

A regular meeting of the Orange County Industrial Development Agency was convened in public session on May 7, 1998 at 3:00 p.m., local time, at the County Government Center, Room \_\_\_\_, Goshen, New York 10924.

The meeting was called to order by the Chairman, with the following members being:

PRESENT: Daniel J. Leo, Chairman  
John Steinberg, Jr.  
Albert J. Juliano  
Daniel F. Coleman  
Albert A. Favoino  
Edward A. Diana  
Henry P. Van Leeuwen

ABSENT: Albert A. Favoino and Edward A. Diana

ALSO PRESENT: Henry J. Holley, Esq., Agency Counsel and  
Administrative Director  
Stephen Patterson, Recording Secretary

moved: Henry P. VanLeeuwen Seconded: Daniel F. Coleman

On motion duly made and seconded, the following resolution was placed before the members of the Orange County Industrial Development Agency:

RESOLUTION TAKING OFFICIAL ACTION TOWARD THE ISSUANCE OF UP TO \$30,000,000 PRINCIPAL AMOUNT OF LIFE CARE COMMUNITY REVENUE BONDS (THE GLEN ARDEN, INC. PROJECT), SERIES 1998 FOR THE PURPOSE OF REFUNDING THE AGENCY'S LIFE CARE COMMUNITY REVENUE BONDS (THE GLEN ARDEN PROJECT), SERIES 1994 AND FINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF ADDITIONAL IMPROVEMENTS TO A FACILITY FOR THE BENEFIT OF GLEN ARDEN, INC.; DETERMINING COMPLIANCE WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT WITH RESPECT TO SUCH PROJECT; DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO SUCH PROJECT; AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT BY AND BETWEEN THE AGENCY AND GLEN ARDEN, INC. WITH RESPECT TO SUCH FINANCING AND UNDERTAKING OF SUCH PROJECT.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 390 of the Laws of 1972 of the State of New York,

(hereinafter collectively called the "Act"), the Orange County Industrial Development Agency (hereinafter called the "Agency") was created with the authority and power to issue its special revenue bonds for the purpose of, among other things, acquiring, constructing, reconstructing and equipping, manufacturing, warehousing, civic, research, commercial, or industrial facilities as authorized by the Act; and

WHEREAS, pursuant to the Act, as amended by Chapter 66 of the Laws of 1994, the Agency is authorized to provide financial assistance in any respect to a "life care community," as defined in subdivision (19) of Section 858 of the Act, provided the procedures and requirements of Sections 859-b and 862-a of the Act have been complied with; and

WHEREAS, the Agency on December 28, 1994 issued its Life Care Community Revenue Bonds (The Glen Arden, Inc. Project), Series 1994 in the original principal amount of \$48,510,000 (the "Series 1994 Bonds") for the purpose of financing a certain project (the Series 1994 Project) for the benefit of Glen Arden, Inc., a not-for-profit corporation, organized and existing under the laws of the State of New York (the "Company") consisting of (1) the acquisition, construction and equipping of a life care community situated on an approximately 35 acre parcel of land and an adjoining approximately 5.9 acre parcel of land, both of which are located on Harriman Drive at the junction with New York State Route 17, in the Village of Goshen, Orange County, New York (collectively, the "Land"), which life care community consists of (i) an approximately 245,000 square foot building containing approximately 163 independent living units, a health care center containing approximately 40 skilled nursing beds, common areas, including, without limitation, dining rooms, kitchens, activity areas, lobbies and other facilities, (ii) an approximately 3,000 square foot building to be used for administrative offices and an information center, (iii) parking facilities, (iv) other related and appurtenant facilities (all of such buildings and improvements being hereinafter collectively referred to as the "Improvements"), and (v) certain machinery, equipment, furniture, fixtures and other items of tangible personal property to be installed in and around the Improvements (collectively, the "Equipment"; the Land, the Improvements and the Equipment shall be collectively referred to as the "Facility"); (2) paying certain necessary incidental expenditures in connection therewith, and (3) funding a debt service reserve fund to secure the Series 1994 Bonds;

