

STATE ENVIRONMENTAL QUALITY REVIEW

Adoption of Town of Fishkill Comprehensive Plan Update (CPU)

Findings Statement – Adopted 19, 2023

Pursuant to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law and 6 NYCRR Part 617, the Town of Fishkill Town Board as the Lead Agency makes the following findings.

Name of Action: Adoption of Town of Fishkill Comprehensive Plan Update (CPU)

Description of Action: The proposed action, which was described in detail in the Draft Generic Environmental Impact Statement (DGEIS) and the Final GEIS (FGEIS), involves the adoption of the Comprehensive Plan Update (CPU). The content of CPU is described by section as follows:

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 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 section 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.

Location: The CPU addresses the entirety of the Town of Fishkill, located in the southwest corner of Dutchess County, New York.

Agency Jurisdiction: The Town Board of the Town of Fishkill is the lead agency for the proposed action. Pursuant to the Town law, Article 16, section 272-a the Town Board of the Town of Fishkill has jurisdiction to adopt a town comprehensive plan. As such the Town Board is the only involved agency with approval authority.

Date Draft Environmental Impact Statement Filed: February 16, 2023 (vote on February 9, 2023)

A The public hearing on the Draft Generic Environmental Impact Statement was held on March 15, 2023, followed by a 10-day public comment period. There were no public comments resulting from the public hearing on the Draft Generic Environmental Impact Statement. There were substantive written comments. So, a Final Generic Environmental Impact Statement (FGEIS) was prepared. Please refer to the FGEIS for information about comments made and corresponding responses.

Facts and Conclusions Relied on to Support the Decision:

INTRODUCTION

The Town Board of the Town of Fishkill has carefully and thoroughly reviewed the information contained in the DGEIS and the FGEIS, as well as any comments from the public and involved and interested agencies; the Dutchess County Planning Department; and the Town of Pawling Planning Board. The Town Board found that the DGEIS and FGEIS provide adequate examination of all significant potential adverse impacts which could result from the proposed action, if implemented.

The DGEIS explained that the purpose of presenting the proposed action, existing conditions, impacts and mitigation in a Generic EIS is that it allows a broader, more general outlook on proposed actions that address the entire community; and do not involve site specific land development and disturbance.

Under current conditions, without the adoption of this Comprehensive Plan Update (CPU), proposals for land development in the Town of Fishkill are subject to review under the NY SEQRA regulations. The same will be true for individual land development projects occurring after adoption of this CPU as this DGEIS addresses adoption of a policy document. The DGEIS does not address any land development proposal on any specific lot or site within the Town. After adoption, future individual land development proposals should be consistent with the objectives, strategies and actions stated in the CPU and the requirements and standards contained in the existing Code of the Town of Fishkill. However, their review and approval must include separate review under the SEQRA regulations.

Similarly, the implementation of any of the goals, objectives, strategies and actions stated in the CPU will likely require study, conceptual planning and/or design, pursuit of funding, detailed planning and/or design, site-specific SEQRA review by the Town of Fishkill Town Board and other agencies, and approvals and permitting of the resulting tasks by the Town Board and other agencies. The adoption of the CPU would commit the Town to pursue the goals and objectives of the CPU with specific strategies and actions.

While the CPU is a policy document that activates the implementation of the goals, objectives, strategies and actions stated in the CPU, and supports the implementation of the improvements, facilities, infrastructure and other projects described therein, it does not constitute an approval of the individual improvements and projects.

The Comprehensive Plan Update process in Fishkill began in the Fall of 2021 and continues into the Spring of 2023. Please refer to the CPU Introduction, Vision and Comprehensive Plan Update (CPU) Committee Process sections in the CPU document for more details. The review of the Draft CPU by the Town of Fishkill Town Board involved several meetings and corresponding review processes, including the following:

- Discussion of the Draft CPU at the October 19, 2022 meeting;
- Discussion of the Draft CPU at the November 16, 2022 meeting including a SEQRA Positive Declaration;
- A scoping session was held at the Town Board meeting on December 21, 2022;
- On February 9, 2023, the DGEIS was determined to be complete and adequate for public and agency review;
- A public hearing on the DGEIS was held on March 15, 2023;

- A public hearing on the CPU was held on April 5, 2023, which was continued to April 19, 2023; and
- The continued public hearing on the CPU will be held on / was held on April 19, 2023 and the hearing was concluded on the same date.

