

COMPREHENSIVE PLAN UPDATE

Town of Newburgh, New York



Saccardi & Schiff, Inc.
October 2005

TOWN OF NEWBURGH COMPREHENSIVE PLAN UPDATE

Town of Newburgh, Orange County, New York

Comprehensive Plan Update Committee

Wayne C. Booth, Town Supervisor
Gilbert J. Piaquadio, Councilman
George A. Woolsey, Sr., Councilman
Derek N. Benedict, Councilman
James E. Manley, Jr., Councilman
John Ewasutyn, Planning Board Chairman
Grace Cardone, Zoning Board of Appeals Chairwoman

Assisted By

James W. Osborne, P.E., Town Engineer
Mark C. Taylor, Esq., Town Attorney
Gerald Canfield, Town Code Compliance Officer

Consultants

Saccardi & Schiff, Inc.
Planning and Development Consultants
445 Hamilton Avenue, Suite 404
White Plains, NY 10601
914-761-3582
David B. Smith, AICP, Vice President
Jill Gallant, AICP, Senior Planner

October 2005

Comprehensive Plan Update Sub-committees

Zoning Sub-committee

Wayne Booth
James Manley (alt.)
George Woolsey (alt.)
John Ewasutyn
Grace Cardone
Clifford Browne
John McElvy

Transportation Subcommittee

Derek Benedict
George Woolsey
Ken Mennerich
James Winslow
Frank Galli
Mike Mare
Traffic Advisory Commission
Charlie Kehoe
Darrell Benedict

Infrastructure Subcommittee

Robert Petrillo
James Manley
J. Leo Glynn
Edward O'Donnell
Ruth Eaton
William Puchalski
James Corbett
Mark Spikes

TABLE OF CONTENTS

I.	INTRODUCTION.....	I-1
II.	THE PUBLIC PLANNING PROCESS	II-1
III.	COMPREHENSIVE PLAN UPDATE RECOMMENDATIONS.....	III-1
1.	Infrastructure and Utilities	III-1
A.	Existing Conditions.....	III-1
1.	Water Service.....	III-1
2.	Sewer Service	III-2
B.	The Issues	III-3
C.	Opportunities	III-3
1.	Excess Water Supply and Sewage Capacity	III-3
2.	Potential Growth Limit Boundary	III-4
3.	Unserviced Areas.....	III-4
4.	Extending Sewer Service	III-4
5.	Long Range Water Supply Sources	III-5
6.	Long Range Sewage Treatment Capabilities.....	III-5
7.	Solid Waste	III-6
8.	Utility Improvements	III-6
9.	Critical Environmental Area.....	III-6
10.	Chadwick Lake	III-6
11.	Orange Lake.....	III-7
12.	Other Water Resources	III-7
13.	The Planning Process.....	III-8
D.	The Action Plan	III-8

2.	Transportation	III-12
A.	Existing Conditions.....	III-12
B.	The Issues	III-13
C.	Opportunities	III-13
1.	Roadway Capacity Conditions.....	III-14
2.	Speed Limits	III-15
3.	Traffic Safety and Traffic Enforcement.....	III-15
4.	Road Maintenance and Truck Traffic	III-16
5.	Transportation Alternatives	III-16
6.	Traffic Calming.....	III-16
7.	Street Configuration and Site Access	III-17
8.	Traffic/Land Use Connections.....	III-18
9.	Route 9W	III-18
10.	Funding	III-19
11.	Public Transit.....	III-20
D.	The Action Plan	III-20
3.	Planning and Zoning	III-23
A.	Existing Conditions.....	III-23
1.	Existing Zoning.....	III-23
2.	Existing Land Use, Current Development Activity, and Build Out Analysis	III-26
3.	Open Space and Agricultural Trends.....	III-31
4.	Town Center, Hamlets and Community Character Conditions	III-32
B.	The Issues	III-33
C.	Opportunities	III-33
1.	Preserving the Character of Single-Family Residential Areas	III-34
2.	Design Guidelines Handbook	III-35
3.	Clustering.....	III-35
4.	Ridgeline and Viewshed Protection.....	III-39

5.	Steep Slopes Regulations	III-40
6.	Development of Agricultural Parcels	III-40
7.	Open Space Plan and Recreation Master Plan	III-41
8.	Hudson River Access	III-42
9.	Chadwick Lake CEA	III-42
10.	Orange Lake Planning Study	III-43
11.	Affordable Housing	III-43
12.	Senior Housing	III-44
13.	Residential Uses and Lot Size in the IB District	III-44
14.	Economic Development.....	III-44
15.	Town Center Development	III-45
16.	Hamlet Area Design.....	III-46
17.	Travel Centers	III-48
18.	Motor Vehicle Service Stations	III-48
19.	Fast-Food Establishments	III-49
20.	Adult Uses.....	III-49
21.	Signs.....	III-49
22.	Simplification of the Approval Process for Accessory Uses.....	III-51
23.	Zoning Board of Appeals Issues	III-51
24.	The Planning Process.....	III-52
25.	Volunteer Firefighters Recruitment	III-52
26.	Condominiums	III-53
27.	Recommended Rezoning	III-54
D.	The Action Plan	III-57
IV.	THE ACTION PLAN	IV-1
A.	Short Term Action Items	IV-2
B.	Intermediate Action Items	IV-8
C.	Long Term Action Items.....	IV-10

LIST OF EXHIBITS

Following Page

III-1	Consolidated Water District.....	III-2
III-2	Existing Sewer Districts.....	III-2
III-3	Growth Management Factors.....	III-4
III-4	Major and Minor Roadways	III-13
III-5	Corridors of Concern	III-15
III-6	Traffic Calming Concepts.....	III-17
III-7	Traffic Calming Concepts.....	III-17
III-8	Existing Zoning.....	III-24
III-9	Existing Land Use.....	III-26
III-10	Major Development Activity and Open Space Components.....	III-26
III-11	Cluster Techniques	III-36
III-12	Rural Area Development Patterns	III-36
III-13	Existing Wetlands	III-36
III-14	Steep Slopes.....	III-36
III-15	Existing 100-Year Floodplains	III-36
III-16	Recommended Rezoning	III-56

LIST OF TABLES

Page

III-1	Residential Zoning.....	III-24
III-2	Major Residential Development	III-28
III-3	Potential Housing Units	III-30
III-4	Signs and Zoning Districts.....	III-50
III-5	Recommended Rezoning	III-56

APPENDICES

(Appendices are not included in the electronic version of the report. Hard copies are available at the Town Clerk's Office.)

- A. Transportation Improvement Plans (TIP) Projects List
- B. Route 9W Preliminary Corridor Analysis, prepared by Saccardi & Schiff, Inc., March 2004
- C. Variances Analysis – January 2001 to January 2003
- D. Comprehensive Plan, prepared by Clough, Harbour and Associates LLP, April 2001 (selected sections, for full copy of report contact the Town Clerk's Office)
- E. Master Plan for Chadwick Lake Park (selected sections, for full copy of report contact the Town Clerk's Office)
- F. Route 17K Corridor Study, prepared by Adler Consulting, August 2003

I. INTRODUCTION

The Town of Newburgh, New York is one of the fastest growing communities in a region experiencing tremendous growth and development. Located in Orange County at the outer edge of the New York metropolitan region, the Town is at a very significant time in its history. Similar to many communities to the north, the Town still maintains vestige of its rural farm traditions that have been prevalent for decades. At the same time however, Newburgh also enjoys a strategic location adjacent to major interstate highways and a regional airport which has resulted in new residential development, and business and commercial growth.

The Town's rate of development is expected to significantly increase in the near future due to a number of key factors. First, the Town has sufficient water supply and, now, sewage capacity, which was recently increased with the finalization of a new contract for sewage services between the Town and City of Newburgh. The Town also has a significant amount of available and developable vacant land, and farmland which is becoming increasingly uneconomical to maintain for agricultural uses. Lastly, the Town enjoys convenient access to the region's highway network.

In light of these imminent development pressures, the Town is in a unique position in that it has the opportunity to proactively direct growth and development. With the aid of a Comprehensive Plan Update ("Plan"), the Town has the ability to select and create the tools necessary to ensure new development is located and designed in ways which benefit the Town and protect and enhance the existing community character. The Comprehensive Plan Update also provides the Town with valuable recommendations to help alleviate key concerns such as traffic congestion, housing affordability, economic development and community aesthetics.

Another equally important justification for undertaking an update of the Plan is to have the opportunity to directly involve the public in the planning process for the future community. Public involvement in the planning process is one of the keys to the successful implementation of the Plan's strategies and recommendations. Residents and elected officials provided valuable input and insights throughout the Comprehensive Plan Update process. During the course of the planning process, sub-committees were formed to investigate opportunities for the three major issues important to the Town: ***Utilities and Infrastructure; Transportation and Planning and Zoning***. Their work, together with the input received at two successfully convened public information workshops, resulted in the production of an Action Plan.

Throughout the Comprehensive Plan Update process, a vast array of opportunities was identified that the Town can act upon to proactively respond to the major issues and challenges expected in the future. These opportunities range from investigating long range water supply sources, reducing speed limits, encouraging traffic calming techniques, revising clustering provisions, and providing new zoning definitions for a number of key uses. These opportunities were then translated into short, intermediate and long term action items. The Action Plan itself includes over fifty items for the Town to consider for implementation. Some of the action items are already being worked on by the Town, while others may require more time and effort. It is important for the Town to endeavor to implement as many of the action items as possible as they move forward in planning for their future and to periodically reevaluate the action item priorities.

II. THE PUBLIC PLANNING PROCESS

One of the priorities of Town officials throughout the Comprehensive Plan Update process is that the public be more directly involved in the planning process. The Town last adopted a Master Plan in 1991 (hereinafter referred to as the “1991 Master Plan”) and thereafter enacted comprehensive zoning map and text changes, as well as other recommended implementation measures. The 1991 Master Plan became the major component of the Town’s comprehensive plan. Subsequently, New York State law was amended in 1994 and again in 1995 to introduce new substantive and procedural requirements governing comprehensive plans.

The Town initially appointed a Comprehensive Plan Committee and commissioned the preparation of the Draft Comprehensive Plan by Clough Harbour & Associates, which was completed in April, 2001 (hereinafter referred to as the “Clough Harbour Draft Plan”). When the Clough Harbour Draft Plan was completed, a community survey was distributed to a random sample of 600 Town of Newburgh households from a list of registered voters. In addition, drop boxes with blank surveys were placed in five locations throughout the Town. The results from this survey were then used to help craft community vision statements, goals and objectives.

Current Town officials were motivated to undertake a further review and revision of the proposed Comprehensive Plan in order to provide more direct opportunities for residents and interested persons in the determination of strategies for the future. At the initiation of the Update process, the Comprehensive Plan Committee was reconstituted as a Comprehensive Plan Update Committee, composed of the Town Board and the Chairmen of the Planning Board and Zoning Board of Appeals assisted by the Town Engineer, the Town Attorney and the Town Compliance Officer for technical assistance. The Update Committee met on a number of occasions to raise and discuss various matters related to the Comprehensive Plan Update. Other interested individuals, neighborhood groups and interested parties were contacted and information and comments solicited. As a result of the issues raised, the Update Committee formed sub-committees that would respond to the three main issues of the Update process – Utilities and Infrastructure, Transportation and Planning and Zoning.

Each committee was made up of local experts and interested persons. The efforts of these Sub-committees, and that of the Comprehensive Plan Update Committee, were instrumental in providing valuable input and recommendations. Numerous meetings with these Sub-committees were convened to gather information and ideas for planning. In addition, individual meetings were held with key stakeholders such as the Town’s Fire Districts Chiefs, representatives from the farm industry, Orange Lake Residents Association and officials of each of the four school districts in the Town. The results of these meetings and work of the Sub-committees lead to the preparation of a

Comprehensive Plan Update Status Report in March 2004, which provides valuable background information and a summary of the comments and issues identified by the Utilities and Infrastructure, Transportation and Planning and Zoning Sub-committees.

In addition to the work of the Sub-committees, two important public information workshops were convened in the spring 2004. The first Public Information Workshop on the Comprehensive Plan Update was held on April 26, 2004 and had approximately 100 attendees and approximately 22 speakers. The topics mentioned most frequently included sewer and water service, economic development, traffic, and various zoning issues. A second Public Information Workshop was held on May 19, 2004. Approximately 34 people attended, of which about 10 people spoke. A variety of topics were discussed including housing, hamlets and Orange Lake.

From these important meetings, a Preliminary Action Chart was developed in June 2004. This compilation of recommendations and ideas was provided to the Comprehensive Plan Update Committee and Sub-committees for their evaluation and comment, and to prioritize the actions into short, intermediate and long term actions. The result of this process is the Action Plan included in this Comprehensive Plan Update.

A Draft Generic Environmental Impact Statement (DGEIS) was prepared and distributed to all involved and interested agencies, along with a draft of the Comprehensive Plan Update, in January 2005. Two public hearings were held regarding the DGEIS and/or the Plan and the public comment period remained open until March 21, 2005. All comments regarding the DGEIS and the Plan received at both hearings and in writing through the end of the comment period were addressed in the Final Generic Environmental Impact Statement (FGEIS), which was completed and distributed in August 2005. Comments from these hearings have also been incorporated into the Comprehensive Plan Update as appropriate.

It should be noted that the Clough Harbour Draft Plan has comprehensive documentation of existing conditions. While the Town determined to have a more comprehensive evaluation of implementation tools and techniques replace those contained in the Clough Harbour Draft Plan, the existing conditions section of that document is incorporated herein by reference and included as **Appendix D** of this document. Additionally, to the extent that the zoning and other measures adopted in accordance with the 1991 Master Plan are unchanged by this Update, that document, which is on file in the office of the Town Clerk and incorporated herein by reference, continues to provide a basis for the Town's zoning law and related regulations.

III. COMPREHENSIVE PLAN UPDATE RECOMMENDATIONS

As referenced previously, the Comprehensive Plan Update has identified a whole series of implementation recommendations focusing on three distinct areas of concern: Infrastructure and Utilities; Traffic and Transportation; and Planning and Zoning. Provided herewith is a discussion of the conditions, issues and opportunities, and action plan elements.

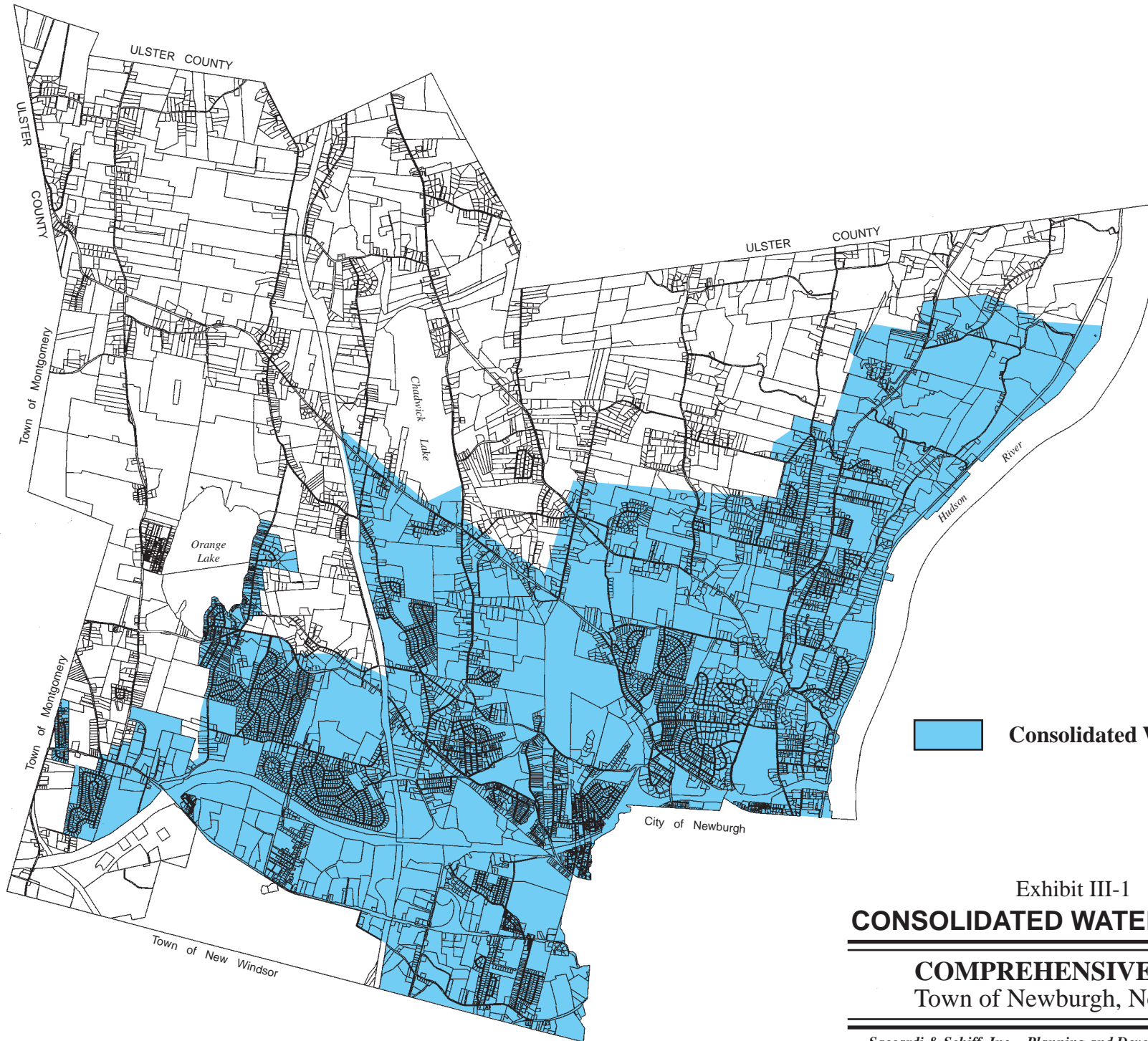
1. Infrastructure and Utilities

A. Existing Conditions

1. Water Service

Currently, the Town provides water supply service for approximately 5,600 to 5,800 customers from one water supply district. Most developed areas in Town are served by the municipal water system. This service area is shown on ***Exhibit III-1 Consolidated Water District*** map and includes almost the entire southern portion of Town. One exception is a small area south of Route 17K. All of the rural residential areas in the northern part of Town rely on individual wells for the provision of water service. A notable area lacking water service is the area between Carter Avenue and Dogwood Hills Road along Route 9W. Most of the rural areas to the north of 300 and to the west of the Thruway are also not serviced.