WHEREAS, the Company has applied to the Agency (1) to issue its Life Care Community Revenue Bonds (The Glen Arden, Inc. Project), Series 1998 in a principal amount not to exceed \$30,000,000 (the "Bonds") for the purpose of financing a certain project (the "Project") consisting of (1) the advance refunding of the Series 1994 Bonds; (2)(i) the construction of additional improvements to the Facility, consisting of the conversion of four existing two-bedroom independent living units into eight one-bedroom independent living units, and (ii) the acquisition and installation in and around the Facility of certain items of machinery, equipment, furniture and other items of tangible personal property (collectively, the "Series 1998 Improvements"); (3) paying certain necessary incidental expenses in connection with the issuance of the Bonds; and (4) funding a debt service reserve fund to secure the Bonds;

WHEREAS, pursuant to Section 859-b of the Act, the Company has submitted to the Agency along with its application, the following materials: (i) its completed application to the New York State Life Care Community Council (now known as the Continuing Care Retirement Community Council) (the "Council") for a certificate of authority under Article 46 of the Public Health Law of the State of New York ("Article 46") with respect to the Facility and (ii) the documentation establishing the Council's approval of such application; (the aforementioned materials, along with the Company's application to the Agency shall be hereinafter collectively referred to as the "Application Materials"); and

WHEREAS, the Agency has given due consideration to the Application Materials submitted by the Company, in which it is represented by the Company that the Project will not result in the removal of a facility or plant of the Company or any proposed Facility occupant from one area of the State of New York to another area of the State of New York or in the abandonment of one or more plants or facilities of the Company or any Facility occupant located in the State of New York; and

WHEREAS, the Agency is contemplating providing financial assistance to the Company with respect to the Project in the form of: (1) the issuance of the Bonds in an amount not to exceed \$30,000,000; (2) the grant by the Agency of a mortgage on the Improvements and the Land (or such interest in the Land as is conveyed to the Agency) to secure the Bonds, which mortgage would be exempt from all mortgage recording taxes imposed by the State of New York and any political subdivision thereof and (3) the continued retention of fee title to the Facility by the Agency for a period of time not to exceed the term of a certain Agreement For Payments in Lieu of Taxes, dated November 15, 1994, previously entered into by the Company with each municipality and school district having taxing jurisdiction over the Facility (collectively, the "Affected Taxing Jurisdictions"), pursuant to which the Company has agreed to make payments in lieu of real property taxes in such amounts as were approved by each of such Affected Tax Jurisdictions (the "PILOT Agreement"); and

WHEREAS, the Agency now desires to determine whether the refunding of the Series 1994 Bonds, and the acquisition, construction and installation of the Series 1998 Improvements and the providing of contemplated financial assistance with respect to the same will be in conformance with Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (said law and regulations hereinafter collectively referred to as "SEQRA"); and

WHEREAS, to aid the Agency in determining whether the refunding of the Series 1994 Bonds, and the acquisition, construction and installation of the Series 1998 Improvements and the granting by the Issuer the aforementioned financial assistance for the Facility conforms with SEQRA, the Company has submitted to the Agency a completed Long Form Environmental Assessment Form, dated April 29, 1998 (the "EAF") with respect to the Project; and

WHEREAS, although the resolution authorizing the issuance of the Bonds has not yet been drafted for approval by the Agency, an agreement relative to the proposed issuance of the Bonds by the Agency has been presented for approval by the Agency;

NOW, THEREFORE, BE IT RESOLVED by the Orange County Industrial Development Agency, as follows:

1. Based upon the representations made by the Company to the Agency, the Agency hereby finds and determines that:

(a) the Facility constitutes a "continuing care retirement community" and a "project" within the meaning of the Act;

