

# 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 8:00 a.m. to 4:30 p.m., at:

1-800-221-9311  
or visit our web site at:  
[www.osc.state.ny.us](http://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 January 2010 will be conducted on January 13 and January 14 commencing at 10:00 a.m. This meeting will be conducted at New York Network, Suite 146, South Concourse, Empire State Plaza, Albany, NY. Directions and parking information available at ([www.nyn.suny.edu](http://www.nyn.suny.edu)).

*For further information, contact:* the Office of Commission Operations, Department of Civil Service, Alfred E. Smith State Office Building, Albany, NY 12239 (518) 473-6598

## PUBLIC NOTICE

Insurance Department

### Introduction

11 NYCRR Part 16 (Regulation 86) implements Article 63 of the New York Insurance Law. Article 63 authorizes insurers to write policies that are significant in dimension or exotic in nature as special risk insurance. An insurance company does not have to file rates and forms with the Insurance Department for policies written as special risk insurance. However, the rates and policy forms used for special risks still must comply with the governing standards set forth in the Insurance Law and regulations promulgated thereunder.

Pursuant to 11 NYCRR Part 16, "special risks" are specifically identified and categorized into two groups: Class 1 and Class 2. Class 2 includes coverages that are:

- (i) of an unusual nature, a high loss hazard, or difficult to place; and
- (ii) identified on the list set forth in Section 16.12(e) of Regulation 86 or additions thereto made pursuant to Section 16.8(f) of Regulation 86.

Section 16.8(f) establishes procedures for adding Class 2 risks to

the regulatory framework. Application may be made to the Superintendent to add a class to the list of eligible Class 2 risks enumerated in Section 16.12(e). If the Superintendent, after review of the application, determines that a class should be added to the list, it is published in the State Register, pursuant to Section 16.8(f)(3).

Additions to Class 2 risks are effective on the date specified in the Public Notice that is published in the State Register. The text of Regulation 86 is periodically amended to incorporate the Class 2 risks added via publication in the State Register.

### Notice of Change

Pursuant to Article 63 of the Insurance Law and Section 16.8(f) (3) of Regulation 86 (11 NYCRR Part 16), the Insurance Department hereby gives notice of the following change of statistical code designation 2-14196 for "Warehouseman's Liability" to statistical code designation 2-14205. The classification description is as follows:

Warehouseman's Liability – Coverage for the liability of a warehouse owner and/or operator for loss or damage to the lawful goods of others in their care, custody or control.

### Notice of Addition

Pursuant to Article 63 of the Insurance Law and Section 16.8(f) (3) of Regulation 86 (11 NYCRR Part 16), the Insurance Department hereby gives notice of the following addition to Section 16.12(e), Class 2 Risks, effective December 30, 2009.

The Statistical Code designation 2-14206 has been assigned to the classification "Auto/Boom Truck Operations". The classification description is as follows:

Auto/Boom Truck Operations/Liability-insurance policy providing both (i) commercial auto coverage with limits of liability that meet or exceed the minimum financial responsibility limits; and (ii) commercial general liability risks for owners, operators and lessors of self-propelled or "road ready" vehicles with articulated or telescopic arms, cranes or concrete pumpers permanently affixed. Includes liability coverage for operation of boom trucks where equipment was leased with (or without) the services of an operator. The policy shall provide separate and equal per occurrence limits of liability for the commercial auto liability coverage part and the commercial general liability coverage. In addition, any general policy aggregate limit of liability shall not be applicable to the policy's commercial auto coverage part or to the products/completed operations coverage part and the declarations page shall specifically so indicate.

*For further information, contact:* Buffy Cheung, Insurance Department, Property Bureau, 25 Beaver St., New York, NY 10004, at (212) 480-5587 or [bcheung@ins.state.ny.us](mailto:bcheung@ins.state.ny.us)

## PUBLIC NOTICE

Office of Mental Health

As a result of the enacted 2009-2010 State Deficit Reduction Legislation, the New York State Office of Mental Health will be changing its State Plan Amendment to reflect the elimination of the 2010 rate year trend factor for Article 31 Private Psychiatric Hospitals effective January 1, 2010.