The Town's Chadwick Lake Reservoir and the New York City-owned Delaware Aqueduct serve as the Town's two water supply sources, combined they can safely yield 5.2± million gallons per day (MGD). Current water demand in Town is 2.58±MGD with a peak demand of 3.70±MGD. Generally, water allocation to municipalities served by New York City (NYC) water is based on per capita consumption of NYC users multiplied by the resident population within the water district. Since the standards for NYC users are presently higher than that needed in Newburgh, the Town is in a unique position given that current demand levels for water are below that which is available. Using the current peak demand level of 3.70 MGD, this leaves approximately 1.50 MGD available for future growth.



 **Consolidated Water District**

Exhibit III-1
CONSOLIDATED WATER DISTRICT
COMPREHENSIVE PLAN
Town of Newburgh, New York

Saccardi & Schiff, Inc. - Planning and Development Consultants

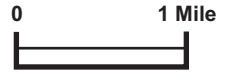
2. Sewer Service

Currently 70 to 80 percent of the citizens of the Town of Newburgh rely on septic tanks as a means to dispose of their wastewater. In recent years, numerous complaints have been registered concerning the failure of private subsurface sewage disposal systems and citizens have expressed their displeasure with the lack of available wastewater treatment capacity.

The Town presently provides sewer service to approximately 3,200 customers in 10 separate sewer districts. These areas are shown on *Exhibit III-2, Existing Sewer Districts*, map in green. A portion of the Town's residents lives in the developments served by small package wastewater treatment plants. Some of these areas do not meet effluent standards and have been directed to cease operations by the New York State Department of Environmental Conservation (NYSDEC).

In the early 1980's, when the Crossroads Sewer District was formed, arrangements were made with the City of Newburgh to utilize 2 million gallon per day (MGD) of wastewater treatment capacity at the City of Newburgh Wastewater Treatment Facility to treat flows from the Crossroads Sewer District. The areas served by the Crossroads Sewer District are shown on *Exhibit III-2* in orange and include lands in the southern part of Town, near the crossroads of I-84 and I-87 and Stewart Airport. In August 2000 disagreements between the Town and the City of Newburgh over sewage treatment fees resulted in the Town being forced to place a moratorium on all new sewer connections. The four-year moratorium was recently modified when a new contract between the Town and City was signed, and is anticipated to be lifted as a planned expansion to the City of Newburgh's wastewater treatment nears completion.

The new contract between the City and the Town permits the Town to undertake at its expense two million gallons per day expansions to the treatment capacity of the City's Hudson River plant. Today, sewage output from the Town is approximately 1.64 MGD, well below the Town's permitted capacity of 2.0 MGD for sewage treatment. Therefore, similar to water service, the Town has excess capacity available for sewer service that it needs to determine how best to use.





-  Served by Crossroad Sewer District
-  Other Town Sewer Disticts

Exhibit III-2
EXISTING SEWER DISTRICTS
COMPREHENSIVE PLAN UPDATE
Town of Newburgh, New York

Saccardi & Schiff, Inc. - Planning and Development Consultants

B. The Issues

The question of how the capacity of the Town's infrastructure and utility systems affects growth and development, as well as environmental quality, is a significant matter of concern. At the start of the Plan process, the primary issue identified for infrastructure and utilities was to determine how much, if any, the existing municipal water and sewer systems should be extended, and consequently how this would impact development potential in different areas of Town. The ability of the Town to have some level of control over sewage treatment and the corresponding potential for future development was also identified as a key issue.

C. Opportunities

In order to help resolve this issue of water and sewer service expansion, twelve utilities and infrastructure-related opportunities were identified during the Plan process for the Town to consider. The recommendations, which follow, provide the Town with the opportunity to significantly affect and direct future growth and development in the community. Many of the opportunities were presented by members of the Comprehensive Plan Update Committee and Infrastructure Sub-committee at special meetings convened to specifically discuss infrastructure and utilities concerns. The opportunities also include suggestions and recommendations offered by the public at the April 26 and May 19, 2004 Public Information Workshops. The twelve utilities and infrastructure opportunities are as follows:

1. *Excess Water Supply and Sewage Capacity*

The excess water supply and sewage capacity currently, or soon to be, available in the Town of Newburgh provides a tremendous opportunity. One of the most important questions of the Comprehensive Plan Update process is how can the Town best leverage its excess water supply and sewage capacity to direct future development to areas where the Town desires and where it makes the most sense from a planning perspective?

One suggestion offered during the update process is for the Town to consider improving and extending service in selected areas in the Town to assist in promoting economic development. The Town could also improve and extend service in order to promote the use of cluster plans, and/or to respond to environmental conditions (see discussion, Section 11. Orange Lake below). Conversely the Town could limit the area served by water and sewers in order to potentially act as a regulator regarding the ultimate build out potential. One of the key considerations for the Town is the potential costs and benefits to proceed with any of these actions?

2. *Potential Growth Limit Boundary*

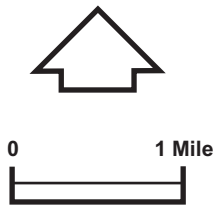
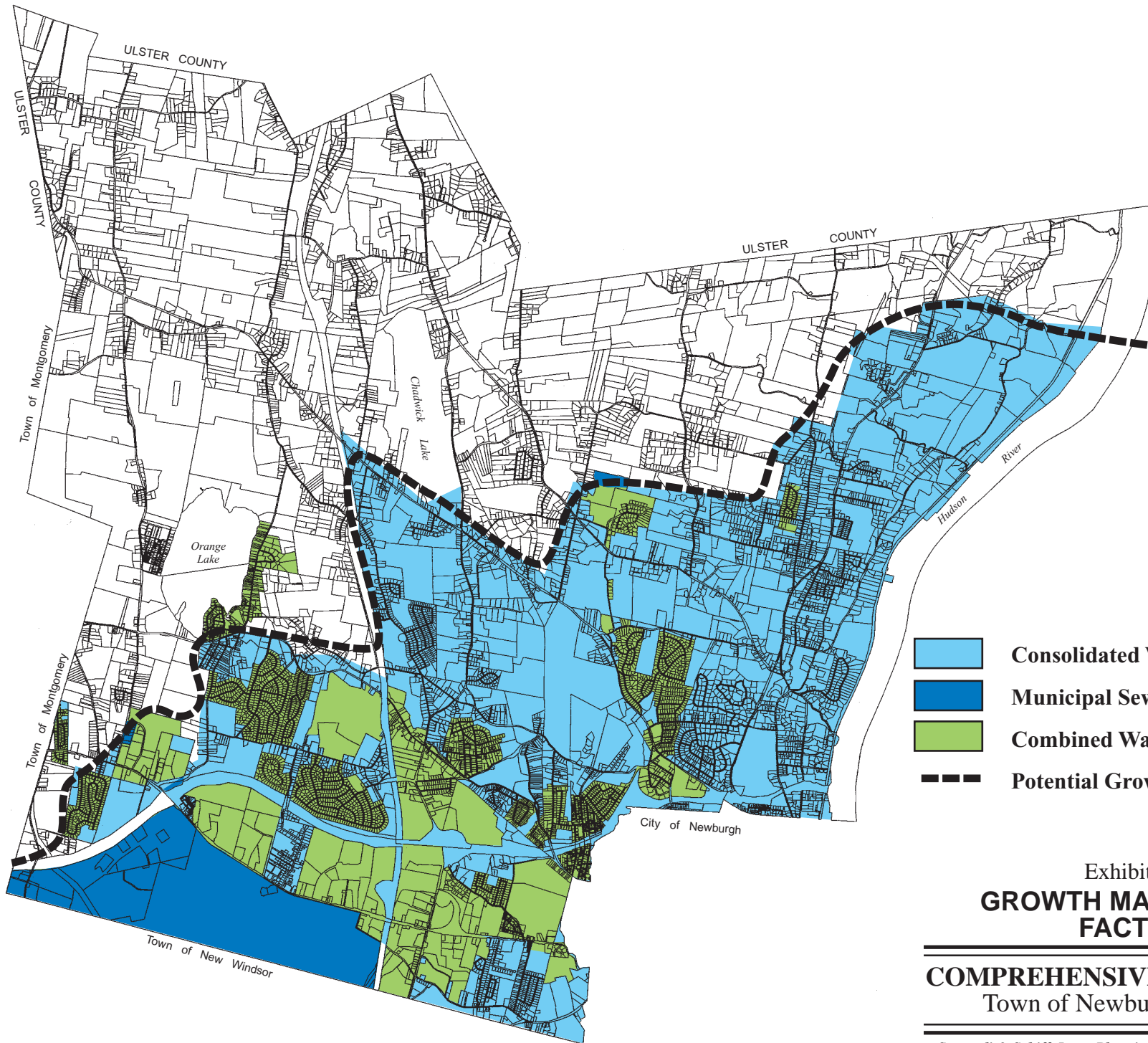
If the Town decided it would like to limit or regulate the ultimate build out potential, a growth limit boundary could be implemented. The Town should investigate whether a Growth Limit Boundary could be considered as a means to contain future development. This boundary line could coincide with the existing service area for water and sewers as shown in the following ***Growth Management Factors*** map (***Exhibit III-3***). One of the recommendations from the Comprehensive Plan Update is for the Town to initiate an evaluation of where it would most appropriate to begin making improvements to the Town's water and sewer infrastructure.

3. *Un-serviced Areas*

Important opportunities exist to dramatically alter development in areas that are currently unserviced. Key questions that need to be considered include: Are there specific areas in Town that need or want expanded water and sewer facilities? Are there areas of Town where residents would prefer connecting to the Town's water system rather than continued use of wells? If areas were able to connect to the municipal system, what would be the potential impacts on future development?

4. *Extending Sewer Service*

During the update process a number of residents voiced concerns that sewer service should be provided to existing residents that need it before providing the services to new development. For instance, sewer service should be extended to areas that currently are not in the sewer districts to ease problems with old septic systems and to older homes that are currently in danger of failing septic systems.



- Consolidated Water District
- Municipal Sewer Districts
- Combined Water and Sewer Coverage
- Potential Growth Boundary

Exhibit III-3
**GROWTH MANAGEMENT
 FACTORS**

COMPREHENSIVE PLAN UPDATE
 Town of Newburgh, New York

Saccardi & Schiff, Inc. - Planning and Development Consultants

Consideration should also be given to the installation of sewers along Route 9W. At some future date, when the road is widened, would be the appropriate time to install utilities in the right-of-way. Commercial development could also be selectively targeted, along Route 9W and elsewhere, to potentially assist in the cost of expanding sewer service and to ease the burden on the residential property owner. Lastly, the comments were raised during the public input process that the Town should consider consolidating its various sewer districts.

5. *Long Range Water Supply Sources*

Given current development trends, it was suggested that the Town consider what potential long range sources for expanding water supply are available. This could include private means for utility expansion. One recommendation offered during the Plan process is a possible connection to the nearby Catskill Aqueduct in New Windsor. This connection could provide a potential third source of water and provide for redundancy in the Town water-supply infrastructure. A related recommendation suggested during the Plan process was for the Town to consider prohibiting or limiting water-intensive developments so as to protect its existing water supply allocations.

6. *Long Range Sewage Treatment Capabilities*

The Town also needs to be concerned about long range sources for expanding sewage treatment capabilities to keep pace with existing development pressures. One suggestion worth pursuing is land banking property along the Hudson River for future consideration for a sewage treatment plant, so that ultimately, the Town will not be so reliant on the City of Newburgh. Previously prepared engineering reports identified two alternative sites on the Hudson River as possible locations for a new Town plant. One site is located at the end of Commonwealth Avenue, the other at the end of Oak Street. The two sites were selected based on available land of sufficient size, available roadway access and capability of being able to service most of the Town by gravity sewers. Ultimately, the proposal to construct a new plant was rejected by the Town Board as a short term alternative in favor of the initial two million gallons per day expansion of the City of Newburgh's Hudson River plant. The Town Board will continue to consider the option of a new plant for future treatment capacity needs, as well as to potentially serve the northeast sections of the Town along Route 9W and within the Growth Limit Boundary.

7. *Solid Waste*

The Town should consider establishing a uniform sanitation and recycling collection program for the entire Town. This would help to eliminate redundant or repetitive service and help to improve the efficiency of current programs.

8. *Utility Improvements*

In order to have a better appreciation for possible future utility requirements, it was suggested that the Town needs to have a report identifying a Capital Improvement Program for all necessary utility improvements. This report should be updated regularly and shared with all relevant agencies.

9. *Critical Environmental Area*

A key question for the Town is whether the regulations protecting Chadwick Lake as a Critical Environmental Area (CEA) are sufficient, or do they need to be re-examined and enhanced in light of existing and future development pressures? Chadwick Lake was designated as a CEA by the Town in 1987. The purpose of the CEA designation is to protect and preserve the water quality of the Lake. According to the New York State Department of Environmental Conservation (NYSDEC), to be designated as a CEA, an area must have exceptional or unique character and particular value, such as possessing health benefits, a natural setting, cultural importance, or ecological sensitivity. The Town may want to investigate if there are other areas in Town such as Orange Lake, which should be considered for CEA status.

10. *Chadwick Lake*

The current reservoir rules protecting Chadwick Lake, which are codified as New York State Health Department regulations, should be reviewed for potential revision and update, including the expansion of protected areas to include not only those immediately around the lake but its watershed as well, potentially modeled on the regulations adopted under the New York City watershed protection program. Critical properties around Chadwick Lake should be identified for future purchase and preservation, particularly those along tributaries to the Lake. The Town should also consider expanding land use regulations to further limit potential environmental impacts to the Chadwick Lake watershed.

Chadwick Lake is not only a source of water for the Town, but is a valuable recreation and open space resource as well.



Portions of Orange Lake are densely surrounded by year-round and seasonal residential development and provides private recreational opportunities.

11. Orange Lake

An important recommendation made during the update process called for a planning study of Orange Lake needs to be undertaken. This study should examine a number of critical issues that are currently a concern to local and Town residents. Water quality and availability around Orange Lake needs to be studied due to reports of environmental contamination.

It has been suggested that the provision of utilities along the west side of Orange Lake needs to be evaluated. The cost to provide these services is expected to be a significant issue. The Town should consider whether additional development is needed in order to help defray the cost of utility expansion (water and sewers). The development potential associated with bringing sewers to this area should also be examined. Another important matter to be studied is evaluating the zoning parameters affecting properties around the Lake. Lastly, the density pattern associated with seasonal versus year round septic should be investigated to ensure septic fields are sized appropriately.

12. Other Water Resources

Major water resources in the Town of Newburgh include the Hudson River, Chadwick Lake and Orange Lake. The Town also has an abundance of streams, wetlands and other water resources. Recommendations regarding Chadwick Lake, the Town's drinking water reservoir, and Orange Lake are described above. Other important water bodies, such as Winona Lake, Quassaic Creek, Brookside Pond and Gidneytown Creek should also be examined for water quality, stormwater management capabilities, and recreational policies. The Town should also consider the current State and Federal wetlands policies and determine if a local wetlands ordinance is necessary.

In some instances, surface water run-off from recent developments in Town has created flooding issues for adjacent homeowners, schools and roadways. The Town is currently reviewing the portions of the Town Code that regulates and establishes minimum acceptable standards for stormwater management.

Stagnant water is another area of concern raised during the public input process. Comments were raised during the public input process regarding the visual impacts and potential health risks of stagnant water. There are no local, county or State regulations for

stagnant water. The Town should consider methods for eliminating the potential for stagnant water through the site plan review process and/or by regulating stagnant water as either part of the stormwater management chapter of the Town Code or through a separate ordinance.

13. The Planning Process

A number of participants in the Plan process noted that developers need to completely install utility infrastructure up-front. The planning process for infrastructure and utilities should be revisited every five years to identify specific progress on identified priorities and reevaluate the importance of selected issues.

D. The Action Plan

One of the most relevant tasks of the Comprehensive Plan Update process was to come up with an Action Plan for the Town for utilities and infrastructure. This Action Plan needs to address the primary issues and opportunities identified at the start of the Plan process, while responding to the numerous public comments and recommendations made related to infrastructure and utilities. After a careful review of all the issues, opportunities and comments, 12 action items were identified for utilities and infrastructure.

The need to respond to some actions items before others was an important realization during the Plan process. In response, the actions were prioritized by the Comprehensive Plan Update Committee into short term, intermediate and long term proposals. Short term action items include those that the Town is currently working on an ongoing basis or can be completed sometime within the next three years. Intermediate items are actions that are contemplated to be undertaken by the Town during the next five-year time frame. Long term items include those actions that are expected to be undertaken some time in the future, possibly within the next 10-year time frame.

Below are the short term, intermediate and long term action items recommended for implementation for utilities and infrastructure. Six short term action items were recommended for the Town to implement as soon as possible for utilities and infrastructure. Three intermediate range action items were also proposed, along with three long range action items.

**Short Term Action Items
Infrastructure & Utilities**

Issue	Action Summary	Status	Notes
Water	Study whether and how water service should be expanded within the existing service area, and benefits, impacts, and costs of this service expansion.		Encourage infill development.
	Evaluate water-intensive developments to see if they should be prohibited.		Examine Zoning Code for permitted land uses.
Sewer	Study benefits, impacts, and costs of service expansion within the existing service district boundaries.		Focus on infill development within existing District. Target commercial development to potentially assist in the cost of expanding sewer service.
	Investigate the opportunities for land-banking property along the Hudson River for a new Sewage Treatment Plant.		Identify appropriate locations.
Utilities	Prepare a Capital Improvements Program for necessary utility improvements.		
Stormwater Management	Review stormwater management regulations. Determine if stagnant water can be addressed during the site plan approval process.		

