

Draft Scoping Outline of Issues to be addressed in a Draft Generic Environmental Impact Statement (DGEIS) For:

Town of Newburgh 2025 Comprehensive Plan Update

Location: Town of Newburgh, Orange County, New York

Classification of Action: Type 1 Action

Lead Agency: Town of Newburgh Town Board
1496 Route 300
Newburgh, NY 12550

Written Scoping Comments: 30 day period from 8/21/2025 to 9/20/2025

Purpose of Scoping: refer to NYCRR 617.8 (a): “The primary goals of scoping are to focus the EIS on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant or not significant. Scoping is required for all EISs (except for supplemental EISs), and may be initiated by the lead agency or the project sponsor.”

A. PROJECT DESCRIPTION

Description of the Proposed Action

In accordance with the State Environmental Quality Review Act (SEQRA) and its implementing regulations (6 NYCRR Part 617), the Newburgh Town Board (the “Town Board”), acting as Lead Agency, is preparing a Generic Environmental Impact Statement (GEIS) to evaluate the areas of potential impact of the adoption of the 2025 Comprehensive Plan Update (herein after referred to as the “Proposed Action”).

The Plan Update is being developed with the input of a Comprehensive Plan Committee comprising the Town Board and the Chairs of the Planning Board and Zoning Board of Appeals, local stakeholders/experts, and the community, all of whom were engaged throughout the process. Overall, the Plan Update seeks to provide actionable policy and planning strategies for Newburgh that incorporate a series of Action Items as well as resiliency policies that can be implemented in the short-term and long-term. The Comprehensive Plan Update is currently being drafted following a structure of six chapters that include an Overview of the Town’s planning process, Regional Planning Overview, Demographic Update, Sustainability & Resilience and Action Items, including a number of zoning text and map amendments.

GENERIC ENVIRONMENTAL IMPACT STATEMENT (GEIS)

As noted in the SEQRA regulations, 6 NYCRR Section 617.10(a), a Generic EIS may be used to assess the environmental impacts of “an entire program or plan having area wide application...” As such, this Generic EIS will present a broader and more general set of analyses than a site-or project-specific EIS. The Generic EIS will describe the Proposed Action and will include assessments of anticipated impacts if such details are available. In some cases, the analyses will be based on conceptual information due to the comprehensive and prospective nature of the Comprehensive Plan. A GEIS of this nature is prepared when

a proposed action represents a comprehensive program having wide application and defining a range of future projects in the affected area.

The steps in preparing the GEIS include:

- Scoping – a process to prompt comments from involved and interested agencies and the public on the content and scope of the GEIS;
- Draft GEIS (DGEIS) – a document published by the Town Board as Lead Agency for public and agency review and comment;
- Public review – of at least 30 days, during which any individual, group, or agency may comment on the DGEIS;
- Final GEIS (FGEIS) – a document that responds to relevant substantive comments made during public review of the DGEIS; and
- Findings Statement – a document prepared after the Final GEIS has been filed, that considers the relevant environmental impacts presented in the GEIS, weighs and balances them with social, economic and other essential considerations, provides a rationale for the Town Board's decision and certifies that the SEQRA requirements have been met.

This Scoping Document is intended to inform Involved and Interested agencies and the public of the range of topics the Lead Agency intends to address in the DGEIS.

B. INVOLVED AND INTERESTED AGENCIES

Under SEQR, the lead agency is responsible for coordinating the SEQRA review process, as well as discretionary decision making regarding the Proposed Action. For the DGEIS, the Newburgh Town Board is the Lead Agency. As Lead Agency, the Town Board is responsible for preparing a determination of significance, determining the scope and adequacy of the DGEIS, coordinating the preparation of the final GEIS, and preparing SEQR findings. The Lead Agency has the authority to fund, approve, or directly undertake some aspect of the Proposed Action. In the subject case, the Town Board is responsible for the adoption of the Comprehensive Plan Update.

This Scoping Document is intended to inform involved and interested agencies and the public of the range of topics the lead agency intends to address in the DGEIS.

INVOLVED AND INTERESTED AGENCIES

Involved agency means an agency that has jurisdiction by law to fund, approve or directly undertake an action. If an agency will ultimately make a discretionary decision to fund, approve or undertake an action, then it is an "involved agency" notwithstanding that it has not received an application for funding or approval at the time the SEQR process is commenced.

Interested agency means an agency that lacks the jurisdiction to fund, approve or directly undertake an action but wishes to participate in the review process because of its specific expertise or concern about the proposed action

For this DGEIS, the following are considered involved or interested agencies:

Town Board
Town Hall
1496 Route 300
Newburgh, NY 12550
Attn: Hon. Gil Piaquadio, Supervisor

Planning Board
21 Hudson Valley Professional Plaza
Newburgh, NY 12550
Attn: John Ewasutyn, Chairman

Zoning Board of Appeals
21 Hudson Valley Professional Plaza
Newburgh, NY 12550
Attn: Darrin Scalzo, Chairman

Comprehensive Plan Update Committee
Town Hall
1496 Route 300
Newburgh, NY 12550
Attn: Hon. Gil Piaquadio, Supervisor

Orange County Planning Department
124 Main Street
Goshen, NY 10924
Attn: Alan J. Sorensen, Commissioner

New York State Department of Environmental Conservation-Region 3
21 South Putt Corners Road
New Paltz, New York 12561-1620
Attn.: Kelly Turturro, Regional Director

C. REQUIRED APPROVALS AND REVIEWS

The DGEIS will identify and discuss all required approvals and reviews needed to adopt and implement the Proposed Action. The Proposed Action will require the following approval and review:

