

# 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.

## NOTICE OF PUBLIC HEARING

Department of State

Notice of Public Meetings and Hearing

Hudson River Significant Coastal Fish and Wildlife Habitats

The New York State Department of State Division of Coastal Resources is holding informational meetings on Significant Coastal Fish and Wildlife Habitats along the Hudson River. The purpose of these meetings is to share with the public and other federal and state agencies the efforts of the New York State Department of State and the Department of Environmental Conservation to revise existing documentation for designated areas and to identify any new areas for designation as Significant Coastal Fish and Wildlife Habitats.

Two information meetings will be held: Wednesday July 6, 2011 from 2:00 p.m. to 4:00 p.m. in conference room 126B in the NYS DEC Region 3, New Paltz Office, and on Monday July 11th, 2011 from 6:00 p.m. to 9:00 p.m. at the Catskill Town Hall. The purpose of these meetings is to provide an unofficial forum for discussion of the proposed amendments.

The Department of State will hold a public hearing two weeks after the information meetings. The purpose of the public hearing is to obtain formal comments relevant to the accuracy of the information contained in the proposed revisions to the 35 designated significant coastal fish and wildlife habitats, 14 of which have draft boundary changes and 7 new proposed habitats. The public hearing will be held on Wednesday July 27, 2011, from 6:00 p.m. to 9:00 p.m. at the Norrie Point Environmental Center in the Hamlet of Staatsburg, NY in Dutchess County.

The Department of State is presently considering:

1) Draft revisions to 17 designated Significant Coastal Fish and Wildlife Habitats in Albany, Rensselaer, Greene, Columbia, Ulster, Dutchess, Orange, Putnam, Rockland, and Westchester counties. These areas are:

Normans Kill Creek (Town of Bethlehem)

Papsancee Creek (Towns of East Greenbush, Schodack)  
Schodack & Houghtaling Islands (Towns of Schodack, Stuyvesant, New Baltimore)  
Mill Creek (Town of Stuyvesant)  
Coxsackie Creek (Town of New Baltimore)  
Vosburgh Swamp, West Flats, and Middle Ground Flats (Towns of Coxsackie, Athens)  
Catskill Creek (Town of Catskill)  
Germantown-Clermont Flats (Towns of Germantown, Clermont)  
North and South Tivoli Bays (Town of Red Hook)  
Rondout Creek (Towns of Esopus, Kingston, Ulster)  
Esopus Meadows (Town of Esopus)  
Fishkill Creek (Towns of Fishkill, Beacon)  
Moodna Creek (Towns of Cornwall, New Windsor)  
Iona Island (Town of Stoney Point)  
Haverstraw Bay (Towns of Clarkstown, Haverstraw, Stoney Point)  
Hook Mountain (Town of Clarkstown)  
Piermont Marsh (Town of Orangetown)

In addition, the Department of State is considering draft revisions and boundary modifications for 14 designated Significant Coastal Fish and Wildlife Habitats in Albany, Columbia, Greene, Ulster, Dutchess, Putnam, Rockland, and Westchester counties:

Shad & Schermerhorn Islands (Towns of Bethlehem, Coeymans)  
Coxsackie Island Backwater (Towns of Coxsackie, New Baltimore)  
Stockport Flats (Towns of Stuyvesant, Stockport, Greenport)  
Roger's Island (Town of Greenport)  
Ramshorn Marsh (Town of Catskill)  
Inbocht Bay & Duck Cove (Town of Catskill)  
Roeliff-Jansen Kill (Towns of Germantown, Livingston, Clermont)  
Esopus Estuary (Towns of Saugerties, Red Hook)  
North and South Tivoli Bays (Town of Red Hook)  
The Flats (Towns of Ulster, Kingston, Red Hook)  
Vanderburgh Cove (Towns of Rhinebeck, Hyde Park)  
Constitution Marsh (Town of Philipstown)  
Hudson River Mile 40-60 (Towns of Fishkill, New Windsor, Cornwall)

Croton River and Bay (Towns of Cortland, Ossining)