**Intermediate Action Items
Infrastructure & Utilities**

Issue	Action Summary	Status	Notes
Water	Review watershed regulations for the Chadwick Lake reservoir for potential update.		
Sewer	Study benefits, impacts, and costs of service expansion.		Investigate lands outside the suggested Growth Boundary area (see <i>Growth Management Factors</i> map <i>Exhibit III-3</i>).
Water Resources	Conduct study of water quality, stormwater management capabilities, and recreational policies of Town’s water bodies.		

**Long Term Action
Infrastructure & Utilities**

Issue	Action Summary	Status	Notes
Water	Examine potential for an additional water connection to the Catskill Aqueduct to create a redundant water supply system for emergency supply.		Would require discussion with the Town of New Windsor and NYC DEP.
Sewer	Consider possibility of the Town building its own Sewage Treatment Plant and land banking property along the Hudson River for such use.		See related discussions on land banking under short term items.
Sanitation	Consider establishing uniform sanitation and recycling collection program.		

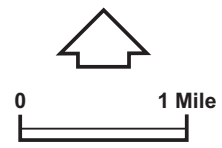
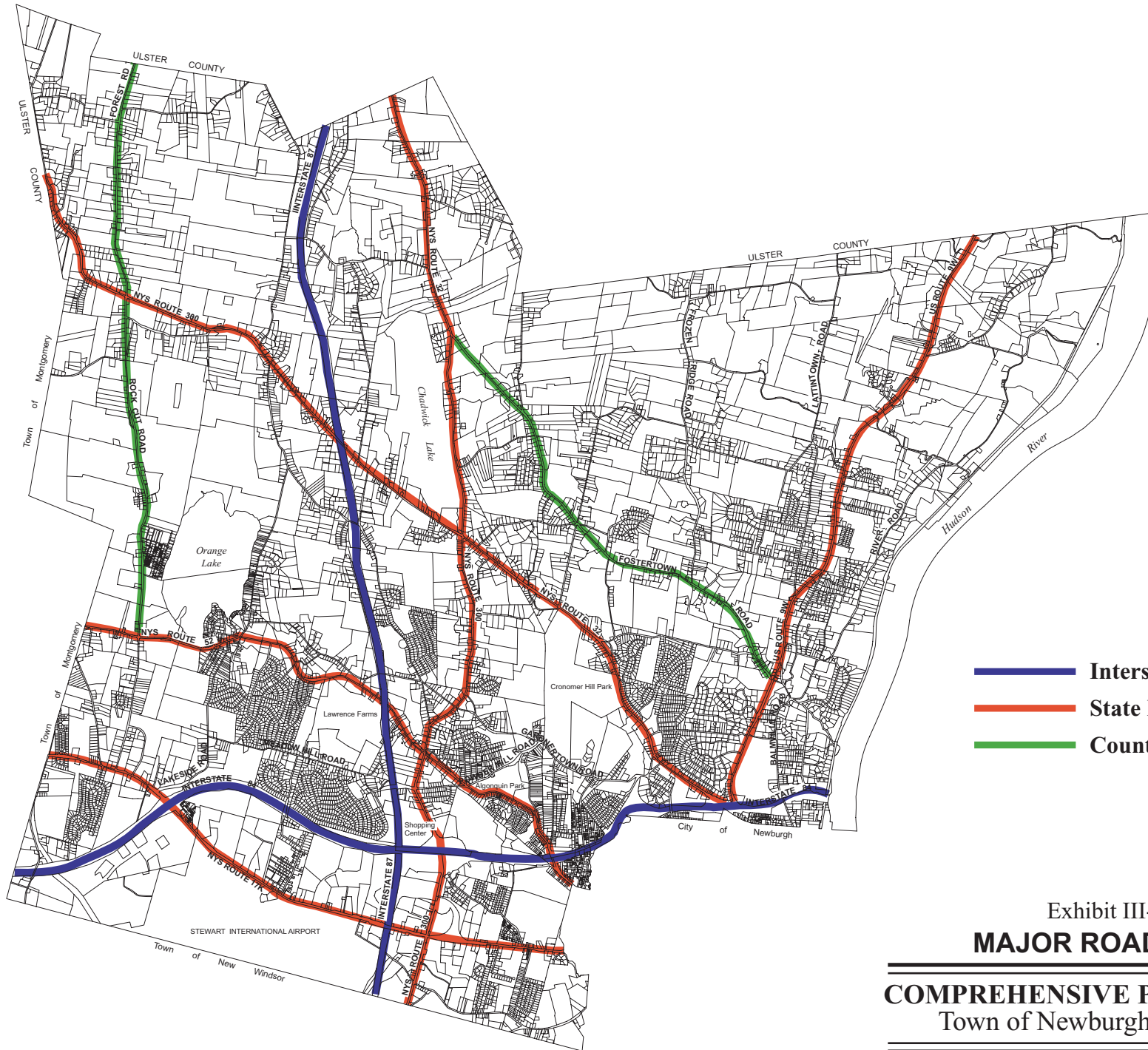
2. Transportation

A. Existing Conditions

The Town of Newburgh is served by a number of important regional, State, County, and local transportation corridors that provide convenient access to the metropolitan region but also impact the community as the surrounding municipalities need to pass through Newburgh to access the major roadways. As illustrated on the following *Major and Minor Roadways (Exhibit III-4)*, two interstate highways, I-84 and I-87, intersect in the southern part of the Town. Several State roadways also run through the Town, including Routes 9W, 17K, 32, 52, and 300. There are two important Orange County roads in the Town, Route 86/Fostertown Road and Route 23/Rock Cut/Forest Road. Significant Town roads include but are not limited to: Lattintown Road, Gardnertown Road, River Road, Lakeside Road, Powder Mill Road, Balmville Road, and Meadow Hill Road.

Several of the Town's major corridors are currently operating at or near capacity. One road in particular that is a concern is Route 9W which is one of the Town's major north-south corridor. Other roadways with traffic congestion problems include Route 32, Route 52 and Route 300. The problem of traffic congestion is especially significant at intersections that are busy commercial/retail nodes such as along Route 17K and State Route 300.

Traffic congestion has become an area of concern in some residential neighborhoods as drivers look for short-cuts to avoid the congestion along the Town's major corridors during the peak highway hours. The Town is concerned that traffic congestion issues will begin to affect more residential neighborhoods. Several local roads that were once quiet residential streets are now becoming high-use thoroughfares for people seeking to avoid traffic congestion on the Town's main arterials. One example is Lattintown Road which motorists use to avoid the traffic on Route 9W.



- Interstate Highways
- State Roads
- County Roads

Exhibit III-4
MAJOR ROADWAYS

COMPREHENSIVE PLAN UPDATE
 Town of Newburgh, New York

Saccardi & Schiff, Inc. - Planning and Development Consultants

BASE MAP SOURCE: Orange County Water Authority GIS

The intersection of Route 300 and Route 52 is one of the Town's major intersections facing traffic congestion.



Due to the heavy volume of traffic on the Town's major roads, residential streets such as Chestnut Lane act as short-cuts. Additional volume on residential streets reduces overall safety and quality of life.

The issue of vehicle speed, particularly on local roadways and in residential neighborhoods was raised as an important quality of life issue. The State highways in Town were originally designed for a more rural area where higher speeds were more common. Today however, the Town is much more developed and the State highways are carrying heavier suburban traffic volumes, often at speeds which are too high for suburban residential areas. Excessive speed is also becoming a problem on local roads as more motorists use residential streets as short-cuts.

B. The Issues

Traffic and transportation problems in the Town are a primary interest and quality of life issue. In fact, transportation issues were among one of the main concerns leading to the Town's decision to proceed with a Comprehensive Plan Update process. Although many questions have been raised related to transportation, the major issue identified for the Plan was to determine how the transportation network throughout the Town can be improved, while balancing other important factors such as quality of life, economic development and environmental preservation.

C. Opportunities

A number of significant opportunities are available to the Town in order to resolve the existing transportation problems while ensuring quality of life, economic development and environmental issues are respected. The Comprehensive Plan Update Committee identified a total of eleven transportation-related opportunities for consideration. Presented in no particular order are the comments relative to improving the transportation network throughout the Town.

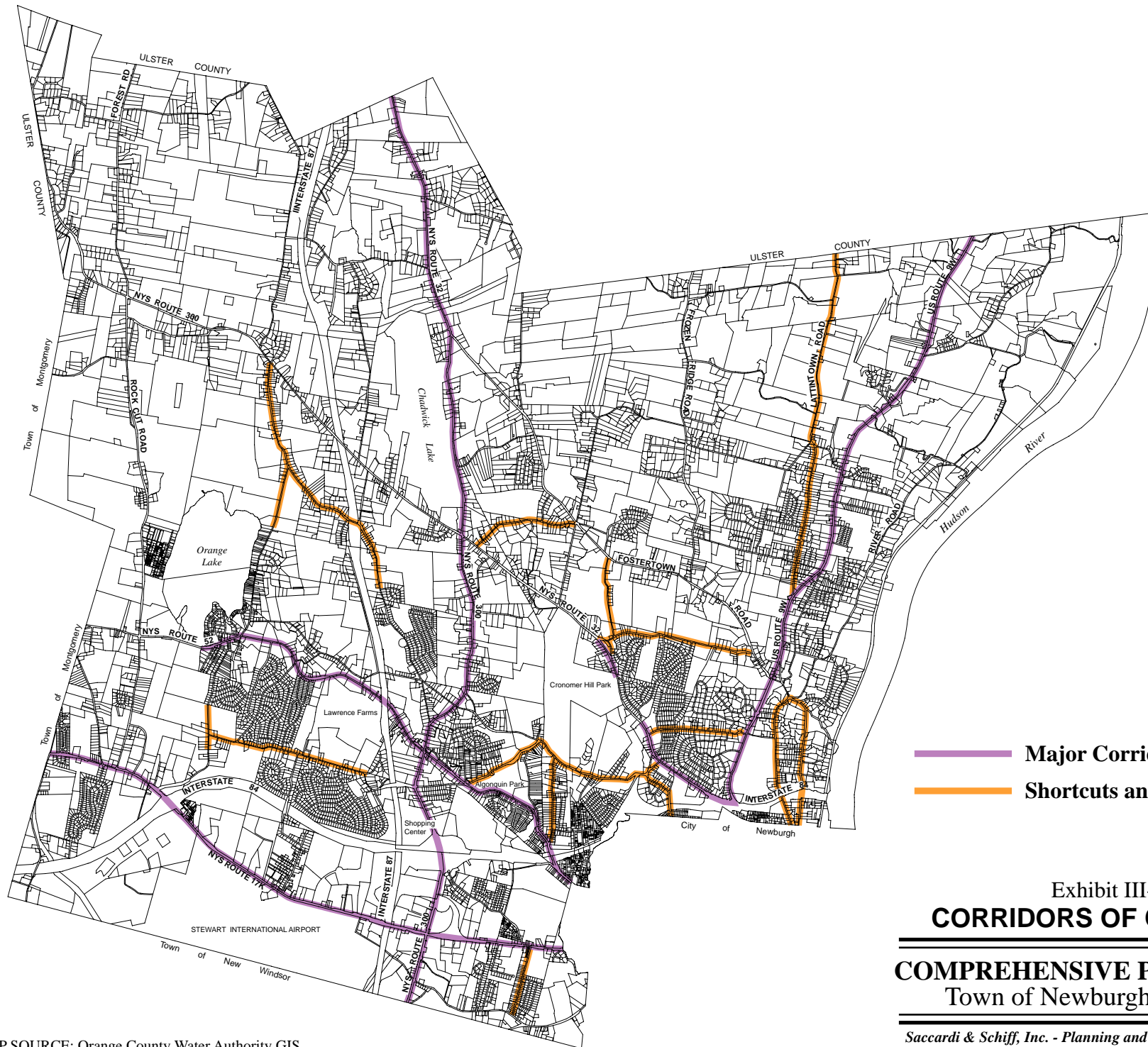
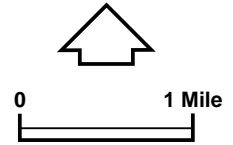
1. Roadway Capacity Conditions

An important recommendation for consideration by the Town would be to prepare a comprehensive analysis of the roadway system. Such an analysis should build upon ongoing traffic planning studies, such as the Route 17K Corridor Study. Specific intersections and roadway sections that are failing or operating poorly would be identified and any subsequent development proposals that affect those areas could be required, as per the State Environmental Quality Review (SEQR) laws, to mitigate specific elements. A Transportation and Traffic Plan should involve key stakeholders such as the State Department of Transportation, the Town Police, as well as elected officials, community leaders, and Town residents. The four school districts serving the Town also need to be involved because they have indicated that they are experiencing difficulty transporting school children due to increased traffic congestion at major intersections. The school districts are challenged with other transportation issues including icy road conditions and limited bus turnaround areas.

One of the first tasks for the Town in responding to this opportunity would be to identify which roadways should be analyzed. The following *Corridors of Concern* map (*Exhibit III-5*) begins this process by initially identifying the major corridors experiencing traffic problems and the local roadways that are currently affected by “cut-through” traffic. The five major corridors of concern are Route 17K, Route 52, Route 300, Route 32 and Route 9W. The roads experiencing “cut-through” traffic include but are not limited to: Lattintown Road, Balmville Road, Grand Avenue, Chesnut Lane, Gardnertown Road, Powder Mill Road, D’Alfonso Road, Weyants Lane, Union Avenue, Meadow Hill Road, Wells Road, Fifth Avenue, Brewer Road and Lakeside Road.

In addition to preparing a comprehensive analysis of the roadway system, other important factors that should be considered by the Town in conjunction with undertaking a review of the Town’s overall roadway traffic conditions include:

- Beyond improvements for the Town that have been scheduled in the State’s most recent Transportation Improvement Plans (TIP), what other priorities and improvements should be recommended for future TIPs? A list of the road improvement *Projects Approved for TIP Funding* is attached to the Plan and included as *Appendix A*.
- It has been reported that State roads such as Route 300 or Route 9W have not received sufficient attention despite the increased use of these roads with the growth of the Town and surrounding region. What can the Town’s Traffic Advisory



- Major Corridors of Concern
- Shortcuts and Cut-Throughs

Exhibit III-5
CORRIDORS OF CONCERN
COMPREHENSIVE PLAN UPDATE
Town of Newburgh, New York
Saccardi & Schiff, Inc. - Planning and Development Consultants

BASE MAP SOURCE: Orange County Water Authority GIS

The intersection geometry and topography of many critical intersections throughout the Town create problematic conditions.



The entrance to Colden Park community could be enhanced with pedestrian-oriented improvements (striping, signage and crosswalk).

Board do, together with the State Department of Transportation, to develop cooperative strategies for dealing with the problems along these highways? Should the Town consider a potential overlay district for 9W?

· What site plan requirements can be implemented to help improve access management between commercial properties? Are there any sites that existing and/or proposed parking areas can be shared or connected in order to reduce the number of curb cuts and limit the traffic load on adjacent roadways?

2. *Speed Limits*

A key concern of many residents is the excessive speeding of vehicles throughout Town, especially on local roads. An immediate step that the Town could take to help alleviate this problem is to establish a 30 mph speed limit for town owned roads. Specific roadways mentioned that should have reduced speeds include, but are not limited to: Carter Avenue, Lakeside Road, Chestnut Road, and Old Little Britain Road.

The Town also should work together with the relevant State and County officials on the issue of lowering the speed limits on appropriate sections of County or State owned/maintained roadways. Related to this, it was suggested that the Town encourage the Town and State Police authorities to undertake more traffic speed enforcement throughout the Town.

3. *Traffic Safety and Traffic Enforcement*

Traffic safety is a critical issue to all Town residents. While reducing the speed limits in Town (see section 2 above) is likely to help improve traffic safety, there are other actions that can be taken to help reduce accident rates.

One road in particular that was identified during the Plan process as a critical roadway, which warrants special attention to improve traffic safety, is Route 300. The Town may want to consider encouraging the State to participate in a special study of Route 300 to determine how traffic safety can be improved. Members of the Comprehensive Plan Update Transportation Sub-Committee also identified Route 52 and Rock Cut Road as roadways that require improved and expanded traffic enforcement.

4. *Road Maintenance and Truck Traffic*

Road maintenance is a very important issue that can impact both vehicle safety and roadway operations. Maintenance of roadways is directly impacted by the extent to which the roadway is subjected to heavy truck traffic. It has been suggested that the Town consider better enforcement and enhanced signage relative to weight limits on local roads. This is especially important to do on those roads which are experiencing congestion and capacity problems such as Lattintown Road, Gardnertown Road, River Road, Lakeside Road, Powder Mill Road, Balmville Road, and Meadow Hill Road.

5. *Transportation Alternatives*

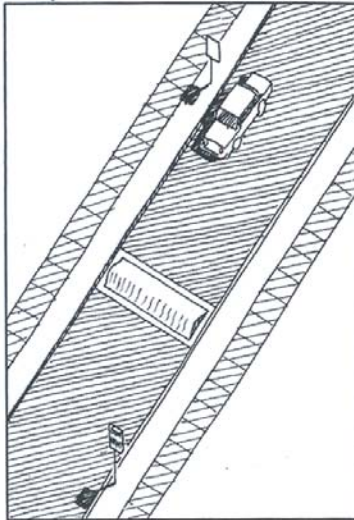
Many residents believe that the Town needs to consider creating more sidewalks and/or incorporating sidewalks as part of new developments, especially in areas that border residential communities. Where appropriate, the use of sidewalks should be encouraged to provide for pedestrian ways, particularly to community facilities such as schools. Two roads, which were highlighted during the update process, that the issue of pedestrian traffic is a concern, include Routes 300 and 52.

In addition to more sidewalks, the Town should also consider the need for dedicated bike routes/bike lanes. Bicycles can provide a valuable transportation alternative for residents making local trips. Roadway safety is a key issue however which would need to be investigated for both pedestrians and bicyclists.

