

**TOWN OF NEWBURGH
COMPREHENSIVE PLAN UPDATE**

**DRAFT
GENERIC ENVIRONMENTAL
IMPACT STATEMENT**

Prepared for:

Newburgh Town Board
Acting as Lead Agency Under SEQRA
1496 Route 300
Newburgh, NY 12550

Prepared by:

Planning & Development Advisors
Planning Consultants to the Town
Contact: David B. Smith
(914) 552-8413
Davidbsmith1992@gmail.com

For further information contact:
Hon. Gil Piaquadio, Supervisor
845-564-4552
supervisor@townofnewburgh.org

November 21, 2025

This page intentionally left blank

Table of Contents

Introduction	3
I.1 Proposed Action	3
I.2 Location	3
I.3 SEQRA	3
I.4 Town Law	4
I.5 SEQRA Process.	5
I.6 List of Interested and Involved Agencies	6
I.7 Project Purpose and Need	7
I.8 Comprehensive Plan History and Process	7
I.8.1 Community Planning	8
I.8.2 Interim Report and Draft Plan – Goals/Action Items	8
I.8.3 Implementation of the Comprehensive Plan Update	9
1.0 Town of Newburgh’s Comprehensive Plan Update	10
1.1 Environmental Setting, Existing Conditions and Impacts	10
2.0 Action Items	17
2.a.(1) Action Items Planning & Zoning	18
2.a.(2) Requested and Recommended Rezoning	20
2.a.(3) Action Items Suggested Zoning Items for Code Enforcement	21
2.b Action Items for Transportation	22
2.c. Action Items for Water, Sewer and Utilities	23
3.0 Potential Impacts and Proposed Mitigation Measures	24
3.1 Social Impacts	24
3.2 Economic Impacts	24
3.3 Environmental Impacts	25
3.4 Selected Traffic Impacts and Mitigation from NYS DOT for the Route 9W Corridor	25
4.0 Unavoidable Adverse Impacts	27
5.0 Alternatives	27
5.1 No Action Alternative = Retain 2005 Comprehensive Plan	28
5.2 Selective Policy/Mitigation Adoption Alternative	28
5.3 Potential Further Alternatives	28
6.0 Irreversible and Irrecoverable Commitment of Resources	29
7.0 Growth-Inducing Aspects	29
8.0 Effects on Use and Conservation of Energy Resources	29

I Introduction

1.1 Proposed Action

The proposed action is the adoption of the Town of Newburgh Comprehensive Plan Update (CPU) by the Town of Newburgh Town Board pursuant to the State Environmental Quality Review Act (SEQRA) and New York State Town Law. The proposed action by the Town of Newburgh is to adopt updates to the 2005 Comprehensive Plan and the Town zoning code, and the town subdivision regulations. The proposed DGEIS takes into consideration the land uses, management of development, and maintenance of resources for the areas involved, and provides a platform to analyze the proposed action. This DGEIS was prepared in accordance with the State Environmental Quality Review Act (SEQR) and its implementing regulations 6 NYCRR Part 617.

1.2 Location

The Town of Newburgh is located in Orange County, New York. It is bordered by the Hudson River to the east, the City of Newburgh and Town of New Windsor to the south, the Towns of Montgomery and Shawangunk (Ulster County) to the west and the Towns of Plattekill and Marlborough (Ulster County) to the north. Refer to Exhibit 1.

1.3 SEQRA

This Draft Generic Environmental Impact Statement (DGEIS) is prepared pursuant to 6 NYCRR 617.10 (a)(4) [State Environmental Quality Review Act or "SEQRA"] and New York Town Law section 272-a. The proposed action, adoption of the Town of Newburgh Comprehensive Plan Update, is classified a Type I action as it involves the adoption of a municipal land use plan (SEQRA 617.4(b)(1)).

The purpose of the DGEIS is to assess the environmental impacts of "an entire program or plan having wide application or restricting the range of future alternative policies or projects, including new or significant changes to existing land use plans, development plans, zoning regulations or agency comprehensive resource management plans." SEQRA states that: "Impacts of individual actions proposed to be carried out in conformance with these adopted plans and regulations and the thresholds or conditions identified in the generic EIS may require no or limited SEQR review as described in subdivisions 617.10 (c) and (d) of this section. It specifies:

"(c) Generic EISs and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQR compliance. This may include thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site-specific impacts, that were not adequately addressed or analyzed in the generic EIS.

(d) When a final generic EIS has been filed under this part:

- (1) No further SEQRA compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the generic EIS or its findings statement;
- (2) An amended findings statement must be prepared if the subsequent proposed action was adequately addressed in the generic EIS but was not addressed or was not adequately addressed in the findings statement for the generic EIS;

- (3) A negative declaration must be prepared if a subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action will not result in any significant environmental impacts;
- (4) A supplement to the final generic EIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant adverse environmental impacts.
- (e) In connection with projects that are to be developed in phases or stages, agencies should address not only the site-specific impacts of the individual project under consideration, but also, in more general or conceptual terms, the cumulative impacts on the environment and the existing natural resource base of subsequent phases of a larger project or series of projects that may be developed in the future. In these cases, this part of the generic EIS must discuss the important elements and constraints present in the natural and cultural environment that may bear on the conditions of an agency decision on the immediate project.”

1.4 Town Law

New York State Town Law § 272-a establishes that the Town Board adopts a comprehensive plan or any amendment thereto. Pursuant to the Town Law regarding a Town comprehensive plan, the State Legislature has found that:

- Significant decisions and actions affecting the immediate and long-range protection, enhancement, growth and development of the state and its communities are made by local governments.
- Among the most important powers and duties granted by the legislature to a town government is the authority and responsibility to undertake town comprehensive planning and to regulate land use for the purpose of protecting the public health, safety and general welfare of its citizens.
- The development and enactment by the town government of a town comprehensive plan, which can be readily identified, and is available for use by the public, is in the best interest of the people of each town.
- The great diversity of resources and conditions that exist within and among the towns of the state compels the consideration of such diversity in the development of each town comprehensive plan.
- The participation of citizens in an open, responsible and flexible planning process is essential to the designing of the optimum comprehensive plan.
- The town comprehensive plan is a means to promote the health, safety and general welfare of the people of the town and to give due consideration to the needs of the people of the region of which the town is a part.
- The comprehensive plan fosters cooperation among governmental agencies planning and implementing capital projects and municipalities that may be directly affected thereby.
- It is the intent of the legislature to encourage, but not to require, the preparation and adoption of a comprehensive plan pursuant to this section.

1.5 SEQRA Process

The proposed action by the Town of Newburgh is to adopt updates to the January 2005 Comprehensive Plan and the Town zoning code. The proposed DGEIS takes into consideration the land uses, management of development, and maintenance of resources for the areas involved, and provides a platform to analyze the proposed action. This DGEIS was prepared in accordance with the State Environmental Quality Review Act (SEQR) and its implementing regulations 6 NYCRR Part 617.