2) Combining 2 designated Significant Coastal Fish and Wildlife Habitats in Albany, Greene, Ulster, and Dutchess counties:

Kingston-Poughkeepsie Deepwater (formally Kingston Deepwater, Poughkeepsie Deepwater) (Towns of Rhinebeck, Hyde Park, Esopus, Poughkeepsie)

Coeymans and Hannacroix Creeks Complex (formally Coeymans Creek, Hannacroix Creek) (Towns of Coeymans, New Baltimore)

3) Designation of 7 new Significant Coastal Fish and Wildlife Habitats in Columbia, Greene, Ulster, and Putnam counties:

Stuyvesant Marsh (Town of Stuyvesant)

Brandow Point Marsh and Flats (Town of Athens)

South Bay Creek and Marsh (Town of Hudson)

Catskill Deepwater (Town of Catskill)

Smith's Landing (Town of Catskill)  
 Black Creek (Town of Esopus)  
 Manitou Marsh (Town of Philipstown)

Copies of the narratives and maps, describing and depicting boundaries for the habitats, will be available for review at the information meetings and can be viewed started now at <http://nyswaterfronts.com>

Please contact Stephanie Wojtowicz, Department of State, 99 Washington Ave., Suite 1010, Albany, NY 12231, (518) 474-6000 with any questions or for a map showing the meeting locations.

## PUBLIC NOTICE

### Department of Agriculture and Markets

In the Matter of Considering Petitions submitted by New York State apple producers to amend the Apple Research and Development Program (1 NYCRR Part 204) pursuant to Article 25 of the Agriculture and Markets Law (AML) and 1 NYCRR Part 204

#### NOTICE OF REFERENDUM

TO: NEW YORK STATE APPLE GROWERS

PLEASE TAKE NOTICE OF A REFERENDUM to be conducted by the Commissioner of Agriculture and Markets of the State of New York, pursuant to AML § 294(2) and Part 204 of the Official Compilation of Codes, Rules and Regulations of the State of New York (1 NYCRR) on whether the Apple Research and Development Program (ARDP) should be amended. The amendment of the order is subject to the approval of not less than 50 percent of all New York State apple growers participating in the referendum.

PLEASE TAKE NOTICE, that the ARDP (1 NYCRR Part 204) provides that the rate of assessment shall not exceed two cents (\$.02) per hundred pounds of apples or eight mills (.008) per bushel of apples sold for processing, juice or fresh market use. The petitions propose that the ARDP be amended to increase the maximum rate of assessment to four cents per hundred pounds of processing apples (\$.04 per hundredweight) and \$0.016 per bushel for fresh apples to increase the level of funding for apple research. Pursuant to AML § 294(2), the Commissioner shall amend the AROP as requested by the petitions after due notice and opportunity for hearing. Subject to the approval of not less than fifty per centum of the producers participating in the referendum vote in the area affected.

Any person who, in 2010, produced or caused to be produced apples in the State of New York for any market is a grower entitled to vote in this referendum. Each producer is entitled to one vote.

Copies of the Apple Research and Development Program (ARDP) (1 NYCRR Part 204), which is the subject of this referendum, may be obtained from Dan McCarthy, NYS Department of Agriculture and Markets, 108 Airline Drive, Albany, NY 12235; (518) 457-8857; or [Dan.McCarthy@agmkt.state.ny.us](mailto:Dan.McCarthy@agmkt.state.ny.us).

Please use the enclosed ballot and pre-addressed envelope to return your vote. All ballots must be received no later than July 6, 2011.

## PUBLIC NOTICE

Department of State  
F-2011-0418

Date of Issuance - June 22, 2011

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 One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2011-0418, the New York Power Authority (NYPA) proposes to the Motor Island Shoreline Restoration Habitat Improvement Project (HIP), Town of Grand Island, Erie County, New York.