(b) the refunding of the Series 1994 Bonds and the acquisition, construction and installation of the Series 1998 Improvements will not result in the removal of a facility or plant of the Company or any proposed Facility occupant from one area of the State of New York to another area of the State of New York or in the abandonment of one or more plants or facilities of the Company or any proposed Facility occupant located in the State of New York;

(c) the Project and the financing thereof by the Agency through the issuance of its life care community revenue bonds pursuant to the Act, will promote job opportunities, health, general prosperity and the economic welfare of the inhabitants of Orange County, New York and the State of New York and improve their standards of living, and thereby serve the public purposes of the Act;

(d) it is desirable and in the public interest (i) to issue up to \$30,000,000 aggregate principal amount of Bonds for the purpose of refunding the Series 1994 Bonds, financing the cost of acquiring, constructing and installing the Series 1998 Improvements, paying necessary incidental expenses in connection therewith and funding a debt service reserve fund to secure the Bonds, (ii) to grant a mortgage lien on the Improvements, the Agency's interest in the Land and such other real property or interest therein as may be conveyed to the Agency in connection with the Project (the "Mortgage"), which Mortgage would be exempt from all mortgage recording taxes imposed by the State of New York; and (iii) to continue to retain title to the Facility for the term of the PILOT Agreement, and

(e) the forms of financial assistance contemplated by the Agency with respect to the Facility, as enumerated in paragraph (d) above, are consistent with the uniform tax exemption policy adopted by the Agency in accordance with Section 874 of the Act.

2. Based upon a review of the Application Materials and the EAF submitted to the Agency, the Agency hereby: determines that:

(a) the Project involves an "unlisted action" as said term is defined in the SEQRA and coordinated review is strictly optional;

(b) the Project will result in no major impacts and, therefore, is one which may not cause significant damage to the environment;

(c) the Project will not have a "significant effect on the environment" as such quoted terms are defined in SEQRA;

(d) no "environmental impact statement" as such quoted term is defined in SEQRA, need be prepared for this action;

(e) this determination constitutes a negative declaration for purposes of SEQR, and the Agency's findings are incorporated in Part II of the EAF; and

(f) all of the provisions of SEQRA that are required to be complied with as a condition precedent to the issuance of the Bonds and the providing of other financial assistance contemplated by the Agency with respect to the Project have been satisfied.

3. Subject to the conditions set forth in Paragraph 4 of this Resolution, the Agency will (i) issue the Bonds in an amount not exceeding \$30,000,000, the particular amount, maturities, interest rates, redemption terms and other terms and provisions determined by a further resolution of the Agency, (ii) secure the Bonds by, among other things, granting the Mortgage, (iii) continue to retain title to the Facility for the term of the PILOT Agreement; (iv) acquire, construct and install the Series 1998 Improvements, (v) lease (with option to purchase) or sell the Facility to the Company pursuant to an agreement by and between the Agency and the Company whereby the Company will be obligated, among other things, to make payments to the Agency in amounts and at times so that such payments will be adequate to pay the principal of and premium, if any, and interest on all of such Bonds, and (vi) provide such other security for the Bonds as the Agency, the Company and the purchasers of the Bonds mutually deem appropriate.

4. The issuance of the Bonds, as contemplated by Paragraph 3 of this Resolution, shall be subject to:

(a) execution and delivery by the Company of the Inducement Agreement attached hereto as Exhibit A setting forth certain conditions for the issuance of the Bonds;

(b) agreement by the Agency, the Company and the purchaser of the Bonds on mutually acceptable terms for the Bonds and for the sale and delivery thereof and mutually acceptable terms and conditions for the security for the payment thereof;

(c) the holding of a public hearing with respect to the Project and the proposed financial assistance contemplated in accordance with Section 859-a of the Act;

(d) approval of the issuance of the Bonds in accordance with the provisions of Section 147(f) of the Internal Revenue Code of 1986, as amended;

(e) the following additional condition(s): None.

