

Town of Fishkill Comprehensive Plan Update (CPU)  
Draft Generic Environmental Impact Statement (DGEIS)  
Draft February 7, 2023

**DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (DGEIS) FOR THE  
TOWN OF FISHKILL COMPREHENSIVE PLAN UPDATE (CPU)**

Prepared for the Lead Agency:  
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**STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)**  
**DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (GEIS)**  
For the Town of Fishkill Comprehensive Plan Update (CPU)

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**\*The Draft CPU and Appendices are available on the Town of Fishkill website**

## II. EXECUTIVE SUMMARY

### DESCRIPTION OF PROPOSED PROJECT

The description of the proposed project section of this DGEIS provides a broad and general description of the format and content of the Comprehensive Plan Update noting the various sections such as the introduction, vision and the CPU Committee process. More detail about the CPU can be found by perusing the CPU document, which listed in the list of appendices at the end of this DGEIS. The CPU and appendices can be found on the Town of Fishkill website.

The INTRODUCTION of the Comprehensive Plan Update, the CPU, provides a view of the Town of Fishkill as expressed by the CPU Committee, who are all members of the community. It emphasizes that Fishkill is an established, developed and lively community with the Hudson Highlands, the Hudson River and many neighborhoods, parks, business and cultural/historical areas that shape its scenery and natural and community character. Fishkill “is a great place to live and work” due to its location in the region with many options for transportation, work, shopping, social and leisure activities and services for daily needs. The quality of life for residents is enhanced as the community values and preserves its natural, cultural, and open space resources.

The CPU’s VISION recognizes the need to continue preserving Fishkill’s historic and cultural heritage; its ecologically significant network of wetlands, watercourses, and water bodies; meadows, woodlands; wildlife habitats; aquifers and other resources. Protection of resources will be balanced by opportunities for sensible residential and nonresidential development. The Town of Fishkill will pursue an environmentally and economically sustainable future by protecting and enhancing natural resources, expanding renewable energy infrastructure, pursuing alternative transportation infrastructure, focusing development on abandoned or obsolete sites, and preserving its remaining open space. The Town seeks to diversify the local economy with innovative strategies focused on the community and the region, while encouraging mixed use, walkable development in areas that have already been developed. The Town of Fishkill will become a diverse and inclusive community where residents, families and stakeholders can afford to live, work and play, where trails and sidewalks connect neighborhoods with services and amenities, and with each other.

This CPU intends to provide a clear vision, goals, and actions with an implementation plan to achieve completion of tasks in the next five to ten years. The Town will strive to become a more connected, inclusive, and vibrant community.

The Draft CPU provides a description of the COMPREHENSIVE PLAN UPDATE (CPU) COMMITTEE PROCESS.

The body of the Draft CPU consists of a section of GOALS, OBJECTIVES AND STRATEGIES with 11 sections, A. through K., with each presenting a broader goal. For example, section A’s goal focuses on how to CONNECT PEOPLE AND PLACES. The more specific objectives that are presented address related problems such as traffic concerns, and patterns; how these might be assessed and improved; the need for sidewalks and other improvements to encourage safety and convenience for pedestrians, commuters, bicyclists and drivers; the pursuit of more and better transit; and to connect streets and neighborhoods for circulation and safety. From these more specific objectives, the CPU presents specific

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and more detailed strategies. For example, this part of the CPU provides descriptions of the actual roads along which sidewalks are needed, the extent of these roads lacking sidewalks, noting areas that would be connected.

Each of the 11 goal sections proceeds from a broader goal to more specific objectives and even more specific strategies to implement the CPU's goals and objectives. The topics of each sections A. through K. are listed below.

#A. CONNECT PEOPLE AND PLACES

#B. PROMOTE GOOD DESIGN OF THE BUILT ENVIRONMENT

#C. CREATE GREAT PLACES FOR PEOPLE AND ANIMALS

#D. ENSURE ECONOMIC AND SOCIAL DIVERSITY

#E. CONSERVE CRITICAL LANDS

#F. PRESERVE SPECIAL, SIGNIFICANT ENVIRONMENTAL RESOURCES

#G. EMPHASIZE SCENIC AND HISTORIC STEWARDSHIP

#H. RAISE COMMUNITY AWARENESS

#I. CREATE AND ENHANCE GATEWAYS

#J. COORDINATE WITH THE SCHOOL DISTRICTS

#K. WORK COOPERATIVELY WITH NEIGHBORING MUNICIPALITIES

#### IMPLEMENTATION PLANNING OUTLINE

The last section of the CPU is the Town of Fishkill Comprehensive Plan Update (CPU) IMPLEMENTATION PLANNING OUTLINE, which is presented as a table with columns for the beginning year and finishing year for each of the tasks described in the CPU, with each task's or objective's title and description. The Implementation Planning Outline is organized by and referenced to each of the "CPU Strategy, Action & Sections Addressed" categories.

#### **ENVIRONMENTAL SETTING**

The environmental setting section of this DGEIS includes a brief description of the environmental setting and existing conditions of the Town of Fishkill, noting there are numerous CPU Maps depicting the Town's geography, natural, cultural and community resources; transportation systems, and other information such as the layout of neighborhood areas. This section also provides demographic information such as population characteristics and household size.

