

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 7:00 a.m. to 5:00 p.m., at:

1-800-221-9311 (In New York State)
(518) 270-2200 (Outside New York State)

or visit our web site at:
www.osc.state.ny.us

Claims for abandoned property must be filed with the New York State Comptroller's Office of Unclaimed Funds as provided in Section 1406 of the Abandoned Property Law. For further information contact: Office of the State Comptroller, Office of Unclaimed Funds, 110 State St., Albany, NY 12236

PUBLIC NOTICE Department of Civil Service

PURSUANT to the Open Meetings Law, the New York State Civil Service Commission hereby gives public notice of the following:

Please take notice that the regular monthly meeting of the State Civil Service Commission for September 2003 will be conducted on September 15 commencing at 10:00 a.m. and September 16 commencing at 10:00 a.m. This meeting will be conducted in the Commission Conference Rm., 2nd Fl., Dept. of Civil Service, Bldg. 1, State Campus, Albany, NY.

For further information contact: Office of Commission Operations, Department of Civil Service, State Campus, Bldg. 1, Albany, NY 12239, (518) 457-2575

PUBLIC NOTICE Department of Environmental Conservation

Pursuant to Section 19-0301(1)(a) of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives notice of an EXTENSION OF COMMENT PERIOD FROM AUGUST

29, 2003 TO SEPTEMBER 12, 2003 AT 5:00 P.M. for amendments to the following proposed rulemaking:

6 NYCRR Part 227, Stationary Combustion Installations, Subpart 227-2, Reasonably Available Control Technology (RACT) for Oxides of Nitrogen (NO_x); and Part 201, Permits and Registrations, Subpart 201-3, Exemptions and Trivial Activities

The changes proposed for 6 NYCRR Subpart 201-3 and Subpart 227-2 would reduce the emission limits for several types of stationary internal combustion engines. This proposed rule making marks a sustained series of actions undertaken by New York State (NYS), in concert with EPA and other states, to control emissions of oxides of nitrogen (NO_x) and volatile organic compounds (VOCs), so that NYS may attain the National Ambient Air Quality Standard (NAAQS) for ozone. The NO_x SIP will be revised to include the changes to 6 NYCRR Subpart 201-3 and Subpart 227-2.

Information concerning Subpart 201-3 and Subpart 227-2 may be obtained from Michael Jennings, NYSDEC, Division of Air Resources, 625 Broadway, Albany, NY 12233-3254, telephone: (518) 402-8403; email, mxjennin@gw.dec.state.ny.us.

The Department invites all persons, organizations, corporations, and government agencies affected by the proposed rulemaking to submit written statements for the record. A cumulative record will be compiled of all statements. Written statements may be submitted until 5:00 p.m., September 12, 2003.

PUBLIC NOTICE

Department of State
F-2003-0559 DA

Date of Issuance - September 3, 2003

The New York State Department of State (DOS) is required by Federal law to provide timely public notice for the activity described below, which is subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The Department of the U.S. Army Reserve has determined that the proposed activity complies with and will be conducted in a manner consistent to the maximum extent practicable with the approved New York State Coastal Management Program. The consistency determination and accompanying public information and data is available for inspection at the New York State Department of State offices located at 41 State Street in Albany, New York.

In F-2003-0559 DA, the U.S. Army Reserve is proposing to upgrade existing storm system, including the installation of four storm water treatment units and three tideflex backflow prevention valves.

The project is located in the Little Neck Bay, Town of Bayside, Queens County.

Any interested parties and/or agencies desiring to express their views concerning the above proposed activity may do so by filing their comments, in writing, no later than 4:30 p.m., **15 days from the date of publication of this notice, or September 18, 2003.**

Comments should be addressed to the Division of Coastal Resources and Waterfront Revitalization, New York State Department of State, 41 State Street, Albany, New York 12231. Telephone (518) 474-6000; fax (518) 473-2464.

This notice is promulgated in accordance with Section 306(d)(14) of the Federal Coastal Zone Management Act of 1972, as amended.

PUBLIC NOTICE

Department of State
F-2003-0635

Date of Issuance - September 3, 2003

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program. The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at 41 State Street in Albany, New York.