This document is being prepared as a DGEIS due to the proposed modifications to the 2005 Comprehensive Plan and the Town zoning code. These documents are policy documents and regulations that guide development within the Town of Newburgh. The intent of this analysis is to identify broad thresholds of potential impact based on the general nature of the proposed changes to the Town's comprehensive plan and zoning. Minor adjustments to the draft amendments to these documents that may be considered as a result of the public review process would not necessarily require a full revision of this impact analysis. Instead, any recommended change(s) to the Proposed Action as a result of this process will be assessed to determine if it would warrant a revision or recalculation of this document, or if it would still fall under the global thresholds, scope and evaluations considered in this DGEIS. Minor adjustments to the proposed action can be specifically addressed in the Determination of Significance/Negative Declaration/Findings Statement that will be prepared at the conclusion of the environmental review process.

This DGEIS and associated process is to provide the Town of Newburgh Town Board, interested agencies, and the public with an understanding of, and the opportunity to provide comment on, the potential environmental impacts that may result from the proposed updates.

The proposed action of updating the comprehensive plan and zoning code is anticipated to provide benefits to the Town and the community, these amendments are not expected to result in any significant adverse environmental impacts, and will not result in a direct physical change to the area. It is noted, that as specific proposals for zoning map amendments are formally reviewed by the Town, specific impacts of those actions will be reviewed and evaluated. The Proposed Action will help to guide future development and will establish more clear standards and regulations for land use changes and development in the Town of Newburgh. It is anticipated that the proposed action will result in an overall beneficial impact to the environment within the Town of Newburgh.

Section 617.6(a)(4) State Environmental Quality Review Act (SEQRA) regulations allow an agency to waive the requirement for the preparation of an EAF if a draft EIS is prepared or submitted. The SEQR Handbook (page 91) notes that when a draft EIS is submitted in lieu of an EAF, it must be treated as an expanded EAF for the purposes of determining significance. It is noted that Section 617.4(b) lists Type 1 Actions under SEQRA, including the adoption of a municipality's land use plan. While Type 1 Actions are more likely to require the preparation of an EIS, the Town has opted to have a Generic EIS prepared for review and comment by the public. The DGEIS document was circulated to the Town Board as Lead Agency and a determination made that it was adequate for public review and comment. This DGEIS includes by reference the 2025 Town of Newburgh CPU. The Town Board will hold a public hearing on the DGEIS and the Comprehensive Plan Update at Town Hall on _____, 2025. Notice of public hearing will be filed in the Environmental Notice Bulletin, published in a local newspaper 14 days in advance of the hearing, and copies of the document will be distributed to all identified involved and interested agencies, including adjoining municipalities and the Orange County Planning Board. The public comment period for this DGEIS and its component Town of Newburgh Comprehensive Plan Update will run from the date of the Town Board acceptance of the document until at least 10 days following the close of the

hearing in accordance with SEQRA. This will allow a substantial comment period in which to receive written comments, in addition to those that will be presented at the public hearing.

Following the close of the public comment period, all comments will be organized by topic. They will receive response in a Final Generic Environmental Impact Statement (FGEIS) drafted by the Town's staff and consultant for Town Board consideration. SEQRA allows 45 days following a hearing on a DGEIS in which to prepare the FGEIS. Extension of this timeline to adequately prepare the document is allowed as necessary. Following its review and acceptance of the FGEIS as complete by the Town Board, the document is filed with identified involved and interested agencies and made available for public review. Not less than 10 days nor more than 30 days following the filing of the FGEIS, the Newburgh Town Board, as the lead agency, must adopt a Findings Statement. The Findings Statement summarizes potential impacts, mitigation and alternatives considered and provides a reasoned elaboration for a decision on the proposed action. The FGEIS may identify certain amendments or revisions to the Comprehensive Plan Update which the Town Board could include as part of the Comprehensive Plan Update adoption process.

I.6 List of Involved/Interested Agencies and Permits/Approvals

Involved Agencies/Approvals

Town of Newburgh Town Board – Adoption of Comprehensive Plan Update

Town Hall

1496 Route 300

Newburgh, NY 12550

Attn: Hon. Gil Piaquadio, Supervisor

Planning Board – Review of CPU

Town Hall

1496 Route 300

Newburgh, NY 12550

Attn: John Ewasutyn, Chairman

Zoning Board of Appeals – Review of CPU

Town Hall

1496 Route 300

Newburgh, NY 12550

Attn: Darrin Scalzo, Chairman

New York State Department of Environmental Conservation-Region 3 – Referral of CPU and publication in Environmental Notice Bulletin

21 South Putt Corners Road

New Paltz, New York 12561-1620

Attn.: Kelly Turturro, Regional Director

Orange County Planning Board – GML Referral

124 Main Street

Goshen, NY 10924

Attn: Alan Sorensen, Commissioner

I.7 PROJECT PURPOSE AND NEED

In 2005 the Town of Newburgh adopted its Comprehensive Plan Update. Prior to adoption, a process was undertaken to identify the long term goals and visions for the town. The Town identified and defined a list of goals as follows:

- Balance conservation and development to provide for sustainable growth.
- Provide residents and visitors with a diversity of year round activities while preserving and capitalizing on the town's natural resources.
- Meet the housing needs of the existing and future Newburgh population.
- Create, enhance and promote hamlet business centers.
- Encourage the diversification of Newburgh's economic base by supporting environmentally conscientious initiatives, while achieving a sustainable balance between the built and natural environment.
- Sustain, promote and support the Town's remaining active agricultural land.
- Continue to plan, build, manage and maintain public and private utilities and infrastructure to meet the needs of the growing population and environment.

There are renewed efforts within the Town to continue to promote responsible development without compromising the Town character or causing damage to the natural and physical resources of the Town. Newburgh seeks to ensure that the zoning laws properly guide growth, but do not make it unnecessarily time consuming or expensive to have otherwise positive projects to be proposed and built in the Town. Land use regulations are a crucial part in ensuring that Newburgh continues to provide growth while protecting the natural setting, as such, the Town has proposed updates to the comprehensive plan, as a guide for future land use, and these are an important part of this vision. The goals and vision for the Town has mostly remained consistent, but with an evaluation of the current setting of the community, economics, and growth potential, it was determined that an update and refining of the goals of the comprehensive plan would better guide the Town, particularly given the passage of time since the adoption of the last Comprehensive Plan. With the Comprehensive Plan having proposed updates, the existing Town development guidelines and codes were identified as requiring corresponding updates.

The purpose of the proposed changes are intended to allow for better implementation of the original goals and build upon them to better guide development while maintaining the Town character. The additional goals of the update to the comprehensive plan are to:

- Strengthen the tax base by encouraging appropriate economic development;
- Provide enhanced opportunities for development while continuing to protect the natural, scenic character of Newburgh;
- Ensure that the permitted uses in each district are appropriate for that area;
- Incorporate recommendations related to zoning.

1.8 Comprehensive Plan History and Process

Both SEQRA and Town Law support community participation to the greatest extent at the earliest stage in the planning process. The Newburgh Comprehensive Plan Update has benefited from extensive community involvement. The 2005 Comprehensive Plan was prepared against a backdrop of significant development pressure within the community that raised concerns about managing growth effectively while preserving the Town's natural and scenic resources and its small-town

historic character. A number of its recommendations were implemented, including, but not limited to:

- Rezoning large portions of the western part of Town;
- Creation of Design Guidelines to assist in project reviews;
- Adoption of stormwater management regulations;
- Enactment of steep slopes legislation;

Over the following 20 years, emerging trends like the proliferation of warehouse uses, short term rentals (e.g., AirBnB, VRBO) and changing home occupations, the continued importance and emphasis of the provision of affordable housing, changing market forces, and a growing community concern for planning issues like the impact to the natural environment and traffic, prompted the Town Board to consider updating its long range planning and take an opportunity to modernizing the Town Code.