#### **IMPACTS AND MITIGATION**

The impacts and mitigation section of this DGEIS reviews each of the broader goals of CPU as stated in each of CPU sections A. through K. The possible effects or impacts of each of the broader goals is discussed by elaborating on one or two key objectives and the more specific strategies in each of CPU sections A. through K. For example, section A's focus on how to CONNECT PEOPLE AND PLACES is intended to create safer, more convenient and healthier ways for people in the Fishkill community to travel whether on foot or bike, by transit or in a car or other vehicle. It is acknowledged that adoption of the CPU would commit the Town to pursue objectives with specific strategies for remedies to traffic congestion and safety, including a prioritized listing of specific lengths of sidewalks to be planned, designed, approved and ultimately funded and constructed in areas of town with established neighborhoods and business areas. While the impact of adopting these strategies would be beneficial, including health benefits, this section of the DGEIS notes that construction of sidewalks, for example, would also involve land

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disturbance impacts. Each individual sidewalk project would involve site specific review under the SEQRA. One of potential costs of implementing a sidewalk construction program would be mitigated by the phased approach outlined in the CPU. One of the benefits of an adopted CPU document with a specific list of strategies is that it opens avenues for funding and mitigating the effects of land development by requiring development groups to construct sections of sidewalks in areas affected by their proposed projects.

The implementation of the goals, objectives and strategies in CPU sections A. through K., would have primarily beneficial impacts to the Town of Fishkill.

The CPU section PROMOTE GOOD DESIGN OF THE BUILT ENVIRONMENT points out that certain areas of town may be limited for development of needed residential development due to limitations of existing water supply and sewage treatments systems. This section of the CPU also examines and presents aspects of Fishkill's landscape to identify larger parcels of vacant land, which may be available for development or redevelopment, potentially for mixed-use development. While better design and land development may be desired, this section points to the need for supporting water and sewer infrastructure. Adoption of the CPU in this case would not have any direct impacts on the environment yet may lead to needed improvements for more compact and higher quality community development.

Refer to the impacts and mitigation section for elaboration on how the adoption of the CPU is likely to have beneficial impacts, no direct impacts, or would lead to projects that would involve subsequent site-specific review under the SEQRA .

**REASONABLE ALTERNATIVES TO BE CONSIDERED**

This section of the DGEIS considers Comprehensive Plan Update (CPU) with Code Amendments, which notes that the Town has a very detailed and up to date set of code chapters and regulations that are in use in the Town. The CPU does not propose any zoning amendments yet addresses the needs of a substantially developed community in need of other objectives and strategies to improve life in the community. Accordingly, this alternative would not address the community's priorities as stated in the CPU.

This section of the DGEIS also considers a no action alternative in which the CPU is not adopted. The result would be that the insights of the CPU Committee, all members of the community, guided by the responses to the CPU Survey, would not be considered for implementation, including: transportation improvements (pedestrian, rail trail, transit and road), recreation facility expansion (a park for children of all abilities; and needed community gathering, cultural and recreational facilities); and water and wastewater improvements, and other facilities and amenities intended to improve the quality of life and environmental quality of a substantially developed community.

The CPU Committee's recommendation to prepare and adopt "a Local Waterfront Revitalization Program (LWRP) focused on the Town of Fishkill's Hudson River shoreline, including public access to the river" is a key aspect of Fishkill that requires the community's attention. This and other water-related and water quality recommendations, such as the adoption of the DWSP2, related to drinking water protection, would not be considered or implemented.

### **III. DESCRIPTION OF PROPOSED ACTION**

The proposed action will involve the evaluation of the impacts of adoption of the Draft Comprehensive Plan Update (CPU) on land use, infrastructure, and environmental issues.

The purpose of the GEIS will be to examine the potential impacts and effects of the adoption of the Comprehensive Plan Update (CPU). The purpose of presenting the proposed action, impacts and mitigation in a Generic EIS is that it allows a broader, more general outlook on proposed action that addresses the entire community and does not involve site specific land development and disturbance.

The passage below contains summarized excerpts of the CPU for a description of the major aspects of the proposed action being evaluated in this DGEIS. Section III, A. of the DGEIS summarizes the CPU, yet provides more detail. The CPU is included herewith as an attachment to this DGEIS.

#### **INTRODUCTION**

“The Town of Fishkill is an established, largely developed, but evolving, lively community nestled at the foot of the Hudson Highlands, wrapped around the City of Beacon and the Village of Fishkill, flanked by the Hudson River and its scenic shoreline on the West. Its fabric is woven with many friendly and attractive neighborhoods, numerous parks, trails, cultural and historic places, ample convenient shopping areas with charming restaurants, enjoyed by longstanding residents, newcomers and visitors. The Town is sustained by its volunteers, community groups and clubs, schools, sports leagues, emergency service providers, Town officials and staff, Library staff, owners of businesses and services, houses of worship, post offices and many other gathering places.