NEED AND BENEFIT

The need for an updated Comprehensive Plan was identified in the summer of 2021 by the Town of Fishkill Town Board. The Board had deliberated through a process of a series of code amendments in early 2021 that stemmed from the objectives and strategies recommended in the Comprehensive Plan adopted in 2009. A Comprehensive Plan Update Committee was appointed in the fall of 2021 to examine the 2009 Plan and focus on the Town's priorities for the future. Recognizing that Fishkill is an established, developed community, the CPU Committee developed a vision focused on continuing to value historic, cultural, natural and ecologically sensitive resources, balanced by planned opportunities for sensible levels of residential and nonresidential land development. Please refer to the CPU's Introduction, Vision and Comprehensive Plan Update (CPU) Committee Process sections. The reordered priorities expressed in the 11 goal sections described above point to quality of life, design, economic and diversity objectives and strategies and reaffirmation of the importance of all aspects Fishkill's natural, social and cultural environment.

One of the benefits of involving a large group of volunteers in the CPU Committee and creating a plan update based on their views as part of the Town of Fishkill community, is that participants are more aware of the views and concerns of their neighbors and town residents resulting in community-focused recommendations. Another benefit of the locally based CPU Committee is the presence of local community volunteers and municipal decision-makers within the group accustomed to considering the needs of the public who can provide a variety of views of the needs of residents of the Town of Fishkill.

IMPACTS AND MITIGATION

A. GOAL: CONNECT PEOPLE AND PLACES

Review

The DGEIS in section V., A. concluded that no adverse impacts were identified for the "Connect People and Places" aspects of the adoption of the CPU and proposed remedies to traffic congestion and safety concerns; and no mitigation was necessary. However, CPU strategies that lead to future actions to construct sidewalks and other improvements for the safety and convenience of pedestrians, commuters, bicyclists and drivers; to build connections between streets and neighborhoods for circulation and safety; and to pursue better transit, will necessitate that proper planning and engineering studies and environmental review will be conducted. Such review must fully consider the characteristics of the land identified for such improvements; and the potential effects on the site, surrounding lands and the community.

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 and implementing 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, get to local businesses and services, 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 potentially 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 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.

Finding

The processes for creating the CPU, including the objectives, strategies and actions to "Connect People and Places" were thorough and involved public input including a survey questionnaire, and public and agency review. The CPU, including strategies and actions to "Connect People and Places", are responsive to the concerns and points of view expressed by the members of the CPU Committee who are from the Fishkill community, and comments from respondents to the survey. The goals, objectives, strategies and actions in this section would result in costs and time to implement these actions including planning, designing, funding and approval processes for construction, and land disturbance as a result of construction activities. These potential site-specific impacts would be mitigated by a phased approach. 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.

B. GOAL: PROMOTE GOOD DESIGN OF THE BUILT ENVIRONMENT

Review

The DGEIS in section V., B. concluded that no adverse impacts were identified for the “Promote Good Design of the Built Environment” aspects of the adoption of the CPU and proposed strategies to support smarter, more compact, mixed-use development and redevelopment ; and no mitigation was necessary.

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.

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, redevelopment, reclamation or possibly conservation. It provides detailed information about large vacant, or underutilized or lands for potential redevelopment, or conservation, 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 used for further consideration of the future use and development, or preservation of these sites. Accordingly, there are no direct impacts associated with this CPU objective.

Finding

The processes for creating the CPU, including the objectives, strategies and actions to “Promote Good Design of the Built Environment” were thorough and involved public input including a survey questionnaire, and public and agency review. The CPU, including strategies and actions to “Promote Good Design of the Built Environment”, are responsive to the concerns and points of view expressed by the members of the CPU Committee who are from the Fishkill community, and comments from respondents to the survey. The goals, objectives, strategies and actions in this section would result in further study, costs and time to implement these actions including researching, mapping, planning, proper siting considerations and decision-making about whether or where to construct water supply or wastewater treatment facilities or transmission systems. If any determinations are made as a result of studies to pursue such projects, funding and approval processes for design, and construction would be required. These approval processes would involve review under SEQR.