The 2005 Comprehensive Plan¹ and the 2025 Comprehensive Plan Update (refer to Appendix ___) of this GEIS, are incorporated herein by reference.

1.8.1 Community-Led Planning

As one of the initial steps the Town Board decided that the Comprehensive Plan Committee (the “CPC”) should include the Town Board and be supplemented by the Chairs of the Planning Board and Zoning Board of Appeals, similar to what the Town did back in 2005, given their “front line” experience with planning and development issues in the Town. Throughout the process, the CPC was assisted by the Town Attorney and Code Enforcement Officer. Throughout the update process, the Town provided an opportunity for the public to submit comments via the use of the Town’s Website. This allowed the public to provide input on a number of different topics and allowed them to follow-up and ask additional questions after a public meeting. This input helped to inform the Goals/Action Item process and the prioritization for implementation. During the course of the CPU process, the CPC held three publicly noticed input meetings and a number of meetings that were open to the public. The public meetings and presentations as well as supporting information were posted on the Town Website.

1.8.2 Interim Report and Draft Plan – Goals/Action Items

The Draft Comprehensive Plan Update represents the consensus of the CPC, which recommended it to the Town Board for adoption on _____. The Town Board, as lead agency, has reviewed the document and determined its adequacy for the purpose of commencing public review to receive comment and input necessary to finalize the Comprehensive Plan Update.

There is a need for a Comprehensive Plan Update that is responsive to current conditions in Newburgh and which provides a unified approach to land use regulation and resource preservation. A major benefit for an updated Comprehensive Plan in the Town may be potential for grant funding. Most governmental funding sources that the Town may approach for specific projects look for strength and support in local plans, particularly a Town Board-adopted Comprehensive Plan. The main benefit of the proposed Newburgh CPU, will be the actualization of the long-term vision – allowing Newburgh to provide what the community desires and to reserve what it cherishes.

¹ <https://www.townofnewburghny.gov/uppages/PDF%20Final%20Report.pdf>

1.8.3 Implementation of the Comprehensive Plan Update

Once the Comprehensive Plan Update is adopted, the process of implementation begins. That may include, but not be limited to: amendments to Town regulations/Code changes, potential rezoning of properties, and establishment of new programs, and additional analyses. While there is no set timetable for implementation, the key elements of a new plan will need to be implemented in harmony for best balancing effect, meaning that certain proposals, such as updating the zoning code has direct impact on the Town's consideration for future development.

1.0 Town of Newburgh Comprehensive Plan Update

1.1 Environmental Setting, Potential Impacts and Mitigation

The Draft Town of Newburgh Comprehensive Plan Update that precedes this section serves as the primary narrative component of the Draft Generic Environmental Impact Statement.

The Comprehensive Plan Update focuses on four main topic areas that were derived through community input:

- Planning & Zoning
- Transportation
- Water, Sewer & Utilities
- Sustainability & Resiliency

For each of these topic areas the Newburgh CPU details major issues and trends that the Town is confronting. The CPU advocates specific goals/action items to reduce potential adverse effects. In this regard, the key issues may be viewed as impacts, the objectives, recommendations, policies and strategies are mitigation, and the Comprehensive Plan Update is an evolved set of Action Items allowing change within constructive bounds. It is a blueprint to lead positive steps toward enhanced quality of life in Newburgh.

While the CPU does not pose direct (primary) impacts, which are dependent on alteration of site-specific conditions, there may be indirect (secondary) impacts that result upon individual approval by the Town's boards and departments compatible with recommendation contained within the Comprehensive Plan Update. The significance of these impacts may be minor on a small scale, but the effects can be cumulative. It is clearly recognized that the CPU is an effort to grow carefully, to accommodate identified needs, and simply "do better" to implement positive changes for the benefit of the overall community environment in Newburgh. Many of the recommendations contained in the CPU require additional investigation and analyses to be undertaken that may result in further potential indirect impacts and/or mitigation. Potentially important indirect benefits and costs of implementation of the CPU, include, but are not limited to those highlighted below.

I-1.a. Existing Land Use Conditions

Consistent with the 2005 Comprehensive Plan, the majority of the Town comprises single family residential land uses. High density residential is located in a number of different areas around the Town. Industrial and commercial uses are located along the Town's major corridors, particularly around Interstates 84 and 87 and Route 17K. Recreation and entertainment, community services, and public service uses can be found throughout the community. Agriculture, vacant, and wild and forest lands are mostly located in the northern part of Town.

I-1.b Existing Demographic Conditions.

The following is a summary of the how demographic conditions have changed over time, see also Chapter IV. Demographic Update from the Comprehensive Plan Update.

Population Trends, 1970 – 2020

Estimates from the recent 2020 US Census shows Newburgh's population at 31,104, representing a 4.4 percent increase from the 2010 Census, but an almost 12.7 percent increase from the 2000 Census (see Table 1-1).

**Table 1-1:
Newburgh Population Change, 1970 – 2020**

Year	Population	Percent Change
1970	21,593	--
1980	22,747	5.3
1990	24,058	5.7
2000	27,586	14.5
2010	29,801	8.1
2020	31,104	4.4

Sources: US Census Bureau.

I-1.c Age Distribution

The demographic trends in Newburgh between 2010 and 2020 point to a population that is getting older (Table 1-2). This is due in large part to: decreases in the percentage of the following age cohorts 19 and under, and 35-to-54-year-olds; and increases in the percentage of age cohorts particularly 60 to 64 and 85 plus (see Table 1-2). As a result, the median age for a Town resident increased from 37.8 in 2000 to 42.2 in 2020. Newburgh’s population was part of a similar trend with respect to the “echo boom” demographic of children born in the 1980s and 1990s, with increases in the percentage of school age children (10 to 19 age cohort in 2010), this same generation, now known as Millennials, were part of another county and regional trend of decreasing young adult population between 2000 and 2020 who decided, for a variety of reason, not to stay in the community. During this time, the percentage of 25- to 54-year-olds decreased by approximately 4.6 percent. As a result of losses in this age group, which typically holds the highest number of new parents, there has been a subsequent 14.5± percent decrease in the percentage of the population under 14 years old and younger although it is noted that there has been a slight increase (approximately 1.2%) in the under 5 age cohort. The age cohorts that have made the largest gains in the percentage of total population between 2000 and 2020 have been age groups 55 and older which have seen increases between 35 percent (ages 65 to 74) and 153 percent (age 85+).