Our Town is a great place to live and work because of its location within the Hudson Valley, with access to commuter rail service, interstate and state highways, which makes it an ideal place to live with options for a peaceful home life, access to the region’s employment opportunities, urban-style entertainment and endless ways to enjoy outdoor activities. The community’s residents value convenient travel to work or infrastructure that supports work-from-home with ample shopping and services for daily needs.

The community’s residents enjoy social and leisure activities that range from a game at Renegades (Dutchess) Stadium, kids camp or a walk at Stony Kill Farm, an afternoon at Blodgett Memorial Library splashing around at a local waterpark, Fishkill Recreation Center activities for all ages, a tennis or basketball game at Geering Park, browsing the Van Wyck Homestead and grounds, or a vigorous hike on the Mount Beacon Trail, maybe an early evening picnic at Jean Van Pelt Park.

The Town preserves its precontact, historic and cultural heritage; its network of freshwater wetlands, watercourses and water bodies; fields, steeply sloped and wooded lands; wildlife habitat and aquifers and other natural resources.”

#### **VISION**

Town residents recognize the value of and will continue to preserve Fishkill’s historic and cultural heritage; the ecologically significant network of freshwater wetlands, watercourses, and water bodies;

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meadows, steeply sloped and wooded lands; wildlife habitat and aquifers and other natural resources. The ongoing protection of our resources will be balanced by planned opportunities for sensible levels of residential and nonresidential land development.

The Town of Fishkill will pursue an environmentally and economically sustainable future by protecting and enhancing existing natural resources, expanding renewable energy infrastructure, pursuing connectivity by developing alternative transportation infrastructure, focusing development on abandoned or obsolete sites, and preserving its remaining open space, historic, scenic and cultural assets. The Town will strive to enhance and diversify the local economy by pursuing innovative strategies that focus on the needs of the community and the region, while preserving precious and important open space by encouraging mixed use, walkable development in areas that have already been developed. The Town of Fishkill will be a place where a diverse and inclusive community of residents, families and stakeholders can afford to live, work and play, where trails and sidewalks connect neighborhoods with services and amenities, and with each other.

This Comprehensive Plan Update is intended to provide a clear vision, goals, and actions with an implementation plan designed to achieve completion of implementation tasks in the next five to ten years. By doing so, the Town will strive to become a more connected, inclusive, and vibrant community.

COMPREHENSIVE PLAN UPDATE (CPU) COMMITTEE PROCESS

The CPU Committee is a dedicated group of 18 volunteers from the community intent on creating an updated plan for the future of the Town of Fishkill who participated in 1 or 2 meetings per month many meetings from September 29, 2021 through November 9, 2022. From the early months of 2022 through the spring of 2022, created a survey questionnaire for their community, and then launched and concluded it in the spring of 2022. The results are summarized in the CPU document and are listed among other Comprehensive Plan Update (CPU) Committee Resources at the end of this DGEIS. The CPU Committee will reconvene for meetings to address public and agency comments on the CPU to assist in creating a revised plan for adoption by the Town of Fishkill Town Board.

GOALS, OBJECTIVES, AND STRATEGIES

The CPU presents a series of broader goals, with elaboration on more specific objectives that spring from each of the goals, with each objective presenting specific priorities and strategies, which must be acted upon so that the Town of Fishkill can actually implement the improvements, connections, projects, quality land development, and the infrastructural systems necessary to support needed mixed-use and residential development, better parks and pedestrian ways, while protecting the community's natural and cultural resources. The broader goal statements are set forth below. Refer to the full CPU document for the specific objectives and strategies.

- A. **GOAL: CONNECT PEOPLE AND PLACES** (traffic concerns, patterns, assessment and improvement; sidewalks; improvements to encourage safety and convenience for pedestrians, commuters, bicyclists and drivers; more and better transit; connect streets and neighborhoods for circulation and safety)
- B. **GOAL: PROMOTE GOOD DESIGN OF THE BUILT ENVIRONMENT** (smart growth, better design, and compact, mixed-use development; explore existing capacity and possible connections with the existing sewer/wastewater systems; review current land use,

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development potential, underutilized lands and reframing future potential use, new use designations, reclamation needs)

- C. **GOAL: CREATE GREAT PLACES FOR PEOPLE AND ANIMALS** (Design/create new recreational facilities and/or revitalize existing parks; prepare a recreation assessment/plan; Prepare/adopt a Local Waterfront Revitalization Program (LWRP) focused on the Hudson River shoreline, and public access)
- D. **GOAL: ENSURE ECONOMIC AND SOCIAL DIVERSITY** (provide a full range of housing types and sizes, accommodate varied needs, focus on seniors, affordability, using energy efficient design and materials)
- E. **GOAL: CONSERVE CRITICAL LANDS** (Protect and preserve large open spaces, use conservation easements and other mechanisms, conservation planning techniques, including Critical Environmental Area (CEA) designations)
- F. **GOAL: PRESERVE SPECIAL, SIGNIFICANT ENVIRONMENTAL RESOURCES** (adopt and implement the Town of Fishkill proposed New York State Drinking Water Source Protection Program (DWSP2), protect groundwater and surface water; and improve stormwater quality)
- G. **GOAL: EMPHASIZE SCENIC AND HISTORIC STEWARDSHIP** (Protect the scenic beauty of ridgelines, aesthetic and cultural quality of scenic roads, historic and archaeological structures and sites, )
- H. **GOAL: RAISE COMMUNITY AWARENESS** (about natural resource conservation efforts and “smart growth” principles that contribute to quality of life)
- I. **GOAL: CREATE AND ENHANCE GATEWAYS** (Preserve and enhance the rural, community and scenic character of Routes 9D and 9, and the other entrances to the Town)
- J. **GOAL: COORDINATE WITH THE SCHOOL DISTRICTS**
- K. **GOAL: WORK COOPERATIVELY WITH NEIGHBORING MUNICIPALITIES**