Any future consideration of any proposed water supply or wastewater treatment projects would involve land disturbance as a result of construction activities, which would be depicted on detailed construction plans and would involve site-specific SEQR review. Ultimately, these potential site-specific impacts

would require mitigation measures such as avoidance of environmentally sensitive lands, grading, drainage, erosion and sedimentation control, landscaping and revegetation and other mitigation measures. Some impacts of this type of construction may be mitigated by a phased-construction approach. Although construction impacts would occur and require mitigation, there are beneficial impacts associated with central water supply or wastewater treatment facilities or transmission systems. For example, many septic systems in close proximity can have adverse impacts on groundwater. Properly sited and operated central and/or public wastewater treatment facilities are protective of groundwater resources.

The examination of the Town of Fishkill's landscape to identify larger parcels of vacant land, which may be available for development, redevelopment, reclamation or possibly conservation; the use of the CPU's detailed information for further consideration of the future use and development, or preservation of these sites would have no direct impacts.

C. GOAL: CREATE GREAT PLACES FOR PEOPLE AND ANIMALS

Review

The DGEIS in section V. C., concluded that no adverse impacts were identified for the "Create Great Places for People and Animals" aspects of the adoption of the CPU and proposed strategies to "create new recreational facilities and/or revitalize existing parks; prepare a recreation assessment/plan; and Prepare/adopt a Local Waterfront Revitalization Program (LWRP)"; and no mitigation was necessary.

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. Accordingly, there are no direct impacts associated with this CPU objective.

Finding

The processes for creating the CPU, including the objectives, strategies and actions to "Create Great Places for People and Animals" were thorough, involving public input via a survey questionnaire, and public and agency review. The CPU, including strategies and actions to "Create Great Places for People and Animals", are responsive to the concerns and points of view expressed by the CPU Committee, from the Fishkill community, and comments from respondents to the survey. The goals, objectives, strategies and actions in this section would result in further study, costs and time to implement these actions including: - planning, designing and decision-making about creating new recreational facilities and/or revitalizing existing parks; and – preparing and adopting a Local Waterfront Revitalization Program (LWRP). If any determinations are made as a result of the above activities, funding and approval processes would be required. These approval processes would involve review under SEQR.

The construction of any new recreational facilities and/or the revitalization of existing parks may involve land disturbance as a result of construction activities, which would be depicted on detailed construction plans and may involve site-specific SEQR review. Any potential site-specific impacts would require mitigation measures such as avoidance of environmentally sensitive lands, grading, drainage, erosion and sedimentation control, landscaping and revegetation and other mitigation measures to make the resulting facilities safe for public use. Additionally, these would result in benefits to the public because of new or revitalized facilities for their use and enjoyment. Accordingly, the public benefit is likely to outweigh any potential impacts.

The preparation and adoption of a Local Waterfront Revitalization Program (LWRP) would not result in any direct impacts.

D. GOAL: ENSURE ECONOMIC AND SOCIAL DIVERSITY

Review

The DGEIS in section V. D., concluded that no adverse impacts were identified for the “Ensure Economic and Social Diversity” aspects of the adoption of the CPU and proposed strategies to “provide a full range of housing types and sizes, accommodate varied needs, focus on seniors, affordability, using energy efficient design and materials”; and no mitigation was necessary.

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.

Finding

The processes for creating the CPU, including the objectives, strategies and actions to “Ensure Economic and Social Diversity” were thorough, involving public input via a survey questionnaire, and public and agency review. The CPU, including strategies and actions to “Ensure Economic and Social Diversity”, are responsive to the concerns and points of view expressed by the CPU Committee, from the Fishkill community via comments from respondents to the survey. The goals, objectives, strategies and actions in this section 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 as described in this section of the CPU.

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 given further consideration by development groups interested in pursuing such development. The pursuit of the creation of affordable homes or mixed-use development by any interested groups would require

funding and application processes for necessary approvals and permits. These approval processes would involve land disturbance as a result of construction activities, which would be depicted on detailed construction plans and may involve site-specific SEQR review. Any potential site-specific impacts would require mitigation measures such as avoidance of environmentally sensitive lands, grading, drainage, erosion and sedimentation control, landscaping and revegetation and other mitigation measures.

