



DASNY

Memorandum

TO: Jack D. Homkow, Director, Office of Environmental Affairs

FROM: Matthew A. Stanley, AICP, Senior Environmental Manager

DATE: March 23, 2016 (Revised March 29, 2016)

RE: *State Environmental Quality Review (SEQR) Unlisted Uncoordinated Negative Declaration, Negative Declaration Concurrence and Type II Determination for the Memorial Sloan-Kettering Cancer Center 2016 Financing Project — Other Independent Institutions Program*

The Memorial Sloan-Kettering Cancer Center (“MSKCC”) has requested financing from DASNY (“Dormitory Authority State of New York”) pursuant to DASNY’s Other Independent Institutions Program for its *2016 Financing Project*. Accordingly, the *2016 Financing Project* is subject to environmental review pursuant to the *State Environmental Quality Review Act (“SEQRA”)*.

Based on a review of the attached *Credit Summary*, dated February 26, 2016, it has been determined that for purposes of *SEQRA*, the Proposed Action would consist of DASNY’s authorization of the issuance of an amount not to exceed \$130,000,000 in 25-year fixed- and/or variable-rate, tax-exempt and/or taxable Series 2016 bonds, in one or more series, to be sold through a private placement and/or a public offering on behalf of Memorial Sloan-Kettering Cancer Center.

2016 Financing Project. The proceeds of the bond issuance would be used to finance the *2016 Financing Project* which would involve the construction of a *Clinical Laboratory Building* at 327 East 64th Street, Manhattan, New York (New York County); the construction of an *Extension Clinic Expansion* at 650 Commack Road, Commack, New York (Suffolk County); the *Renovation of M4 Nursing Unit* at MSKCC’s facility located at 1275 York Avenue, Manhattan, New York (New York County); and, the purchase of various medical equipment to be installed at MSKCC facilities in Manhattan, New York County, New York. The four components of the *2016 Financing Project* are described further under *SEQR Determination*, below.

Description of the Institution. Memorial Sloan-Kettering Cancer Center (the “Center Corporation”) is part of a group of corporations that make up the oldest and largest privately operated not-for-profit cancer center in the world. The other corporations in the group include Memorial Hospital for Cancer and Allied Diseases (the “Hospital”), Sloan-Kettering Institute for Cancer Research, S.K.I. Realty, Inc., MSK Insurance US, Inc., the Louis V. Gerstner Jr. Graduate School of Biomedical Sciences and MSK Insurance, Ltd., collectively (the “Related Corporations”) and, collectively with the Center Corporation (“MSK”). The Hospital, a 514-bed licensed

specialty hospital traces its roots to the New York Cancer Hospital, founded in 1884 as the nation's first cancer hospital. The Hospital is the premier institution for setting the standard of care for cancer patients and countless discoveries in clinical research have occurred here that have led to standard-setting innovations in all areas of cancer diagnosis and treatment. All inpatient activity takes place at the main New York City campus between 67th and 68th Streets on York Avenue. Outpatient services are provided at several diagnostic and treatment centers in Manhattan and multiple regional network facilities.

SEQR Determination. DASNY completed this environmental review in accordance with *SEQRA*, codified at Article 8 of the New York *Environmental Conservation Law* ("ECL") and implementing regulations, promulgated at Part 617 of Title 6 of the *New York Codes, Rules and Regulations* ("N.Y.C.R.R."), which collectively contain the requirements for the New York State *Environmental Quality Review* ("SEQR") process.

Clinical Laboratory Building (Manhattan). The *Clinical Laboratory Building* project (the "laboratory") would involve the construction of a 90,000-gross-square-foot ("gsf") laboratory medicine facility at 327 East 64th Street between First and Second Avenues, Manhattan, New York (New York County). The 75-foot-high laboratory would have 9 floors; 6 above ground and 3 below. The proposed laboratory is currently under construction. The foundation is complete, and steel erection is on-going. The estimated date of completion is mid 2017.

The laboratory is considered as of right under the *Zoning Resolution of the City of New York*. No zoning variance or other discretionary approvals from the City of New York were required to facilitate the laboratory. The laboratory is under construction pursuant to New York City Department of Buildings permit No. 121331816.

The construction of the laboratory, described above, constitutes an Unlisted Action as specifically designated by 6 *N.Y.C.R.R.* § 617.2(ak). As the sole remaining agency with a discretionary approval for the laboratory, DASNY elected to conduct an uncoordinated review under *SEQR*. DASNY analyzed the relevant areas of environmental concern, as summarized in the attached *Short Environmental Assessment Form* ("*SEAF*") *Parts I and II* (attached). Based on the above, and the additional information contained herein, DASNY, as Lead Agency, determined that the laboratory would not have a significant adverse impact on the environment, and a Draft Environmental Impact Statement will not be prepared.

Extension Clinic Expansion (Commack). The *Extension Clinic Expansion* project (the "extension clinic") would involve the construction of a three-story, 36,461-gsf addition to MSKCC's existing one- and two-story, 52,725-gsf extension clinic located at 650 Commack Road, Commack, New York (Suffolk County). The extension clinic project would also include a 773-gsf storage addition. The extension clinic is currently under construction, and the estimated date of completion is September 2017.