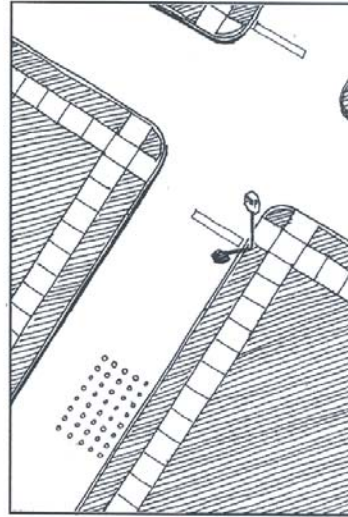
6. *Traffic Calming*

Traffic calming has been shown to be a very effective technique to make local residential streets safer and improve overall quality of life. The use of local residential streets as shortcuts to avoid traffic on major arterial roads has been identified as a major concern in the Town. While it may be possible to eliminate this problem in certain areas, it may be an inevitable situation in other areas. For those areas where this problem will continue, traffic calming is a tool that can be employed to make local streets safer. A qualified traffic engineer should identify the potential locations for traffic calming measures. It is also important to recognize that traffic calming may not be appropriate for all roads being used by motorists as a short-cut.

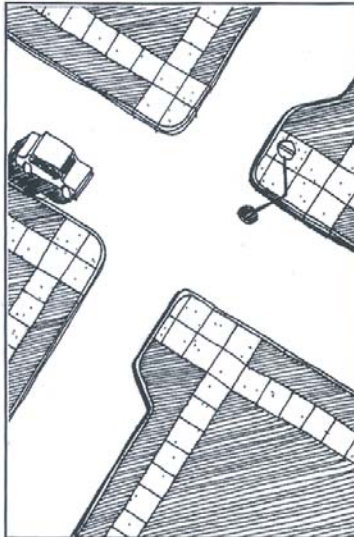
Bumps, Undulations



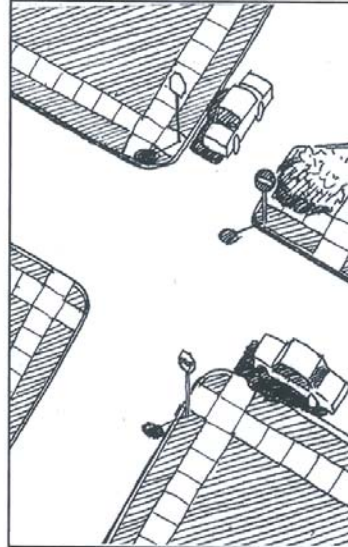
Rumble Strips



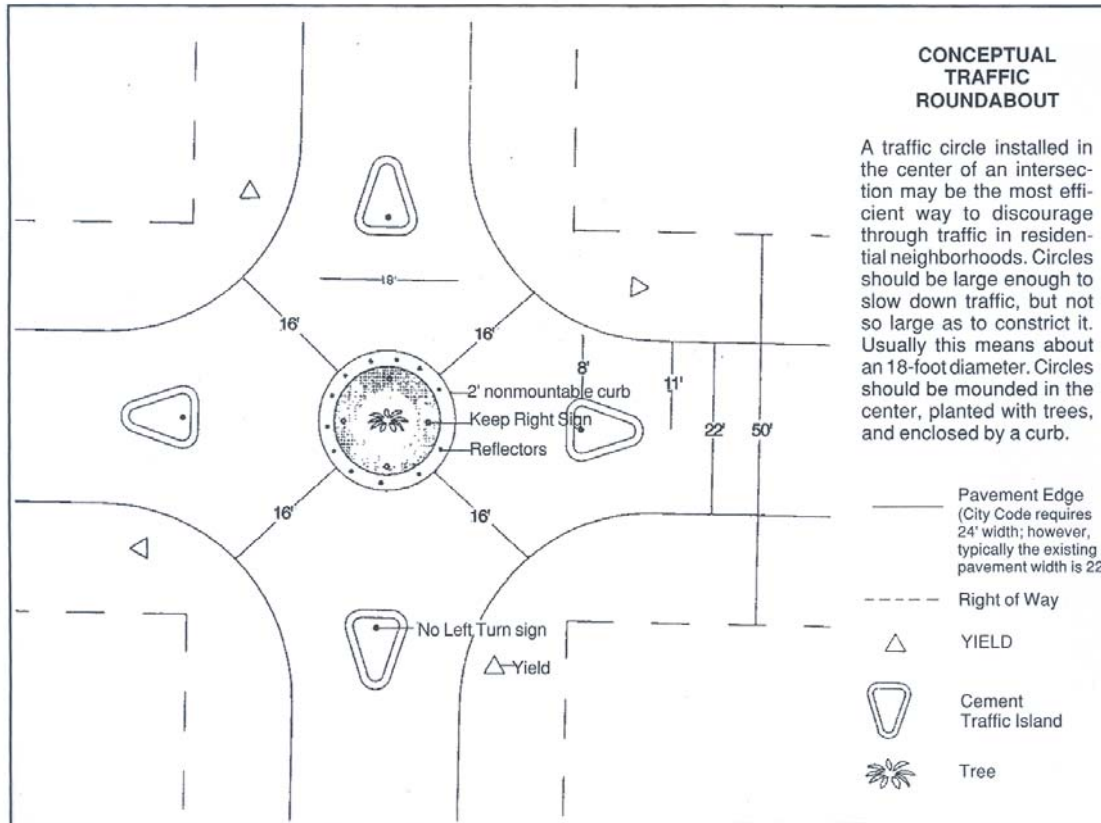
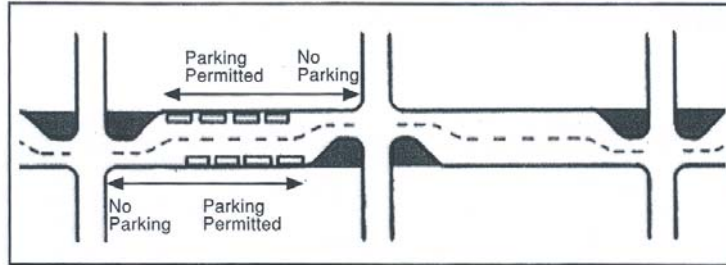
Semi-Diverter



Chokers/Narrowing



Chicanes



Source: City of Fort Myers Planning Department

Exhibit III-7

TRAFFIC CALMING CONCEPTS

COMPREHENSIVE PLAN UPDATE
Town of Newburgh, New York

Saccardi & Schiff, Inc. - Planning and Development Consultants

A small commercial node in the Leptondale hamlet could be enhanced through signage, gateway features and coordination of site access. An example of how hamlet studies could be used to coordinate development.



Opportunities exist to better coordinate the existing and future land uses using landscaping, traffic calming techniques and coordinated signage.

Essentially, traffic calming involves a series of techniques that slow vehicle speeds and change the way drivers think by altering the design of the roads on which they are traveling. Traffic calming techniques that could help to alleviate some of the traffic and can then potentially alleviate congestion problems in the Town are described and illustrated below.

- Speed bumps, speed tables, and rumble strips add a physical change to the surface of a roadway that forces drivers to slow down. Speed bumps are not favored by all experts given the problems they can cause for snow plowing and emergency vehicles.
- Semi-diverters, neck downs, chokers, and chicanes all act to slow traffic by placing barriers in the path of traffic, most often in the form of expanded sidewalks and curbing either at a corner or in mid-block.
- Signage, such as multiple stop signs, placed on residential streets to discourage through traffic.
- A traffic circle or round-about is usually a raised, landscaped island placed in the middle of an intersection of two streets. They are particularly effective at discouraging through traffic in residential neighborhoods. Traffic circles should be constructed in a manner that maintains lane widths sufficient for emergency vehicles to pass.

7. *Street Configuration and Site Access*

The Town should consider modifying the street configuration requirements for new developments and where applicable to retrofit existing developments to encourage more traffic calming techniques. Narrower roadways for example have been shown to slow traffic due to safety perceptions. As site plan applications come in for existing commercial developments, efforts should also be made to more comprehensively coordinate site access, particularly between developments. One of the benefits of this is the potential reduction of vehicles accessing the major roadways serving the sites.

8. *Traffic/Land Use Connections*

One important way the problem of traffic congestion in Town can be addressed is by studying the relationship between land use development and the traffic generated by that development. General agreement seems to exist that there is too much traffic affecting quality of life for residents. As a result of this, there is a need to focus growth on those areas more readily accessible to the regional highway system. Changing zoning to limit growth will limit traffic impacts. For example, the Town should consider encouraging smaller scale commercial areas to be closer to residential neighborhoods; thus, reducing the likelihood that people would need to drive extended distances to access everyday needs. Balancing economic development opportunities with infrastructure and design priorities along major corridors such as State Routes 9W and 17K is also important.

A key question for the Town is which intersections and corridors should be identified as priorities for more in-depth study of land use and transportation connections? These studies should examine existing land use patterns, proposed and potential future development, and consequent traffic generated by development. Alternative traffic scenarios for the selected corridors and intersections should be developed. These scenarios could be guideposts for future land use decision-making and regulations, as well as the basis for prioritizing needed infrastructure and road improvements. A study of this kind is already underway for Route 17K. The Town should consider undertaking additional studies for other corridors of concern.

9. *Route 9W*

A key corridor of concern that the Town may want to prioritize for undertaking a corridor analysis is Route 9W. There are a number of vital issues affecting the Route 9W corridor that should be the primary concern for the Town in developing a plan for a corridor study, including:

- Traffic congestion along the roadway that results in operating levels that are at or near capacity;
- Several major intersections which are problematic from a traffic congestion and safety perspective;
- A large number of curb cuts due to the preponderance of strip commercial development along the highway;



The Route 9W corridor is a major north-south thoroughfare in the eastern portion of the Town. A corridor study should evaluate potential improvements including added travel lanes. The Town needs to evaluate the existing land uses along the corridor and provide direction as to future land use patterns.

- Commercial areas that are dominated by land uses that can act as a potentially negative influence on the area;
- Signage, landscaping and buildings that contribute to a lack of identity in potential hamlet centers such as Balmville and the gateway intersection of Route 9W/Route 32/I-84;
- The lack of municipal services throughout the corridor, could be a constraint on redevelopment efforts; and,
- Several areas of steeply-sloped land along the western side of Route 9W, which may limit development potential and may restrict a potential roadway expansion.

As part of the Plan process, a ***Preliminary Analysis of Route 9W*** corridor was prepared. This Preliminary Analysis is included in the Plan as ***Appendix B***. The analysis provides a brief overview of existing land use and zoning along Route 9W and then introduces the issues and opportunities for the Town to be aware of as it proceeds towards a full-fledged corridor study. It is suggested that a Route 9W corridor study be prepared with the potential inclusion of an overlay district. This overlay district could coordinate potential future development with anticipated roadway and utility improvements.

10. Funding

Recent meetings with representatives of New York State Department of Transportation (NYSDOT) have indicated that major investments are being made in just a few projects such as Drury Lane and the I-87/I-84 interchange. It was indicated that these monies siphon off dollars that could be spent on other smaller projects. The Town needs to have a more concerted lobbying effort with NYSDOT to receive more resources. The preparation of some of the necessary planning documents indicating where and how monies would be spent is a good foundation upon which to start. A list of the ***Projects Approved for TIP Funding*** is attached to the Plan and included as ***Appendix A***.

11. Public Transit

The Town could study the possibility of expanding/creating public transportation. More transit opportunities in Town would help lessen some of the capacity problems on the major corridors experiencing traffic congestion. Public transportation services could be geared for special groups such as seniors or be used during critical times such as the morning and evening rush hours.

D. The Action Plan

The Action Plan for Transportation includes many important and necessary recommendations for the Town to implement in order to address the primary issue identified at the start of the Plan process. No single recommendation alone however will be sufficient to respond to the major issue of determining how the transportation network throughout the Town can be improved, while balancing other important factors such as quality of life, economic development and environmental preservation. Instead a combination of concepts and ideas that address transportation problems from several perspectives is required. The Action Plan that follows provides this broad perspective.

Since all action items cannot be implemented at the same time, the recommendations were prioritized by the Comprehensive Plan Update Committee into short term, intermediate and long term recommendations. Short term actions items include those that the Town is currently working on an ongoing base or can be completed sometime within the next three years. Intermediate items are actions that will be undertaken by the Town during the next five year time frame. Long term items include those actions that will be undertaken some time in the future, possibly within the next 10-year time frame.

A total of fifteen action items have been included for transportation. Ten short term action items have been proposed for a variety of issues including speed limits, safety, traffic calming, transportation plan, site access, maintenance, transportation alternatives and the Route 9W corridor. Three intermediate action items are included for traffic calming and transportation alternatives. Two long term action items are proposed for traffic calming and the Route 9W corridor.

**Short Term Action Items
Transportation**

Issue	Action Summary	Status	Notes
Speed Limits	Establish a town-wide 30mph speed limit.	Ongoing In Progress	
	Discuss speed limits on State/County owned roadways with NYSDOT and Orange County.	Ongoing In Progress	
Transportation Safety	Address traffic safety issues throughout the Town.	Ongoing	
Traffic Calming	Modify street configuration requirements for new developments as a means of traffic calming.		Discourage new private roads. Maximum of 3 houses for a private road.
Transportation Plan	Prepare transportation plan and use it to lobby NYSDOT to receive more resources.	Ongoing	Corridor study for NYS Route 17 just completed.
Site Access	Comprehensively coordinate site access with commercial developers.	Ongoing In Progress	
	Study access between residential developments.	Ongoing	Study should exclude private roads.
Maintenance	Better enforcement of truck weight limits on local roads.	Ongoing	
Transportation Alternatives	Encourage sidewalks, where appropriate.	Ongoing	Examine subdivision regulations.
Route 9W Corridor	Study ways to accommodate the future expansion of Route 9W.		Examine zoning requirements and ROW requirements.

**Intermediate Action Items
Transportation**

Issue	Action Summary	Status	Notes
Traffic Calming	Implement traffic calming measures with assistance from a traffic engineer.		
Transportation Alternatives	Explore locations for dedicated bike route/lanes.		
	Encourage sidewalks, where appropriate.		Evaluate maintenance and liability issues.

**Long Term Action Items
Transportation**

Issue	Action Summary	Status	Notes
Traffic Calming	Examine location of commercial nodes closer to residential areas, as a means of reducing traffic.		
Route 9W Corridor	Study ways to accommodate the future expansion of Route 9W.		

3. Planning and Zoning

A. Existing Conditions

Planning and zoning in the Town of Newburgh is a very important municipal activity with far reaching implications. Decisions that are made today can impact a resident's day-to-day activities, in addition to affecting the future well being of the community. In order to understand existing planning and zoning conditions many different factors related to growth and development need to be examined. There are also a number of trends and conditions that are of particular importance to the Town of Newburgh. These include: recognition of the Town's existing zoning regulations; an awareness of the existing land use and current development activity being proposed in the Town; open space and agricultural trends need to be appreciated; and an understanding of town center, hamlets and community character conditions needs to be provided. Below is a summary of these important factors which together provide an overview of existing conditions for planning and zoning in the Town of Newburgh.

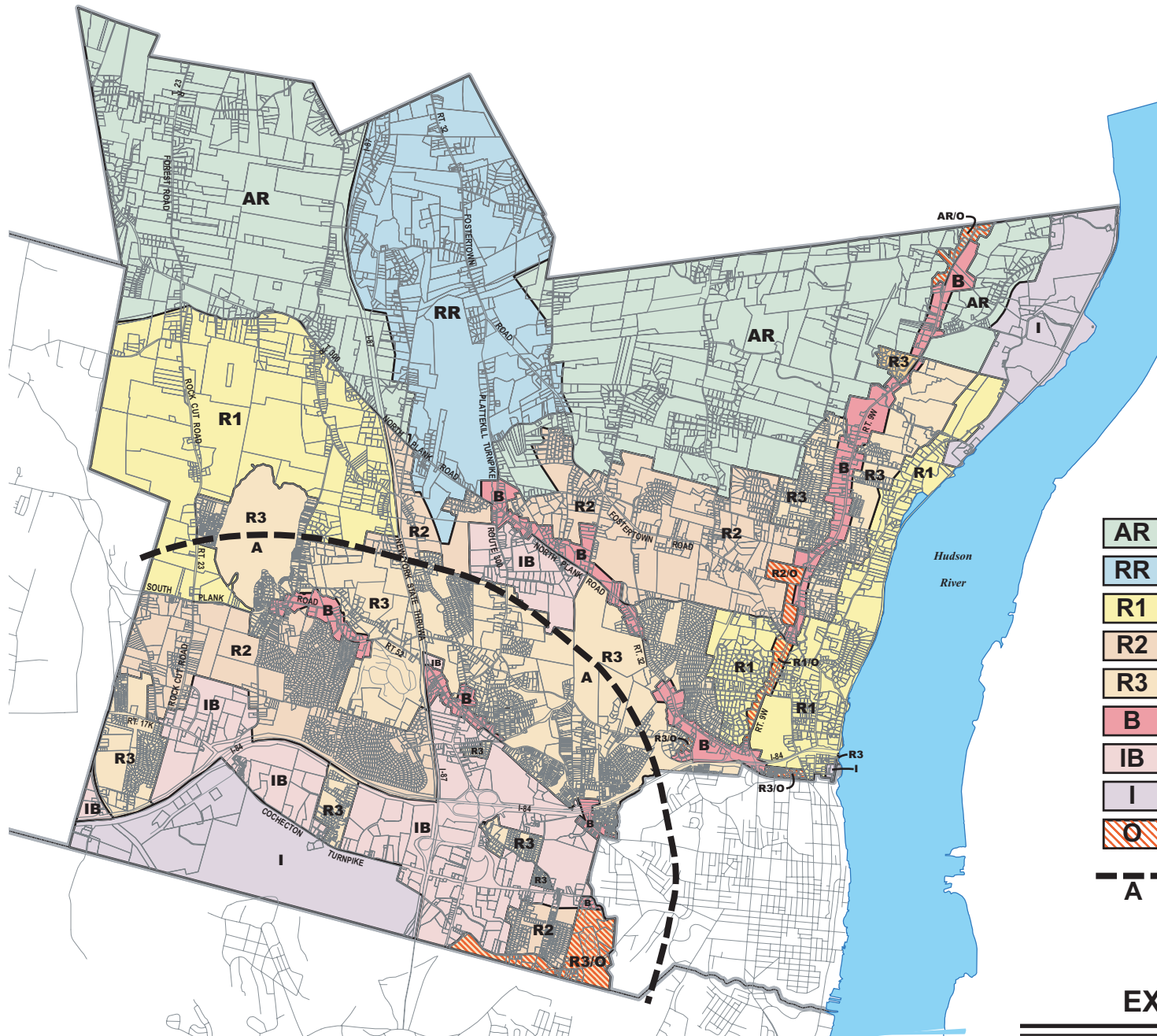
1. Existing Zoning

As shown in the following *Existing Zoning* map (*Exhibit III-8*), the Town's Zoning Code identifies nine different zoning categories. The IB Interchange Business zone is predominately located in and around Interstates 84 and 87, with the exception of a small area adjacent to Route 300. I Industrial uses are permitted south of Route 17 and along Route 9W in the northeast corner of Town. An O Professional Office Overlay district exists along Route 9W and in the southeast corner of Town.