The Habitat Improvement Project, a requirement of the Niagara Power Project, August 2005 offer of settlement, seeks to provide ecological enhancements to the Motor Island shoreline and interior upland areas. There are 11 locations on the island proposed for component habitat improvements. Two are in the center of the island extending along the western side towards the southwestern end and nine are along the shoreline. Existing concrete blocks along the western side of the island are proposed to be removed and the shoreline habitat features will be excavated to achieve the design elevations. A combination of treatments will be applied to the 11 features based on elevation, hydrology, and exposure to erosive forces. Treatments include applying topsoil and planting native, emergent marsh plants, riparian and upland shrubs and trees, and seeding. Additional treatments include providing toe protection for the remaining sections of the existing crib wall structure, installing protective low-profile berms off shore, and adding coir fiber and willow logs and root wads to reduce erosion of the shoreline and provide coarse woody debris and other habitat structure.

Any interested parties and/or agencies desiring to express their views concerning any of 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, July 07, 2011.

*Comments should be addressed to:* Department of State, Division of Coastal Resources, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464

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

## 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.

2009-0427 Matter of Wayne Biasi, 74 Brown Road, Middletown, NY 10940, concerning fire safety requirements, including the size of openings which provide access to a fire escape in a Multiple Dwelling.

Involved is the continued use of an existing multiple dwelling three stories in height of type 5b construction, containing 7 dwelling units, located at 14 Williams Street, City of Middletown, County of Orange, State of New York.

2009-0428 Matter of Paul Rothstein, 321 N. Main St., New City, NY 10956, concerning fire safety requirements, including the size of openings which provide access to a fire escape in a Multiple Dwelling.

Involved is the continued use of an existing multiple dwelling three stories in height of type 5b construction, containing 6 dwelling units, located at 56 Cottage Street, City of Middletown, County of Orange, State of New York.

2010-0530 Matter of John King and Doug Davenport, 412 E. 55th Street, #4g, New York, NY 10022 concerning plumbing code requirements.

Involved is the replacement of a water service line to a one family dwelling. The building is one story in height of type 5b construction and located at 47 Clubhouse Road, Village of Tuxedo Park, County of Orange, State of New York.

2011-0122 Matter of Carlo Mazzarelli, Architect, 44 North Clover Street, Poughkeepsie, NY 12601, concerning fire safety requirements, including the minimum ceiling height in a basement accessory office and handicap accessibility to such space.

Involved are alterations to an existing multiple dwelling known as Beechwood South Condominiums. The structure is a 2 story building of type 5b construction, located at, 2710 South Road, Town of Poughkeepsie, County of Dutchess, State of New York.

2011-0148 Matter of Clark Mains on behalf of Town of Esopus Little League, PO Box 153, Port Ewen, NY 12466, concerning handicap accessibility requirements.

Involved is the construction of a new concession stand and restroom building. The structure is two stories in height of type 5b construction located at 9 Little League Road, Town of Esopus, County of Ulster, State of New York.

2011-0150 Matter of Doug Davenport of Robert O. Davenport and Sons, LLC, 2100 Hurley Mountain Road, Kingston, NY 12401, concerning fire safety requirements including fire sprinklers.

Involved is the construction of a new building to be used for farm labor housing, R-1 occupancy classification. The proposed building is one story in height of type 5b construction, located at 2100 Hurley Mountain Road, Town of Marbletown, County of Ulster, State of New York.

2011-0161 Matter of The Meadowlark Inn c/o Georg Macaluso 147 Stone House Road, Fly Creek, NY 13337 for a variance related to the installation of a sprinkler system in accordance with the Uniform Fire Prevention and Building Code.

Involved is the conversion of a building to an R occupancy located at 5759 US Highway 20, Town of Springfield, County of Otsego, State of New York.

2011-0184 Matter of Union Center United Methodist Church, 128 Maple Drive, Endicott, NY for a variance concerning fire-safety requirements including the requirement to provide an automatic sprinkler system in an assembly occupancy.

Involved is the construction of an addition to an existing church / fellowship hall known as "Union Center United Methodist Church", located at 128 Maple Drive, Town of Maine, Broome County, State of New York.

