

**SEQR RESOLUTION**

**REGENERON PHARMACEUTICALS, INC. 2019 OFFICE/LAB BUILDING PROJECT**

A regular meeting of Rensselaer County Industrial Development Agency (the "Agency") was convened in public session in the 3rd Floor Conference Room at the Quackenbush Building located at 333 Broadway in the City of Troy, Rensselaer County, New York on June 13, 2019 at 4:00 o'clock p.m., local time.

The meeting was called to order by the (Vice) Chairman of the Agency and, upon roll being called, the following members of the Agency were:

**PRESENT:**

John H. Clinton, Jr.	Chairman
Michael Della Rocco	Vice Chairman
Cynthia A. Henninger	Secretary/Treasurer
Ronald Bounds	Assistant Secretary/Treasurer
Douglas Baldrey	Member
James Church	Member
Renee Powell	Member

**ABSENT:**

None

**AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:**

Robert L. Pasinella, Jr.	Executive Director
Robin LaBrake	Assistant
Peter R. Kehoe, Esq.	Special Agency Counsel
John E. Sweeney, Esq.	Special Agency Counsel
Nadene E. Zeigler, Esq.	Special Counsel

The following resolution was offered by Michael Della Rocco, seconded by Cynthia A. Henninger, to wit:

Resolution No. 0619-05

RESOLUTION ACCEPTING THE DETERMINATION BY THE TOWN OF EAST GREENBUSH TOWN BOARD (THE "TOWN BOARD") TO ACT AS LEAD AGENCY FOR THE ENVIRONMENTAL REVIEW OF THE REGENERON PHARMACEUTICALS, INC. 2019 OFFICE/LAB BUILDING PROJECT AND ACKNOWLEDGING RECEIPT OF THE TOWN BOARD'S DETERMINATION ISSUED WITH RESPECT THERETO.

WHEREAS, Rensselaer County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 128 of the 1974 Laws of New York, as amended, constituting Section 903-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing,

improving, maintaining, equipping and furnishing of commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install one or more “projects” (as defined in the Act) or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, in June, 2019, Regeneron Pharmaceuticals, Inc., a New York State business corporation (the “Company”), submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 0.75 acre portion of an approximately 27.82 acre parcel of land located on 1 CSC Way (currently with tax map number 155.-1-4.21) in the Town of East Greenbush, Rensselaer County, New York (the “Land”), (2) the construction on the Land of an approximately 47,844 square foot building (the “Facility”), (3) the further construction of a walkway and minor improvements to the existing approximately 271,000 square building located on the Land (collectively, the “Improvements”) and (4) the acquisition and installation therein and thereon of certain machinery and equipment (the “Equipment”), all of the foregoing to constitute the expansion of an existing pharmaceutical manufacturing facility (the Land, the Facility, the Improvements and the Equipment being collectively referred to as the “Project Facility”); (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real property transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, by resolution adopted by the members of the Agency on June 13, 2019 (the “Public Hearing Resolution”), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations (the “Regulations”) adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, “SEQRA”), the Agency has been informed that (A) the Town of East Greenbush Town Board (the “Town Board”) was designated to act as the “lead agency” with respect to the Project, (B) on November 8, 2018, the Town Board determined to seek lead agency status with respect to the Project and classified the Project as a “Type I” action, (C) on November 19, 2018, the Town Board adopted a resolution with respect to SEQR which resolution adopted a negative declaration with respect to the Project and (D) pursuant to the NYSDEC environmental notice bulletins dated March 27, 2019 and May 15, 2019, the Town Board determined that the Project would not have a “significant adverse environmental impact” (collectively, the “Town Board Determination”) which Town Board Determination is attached hereto as Exhibit A; and

WHEREAS, at the time that the Town Board determined itself to be the “lead agency” with respect to the Project, it was not known that the Agency was an “involved agency” with respect to the Project, and, now that the Agency has become an “involved agency” with respect to the Project, the Agency desires to concur in the designation of the Town Board as “lead agency” with respect to the Project, to acknowledge

receipt of copies of the Town Board Determination and to indicate that the Agency has no information to suggest that the Town Board was incorrect in determining that the Project will not have a “significant effect on the environment” pursuant to SEQRA;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF RENSSELAER COUNTY INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. (A) The Agency has received copies of, and has reviewed, the Application, an environmental assessment form prepared by the Company and the Town Board Determination (collectively, the “Reviewed Documents”) and, based upon said Reviewed Documents and the representations made by the Company to the Agency at this meeting, the Agency hereby ratifies and concurs in the designation of the Town Board as “lead agency” with respect to the Project (as such quoted term is defined in SEQRA).

(B) The Agency hereby determines that the Agency has no information to suggest that the Town Board was incorrect in determining that the Project will not have a “significant effect on the environment” pursuant to SEQRA (as such quoted phrase is used in SEQRA).

Section 2. This Resolution shall take effect immediately.