Additionally, these activities would result in benefits to the public because of the creation of needed affordable housing or mixed-use development that would revitalize areas of the Town. Accordingly, there is potential for the public benefits to outweigh any potential impacts.

E. GOAL: CONSERVE CRITICAL LANDS

Review

The DGEIS in section V. E., concluded that no adverse impacts were identified for the “Conserve Critical Lands” aspects of the adoption of the CPU and proposed strategies to “Protect and preserve large open spaces, use conservation easements and other mechanisms, conservation planning techniques, including Critical Environmental Area (CEA) designations”; and no mitigation was necessary.

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 (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 code provisions. 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 expressed in Fishkill’s Code. 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.

Finding

The processes for creating the CPU, including the objectives, strategies and actions to “Conserve Critical Lands” were thorough, involving public input via a survey questionnaire, and public and agency review. The CPU, including strategies and actions to “Conserve Critical Lands”, are responsive to the points of view expressed by the CPU Committee, and from the Fishkill community via comments from respondents to the survey. The goals, objectives, strategies and actions in this section incorporate existing Town of Fishkill code provisions that are protective of the natural environment.

The intention of this CPU section is also to reiterate and reinforce objectives of the 2009 Comprehensive Plan, which resulted in many code amendments to the Town of Fishkill code that are protective of the natural environment.

F. GOAL: PRESERVE SPECIAL, SIGNIFICANT ENVIRONMENTAL RESOURCES

Review

The DGEIS in section V. F., concluded that no adverse impacts were identified for the “Preserve Special, Significant Environmental Resources” aspects of the adoption of the CPU and proposed strategies to “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”; and no mitigation was necessary.

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.

Finding

The processes for creating the CPU, including the objectives, strategies and actions to “Preserve Special, Significant Environmental Resources” were thorough, involving public input via a survey questionnaire, and public and agency review. The CPU, including strategies and actions to “Preserve Special, Significant Environmental Resources”, are responsive to the points of view expressed by the CPU Committee, and from the Fishkill community via comments from respondents to the survey. The goals, objectives, strategies and actions in this section incorporate existing Town of Fishkill code provisions that are protective of the natural environment.

The intention of this CPU section is also to reinforce objectives of the 2009 Comprehensive Plan, which resulted in many code amendments to the Town of Fishkill code that are protective of the natural environment.

G. GOAL: EMPHASIZE SCENIC AND HISTORIC STEWARDSHIP

Review

The DGEIS in section V. G., concluded that no adverse impacts were identified for the “Emphasize Scenic and Historic Stewardship” aspects of the adoption of the CPU and proposed strategies to “Protect the scenic beauty of ridgelines, aesthetic and cultural quality of scenic roads, historic and archaeological structures and sites”; and no mitigation was necessary.

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

Finding

The processes for creating the CPU, including the objectives, strategies and actions to "Emphasize Scenic and Historic Stewardship" were thorough, involving public input via a survey questionnaire, and public and agency review. The CPU, including strategies and actions to "Emphasize Scenic and Historic Stewardship", are responsive to the points of view expressed by the CPU Committee, and from the Fishkill community via comments from respondents to the survey. The goals, objectives, strategies and actions in this section incorporate existing Town of Fishkill code provisions that are protective of the natural environment.

The intention of this CPU section is also to reinforce objectives of the 2009 Comprehensive Plan, which resulted in many code amendments to the Town of Fishkill code that are protective of the Town's scenic, aesthetic, unique, cultural and historic character.

H. GOAL: RAISE COMMUNITY AWARENESS

Review

The DGEIS in section V. H., concluded that no adverse impacts were identified for the "Raise Community Awareness" (about natural resource conservation efforts and "smart growth" principles that contribute to quality of life) aspects of the adoption of the CPU and proposed strategies to "enhance Fishkill's unique sense of place"; and no mitigation was necessary.

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.

Finding

The processes for creating the CPU, including the objectives, strategies and actions to "Raise Community Awareness" were thorough, involving public input via a survey questionnaire, and public and agency review. The CPU, including strategies and actions to "Raise Community Awareness", are responsive to the points of view expressed by the CPU Committee, and from the Fishkill community via comments from respondents to the survey. The goals, objectives, strategies and actions in this section incorporate

existing Town of Fishkill code provisions that are protective of the social, economic and natural environment.

