

# MISCELLANEOUS NOTICES/HEARINGS

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## 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.

## NOTICE OF PUBLIC HEARING

### Department of Environmental Conservation

Pursuant to ECL 27-1102.5, the Department of Environmental Conservation hereby gives notice of 10 public hearings regarding the revised New York State Hazardous Waste Facility Siting Plan and revised draft Generic Environmental Impact Statement (GEIS).

#### Time and Date and Place:

NYSDEC Region 1  
50 Circle Road  
Room B-02  
Stony Brook, NY 11790  
(631) 444-0345  
November 5, 2009  
6:00 p.m.

NYSDEC Region 2 Office  
11-15 47th Avenue  
Annex Building Basement  
Long Island City, NY 11101  
(718) 482-4900  
November 4, 2009  
6:00 p.m.

NYSDEC Region 3 Office  
Conference Room 126 A&B  
21 South Putt Corners Rd.  
New Paltz, NY 12561  
(845) 256-3000

October 29, 2009  
6:00 p.m.

NYSDEC Region 4 Office  
1130 North Westcott Rd.  
Conference Room 1A  
Schenectady, NY 12306  
(518) 357-2234  
October 20, 2009  
6:00 p.m.

NYSDEC Region 5 Office  
Main Conference Room  
232 Golf Course Road  
Warrensburg, NY 12885  
(518) 623-1230  
October 21, 2009  
6:00 p.m.

Dulles State Office Building  
1st Floor Conference Room  
317 Washington St.  
Watertown, NY 13601  
(315) 785-2238  
October 22, 2009  
6:00 p.m.

NYSDEC Region 7 Office  
Hearing Room  
615 Erie Boulevard West  
Syracuse, NY 13204  
(315) 426-7400  
December 2, 2009  
6:00 p.m.

NYSDEC Region 8 Office  
Main Conference Room  
6274 East Avon-Lima Road  
Avon, New York 14414-9519  
(585) 226-2466  
December 1, 2009  
6:00 p.m.

Niagara Falls Public Library  
Main Auditorium  
Earl W. Brydges Bldg.  
1425 Main St.  
Niagara Falls, NY 14305  
(716) 286-4905

November 18, 2009  
6:00 p.m.

Lewiston-Porter High School  
4061 Creek Road  
Youngstown, NY 14174  
(716) 754-8281  
November 19, 2009  
6:00 p.m.

Purpose: The Siting Plan is intended to guide state agencies, authorities and other entities, to make decisions regarding the management and disposal of hazardous waste, so as to avoid potentially adverse impacts to air, land, water or public health. The draft GEIS evaluates and addresses any potential impacts the draft plan may have on the environment. However, it does not replace the need for a separate and distinct site-specific EIS for any hazardous waste management facility that is proposed to be sited or expanded in New York State in the future.

Both the draft GEIS and Siting Plan are available on the DEC website at [www.dec.ny.gov/chemical/9054.html](http://www.dec.ny.gov/chemical/9054.html). The revised drafts incorporate the input received during the previous hearings and comment period and are subject to a second and final opportunity for public comment before finalization.

Hearings on the most recent updated draft are being held in each of DEC's nine regions. The hearing locations are reasonably accessible to the mobility-impaired. Interpreter services can be made available to the hearing-impaired at no charge, upon request to the Department within a reasonable time period prior to the hearings.

All persons, organizations, corporations, government agencies, and others wishing to comment on the proposed Siting Plan are invited to attend the hearings and to submit either written or oral statements. Reasonable time limits may be set for each speaker to afford everyone an opportunity to be heard. Lengthy statements should be submitted in writing and summarized for oral presentation. Written statements received prior to the close of the public comment period and oral statements made at each hearing session will be given equal weight.

Written comments will also be accepted if received by the close of business on December 14, 2009. Comments can be sent to John Iannotti, New York State Department of Environmental Conservation, Division of Solid and Hazardous Materials, 625 Broadway, Albany, New York 12233-7250. They can also be faxed to (518) 402-9024 or e-mailed to [HWSiting@gw.dec.state.ny.us](mailto:HWSiting@gw.dec.state.ny.us).