Residential zoning in the Town is generally divided between the lower-density, rural residential areas of the northern half of Town and the higher-density residential areas and commercial corridors in the southern half of Town. Five different zoning districts exist. From least dense to most dense, the districts are: RR Reservoir Residential, AR Agricultural Residential, R-1 Residential, R-2 Residential and R-3 Residential. The following table lists the principal permitted uses and uses requiring site plan approval from the Town's Planning Board for each of the residential zoning districts:



0 5000'



- AR Agricultural Residential
- RR Reservoir Residential
- R1 Residential
- R2 Residential
- R3 Residential
- B Business
- IB Interchange Business
- I Industrial
- R3/O Professional Office Overlay
- A-Airport 841' Radius

Exhibit III-8
EXISTING ZONING

COMPREHENSIVE PLAN UPDATE
Town of Newburgh, New York

BASE MAP SOURCES: Orange County Water Authority and
Town of Newburgh Zoning Map

**Table III-1
Residential Zoning**

Residential Districts	Permitted Uses	Uses Subject to Site Plan Approval by Planning Board
RR, Reservoir Residential (Minimum lot area of 2 acres for single-family)	<ul style="list-style-type: none"> · 1-family dwellings, not to exceed 1 dwelling per lot · Municipal buildings and town activities 	<ul style="list-style-type: none"> · Cluster developments for single family detached dwellings (min. lot size of 10 acres) · Substance abuse rehabilitation homes and community residence for the disabled · Public utility structures and rights-of-way
AR, Agricultural Residential (Minimum lot area of 40,000 square feet for single-family)	<ul style="list-style-type: none"> · 1-family dwellings, not to exceed 1 per lot · 2-family dwellings, not to exceed 2 units per lot · Semidetached dwellings, not to exceed 2 units per lot · Municipal buildings and town activities · Agricultural operations 	<ul style="list-style-type: none"> · Cluster developments for 1-family dwellings · Membership clubs · Places of worship · Nursery schools for preschool · Other schools including colleges · Hospitals and nursing homes · Veterinarians offices · Commercial kennels · Mobile home courts · Substance abuse rehabilitation homes and community residence for the disabled · Public utility structures and rights-of-way
R-1, Residential (Minimum lot area of 40,000 square feet for single-family)	<ul style="list-style-type: none"> · 1-family dwellings, not to exceed 1 per lot · 2-family dwellings, not to exceed 2 units per lot · Semidetached dwellings, not to exceed 2 per lot · Municipal buildings and town activities 	<ul style="list-style-type: none"> · Conversion of existing dwellings for multi-family use · Cluster developments · Membership clubs · Places of worship · Substance abuse rehabilitation homes and community residence for the disabled · Public utility and rights-of-way · Marina

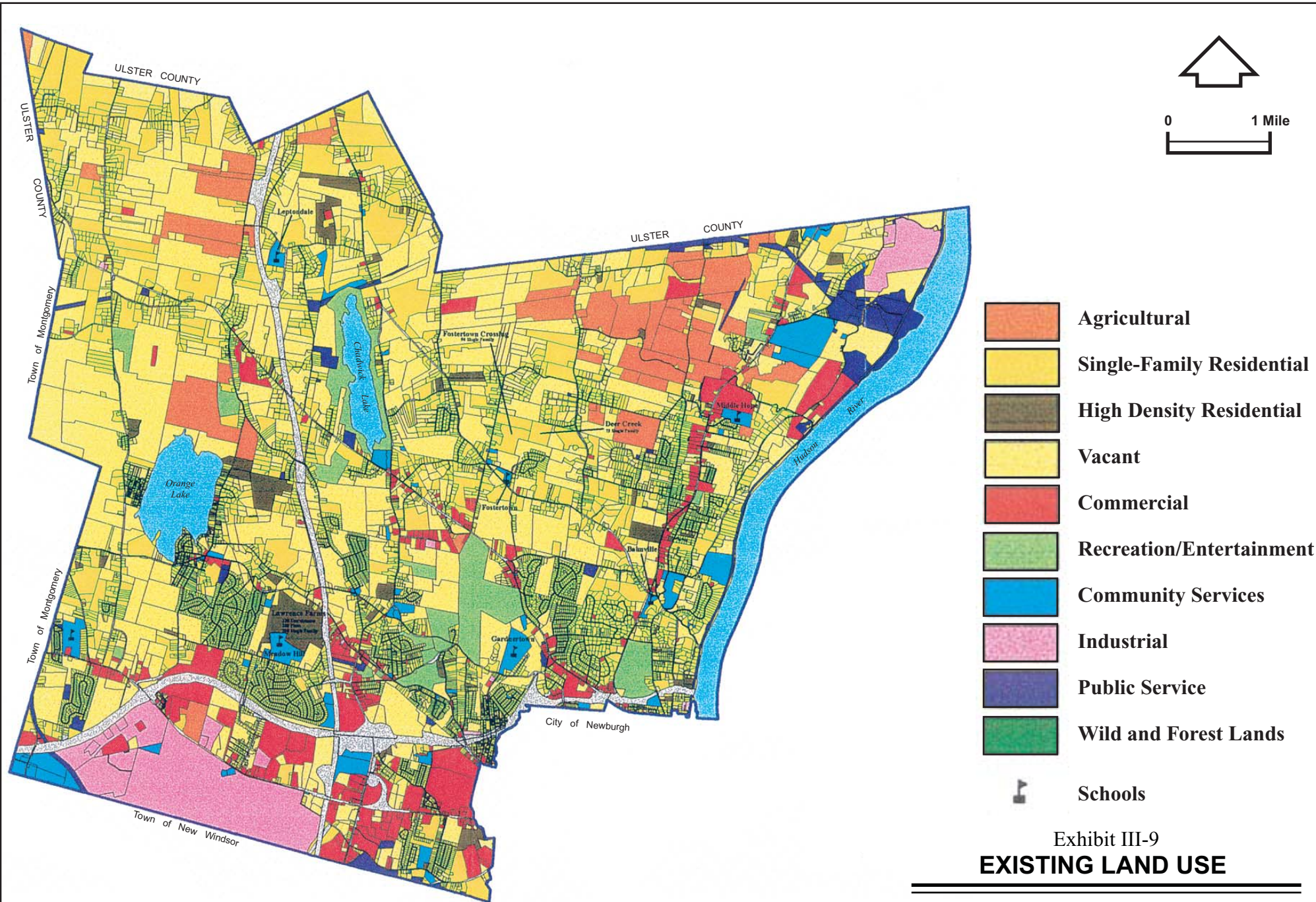
Residential Districts	Permitted Uses	Uses Subject to Site Plan Approval by Planning Board
<p>R-2, Residential (Minimum lot area for single-family between 15,000 square feet to 40,000 square feet depending on sewer and water service)</p>	<ul style="list-style-type: none"> · 1-family dwellings, not to exceed 1 per lot · Municipal buildings and town activities 	<ul style="list-style-type: none"> · Conversion of existing dwellings for multi-family use · Cluster developments · Affordable housing · Membership clubs · Places of worship · Nursery schools for preschool · Other schools including colleges · Hospitals and nursing homes · Substance abuse rehabilitation homes and community residence for the disabled · Public utility and rights-of-way · 2-family dwellings, not to exceed 2 units per lot · Semidetached dwellings, not to exceed 2 units per lot
<p>R-3, Residential (Minimum lot area for single-family between 12,500 square feet to 40,000 square feet depending on sewer and water service)</p>	<ul style="list-style-type: none"> · 1-family dwellings, not to exceed 1 per lot · Municipal buildings and town activities 	<ul style="list-style-type: none"> · Multiple dwellings (3- or 4-family dwellings, 1-family attached dwellings, garden-style dwellings) · Conversion of existing dwellings for multi-family use · Cluster developments · Affordable housing · Membership clubs · Places of worship · Nursery schools for preschool · Other schools including colleges · Hospitals and nursing homes · Substance abuse rehabilitation homes and community residence for the disabled · Funeral homes · Cemeteries · Public utility and rights-of-way · Senior citizen housing · 2-family dwellings, not to exceed 2 units per lot · Semidetached dwellings, not to exceed 2 units per lot

2. Existing Land Use, Current Development Activity, and Build Out Analysis

Existing Land Use in the Town is depicted in the following map (*Exhibit III-9*). The majority of the Town is comprised of single-family residential land uses. High density residential is located in a number of different areas around the Town. Industrial and commercial uses are located along the Town's major corridors, particularly around Interstates 84 and 87 and Route 17K. Recreation and entertainment, community services, and public service uses can be found throughout the community. Agriculture, vacant, and wild and forest lands are mostly located in the northern part of Town.

The fastest growing land use in the Town of Newburgh is residential. Between 1985 and 1999 residential land uses increased by five percent and now account for approximately 36 percent of all land uses in the Town. Growth and development is occurring with increased pace in specific parts of the Town, where a combination of factors are particularly influential, including: existing zoning, which permits multi-family residential adjacent to single-family neighborhoods; the availability of water and/or sewer service; large parcels of available and developable vacant land; and, farmland which is becoming increasingly uneconomical to maintain for agricultural uses. The **Major Development Activity and Open Space Components** map on the attached page (*Exhibit III-10*) is provided to show where major residential development activity is occurring, the location of large parcels of vacant and open space land, and the remaining areas of agricultural lands within the Town.

Major residential development appears to be concentrating in the more developed southern half of Town, but also increasingly in the central and northeastern portions of Town. In the southern part of Town, State Route 17K is a magnet for development, given its proximity to Interstates 84 and 87, as well as other major roads such as State Route 300. The single largest recent development in Town, the Meadow Winds project, is also located in the southern part of Town, off of State Route 52. Since its construction, a number of concerns have been raised about the Meadow Winds project including the impact on viewsheds and community aesthetics. In part, because of this, the Town felt it was necessary to prepare a Comprehensive Plan Update in order to identify tools and strategies that would allow the Town to more proactively incorporate contemporary design standards.



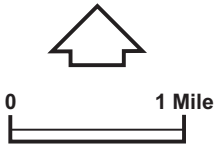
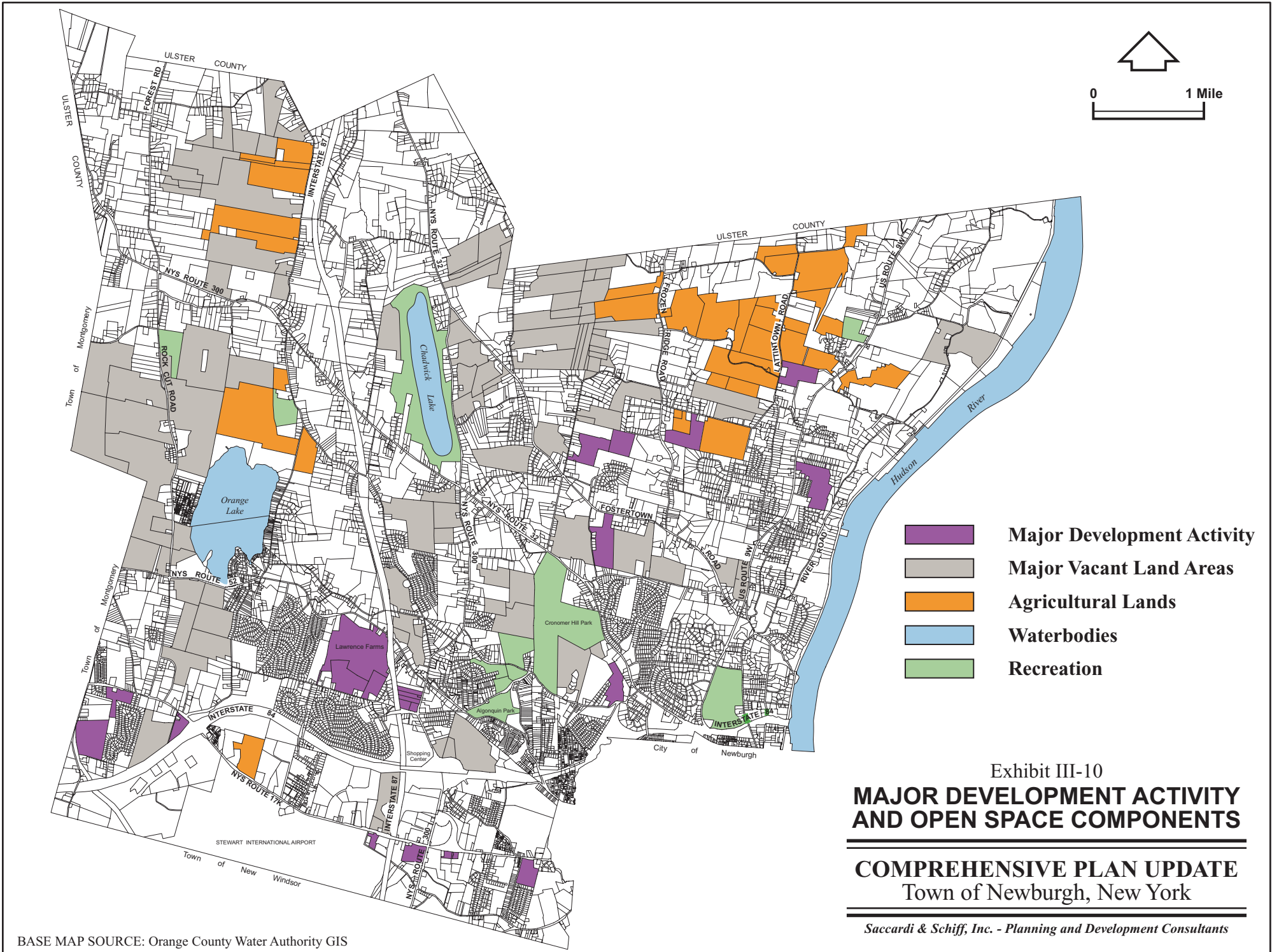
- Agricultural
- Single-Family Residential
- High Density Residential
- Vacant
- Commercial
- Recreation/Entertainment
- Community Services
- Industrial
- Public Service
- Wild and Forest Lands
- Schools

Exhibit III-9
EXISTING LAND USE

COMPREHENSIVE PLAN UPDATE
Town of Newburgh, New York

SOURCE: Clough, Harbour & Associates LLP
DATE: April 2001

Saccardi & Schiff, Inc. - Planning and Development Consultants



- Major Development Activity
- Major Vacant Land Areas
- Agricultural Lands
- Waterbodies
- Recreation

Exhibit III-10
**MAJOR DEVELOPMENT ACTIVITY
 AND OPEN SPACE COMPONENTS**

COMPREHENSIVE PLAN UPDATE
 Town of Newburgh, New York

Saccardi & Schiff, Inc. - Planning and Development Consultants

BASE MAP SOURCE: Orange County Water Authority GIS

This block shows a typical development pattern in the R2 Residential zoning district. The minimum lot size for this district is 15,000 s.f. to 40,000 s.f., depending on sewer and water service.



The Meadow Winds project has resulted in the interruption of views from both high and low elevations. Landscaping could be better incorporated into the project design to help soften the visual impact.

Several other large projects have been planned for, approved, or are under construction on parcels near the Meadow Winds development. In the central and eastern parts of Town, development is beginning to take hold in areas where agricultural land uses have traditionally existed. The economic burden on local farmers has increased, and for the few farmers left, it is becoming more difficult to not sell their properties given the potential high value their lands hold for residential development.

Projects before the Planning Board or recently approved account for approximately 943 new housing units, including 324 single-family lots and 619 units in multi-family or senior housing projects. The table below provides a breakdown of major residential development projects throughout the Town:

**Table III-2
Major Residential Developments**

Development Name/Developer	Number of Lots/Units	Type of Project	Location
Brighton Green	154 units	Multi-family	Meadow Hill Road
Gardner Ridge	139 units	Multi-family	Gardnertown Road
Drury Heights	169 lots	Single-family	Drury Lane
Golden Vista	188 units	Senior housing	Meadow Hill Road
Exter Building Corp.	138 units	Multi-family	Route 17K
BCM/Filiberti	38 lots	Single-family	North Hill Lane, Orchard Drive and Route 9W
Greiner	17 lots	Single-family	Lattintown Rd. & Greiner Rd.
Re-S/D Lot#5 Double R Equities	17 lots	Single-family	Candlestick Rd. & Lattintown Rd.
Lands of Ponesse, et. al.	26 lots	Single-family	Quaker Street
Lands of Elm Farm	57 lots	Single-family	Fostertown Rd. & Wells Rd.
Total	943 Lots/Units		

As of the 2000 Census, the Town of Newburgh had a population of 27,568. According to population projections prepared by the Orange County Department of Planning, the Town of Newburgh is expected to have an annual average growth rate of 2.27 percent. This growth rate would elevate the Town’s population to approximately 35,000 people by 2010 and 43,000 in 2020. The projected annual average growth for Orange County is 1.24 percent.

A preliminary build out analysis was performed to assess, on a conceptual basis, potential full residential build-out under existing residential zoning. For this analysis only major parcels of vacant land were analyzed and it was assumed that in the RR, AR, R-1 and R-2 Districts that single-family homes would be constructed and in the R-3 Districts that multiple dwellings would be constructed. Environmental constraints such as wetlands, steep slopes, and floodplains were not taken into consideration so the actual number of potential units would likely be less. The Town contains approximately 3,684 acres of major vacant parcels in residential areas, which is approximately 13 percent of the Town's land. An additional 463.9 acres of major vacant parcels are located in the IB and I Districts.