In F-2003-0635, Joseph Molina, III, P.E. (on behalf of the Booth Oil Site Administrative Group) Blasland, Bouck & Lee, Inc., 155 Corporate Woods, Suite 150, Rochester, New York 14623-1465, is proposing the removal of approximately 55 cubic yards of sediment from the top one foot of an approximate 30 ft. by 50 ft. area near the east bank of the Little River, as part of the required remedial activities for the Booth Oil Site. Sediment removal will be accomplished using an excavator or clamshell bucket located on shore. A series of two anchored silt curtains will be installed around the perimeter of the sediment removal area to limit the potential for sediment migration during excavation. In addition, turbidity monitoring will be performed during and after excavation to evaluate the effectiveness of the silt curtains in limiting the potential for release of sediments from the dredging area. Removed sediments will be landfilled in an approved facility in accordance with applicable rules and regulations. The purpose of the activity is to remove contaminated sediments from the Little River in accordance with the New York State Department of Environmental Conservation's August 2002 Amended Record of Decision, and Blasland, Bouck & Lee, Inc.'s Remedial Design that was approved by the NYSDEC on June 23, 2003. The project is located at the Little River, City of North Tonawanda, Niagara County.

Any interested parties and/or agencies desiring to express their views concerning the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., **15 days from the date of publication of this notice, or September 18, 2003.**

Comments should be addressed to the Division of Coastal Resources and Waterfront Revitalization, New York State Department of State, 41 State Street, Albany, New York 12231. Telephone (518) 474-6000; fax (518) 473-2464.

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of Taxation and Finance
Interest Rates

Pursuant to the provisions of subsection (j) of section 697 of the Tax Law, the Commissioner of Taxation and Finance hereby sets the overpayment rate of interest for the purposes of said subsection for the months of October, November, and December 2003 at 3 percent per annum; and sets the underpayment rate of interest for the purposes of said subsection for the months of October, November, and December 2003 at 6 percent per annum. These rates are applicable to the New York State personal income tax (Article 22 of the Tax Law - except for rates of interest payable by or to an employer with respect to income taxes required to be withheld and paid over by the employer pursuant to Part V of such Article 22), unincorporated business income tax (Article 23 of the Tax Law), estate tax (Article 26 of the Tax Law), gift tax (Article 26-A of the Tax Law), generation-skipping transfer tax (Article 26-B of the Tax Law), the New York City resident income tax (Article 30 of the Tax Law, Chapter 17 of the New York City Administrative Code), the New York City nonresident earnings tax (Article 2-E of the General City Law, Chapter 19 of the New York City Administrative Code), the City of Yonkers resident income tax surcharge (Article 30-A of the Tax Law, Article IX of the Codes and Ordinances of the City of Yonkers) and the City of Yonkers nonresident earnings tax (Article 30-B of the Tax Law, Article X of the Codes and Ordinances of the City of Yonkers).

Pursuant to the provisions of subsection (e) of section 1096 of the Tax Law, the Commissioner of Taxation and Finance hereby sets the overpayment rate of interest for the purposes of said subsection for the months of October, November and December 2003 at 3 percent per annum; and sets the underpayment rate of interest for the purposes of said subsection for the months of October, November, and December 2003 at 6 percent per annum. These rates are applicable to the New York State corporation tax (Article 9 of the Tax Law), franchise tax on business corporations (Article 9-A of the Tax Law), franchise tax on state banks, trust companies, financial corporations and tax on savings and loan associations (Article 9-B of the Tax Law), tax on national banking associations and production credit associations (Article 9-C of the Tax Law), motor fuel and diesel motor fuel taxes (Article 12-A of the Tax Law), unrelated business income tax (Article 13 of the Tax Law), petroleum businesses tax (Article 13-A of the Tax Law), taxes on alcoholic beverages (Article 18 of the Tax Law), tax on beverage containers (Article 18-A of the Tax Law), taxes on boxing and wrestling exhibitions (Article 19 of the Tax Law), tax on cigarettes and tobacco products (Article 20 of the Tax Law), highway use tax (Article 21 of the Tax Law), interest payable by or to an employer with respect to income taxes required to be withheld and paid over by the employer pursuant to Part V of Article 22 of the Tax Law, tax on lubricating oil (Article 24 of the Tax Law), State and local sales and use taxes administered by the Commissioner of Taxation and Finance (Articles 28 and 29 of the Tax Law), special tax on passenger car rentals (Article 28-A of the Tax Law), real estate transfer tax (Article 31 of the Tax Law), tax on gains from real property transfers (Article 31-B of the Tax Law), franchise tax on banking corporations (Article 32 of the Tax Law), franchise taxes on insurance corporations (Article 33 of the Tax Law), tax on independently procured insurance (Article 33-A of the Tax Law), the special assessments on hazardous waste (section 27-0923 of the Environmental Conservation Law) and underpayments or overpayments of the mortgage recording tax (Article 11 of the Tax Law) in cities having a population of one million or more.