The intention of this CPU section is also to reinforce the objectives of the 2009 Comprehensive Plan.

I. GOAL: CREATE AND ENHANCE GATEWAYS

Review

The DGEIS in section V. I., concluded that no adverse impacts were identified for the “Create and Enhance Gateways” aspects of the adoption of the CPU and proposed strategies to “Preserve and enhance the rural, community and scenic character of Routes 9D and 9, and the other entrances to the Town”; and no mitigation was necessary.

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.

Finding

The processes for creating the CPU, including the objectives, strategies and actions to “Create and Enhance Gateways” were thorough, involving public input via a survey questionnaire, and public and agency review. The CPU, including strategies and actions to “Create and Enhance Gateways”, are responsive to the points of view expressed by the CPU Committee, and from the Fishkill community via comments from respondents to the survey. The goals, objectives, strategies and actions in this section are protective of the social, economic and natural environment.

The intention of this CPU section is also to reinforce the objectives of the 2009 Comprehensive Plan.

J. GOAL: COORDINATE WITH THE SCHOOL DISTRICTS

Review

The DGEIS in section V. J., concluded that no adverse impacts were identified for the “Coordinate with the School Districts” aspects of the adoption of the CPU and proposed strategies to “Address potential impacts of development on school capacity and taxes”; and “Site new schools within walking distance of residential neighborhoods”; and no mitigation was necessary.

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.

Finding

The processes for creating the CPU, including the objectives, strategies and actions to “Coordinate with the School Districts” were thorough, involving public input via a survey questionnaire, and public and agency review. The CPU, including strategies and actions to “Coordinate with the School Districts”, are responsive to the points of view expressed by the CPU Committee, and from the Fishkill community via comments from respondents to the survey. The goals, objectives, strategies and actions in this section are protective of the social and economic environment.

The intention of this CPU section is also to reinforce the objectives of the 2009 Comprehensive Plan.

K. GOAL: WORK COOPERATIVELY WITH NEIGHBORING MUNICIPALITIES

Review

The DGEIS in section V. K., concluded that no adverse impacts were identified for the “Work Cooperatively with Neighboring Municipalities” aspects of the adoption of the CPU and proposed strategies to “Work Cooperatively with Neighboring Municipalities on issues that span municipal boundaries”; and no mitigation was necessary.

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-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.

Finding

The processes for creating the CPU, including the objectives, strategies and actions to “Work Cooperatively with Neighboring Municipalities” were thorough, involving public input via a survey questionnaire, and public and agency review. The CPU, including strategies and actions to “Work Cooperatively with Neighboring Municipalities”, are responsive to the points of view expressed by the CPU Committee, and from the Fishkill community via comments from respondents to the survey. The goals, objectives, strategies and actions in this section are protective of the social, economic and natural environment.

The intention of this CPU section is also to reinforce the objectives of the 2009 Comprehensive Plan.

SUMMARY OF ALTERNATIVES CONSIDERED

- 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, which were adopted in recent years. The recent amendments were the result of the 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.

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.

Finding

The revised CPU balances the Town's need for remedies for traffic congestion and pedestrian safety; smart growth, better design, and compact, mixed-use development supported by improvements to and connections to enhance existing water supply and sewer/wastewater systems; new and revitalized recreational facilities; waterfront planning; a full range of housing options using energy efficient design and materials; continued protection of open spaces, natural resources, groundwater and surface water; continued preservation of scenic views and roads, historic and archaeological resources and community character; continued smart growth; scenic gateways; and coordination with school districts and neighboring municipalities. The CPU recommends numerous strategies to be implemented over time with priorities expressed in an Implementation Planning Outline. Adoption of the CPU sets in motion the implementation of the vision, goals, objectives, strategies and actions therein and an ongoing dynamic planning process to guide the growth of the Town of Fishkill.

Certification To Approve/Fund/Undertake:

Having considered the draft and final Environmental Impact Statement and having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met; and
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

Name of Agency: Town of Fishkill Town Board

Ozzy Albra

Signature of Responsible Official

Ozzy Albra

Name of Responsible Official

4-20-23

Supervisor, Town of Fishkill
Title of Responsible Official

Date

Address of Agency:
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807 Route 52
Fishkill, NY 12524
Phone: 845-831-7800

cc: Other Involved Agencies