*For further information, contact:* John Iannotti, Department of Environmental Conservation, Division of Solid and Hazardous Materials, 625 Broadway, Albany, NY 12233-7250, (518) 402-8712, [HWSiting@gw.dec.state.ny.us](mailto:HWSiting@gw.dec.state.ny.us)

### PUBLIC NOTICE Office of General Services

Pursuant to the Public Lands Law, the Office of General Services hereby gives notice to the following:

Notice is hereby given that the Schenectady Armory, located at 125 Washington Avenue, in the City of Schenectady, County of Schenectady, is no longer useful for the Division of Military and Naval Affairs State program purposes and has been declared abandoned to the Commissioner of General Services for sale or other disposition as unappropriated State land.

*For further information, contact:* Robert M. VanDeloo, Jr., Office of General Services, Bureau of Land Management, 26th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, (518) 474-2195

### PUBLIC NOTICE Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for indigent care services to comply with enacted statutory provisions. The following provides clarification to previously noticed provisions.

#### Indigent Care

The following is a clarification to provisions previously noticed on June 25, 2008:

- Effective with payments made on and after October 1, 2009, continues high need indigent care adjustment distributions to general hospitals, excluding major public general hospitals, from the Indigent Care Pool for periods through December 31, 2010, based on the existing formula. From funds in the Indigent Care Pool, each year, \$32.4 million will be reserved on an annualized basis through December 31, 2010 for these distributions. Such payments shall be subject to all applicable federal disproportionate share limitations.

- Effective with payments made on or after October 1, 2009, high need indigent care adjustment distributions of \$73.8 million on an annualized basis excluding major public hospitals from the Indigent Care Pool based on existing formula. Also, additional disproportionate share payments of \$73.8 million on an annualized basis shall be continued through December 31, 2010 as follows:

- (1) Certain hospitals deemed to be rural pursuant to state statute shall each receive \$126,000 annually for the period based on existing formula.

- (2) Hospitals eligible for distributions pursuant to high need provisions of Public Health Law § 2807-k shall receive an additional \$32.4 million annually for the period based on existing formula.

- (3) Remaining monies shall be distributed based on the non-high need, non-major public hospital provisions of the Public Health Law § 2807-k.

There is no estimated annual change to gross Medicaid expenditures attributable to this clarification.

Copies of the proposed state plan amendments will be on file in each local (county) social services district and available for public review.

For the New York City district, copies will be available at the following places:

New York County  
250 Church Street  
New York, New York 10018

Queens County, Queens Center  
3220 Northern Boulevard  
Long Island City, New York 11101

Kings County, Fulton Center  
114 Willoughby Street  
Brooklyn, New York 11201

Bronx County, Tremont Center  
1916 Monterey Avenue  
Bronx, New York 10457

Richmond County, Richmond Center  
95 Central Avenue, St. George  
Staten Island, New York 10301

The public is invited to review and comment on this proposed state plan amendment.

*For further information and to review and comment, please contact:* Philip N. Mossman, Department of Health, Bureau of HCRA Operations & Financial Analysis, Corning Tower Bldg., Rm. 984, Empire State Plaza, Albany, NY 12237, (518) 474-1673, (518) 473-8825 (FAX), [PNM01@health.state.ny.us](mailto:PNM01@health.state.ny.us)

## PUBLIC NOTICE

Department of State  
 Notice of Routine Program Change  
 Town of Hamlin Local Waterfront Revitalization  
 Program Amendment

PURSUANT to 15 CFR 923.84(b), the New York State Department of State (DOS) has submitted a routine program change to the federal Office of Ocean and Coastal Resource Management (OCRM). The change to the New York State Coastal Management Program (CMP) covered by this request is the incorporation of the amended Town of Hamlin Local Waterfront Revitalization Program into the State's CMP.

A major component of the State's CMP is the provision that local governments be allowed to prepare local waterfront revitalization programs which further detail and make geographically specific the State's coastal policies. Each local program is reviewed for consistency with the State's CMP and approved if it meets the guidelines established in the State CMP and Article 42 of the NYS Executive Law.

The Town of Hamlin Local Waterfront Revitalization Program was originally approved by the New York State Secretary of State in December 1991 and incorporated into the NYS CMP as a routine program change in March 1992. The Town has updated the LWRP to reflect changing conditions along the Town's Lake Ontario waterfront and adopted the amendment.