5. The form and substance of a proposed agreement (in substantially the form presented to this meeting) by and between the Agency and the Company setting forth the undertakings of the Agency and the Company with respect to the issuance of the Bonds and the undertaking of the Project (the "Inducement Agreement") are hereby approved. The Chairman (or Vice Chairman) of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver the Inducement Agreement and the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest to the same, in substantially the form thereof presented to this meeting, with such changes in terms and form as the Chairman (or Vice Chairman) shall constitute conclusive evidence of such approval.

6. The Company is hereby appointed the true and lawful agent of the Agency to prepare, publish and, upon approval by the Chairman of the Agency, to distribute a preliminary official statement of the Agency with respect to the Bonds, all with the same powers and the same validity as the Agency could do if acting in its own behalf. In addition, the Company is hereby authorized to advance such funds as may be necessary to accomplish such purposes and, to the extent permitted by law, the Agency agrees to reimburse the Company therefor out of the proceeds of the Bonds, when, as and if, the Bonds are issued.

7. The law firm of Harris Beach & Wilcox, LLP of Rochester, New York is hereby appointed Bond Counsel to the Agency in relation to the issuance of the Bonds.

8. Counsel to the Agency and Bond Counsel for the Agency are hereby authorized to work with counsel to the Company and others to prepare for submission to the Agency, all documents necessary to effect the authorization, issuance and sale of the Bonds.

9. The Chairman of the Agency is hereby authorized and directed to distribute copies of this Résolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

<u>Daniel J. Leo</u>	VOTING <u>Aye</u>
<u>John Steinberg, Jr.</u>	VOTING <u>Aye</u>
<u>Albert J. Juliano</u>	VOTING <u>Aye</u>
<u>Daniel F. Coleman</u>	VOTING <u>Aye</u>
<u>Albert A. Favoino</u>	VOTING <u>Absent</u>
<u>Edward A. Diana</u>	VOTING <u>Absent</u>
<u>Henry P. Van Leeuwan</u>	VOTING <u>Aye</u>

The Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)  
COUNTY OF ORANGE ) SS:

I, the undersigned Secretary of the Orange County Industrial Development Agency, DO  
HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the Orange County Industrial Development Agency (the "Agency"), including the resolution contained therein, held on May 7, 1998, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

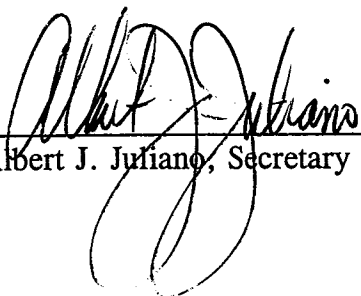
That the Inducement Agreement annexed hereto as Exhibit "A" is in substantially the form presented to and approved at such meeting.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this 7th day of May, 1998.

  
\_\_\_\_\_  
Albert J. Juliano, Secretary

[SEAL]



SEQA

617.20  
Appendix A  
State Environmental Quality Review  
FULL ENVIRONMENTAL ASSESSMENT FORM

**Purpose:** The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

**Full EAF Components:** The full EAF is comprised of three parts:

- Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3: If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

**DETERMINATION OF SIGNIFICANCE—Type 1 and Unlisted Actions**

Identify the Portions of EAF completed for this project: ☒ Part 1 ☒ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- ☐ A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a negative declaration will be prepared.
- ☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED** negative declaration will be prepared.\*
- ☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a positive declaration will be prepared.

\* A Conditioned Negative Declaration is only valid for Unlisted Actions

GLEN ARDEN INC. PROJECT SERIES 1998

Name of Action

ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Name of Lead Agency

DANIEL J. LEO

CHAIRMAN

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

+ *Daniel J. Leo*  
Signature of Responsible Officer in Lead Agency

*John A. White*  
Signature of Preparer (if different from responsible officer)  
VP FINANCE, GLEN ARDEN, INC.