Several approvals from the Town of Smithtown were required in order to facilitate construction of the extension clinic, including site plan approval (Town of Smithtown Board of Site Plan Review); zone change (Town of Smithtown Town Board); and zoning variance (Town of Smithtown Board of Zoning Appeals). Prior to consideration of the requested approvals, the extension clinic was the subject of a coordinated *SEQR* review by the Town of Smithtown Town Board as an Unlisted action. The Town of Smithtown Town Board issued a *SEQR Negative Declaration Notice of Determination of Nonsignificance* on November 4, 2014 (attached). The approvals were granted subsequent to the completion of *SEQR*.

While DASNY was not an involved agency during the Town of Smithtown Town Board's coordinated *SEQR* review in 2014, it is bound by the determination of the lead agency.¹ DASNY independently analyzed the relevant areas of environmental concern and concurred with the Town of Smithtown Town Board's *Negative Declaration* that the extension clinic would not have a significant adverse impact on the environment. No further *SEQR* review is required.

Renovation of M4 Nursing Unit (Manhattan). The *Renovation of M4 Nursing Unit* project would involve renovations and upgrades to the existing 4th floor inpatient unit to accommodate the needs of the inpatient Neuro/Neurosurgery unit at MSKCC's main facility located at 1275 York Avenue, Manhattan, New York (New York County). Replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in Part 617.4 is a Type II action as specifically designated by 6 *N.Y.C.R.R.* § 617.5(c)(2). Type II "actions have been determined not to have significant impact on the environment or are otherwise precluded from environmental review under Environmental Conservation Law, article 8."² Therefore, no further *SEQR* determination or procedure is required for any project identified as Type II.

Medical Equipment Purchases (various locations). Various medical equipment would be purchased and installed at MSKCC facilities in Manhattan, New York County, including linear accelerators, magnetic resonance imaging machines, a computed tomography angiography scanner, and data center equipment. The purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials, is a Type II action as specifically designated by 6 *N.Y.C.R.R.* § 617.5(c)(25). Type II "actions have been determined not to have significant impact on the environment or are otherwise precluded from environmental review

¹ 6 *N.Y.C.R.R.* § 617.6(b)(3)(iii).

² 6 *N.Y.C.R.R.* § 617.5(a).

under Environmental Conservation Law, article 8.”³ Therefore, no further *SEQR* determination or procedure is required for any project identified as Type II.

SHPA Determination. The Proposed Project was also reviewed in conformance with the *New York State Historic Preservation Act of 1980 (“SHPA”)*, especially the implementing regulations of Section 14.09 of the *Parks, Recreation, and Historic Preservation Law (“PRHPL”)*, as well as with the requirements of the Memorandum of Understanding (“MOU”), dated March 18, 1998, between DASNY and the New York State Office of Parks, Recreation, and Historic Preservation (“OPRHP”).

The laboratory site is not listed in or eligible for listing in the State and/or National Registers of Historic Places. It is not a designated New York City Landmark. The laboratory site is considered to be archaeologically sensitive, however, at the time that MSKCC approached DASNY about the *2016 Financing Project*, the laboratory was already under construction.

The extension clinic site is not listed in or eligible for listing in the State and/or National Registers of Historic Places. It is not considered to be archaeologically sensitive.

It is the opinion of DASNY that the *2016 Financing Project* would have no impact on historic or cultural resources in or eligible for inclusion in the National and/or State Registers of Historic Places.

SSGPIPA Determination. Since the Proposed Action would include DASNY bond financing, a Smart Growth Impact Statement (“SGIS”) for the Proposed Project was prepared pursuant to the *State of New York State Smart Growth Public Infrastructure Policy Act (“SSGPIPA”)* procedures (see “Smart Growth Impact Statement Assessment Form [“SGISAF”], attached). DASNY’s Smart Growth Advisory Committee reviewed the SGIS and attested that the Proposed Project, to the extent practicable, would meet the smart growth criteria established by the legislation. The compatibility of the Proposed Project with the ten criteria of the *SSGPIPA*, article 6 of the ECL, is detailed in the SGISAF. As indicated on the form, the Proposed Project would be generally supportive of *SSGPIPA* and no further *SSGPIPA* analysis is required.

Attachments

cc: Dena T. Amodio, Esq. (via email); Matthew T. Bergin (via email); *SEQR* File

³ 6 *N.Y.C.R.R.* § 617.5(a).

Credit Summary

Memorial Sloan-Kettering Cancer Center
New York, New York

February 26, 2016

Program: Other Independent Institutions

Purpose: New Money/Private Placement

New Issue Details

Approximately \$125,000,000 in 25-year fixed and/or variable rate, taxable and/or tax-exempt, Series 2016 Bonds are expected to be sold through a private placement.

Purpose

- The expansion of an extension clinic in Commack, New York (\$30 million).
- The construction of a new Laboratory Medicine Building at 327 East 64th Street, Manhattan (\$30 million).
- Major medical equipment purchases (\$49 million) and hospital renovations (\$16 million).

Security

- A General Obligation of the Center Corporation.
- Guarantees from Sloan-Kettering Institute for Cancer Research and S.K.I. Realty Inc.