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

John H. Clinton, Jr.	VOTING	YES
Michael Della Rocco	VOTING	YES
Cynthia A. Henninger	VOTING	YES
Ronald Bounds	VOTING	YES
Douglas Baldrey	VOTING	YES
James Church	VOTING	YES
Renee Powell	VOTING	YES

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK                     )  
  ) SS.:  
COUNTY OF RENSSELAER             )

I, the undersigned (~~Assistant~~) Secretary of Rensselaer County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on June 13, 2019 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 13<sup>th</sup> day of June, 2019.

(SEAL)

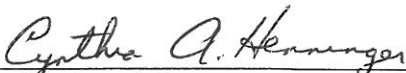
  
\_\_\_\_\_  
(~~Assistant~~) Secretary

EXHIBIT A  
TOWN BOARD DETERMINATION

**TOWN OF EAST GREENBUSH  
RESOLUTION 212-2018**

**A Resolution to Seek Lead Agency Status For Environmental Review of  
Building Expansion (PB File # 12-11P & ZBA File #2018-10)**

WHEREAS, Regeneron Pharmaceuticals, Inc. has submitted an application to the Town for site plan approval and a full environmental assessment form ("FEAF") for a proposed expansion of Building 85 at Regeneron's Discovery Drive campus; and

WHEREAS, the Town Board of the Town of East Greenbush, upon reviewing the application and FEAF, has determined that the proposed action would constitute a Type I action under the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Town Board wishes to serve as "lead agency" under SEQRA for the coordinated environmental review of the proposed action; and

WHEREAS, the Town Comptroller confirms that this resolution will not have a material impact on Town's finances;

now, therefore, be it

**RESOLVED**, the Town Board hereby classifies the proposed action as a Type I action under SEQRA, declares its intention to seek SEQRA lead agency status for the review of the action, and directs that all involved and interested agencies under SEQRA be notified of the Town Board's desire to serve as lead agency for the coordinate review of this action,

The foregoing resolution was duly moved by Councilor Tierney and seconded by Supervisor Conway and brought to a vote resulting as follows:

Councilor T. Tierney	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: ABSENT
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

Dated: November 8, 2018




## *The Town of East Greenbush*

STATE OF NEW YORK  
COUNTY OF RENSSELAER  
TOWN OF EAST GREENBUSH

I, Michelle Eckler, Deputy Town Clerk of the Town of East Greenbush, Rensselaer County, State of New York do hereby certify that the foregoing is a true and correct copy of Resolution 233-2018; to approve Site Plan (PB File #12-11P & ZBA File #2018-10), duly adopted at a regular meeting of the Town Board of the Town of East Greenbush, held on 19th day of November, 2018 at the East Greenbush Town Hall in said Town.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Town of East Greenbush, this 2nd, day of May, 2019.

  
MICHELLE ECKLER  
Deputy Town Clerk  
Town of East Greenbush  
Rensselaer County, New York

Seal of Town of East Greenbush

**TOWN OF EAST GREENBUSH  
RESOLUTION 223-2018**

**A Resolution to Approve Site Plan (PB File # 12-11P & ZBA File #2018-10)**

**WHEREAS**, Regeneron Pharmaceuticals, Inc. has submitted to the Town an application for major site plan approval for the expansion of Building 85 at Regeneron's Discovery Drive Campus (SBL 155.00-1-4.21); and

**WHEREAS**, the Town Board of the Town of East Greenbush has reviewed the application and related materials, including the site plan prepared by Hart Engineering and HCP Architects, LLP dated July 10, 2018 and last revised November 9, 2018; and

**WHEREAS**, the Town Board has also reviewed the comments of the Town's designated engineers, MJ Engineering and Land Surveying, PC, and others; and

**WHEREAS**, the Town Comptroller confirms that this resolution has no material impact on the Town's finances;

now, therefore, be it

**RESOLVED**, that the Town Board hereby finds that the site plan and proposed mitigative actions will avoid or minimize adverse environmental impacts to the extent practicable, adopts a negative declaration under SEQRA, and approves Regeneron's major site plan application, subject to the following:

1. Regeneron address any remaining technical comments from the Town's designated engineer and the Town Planning and Zoning Department.
2. All remaining fees and escrow are paid to the Town, including land development mitigation fees required in connection with the Western East Greenbush Generic Environmental Impact Statement (GEIS), as detailed in the GEIS fee statement provided by the Town, prior to issuance of building permit.
3. The applicant shall establish an escrow account to cover the costs of any necessary third party inspection services as determined by the Town Planning and Zoning Department prior to issuance of building permit;
4. All storm water pollution prevention permits will be obtained prior to site work and regularly scheduled required inspections will be performed during the permit term by the design engineer or other qualified individual in accordance with the GP-0-15-002, the approved Storm Water Pollution Prevention Plan, and the Town's Comprehensive Zoning Law.
5. Prior to issuance of building permit, Regeneron submit a lighting plan for review by the Town Department of Planning and Zoning.
6. Submission to the Town of an approved Stormwater Pollution Prevention Plan (SWPPP);
7. All storm water pollution prevention permits will be obtained prior to site work and regularly scheduled required inspections will be performed during the permit term by the design engineer or other qualified individual in accordance with the GP-0-15-002, the

approved Storm Water Pollution Prevention Plan, and the Town's Comprehensive Zoning Law.

