



NEW YORK STATE SENATOR

Jack M. Martins

Senate Approves Senator Martins' Legislation to Protect Long Island Communities

JACK M. MARTINS June 17, 2016

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Senator Jack M. Martins (R-7th Senate District) announced that the New York State Senate passed legislation he sponsored to help protect Long Island communities. The legislation (S8037) would repeal a provision of law that gives the MTA virtually unchecked authority to disregard local zoning codes.

"The MTA should not have a blank check to come into a community and build whatever it wants for virtually any purpose, regardless of the will of the community. Repealing this authority is an important step to protecting our communities' ability to regulate their land use for the benefit of their residents, without impacting the MTA's existing ability to provide important services," said Senator Martins.

Historically, when the MTA wanted to build on its property, the improvement had to be directly related to transportation purposes, such as providing or maintaining services or operations. Language included in this year's State Budget greatly expanded the definition of "transportation purposes" to include any purpose that directly or indirectly supports the MTA's mission, which can now mean simply raising revenue.

While the current MTA administration has apparently pledged not to deviate from its existing practices, our local communities should not depend on the good will of the MTA on something as important as this.

Peter A. Baynes, Executive Director of the New York State Conference of Mayors and Municipal Officials (NYCOM), stated: "The law that was adopted as part of the State Budget threatened to undermine local land use control and compromise the existing character of those communities in the MTA region. Senator Martins clearly understands the importance of home rule and ensuring that local officials maintain the authority and discretion to make decisions that are in the best interest of their cities, villages and towns. We applaud his efforts, and the efforts of those who took the time to voice their concerns. By passing legislation to repeal this provision, the State Legislature has taken the first step to remedy this issue. We can only hope the Governor will complete the process by signing this bill into law."

The legislation has also been passed by the Assembly and will be sent to Governor Cuomo for consideration.