**Table 1-2
Newburgh Age Distribution, 2000 – 2020**

Age	2000		2010		% change		2020		% change	
	Number	% of total	Number	% of total	2000-2010	Number	% of total	2010-2020	2000-2020	
Under 5	1,840	6.7%	1,607	5.5%	-12.7%	1,862	6.0%	15.9%	1.2%	
5 to 9	2,138	7.8%	2,193	7.6%	2.6%	1,521	4.9%	-30.6%	-28.9%	
10 to 14	2,120	7.7%	2,140	7.4%	0.9%	1,832	5.9%	-14.4%	-13.6%	
15 to 19	1,700	6.2%	2,196	7.6%	29.2%	1,732	5.6%	-21.1%	1.9%	
20 to 24	1,223	4.4%	1,112	3.8%	-9.1%	2,002	6.4%	80.0%	63.7%	
25 to 34	3,355	12.2%	2,097	7.2%	-37.5%	3,634	11.7%	73.3%	8.3%	
35 to 44	4,946	17.9%	4,315	14.9%	-12.8%	4,151	13.3%	-3.8%	-16.1%	
45 to 54	4,055	14.7%	5,294	18.2%	30.6%	4,013	12.9%	-24.2%	-1.0%	
55 to 59	1,547	5.6%	2,160	7.4%	39.6%	2,482	8.0%	14.9%	60.4%	
60 to 64	1,181	4.3%	1,708	5.9%	44.6%	2,617	8.4%	53.2%	121.6%	
65 to 74	1,905	6.9%	2,300	7.9%	20.7%	2,573	8.3%	11.9%	35.1%	
75 to 84	1,172	4.3%	1,366	4.7%	16.6%	1,705	5.5%	24.8%	45.5%	
85+	386	1.4%	543	1.9%	40.7%	980	3.2%	80.5%	153.9%	
Total	27,568		29,031		5.3%	31,104		7.1%	12.8%	

Sources: US Census Bureau, 2000, 2010 and 2020 * May not total due to rounding

**Table 1-3
Town of Newburgh
Age 55 plus**

Age 55 plus	2000	% of Total	2010	% of Total	2020	% of Total
	6,191	22.46%	8,077	27.82%	10,357	33.30%

Source: US Census Bureau

I-1.d Households and Families

Consistent with the overall increase in population indicated in Table 1-1 above, the 2020 Census indicates an increase of approximately 16 percent in the total number of households from 9,765 to 11,355 households. The average household size decreased slightly from 3.18 in 2010 to 3.11 in 2020 which is consistent with the Town’s aging population.²

² According to the US Census Bureau, a household is defined as “all persons who occupy a housing unit” while a family is “a group of two people or more (one of whom is the householder) related by birth, marriage or adoption and residing together.” The household classification contains both family and non- family subgroups

**Table 1-5
Newburgh Households and Families, 2000 – 2020**

	2000	2010	% Change 2000 to 2010	2020	% Change 2010 to 2020	% change 2000 to 2010
Total						
Households	9765	10762	10.2%	11355	5.5%	16.3%
Family						
Households	7521	8030	6.8%	8484	5.7%	12.8%
Married Couple Families	6116	6325	3.4%	6334	0.1%	3.6%
with own children <18	2857	2681	-6.2%	3039	13.4%	6.4%
Female Householder Families	998	1186	18.8%	2744	131.4%	174.9%
Householder living alone	1746	2170	24.3%	1072	-50.6%	-38.6%
Households with one or more individuals 65 years and over	743	842	13.3%	1101	30.8%	48.2%
Average household size	2.86	2.74	-4.2%	2.71	-1.1%	-5.2%
Average family size	2.52	3.18	26.2%	3.11	-2.2%	23.4%

Source: US Census Bureau 2000, 2010 and 2020 data

I-1.e. Housing

Housing Tenure and Values

Between 2000 and 2020, Newburgh experienced a slight growth (2.5 percent) in the number of housing units with a slightly changing dynamic and an increase in the vacancy rate from 3.2 to 6.3 percent.

**Table 1-6
Housing Characteristics**

	2000	2010	% Change 2000- 2010	2020	% Change 2010/2020	% Change 2000/2020
Total Housing Units	10,118	11,313	11.8	12,291	8.6	21
Owner Occupied	8,048	10,762	33.7	9,313	(13.5)	15.7
Renter Occupied	1,717	1,734	1.0	2,042	17.7	19
Vacant	353	551	56	936	70	265

Sources: U.S. Census Bureau 2000, 2010 and 2020 data

The value and cost of homes have continued to rise in Newburgh since 2000 with the median price going from \$143,800 to \$269,000 in 2020.

I-1.2 Existing Transportation

The Town of Newburgh, as noted on its corporate seal, is known as the “Crossroads of the Northeast, given that it is served by a number of important regional, State, County, and local transportation corridors that provide convenient access to the metropolitan region. but also impact the community as the surrounding municipalities need to pass through Newburgh to access the major roadways. As illustrated on the following Major and Minor Roadways (Exhibit I-_), two interstate highways, I-84 and I-87, intersect in the southern part of the Town. Several State roadways also run through the Town, including Routes 9W, 17K, 32, 52, and 300. There are two important Orange County roads in the Town, Route 86/Fostertown Road and Route 23/Rock Cut/Forest Road. Significant Town roads include but are not limited to: Lattintown Road, Gardnertown Road, River Road, Lakeside Road, Powder Mill Road, Balmville Road, and Meadow Hill Road.

Ever since the 2005 Comprehensive Plan, the Town has been working with NYS DOT regarding the Route 9W which is one of the Town’s major north-south corridors. Recently, the DOT has issued a Traffic Impact Study (TIS), refer to Appendix __ of this GEIS. The results of the TIS are discussed in greater detail in Section 3.4 below.

I-1.3 Existing Utility Systems

The Town’s Chadwick Lake Reservoir and the New York City-owned Delaware Aqueduct serve as the Town’s two water supply sources. The Chadwick Lake Filter Plant has the capacity to treat 3.2 million gallons of water per day. The Delaware Aqueduct Filter Plant’s supply is taken from the New York City Department of Environmental Protection’s (DEP) Delaware Aqueduct, which is comprised of four large reservoirs in the Catskill region and has the capacity to treat six million gallons of water per day³. The Consolidated Water District

³ Town of Newburgh Annual Water Quality Report, 2024

that serves the Town includes almost the entire southern portion of the Town, refer to Exhibit I-__.

A large majority of the Town of Newburgh relies on septic tanks to dispose of their wastewater. Sewer service in the southern portion of the Town (just north of and south of Route I-84) is provided by the Crossroads Sewer District which is connected to the City of Newburgh Wastewater Treatment Facility.

As part of the 2005 Comprehensive Plan, the Town identified a potential growth boundary for areas in the Town that were served by water, sewer or both, refer to Exhibit __. This is consistent with the Priority Growth Areas identified in the Orange County Comprehensive Plan.

I-1.4. Sustainability and Resilience

The following is a summary of Chapter V. Sustainability and Resiliency from the 2025 Comprehensive Plan Update.

Sustainability and resiliency are increasingly important concerns for all communities, and both concepts require consideration within a contemporary comprehensive plan. While sustainability and resiliency are global concepts with broad applications, there are also more localized concerns specific to the Town of Newburgh. The Town of Newburgh has significant shoreline along the Hudson River, an area which, in selected locations, is prone to flooding and sea-level rise. The Town also includes Chadwick Lake which serves as a secondary drinking water source. Meanwhile, the Town is always subject to development pressure owing to its position as the “Crossroads of the Northeast”, with the interchange between the NYS Thruway (I-87) and I-84 located within the Town.

The Town of Newburgh is located at another “crossroads”: the intersection of the region’s historic dependence on fossil-fuel and a future of energy sustainability. The passage of the CLCPA in 2019 will lessen the state’s reliance on natural-gas fired generating stations such as the Danskammer plant, which is located on the Town’s riverfront. While this does not assure that Danskammer plant will be made obsolete or will cease operations using natural gas, it does raise the probability that this site could be repurposed at some future date if New York State attains its clean energy goals.

