

MEMORANDUM

ASSEMBLY BILL #
SENATE BILL #

BY: ANDREW W. RYAN, JR.
BY: RONALD STAFFORD

AN ACT to amend the executive law,
in relation to Adirondack Park
Agency project review
jurisdiction

PURPOSE: To modify those provisions of the Adirondack Private Land Use Plan concerning gifts, devise and inheritances.

SUMMARY OF PROVISIONS: This bill would amend paragraph c of subdivision one of section eight hundred eleven of the executive law, as added by chapter three hundred forty-eight of the laws of nineteen hundred seventy-three.

JUSTIFICATION: The law presently provides that mere division of land resulting from gifts, devise and inheritances shall not be subject to review by the Adirondack Park Agency. The development on such sites are reviewed by the Agency although they are exempt from the overall intensity guidelines and minimum lot size criteria of Class B regional projects for the purpose of construction of a one single family dwelling or mobile home.

There is no good reason why the development of these lots should be subject to review by the Agency since they are exempt from the density and minimum lot size criteria and only for the purpose of building a single family dwelling or mobile home.

FISCAL IMPLICATION: Local - increase the tax base
State - None

EFFECTIVE DATE: IMMEDIATE

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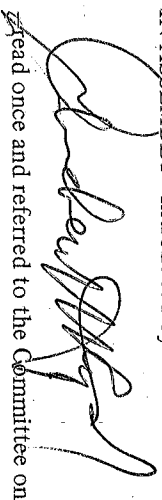
IN SENATE—Introduced by Sen.



—read twice and ordered printed, and when printed to be committed to the Committee on

ASSEMBLY

IN ASSEMBLY—Introduced by M. of A.



—read once and referred to the Committee on

AN ACT

to amend the executive law, in relation to Adirondack park agency project review jurisdiction

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

IN ASSEMBLY

The Members of the Assembly whose names are circled below wish to join me in the sponsorship of this proposal:

| | | | | | | | |
|------------|-----------|-----------|---------------|--------------|--------------|-----------|----------|
| Abramson | Daly | Flack | Hawley | Lee | Montano | Schmidt | Vann |
| Amatucci | D'Amato | Flanagan | Healey | Lehner | Murphy, G.A. | Schumer | Velella |
| Barbaro | D'Andrea | Fortune | Hecht | Lentol | Murphy, M.J. | Sears | Virgilio |
| Betros | Dearie | Fremming | Henderson | Levy | Murphy, T.J. | Serrano | Walsh |
| Bianchi | DelliBovi | Frey | Herbst | Lewis | Nicolosi | Sharoff | Wemple |
| Blumenthal | Del Toro | Gazzara | Hevesi | Lill | Nine | Siegel | Weprin |
| Brewer | DeSalvio | Goodhue | Hinchey | Lisa | O'Neil | Silverman | Wertz |
| Brown | DiCarlo | Gorski | Hochberg | Lopresto | Orazio | Solomon | Yevoli |
| Burns | DiFalco | Gottfried | Hochbrueckner | Mannix | Passannante | Stavisky | Zagame |
| Burrows | Diggs | Graber | Hoyt | Marchiselli | Pesce | Stein | Zimmer |
| Calogero | Dokuchitz | Grannis | Hurley | Margiotta | Posner, H.A. | Steingut | |
| Caputo | Duryea | Greco | Izard | Marshall | Posner, S. | Stephens | |
| Cincotta | Dwyer | Griffin | Jonas | McCabe | Rappleyea | Stott | |
| Cochrane | Emery | Griffith | Kelleher | Mega | Reilly | Strelzin | |
| Connelly | Esposito | Gunning | Kidder | Miller, G.W. | Riford | Suchin | |
| Connor | Eve | Haley | Koppell | Miller, H.J. | Robach | Sullivan | |
| Cook, C.D. | Farrell | Hamilton | Kremer | Miller, H.M. | Roosa | Tallon | |
| Cook, D.W. | Ferris | Hanna | Landes | Miller, M.H. | Ross | Taylor | |
| Cooperman | Field | Harenberg | Lane | Mirto | Runyon | Thorp | |
| Culhane | Fink | Harris | Lasher | Molinari | Ryan | Tills | |

Assembly Introducer's signature

IN SENATE

The Senators whose names are circled below wish to join me in the sponsorship of this proposal:

| | | |
|-----------|-----------|--------------|
| Anderson | Goodman | Ohrenstein |
| Auer | Gordon | Owens |
| Barclay | Griffin | Padavan |
| Beatty | Halperin | Paterson |
| Bellamy | Hudson | Perry |
| Bernstein | Isabella | Pisani |
| Bloom | Johnson | Present |
| Bronston | Knorr | Rolison |
| Burstein | Leichter | Ruiz |
| Caemmerer | Levy | Santucci |
| Calandra | Lewis | Schermerhorn |
| Conklin | Lombardi | Smith, B.C. |
| Donovan | Marchi | Smith, W.T. |
| Dunne | Marino | Stafford |
| Eckert | Mason | Straub |
| Flynn | McCall | Tauriello |
| Galiber | McFarland | Trunzo |
| Garcia | Meyerson | Volker |
| Giuffreda | Moore | Warder |
| Gold | Nolan | Winikow |

Senate Introducer's signature

Section 1. Paragraph c of subdivision one of section eight hundred eleven of the executive law, as added by chapter three hundred forty-eight of the laws of nineteen hundred seventy-three, is hereby amended to read as follows:

c. Gifts, devises and inheritances. The mere division of land resulting from bona fide gift, devise or inheritance by and from natural persons [shall not be subject to review by the agency. New] and new land use or development on lots, parcels or sites conveyed by individuals, who on the date that this act shall become law own such land, to members of their immediate families by bona fide gift, devise or inheritance[,] shall not be subject to review by the agency and shall be exempt from the overall intensity guidelines and the minimum lot size criteria specified in the class B regional project lists for the purpose of constructing one single family dwelling or mobile home on any such lot, parcel or site.

§ 2. This act shall take effect immediately.