The LWRP is a locally prepared comprehensive land and water use plan for its natural, public, and developed waterfront resources. The Town amended its LWRP in partnership with the New York State Department of State, and in accordance with the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the New York State Coastal Management Program. The amended LWRP is a comprehensive coastal management program based on the policies of the New York State Coastal Management Program and will serve as a long term management program for the Town's waterfront resources.

The amendment to the Town's LWRP refines the NYS CMP through:

- Language concerning the status of the Rochester Embayment Remedial Action Plan, added to the Natural Resources subsection of the Inventory and Analysis section.
- Information concerning the characteristics and importance of the Yanty Marsh area, added to the Natural Resources subsection of the Inventory and Analysis section.
- A discussion of the public trust doctrine, added to the Community and Cultural Resources subsection of the Inventory and Analysis section.
- Policy 2A, regarding acquisition of large parcels suitable for water-dependent and water-enhanced development, has been deleted.
- Policy 7B, which states that Yanty Marsh is a Locally Significant Habitat, has been added.
- Policy 20 has been amended to include language regarding the Public Trust Doctrine.
- Policy 25A has been amended to include Yanty Creek as a natural scenic resource of local significance.
- Policy 35 has been amended to include "filling" of coastal waters as an activity to be undertaken in a manner to protect coastal resources.
- Improvements to Sandy Harbor, such as increasing dock space near State boat Launch and the proposal of a stairway to provide creek access, has been added to the list of proposed projects.
- Additional zoning classification ( Commercial Neighborhood Business) has been created.
- The boundary of the Conservation Overlay District has been clarified and a new zoning map was adopted.

The draft amended Town of Hamlin LWRP was circulated to potentially affected state, federal, and regional agencies during a 21-day review and comment period from May 11, 2005 to June 1, 2005. Following this review period, the Department of State coordinated re-

sponses to comments received with the Town of Hamlin, and revised the draft where necessary. The Hamlin Town Board then adopted the amended LWRP on November 10, 2005. The New York State Secretary of State approved the amended LWRP on August 20, 2008 pursuant to the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (NYS Executive Law, Article 42).

A copy of the approved Town of Hamlin Local Waterfront Revitalization Program amendment is available for review in Albany at the New York State Department of State offices, Office of Coastal, Local Government and Community Sustainability, One Commerce Plaza, 99 Washington Avenue, Suite 1010, Albany, NY 12231-0001.

Any comments on whether or not the action constitutes a routine program change (to the State's approved Coastal Management Program) should be submitted by October 23, 2009 to: John King, U.S. Office of Ocean and Coastal Resource Management, Coastal Programs Division, SSMC4, N/ORM3, 1305 East-West Highway, Silver Spring, MD 20910.

*Further information on this routine program change request may be obtained from:* Kevin Millington, Office of Coastal, Local Government and Community Sustainability, Department of State, One Commerce Plaza, 99 Washington Ave., Suite 1010, Albany, NY 12231-0001

## PUBLIC NOTICE

Department of State  
 Notice of Routine Program Change  
 Town of Tonawanda Local Waterfront Revitalization  
 Program Amendment

PURSUANT to 15 CFR 923.84(b), the New York State Department of State (DOS) has submitted a routine program change to the federal Office of Ocean and Coastal Resource Management (OCRM). The change to the New York State Coastal Management Program (CMP) covered by this request is the incorporation of the amended Town of Tonawanda Local Waterfront Revitalization Program into the State's CMP.

A major component of the State's CMP is the provision that local governments be allowed to prepare local waterfront revitalization programs which further detail and make geographically specific the State's coastal policies. Each local program is reviewed for consistency with the State's CMP and approved if it meets the guidelines established in the State CMP and Article 42 of the NYS Executive Law.

The Town of Tonawanda's Local Waterfront Revitalization Program was originally approved by the New York State Secretary of State in June 1996 and incorporated into the NYS CMP as a routine program change in August 1997. The Town has updated the LWRP to reflect changing conditions along the Town's Niagara River waterfront and adopted the amendment.