The Town of Newburgh has recognized the Town’s role in helping New York State meet the emissions reductions goals contained in the CLCPA legislation. The Town’s Solar Siting Regulations and Solar Energy System PILOT Program are both examples of steps the Town has taken in this regard. Additional consideration should be given to the following:

- Setting a goal to promote renewable energy business development and employment through the construction of new renewable energy production facilities. To do this, the Town could consider preparing an inventory of sites that have potential to host such facilities (within the context of the open space discussion in the next section).
- Adopting provisions to permit and regulate battery energy storage systems (BESS) as well as consider appropriate locations for such facilities.
- Adopting provisions to permit and regulate electric vehicle (EV) charging stations on privately owned sites. The Town could also consider appropriate locations for EV charging stations on Town-owned sites.
- Requiring solar arrays as part of site plan approval for new or renovated commercial

structures, including gas station canopies. Parking lots should also be considered for solar canopies.

- To enable an easier process for applicants with renewable energy project applications, the Town could consider creating an online checklist guiding applicants through the permitting process, making permit applications both available and submittible online, and ensuring that the relevant fee schedule is up to date and readily accessible
- A long term strategy for the Danskammer Plant site, and the potential for repurposing the site with battery energy storage if the natural gas plant is decommissioned.
- The Town should consider establishing a timeline to electrify its vehicle fleet and improve energy efficiency in Town-owned buildings.
- Starting or joining a Community Choice Energy program as promoted by NYSERDA. This program allows local governments to work together to purchase energy for eligible customers within the jurisdictional boundaries of participating municipalities. Eligible customers will have the opportunity to have more control to lower their overall energy costs and spur clean energy innovation and investment.
- To further support sustainable development, the Town could set an objective to review existing and future grant opportunities and financial incentives available for renewable energy projects. While the Town already has a Solar Energy System PILOT program, additional tax policies programs and initiatives may be available to connect residents and businesses with funding opportunities. The Town could consider appointing a committee to periodically evaluate such programs and initiatives and see if they are appropriate for implementation within the Town.

I.1.5 Open space

The Town of Newburgh continues to face significant development pressure owing to its position as the “Crossroads of the Northeast. In addition, while the Town is supportive of renewable energy development, this development should not necessarily come at the expense of the Town’s open space, which is imperative to preserve. Renewable energy development should also not displace active and productive agricultural uses.

The Town could consider updating its 2007 Open Space Plan to help the Town consider strategies and a methodology for open space preservation, perhaps with an eye towards achieving a “30 by 30” goal that is similar to what New York State has established. Particular attention should be paid to wetland parcels that will increase resilience to future extreme precipitation events and flooding, with the understanding that the conservation of green infrastructure is more cost-effective to a municipality than the construction of man-made infrastructure. Several parcels (or areas) have already been identified as priorities for open space preservation including but not limited to:

- Quassaick Creek Watershed and Chadwick Lake
- Orange Lake and Bushfield Creek

I.1.6 Sustainable stormwater management practices

When development occurs that increases impervious surfaces, the Town could consider requiring applicants to provide practices that better mitigate the impacts of stormwater runoff, with the goal of treating as much stormwater runoff on-site as possible. Doing so will reduce downstream flooding impacts. Practices that use natural features, such as vegetative rain gardens, can also add resiliency in the face of rising temperatures, and can provide an

attractive landscape element.

2.0 Action Items

Chapter VII. Action Items of the 2025 CPU has been prepared similar to the 2005 Comprehensive Plan, the 2025 Plan reflects significant input from the Comprehensive Plan Committee, Town Staff, stakeholders and members of the public that participated at the public meetings and submitted comments in either written form or electronically through the Town’s Web-site. Similar in format to the 2005 Plan, the list below provides a guide for implementation of specific recommendations and are grouped in three general categories: Planning & Zoning; Transportation; and, Water, Sewer and Utilities. There are also specific recommendations related to Resiliency and Sustainability which can be found in Chapter V of the 2025 CPU. Comparable to the 2005 Plan, implementation of as many of the action items as possible is important if the Town is going to address the key issue acknowledged during the update process to identify potential development and design controls that address growth while also responding to aesthetic, environmental and economic issues.

2.a.(1) Action Items Planning & Zoning

Issue	Action Summary	Status	Notes
Subdivision Regulations	Review requirements for sidewalks, street lights, street trees, and treatment of planting strips.		
	Review the maximum number of residential units per road.		Examine standards for private roads and town roads.
Residential Lot Size	Review the minimum lot sizes for each of the residential zoning districts.		
Useable Area	Consider including bulk regulations for minimum useable lot area, buildable area envelopes.	See also comments from Code Enforcement	Town adopted zoning amendment in 2010 adding useable area definition and residential lot area section
Housing Density	Review R-1 and R2 Districts to determine if the regulations are encouraging higher densities than desired due to conversion of single-family homes to multiple-family.		
Lot Sizes	Evaluation of minimum lot size and clustering should be considered in areas outside of the proposed growth boundary (see <i>Growth Management Factors Exhibit III-3 from 2005 Update</i>).		
Agricultural Parcels	Comprehensively evaluate the remaining agricultural parcels in the Town.		For the remaining orchards, take advantage of the Agricultural District designations
Waterfront	Study increased public access and recreation opportunities on the Hudson River waterfront.	Ongoing	Anchorage property acquired partly as park with access to the Hudson River
Recreation Resources	Evaluate recreation resources & explore methods for preserving, possibly acquiring, open space.		Desmond Property acquired with community enrichment center. Town to continue to consider opportunities as they present themselves.

Design Controls	Create a comprehensive set of design guidelines, focusing on new residential, commercial and corporate uses. Review design elements in the Town such as the retention of stonewalls and building height.		Design Guidelines adopted in 2007 Update Design Guidelines to reflect more contemporary land uses such as warehouse development
	Include architectural renderings as part of the required submissions for site plan review.		Planning Board has ARB powers (refer to Article X Town Code including review of subdivisions 10+ lots
Motor Vehicle Service Station & Convenience Store	Update regulations and definition of motor vehicle service station and convenience store.		
Travel Centers	Review regulations for travel centers.		Initiative started for §185-48.1
Fast-Food Establishments	Define various types of fast-food and other restaurants, update regulations.		To be updated
Town Center / Hamlets	Study Town Center/Hamlet design overlay district possibilities.	On-going	East Coldenham hamlet draft prepared in 2011, concept to be reevaluated
IB District	Review bulk regulations and residential uses in the IB District.		Affordable housing and senior housing allowed by town board action
Senior Housing	Update definition and review appropriate locations.		§185-48 modified to allow for increased density for senior housing developments. Many developers of multi-family housing projects have taken advantage of the density bonus program to obtain higher densities with only limited number of age-restricted units provided. Town Board is evaluating the approach and the number of age restricted units the Town is providing vs. other communities in the region
Buffers	Study techniques for screening non-residential areas from residential areas and screening similar commercial areas from each other.		Amended in 2007
Workforce housing	Consider alternatives to current density bonus and income standards zoning code provisions		Modify §185-47 to better address the needs for affordable housing in the Town
Accessory Uses	Simplify approval process for accessory apartments.		Enacted
	Consider modifying height requirements for garages with useable area above the garage.		
Bed and Breakfast	Establish definition and regulations.		Include short term rentals such as AirBnB and extended stay hotels
Steep Slope	Enact steep slopes regulations either for purposes of		Definition of steep slope added 2010, used to define buildable