The CPU section of broader goals, specific objectives and more specific priorities and strategies, is supported by a section about the characteristics of the development potential of a number of larger undeveloped, less developed or parcels that may potentially become available for redevelopment. This information is presented in a section of the CPU entitled “Development Potential: Large Parcel Analysis”. Refer to the full CPU document for the summary, full text and summary table of the large parcel analysis.

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**IV. ENVIRONMENTAL SETTING**

This section will include a brief description of the environmental setting and existing conditions of the Town of Fishkill.

The Introduction of the CPU provides a meaningful description of the environmental setting and existing conditions of the Town of Fishkill. The text of the CPU Introduction is in the “Description of the Proposed Project”, above.

Graphic depictions of the Town are provided in the CPU Maps listed in section VII of this DGEIS, below, showing Fishkill’s extensive aquatic systems of wetlands, floodplains, creeks, streams and waterbodies; aquifer areas; community resources such as cultural resources, parkland, government, recreational and religious facilities; historical and cultural places and resources, including historical markers; and the type and layout of zoning districts.

The primary transportation routes are depicted on each of the maps noted above serving as a framework for the Town and connections between Fishkill and its neighboring municipalities: the Towns of Wappinger, East Fishkill, and Philipstown; and the City of Beacon; and the Village of Fishkill. These routes include U.S. Route 9 and New York State Routes 9D and 52; Interstate Route 84; and Dutchess County Routes 34 (Baxtertown Road), 35 (Osborne Hill Road) and 36 (Red Schoolhouse Road).

Because the CPU maps are based on tax parcel mapping, each depicts the layout of more open and less intensively developed lands in much of the southern and southeastern portions of the Town. This is because these areas of Fishkill are mountainous and very hilly, yet with a low corridor along the southern half of Route 9, and the southeastern tip of Fishkill sloping down to the Hudson River. Corridors of blended nonresidential, mixed use and residential development are assembled along the southern half of Route 9, and the southeastern tip of Fishkill.

In contrast, numerous closely arranged neighborhoods and clusters of business development are found in the central and northern areas of the Town of Fishkill including the Village of Fishkill. These more densely developed hamlet areas, including: Brinckerhoff, Castle Point, Dutchess Junction, Dutchess Park, Glenham, Lomola, Merritt Boulevard, Rombout, and others are interspersed with parks and open space lands. Several of the neighborhood and business areas are served by well-utilized public water supply and sewage treatment systems.

The population estimate of the United States Census Bureau of July 1, 2022 of Fishkill town is 24, 513, up from 22,107 people as of the April 1, 2010 Census. Persons under 18 years old make up approximately 15.5% of the population, with those 65 years old and over making up 20.8%, with the remaining 63.7% of the population between the ages of 19 and 64. Female persons make up 46.5% of the Town’s population. In terms of race and Hispanic origin, 71.7% of the community is recorded by the US Census as “White alone”, 12.8% is “Black or African American alone”, 4.2% is “Asian alone” and 14.3% is “Hispanic or Latino”; and 7.4% of Fishkill is “Two or more races”. In the period between 2017 to 2021 there were 9,349 households with 2.23 average person per household and an Owner-occupied housing unit rate of 64.3%.

**V. IMPACTS AND MITIGATION**

The adopted scoping outline provided a framework of the issues of potential significance for assessment of the project impacts. Each section will describe potential impacts of the proposed action and identification of measures proposed to mitigate impacts.

- A. **GOAL: CONNECT PEOPLE AND PLACES** (traffic concerns, patterns, assessment and improvement; sidewalks; improvements to encourage safety and convenience for pedestrians, commuters, bicyclists and drivers; more and better transit; connect streets and neighborhoods for circulation and safety)

This section of the CPU if adopted would commit the Town of Fishkill to pursue objectives with specific strategies for remedies to traffic congestion and safety concerns, including a prioritized listing of specific lengths of sidewalks to be planned, designed, approved and ultimately funded and constructed in areas of town with established neighborhoods and business areas. The impact of adopting these strategies would be beneficial allowing pedestrians to move safely and conveniently along main routes in the community such as New York State Route 52 between U.S. Route 9 and Interstate Route 84. Beneficial health and social impacts would be realized as residents have more exercise and see their neighbors along the way. The potential costs of implementing an ambitious program would be mitigated by a phased approach as outlined in the CPU. Also, documenting a specific list of strategies in an adopted plan opens avenues for funding and mitigating the effects of land development by requiring development groups to construct sections of sidewalks in areas affected by their proposed projects.