The LWRP is a locally prepared comprehensive land and water use plan for its natural, public, and developed waterfront resources. The Town amended its LWRP in partnership with the New York State Department of State, and in accordance with the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the New York State Coastal Management Program. The amended LWRP is a comprehensive coastal management program based on the policies of the New York State Coastal Management Program and will serve as a long term management program for the Town's waterfront resources.

The amendment to the Town's LWRP refines the NYS CMP through:

- Revision of the coastal boundary from 1,000 feet inland of River Road to 500 feet inland of River Road. The original boundary was based on the expected relocation of River Road. It is now clear that River Road will not be relocated. The proposed boundary change, while maintaining protection for development fronting on River Road, will enable greater flexibility inland of the shoreline.

The draft amended Town of Tonawanda LWRP was circulated to potentially affected state, federal, and regional agencies during a 60-

day review and comment period from March 24, 2004 to May 18, 2004. Following this review period, the Department of State coordinated responses to comments received with the Town of Tonawanda, and revised the draft where necessary. The Tonawanda Town Board then adopted the amended LWRP on April 7, 2008. The New York State Secretary of State approved the amended LWRP on September 17, 2008 pursuant to the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (NYS Executive Law, Article 42).

A copy of the approved Town of Tonawanda Local Waterfront Revitalization Program amendment is available for review in Albany at the New York State Department of State offices, Office of Coastal, Local Government and Community Sustainability, One Commerce Plaza, 99 Washington Avenue, Suite 1010, Albany, NY 12231-0001.

Any comments on whether or not the action constitutes a routine program change (to the State's approved Coastal Management Program) should be submitted by October 23, 2009 to: John King, U.S. Office of Ocean and Coastal Resource Management, Coastal Programs Division, SSMC4, N/ORM3, 1305 East-West Highway, Silver Spring, MD 20910.

*Further information on this routine program change request may be obtained from:* Kevin Millington, Office of Coastal, Local Government and Community Sustainability, Department of State, One Commerce Plaza, 99 Washington Ave., Suite 1010, Albany, NY 12231-0001

## 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.

2009-0417 Matter of Jeffrey D. Palin, C&S Engineers, Inc., 499 Col. Eileen Collins Blvd., Syracuse, NY 13212 for a variance concerning fire-safety requirements, including location of fire hydrants and requirements for toilet facilities.

Involved is the construction of a one story moderate hazard storage building of wood frame construction, located at 4575 Buckley Road, Town of Clay, County of Onondaga, State of New York.

2009-0463 Matter of JC Fibers Rochester, Inc., 9-10 Cairn Street, Rochester, NY 14611 for a variance concerning the occupancy classification of the building and to allow trucks to enter a building with combustible fiber material.

Involved is the alteration and change of occupancy of an one-story building for use as hazardous occupancy classification, non-combustible construction, with approximate gross floor area of 85,000 square feet, located at 1801 Mt. Read Blvd., Town of Greece, County of Monroe, State of New York.

2009-0464 Matter of Sal Medak, P.O. Box 569, Schoharie, NY 12157 for a variance related to the installation of a limited area sprinkler system in a single-family dwelling in accordance with Title 19 the New York State Uniform Fire Prevention and Building Code.

Involved is the construction of third floor habitable space, located at 132 Furman Drive, Village of Schoharie, County of Schoharie, State of New York.

## SALE OF FOREST PRODUCTS Otsego Reforestation Area No. 9 Contract No. X007598

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 62 cords, more or less, of spruce pulpwood; 84.8 MBF, more or less, of spruce sawtimber; 5 cords, more or less, of red pine pulpwood; 104.1 MBF, more or less, of red pine sawtimber; 1.1 MBF, more or less, of misc. hardwood sawtimber; 5 cords, more or less, of misc. hardwood firewood located on Otsego Reforestation Area No. 9, Stand A-33, will be accepted at the Department of Environmental Conservation, Bureau of Procurement & Expenditure Services, 625 Broadway, 10th Fl., Albany, NY 12233-5027 until 11:00 a.m., Thursday, Oct. 15, 2009.

*For further information, contact:* Paul Wenner, Senior Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 4, 65561 State Hwy. 10, Suite 1, Stamford, NY 12167-9503, (607) 652-7365