**PUBLIC NOTICE****Susquehanna River Basin Commission  
Request for Qualifications (RFQ)**

The Susquehanna River Basin Commission (Commission) is seeking qualified contractors to perform Aquatic Resource Surveys on selected stream reaches within the boundaries of the Susquehanna River Basin. The Request for Qualifications (RFQ) is now available for download at no charge in PDF format from the Commission's website ([www.srbc.net](http://www.srbc.net)) under link "Request For Qualifications (ARS)." Sealed qualifications are due at Commission Headquarters, 1721 North Front Street, Harrisburg Pa., by 4:00 p.m., February 12, 2010. Questions regarding the RFQ can be directed to Erin Lynam at (717) 238-0423, ext. 226, or [elynam@srbc.net](mailto:elynam@srbc.net).

Dated: 12/15/2009  
Thomas W. Beauduy  
Deputy Director

**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 Steven Rocklin, Codes Division, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2009-0443 Matter of Anthony Cocca, Cocca Development, LTD, 100 Debartolo Place, Suite 400, Boardman, Oh 44512 for a variance concerning a sprinkler system in assembly occupancies over 99 persons occupant load.

Involved is the alteration of an existing one story building of ordinary construction with approximate gross floor area of 23,000 square feet, located at 8735 Niagara Falls Blvd., City of Niagara Falls, County of Niagara, State of New York.

2009-0453 Matter of Donald March, 116 Ridgewood Drive, Amherst, Ny 14226 for a variance concerning a sprinkler system in assembly occupancies over 99 persons occupant load.

Involved is the alteration of an existing one story building of ordinary construction with approximate gross floor area of 13,311 square feet, located at 6831 Seneca street, Town of Elma County of Erie, State of New York.

2009-0458 Matter of Signature Development; Rocco Termini, 489 Elicott Street, Buffalo, NY 14203 for a variance concerning openings in exterior walls on the property line.

Involved is the alteration and change of occupancy of an exiting five story building for use as permanent multiple dwelling occupancy, ordinary construction, with approximate gross floor area of 89,000 square feet, located at 369 Washington Street, City of Buffalo, County of Erie, State of New York.

**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 Steven Rocklin, Codes Division, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2009-0439 Matter of Johnson-Schmidt & Assoc., Elisa Johnson-Schmidt, 5 E. Market Street, Suite 304 Corning, NY 14830, for a vari-

ance concerning safety requirements, including a required sprinkler system in a building, located at 413 Lake Street, City of Elmira, County of Chemung, State of New York.

**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 Steven Rocklin, Codes Division, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2009-0418 Matter of Michaele & Paul Blanchet, 73 Sword Street, W. Babylon, NY 11704 for an appeal and or variances concerning fire safety requirements, including basement ceiling height limitations.

Involved is a one family residence, located at 73 Sword Street, Town of Babylon, Suffolk County, State of New York.

2009-0419 Matter of John Canning & Peter Trousdell, PO Box 140, Sea Cliff, Ny 11579 for an appeal and or variances concerning fire safety requirements, including the proximity of openings to a lot line.

Involved is a one family residence, located at 122 Maple Avenue, Incorporated village of Sea Cliff, Nassau County, State of New York.

2009-0449 Matter of George Johnson, 7 Seaman Avenue, Bethpage, NY 11714 for an appeal and or variances concerning fire safety requirements, including minimum distance separations.

Involved is an existing mixed use (commercial & residential) building, located at 7 Seaman Avenue, Town of Oyster Bay, Nassau County, State of New York.

2009-0450 Matter of George Johnson, 7 Seaman Avenue, Bethpage, NY 11714 for an appeal and or variances concerning fire safety requirements, including minimum separation distances.

Involved is an existing two family residence, located at 256-558 Broadway, Town of Oyster Bay, Nassau County, State of New York.