The adoption of the CPU would not imply or include approvals of any site-specific construction project, since these have not yet been selected, planned, designed, etc. Following adoption of the CPU, the Town Board would direct implementation of the CPU in accordance with the Town of Fishkill Comprehensive Plan Update (CPU) Implementation Planning Outline. For any project that would be selected, planned, designed, funded and approved for construction, there would be a site-specific review and approval process, including review under the SEQRA. It is likely the reviewing agencies would consider the effects of land disturbance and other areas of potential impact and plans would include measures to mitigate disturbance and other areas of potential impact, including grading, drainage, stormwater management and erosion and sedimentation control measures.

This CPU section would also commit the Town to additional improvements to encourage safety and convenience for pedestrians, commuters, and bicyclists, in the areas identified for sidewalks and beyond. Additional bus routes and stops, and pursuit and support of the creation of a new rail trail using the Metro North Commercial Railroad and Metropolitan Transportation rights-of-way (ROWS), with connections to adjoining communities and existing parks along the way, are also advocated by the objectives and strategies in this section of the CPU. The beneficial impacts of safety, convenience, exercise, and social activity, and fewer cars on community roads would similarly outweigh the potential costs of implementing this program, which would be mitigated

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by a phased approach. Also, documenting a specific list of strategies in an adopted plan opens avenues for funding and mitigating the effects of land development by requiring development groups to construct pedestrian, commuter, and bicyclists' improvements or portions of the rail trail in areas affected by their proposed projects.

- B. **GOAL: PROMOTE GOOD DESIGN OF THE BUILT ENVIRONMENT** (smart growth, better design, and compact, mixed-use development; explore existing capacity and possible connections with the existing sewer/wastewater systems; review current land use, development potential, underutilized lands and reframing future potential use, new use designations, reclamation needs)

This CPU section recognizes that there are zoning provisions for mixed-use and compact development, and that the encouragement of small-scale, neighborhood businesses would involve examination of existing zoning to identify potential sites or to determine whether zoning revisions would be needed. However, there are limits to compact or cluster development as many areas of the Town of Fishkill do not have public sewer facilities or insufficient additional sewer capacity. Similarly, many areas of the Town of Fishkill do not have available public water facilities or have insufficient additional public water supply capacity. The Town would have to explore and create new water sources, and fund, design and build new treatment and transmission facilities. Please refer to the appendices for information about the Town of Fishkill's water and sewer districts. The CPU recommends that the Town explore possible connections with the existing sewer/wastewater systems:

- i. Village of Fishkill Wastewater Treatment Facility (WWTF) located on the south end of Jackson Street;
- ii. the closest Town of East Fishkill Sewer District(s);
- iii. the City of Beacon Wastewater Treatment Facility, which is associated with the DCWWA and receives all the wastewater produced in the City of Beacon and the Dutchess Park area of Fishkill; and
- iv. the NYS Matteawan property has a private sewage treatment facility.
- v. Additionally, the Tri-Municipal Sewer Commission includes Town of Poughkeepsie, Town of Wappinger, and Village of Wappinger Falls.
- vi. Also, there may be a vacant site or a site available for redevelopment that would accommodate a wastewater treatment system.

Exploration of new water sources, the funding, design and construction of water supply and sewer treatment facilities, and the exploration of connections with the existing sewer/wastewater systems of neighboring municipalities would have primarily beneficial impacts. Any impacts related to cost could be offset by pursuing funding for the design and construction of such facilities. The design and approval of such facilities would incorporate mitigation for related construction impacts.

This section of the CPU also examines the Town of Fishkill's landscape to identify larger parcels of vacant land, which may be available for development or redevelopment. It provides information about large vacant, or underutilized or lands for potential redevelopment, yet does not propose any specific land development project or any amendment to the Code of the Town of Fishkill. The information in this analysis may be

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used for further consideration of the future use and development of these sites. Accordingly, there are no direct impacts associated with this CPU objective.

- C. **GOAL: CREATE GREAT PLACES FOR PEOPLE AND ANIMALS** (Design/create new recreational facilities and/or revitalize existing parks; prepare a recreation assessment/plan; Prepare/adopt a Local Waterfront Revitalization Program (LWRP) focused on the Hudson River shoreline, and public access)

This CPU section would commit the Town to create new recreational facilities and/or revitalize existing parks; prepare a recreation assessment/plan; and Prepare/adopt a Local Waterfront Revitalization Program (LWRP) which prepared concepts or plans would enable the Town to identify and ultimately fund, plan and design recreational and waterfront revitalization projects. The beneficial impacts of recreational facilities, waterfront access, exercise, and social activity, would potentially outweigh the potential costs of implementing this program, which cost could also be mitigated by a phased approach. Also, documenting a specific list of strategies in an adopted plan opens avenues for funding and mitigating the effects of land development by requiring development groups to support such efforts by contributing land, easements, access or matching funding for such planning or improvements in areas affected by their proposed projects.