Under current zoning conditions, approximately 4,681 units of housing could be constructed. This figure assumes that roads and infrastructure would utilize approximately 15 percent of the sites. The table below shows the potential housing units for each residential zoning district.

**Table III-3
Potential Housing Units**

Zone	Minimum Lot Area		Total Vacant (Acres)	Less 15% for Roads and Utilities (Acres)	Land Area Remaining (Acres)	Approx. # of Units (Land Area / Minimum Lot Area)
	Square Feet	Acres				
RR	87,120	2.0	336.8	50.5	286.3	143
AR	40,000	0.92	1,371.8	205.8	1,166.0	1,267
R-1	40,000	0.92	1,124.0	168.6	955.4	1,038
R-2	40,000/17,500 ¹	0.92/0.40	616.1	92.4	523.7	1,032
R-3	174,240 ²	4.0	235.5	35.3	200.2	1,200 ²
Total			3,684.2	552.6	3,131.6	4,681

¹ In the R-2 District the minimum lot size is: 40,000 s.f. for areas without municipal water or sewer district service; 15,000 s.f. with both municipal water and sewer district service; and 17,500 s.f. with either municipal water or sewer district service. Six of these parcels have municipal water district service; the remaining parcels have no service.

² The R-3 District build out assumes that multiple dwellings are constructed. The number of units is calculated by multiplying the land area by the maximum permitted dwelling units per acres, which is 6.0 dwelling units.

The build out analysis represents the maximum conceptual residential growth potential under the existing zoning. Modifications to the zoning code, along with implementation of the recommendations in the Plan, would alter this analysis. The tools outlined in the Opportunities section below would guide development to appropriate areas, protect the environment while still allowing for growth, and lessen the various impacts that approximately 4,681 additional housing units would have on the Town of Newburgh.

3. Open Space and Agricultural Trends

As the Town's population grows, the amount of land devoted to open space and agricultural uses is decreasing. With over 900 new units of housing proposed in the Town in the last two years (see Table 2), the trend is toward the continued development of agricultural and vacant lands for residential purposes. Given that almost 10,000 acres of vacant land is located within the Town, much of which is developable, the opportunity exists for the Town to preserve valuable open space and agricultural lands, as well as to ensure that new development respects the community's rural character.

The Town has approximately 12,450 acres of open space land, which includes public and private recreation areas (1,075 acres), large vacant parcels (9,975 acres), and agricultural lands (1,681 acres). As shown on the *Major Development Activity and Open Space Components* map (*Exhibit III-10*), most of the public recreation in Town is situated in the southern part of Town, with Orange County's 411-acre Cronomer Hill Park being the single largest public recreation resource. Other important public recreation resources include: Orange County's Algonquin Park located along State Route 52; the Town's Chadwick Lake Park located along State Route 300, and Monarch Drive Playground, located just to the south of State Route 52; and the playgrounds and fields located on the grounds of the several elementary schools within Town.

Private recreational resources in Town include the Little League ballfield complex on Lakeside Road south of Route 300 and the Powelton Country Club golf course in Balmville. With the exception of Chadwick Lake Park, the northwestern and northeastern quadrants of Town appear to be under-served by public recreation resources, yet in these parts of Town significant areas of vacant land exist for potential conversion to parkland.

In the northern and western parts of Town are several wide swaths of vacant parcels of land, which are indicated in gray on the *Major Development Activity and Open Space Components* map (*Exhibit III-10*). While much of this land is privately owned, significant portions are State-designated wetlands, especially in the far western and northwestern portions of Town. Additional areas of large vacant parcels exist in an area between Chadwick Lake to the west and Frozen Ridge Road to the east. Some of these lands were previously used for agricultural purposes, but have since become vacant. While some of the large vacant land parcels in

Large parcels of vacant land exist in the western half of Town. Wetlands in these areas constrain development but also add to the Town's rural character.



Farmland in the northwest and northeast corners of the Town is increasingly difficult to keep from being developed. Preservation coupled with responsive design techniques could help to retain the agricultural aesthetic.

Algonquin Park, an Orange County park, is an important recreational and cultural resource for the Town.



A rather bland gateway sign greets the motorist entering the Balmville hamlet area from the west.

Town are readily developable, there is a substantial amount of land where natural features such as steep slopes and wetlands, as well as the lack of municipal sewer and water service, present constraints to development. In these areas, there may be opportunities for the Town to preserve open space and create new public recreation resources, such as a nature trail network.

The third open space component in Town are the remaining areas of agricultural land mostly concentrated in the northeastern and northwestern corners of Town, as indicated in orange on the *Major Development Activity and Open Space Components* map (*Exhibit III-10*). According to the *1991 Clough Harbour Draft Plan*, approximately 1,681 acres of land comprising 39 active farms in Town were dedicated for agricultural use. While most agricultural lands lie within the Agricultural Residential zoning district, several large parcels are located in the R-1 district, which makes them more attractive for potential residential development. Although hundreds of acres of the Town's agricultural lands are considered prime for the production of high-yield crops, significant obstacles exist for farmers to continue their operations. These obstacles include: global competition; high taxes and other regulatory costs; increasingly expensive labor, equipment, and operations costs; growing conflicts with residential neighbors; and difficulty passing on farms to younger generations.

4. Town Center, Hamlets & Community Character Conditions

Unlike many other communities in the Hudson Valley, the Town of Newburgh, in part, lacks a defined town center. For many years, the City of Newburgh served as the real "downtown" for the local area. In recent years, however, economic conditions and other factors have led to the decline of the City's urban core, while at the same time surrounding communities like the Town of Newburgh have grown. Today, with a population of over 27,000 people, the Town is a sizable community, but it is still a community without a defined center or downtown.

Instead of a town center, the Town of Newburgh has developed around specific hamlet areas such as Balmville, Middle Hope, Fostertown, Cronomer Valley, Gardnertown, Orange Lake, Leptondale, East Coldenham and others. The Town's hamlets are more than just the locations of particular neighborhoods or commercial centers. Like traditional hamlets in the Hudson Valley and New England, they have formed around some kind of distinguishing characteristic – a crossroads, an important geographical feature such as Orange Lake, or the location of a school or firehouse. Research and discussions during the Plan process indicate that at least 14 hamlets existed or still exist within the Town.

Many residents in Town strongly identify with the areas in which they live. For example, with its classic old homes and views of the Hudson River, Balmville is a part of Town with a clear sense of place. During the last decade however, an influx of new residents have made the Town their home and may have little knowledge that they live in one of the many hamlets that are important to the Town's character. In some areas, time and development may have eaten away at the identity of the Town's hamlets, but in many cases, the basic hamlet elements remain, and with planning and careful design, could be strengthened.

B. The Issues

Numerous concerns related to planning and zoning have been raised during the Plan process. These concerns can be summarized to four major issues. First, a key matter to the Town is protecting the residential character of existing single-family neighborhoods. The desire to preserve usable open space as part of the subdivision design process when new development is proposed is also important to the Town. Third, the Town is also motivated to fulfill the demand for new housing and stimulate local economic development. Finally, improving local aesthetics and community character is a key matter of interest to the Town. A major challenge of the Plan process is to determine how these four major issues can be best resolved simultaneously. With this in mind, the primary issue for the Plan process for planning and zoning is to identify potential development and design controls that address growth while also responding to aesthetic, environmental and economic issues.

C. Opportunities

The primary tools available to the Town of Newburgh to effect growth and development are the Zoning Code and the concepts of planning. A number of important opportunities exist to make Newburgh's Zoning Code more effective and to enhance the Town's planning efforts. Listed below are twenty-four areas of opportunities that the Town should consider for action. These opportunities were proposed during the course of the Comprehensive Plan Update process. Presented in no particular order are the twenty-four planning and zoning areas of opportunity.



The Town has a proliferation of commercial chain establishments. The opportunity exists for the Town to mandate a different architectural treatment for future uses that would be more in keeping with Newburgh's expressed desires. For example, this Hess gas station (left), located at the intersection of I-84 and Route 9 in Dutchess County, has a design that is more complementary to the existing architectural features of the area.

1. Preserving the Character of Single-Family Residential Areas

A key concern expressed during the course of the Plan process is the protection of the residential character of existing single-family neighborhoods. Development of multi-family residential projects in the R-3 District has become a point of conflict because the potential locations for multi-family projects are in areas with existing single-family neighborhoods. Given the Town's preferences, an immediate step would be to evaluate whether multi-family projects should be limited to those properties that have direct access to a State or County road that conceivably would have the capacity to accommodate growth.

As the Town's pace of development is anticipated to increase in coming years, implementing proper design controls for multi-family and non-residential development will be crucial to preserving the character of traditional single-family neighborhoods. Listed below are opportunities to realize this goal:

- The Town's current bulk and density regulations for single-family residential districts should be evaluated to identify ways to improve the relationship between single-family, multi-family and non-residential uses.
- When a multi-family development is located adjacent to a single-family neighborhood, design guidelines can be used to help to ensure that such a development is more compatible with respect to its design treatment. (See section 2.0 below.)
- The Town's existing cluster development regulations should be reviewed to see if they incorporate contemporary design standards. (See section 3.0 below.)
- There should be a clear relationship to building height and buffer area between multi-family and single-family residential. Essentially, the taller the building, the greater the setback.
- The Town should further examine the definitional characteristics for buffers between residential and non-residential districts. The Code presently requires buffer areas and screening trees, however, topography, berms, landscaping, and other

tools may also be used to buffer non-compatible uses.

2. *Design Guidelines Handbook*

The aesthetic quality of residential and commercial development has been a concern expressed by the Update Committee, and as development proposals increase in number, the Town, and, in particular the Planning Board, has expressed a need for a comprehensive set of design guidelines to help ensure that new developments better retain the visual, environmental and architectural characteristics the Town deems important. One method for accomplishing this would be to create a Design Guidelines Handbook that prospective applicants, consultants or other professionals could review prior to making a formal submission to the Town. The major benefit of a Design Guidelines Handbook is that it provides a visual guide that depicts the preferred styles and treatments that the Town wants to achieve in new development. This Handbook could detail such items as the types of compatible architectural styles, street layout concepts, access and parking configurations, landscape design standards, lighting and other design requirements that the Town prefers in new developments. It could include visual examples from the Town and other communities in the Hudson Valley and elsewhere of those positive design treatments the Town wants to see incorporated.

3. *Clustering*

The use of cluster development, especially where it can be supported by water and sewer service, is another valuable tool the Town can continue to use to preserve open space, however, it needs to be done in a way that respects, where appropriate the rural character of the Town. The diagram provided below from the *Orange County Comprehensive Plan* shows how subdivisions can be designed to preserve rural character, with open space easements providing a visual buffer along the roadside. Utilizing such techniques in combination with requiring the preservation of existing features such as stone walls, split rail fencing, trees and other vegetation can be effective tools for maintaining the Town's rural quality.

The primary purpose of cluster development is to encourage more responsible land development that allows a community to fulfill the demand for new housing while preserving usable open space. To accomplish this effectively, the Town needs to ensure that cluster developments are placed in the right locations and sensitively designed. While all residential districts permit the use of clustering, there were concerns raised regarding the size of the lots, particularly if the lot sizes fall below 12,500 square feet. At issue with respect to past projects, one development used the clustering technique to arrive at a smaller than average lot. When

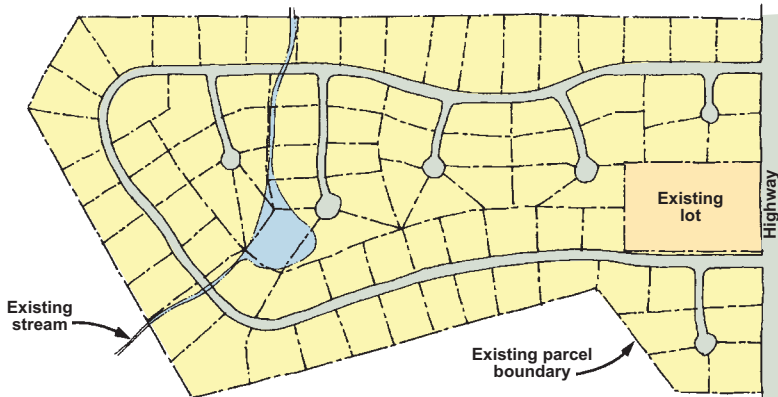


The relationship of house size to lot size needs to be better coordinated to avoid “monster home” phenomenon. The introduction of a comprehensive landscape program for residential developments balances the aesthetics and built environment.



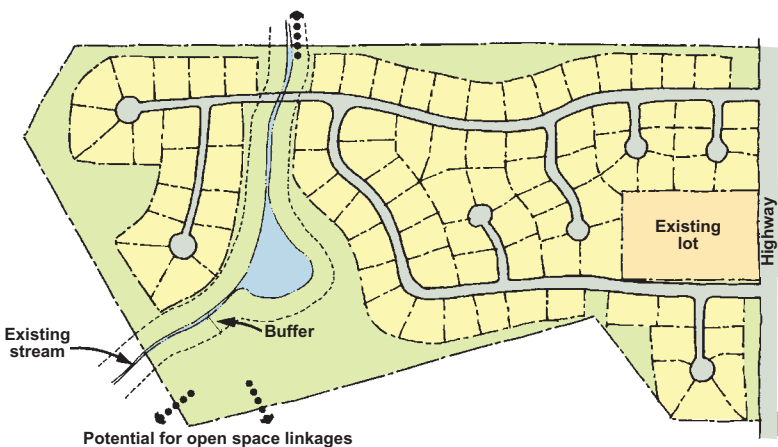
**CONVENTIONAL
SUBDIVISION**

- 87 lots
- Entire parcel is subdivided



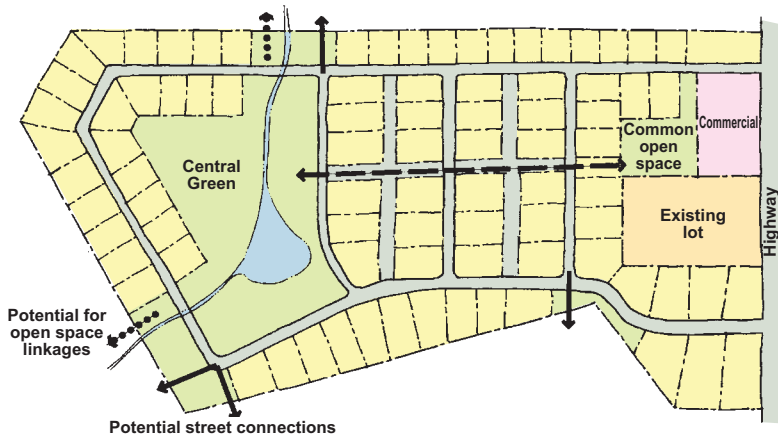
**OPTION 1
CLUSTER SUBDIVISION**

- 87 lots
- Reduced lot sizes
- Opportunity to preserve environmental features
- Opportunity for creating common open areas



**OPTION 2
TRADITIONAL NEIGHBORHOOD DEVELOPMENT**

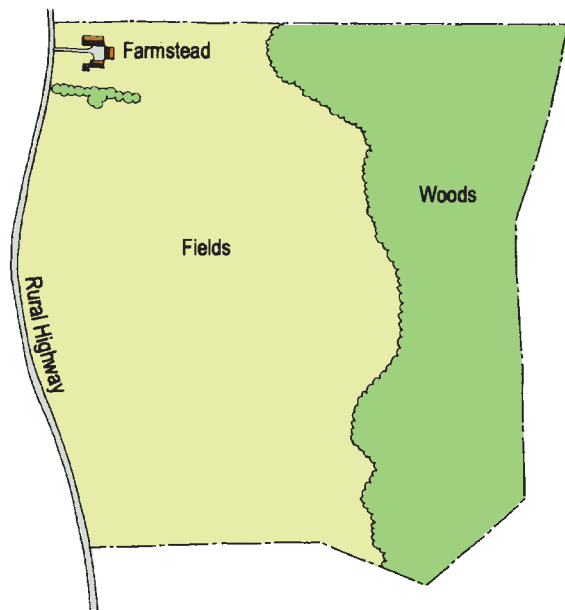
- 85 residential lots/1 commercial lot
- Reduced lot sizes
 - Option for multiple sized lot
- Commercial parcel within walking distance of residences
- Central green/common areas
- Sidewalks/pedestrian paths/bike trails
- Open space and street connections to adjacent parcels



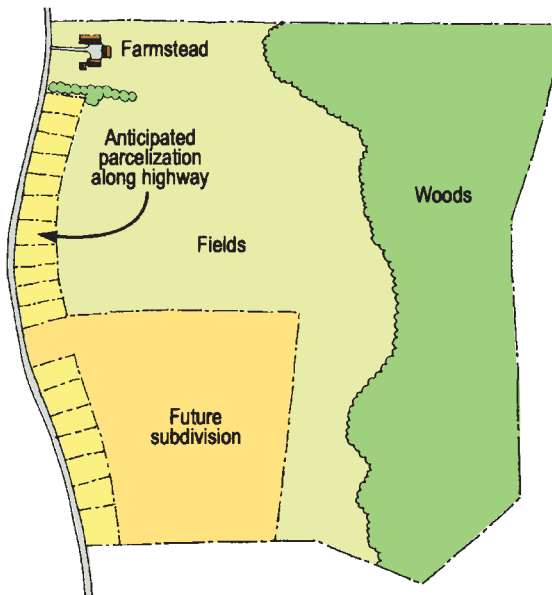
Illustrative Plan - Not to Scale

Exhibit III-11
CLUSTER TECHNIQUES

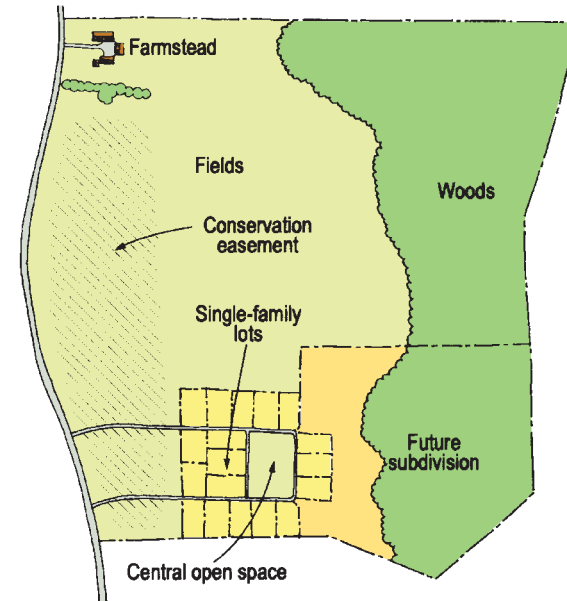
COMPREHENSIVE PLAN UPDATE
Town of Newburgh, New York



EXISTING CONDITION



TYPICAL PATTERN OF GROWTH



PREFERRED ALTERNATIVE

Exhibit III-12
**RURAL AREA
 DEVELOPMENT PATTERNS**

COMPREHENSIVE PLAN UPDATE
 Town of Newburgh, New York

Saccardi & Schiff, Inc. - Planning and Development Consultants

eventually developed, the homes constructed were disproportionate to the lot sizes. The use of a floor area ratio formula (essentially the gross horizontal area of the different floors divided by the specific lot size) is the common technique used to regulate building size and address the recent “McMansion” or “monster home” phenomenon.