Expected Ratings: NR/NR/NR

Overview

Memorial Sloan-Kettering Cancer Center (the "Center Corporation") is part of a group of corporations that make up the oldest and largest privately operated not-for-profit cancer center in the world. The other corporations in the group include Memorial Hospital for Cancer and Allied Diseases (the "Hospital"), Sloan-Kettering Institute for Cancer Research, S.K.I. Realty, Inc., MSK Insurance US, Inc., the Louis V. Gerstner Jr. Graduate School of Biomedical Sciences and MSK Insurance, Ltd., collectively (the "Related Corporations") and, collectively with the Center Corporation ("MSKCC"). The Hospital, a 514-bed licensed specialty hospital traces its roots to the New York Cancer Hospital, founded in 1884 as the nation's first cancer hospital. The Hospital is the premier institution for setting the standard of care for cancer patients and countless discoveries in clinical research have occurred here that have led to standard-setting innovations in all areas of cancer diagnosis and treatment. All inpatient activity takes place at the main New York City campus between 67th and 68th Streets on York Avenue. The shift in the delivery of cancer care to the outpatient setting over the past fifteen years required that the Hospital look beyond the immediate campus for space and convenient access for its patients. In response to this change, MSKCC opened and expanded several diagnostic and treatment centers in Manhattan

and multiple regional network facilities. While the focus of these entities is to promote the prevention, treatment and cure for cancer, the Center Corporation's main purpose is to coordinate the efforts of the entire group. A common board of managers controls all corporate entities. As of September 30, 2015, MSKCC reported total net assets of approximately \$5.37 billion.

Strengths

- Market Position – MSKCC is world-renowned as a leader in the treatment of cancer and cancer research and has strengthened its regional presence in recent years.
- Balance Sheet – Unrestricted net assets are approximately \$3.9 billion.
- Liquidity Position – MSKCC has a solid liquidity position with over \$620 million in cash and short term investments.
- Fundraising – MSKCC has proven that it can raise capital on a continuous basis. Total contributions and pledges raised through fundraising efforts were over \$750 million for the past two years combined.
- Revenue Diversity – Revenue sources are diversified with patient care, research, fundraising and royalties all contributing to a healthy revenue stream that provides flexibility. Through September 30 2015, total year to date revenue was approximately \$2.7 billion with net operating income of approximately \$143.1 million.

Risks

- Future Capital Plan – MSKCC typically spends approximately \$200 million annually on routine capital expenditures and this is consistent with its plan to spend about \$2.2 billion on its clinical expansion program over the next ten years. It is anticipated that a combination of equity, fund raising and borrowing will fund these projects.
- Reimbursement – MSKCC is exposed to uncertainties in the health care environment and the potential for future reductions in patient service reimbursement.



DASNY

DIVISION OF PUBLIC FINANCE AND PORTFOLIO MONITORING
PORTIA LEE, MANAGING DIRECTOR
PREPARED BY: MATTHEW T. BERGIN (518) 257-3140

Credit Summary

Memorial Sloan-Kettering Cancer Center
New York, New York

February 26, 2016

Program: Other Independent Institutions

Purpose: New Money/Private Placement

Recommendation

The attached staff report recommends that the Board adopt a Resolution to Proceed in an amount not to exceed \$130,000,000 for a term of 25 years for Memorial Sloan-Kettering Cancer Center. The bonds are proposed to be privately placed. The recommendation is based on the Center Corporation and Related Corporations' strong balance sheet and income statement, the Center Corporation's underlying rating in the "AA" category from all three rating agencies and DASNY's past experience with the Center Corporation.



DASNY

DIVISION OF PUBLIC FINANCE AND PORTFOLIO MONITORING
PORTIA LEE, MANAGING DIRECTOR
PREPARED BY: MATTHEW T. BERGIN (518) 257-3140