No underpayment rate set hereby shall be less than 6 percent per annum. The underpayment rate for taxes on beverage containers and for State and local sales and use taxes administered by the Commissioner of Taxation and Finance shall not be less than 14 percent per annum and the underpayment rate for taxes on lubricating oil shall not be less than 12 percent per annum. The underpayment rate for the special assessments on hazardous waste imposed by section 27-0923 of the Environmental Conservation Law shall be 15 percent.

For further information, including rates for previous periods, contact: Marilyn M. Kaltenborn, Director, Technical Services Division, Department of Taxation and Finance, State Campus, Albany, NY 12227, (518) 485-7820

PUBLIC NOTICE

Uniform Code Regional Boards of Review

Pursuant to 19 NYCRR 1205, the petitions below have been received by the Department of State for action by the Uniform Code Regional Boards of Review. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Roy Scott, Codes Division, Department of State, 41 State Street, Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2003-0523 Matter of LC White Plains, LLC, 115 Stevens Avenue, Valhalla, NY 10595 for a variance concerning fire safety requirements including smoke stops every 100 feet.

Involved are two 35-story residential buildings, with varying square footage, located at the intersection of Main and Mamaroneck Avenues, City of White Plains, County of Westchester, State of New York.

2003-0524 Matter of Target Corporation, 1000 Nicollet Mall, Minneapolis, MN 55403 for a variance concerning minimum roof slope for a thermoplastic single-ply membrane roof.

Involved is a one-story commercial building, with a square footage of approximately 120,000 square feet, located at Bedford Road and Preston Way, Mount Kisco, County of Westchester, State of New York.

2003-0535 Matter of Cavallo's Restaurant, c/o Thomas Cavallo, 40A Genesee Street, New Hartford, NY 13413 for a variance concerning a fire safety features and handicap accessibility pertaining to height and fire area, protection of wall openings, distance separations, enclosure of a kitchen, opening in fire separation and exit enclosure.

Involved is additions, conversion and alterations to a two-story (ordinary and wood frame construction) building of C5.2 (assembly) occupancy, located at 40A Genesee Street, Village of New Hartford, County of Oneida, State of New York.

2003-0536 Matter of Andrew J. Hannan, One Pond View Drive, Pittsford, New York 14534, for a variance with regard to requirements for plumbing fixtures, specifically the number of fixtures required in an area of public assembly. The subject building is known as Subway's, located at 669 Monroe Avenue, City of Rochester, County of Monroe, State of New York.

2003-0537 Matter of Todd Fischer, Exit 9 Self Storage, Inc., Equinox Companies, 116 Wolf Road, Albany, NY 12205 for a variance concerning access for the physically handicapped including the pitch of a ramp.

Involved is the construction of an addition to an existing building. The addition to the building is a C1 office occupancy, one story in height, of type 2a non-combustible construction, having a cumulative gross floor area of 7,200 square feet. The entire building is one story in

height and has a cumulative gross floor area of 17,200 square feet. The subject building known as The Rubin Dialysis Center, is located at 21 The Crossings Blvd., Town of Clifton Park, Saratoga County, State of New York.

2003-0538 Matter of Arthur C. Pakatar, Belmonte Builders, 1650 Route 9, Clifton Park, NY 12065 for a variance concerning dimensions for stair components.

Involved is the construction of a single family occupancy, two stories in height of type 5b wood frame construction, having a cumulative gross floor area of 4,630 square feet. The subject building is located at 41 Tyler Drive, Water's Edge, City of Saratoga Springs, Saratoga County, State of New York.

2003-0543 Matter of Jacob M. Hirsch, P.O. Box 31, Rushford, NY 14777 for a variance regarding sprinkler requirements in a building, located at 8874 SR 243, Town of Rushford, County of Allegany, State of New York.