Regulations	density calculation or viewshed and storm water drainage protection.		area, useable area, residential lot areas
Viewshed and Ridgeline Protection	Adopt an overlay district protecting remaining significant scenic views and ridgelines.		Town Board has, in the past, considered a local law imposing additional submission review requirements
Rezoning petitions/requests	See 2. below		
Zoning text amendments	See also attached list below from the Town of Newburgh Code Enforcement Officer		
	Require site plan approval for places of worship in the B and IB Districts		
	Creation of land use regulations for solar farms		
	Addition of breweries, distilleries and wineries as permitted uses in selected districts		
	Allow electric vehicle charging stations as permitted accessory uses		
	Revise critical environmental area permit approval process		
	Add film production facilities as permitted or special permit use within selected districts		
	Evaluate self-storage standards (building height)		
Evaluate multiple dwelling internal separation and set-backs from driveway /parking areas			

2.a(2). Requested and Recommended Rezoning

During the course of the CPU process the Town received a number of petitions and formal requests for rezoning specific properties within the Town. Each of these petitions/requests was discussed during the course of the three separate public input meetings so that public was made aware of the particulars and location of each. At the April 2024 CPC meeting the Committee discussed each with respect to which petitions/requests would be entertained moving forward. The following is a list of each petition/request. Refer to Appendix C of this Comprehensive Plan Update for specifics on each petition/request.

Proposal	Petition/Request	Summary	Discussion
Self-storage center overlay district expansion	Petition (submitted by Doce) and Jamal request	Extend the existing boundary of the SC Overlay Zone south to include the subject site located at along Route 9W and also north to include 2 Jamal family owned parcels on Route 9W	Committee generally in favor of the proposed amendment, including a proposal located to the north, potentially with appropriate “gateway” for uses along the Route 9W entry corridor to the Town. Proposal to extend the boundaries of the overlay north and south
Rezone RR	Petition (Patel)	Rezone to business use with	Application was addressed with

to B		gas station and convenience at 689 Route 32 and Terrizi Drive	the owners. They indicated they would apply to the Zoning Board of Appeals for an expanded footprint for the pre-existing use and would drop the gas station request
Stewart Commons	Petition	Rezone B to IB or amend permitted uses to permit warehouse in B District	Committee recommends consideration of alternative commercial uses to warehouses such as high tech industry and non-nuisance industry through either change to the B District permitted uses or a new overlay district
Sunnyside Development, LLC	Petition	Rezone along Fletcher Drive from R1 and B to R3 and R1 to IB	For rezoning to R3 to allow multi-family there was a general consensus 4 out of 5 not in favor, as the area is not within a sewer district. Allowing the rezoning to IB of properties with direct access to Route 17K did not present any issues
307 Route 17K	Request	Rezone R1 to B	The Committee recommends retaining the R1 zoning but potentially including this and adjoining lots in the Office Overlay District with additional gateway design regulations
Independent Living, Inc.	Request	Rezone property off of D'Alphonso Road for workforce and senior housing	Committee noted there was no sewer serving the proposed site; it is outside the sewer district. The Committee recommends the request be considered further when the Town Board considers revisions to the Senior Housing and Workforce/Affordable Housing zoning provisions
46 South Plank Road	Request	Rezone from R3 to B	Committee was in favor of moving forward with this request.
North Plank Road	Requests	Rezone from R3 to B Rezone from B to R3 (39-1-59)	Committee was in favor of moving forward with these requests.

2.a.(3).Suggested zoning items from Town of Newburgh Code Enforcement that need to be addressed:

- 1) Storage of vehicles/ garage or carport/ Bulk table column A/ Per site/ per structure/ how to determine number of vehicles?

- 2) Definition of accessory apartment (Detached)
- 3) 185-43-c-2 lot meets requirements for single family. Lot size or all bulk table requirements (see ZBA ruling 12-28-2017 stating yes)
- 4) Where can an accessory building be located? Only states required side or rear yard. If outside of the side yard does height and area matter?
- 5) Difference between accessory building 185-15 & garden house or tool shed 185-43?
- 6) Gas station canopy signage / not addressed/ 185-14 or 185-14A
- 7) Religious signage in residential zones/ not addressed / put into bulk table schedule
- 8) Menu boards for fast food occupancies not addressed
- 9) Window signage for shopping centers?
- 10) Drive thru usage allowance in bulk tables {185-42 Fast food) (Banks 185-48.7) The bulk table does not connect any permitted places to use the drive thru except 1B -D-6
- 11) 185-15-c-1-a Terrace definition/ is a deck a terrace and exempt from setbacks
- 12) Bed and breakfast use
- 13) Add definition of gross floor area/ accessory apartment 185-38-c-5 .
- 14) Add definition for increasing the degree of non-conformity/ 185-19-c-1
- 15) 185-49 (400 cubic feet) 83-7-h (400 cubic yards)
- 16) 185-17-A: Choosing corner lot. New construction or can be changed @anytime?
- 17) IB bulk table building height 40%?

2.b. Action Items Transportation

Issue	Action Summary	Status	Notes
Speed Limits	Discuss speed limits on State/County owned roadways with NYSDOT and Orange County.	Ongoing In Progress	
Transportation Safety	Address traffic safety issues throughout the Town.	Ongoing	
Traffic Calming	Modify street configuration requirements for new developments as a means of traffic calming.		Discourage new private roads. Maximum of 3 houses for a private road.
	Implement traffic calming measures with assistance from a traffic engineer.	On-going	
Site Access	Comprehensively coordinate site access with commercial developers.	Ongoing In Progress	
	Study access between residential developments.	Ongoing	Study should exclude private roads.
Maintenance	Better enforcement of truck weight limits on local roads.	Ongoing	
Transportation Alternatives	Encourage sidewalks, where appropriate.	Ongoing	Examine subdivision regulations. Refer to §161-35, encourage coordination with bus

			routes
	Explore locations for dedicated bike route/lanes. Potential connection trails leading to the Newburgh/Beacon Bridge		
	Encourage sidewalks, where appropriate.		Sidewalk repair and maintenance Local Law adopted in 2011
Route 9W Corridor	Study ways to accommodate the future expansion of Route 9W.		Examine zoning requirements and ROW requirements. The Town has had on-going meetings with NYS DOT re: the Rte. 9W ROW, including the potential for the Town to acquire targeted strips of land. The Planning Board has been active as part of project review and approval setting aside area on the east side of 9W
			Refer to Appendix __ for Traffic Improvement Study prepared for NYS DOT for selected intersection along the Rte. 9W corridor

2.c. Action Items Water, Sewer and Utilities

	Action Summary	Status	Notes
Water	Study whether and how water service should be expanded within the existing service area, and benefits, impacts, and costs of this service expansion.		Encourage infill development.
	Evaluate water-intensive developments to see if they should be prohibited.		Examine Zoning Code for permitted land uses.
	Review watershed regulations for the Chadwick Lake reservoir for potential update.		Compliance issues with tributaries to Chadwick Lake
	Examine potential for an additional water connection to the Catskill Aqueduct to create a redundant water supply system for emergency supply.		Town has acquired potential high volume well site on the former Anchorage Property
	Water quality issues related to		See also short term

	Orange Lake and short term rentals		rentals under Planning
Sewer	Study benefits, impacts, and costs of service expansion within the existing service district boundaries.		Focus on infill development within existing District. Target commercial development to potentially assist in the cost of expanding sewer service.
	Investigate the opportunities for land-banking property along the Hudson River for a new Sewage Treatment Plant.		Identify appropriate locations.
	Study benefits, impacts, and costs of service expansion.		Investigate lands outside the suggested Growth Boundary area (see <i>Growth Management Factors</i> map <i>Exhibit III-3 from 2005 Plan</i>).
	Consider possibility of the Town building its own Sewage Treatment Plant and land banking property along the Hudson River for such use.		See related discussions on land banking under short term items.
Utilities	Prepare a Capital Improvements Program for necessary utility improvements.		Town maintains a list of Capital Projects, approximately 20 open projects
Sanitation	Consider establishing uniform sanitation and recycling collection program.		