To assist in improving the quality of cluster development, the Town should consider some suggested revisions to clustering provisions that could be made immediately. These revisions would help ensure cluster subdivisions do not result in small lots overwhelmed by large houses and that valuable open space and community character elements are preserved. The revisions are as follows:

3.1 Lot Count

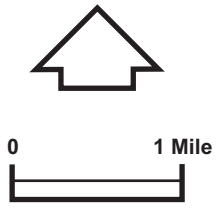
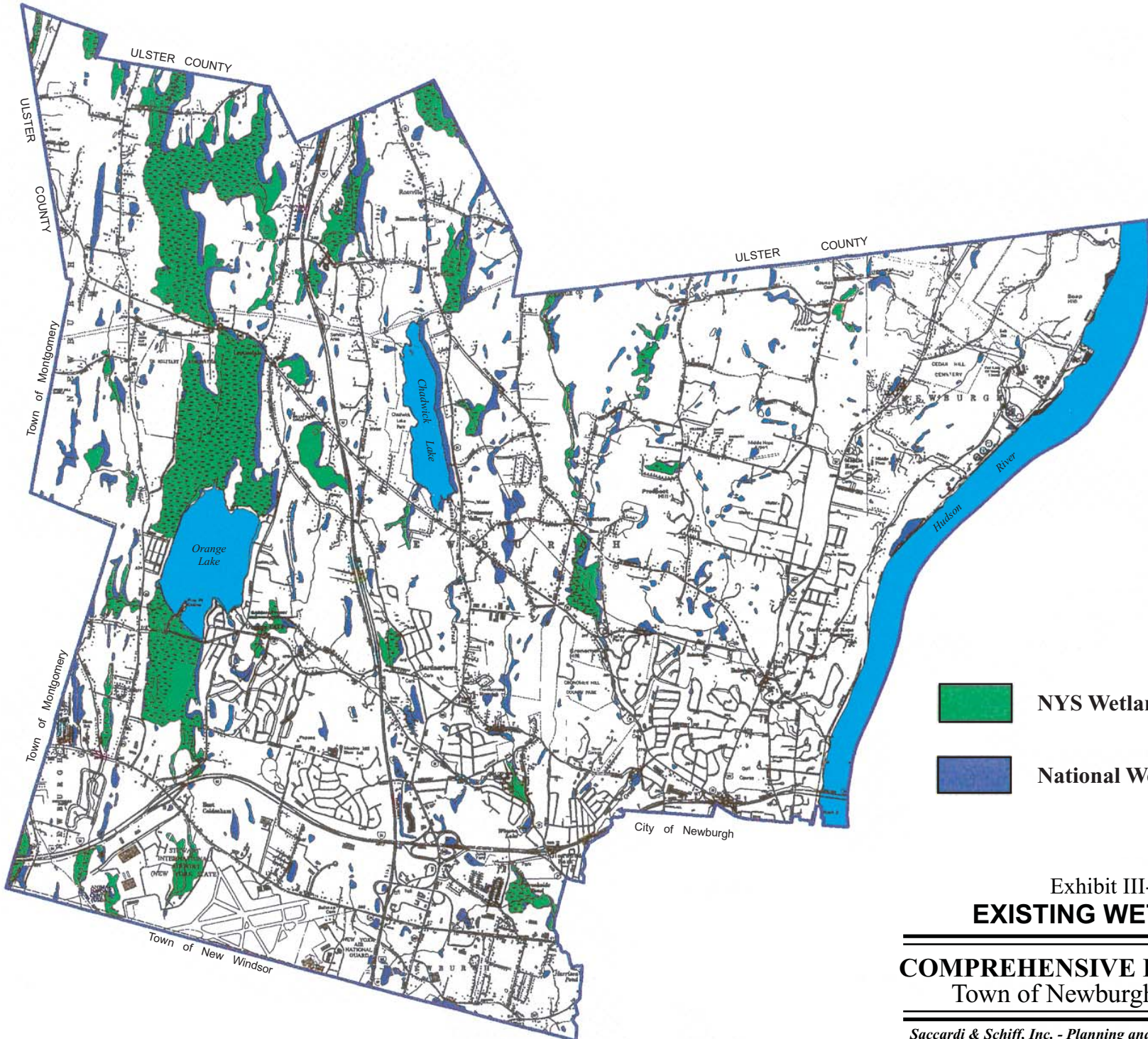
With respect to possible amendments to the clustering provisions, the first step is to more clearly define useable lot area by taking out environmentally sensitive lands which would potentially include:

- *Wetlands*

For the purpose of reviewing cluster developments, the Town defines wetlands using NYS DEC and Army Corps of Engineers standards. The Town should encourage wetlands preservation whenever feasible. Wetlands are valuable ecological resources that also contribute to the rural/open space character of the Town. The Town’s *Existing Wetlands* are shown on the following map labeled *Exhibit III-13*. Wetlands are located throughout the community, particularly around Orange Lake.

- *Steep Slopes*

The slope of the land is typically determined by dividing the rise in elevation over a specific length. As an example, land that rises in elevation 15 feet over a 100-foot stretch is considered to have a 15 percent slope. Development on slopes in excess of 15 percent needs to be evaluated in more detail, as engineering designs are more critical. (See Section 5 below.) Existing *Steep Slopes* in Town are shown in following map labeled *Exhibit III-14*.



- NYS Wetlands
- National Wetland Inventory

Exhibit III-13
EXISTING WETLANDS

COMPREHENSIVE PLAN UPDATE
 Town of Newburgh, New York

Saccardi & Schiff, Inc. - Planning and Development Consultants

SOURCE: Clough, Harbour & Associates LLP

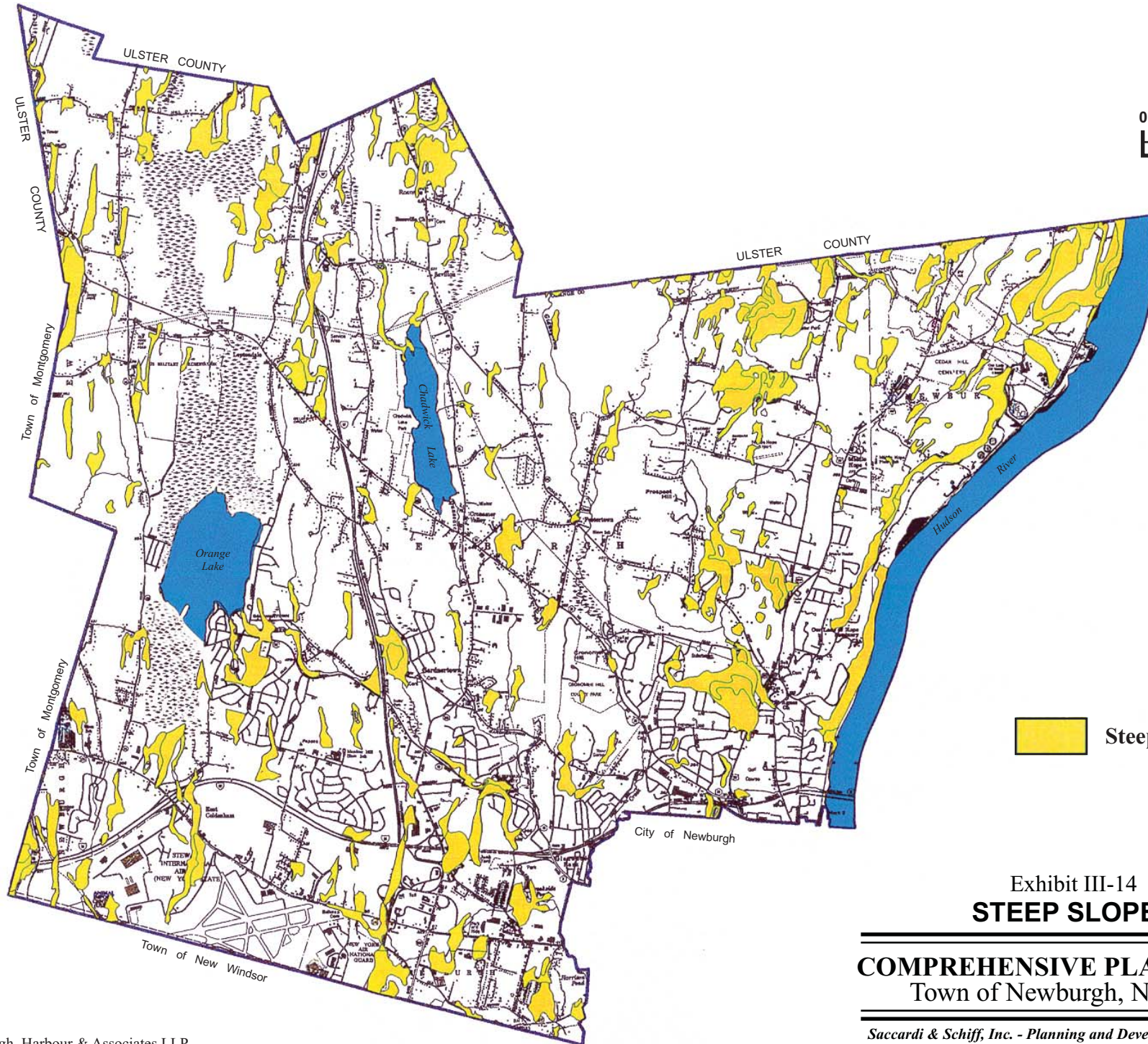


Exhibit III-14
STEEP SLOPES

COMPREHENSIVE PLAN UPDATE
 Town of Newburgh, New York

Saccardi & Schiff, Inc. - Planning and Development Consultants

SOURCE: Clough, Harbour & Associates LLP

· *Ridgelines*

Scenic views and ridgelines are a valuable asset for the Town as they help define the community's visual character. Without the tools to protect these assets, development could occur that blocks views from both lower and higher elevations, as well as permanently changing the remaining rural character. The potential exists to create an overlay district that would protect specifically identified ridgelines/scenic views and/or viewsheds. (See Section 4 below.) When useable lot area is being calculated for new development ridgelines should be deducted from any potential development.

· *Rock Outcrops*

Section 617.20 Appendix A of the State Environmental Quality Review Act (SEQRA) Full Environmental Assessment Form (page 3, question 12) asks whether there are any unusual landforms on the project site (i.e., cliffs, dunes or other geologic formations). Significant rock outcrops should be included as part of the list of sensitive environmental features. Rock outcrops can add character to the terrain and should be viewed as a natural design feature worthy of retention.

· *Tree Preservation (significant stands)*

The presence of significant stands of mature trees could be viewed as an available resource to be protected given that it enhances the rural aesthetic. The Town may also want to review the need for a Town-wide tree ordinance.

· *Flood Plains and Water Bodies*

The presence of flood plains and water bodies indicates significant environmental constraints, which would significantly reduce development potential given health and safety factors. The ***Existing 100-Year Floodplains*** in Town are depicted in ***Exhibit III-15***. A significant portion of the Town is located within the 100-year floodplain, especially the area south and north of Orange Lake.

3.2 *Minimum Useable Lot Area*

The Town should consider the creation of a minimum useable lot area to account for building, outbuildings and accessory structures such as pool, deck, tennis court, etc. This would help avoid encroachment into environmentally sensitive lands.

3.3 *Limits on House Size*

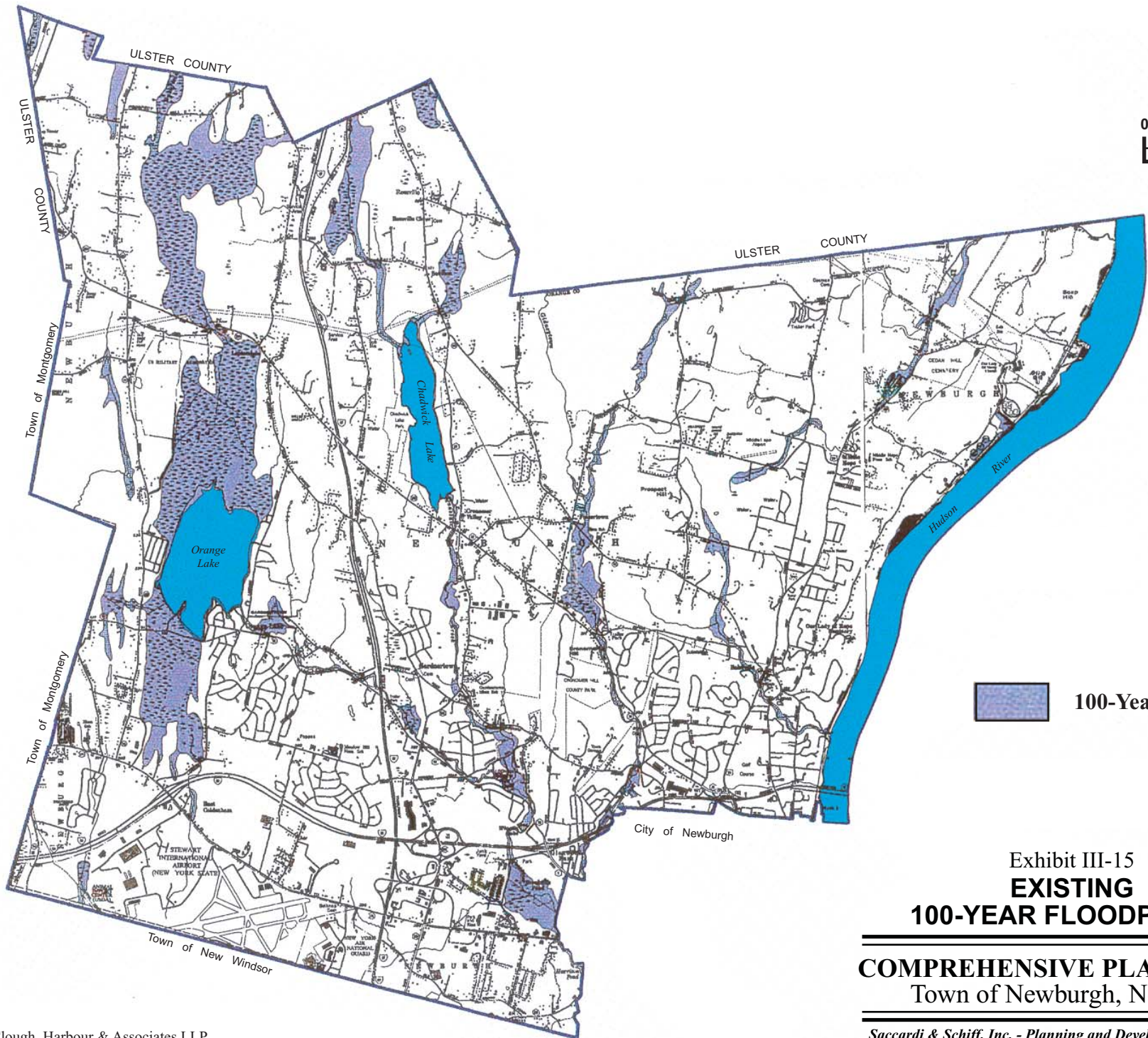


Exhibit III-15
**EXISTING
 100-YEAR FLOODPLAINS**

COMPREHENSIVE PLAN UPDATE
 Town of Newburgh, New York

Saccardi & Schiff, Inc. - Planning and Development Consultants

SOURCE: Clough, Harbour & Associates LLP

The creation of a limitation of the size of a house in relation to lot size could take the form of a floor area ratio calculation. This avoids a situation where the house site is oversized for the lot it sits on, particularly as it relates to its surrounding homes. The above steps help set up the framework for the allowable density under zoning (it does not take into account site specific issues which may effect density as part of a potential SEQRA review).

3.4 Design Standards

Creation of more specific design standards for cluster development should include: block length, use of sidewalks, landscaping, traffic calming, buffers and recreation amenities. The design criteria could also be strengthened with language that protects existing views from nearby roads by utilizing conservation easements, appropriately locates development away from fields, streams, woodlands, ridgelines and other important features; and to the extent possible, retains rural elements visible from the road, such as fields barns, farmhouses, stone walls and mature vegetation. (See Section 2 above.)

3.5 Relationship to Surrounding Community

The Town should comprehensively evaluate the proposed cluster development with its relationship to the surrounding community and provide for linkages and other connections to nearby amenities. Emphasis is on the more pedestrian scale environment. This attempts to avoid a piecemeal development pattern which sometimes leads to inadequate infrastructure as the development gets built out.

3.6 Access

Limit multi-family development to those areas that have access to County or State roadways. Place the development in areas where the infrastructure is there to accommodate it.

4. Ridgeline and Viewshed Protection

Given the Town's topography of rolling hills, there are a number of prominent hills and ridgelines that residents and visitors alike are able to admire from miles away. In recent years, however, some of these viewsheds and ridgelines have been disturbed by development activities. While the Zoning Code has language dealing with buffer strips and screening, these regulations are meant to protect residents adjacent to new development from the visual impacts of that development. The Zoning Code does not identify particular ridgelines or viewsheds in Town for special consideration or protection.