Short Environmental Assessment Form

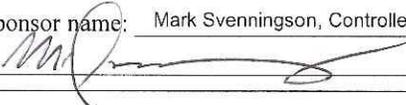
Part 1 - Project Information

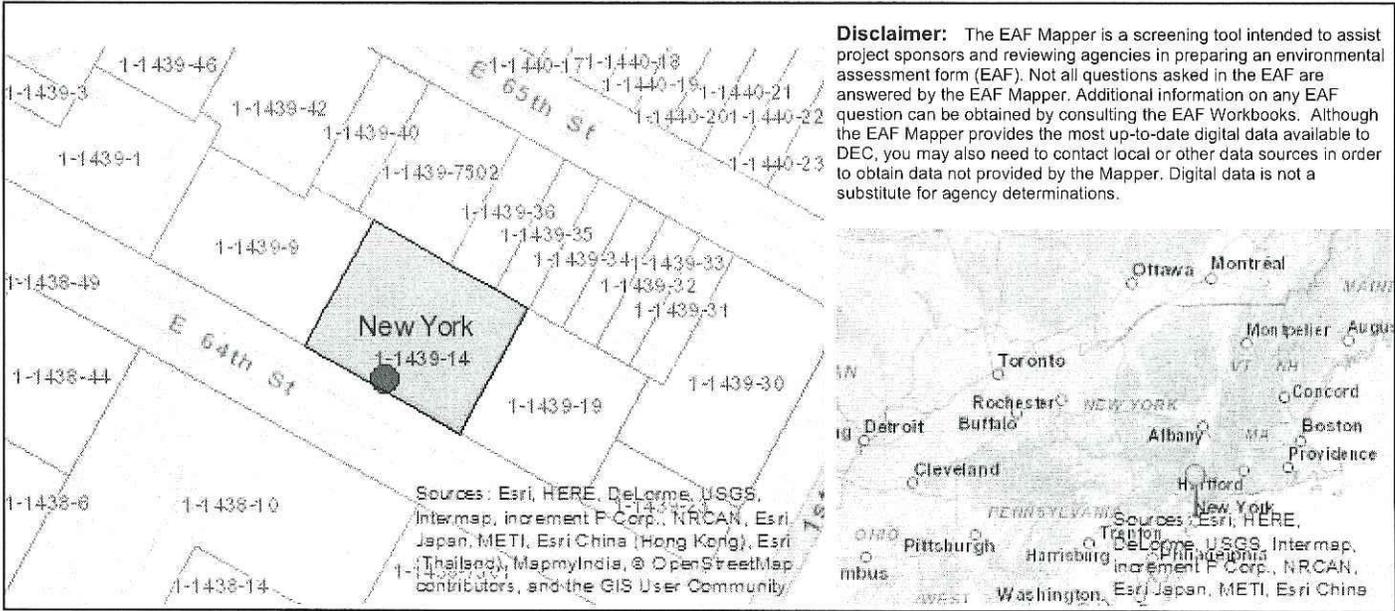
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Memorial Sloan Kettering Cancer Center			
Name of Action or Project: Laboratory Medicine Building			
Project Location (describe, and attach a location map): 327 East 64th Street, borough of Manhattan, New York (New York County)			
Brief Description of Proposed Action: see attached project description			
Name of Applicant or Sponsor: Mark Svenningson, Controller		Telephone: (212) 639-3414	
		E-Mail: svenninm@mskcc.org	
Address: Memorial Sloan Kettering Cancer Center, 633 Third Avenue - Suite 4			
City/PO: New York		State: New York	Zip Code: 10017
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: NYC Department of Buildings permit issued November 19, 2014			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 0.288 acres	
b. Total acreage to be physically disturbed?		_____ 0.288 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 0.288 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ <u>NYSDEC open spill No. 9111462 is currently being remediated by MSKCC. See attached email correspondence between Neville Chung (MSKCC) and Matt Stanley (DASNY), December 16, 2015.</u></p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Mark Svenningson, Controller, MSKCC</u> Date: <u>12/17/15</u></p> <p>Signature: </p>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



Memorial Sloan-Kettering Cancer Center 2016 Financing
Laboratory Medicine Building (327 East 64th Street, Manhattan)
Project Description

Memorial Sloan-Kettering Cancer Center has requested financing from the Dormitory Authority State of New York (“DASNY”) pursuant to DASNY’s Other Independent Institutions Program for its *2015 Financing Project*. The Proposed Action would consist of DASNY’s authorization of the issuance of bonds on behalf of Memorial Sloan-Kettering Cancer Center. The proceeds of the bond issuance would be used to finance a series of new construction and other projects, including a Laboratory Medicine Building located at 327 East 64th Street, Manhattan, New York.

As the other elements of the proposed financing have either been the subject of a previous *State Environmental Quality Review (“SEQR”)* review or are Type II actions under *SEQR*, the *SEQR* review that follows is focused on the Laboratory Medicine Building (the “Proposed Project”).¹

The Proposed Project would involve the construction of a 90,000-gross-square-foot (“gsf”) state-of-the-art laboratory medicine facility at 327 East 64th Street between First and Second Avenues, Manhattan, New York. The proposed 75-foot-high facility would have 9 floors; 6 above ground and 3 below. External design features include rear-yard setbacks on floors 2 and 5, and rear- and front-yard setbacks on the sixth floor. Approximately 244 full-time-equivalent (“FTE”) employees would work at the proposed facility.

Laboratory services performed at the facility will include specialized testing in hematology/hemostasis, clinical chemistry, microbiology/infectious disease, and flow cytometry (a technique used to examine microscopic particles such as cells and chromosomes). A full-service blood bank and stem cell therapy laboratory will be used to prepare blood and cell products for transfusion at the point of care. In addition, the new facility will support a training program for the next generation of laboratory medicine professionals.

The proposed structure is currently under construction. The foundation is complete, and steel erection is on-going. The estimated date of completion is mid 2017.

SEQR Classification. The Proposed Project is considered as of right under the *Zoning Resolution of the City of New York*. No zoning variance or other discretionary approvals from

¹ The Extension Clinic project located at 650 Commack Road, Commack (Suffolk County) was the subject of a *SEQR* review by the Town Board of the Town of Smithtown, resulting in a *Negative Declaration Determination of Non-Significance* issued on November 4, 2014. The equipment purchases at 1275 York Avenue, Manhattan (New York County) are classified as a Type II action under *SEQR* and no further review is required.

the City of New York were required to facilitate the Proposed Project. The Proposed Project is under construction pursuant to New York City Department of Buildings permit №. 121331816.

The construction of the Proposed Project, described above, constitutes an Unlisted Action as specifically designated by 6 *N.Y.C.R.R.* § 617.2(ak). As the sole remaining agency with a discretionary approval for the Proposed Project, DASNY elected to conduct an uncoordinated review under *SEQR*.