3.0 Potential Impacts and Mitigation

3.1 Social Impacts

- Enhancement of development quality and implementation of sustainability measures;
- Retention and strengthening of unique identities of the Town’s hamlets, residential neighborhoods and commercial areas through new development standards and regulations;
- Revitalization and redevelopment of undesirable and obsolete development patterns with appropriate uses;
- Creation of a more diverse housing stock affordable to all income groups, household types and special needs;
- Preservation of community character; and
- Provision of recreation and open space resources to support and sustain a high quality of life.

3.2 Economic Impacts

- Management of infrastructure enhancements costs, including facility upgrades, storm water drainage and sanitary sewer systems;
- Reduction of municipal costs from integrated best management practices, green infrastructure, and energy efficiency and conservation;
- Reinforcement of nonresidential tax base to offset community facility and service costs;
- Enhancement of cost efficiencies to meet community facility needs through shared resources and joint use facilities;
- Redevelopment and reinvestment for older areas of the Town to maintain or improve property value and encourage both residents and businesses to remain;
- Direction of focused development and investment opportunities in identified nodes and corridors;
- Introduction of new employment and housing opportunities where such uses are best accommodated.

3.3 Environmental Impacts

- Enhanced preservation of municipal drinking water resources;
- Incorporation of green infrastructure as part of low-impact development techniques to achieve a more sustainable future for the Town;
- Integration of a broad program of measures that conserve energy, reduce carbon emissions, and promote a healthy environment;
- Improvement of traffic circulation and reduction in traffic congestion through selective roadway improvements in conjunction with New York State, corridor studies, and land use and zoning policies establishing density and design requirements.

3.4 Selected Traffic Impacts and Mitigation

The Town is in receipt of correspondence from NYS DOT, refer to Appendix ___ of this GEIS, which included a series of traffic studies at a number of intersections along the Route 9W corridor. The recommendations and proposed improvements are based on a Traffic Impact Study prepared on behalf of NYS DOT dated August 2025, refer to Appendix ___ of this GEIS. The following recommendations and improvements are provided by NYS DOT:

1. Chestnut Lane- The review of the crash history at this location did not reveal a pattern of crashes. NYSDOT made signal timing adjustments at the Chestnut Lane intersection and increased the red clearance interval. Northbound and southbound U.S. Route 9W left-turn could be constructed for additional signal phasing enhancements. NYSDOT does not have a capital improvement project programmed for this location, but the Town of Newburgh could progress a project utilizing the highway work permit process. Additionally, maintenance crews will clear the vegetation within NYSDOT Right-of-Way at the intersection of U.S. Route 9W and Chestnut Lane to improve visibility.
2. Dogwood Hills/Lester Road- The study evaluated the need for dedicated left turns along U.S. Route 9W at the intersection of Dogwood Hills/Lester Road to enhance safety and minimize

the potential for rear end collisions; however, the review of the crash history did not reveal a pattern of crashes. NYSDOT found possible benefits to installing an 'Offset Side Road' warning sign on U.S. Route 9W for both approaches, in advance of Atwood Lane/Lester Road. This work will be completed by NYSDOT staff within one month.

3. Fostertown Road- The study recommends increasing the northbound left-turn lane storage from the current 85 feet to 200 feet, which would require the relocation of utility poles/guiderail and the acquisition of right-of-way property along U.S. Route 9W. NYSDOT made signal timing adjustments by increasing the red clearance interval, to reduce the possibility of future incidents.
4. Leslie Road/Albany Post Road- No pattern of crashes was found at the intersection of U.S. Route 9W and Leslie Road/Albany Post Road. The study also evaluated the need for prohibiting left turns from westbound Albany Post Road to southbound U.S. Route 9W, but the study did not find this action would mitigate crashes.
5. Lattintown Road- The study evaluated the need for a traffic signal on U.S. Route 9W at the intersection of Lattintown Road, but it failed to meet the warrants. To minimize the potential for rear end collisions for motorists waiting to make a left turn onto Lattintown Road/Overlook Drive, NYSDOT found a benefit to installing "Offset Side Road" warning signs for northbound and southbound U.S. Route 9W, in advance of Lattintown Road/Overlook Drive. This work will be completed by NYSDOT staff within one month. Please see the attached NYSDOT traffic impact study for the long-term improvements.
6. US Route 9W at Leslie Road and Albany Post Road
Conceptual improvements at this intersection include the construction of a small median to slow the speed of southbound US Route 9W left turning traffic onto Albany Post Road. In addition, left-turns would be restricted from westbound Albany Post Road onto southbound US Route 9W. Two of the eight crashes at the intersection involved vehicles attempting to turn left from westbound Albany Post Road, and a review of the traffic volumes indicate most of the westbound Albany Post Road traffic continues onto northbound US Route 9W. The left turn restriction would reduce conflicts for drivers at the Leslie Road approach to the intersection.

A long-term improvement that can be considered involves the realignment of Albany Post Road to intersect with US Route 9W at a right-angle. This would require the acquisition of right-of-way from property along US Route 9W and potential realignment of Echo Lane to connect with the reconfigured Albany Post Road. This change could remove the skewed intersection and make it easier for drivers to make left-turns from Albany Post Road onto US Route 9W.

7. US Route 9W at Leslie Road and Albany Post Road
Conceptual improvements at this intersection include the construction of a small median to slow the speed of southbound US Route 9W left turning traffic onto Albany Post Road. In addition, left-turns would be restricted from westbound Albany Post Road onto southbound US Route 9W. Two of the eight crashes at the intersection involved vehicles attempting to turn left from westbound Albany Post Road, and a review of the traffic volumes indicate most of the westbound Albany Post Road traffic continues onto northbound US Route 9W. The left turn restriction would reduce conflicts for drivers at the Leslie Road approach to the intersection.

New York State Environmental Conservation Law [SEQRA 6 NYCRR 617.9(b)(5)(iv)] requires the body of all draft environmental impact statements to contain "a description of mitigation measures to minimize the adverse environmental impacts." There are *no direct impacts* to be incurred upon the Town Board's adoption of the Comprehensive Plan Update. The CPU is ideally a mitigation plan itself, designed to lessen negative social, economic, and environmental pressures and effects presently being experienced in and reasonably projected for the Town of Newburgh. While the adoption of the CPU does not pose direct (primary) impacts, there may be minor indirect (secondary) impacts, which result upon subsequent engineered project (site plan, subdivision, building permit) approval by the Town's boards and departments.