8. Prior to obtaining a building permit, Regeneron shall obtain approval of the Town Zoning Board of Appeals for an area variance for front yard setback.
9. **Prior to obtaining a building permit, Regeneron shall obtain all required approvals and or permits for the project.**

*Supervisor Conway made the motion to amend the above resolution to now read:*

9. **Prior to obtaining a building permit, Regeneron shall obtain all required approvals and or permits for the project**

The foregoing motion to amend the resolution was duly moved by Supervisor Conway and seconded by Councilor Tierney and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

The foregoing amended resolution was duly moved by Supervisor Conway and seconded by Councilor Kennedy and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

Dated: November 19, 2018



**Department of  
Environmental  
Conservation**

## ENB - Region 4 Notices 3/27/2019

### Public Notice

#### Tree Removal for Electric Pole Installation at Devil's Tombstone Campground

The project involves the removal of a total of 314 trees in order to install power line poles and line corridor to provide power to Devils Tombstone Campground. This project was approved in the 2018 Unit Management Plan approved for Devils Tombstone Campground. Tree cutting will be in compliance with LF Policy 91-2 on Cutting, Removal or Destruction of Trees and Other Vegetation on Forest Preserve Lands. The project is located in the Devils Tombstone Campground on Route 214 in the Hunter Westkill Wilderness Area, Town of Hunter, New York.

**Contact:** Bryan Ellis, New York State Department of Environmental Conservation (NYS DEC) - Region 4 Stamford Sub Office, 65561 State Highway 10, Stamford NY 12167, Phone: (607) 652-3607, E-mail: [Bryan.ellis@dec.ny.gov](mailto:Bryan.ellis@dec.ny.gov).

### Negative Declaration

**Rensselaer County** - The Town of East Greenbush, as lead agency, has determined that the proposed Expansion of the Regeneron Parking Garage will not have a significant adverse environmental impact. The action involves the construction of a four (4) story parking garage expansion on an 8.73 acre parcel of land owned by the Regeneron Pharmaceuticals Inc. There is an existing 600 car parking garage located on the parcel. To facilitate future growth Regeneron is expanding to accommodate an additional 320 cars. The proposed parking garage dimensions are approximately (182 foot long x 123 foot wide x 50 foot high).

The parcel where the project will occur is located within the Town of East Greenbush's OI - Corporate Office / Light Industrial Zoning District. Parking garages are permitted uses within the OI Zoning District. The current land use in the area is industrial and an existing 600 car parking garage is situated on the site.

The site is served by Town of East Greenbush water and sewer. There are no connections to the Town sanitary sewer system required. A connection to the Town water system will be made for fire protection needs only.

Storm water runoff from this site will be handled through a combination of road side swales, sheet flow, driveway culverts and storm sewers. Post development drainage patterns will follow the existing conditions. Green infrastructure will be utilized where possible. The ground disturbance associated with the construction of the garage will be less than 1 acre, but is part of a large common plan of development, a Storm Water Pollution Prevention Plan (SWPPP) has been prepared and permit coverage will be obtained under New York State Department of Environmental Conservation (NYS DEC) GP 0-15-002. The project is located at 5 Discovery Drive in Rensselaer, Town of East Greenbush, New York.

**Contact:** Adam Yagelski, Town of East Greenbush, 225 Columbia Turnpike, Rensselaer, NY 12144, Phone: (518) 694-4011, E-mail: [ayagelski@eastgreenbush.org](mailto:ayagelski@eastgreenbush.org).

[https://www.dec.ny.gov/enb/20190327\\_no14.html](https://www.dec.ny.gov/enb/20190327_no14.html)

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Department of  
Environmental  
Conservation

## ENB - Region 4 Notices 5/15/2019

### Negative Declaration

**Rensselaer County** - The Town of East Greenbush Town Board, as lead agency, has determined that the proposed Expansion of Building 85 on Regeneron Campus will not have a significant adverse environmental impact. The action involves the construction of a two (2) story 20,000 square foot per floor addition to existing Building 85 parking garage expansion on an 8.73 acre parcel of land owned by the Regeneron Pharmaceuticals Inc. The proposed addition is approximately 307 foot x 65 foot. The parcel where the project will occur is located within the Town of East Greenbush's OI - Corporate Office / Light Industrial Zoning District. The expansion is are permitted uses within the OI Zoning District. The current land use in the area is industrial with similar building located at the site. The building expansion will connect to existing sanitary sewer and potable water systems. The project is located at 81 Columbia Turnpike in Rensselaer, New York.

**Contact:** Adam Yagelski, Town of East Greenbush, 225 Columbia Turnpike, Rensselaer, NY 12144, Phone: (518) 694-4011, E-mail: [ayagelski@eastgreenbush.org](mailto:ayagelski@eastgreenbush.org).

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