Project: MSKCC Laboratory 327 E64th NYC

Date:

***Short Environmental Assessment Form
Part 2 - Impact Assessment***

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Project site has an open New York State Department of Environmental Conservation (NYSDEC) listed spill (No. 9111462). MSKCC obtained the property with the open spill on record with the NYSDEC. The NYSDEC was informed of the building raze and re-build and approved a plan to remove all contaminated soil encountered during excavation activities for the new building. During the excavation for the building foundation, petroleum-contaminated soil was removed and disposed off-site. A NYSDEC-approved remedial action plan is in place. Per this plan, NYSDEC is requiring that MSKCC excavate a specific area in the sidewalk, near the former remote fill for the three underground storage tanks, to determine if the soil and groundwater in the area is impacted. Due to the limited site constraints (this area is currently under the hoist) the site exploration was postponed on /or before Spring of 2016. Once this is done the spill No. 9111462 shall be closed.

Given the remedial activities being carried out by MSKCC, no significant adverse impacts are expected as a result of this spill.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Dormitory Authority - State of New York

March 23, 2016

Name of Lead Agency

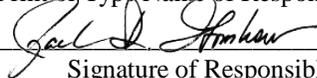
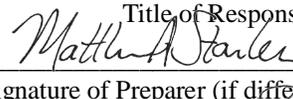
Date

Jack D. Homkow

Director

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM



TOWN OF SMITHTOWN

631-360-7540

PLANNING and COMMUNITY
DEVELOPMENT DEPARTMENT

TOWN SUPERVISOR
PATRICK R. VECCHIO

TOWN COUNCIL
THOMAS J. McCARTHY
EDWARD R. WEHRHEIM
ROBERT J. CREIGHTON
LYNNE C. NOWICK

November 5, 2014

Vincent Pizzulli, Esq.
Forchelli, Curto, etal.
The OMNI
333 Earle Ovington Blvd.
Uniondale, NY 11553

Site Plan Application: Memorial Sloan Kettering (14-06)
E/s Commack Rd. (CR4), 200' N/o Henry St.
Commack
Zoning District: OB (Office Business)
SCTM# 800- 174-1-64.1

Dear Mr. Pizzulli:

The Board of Site Plan Review, at its meeting held November 4, 2014 considered your Site Plan Application for a proposed 36,461 sq. ft. 3-story office addition and a 773 sq. ft. storage addition.

After due study and deliberation, the Board decided to approve your application subject to the following conditions:

- 1) Prior to the start of construction of the proposed building addition(s); the applicant shall obtain any necessary permits from the Town Building Department (Permit #134317 is in progress) for the proposed building addition(s) (excluding the STP upgrade). The applicant will submit for a separate building permit for the STP upgrade after it has obtained construction approval for the STP upgrade from SCDHS. Construction of the proposed building addition(s)(excluding the STP upgrade) may proceed while SCDHS construction approval is pending, but no Certificate of Occupancy("CO") may be issued for the proposed building addition(s) or the STP upgrade unless the STP upgrade has been completed in accordance with SCDHS' construction approval. The proposed building addition(s) shall not be occupied for use by the applicant unless a CO has been issued for the proposed building addition(s) and the STP upgrade.
- 2) The Board of Site Plan Review reserves the right to commence additional review of the site plan in the event that SCDHS requires additional site work for the proposed STP upgrade (beyond that which is currently depicted on the site plan). If additional site plan review is required, applicant shall obtain amended site plan approval and building permits, if necessary.
- 3) Concrete curb shall conform to the Town of Smithtown Engineering Department standard for "Type A Typical Flat-Faced Curb".

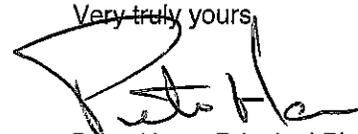
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Please be advised that Site Plan approval does not relieve the applicant of the necessity to comply with the provisions of the Building Zone Ordinance and other applicable regulations. This approval is only for the use and improvements as described in the application and the plans.

Furthermore, the Site Plan approval does not necessarily include improvements within the structure; additional review may be required by the Building Department. In any case, prior to the commencement of construction and /or site modification you must be in possession of a valid building permit.

If you require any assistance concerning this matter, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in black ink, appearing to read "Peter Hans", written over the typed name below.

Peter Hans, Principal Planner

PH/ncm

Cc: Mark Riley, Town Engineer
Joseph Arico, Town Building Director
Mitchell J. Crowley, Director of Traffic Safety Department
Glenn Jorgensen, Superintendent of Highways
Russell K. Barnett, Environmental Protection Director
Vincent Puleo, Town Clerk
Angelo V. Laino, PE, VHB Engineering, 2150 Joshua's Path, Hauppauge, NY 11788
Anthony Hagan, Memorial Sloan Kettering, 1233 York Avenue, SR201, New York, NY 10065
Jo-Ann Raia, Town Clerk, Town of Huntington, Town Hall, 100 Main St., Huntington, NY 11743
William Hillman, SCDPW, 335 Yaphank Avenue, Yaphank, NY 11980-9608
Andrew Freleng, SCPC, PO Box 6100, Hauppauge, NY 11788-0099

BOARD OF SITE PLAN REVIEW DECISION

Decision Date: 11/4/14

SUBJECT: Site Plan Application: Memorial Sloan Kettering (14-06)
E/s Commack Rd. (CR4), 200' N/o Henry St., Commack
Zoning District: OB (Office Business)
SCTM# 800- 174-1-64.1

PROPOSAL: Proposed 36,461 sq.ft. 3-story office addition and a 773 sq.ft. storage addition.

