

**NEGATIVE DECLARATION RESOLUTION  
(Vassar College Project Series 2013A)**

A Regular meeting of the Dutchess County Local Development Corporation was convened in public session on April 19, 2013 at 8:15 a.m., local time, at the Dutchess County Local Development Corporation's Offices, Three Neptune Road, Poughkeepsie, New York.

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

**PRESENT:** Charles Daniels III, Chairman  
David R. Tetor, Vice Chairman  
Phyllis DiStasi Keenan, Secretary/Treasurer  
Henry Killian  
George R. Stoffers  
Angela E. Flesland  
Timothy Dean

**ABSENT:**

**ALSO PRESENT:** Donald Cappillino, Counsel  
Catherine A. Maloney, Chief Executive Officer  
Lynn Heuermann, Chief Financial Officer

On motion duly made by \_\_\_\_\_ and seconded by \_\_\_\_\_, the following resolution (the "Resolution") was placed before the members of the Dutchess County Local Development Corporation:

**Resolution (i) Designating the Dutchess County Local Development Corporation as Lead Agency in the SEQRA Review of issuance of Tax-Exempt Revenue Bonds (Vassar College Project), Series 2013A Revenue Bonds; and (ii) Declaring a Negative Declaration.**

**WHEREAS**, the Dutchess County Local Development Corporation (the "Issuer") was duly formed under §102(a)(5) of the New York Not-for-Profit Corporation Law ("N-PCL") as a local development corporation, a Type C Corporation under §201 of the N-PCL, for the purpose of conducting activities that will relieve and reduce unemployment in Dutchess County; promote and provide for additional and maximum employment in the County; better and maintain job opportunities in the County; instruct or train individuals in the County to improve or develop their capabilities for such jobs; carry on scientific research for the purpose of aiding the County by attracting new industry to the County; or by encouraging the development of, or retention of, an industry in the County; and lessening the burdens of government and acting in the public interest; and

**WHEREAS**, the Issuer's corporate powers include, but are not limited to, the power to finance facilities for not-for-profit corporations, acquire, improve, maintain, equip and

furnish projects, to lease such projects and collect rent; to sell and convey any and all of its property, to loan the proceeds of its bonds to not-for-profit corporations and other entities whenever the Board of Directors shall find such action to be in furtherance of the purposes for which it was organized; and to issue bonds for the purpose of carrying out any of its powers; all bonds to be payable solely out of revenues and receipts derived from the leasing or sale by the Issuer of its projects; and

**WHEREAS**, Vassar College, a New York not-for-profit education corporation (the "College"), has submitted an application to the Issuer, a copy of which application is on file at the office of the Issuer, which application requested that the Issuer consider undertaking a project (the "Project") for the benefit of the College, to be owned and operated by the College, consisting of the following, all to be undertaken (unless otherwise indicated below) at the College's campus located at 124 Raymond Avenue, Poughkeepsie, New York 12604, bounded generally by Raymond Avenue on the west, New Hackensack Road (New York Route 376) on the south and Collegeview Avenue on the north, or as otherwise indicated below:

(A) (1) the construction, installation, furnishing and equipping of an approximately 81,120 square foot two-story, science facility (the "Science Building") containing laboratories and classrooms and faculty and administrative offices;

(2) the renovation, furnishing and equipping of:

(a) the New England Building containing approximately 23,115 square feet of space to provide laboratories, classrooms and offices;

(b) the Sanders Physics Building containing approximately 27,870 square feet of space to be used as laboratories, classrooms and offices; and

(c) approximately 25,000 square feet of the approximately 73,680 square feet in Olmsted Hall to remodel and update classrooms, the vivarium, laboratories and offices;

(3) the expansion, renovation, installation, furnishing and equipping of the College's existing chiller plant to provide additional capacity for the new Science Building, including a new chiller and a new cooling tower;

(4) the renovation, installation, furnishing, equipping, and improving of other College facilities needed to accommodate relocations caused by the construction and renovation projects described above; and

(5) general campus construction, renovation, equipment purchases and improvements, including, but not limited to, site work and relocation costs relating thereto, located on:

(a) the College's campus;

(b) the Vassar farm property, bounded generally by Hooker Avenue and New Hackensack Road to the north, Cedar Avenue to the west, Zack's Way and Boardman Road to the east, and Spackenkill Road to the south; and

(c) the Prentiss Fields athletics complex and adjoining student and faculty residential units, bounded generally by Hooker Avenue to the south, Raymond Avenue to the east, Ziegler Avenue to the west, and College Avenue to the north.

(B) the financing of a portion of the costs of the Project by the issuance of Tax-Exempt Revenue Bonds of the Issuer in one or more issues or series in an aggregate principal amount sufficient to pay the cost of undertaking the Project, together with the necessary incidental costs in connection therewith (including the costs described in paragraph (C)), all presently estimated to be approximately \$85,000,000.00 and in any event not to exceed \$95,000,000.00 (the "Bonds");

(C) the paying of all or a portion of the costs incidental to the issuance of the Bonds, including issuance costs of the Bonds, capitalized interest and any reserve funds as may be necessary to secure the Bonds; and

(D) the granting of certain other financial assistance with respect to the foregoing, including potential exemptions from mortgage recording taxes (collectively with the Bonds, the "Financial Assistance"); and

**WHEREAS**, the Issuer, by Preliminary Resolution duly adopted on April 19, 2013 decided to proceed under the provisions of the N-PCL to issue the Bonds for the purpose of financing, construction, installation, furnishing, equipping and improving the Project; and

