1. N 05°03'14" E a distance of 53.23 feet to a point; thence

16 2. N 06°23'07" E a distance of 26.30 feet to a point; thence

17 3. S 84°53'38" E a distance of 8.00 feet to a point; thence

18 4. N 04°39'53" E a distance of 20.75 feet to a point; thence

19 5. N 04°14'32" E a distance of 76.20 feet to a point located on the  
20 centerline of Shethar Street, said point being the same centerline point  
21 referred to in course number eight (No. 8) hereinabove; thence along the  
22 centerline of Shethar Street S 88°52'51" E a distance of 23.00 feet to  
23 the point and place of beginning. Containing an area of 0.100 acres.

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

28 Together with an easement for the use and maintenance of the water  
29 pipe or the water main under Shethar Street through the north wall of  
30 the premises, immediately adjoining on the west of the premises hereby  
31 conveyed, and the connection which then runs through the west cellar  
32 wall of the premises hereby conveyed. There is also an easement in  
33 connection with the use of soil pipe from toilets across the basement of  
34 the building immediately adjoining on the west of the above described  
35 premises and running to a cesspool. Together with the easement and right  
36 to enter upon the premises immediately adjoining on the west of the  
37 above described premises for the purpose of inspecting, repairing, and  
38 maintaining adequate water supply from said water main and to the prem-  
39 ises hereby conveyed, and also to repair and maintain the soil pipe in  
40 the event the adjoining owners fail to do so. The wall now situated on  
41 the west side of the premises hereby conveyed which runs north and  
42 south, is a party wall, and the maintenance shall be done equally by  
43 each adjoining owner. The roof on the entire structure also is consid-  
44 ered as a party roof as to that portion which covers the party wall  
45 aforesaid.

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

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

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

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

3 BEING THE SAME PREMISES conveyed to the STEVENS LIVING TRUST from  
4 James H. Stevens by Deed dated June 9, 2000 and recorded in the Steuben  
5 County Clerk's Office on June 12, 2000 in Liber 1662 of Deeds at Page  
6 176.

7 § 2. This act shall take effect immediately.