Comprehensive Plan Update Committee Recommendation
Orange County Planning Department General Municipal Law Section 239-m Referral and Review
Town of Newburgh Planning Board Town Law 272-a Review (Permissive)
Newburgh Town Board Adoption and Approval of Comprehensive Plan Update

D. POTENTIALLY SIGNIFICANT IMPACTS TO BE ADDRESSED IN THE DGEIS

The Town Board adopted a Positive Declaration on May 28, 2025 based on a Full Environmental Form (EAF) Parts 1, 2, and 3. The EAF Parts 2 and 3 identified that the Proposed Action may result in impacts in the following categories:

- Impact on Land - Proposed action may involve construction on, or physical alteration of the land in the Town including:
 - potential construction on land where the depth to water table is less than 3 feet. surface of the proposed site.
 - Construction on slopes greater than 15%
 - May involve construction on land where bedrock is exposed or generally within 5 feet of the surface
 - Potential for increased erosion from physical disturbance or vegetation removal.
- Impacts on Surface Water - proposed action may affect one or more wetlands or other surface water bodies
 - The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.
 - The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.
- Impacts on Flooding – The proposed action may result in development on lands subject to flooding.
 - The proposed action may result in development within a 100 year or 500-year floodplain.
 - The proposed action may result in, or require, modification of existing drainage patterns.
- Impacts on Agricultural Resources
 - The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.
 - The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.
- Transportation - The proposed action may result in a change to existing transportation systems.
 - Implementation of the proposed action may change both the present pattern and amount of traffic.
- Impact on Human Health - The proposed action may have an impact on human health from exposure to new or existing sources of contaminants.
 - The proposed action is located within 1500 feet of a school, hospital, licensed daycare center, group home, nursing home or retirement community.
- Consistency with Community Plans - The proposed action is not consistent with adopted land use plans.
 - The proposed action is inconsistent with local land use plans or zoning regulations.
- Consistency with Community Character
 - The proposed action may create a demand for additional community services (e.g. schools, police and fire)

Impacts referenced above will be addressed with qualitative and quantitative data as available.

E. SCOPE OF THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (DGEIS)

The general framework of analysis is to: 1) study and describe the existing conditions in the area; 2) assess potential environmental impacts of the Proposed Action; 3) present and evaluate potential mitigation measures to mitigate any significant adverse environmental impacts; and 4) evaluate and compare alternative of a No Action (see section 4.0).

The DGEIS will contain the elements required in SEQRR 617.9(b) and the following information:

COVER SHEET

The Cover Sheet will identify:

1. The report as a Draft GEIS
2. The Proposed Action and its location
3. The name, address and telephone number of the Lead Agency and contact person
4. The name, address and telephone number of the preparer of the DGEIS
5. The date of DGEIS submission and acceptance
6. Public hearing date and DGEIS comment period
7. Website where DGEIS and FGEIS will be posted, as required under state law

TABLE OF CONTENTS, indicating the chapters of the DGEIS and page numbers, as well as lists of exhibits, tables and appendices (if any).

1.0 INTRODUCTION

- Brief description of the Proposed Action;
- Brief description of the Town of Newburgh ("Study Area"), and a discussion of how conditions affect and relate to the Proposed Action;
- Brief description of the environmental review process;
- Brief description of the planning process and New York State Town Law
- Summary of the Town's planning process;
- Project Purpose and Need
- Comprehensive Plan history
- List of Interested and Involved Agencies
- Required reviews and approvals for implementation

2.0 Environmental Setting, Potential Impacts and Mitigation

The analysis of potential impacts will include findings from analyses included in the Comprehensive Plan Update (CPU). These analyses will be conducted on a qualitative basis unless quantitative data is readily available.

2.1 Land Use Planning & Zoning Existing Conditions

Provide a description of the existing land use conditions identified in the Comprehensive Plan Update. Describe the demographic characteristics of the community identified in the Comprehensive Plan Update and Action Items list in the CPU. Utilize maps, tables, and charts as appropriate.

Potential Impacts

Describe potential changes in uses, scale and density discussed in the Comprehensive Plan, including proposed zoning amendments. Utilize figures, tables, etc. as appropriate.

Mitigation Measures

To be determined, if necessary.

2.2 Transportation

Existing Conditions

Provide a description of the existing roadway network in the Town and their relationship to the regional highway network including reference to the Orange County Transportation Plan and items discussed in the Action Items section of the CPU.

Potential Impacts

Describe proposed changes in traffic circulation and discuss the potential impacts of Comprehensive Plan recommendations on transportation resources and traffic.

Mitigation Measures

To be determined, if necessary.

2.3 Water, Sewer & Utilities

Existing Conditions

Provide a description of the existing utility infrastructure and items discussed in the Action Items section of the CPU.

Potential Impacts

Discuss potential impacts to water quality, water supply and sewer service identified during the public input process.

Mitigation Measures

To be determined, if necessary.

2.4 Sustainability & Resilience

Existing Conditions

Discuss existing policies at the local, county and state levels.

Potential Impacts

Discuss potential impacts related to renewable energy, open space, natural resources, stormwater management and utilities.

Mitigation Measures

To be determined, if necessary.

3.0 Other Environmental Impacts

- 3.1 Unavoidable Adverse Environmental Impacts
- 3.2 Irreversible and Irretrievable Commitment of Resources
- 3.3 Growth-Inducing, Cumulative and Secondary Impacts
- 3.4 Effects on the Use and Conservation of Energy

4.0 Analysis of Alternatives

- 4.1 No Action Alternative: Comprehensive Plan Update is not adopted and existing Comprehensive Plan stays in place