SEQRA: Negative Declaration adopted by the Town Board on: 11/4/14

PLANS: Approved Site Plan prepared by: VHB Engineering
Plans date stamped "Received" by the Planning Department on: May 2, 2014

OTHER: TB ZC Mod. 2012-09, BZA Case# 17032, SCDPW

CONDITIONS OF SITE PLAN APPROVAL:

- 1) Prior to the start of construction of the proposed building addition(s), the applicant shall obtain any necessary permits from the Town Building Department (Permit #134317 is in progress) for the proposed building addition(s) (excluding the STP upgrade). The applicant will submit for a separate building permit for the STP upgrade after it has obtained construction approval for the STP upgrade from SCDHS. Construction of the proposed building addition(s)(excluding the STP upgrade) may proceed while SCDHS construction approval is pending, but no Certificate of Occupancy ("CO") may be issued for the proposed building addition(s) or the STP upgrade unless the STP upgrade has been completed in accordance with SCDHS' construction approval. The proposed building addition(s) shall not be occupied for use by the applicant unless a CO has been issued for the proposed building addition(s) and the STP upgrade.
- 2) The Board of Site Plan Review reserves the right to commence additional review of the site plan in the event that SCDHS requires additional site work for the proposed STP upgrade (beyond that which is currently depicted on the site plan). If additional site plan review is required, applicant shall obtain amended site plan approval and building permits, if necessary.
- 3) Concrete curb shall conform to the Town of Smithtown Engineering Department standard for "Type A Typical Flat-Faced Curb".

I am the Applicant or Agent and hereby agree to develop and maintain the site in compliance with the approved plans and all conditions of approval, and shall not make any changes without prior written authorization by the Board or it's designee.

VINCENT J. PIZZULLI, JR.	Attorney		October 16, 2014
PRINT NAME	TITLE	SIGNATURE	DATE

This site plan has been approved for drainage and related improvements by the Town Engineer,

Mark Riley, P.E. 5 Nov 2014
 Date

and for compliance with applicable requirements of the Building Zone Ordinance by the Director of Planning.

David Flynn, Asst. Planning Director 11/4/14
 Date

BOARD DECISION:

Patrick R. Vecchio, Chairman

Approve with conditions Disapprove

Thomas McCarthy

Approve with conditions Disapprove

Edward Wehrheim

Approve with conditions Disapprove

Robert Creighton

Approve with conditions Disapprove

Samuel C. Davis

Approve with conditions Disapprove



TOWN OF SMITHTOWN

EC
FILE

SUPERVISOR
PATRICK R. VECCHIO

TOWN COUNCIL
THOMAS J. MCCARTHY
EDWARD R. WEHRHEIM
ROBERT J. CREIGHTON
LYNNE C. NOWICK

MAIN OFFICE (631) 360-7514
WASTE MANAGEMENT (631) 754-4998
FAX: (631) 360-0227
dew@tosgov.com

DEPARTMENT OF
ENVIRONMENT &
WATERWAYS

SEQRA

RUSSELL K. BARNETT
DIRECTOR

NEGATIVE DECLARATION DETERMINATION OF NON-SIGNIFICANCE

DATE: November 4, 2014

LEAD AGENCY: SMITHTOWN TOWN BOARD
ADDRESS: C/O SMITHTOWN DEPARTMENT OF ENVIRONMENT & WATERWAYS
124 WEST MAIN STREET
SMITHTOWN, NEW YORK 11787

THIS NOTICE IS ISSUED PURSUANT TO 6 N.Y.C.R.R. PART 617, THE IMPLEMENTING REGULATIONS PERTAINING TO ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW (STATE ENVIRONMENTAL QUALITY REVIEW ACT).

THE LEAD AGENCY HAS DETERMINED THAT THE PROPOSED ACTION DESCRIBED BELOW WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

PROJECT: Memorial Sloan-Kettering Cancer Center (14-06) - Site Plan
APPLICANT: Memorial Hospital for Cancer and Allied Diseases, Inc.
ADDRESS: 1233 York Avenue, SR-201
New York, NY 11065

NOV 17 2014
PLANNING AND
DEVELOPMENT

SUFFOLK COUNTY TAX MAP PARCEL #: 0800-174-1-64.1

LOCATION: E/s/o Commack Road, 200.06 feet N/o Henry Street, Commack, Town of Smithtown, Suffolk County, New York.

DESCRIPTION: Application for the consideration of Site Plan approval to facilitate the construction of a proposed three-story, 36,461 square foot addition to the existing one and two-story 52,725 square foot facility and a proposed 773 square foot storage addition, located on a currently developed 11.18 acre parcel of land zoned OB.

SEQRA CLASSIFICATION: Unlisted Action



TREE CITY USA



SEORA NEGATIVE DECLARATION - PAGE 2

PROJECT: Memorial Sloan-Kettering Cancer Center (14-06) – Site Plan

REASONS SUPPORTING THIS DETERMINATION:

- A. The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Smithtown Town Code.
- B. The parcel does not appear to contain any high groundwater conditions, poor soil properties or unmanageable slopes which would impose severe environmental development constraints upon the subject parcel.
- C. The small size and nature of the proposal mitigate against a significant adverse impact upon the environment.
- D. An adverse impact upon groundwater is not anticipated as this project will be subject to Suffolk County Sanitary Code Article XII which regulates the storage and handling of toxic and hazardous materials, and Suffolk County Sanitary Code Article VI, restricting the discharge of wastes to sanitary and non-contact cooling water and further limiting the volume of such discharges.
- E. The proposal appears to be consistent with the planned use of the parcel and compatible with neighboring land uses.