It is anticipated that further staff and consultant effort will be required to draft revisions to the Town Code and regulations, to review re-zonings, and to advance project implementation in accordance with the recommendations set forth in the CPU. It shall remain the responsibility of each established lead agency reviewing a proposed action to fully analyze expected immediate and secondary impacts and to incorporate or require as conditions of approval mitigating measures necessary to adequately reduce or eliminate significant social, economic or environmental impacts.

Regardless of whether individual subsequent site-specific actions are to be carried out in conformance with the policy and regulation recommendations contained in the CPU or whether such actions were fully addressed in the Final GEIS, supplemental environmental impact statements may be required for actions which involve one or more significant environmental effect in to order to assure ample mitigation.

Upon adoption of a Comprehensive Plan Update FGEIS, the final Goals/Action Items identified for each of the topic areas should be considered to be the "conditions and thresholds" against which future projects will be weighed for consistency. From among the conditions and thresholds, the following key physical impact criteria are threaded throughout the Comprehensive Plan Update as a united review need for future projects:

- 1) Community character and aesthetic issues – consistency with the character of the existing built community and scenic resources;
- 2) Transportation, traffic and pedestrian safety – capability to handle new traffic flow considering volume, roadway capacity and parking resources;
- 3) Natural areas, land conditions and open space – ability to protect steep slopes, wetlands and waterbodies, wildlife habitat, significant plant and animal occurrences; and,
- 4) Adequacy of facilities and infrastructure – potential to meet demands for stormwater management, sanitary wastewater disposal, public water and energy supply.

4.0 Unavoidable Adverse Impacts

There are no anticipated significant adverse environmental impacts if the proposed Town of Newburgh Comprehensive Plan Update is implemented as drafted. The plan presents a balancing set of Goals/Action Items that encourages responsible sustainable development while addressing community concerns regarding future land use. Comprehensive Plan Update adoption will not invoke direct impacts. The DGEIS/Comprehensive Plan Update establishes a planning policy framework to guide future land use decisions by boards and departments in the Town of Newburgh commensurate with identified community needs, goals, and limiting environmental factors. Growth will be experienced in some areas of the Town, while other areas are conserved and/or retain their

existing community character. New growth is typically accompanied by unavoidable physical adverse impacts, including potential generation of new trip ends, sanitary wastewater, solid waste and effects on land, water and air quality resources. Thresholds inherent in the SEQRA regulations, noted in Section 1, will determine whether additional analysis will be required for implementation of specific projects in accordance with the CPU. Future individual actions, which require review in accordance with SEQRA, will be thoroughly analyzed for potential social, economic, environmental impacts and for compatibility with the Comprehensive Plan Update GEIS. All potential direct project-induced impacts will be mitigated as required to reduce overall environmental effects to the greatest extent practicable.

5.0 Alternatives

SEQRA requires that an Environmental Impact Statement discuss reasonable alternatives, which would be feasible considering the objectives and capabilities of the project sponsor. This section of the DGEIS discusses alternatives to adoption of the Town of Newburgh Comprehensive Plan Update.

Through the initial town-wide public input process, drafting of Goals/Action Items objectives with staff and consultant participation, evaluation of the current Comprehensive Plan Update to develop the policy initiatives that form the backbone of the proposed CPU, the plan has been an evolving document responsive to extensive suggestions, ideas, and possibilities that have all been potential alternatives (approaches, objectives, policies) since its inception. It has been edited and revised numerous times to reflect new information, trends, and practices following discussion and input. Therefore, many alternatives have been considered already during development of the Town of Newburgh Comprehensive Plan Update.

5.1 No Action Alternative = Retain 2005 Comprehensive Plan

The No Action alternative entails continuance of the current 2005 Comprehensive Plan and present regulations, including zoning. The Town of Newburgh continues to be poised for development, adaptive reuse, changing transportation options, sustainable action, and potential conservation of its remaining natural assets. There remain values and goals that the community wishes to achieve toward positive change and growth. Acceptance of this no action alternative would not allow the Town to channel growth so definitively into portions of identified corridors and nodes or meet other key criteria envisioned by the community as crucial to its future vitality as gauged by its environmental quality, commerce, cultural arts, and community services.

5.2 Selective Policy/Mitigation Adoption Alternative

As an alternative to adopting a CPU, the Town Board can consider selective implementation of Action Items that present specific mitigation. This would be tantamount to accepting an addendum or key addenda to the existing 2005 Comprehensive Plan. Any of the policy programs, drafted as separate chapters in the proposed plan, could be considered on their own. However, together they mesh well into a united approach to balance multiple resource issues, while addressing the reasonable needs of the community for change and growth.

5.3 Potential Further Alternatives

To facilitate further public participation, the Town Board will hold a public hearing on the Town of Newburgh Comprehensive Plan Update and the Draft Generic Environmental Impact Statement in accordance with section 272-a of Town Law and section 6 NYCRR 617.12(a)(2)(iv) [SEQRA]. It is anticipated that there will be public comment on the draft GEIS. Substantive comments and supplementary information received may result in amendments to the proposed CPU prior to its acceptance in final form. While this draft GEIS cannot speculate what revisions will be proposed, the alternative consideration of other new or modified recommendations will remain a viable option of the Town Board until a Final GEIS is prepared, accepted and duly filed.

6.0 Irreversible and Irretrievable Commitment of Resources

Adoption of the proposed CPU and its implementation strategies will not in and of itself cause physical manipulation or commitment of any land resource or direct impact thereto. The action identifies lands and communities that can be best served by rezoning, by application of performance standards, and by codified changes to the Town's policies embodied in its Code and Regulations. All projects to be implemented in accordance with the Comprehensive Plan Update shall be subject to respective Town department review.

The only irretrievable commitment of resources has been expenditure of Town funds to enable consultant preparation of the draft Comprehensive Plan Update and provision of supplemental data thereto, Town interdepartmental staff participation, and staff support to enable public review of the recommended plan and policy revisions in accordance with the State Environmental Quality Review Act and Town Law.

7.0 Growth-Inducing Aspects

Adoption of the new Comprehensive Plan Update will not be directly growth inducing, nor will it be growth restraining. The plan should be considered as a mechanism to balance and achieve manageable growth where it can best be sustained (e.g., where infrastructure and environmental conditions are project-compatible) and conversely, directing it away from sensitive environmental resources.

Individual project review will be conducted by Town boards and departments in accordance with the SEQRA. Supplemental EIS's to the (Final) Comprehensive Plan Update GEIS can be required as necessary to address and to enable complete consideration of potentially significant impacts and/or growth-inducing aspects of any specific proposed action.

8.0 Effects on Use and Conservation of Energy Resources

Adoption of the Town of Newburgh Comprehensive Plan Update will not in and of itself cause an increase in energy (electric, gas, fuel) use as it does not involve project components that are to be immediately implemented. Impact of energy use will be dependent on subsequent plan and site reviews. Following adoption of the CPU any development or new construction that may occur will need to conform to recommended energy saving measures and "green initiatives," as well as conform to applicable Town and State building codes and standards derived to maximize the economic and environmental benefits of energy conservation. The supplier will determine energy availability at time of request for service.

The Comprehensive Plan Update is intended to encourage sustainability and resiliency practices to positively impact the effects of climate change, resulting in a more livable community.