2009-0504 Matter of Kenneth Martin, K. A. Martin Engineer, PLLC, 412 Northern Pines Road, Ganesvoort, NY 12831, for a variance concerning fire safety issues including the maximum allowable building area for a shelter containing fuel storage tanks.

Involved is the construction of a shelter containing a H-3 High Hazard Occupancy, 1 story in height, of Type IIB (non-combustible) construction having a gross floor area of 6,400 square feet. The shelter is located on the property of the Pyrofax Energy Company Inc., 12 Knapp Hill Road, Town of Chester, Warren County, State of New York.

2009-0505 Matter of Michael Meyers, Sage Engineering Associates, 1211 Western Avenue, Albany, NY 12203 for a variance concerning fire safety issues including the code requirements for audible and visual fire alarms in buildings.

Involved is the alteration of an existing medical research facility in which the petitioner proposes to disable the audible alarm of a fire alarm system in selected portions of the building. The building contains a B (business) occupancy, is 5 stories in height of Type 1B (fire resistive) construction having a cumulative gross floor area of 162,000 square feet. The building is known as the Center for Medical Science and is located at 150 New Scotland Avenue, City of Albany, Albany County, State of New York.

2009-0506 Matter of Stephen F. Burke, 11 Clarendon Road, Albany, NY, for a variance concerning fire safety issues including the required distance to a interior lot line of the discharge flue of a direct vent gas furnace.

Involved is the renovation of a heating system in an existing home. The building contains a single family dwelling occupancy, is 2 stories in height of Type VB (combustible) construction, having a cumulative gross floor area of 2,500 square feet. The building is located at 11 Clarendon Road, City of Albany, Albany County, State of New York.

2009-0507 Matter of James T. Pollard, Principal, Reform Architecture, 323 Clinton St. Schenectady, NY 12305 for a variance concerning fire safety issues including the minimum number of exits required from the upper stories of a building.

Involved is the alteration of an existing building. The building contains a B (business) occupancy, is 3 stories in height, of Type 3B (ordinary) construction having a cumulative gross floor area of 29,000 square feet. The building is located at 411 State Street, City of Schenectady, Schenectady County, New York.

2009-0508 Matter of Richard LaRose, Principal, CS Architecture, 40 Beaver Street, Albany, NY 12207, for a variance concerning fire safety issues including the maximum allowable building area.

Involved is the construction of an addition to an existing middle school building that already exceeds the allowable building area permitted by the NYS Building Code. The petitioner seeks approval of the proposed non-compliant building area.

The building contains a E (educational) occupancy, is 2 stories in height, of Type IIB (non-combustible) construction, having a cumulative gross floor area of 134,000 square feet. The building is known as the Queensbury Middle School located at 455 Aviation Road, Town of Queensbury, Warren County, State of New York.

2009-0509 Matter of John Gieske, Global Foundries, 1050 E. Arques Avenue, Sunnyvale, CA 09485 for variances concerning public safety issues including the code requirement for fireproofing of the roof structure, maximum allowable travel distance to an exit and the requirement for direct discharge of ventilation air used in a HPM hazardous product manufacturing space.

Involved is the construction of a facility used for the manufacturing of semiconductors. The building contains an H-5 (Semiconductor fabrication facility) occupancy, 3 stories in height, of Type IIB (non-combustible) construction, having a cumulative gross floor area of 727,000 square feet. The building is located at 400 Stonebreak Rd. Ext., Town of Malta, Saratoga County, State of New York.

2009-0511 Matter of Matthew Di Caprio, 2028 Dobie Lane, Schenectady, NY 12303 for a variance concerning public safety issues including the code requirement for a compliant pool fence.

Involved is the construction of a swimming pool within the rear yard of an existing residence. The rear yard has an existing non-compliant fence. The building contains a single family dwelling occupancy, is 2 stories in height of Type VB (combustible) construction having a cumulative gross floor area of 3,600 square feet. The building is located at 2028 Dobie Lane, Town of Guilderland, Albany County, State of New York.