FOR FURTHER INFORMATION CONTACT:

MR. RUSSELL K. BARNETT, DIRECTOR
ENVIRONMENT AND WATERWAYS
124 WEST MAIN STREET
SMIHTOWN, NEW YORK 11787
PHONE: (631) 360-7514

BY ORDER OF: SMIHTOWN TOWN BOARD
AS PER RESOLUTION DATED NOVEMBER 4, 2014

CC: PATRICK R. VECCHIO, TOWN SUPERVISOR
DAVID FLYNN, ASSISTANT PLANNING DIRECTOR
VINCENT PULEO, TOWN CLERK
SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES
SUFFOLK COUNTY PLANNING DEPARTMENT
SUFFOLK COUNTY WATER AUTHORITY
DIVISION OF REGULATORY AFFAIRS, NYS-DEC - REGION I
APPLICANT

SMART GROWTH IMPACT STATEMENT ASSESSMENT FORM

Date: March 23, 2016
Project Name: Memorial Sloan-Kettering Cancer Center
2016 Financing Project
 Other Independent Institutions Program
Project Number: N/A
Completed by: Matthew A. Stanley, AICP
 Senior Environmental Manager

This Smart Growth Impact Statement Assessment Form (“SGISAF”) is a tool to assist you and Dormitory Authority State of New York (“DASNY”) Smart Growth Advisory Committee in deliberations to determine whether a project is consistent with the State of New York *State Smart Growth Public Infrastructure Policy Act (“SSGPIPA”)*, article 6 of the New York State *Environmental Conservation Law (“ECL”)*. Not all questions/answers may be relevant to all projects.

Description of Proposed Action and Proposed Project:

The Proposed Action would consist of DASNY’s authorization of the issuance of an amount not to exceed \$130,000,000 in 25-year fixed- and/or variable-rate, tax-exempt and/or taxable Series 2016 bonds, in one or more series, to be sold through a private placement and/or a public offering on behalf of Memorial Sloan-Kettering Cancer Center (“MSKCC”). The proceeds of the bond issuance would be used to finance the *2016 Financing Project*.

The *2016 Financing Project* would involve two components subject to *SSGPIPA*: the construction of a Clinical Laboratory Building (the “laboratory”) at 327 East 64th Street, Manhattan, New York (New York County), and the construction of an Extension Clinic Expansion (the “extension clinic”) at 650 Commack Road, Commack, New York (Suffolk County).¹

The following Smart Growth Impact Assessment covers both the Clinical Laboratory Building and Extension Clinic Expansion (referred to collectively as the “Proposed Project”).

Smart Growth Impact Assessment: Have any other entities issued a Smart Growth Impact Statement (“SGIS”) with regard to this project? (If so, attach same).

Yes No

¹ Two additional components of the *2016 Financing Project* are considered Type II actions under the *State Environmental Quality Review Act (“SEQR”)* and are therefore, per DASNY’s *SSGPIPA* policy, not subject to *SSGPIPA*: the Renovation of M4 Nursing Unit at MSKCC’s facility located at ***, Manhattan, New York (New York County); and the purchase of various medical equipment to be installed at MSKCC facilities in Manhattan and Westchester County, New York.

1. Does the project advance or otherwise involve the use of, maintain, or improve existing infrastructure? Check one and describe:

Yes No Not Relevant

Both the laboratory and extension clinic would be located in developed areas and would take advantage of existing infrastructure. Therefore the Proposed Project would be consistent with this criterion.

2. Is the project located wholly or partially in a **municipal center**,* characterized by any of the following: Check all that apply and explain briefly:

- A city or a village
- Within the interior of the boundaries of a generally-recognized college, university, hospital, or nursing home campus
- Area of concentrated and mixed land use that serves as a center for various activities including, but not limited to: **see below**
- Central business districts (such as the commercial and often geographic heart of a city, "downtown", "city center")
- Main streets (such as the primary retail street of a village, town, or small city. It is usually a focal point for shops and retailers in the [central business district](#), and is most often used in reference to retailing and socializing)
- Downtown areas (such as a city's core (or center) or central business district, usually in a geographical, commercial, and community sense).
- Brownfield Opportunity Areas (http://nyswaterfronts.com/BOA_projects.asp)
- Downtown areas of Local Waterfront Revitalization Program areas (http://nyswaterfronts.com/maps_regions.asp)
- Locations of transit-oriented development (such as projects serving areas that have access to mass or public transit for residents)
- Environmental Justice Areas (<http://www.dec.ny.gov/public/899.html>)
- Hardship areas

* DASNY interprets the term "municipal centers" to include existing, developed institutional campuses such as universities, colleges and hospitals.