- D. **GOAL: ENSURE ECONOMIC AND SOCIAL DIVERSITY** (provide a full range of housing types and sizes, accommodate varied needs, focus on seniors, affordability, using energy efficient design and materials)

This CPU section includes a number of objectives and strategies to provide a full range of housing types and sizes, encouraging use of “green building” techniques to reduce utility costs and providing opportunities for businesses (especially small, local businesses) to thrive in the Town of Fishkill and provide opportunities for employment. These strategies incorporate the use of resources prepared by groups and agencies that study the need for various types of housing and work toward the creation of needed homes. For example, the Dutchess County Department of Planning and Development prepared the 2022 Dutchess County Housing Needs Assessment (March 2022). Although this objective and strategies therein would urge the Town to identify possible sites for the creation of affordable homes or mixed-use development, the sites identified would be used for further consideration by development groups interested in pursuing such development. Accordingly, there are no direct impacts associated with this CPU objective.

- E. **GOAL: CONSERVE CRITICAL LANDS** (Protect and preserve large open spaces, use conservation easements and other mechanisms, conservation planning techniques, including Critical Environmental Area (CEA) designations)

This CPU section would commit the Town to follow several objectives and strategies to: “Protect and preserve large open space parcels in public and semi-public ownership”; “Promote use of conservation easements and other mechanisms to acquire and preserve important open space lands in perpetuity”; “Enact Critical Environmental Area

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(CEA) designations to help protect significant ecological communities”; “Utilize state of the art conservation planning techniques to protect important environmental resources and create a connected network of green space throughout the community”; and to “Ensure that infrastructure does not encourage sprawl”, noting the conservation cluster and compact design provisions in the code. The statement of these goals, objectives and strategies is the basis for planning and environmental projects and reviews in Fishkill. Many similar objectives and standards are also expressed in the Code of the Town of Fishkill. Since the implementation of the stated objectives and strategies in this section would be protective of the environment, no environmental impacts are associated with this CPU objective. Accordingly, mitigation measures would not be necessary.

- F. **GOAL: PRESERVE SPECIAL, SIGNIFICANT ENVIRONMENTAL RESOURCES** (adopt and implement the Town of Fishkill proposed New York State Drinking Water Source Protection Program (DWSP2), protect groundwater and surface water; and improve stormwater quality)

This CPU section would commit the Town to follow several objectives and strategies to: “Review, adopt and fully implement the objectives of the Town of Fishkill that are set forth in the proposed New York State (NYS) Drinking Water Source Protection Program (DWSP2).”; and to protect surface water quality and natural drainage areas; and the quality and quantity of groundwater; and to improve stormwater quality; reduce impacts of development on steep slopes; protect areas rich in biodiversity; encourage the use of native plant species; and preserve existing trees and plant new trees. The statement of these goals, objectives and strategies is integral to the “long-term health, safety, and welfare” of the Town and its residents; and is the basis for planning and environmental projects and reviews in Fishkill. Many similar objectives and standards are also expressed in the Code of the Town of Fishkill. Since the implementation of the stated objectives and strategies in this section would be protective of the environment, no environmental impacts are associated with this CPU objective. Accordingly, mitigation measures would not be necessary.

- G. **GOAL: EMPHASIZE SCENIC AND HISTORIC STEWARDSHIP** (Protect the scenic beauty of ridgelines, aesthetic and cultural quality of scenic roads, historic and archaeological structures and sites)

This CPU section would commit the Town to “enhance Fishkill’s unique sense of place” by following several objectives and strategies to : “Protect the scenic beauty of the ridgelines that contribute to Fishkill’s unique character”; “Protect and enhance the aesthetic quality of scenic roads”; “Preserve and commemorate significant historic and archaeological structures and sites”, including preparing an inventory of historic sites and structures and allowing “adaptive re-use of historic structures to help preserve them by permitting a broader range of uses”. The statement of these goals, objectives and strategies is the basis for planning and environmental and other projects and reviews in Fishkill. Many similar objectives and standards are also expressed in the Code of the Town of Fishkill. Since the implementation of the stated objectives and strategies in this section would be protective of the environment, no environmental impacts are

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associated with this CPU objective. Accordingly, mitigation measures would not be necessary.

- H. **GOAL: RAISE COMMUNITY AWARENESS** (about natural resource conservation efforts and “smart growth” principles that contribute to quality of life)

This CPU section would commit the Town to “enhance Fishkill’s unique sense of place” by following two objectives to: “Encourage various smart growth businesses and organizations to conduct workshops and provide educational materials to raise community awareness”; and “Recognize and honor individuals and companies that improve Fishkill’s quality of life with smart growth projects”. Since the implementation of the stated objectives and strategies in this section would support growth and be generally protective of the environment, no environmental impacts are associated with this CPU objective. Accordingly, mitigation measures would not be necessary.