2009-0513 Matter of Johnson-Schmidt & Assoc, c/o Elise Johnson-Schmidt, 15 E. Market Street, Suite 304, Corning, NY 14 830, for a variance concerning safety requirements, including a required egress stair in a building, located at 66-68 West Market Street, City of Corning, County of Steuben, State of New York.

## 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 Steven Rocklin, Codes Division, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2009-0547 Matter of J&J Trucking, Inc., 95 Rapin Place, Buffalo, NY 14211 for a variance concerning: the sprinkler requirements in a one story warehouse.

Involved is the alteration and change of occupancy of an one story building for use as tire storage warehouse from an industrial occupancy, non-combustible construction with approximate gross floor area 270,000 square feet, located at 2010 Elmwood Avenue, City of Buffalo, County of Erie, State of New York.

2009-0553 Matter of Seneca One Realty, LLC., One HSBC Center, Suite 2800, Buffalo, NY 14203 for a variance concerning: exit door operation.

Involved is the alteration of a forty story building for business occupancy, fire resistive construction with approximate gross floor area 968,000 square feet, located at One HSBC Center, City of Buffalo, County of Erie, State of New York.

2009-0555 Matter of Cornell University, Robert L Stundtner, Ithaca, NY 14850, for a variance concerning safety requirements, including shaft enclosures and penetrations in the Olin Library, located on the Cornell University Campus, City of Ithaca, County of Tomkins, State of New York.

2009-0556 Matter of Bearsch Compeau Knudson Architects & Engineers, PC, Daniel j Whelan, 41 Chenago Street, Binghamton, NY 13901, for a variance concerning safety requirements, including allowable building area, in a building located at 15 Frederick Street, Village of Waverly, County of Tioga, State of New York.

2009-0558 Matter of Karla Fichter, 1010 Rockbeach Road, Rochester, NY 14617 for a variance concerning: swimming pool enclosure.

Involved is: the installation of an inground swimming pool in a one family dwelling, located 1010 Rockbeach Road, City of Rochester, County of Monroe, State of New York.

## 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 Steven Rocklin, Codes Division, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2009-461 Matter of Columbus Club, 1000 Marcus Ave., New Hyde Park, NY 11040 for an appeal and or variances concerning fire safety requirements, including locating equipment within a stairwell.

Involved is a public assembly building, located at 1000 Marcus Avenue, Town of North Hempstead, Nassau County, State of New York.

2009-0485 Matter of Edwin Seda, 1040 Terry Road, Ronkonkoma, NY 11779 for an appeal and or variances concerning fire safety requirements, including minimum ceiling height requirements.

Involved is an existing one family residence, located at 35 Stone Avenue, Town of Babylon, Suffolk County, State of New York.

2009-0494 Matter of Raul Atiencia, 30 Jefferson Ave., Lynbrook, NY 11563 for an appeal and or variances concerning fire safety requirements, including the minimum ceiling height in a basement.

Involved is a one family residence, located at 30 Jefferson Avenue, Incorporated Village of Lynbrook, Nassau County, New York.

2009-0499 Matter of Ralph J. Bavaro, 25 Foreston Circle, Manorville, NY 11949 for an appeal and or variances concerning fire safety requirements, including the minimum height of a guardrail and the graspability of a handrail.

Involved is an existing a one family residence, located at 25 Foreston Circle, Town of Brookhaven, Suffolk County, State of New York.

2009-0573 Matter of Moody-Nolan, Inc, Howard Blaidell, 300 Spruce Street, Suite 300, Columbus, OH 43215, for a variance concerning safety requirements, including pool alarms in a building located on the Ithaca College Campus, 953 Danyby Road, Town of Ithaca, County of Tomkins, State of New York.

2009-0576 Matter of Town of Alleganey Senior Center, 3790 Birch Road, Allegany, New York, 14706 for variances concerning building and fire safety requirements.

Involved is the construction of an addition to a building creating a building area greater than permitted, located at 3790 Birch Road, Allegany, New York, 14706, County of Cattaraugus, State of New York.

## 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 Steven Rocklin, Codes Division, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2009-0536 Matter of Clarence R. Banks, 25 Bowden Square, Southampton, NY 11968, for a variance concerning fire-safety requirements with the construction of new horse riding arena.

