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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The People of the State of New York, represented in Senate nd Assembly, do enact as follows:			oject review jurisdic	AN ACT amend the executive la tion to Adirondack park		IN ASSEMBLY-Introduced by M. of A.	ASSEMBLY		ad twice and ordered pnmitted to the Committe	SENATE-Introduced by Sen.
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	The Membe	ers of the Assembly w	IN ASSEM		ne sponsorship of this prop	posal:			IN SENATE sare circled below wish t	o join me in the sponsorship
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Assembly Introducer's signature

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Senate Introducer's signature

25:3:6

BD8-351

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] <u>and new</u> 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[,] <u>shall not be subject to review by the agency and</u> 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.