- I. **GOAL: CREATE AND ENHANCE GATEWAYS** (Preserve and enhance the rural, community and scenic character of Routes 9D and 9, and the other entrances to the Town)

This CPU section would commit the Town to “Create and enhance Gateways that welcome visitors” by following two objectives and strategies to: “Preserve and enhance the existing rural, community and scenic character of Route 9D and Route 9, and the other entrances ... to the Town to maintain the ‘town and country’ character and to distinguish Fishkill from neighboring municipalities. Pay special attention to applying the ‘Design Guidelines’ that have been incorporated in Town Code”; and “Welcome visitors to Fishkill”. This section of the CPU includes a list of gateway areas along New York State Routes 9, 9D, 52 and 82 and Interstate 84. Since the implementation of the stated objectives and strategies in this section would support growth and be generally protective of the environment, no environmental impacts are associated with this CPU objective. Accordingly, mitigation measures would not be necessary.

- J. **GOAL: COORDINATE WITH THE SCHOOL DISTRICTS**

This CPU section would commit the Town to “Coordinate with the school districts” by following two objectives and strategies to: “Address potential impacts of development on school capacity and taxes”; and “Site new schools within walking distance of residential neighborhoods”. Since the implementation of the stated objectives and strategies in this section would support growth and be generally protective of the environment, no environmental impacts are associated with this CPU objective. Accordingly, mitigation measures would not be necessary.

- K. **GOAL: WORK COOPERATIVELY WITH NEIGHBORING MUNICIPALITIES**

This CPU section would commit the Town to “Work Cooperatively with Neighboring Municipalities on issues that span municipal boundaries” by following three objectives and strategies to: “seek to develop and enact inter-municipal agreements with all neighboring municipalities to plan for the conservation of natural, environmental, historical and cultural resources”; “seek to assess, coordinate, develop and enact inter-

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municipal efforts and agreements with all neighboring municipalities to plan for the connection and/or continuation of improvements and infrastructure such as sidewalks and pedestrian crossings, public water and wastewater facilities”; and “implement specific recommendations of the Comprehensive Plan pertaining to amenities for connecting people and places and enhancing community character such as Gateways, Gateway Areas and Corridors”. Since the implementation of the stated objectives and strategies in this section would support growth and be generally protective of the environment, no environmental impacts are associated with this CPU objective. Accordingly, mitigation measures would not be necessary.

**VI. REASONABLE ALTERNATIVES TO BE CONSIDERED**

The following project alternatives will be discussed:

- A. Alternative: Comprehensive Plan Update (CPU) with Code Amendments: This alternative would refocus the CPU to include specific recommendations for code amendments, which would be inconsistent with the existing CPU approach and priorities. This would result in a deferred adoption of the CPU, and deferred implementation of the specific goals, objectives and strategies that are spelled out in the CPU, which do not involve identified, specific code amendment proposals.

The existing Code of the Town of Fishkill provides a very detailed set of chapters providing requirements, standards and approval and permitting processes for many aspects of land use and development and related improvements. Amendments to update various code chapters have been adopted in recent years. Some of the recent amendments were the result of immediate and later implementation of the 2009 Comprehensive Plan.

As a result of the intensive work by the CPU Committee, the Draft CPU focuses on transportation (pedestrian, rail trail, transit and road), recreation (a park for children of all abilities; and needed community gathering, cultural and recreational facilities); and water and wastewater improvements, and other facilities and amenities needed to improve the quality of life and environmental quality of a substantially developed community. Also, many of the CPU objectives acknowledge existing zoning and other code provisions and emphasize the need for such provisions to continue to be utilized for the creation of quality land development.

The preparation and adoption of “a Local Waterfront Revitalization Program (LWRP) focused on the Town of Fishkill’s Hudson River shoreline, including public access to the river” is a key aspect of Fishkill that requires the community’s attention.

The focus on the LWRP and these transportation, recreation, and water and wastewater improvements arose as priority items that the community should pursue given the substantially developed status of the town to address the needs of the existing and future residents of Fishkill. To pursue specific code amendments, would result in a deferred adoption of the CPU, and deferred implementation of the specific goals, objectives and strategies that are spelled out in the CPU, which would address the needs of the existing and future residents of Fishkill.

- B. No-Action Alternative – The No-Action Alternative will address the potential impact of development resulting from future growth under current zoning, current land use patterns, and without the benefit of adoption of the Comprehensive Plan Update (CPU) . Planning and development would then be guided by the adopted 2009 Comprehensive Plan and without the more varied, specific and detailed goals, objectives and strategies set forth in the 2022 draft CPU.



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As noted above, the existing Code of the Town of Fishkill provides a very current, detailed set of chapters providing requirements, standards and approval and permitting processes for many aspects of land use and development and related improvements. Whether or not the proposed CPU is adopted, land development would continue to be guided and governed by the current code provisions, since no code amendments are proposed.

Yet if the CPU is not adopted, then all of the insights and intensive work by the CPU Committee, all members of the community, would not be considered for implementation. As noted herein, the Draft CPU focuses on transportation (pedestrian, rail trail, transit and road), recreation (a park for children of all abilities; and needed community gathering, cultural and recreational facilities); and water and wastewater improvements, and other facilities and amenities needed to improve the quality of life and environmental quality of a substantially developed community. This would delay creation of the identified, needed improvements and facilities.