May 7, 1998

Date

# PART 1—PROJECT INFORMATION

## Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION		
LOCATION OF ACTION (Include Street Address, Municipality and County)		
NAME OF APPLICANT/SPONSOR Glen Arden, Inc.		BUSINESS TELEPHONE (914) 291-7800
ADDRESS 6 Harriman Drive		
CITY/PO Goshen,	STATE NY	ZIP CODE 10924
NAME OF OWNER (if different)		BUSINESS TELEPHONE ( )
ADDRESS		
CITY/PO	STATE	ZIP CODE
DESCRIPTION OF ACTION		

Please Complete Each Question—Indicate N.A. if not applicable

### A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: ☐ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)  
☐ Forest ☐ Agriculture ☐ Other \_\_\_\_\_

2. Total acreage of project area: 40 acres.

#### APPROXIMATE ACREAGE

Meadow or Brushland (Non-agricultural)

	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>15</u> acres	<u>15</u> acres

Forested

Forested	<u>10</u> acres	<u>10</u> acres
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Agricultural (Includes orchards, cropland, pasture, etc.)

Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
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Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)

Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	<u>5</u> acres	<u>5</u> acres
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Water Surface Area

Water Surface Area	_____ acres	_____ acres
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Unvegetated (Rock, earth or fill)

Unvegetated (Rock, earth or fill)	_____ acres	_____ acres
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Roads, buildings and other paved surfaces

Roads, buildings and other paved surfaces	<u>10</u> acres	<u>10</u> acres
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Other (Indicate type) \_\_\_\_\_

Other (Indicate type) _____	_____ acres	_____ acres
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3. What is predominant soil type(s) on project site? \_\_\_\_\_

- a. Soil drainage: ☐ Well drained \_\_\_\_\_ % of site ☒ Moderately well drained 60 % of site  
☐ Poorly drained \_\_\_\_\_ % of site

- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? \_\_\_\_\_ acres. (See 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? ☐ Yes ☒ No

- a. What is depth to bedrock? \_\_\_\_\_ (in feet)

5. Approximate percentage of proposed project site with slopes: ☐ 0-10% \_\_\_\_\_ % ☐ 10-15% \_\_\_\_\_ %  
☒ 15% or greater 80 %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? ☐ Yes ☒ No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐ Yes ☒ No
8. What is the depth of the water table? \_\_\_\_\_ (in feet) unknown
9. Is site located over a primary, principal, or sole source aquifer? ☐ Yes ☒ No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☐ Yes ☒ No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?  
☐ Yes ☒ No According to \_\_\_\_\_  
Identify each species \_\_\_\_\_
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)  
☐ Yes ☒ No Describe \_\_\_\_\_
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?  
☐ Yes ☒ No If yes, explain \_\_\_\_\_
14. Does the present site include scenic views known to be important to the community?  
☐ Yes ☒ No
15. Streams within or contiguous to project area: None  
a. Name of Stream and name of River to which it is tributary \_\_\_\_\_
16. Lakes, ponds, wetland areas within or contiguous to project area:  
a. Name none b. Size (in acres) \_\_\_\_\_
17. Is the site served by existing public utilities? ☒ Yes ☐ No  
a) If Yes, does sufficient capacity exist to allow connection? ☒ Yes ☐ No  
b) If Yes, will improvements be necessary to allow connection? ☒ Yes ☐ No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐ Yes ☒ No
20. Has the site ever been used for the disposal of solid or hazardous wastes? ☐ Yes ☒ No

## B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- Total contiguous acreage owned or controlled by project sponsor 40 acres.
  - Project acreage to be developed: 35 acres initially; 35 acres ultimately.
  - Project acreage to remain undeveloped 5 acres.
  - Length of project, in miles: \_\_\_\_\_ (If appropriate)
  - If the project is an expansion, indicate percent of expansion proposed \_\_\_\_\_ %; not applicable
  - Number of off-street parking spaces existing 180; proposed \_\_\_\_\_
  - Maximum vehicular trips generated per hour 30 (upon completion of project)?
  - If residential: Number and type of housing units:  