3. Is the project located adjacent to municipal centers (please see characteristics in question 2, above) with clearly-defined borders, in an area designated for concentrated development in the future by a municipal or regional comprehensive plan that exhibits strong land use, transportation, infrastructure and economic connections to an existing municipal center? Check one and describe:

Yes No Not Relevant

This is not relevant because the project is consistent with criterion 2 above.

4. Is the project located in an area designated by a municipal or comprehensive plan, and appropriately zoned, as a future municipal center? Check one and describe:

Yes No Not Relevant

This is not relevant because the project is consistent with criterion 2 above.

5. Is the project located wholly or partially in a developed area or an area designated for concentrated infill development in accordance with a municipally-approved comprehensive land use plan, a local waterfront revitalization plan, brownfield opportunity area plan or other development plan? Check one and describe:

Yes No Not Relevant

This is not relevant because the project is consistent with criterion 2 above.

6. Does the project preserve and enhance the state's resources, including agricultural lands, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and/or significant historic and archeological resources? Check one and describe:

Yes No Not Relevant

Both the laboratory and extension clinic were reviewed under the *State Environmental Quality Review Act (SEQRA)*. The respective *SEQRA* reviews conducted by DASNY (laboratory) and the Town of Smithtown (extension clinic) concluded that the projects would have no adverse impacts on agricultural land, forest, surface and groundwater, air quality, recreation and open space, scenic areas or significant historic and archeological resources, therefore the Proposed Project would be consistent with this criterion.

7. Does the project foster mixed land uses and compact development, downtown revitalization, brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development and/or the integration of all income and age groups? Check one and describe:

Yes No Not Relevant

The laboratory would be located on East 64th Street in Manhattan, New York City. The project would strengthen the neighborhood's mix of institutional, residential and commercial uses.

The extension clinic would be located adjacent to MSKCC's existing facility in Commack, Suffolk County. The project would strengthen MSKCC's presence in the neighborhood and allow it to better serve its patients in the area.

Therefore the Proposed Project would be consistent with this criterion.

8. Does the project provide mobility through transportation choices, including improved public transportation and reduced automobile dependency? Check one and describe:

Yes No Not Relevant

The respective project sites are accessible by public transportation, therefore the Proposed Project would be consistent with this criterion.

9. Does the project demonstrate coordination among state, regional, and local planning and governmental officials? (Demonstration may include *State Environmental Quality Review* ["SEQR"] coordination with involved and interested agencies, district formation, agreements between involved parties, letters of support, State Pollutant Discharge Elimination System ["SPDES"] permit issuance/revision notices, etc.). Check one and describe:

Yes No Not Relevant

The extension clinic was the subject of a coordinated *SEQRA* review conducted by the Town of Smithtown. The laboratory was the subject of a building permit review process conducted by the New York City Department of Buildings. Therefore, the Proposed Project would be consistent with this criterion.

10. Does the project involve community-based planning and collaboration? Check one and describe:

Yes No Not Relevant

In recent years, MSKCC has expanded treatment services in order to serve more patients in Manhattan, Brooklyn, and surrounding communities. As patient volume has grown, so has patients' need for laboratory services. The laboratory project is aimed at meeting this demand. Similarly, the extension clinic is proposed in order to meet the increased need for cancer treatment in communities on Long Island. Therefore the Proposed Project would be consistent with this criterion.

11. Is the project consistent with local building and land use codes? Check one and describe:

Yes No Not Relevant

The Proposed Project would meet all appropriate codes, therefore, it would be consistent with this criterion.

12. Does the project promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations?

Yes No Not Relevant

The respective project sites are accessible by public transportation, therefore the Proposed Project would be consistent with this criterion.

13. During the development of the project, was there broad-based public involvement? (Documentation may include *SEQR* coordination with involved and interested agencies, *SPDES* permit issuance/revision notice, approval of Bond Resolution, formation of district, evidence of public hearings, *Environmental Notice Bulletin* [“*ENB*”] or other published notices, letters of support, etc.). Check one and describe:

Yes No Not Relevant

The extension clinic was the subject of a coordinated *SEQRA* review conducted by the Town of Smithtown. The laboratory was the subject of a building permit review process conducted by the New York City Department of Buildings. Therefore, the Proposed Project would be consistent with this criterion.

14. Does the Recipient have an ongoing governance structure to sustain the implementation of community planning? Check one and describe:

Yes No Not Relevant

Memorial Sloan-Kettering Cancer Center maintains a network of health care facilities across the New York metropolitan area. MSKCC supports initiatives to reach the general public, the medically underserved, and minority populations. MSKCC’s programs and services are designed to improve access to cancer information, prevention, care, and treatment advances. Additionally, MSKCC aims to reduce the impact of cancer health disparities among minority and medically underserved populations. Therefore the Proposed Project would be consistent with this criterion.

DASNY has reviewed the available information regarding this project and finds:

- The project was developed in general consistency with the relevant Smart Growth Criteria.

- The project was not developed in general consistency with the relevant Smart Growth Criteria.

- It was impracticable to develop this project in a manner consistent with the relevant Smart Growth Criteria for the following reasons:

ATTESTATION

I, President of DASNY/designee of the President of DASNY, hereby attest that the Proposed Project, to the extent practicable, meets the relevant criteria set forth above and that to the extent that it is not practical to meet any relevant criterion, for the reasons given above.



Signature

Jack D. Homkow, Director, Office of Environmental Affairs

Print Name and Title

March 23, 2016

Date