**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law and the regulations adopted by the Department of Environmental Conservation of the State of New York (the laws and regulations hereinafter collectively referred to as "SEQRA"), the Issuer must determine whether the financing of the Project by the Issuer may have a significant effect on the environment and therefore require the preparation of an Environmental Impact Statement; and

**WHEREAS**, the Issuer intends to serve as Lead Agency for the SERQA review of this Project; and

**WHEREAS**, after a diligent inquiry the Issuer has not identified any other involved agencies and therefore no coordinated review is required under SEQRA; and

**WHEREAS**, to aid the Issuer in determining whether the financing, construction, installation, furnishing, equipping and improving of the Project may have a significant impact on

the environment, the College has prepared and submitted to the Issuer, along with the application, the following documents:

- (a) The Long Environmental Assessment Form (the "EAF") for the Project dated April 15, 2013, which incorporates a Long EAF dated October 14, 2011 and revised February 21, 2012 submitted to the Town of Poughkeepsie Planning Board; and
- (b) The May 17, 2012 Negative Declaration by the Town of Poughkeepsie Planning Board; and
- (c) Phase I Archaeological Report, July 14, 2011, prepared by Christopher Linder, PhD; and
- (d) Phase I Archaeological Report (Supplement), April 23, 2012, prepared by Christopher Lindner, PhD; and
- (e) Wetland Functional Evaluation and Impact Report, October 24, 2011, revised December 21, 2011, revised February 13, 2012, Ecological Solutions, LLC; and
- (f) Geotechnical Engineering Study, May 21, 2009, Langan Engineering & Environmental Services; and
- (g) Traffic Engineering & Parking Evaluation Report, May 18, 2011, John Collins Engineers, P.C.; and
- (h) Storm Water Pollution Prevention Plan (SWPPP), October 24 2011, LRC Group; and
- (i) Proposed Site Plan and Building Plans, including erosion and sediment control plans, wetland bugger disturbance and mitigation plan, grading and utility plan, landscaping and lighting plan, and site work and construction details, various revisions dates LRC Group.

**WHEREAS**, based upon the Issuer's SEQRA review, the Issuer as Lead Agency has determined that the Project will not have a significant environmental impact and that an Environmental Impact Statement need not be prepared.

**NOW, THEREFORE, BE IT RESOLVED** by the Dutchess County Local Development Corporation, as follows:

1. The Issuer designates itself Lead Agency in the environmental review of this Project under SEQRA; and

2. No other Involved Agencies have been identified and thus a coordinated review of this Project is not required under SEQRA; and
3. The Project is a Type I action under SEQRA; and
4. The Project will not have a significant environmental impact; and
5. The Issuer adopts the Negative Declaration attached hereto and made a part hereof as Exhibit A; and
6. The Issuer hereby authorizes, empowers and directs the Chief Executive Officer to take any and all actions necessary to effectuate this Resolution; and
7. This Resolution shall take effect immediately.

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

Charles Daniels III, Chairman	VOTING
David R. Tetor, Vice Chairman	VOTING
Phyllis DiStasi Keenan, Secretary/Treasurer	VOTING
Henry Killian	VOTING
George R. Stoffers	VOTING
Angela E. Flesland	VOTING
Timothy Dean	VOTING

The Resolution was thereupon declared duly adopted.

Adopted: April 19, 2013



**Reasons Supporting This Determination:**

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

The Lead Agency's determination that the action described in (A)(1) above will not have a significant environmental impact is based upon the Lead Agency's review of the following documents submitted by the College to the Lead Agency:

- (a) The Long Environmental Assessment Form ("the EAF") for the Project dated April 15, 2013, which incorporates a Long EAF dated October 14, 2011 and revised February 21, 2012 submitted to the Town of Poughkeepsie Planning Board and
- (b) The May 17, 2012 Negative Declaration by the Town of Poughkeepsie Planning Board; and
- (c) Phase I Archaeological Report, July 14, 2011, prepared by Christopher Linder, PhD; and
- (d) Phase I Archaeological Report (Supplement), April 23, 2012, prepared by Christopher Linder, PhD; and
- (e) Wetland Functional Evaluation and Impact Report, October 24, 2011, revised December 21, 2011, revised February 13, 2012, Ecological Solutions, LLC; and
- (f) Geotechnical Engineering Study, May 21, 2009, Langan Engineering & Environmental Services; and
- (g) Traffic Engineering & Parking Evaluation Report, May 18, 2011, John Collins Engineers.; and
- (h) Storm Water Pollution Prevention Plan (SWPPP), October 24, 2011, LRC Group; and
- (i) Proposed Site Plan and Building Plans, including erosion and sediment control plans, wetland bugger disturbance and mitigation plan, grading and utility plan, landscaping and lighting plan, and site work and construction details, various revisions dates LRC Group.

The Lead Agency's determination that the actions described in (A)(2)(3)(4) & (5) above will not have a significant environmental impact is based upon the Lead Agency's determination that these actions constitute maintenance, repairs and upgrades that are Type II actions pursuant to 6 NYCRR 617.5 (c)(1) & (2).

**If Conditioned Negative Declaration**, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

**For Further Information:**

Contact Person: Catherine A. Maloney

Address: 3 Neptune Road, Poughkeepsie, New York 12601

Telephone Number: 845-463-5415

**For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:**

Chief Executive Officer , Town / City / Village of Town of Poughkeepsie

Other involved agencies (If any)

None

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany NY, 12233-1750 (Type One Actions only)