	One Family	Two Family	Multiple Family	Condominium
Initially	<u>163</u>	_____	_____	_____
Ultimately	_____	_____	_____	_____
  - Dimensions (in feet) of largest proposed structure 35 height; \_\_\_\_\_ width; \_\_\_\_\_ length.
  - Linear feet of frontage along a public thoroughfare project will occupy is? 1400 ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? 0 tons/cubic yards
3. Will disturbed areas be reclaimed? ☐ Yes ☐ No ☒ N/A
- a. If yes, for what intended purpose is the site being reclaimed? \_\_\_\_\_
- b. Will topsoil be stockpiled for reclamation? ☐ Yes ☐ No ☐ not applicable
- c. Will upper subsoil be stockpiled for reclamation? ☐ Yes ☐ No ☐ not applicable
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0 acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?  
☐ Yes ☒ No
6. If single phase project: Anticipated period of construction N/A months, (including demolition).
7. If multi-phased:
- a. Total number of phases anticipated N/A (number).
- b. Anticipated date of commencement phase 1 \_\_\_\_\_ month \_\_\_\_\_ year, (including demolition).
- c. Approximate completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year.
- d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☐ No
8. Will blasting occur during construction? ☐ Yes ☒ No N/A
9. Number of jobs generated: during construction N/A; after project is complete \_\_\_\_\_
10. Number of jobs eliminated by this project N/A
11. Will project require relocation of any projects or facilities? ☐ Yes ☒ No If yes, explain \_\_\_\_\_
12. Is surface liquid waste disposal involved? ☐ Yes ☒ No
- a. If yes, indicate type of waste (sewage, industrial, etc.) and amount \_\_\_\_\_
- b. Name of water body into which effluent will be discharged \_\_\_\_\_
13. Is subsurface liquid waste disposal involved? ☐ Yes ☒ No Type \_\_\_\_\_
14. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☒ No  
Explain \_\_\_\_\_
15. Is project or any portion of project located in a 100 year flood plain? ☐ Yes ☒ No
16. Will the project generate solid waste? ☒ Yes ☐ No
- a. If yes, what is the amount per month 20 tons
- b. If yes, will an existing solid waste facility be used? ☒ Yes ☐ No
- c. If yes, give name picked up by local sanitation company
- d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☒ No
- e. If Yes, explain \_\_\_\_\_
17. Will the project involve the disposal of solid waste? ☐ Yes ☒ No
- a. If yes, what is the anticipated rate of disposal? \_\_\_\_\_ tons/month.
- b. If yes, what is the anticipated site life? \_\_\_\_\_ years.
18. Will project use herbicides or pesticides? ☐ Yes ☒ No
19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☒ No
20. Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ☒ No
21. Will project result in an increase in energy use? ☐ Yes ☐ No N/A  
If yes, indicate type(s) \_\_\_\_\_
22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.
23. Total anticipated water usage per day N/A gallons/day.
24. Does project involve Local, State or Federal funding? ☒ Yes ☐ No  
If Yes, explain Medicare and Medicaid spending for nursing home residents

**25. Approvals Required:**

		Type	Submittal Date
City, Town, Village Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____
City, Town, Village Planning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____
City, Town Zoning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____
City, County Health Department	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____
Other Local Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____
Other Regional Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____
State Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____
Federal Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____

**C. Zoning and Planning Information**

1. Does proposed action involve a planning or zoning decision? ☐ Yes ☒ No

If Yes, indicate decision required:

☐ zoning amendment ☐ zoning variance ☐ special use permit ☐ subdivision ☐ site plan  
☐ new/revision of master plan ☐ resource management plan ☐ other \_\_\_\_\_

