

Memorandum

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

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

DATE: June 22, 2015

RE: *State Environmental Quality Review (SEQR) Negative Declaration Concurrence for the United Health Services Hospitals, Inc. Obligated Group 2015 Financing Project — Hospitals Program*

The United Health Services Hospitals, Inc. Obligated Group has requested financing from the Dormitory Authority State of New York (“DASNY”) pursuant to DASNY’s Hospitals Program for its *2015 Financing Project*. Accordingly, the *2015 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 Update*, dated June 12, 2015, 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 \$27,000,000 of tax-exempt, variable-rate Series 2015 Bonds on behalf of United Health Services Hospitals, Inc. Obligated Group. The proceeds of the bond issuance would be used to finance the *2015 Financing Project* (the “Proposed Project”).

2015 Financing Project. The *2015 Financing Project* would consist of the construction of a new, three-story, 69,844-gross-square-foot outpatient services extension clinic to be located at 4421/4433 Vestal Parkway East, Vestal, Broome County, New York.

The Institution. United Health Services Hospitals, Inc. (“UHS”) is a New York not-for-profit corporation located in Broome County that has been providing healthcare services to its residents for over 120 years. The UHS is licensed for a total of 500 beds and provides services through two hospitals, Wilson Medical Center and Binghamton General Hospital. Wilson Medical Center is a 280-bed teaching hospital and is a regional referral center for emergency medicine, neurosurgery and newborn intensive care. Located in Johnson City, it is also the site of open heart surgery and other advanced cardiac procedures. Binghamton General Hospital is a 220-bed, full-service community hospital. In addition to a full array of medical surgical services, Binghamton General Hospital also provides psychiatric care and alcohol rehabilitation.

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.

Previously, UHSH sought and received site plan approval for the Proposed Project from the Town of Vestal Planning Board (“TVPB”). The TVPB, as *SEQR* lead agency, completed a *Environmental Assessment Form (“EAF”)* dated November 26, 2014, pursuant to *SEQR*, determined that the Proposed Project was an Unlisted action as specifically designated by 6 *N.Y.C.R.R.* § 617.2(ak), and undertook a coordinated *SEQR* process. In accordance with Article 8 of the *ECL* and 6 *N.Y.C.R.R.* Part 617, the TVPB issued a *Negative Declaration Notice of Determination of Nonsignificance* on February 10, 2015 (attached). While DASNY was not an involved agency during the TVPB’s coordinated *SEQR* process, it is bound by the determination of the lead agency.¹

DASNY, as an involved agency due to its funding action, independently analyzed the relevant areas of environmental concern and concurred with the TVPB’s *Negative Declaration* that the Proposed Project would not have a significant adverse impact on the environment.

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 Proposed Project was submitted to OPRHP for review. Although there are no historic structures located on or in the vicinity of the Project Site, it is located in an archaeologically sensitive area. The Project Site is covered by a layer of fill that varies in depth up to 18 feet. OPRHP has expressed concern that the topsoil beneath the fill may contain archaeological resources.

The proposed building would be constructed as a “slab-on-grade” structure; it would not have a basement. No excavation would be necessary. The aggregate piers would extend approximately 22 feet into the ground, therefore deeper than the fill. However, only shafts the diameter of the piers would be drilled (approximately 30 inches in diameter), making archaeological testing in advance of this construction unfeasible. In a letter dated June 15, 2015, DASNY sent this information to OPRHP. OPRHP’s review is ongoing.

It is the opinion of DASNY that the Proposed 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.

¹ 6 *N.Y.C.R.R.* § 617.6(b)(3)(iii).

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: Susan J. Bouton, Esq. (via email)
Matthew T. Bergin (via email)
SEQR File



SMART GROWTH IMPACT STATEMENT ASSESSMENT FORM

Date: June 22, 2015
Project Name: United Health Services Hospitals, Inc. Obligated Group
2015 Financing
Hospitals 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 \$27,000,000 of tax-exempt, variable-rate Series 2015 Bonds on behalf of United Health Services Hospitals, Inc. Obligated Group (“UHS”). The proceeds of the bond issuance would be used to finance or refinance the 2015 Financing Project (the “Proposed Project”).

The Proposed Project would consist of the construction of a new, three-story, 69,844-gross-square-foot outpatient services extension clinic to be located at 4421/4433 Vestal Parkway East, Vestal, Broome County, New York (the “Project Site”).

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

Yes No Not Relevant

The Proposed Project would be located on a busy commercial strip in the Town of Vestal, adjacent to an earlier (2012) DASNY-funded UHS project.¹ The Proposed Project would utilize

¹ The UHS Vestal Walk-In facility, located at 4417 Vestal Parkway East, opened in 2012, is an approximately 84,877-gsf, three-story medical office building containing a hospital extension clinic providing primary care, urgent care, physician’s offices, women’s health center, imaging services, walk-in clinic and pharmacy.

existing water, sanitary sewer, storm sewer, energy and solid waste 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.

The Project Site is located on Vestal Parkway, the primary retail street of the Town of Vestal.

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

The *SEQR* review conducted by the Town of Vestal concluded that the Proposed Project 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

Vestal Parkway is a busy commercial strip, with educational, medical and commercial land uses. The Proposed Project would foster mixed land uses in the area, as it would add a new medical use to this corridor. 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 Project Site is accessible by public transportation. Pedestrian accommodations are included in the Proposed Project. 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 Proposed Project was the subject of a coordinated *SEQR* review conducted by the Town of Vestal Planning Board. Involved agencies included the Broome County Planning Board, New York State Department of Environmental Conservation, and New York State Department of Transportation. 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

UHS is a community-based healthcare network. The Proposed Project was developed in consultation with local communities in response to identified community needs. 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 Project Site is accessible by public transportation. Pedestrian accommodations are included in the Proposed Project. 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

UHS is a community-based healthcare network. The Proposed Project was developed in consultation with local communities in response to identified community needs. In addition, the Proposed Project was the subject of a coordinated *SEQR* review conducted by the Town of Vestal Planning Board. Hence, 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

UHS maintains a network of community healthcare facilities in the Greater Binghamton and Southern Tier region, including the UHS Vestal Walk-In facility adjacent to the Project Site. The Proposed Project would add a new facility to this network.

In addition, UHS provides a host of community services and benefits to people in the region as part of its charitable mission. UHS's Community Service Plans provide for numerous community benefit programs and activities that provide treatment or promote health and healing as a response to identified community needs. 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

June 22, 2015

Date