

Street, Port Jefferson, NY 11777, for a variance concerning safety requirements, including the height under a girder. involved is an existing one family dwelling located at 224 Wavecrest Drive, Mastic Beach, Town of Brookhaven, NY, County of Suffolk, State of New York.

2020-0306 Matter of JL Drafting Inc., John Lagoudes, 707 Route 110, Farmingdale, NY 11735, for a variance concerning safety requirements, including the height under a girder. involved is an existing one family dwelling located at 77 Campbell Street, New Hyde Park, Town of North Hempstead, NY, County of Nassau, State of New York.

2020-0307 Matter of Diproperzio & Mallia, LLP, Anthony S. Diproperzio, 499 Jericho Tpke., Mineola, NY 11501, for a variance concerning safety requirements, including the height under a girder, involved is an existing one family dwelling located at 137 Claudy Lane, New Hyde Park, Town of North Hempstead, NY, County of Nassau, State of New York.

2020-0308 Matter of Toc Architects, P.C., Todd O’Connell, 1200 Veterans Memorial Hwy., Suite 120, Hauppauge, NY 11788, for a variance concerning safety requirements, including the height under a girder. Involved is an existing one family dwelling located at 246 Robinson Avenue, Patchogue, Town of Brookhaven, NY, County of Suffolk, State of New York.

2020-0309 Matter of Joseph Pagac Architect P.C., Joseph Pagac, 16 Library Ave., Suite D, Westhampton Beach, NY 11978, for a variance concerning safety requirements, including the height under a girder, involved is an existing one family dwelling located at 30 Blackwatch Court, Southampton, Town of Southampton, NY, County of Suffolk, State of New York.

2020-0310 Matter of TOC Architects, P.C, Todd O’Connell, 1200 Veterans Memorial Hwy., Suite 120, Hauppauge, NY 11788, for a variance concerning safety requirements, including the height under a girder, involved is an existing one family dwelling located at 26 Diamond Drive, Plainview, Town of Oyster Bay, NY, County of Nassau, State of New York.

**PUBLIC NOTICE**

Department of State  
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. 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 Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2020-0305 In the matter of Klepper, Hahn & Hyatt, James D Aloisio, 5710 Commons Park Drive, Syracuse, NY 13057, for plum court condominiums concerning building code and fire safety requirements including to allow repairs and improvements to an existing lower level parking surface and application of an asphalt topcoat to that surface.

Involved are, the repairs and improvements to the parking surface, known as “Plum Court Condominiums”, located at 528 Plum Street, City of Syracuse, County of Onondaga, New York.

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2020-0312 In the matter of Beardsley Architects - Engineers, Mark Rebich, 64 South Street, Auburn, NY 13021, for Nicks Ride 4 Friends concerning building code and fire safety requirements including to allow the installation of a LULA elevator which will exceed allowable travel distance.

Involved are, the alterations and change of occupancy for business use, known as “Nicks Ride 4 Friends”, located at 13 Chapel Street, City of Auburn, County of Cayuga, New York.

**PUBLIC NOTICE**

Department of State  
Program Change

STATEWIDE — Pursuant to 15 CFR 923, the New York State Department of State (DOS) hereby gives notice that the National Oceanic and Atmospheric Administration’s Office for Coastal Management (OCM) concurred on July 1, 2020 on the incorporation of the City of Buffalo Local Waterfront Revitalization Program (LWRP) into New York State’s Coastal Management Program as a Program Change. As of July 1, 2020, the enforceable policies identified in the Table of Approved Changes below shall be applicable in reviewing federal actions pursuant to the federal consistency requirements of the Coastal Zone Management Act (CZMA) and its implementing regulations found at 15 CFR part 930. DOS requested OCM’s concurrence on this action on June 2, 2020, in a previous notice in the New York State Register, which further described the content of the action.

The City of Buffalo LWRP was prepared in partnership with DOS 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 LWRP is a long-term management program for the City’s waterfront resources along Lake Erie, the Niagara River, Scajaquada Creek, Hoyt Lake, the Buffalo River, Cazenovia Creek, and South Park Lake, and is based on the policies of the New York State Coastal Management Program. The City of Buffalo LWRP includes a comprehensive description of the existing and proposed land uses in the waterfront revitalization area, incorporates harbor management elements, contains enforceable policies to be used for CZMA consistency review purposes, and identifies the next generation of waterfront revitalization projects.

Pursuant to the New York State Coastal Management Program and Article 42 of the New York State Executive Law, the City of Buffalo LWRP was adopted by resolution by the Buffalo Common Council on July 24, 2018 and approved by the New York State Secretary of State on April 5, 2019.

OCM’s concurrence includes the following list of changes and qualifications:

Table of Approved Changes

Legal citation	Title of policy, section, or other descriptor	Is the change new, revised, or deleted	Date effective in state	Enforceable policy	Enforceable mechanism citation
Not applicable	City of Buffalo Local Waterfront Revitalization Program (LWRP)	New	04/05/2019	Yes (Section II only)	Executive Law, Article 42

Qualifications

As with previous approval of NY CMP LWRPs, the enforceable provisions of Section II are only the stated policies and sub-policies. The enforceable policies do not include the explanatory text that accompanies each policy. While the explanatory text may be advisory as to how activities can show consistency with the LWRP policies, the State may not use the explanatory text as a basis for issuing an objection under its CZMA authority. Please also note that for the review of

federal actions pursuant to the CZMA, the requirements of the statute and implementing regulations at 15 CFR part 930 are controlling over any conflicting interpretation of the discussion of the CZMA federal consistency requirements within the City of Buffalo LWRP.

As a standard qualification applying to all program changes, states may not incorporate enforceable policies by reference. If an approved enforceable policy refers to another statute, regulation, policy, standard, guidance, or other such requirement or document, the referenced policy must be submitted to and approved by the Office for Coastal Management as an enforceable policy in order to be applied under the federal consistency review provisions of the CZMA. No referenced policy may be applied for CZMA federal consistency review purposes unless that policy has been separately reviewed and approved as an enforceable policy by the Office for Coastal Management.

The City of Buffalo Local Waterfront Revitalization Program is available at: [http://www.dos.ny.gov/opd/programs/WFRevitalization/LWRP\\_status.html](http://www.dos.ny.gov/opd/programs/WFRevitalization/LWRP_status.html), the website of the New York State Department of State. If you have any questions, please contact Barbara Kendall, DOS Office of Planning, Development & Community Infrastructure, at [Barbara.Kendall@dos.ny.gov](mailto:Barbara.Kendall@dos.ny.gov).