The CPU Committee's recommendation to prepare and adopt "a Local Waterfront Revitalization Program (LWRP) focused on the Town of Fishkill's Hudson River shoreline, including public access to the river" is a key aspect of Fishkill that requires the community's attention. Other water quality recommendations, such as the adoption of the DWSP2, related to drinking water protection, would not be considered or implemented.

The focus on the LWRP and these transportation, recreation, and water and wastewater improvements arose as priority items that the community should pursue given the substantially developed status of the town to address the needs of the existing and future residents of Fishkill. The no-action alternative, resulting in a Draft CPU that is not adopted, would negate and prevent implementation of the specific goals, objectives and strategies that are spelled out in the CPU, which would address the needs of the existing and future residents of Fishkill.

**VII. OTHER GEIS COMPONENTS**

- A. Unavoidable Adverse Impacts that Cannot be Mitigated –**  
The adoption of the proposed CPU will not directly result in significant unavoidable adverse impacts. As noted in the impacts and mitigation sections above, the adoption of the CPU is likely to result in beneficial impacts or no impacts. The potential resulting site-specific construction projects would be the recommended sidewalk improvements, other pedestrian or rail trail improvements. Since these have not yet been selected, planned, designed, etc., there are no direct environmental impacts. Any future implementation of the CPU would result in potential site-specific projects, which would be subject to individual SEQR review processes.
- B. Growth-Inducing Impacts –** The entire GEIS will evaluate the potential future cumulative growth impacts of adoption of the Comprehensive Plan Update. The adoption of the CPU is not likely to have indirect growth inducing impacts. There are no code or zoning amendments proposed that would enable any new types of land development. So, the level of growth inducement is limited to what would be enabled by the existing Code of the Town of Fishkill and the facilities in place that would support development. As noted in the section about Promote Good Design of the Built Environment, existing water supply and wastewater treatment facilities have limited capacity to support existing or future development.
- C. Irreversible and Irretrievable Commitment of Resources -** Future development within the Study Area will consume local, regional, and perhaps national resources that may be permanently committed to the development. Land is an example of a commitment of a resource but is not necessarily irreversible and irretrievable. Energy consumption or the use of construction materials made from natural resources are typically irreversible and irretrievable resources. The adoption of the proposed CPU will not directly result in significant unavoidable adverse impacts, or irreversible and irretrievable commitments of resources. As noted in the impacts and mitigation sections above, the adoption of the CPU is likely to result in beneficial impacts or no impacts. The potential resulting site-specific construction projects would be the recommended sidewalk improvements, other pedestrian or rail trail improvements. Since these have not yet been selected, planned, designed, etc., there are no direct environmental impacts. Accordingly, the proposed CPU will not directly result in significant unavoidable adverse impacts. Any future implementation of the CPU would result in potential site-specific projects, which would be subject to individual SEQR review processes.
- D. List of Appendices:** The items below can be found on the Town of Fishkill website:
- EAF, SEQRA, Lead Agency and Scoping Resources, including the following:
    - Comprehensive Transmittal Memorandum of November 17, 2022 to notify Interested Agencies about the initiation of the SEQRA review of the CPU, a Scoping Session and the availability of information on the Town of Fishkill website;

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- Adopted Town Board resolution approving the EAF, Establishing Lead Agency, and Adopting a Positive Declaration;
- Adopted Town Board resolution directing the preparation of a Generic Environmental Impact Statement, Acknowledging preparation of a draft scope and Scheduling a scoping session;
- SEQRA Positive Declaration and Scoping Notice;
- SEQRA Draft Scoping Outline; and
- Draft Town of Fishkill Comprehensive Plan Update, revised November 8, 2022; and
- Comprehensive Plan Update (CPU) Committee Resources:
  - Town of Fishkill Comprehensive Plan, Adopted September 23, 2009;
  - Town of Fishkill Survey Questionnaire, launched on Survey Monkey March 23, 2022, results tabulated May 30, 2022;
- CPU Maps:
  - Comprehensive Plan Objectives (CPU) map, dated 9/12/22, revised 10/19/22;
  - Comprehensive Plan of 2009, Map 2 Proposed Recreation Zoning District, dated March 2009;
  - Wetlands Floodplains and Waterbodies Map, dated 10/5/21, revised 9/12/22;
  - Aquifer Protection Overlay(AQO) Zone map, dated 9/7/21, adopted 10/20/21;
  - Community Resources Map, dated 10/13/21, revised 10/18/22;
  - Historical and Cultural Resources Map, dated 8/2/21, revised 10/29/21; and
  - Town of Fishkill Zoning Map Revised 8/22/18, Annotated to Highlight MF (Multi-family Residential Districts) and Development, Markups dated 10/6/21.
- Descriptions of Water and Sewer Districts in the Town of Fishkill provided by Michael Tremper, CAMO on 10/26/22.

**E. Documents Incorporated by Reference**

- Code of the Town of Fishkill
- Greenway Connections: Greenway Compact Program and Guides for Dutchess County (DC) Communities, DC Department of Planning & Development, approved March 2000