Involved is an exceeded building area for a building of a group U occupancy, approximately 9,200 square feet in area, one story in height of type VB construction, located at 4 Whispering Fields Court, Water Mill, Town of Southampton, Suffolk County, State of New York.

2009-0561 Matter of Sol Niogo Associates, 600 Hempstead Turnpike, West Hempstead, NY 11552, for a variance concerning accessibility requirements with the construction of an addition to an existing manufacturing facility.

Involved is the accessibility to a new approximately 8,020 square foot basement for a building of a group F2 occupancy, 1 story in height, approximately 43,994 square feet in area, of type IIB construction, located at 150 Commerce Drive, Hauppauge, Town of Smithtown, Suffolk County, State of New York.

2009-0568 Matter of Harry Broom Jr./ H.P. Broom - Housewright, Inc., 162 Ferry Road, PO Box 70, Hadlyme, CT 06439, for a variance concerning fire-safety requirements for an automatic fire sprinkler system for a three story, single family dwelling.

Involved is the lack of a required automatic fire sprinkler system for a single family dwelling, approximately 2,838 square feet in area, three stories in height, of type VB construction, located at, 2441 Barlow Pond Road, Fishers Island, Town of Southold, Suffolk County, State of New York.

2009-0588 Matter of: John Sawyer, Jr, 4141 Bates Road PO box 191 Medina, NY 14103 for a variance concerning sprinkler systems.

Involved is the construction of a one story, non-combustible, building for moderate hazard storage use with approximate gross floor area 21,000 square feet, located at 4141 Bates Road, Town of Shelby, County of Orleans, State of New York.

2009-0592 Matter of Amicable Lodge #664 F. & A.M. 39 Pearl Street, New Hartford, NY 13492 for a variance related to the installation of a kitchen hood fire suppression system in accordance with Title 9 the New York State Uniform Fire Prevention and Building Code.

Involved is the installation of a kitchen hood exhaust system to a C5.1 occupancy, located at 39 Peart Street, Village of New Hartford, County of Oneida, State of New York.

2009-0600 Matter of The Lake House, 2521 County Highway, Richfield, NY 13439 for a variance related to the installation of a sprinkler system in accordance with Title 19 the New York State Uniform Fire Prevention and Building Code.

Involved is the construction of a third floor occupancy in an existing mixed use building located at 2521 County Highway 22, Town of Richfield, County of Otsego, State of York.

SALE OF  
FOREST PRODUCTS

Allegany Reforestation Area No. 14  
Contract No. X007721

Pursuant to Section 9-0505 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives Public Notice for the following:

Sealed bids for 40 cords more or less and 389.1 MBF more or less of red pine timber and 4.2 MBF more or less of white pine timber, located on Allegany Reforestation Area No. 14, Karr Valley Creek State Forest, Stand 34, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Fl., Albany, NY 12233-5027 until 11:00 a.m., Thursday, Jan. 14, 2010.

*For further information, contact:* Ron Abraham, Senior Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 9, 2524 County Rte. 2A, Almond, NY 14804, (585) 466-3241

SALE OF  
FOREST PRODUCTS

Oswego Reforestation Area Nos. 4 and 5  
Contract No. X007717

Pursuant to Section 9-0505 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives Public Notice of the following:

Sealed bids for 655.2 MBF more or less of mixed hardwood/softwood sawtimber, 365.0 cords more or less of hardwood pulpwood, and 363.0 tons more or less of softwood pulpwood located on Oswego Reforestation Area Nos. 4 & 5, Stands C-27, 28, 29, 30, 31, 32, 34 & 35, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Fl., Albany, NY 12233-5027 until 11:00 a.m., Thursday, Jan. 14, 2010.

*For further information, contact:* Daniel Sawchuck, Forester 1, Department of Environmental Conservation, Division of Lands and Forests, Region 7, 1285 Fisher Ave., Cortland, NY 13045-1090, (607) 753-3095