2. What is the zoning classification(s) of the site? Hospital, Medical Buildings, Retirement Community

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

N/A

4. What is the proposed zoning of the site? N/A

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

N/A

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? ☒ Yes ☐ No

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

Hospital, Medical and AR-1

8. Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? ☒ Yes ☐ No

9. If the proposed action is the subdivision of land, how many lots are proposed? N/A

a. What is the minimum lot size proposed? \_\_\_\_\_

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐ Yes ☒ No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? ☐ Yes ☒ No

a. If yes, is existing capacity sufficient to handle projected demand? ☐ Yes ☐ No

12. Will the proposed action result in the generation of traffic significantly above present levels? ☐ Yes ☒ No

a. If yes, is the existing road network adequate to handle the additional traffic? ☐ Yes ☐ No

**D. Informational Details**

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

Refinancing of the existing bonds

**E. Verification**

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Glen Arden Date \_\_\_\_\_

Signature [Signature] Title President

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

## Part 2—PROJECT IMPACTS AND THEIR MAGNITUDE

### Responsibility of Lead Agency

#### General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- The Examples provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

#### Instructions (Read carefully)

- Answer each of the 20 questions in PART 2. Answer Yes if there will be any impact.
- Maybe answers should be considered as Yes answers.
- If answering Yes to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the Yes box in column 3. A No response indicates that such a reduction is not possible. This must be explained in Part 3.

#### IMPACT ON LAND

1. Will the proposed action result in a physical change to the project site?  
☒ NO ☐ YES

Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.
- Other impacts \_\_\_\_\_

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) ☒ NO ☐ YES

- Specific land forms: \_\_\_\_\_

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

- ☒
- NO
- ☐
- YES

- Developable area of site contains a protected water body.
- Dredging more than 100 cubic yards of material from channel of a protected stream.
- Extension of utility distribution facilities through a protected water body.
- Construction in a designated freshwater or tidal wetland.
- Other impacts: \_\_\_\_\_

- ☒ NO      ☐ YES

- A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.
- Construction of a body of water that exceeds 10 acres of surface area.
- Other impacts: \_\_\_\_\_

- ☒ NO      ☐ YES

- Proposed Action will require a discharge permit.
- Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.
- Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.
- Construction or operation causing any contamination of a water supply system.
- Proposed Action will adversely affect groundwater.
- Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.
- Proposed Action would use water in excess of 20,000 gallons per day.
- Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.
- Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.
- Proposed Action will allow residential uses in areas without water and/or sewer services.
- Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.
- Other impacts: \_\_\_\_\_

- ☒ NO      ☐ YES

- Proposed Action would change flood water flows.

7







## IMPACT ON CRITICAL ENVIRONMENTAL AREAS

- 14 Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g)? ☒ NO ☐ YES  
List the environmental characteristics that caused the designation of the CEA.

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Examples that would apply to column 2

- Proposed Action to locate within the CEA?
- Proposed Action will result in a reduction in the quantity of the resource?
- Proposed Action will result in a reduction in the quality of the resource?
- Proposed Action will impact the use, function or enjoyment of the resource?
- Other impacts: \_\_\_\_\_

## IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems? ☒ NO ☐ YES

Examples that would apply to column 2

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts: \_\_\_\_\_

## IMPACT ON ENERGY

16. Will proposed action affect the community's sources of fuel or energy supply? ☒ NO ☐ YES

Examples that would apply to column 2

- Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.
- Other impacts: \_\_\_\_\_

[illegible]

## NOISE AND ODOR IMPACTS

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action? ☒ NO ☐ YES

**Examples that would apply to column 2**

- Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- Odors will occur routinely (more than one hour per day).
- Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- Proposed Action will remove natural barriers that would act as a noise screen.
- Other impacts: \_\_\_\_\_

## IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety? ☒ NO ☐ YES

Examples that would apply to column 2

- Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.
- Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)
- Storage facilities for one million or more gallons of liquified natural gas or other flammable liquids.
- Proposed action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.
- Other impacts: \_\_\_\_\_

### IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will proposed action affect the character of the existing community?  
☒ NO    ☐ YES

**Examples that would apply to column 2**

- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- Proposed action will conflict with officially adopted plans or goals.
- Proposed action will cause a change in the density of land use.
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- Proposed Action will set an important precedent for future projects.
- Proposed Action will create or eliminate employment.
- Other impacts: \_\_\_\_\_

[illegible]

20. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts? ☐ NO ☐ YES

**If any action in Part 2 is identified as a potential large impact or if you cannot determine the magnitude of impact, proceed to Part 3**

## Part 3—EVALUATION OF THE IMPORTANCE OF IMPACTS

### Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

#### Instructions

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is important.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

(Continue on attachments)

# Appendix B State Environmental Quality Review Visual EAF Addendum

This form may be used to provide additional information relating to Question 11 of Part 2 of the Full EAF.

(To be completed by Lead Agency)

Visibility	Distance Between Project and Resource (in Miles)				
	0-1/4	1/4-1/2	1/2-3	3-5	5+
1. Would the project be visible from:					
• A parcel of land which is dedicated to and available to the public for the use, enjoyment and appreciation of natural or man-made scenic qualities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• An overlook or parcel of land dedicated to public observation, enjoyment and appreciation of natural or man-made scenic qualities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• A site or structure listed on the National or State Registers of Historic Places?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• State Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• The State Forest Preserve?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• National Wildlife Refuges and state game refuges?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• National Natural Landmarks and other outstanding natural features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• National Park Service lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Rivers designated as National or State Wild, Scenic or Recreational?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Any transportation corridor of high exposure, such as part of the Interstate System, or Amtrak?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• A governmentally established or designated interstate or inter-county foot trail, or one formally proposed for establishment or designation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• A site, area, lake, reservoir or highway designated as scenic?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Municipal park, or designated open space?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• County road?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Local road?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the visibility of the project seasonal? (i.e., screened by summer foliage, but visible during other seasons)					
<input type="checkbox"/> Yes <input type="checkbox"/> No					
3. Are any of the resources checked in question 1 used by the public during the time of year during which the project will be visible?					
<input type="checkbox"/> Yes <input type="checkbox"/> No					

## DESCRIPTION OF EXISTING VISUAL ENVIRONMENT

4. From each item checked in question 1, check those which generally describe the surrounding environment.

	Within	
	*1/4 mile	*1 mile
Essentially undeveloped	<input type="checkbox"/>	<input type="checkbox"/>
Forested	<input type="checkbox"/>	<input type="checkbox"/>
Agricultural	<input type="checkbox"/>	<input type="checkbox"/>
Suburban residential	<input type="checkbox"/>	<input type="checkbox"/>
Industrial	<input type="checkbox"/>	<input type="checkbox"/>
Commercial	<input type="checkbox"/>	<input type="checkbox"/>
Urban	<input type="checkbox"/>	<input type="checkbox"/>
River, Lake, Pond	<input type="checkbox"/>	<input type="checkbox"/>
Cliffs, Overlooks	<input type="checkbox"/>	<input type="checkbox"/>
Designated Open Space	<input type="checkbox"/>	<input type="checkbox"/>
Flat	<input type="checkbox"/>	<input type="checkbox"/>
Hilly	<input type="checkbox"/>	<input type="checkbox"/>
Mountainous	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

NOTE: add attachments as needed

5. Are there visually similar projects within:

- |           |                              |                             |
|-----------|------------------------------|-----------------------------|
| *1/2 mile | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| *1 miles  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| *2 miles  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| *3 miles  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

\* Distance from project site are provided for assistance. Substitute other distances as appropriate.

## EXPOSURE

6. The annual number of viewers likely to observe the proposed project is \_\_\_\_\_.

NOTE: When user data is unavailable or unknown, use best estimate.

## CONTEXT

7. The situation or activity in which the viewers are engaged while viewing the proposed action is

Activity	FREQUENCY			
	Daily	Weekly	Holidays/ Weekends	Seasonally
Travel to and from work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Involved in recreational activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Routine travel by residents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At a residence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At worksite	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>