Without tools to protect the ridgelines and viewsheds, development can occur which blocks views from both lower and higher elevations, as well as permanently changing the rural character of some areas. One suggestion to protect these assets is to create an overlay district identifying the Town's remaining significant viewsheds and ridgelines. Language could be added to the Zoning Code protecting the Town's significant viewsheds and ridgelines. Other Hudson Valley communities have implemented ridgeline and viewshed protection ordinances in recent years.

If the Town wishes to adopt an overlay district, the first step is to create an inventory of significant areas with input from the public. Beyond this, a ridgeline and viewshed ordinance could establish design requirements for development in the overlay district similar to other overlay districts identified in Chapter 185-8 of the Town Code. The overlay district could site buildings at lower elevations and prevent development above ridgelines when viewed from certain locations identified by the Town.

The Town should also consider undertaking a siting study that would identify potential locations for cell towers and antennae. Locations, which would have the least visual impact on the community, could be specified. For example, particular attention could be directed to ensuring cell towers and antennae are not erected near residential areas, parks and areas of open space. The Town should also consider specifying the preferred design criteria for new towers and antennae. Many new innovative design techniques are available that can help to diminish the impact towers and antennae can have on the landscape.

The retention/use of stone walls in the design of residential developments adds to the character of the community.



The placement of buildings at the top of a ridgeline creates a hard edge and visual intrusion along the horizon.

Viewsheds, like this one along Route 300, are valuable assets for the Town. Specific design techniques should be incorporated to preserve significant views.



The visual intrusion of wireless communication facilities can be addressed through a comprehensive siting program and stealth design.

5. *Steep Slopes Regulations*

As the best land in Town is developed over time, developers must turn to more problematic and more expensive land on which to develop, such as properties that have steep slopes. Although it can be more expensive, development on steep slopes is possible and environmentally feasible with the proper engineering techniques. Nevertheless, communities around the region are adopting regulations to control development on steep slopes. Steep slopes should be protected whenever possible because they add to the natural beauty of the community and help to provide relief to the landscape. Steep slopes are prevalent throughout the Town as shown in *Exhibit III-14*.

Steep slopes regulations typically work by deducting a certain percentage from the gross site area of a potential development parcel for lands with severe slopes (usually over 20 to 25 percent). For example, the City of Newburgh steep slopes regulations will deduct 50 percent of land from the gross site area for residentially zoned properties with slopes over 30 percent and for nonresidential zoned properties with slopes over 20 percent. For some properties, this would significantly reduce the overall development capacity.

The question for the Town is what would it like a steep slopes regulation to accomplish. Would a steep slopes law be for the purpose of simply limiting the density of development? Or, would it be used to ensure that higher-quality developments are created which do not destroy viewsheds or cause stormwater drainage problems for neighboring properties.

6. *Development of Agriculture Parcels*

There are a few significant remaining agricultural parcels in Town. The suggestion was made that they be evaluated comprehensively such that the developments could be coordinated, preserving larger contiguous blocks of orchards or crop lands and potentially connecting residential components avoiding unnecessarily long cul-de-sacs and other needed utility connections. To help facilitate this, the Town should review other available programs for the preservation of agriculture. For instance the Town

could work in partnership with the Agriculture and Farmland Protection Board to create a plan evaluating potential programs to preserve farmland.

One strategy that the Town may want to pursue is to identify viable areas for higher density housing and then designate those areas eligible for transfer of agricultural development rights. Other communities interested in preserving farmland have used this technique successfully. The Town could also work with the Orange County Planning Department to develop model guidelines with regard to conservation easements. Target areas and priorities for acquisition would need to be identified so that restrictions could be placed on land. Guidelines would also need to be created for the level of acquisition payments, how to raise funds, and mechanisms for enforcing and monitoring easements.

7. *Open Space Plan and Recreation Master Plan*

Increased residential development will generate further demand on the Town's parks and other public recreation resources and programs. Although the existing parks in Town serve the community well, these resources are limited in number and seem disconnected from each other. An Open Space Plan would identify potential open space parcels for acquisition, and methods for preserving open space, farmland, and environmentally sensitive areas. Acquisition and/or preservation of significant parcels of open space would provide open space and park linkages and would ensure preservation of areas that are of social, visual and environmental importance to local communities. Another component of the plan would be identification and mapping of parcels of land to be protected, such as wetlands, ridgelines, and habitat areas. An Open Space Plan will be especially useful as the Town pursues funding for open space acquisition through the Orange County Open Space Fund.

The Town currently requires that a recreation fee of \$1,500 per lot or unit be paid in lieu of a donation of recreational land for subdivisions and multi-family projects. However, it is suggested that the Town prepare a Recreation Master Plan, which would provide direction as to how the recreation fees are used. Without a Recreation Master Plan, the Town is in a somewhat vulnerable position in the event a challenge is made to the requirement of the recreation fees. A Recreation Master Plan could focus on which open space lands are most valuable for potential parkland, what parts of Town need more recreation land, additional program needs, and how to create a system of walking and bicycling trails that could help connect the parks and recreation resources within the Town.

The school districts serving the Town have recreational facilities that are experiencing greater demand as the Town continues to grow. It would be beneficial for the Town and the school districts to work together to better coordinate the use of district facilities. The recreational resources and needs of the school districts should also be addressed in a Recreation Master Plan.

A Master Plan for Chadwick Lake Park was developed in 2003 by Kotz and Associates. This plan focuses on specific improvements to enhance the aesthetics and services of the park. Individual master plans such as this should be encouraged and incorporated into the Town-wide Recreation Master Plan.

8. *Hudson River Access*

Enhancing access to the Hudson River was identified a number of times during the Plan process as an opportunity that the Town should consider further. Specifically, it was recommended that more recreation opportunities on the Hudson River waterfront should be created. Public access to the Hudson River is an important goal, even though access is limited by grade and the railroad. In this regard, one suggestion is that the Town work together with the Hudson River Valley Greenway Council, a New York State regional agency, to create and promote public access.

A Recreation Master Plan (see section 7 above) could also be used by the Town to help identify potential locations for public access and waterfront areas in need of enhancement. An inventory of key sites could be undertaken as part of the planning process and potential funding sources identified.

9. *Chadwick Lake CEA*

Chadwick Lake is an important municipal water supply for the Town. A critical environmental area designation was created to assist in protecting the Lake as a water source. A question for the Town is does the RR-Reservoir Residential sufficiently cover the Chadwick Lake watershed? Revisiting the Zoning Code to cover the watershed drainage area would more clearly relate to

protecting the reservoir. Other potential considerations include enlarging the minimum lot area from 2 acres minimum to 3 acres per single-family dwelling. Enhanced soil and erosion control measures should also be incorporated as part of any development. Lastly, the Town should investigate limiting the amount of lawn or formally landscaped area due to the potential use of fertilizers and pesticides.

10. *Orange Lake Planning Study*

The Town should consider preparing a planning study of Orange Lake evaluating the zoning parameters affecting properties around the Lake. Sewer service has been requested on the west side of the lake. A key question for the Town is how would this affect potential future development and the eventual consequences for the Lake's water quality? Other items to consider in the study include questions regarding ownership and public use of this privately used resource. A variety of public and private funding alternatives for this study and/or implementation items should be examined as well because Orange Lake is effectively a private resource.

11. *Affordable Housing*

The Zoning Sub-committee indicated that affordable housing (also known as workforce housing or community housing) was an important issue to be addressed as part of the Comprehensive Plan Update. While the accessory apartment law was designed, in part, to create affordable units, it may not be enough. The Zoning Code presently contains provisions allowing affordable housing units at increased densities in the R-2, R-3, B and IB Districts. As those provisions have not been utilized, alternatives to high density projects devoted exclusively to affordable housing could be considered.

The following suggestions were made for an approach which would integrate affordable housing with other uses:

- 'Hamlet' zoning at certain intersections and strips which would permit design controlled, mixed commercial (1st floor) and

residential (upper floor) uses; and

Integration, either by density bonus incentive or mandatory requirement, of affordable units into larger market rate single family and multi-family projects with priority for Town residents and employees. Presently, Section 185-47 allows for a density bonus and relaxation of setbacks upon Town Board authorization so long as one of every three additional units is an affordable unit. The ratio and other provisions of the section should be reexamined to provide better understanding and encouragement to developers of larger residential projects to include an affordable component in their projects in order to afford opportunities to Town residents and employees to remain in the Town.

An additional opportunity that should be considered by the Town is to ensure that the Zoning Code allows construction of manufactured/modular homes. Candlestick Park was discussed as an example of affordable housing developed with manufactured/modular homes.

12. Senior Housing

There are several definitions of senior housing, ranging from active senior communities to assisted living facilities. The many types of senior housing have differing needs in terms of location and amenities. The Town should consider updating the definition of “senior housing” and studying compatible locations.

13. Residential Uses and Lot Size in the IB District

Senior and affordable housing are currently permitted in the IB District. The Town should examine these uses to determine whether they are appropriate and desirable within the IB District. An important consideration is the differentials in potential tax revenues to the Town. As part of an overall evaluation of its zoning code, the Town should consider further investigation of this issue.

The IB District requires a minimum lot size of 40,000 square feet and a maximum of 80% lot surface coverage. These bulk regulations may not be sufficient for warehouses, storage and transportation facilities, and other permitted uses. The bulk

regulations should be examined to determine if modification is necessary.

14. *Economic Development*

Many opportunities exist to help strengthen the Town of Newburgh's economy. One recommendation raised during the public input process is to promote growth that will take advantage of Newburgh's economic potential. For example, businesses that will provide new opportunities to existing industries should be encouraged. When ever possible, the Town should also promote the creation of higher wage jobs in a variety of sectors, not just retail. For instance, more office, business or research uses would help to raise the local wage rates and would also stimulate business activity in supporting related sectors. When feasible, the practice of using local labor should be encouraged.

The Town's economy could also be strengthened by the development of an updated inventory of business and commercial sites in approved industrial or business parks that are available for differing types of development. This type of information would be very helpful to prospective businesses looking to open up a new facility. This inventory could also be shared with organizations such as the Orange County Partnership and the Orange County Industrial Development Agency. Programs such as *Build Now New York* and the *Economic Development Zone Program* should also be investigated to take advantage of existing initiatives and benefits.

Another important recommendation for the Town is to capitalize on the tourism initiatives currently underway in neighboring communities in Sullivan and Ulster Counties. For instance, the Town could investigate opportunities for Bed and Breakfasts by establishing definitions and regulation for this types of use. The Town could also investigate other types of businesses that could benefit from the pass through tourism traffic.

15. *Town Center Development*

One of the opportunities voiced during the Plan process has been the potential to create a Town Center. Questions have been raised about whether or not the Town should have a Town Center to serve as a central gathering place for the community. The potential for Town Center type of development presents opportunities to create a new mixed-use development that conveniently provides amenities and services to the resident population. More importantly, it provides an opportunity to create a unique sense of place that would act as a draw for commercial, residential, social, municipal and recreational functions.

A new Town Center could consist of various uses and activities, all of which would have the purpose of providing an opportunity for Town residents to gather around one focal point. Optimally, a Town Center area would be a place for residents to live, work, shop, and play. More and more developers around the region and the nation are building mixed-use Town Centers, so it would be possible to attract interest from the development community in a Town Center project if enough density was provided. In exchange for higher densities, the Town might also be able to require a developer to provide a certain number of units for lower-cost, entry-level housing, thereby helping to address a concern expressed by the Update Committee. (See section 11 above). Another important component of a Town Center could be a community gathering place – a large park or recreation area, community center, library, or new municipal offices, all features that could be created as one complex. High-quality architectural and landscape design would also be an important requirement for a Town Center. If it is carefully designed, a Town Center could also serve as a useful example for the Town in creating a visual context for development throughout the rest of the community.

The potential location of a Town Center could be influenced by several factors, including:

- Relatively quick and easy accessibility to the community's and region's roadway network;
- Available vacant land for the type of higher-density projects that would be necessary for a Town Center to thrive, including mixed-use projects;
- Flexibility in zoning and other regulations that would accommodate the more intense development that typify Town Centers;
- The presence of a critical mass of existing employment, shopping, cultural, and recreational resources; and,
- Availability of municipal sewer and water service.

In light of the Town's recent decision to construct a new Town Hall, instead of proceeding with additions to the existing structure, the timing might be right to follow up on the opportunity to create a new Town Center in Newburgh. While determining the exact location of a Town Center may be beyond the scope of the Comprehensive Plan Update, the Update Committee could consider whether or not a Town Center is an important priority for the Town to pursue. This could also be a discussion topic for future

community meetings and a subject for a community survey, in order to gauge what components and other design elements should be incorporated. The Town will continue to explore funding opportunities and potential sites for cultural facilities, such as theaters, museums, and educational facilities.

16. Hamlet Area Design

As a way to enhance the quality of life and community character, the Update Committee should consider further promoting the Town's hamlets as they are natural focal points for neighborhood and community identity. Depending on their location, hamlets can also serve as gateways into Town. Moreover, hamlets can be ideal locations for coordinated development design controls, landscaping, traffic circulation and traffic calming improvements, as well as locations for pocket parks and community and senior centers. Hamlet area design also breaks the communities up into discrete segments that are easier to evaluate and plan.

Like many places throughout the Town, significant vacant parcels exist in some hamlets, and the potential for development of these lands creates an opportunity (and an urgency) for the Town to ensure that development proceeds in a manner that would help strengthen the hamlet. This is especially important in some of the more rural parts of the Town, where preserving the rural character of the Town is a high priority.

As an example, East Coldenham is an area of Town that could potentially benefit from a design study. It is an area with a combination of elements that define it as a hamlet – East Coldenham Elementary School, the large Colden Park subdivision and other future major subdivisions, and small areas of strip commercial and office uses. In addition, East Coldenham is a gateway into Town that lies along Route 17K, a busy State highway. While these components are present, the area seems to lack a sense of unity or place, in part because of the presence of Route 17K and the disjointed relationship between the residential, commercial, and institutional (school) functions. Despite this, vacant lands in the area create additional opportunities for the Town to foster compatible development that would enhance the East Coldenham hamlet.

A conceptual Hamlet Plan for East Coldenham (or any of the other hamlets in Town) could be undertaken as a test project and subsequent implementation step to the Plan. An inventory of the East Coldenham area would be conducted to collect information on its history and the physical, social, and economic features existing today that define it as a hamlet. The Hamlet Plan would

A potential hamlet improvement area exists along Route 17K in the East Coldenham section of the Town.



Existing gateway signage should be coordinated with landscaping components.

explore topics such as development and design controls, gateways, traffic and pedestrian/bicycle access, architectural and parking lot design standards, and parks and recreation resources. In particular, the Hamlet Plan would attempt to define aesthetic elements such as architectural styles, signs, lighting, and landscaping that could further establish an identity for the hamlet. Public input and resident involvement in hamlet planning decisions is a key requirement of the planning process. The Town should also work with established neighborhood organizations on beautification projects throughout the Town and in the hamlets as a way to foster neighborhood identity and beautification.

17. *Travel Centers*

Travel centers are currently permitted, subject to Planning Board review, in the IB District. Travel centers are defined as “An integrated facility providing a range of services primarily for private passenger, business and commercial users of the interstate highway system.” This use has been identified as meeting a regional need for travelers utilizing the region’s highway network and one such facility has been constructed in the western section of Town in the vicinity of I-84 and Route 17K. Given that the existing travel center currently serves the region, the Town has indicated that they have met their portion of the regional need for such facilities. The existing travel center regulations in Section 185-48.1. should also be reviewed to determine if the use and its regulations are appropriate. The Town may decide it is important to investigate having more control over the locations and size of travel centers.

18. *Motor Vehicle Service Stations*

Language in the Zoning Code states that motor vehicle service stations must be located at least 200 feet from any place of public assembly designed for occupancy by more than 50 people. This regulation was added to the Code for public health and safety reasons and should be discussed with the Town of Newburgh Fire Inspectors to ensure adequacy. The definition of motor vehicle service stations as well as the separation distances should be examined and possibly updated. The Town may want to pursue restricting the number and location of motor vehicle service stations permitted at a single intersection. For instance, stations could

be permitted only on opposite sides of the street and within a certain specified distance from other stations on the same side of the roadway.

Given the motor vehicle and other uses existing on Route 9W, it may be appropriate to also permit the sale and service of recreational vehicles. The Town should consider this use for portions of Route 9W potentially as a special permit use that is subject to certain conditions.

19. *Fast-Food Establishments*

The definition and regulations regarding fast-food establishments need to be examined in greater detail to determine whether they provide adequate parking requirements and protect against traffic impacts. Also, the IB District currently does not permit stand alone restaurants. This provision should be reviewed and updated to reflect the difference in the definitions of fast-food establishments, convenience food stores, delis, coffee/bagel stores, and full service restaurants. Issues relative to parking and circulation are also a concern. One suggestion is that common design standards be used by recognized chains to evaluate possible incorporation into the site plan and/or zoning standards, although aesthetic issues related to building design would still need to be evaluated. Uses with drive-through windows need to have special consideration relative to circulation and queuing issues.

20. *Adult Uses*

Adult uses are currently not defined in the Zoning Code. The Sub-committee discussed the preparation of a study regarding the potential negative secondary impacts from adult uses. A definition and regulations should be added to the Zoning Code if deemed necessary. One suggestion would be to encourage that adult uses are not located in proximity to residential areas, schools and parks.

21. Signs

Concerns related to signs were raised throughout the Plan process. Article V, Section 185-14 of the Zoning Code comprises the bulk of the Town's sign regulations. The regulations describe the types of signs that may be permitted in Town, distinguishing between the type of signs permitted in specific districts and the type of signs permitted in all districts. The table below provides a breakdown of the zones in which different types of signs can be located:

**Table III-4
Signs and Zoning Districts**

Zoning District	Type of Sign		
	Professional	Institutional	Business
RR, Reservoir Residence	✓	✓	
AR, Agricultural Residence	✓	✓	
R-1, Residence	✓	✓	
R-2, Residence	✓	✓	
R-3, Residence	✓	✓	
O, Professional Office Overlay	✓		
B, Business	✓	✓	✓
IB, Interchange Business	✓		✓
I, Industrial			✓

Opportunities, which the Town may wish to focus on, include:

- Are the current sign regulations adequate to handle the type and pace of development facing the Town today?
- Should the Town consider more directive and/or illustrative language and examples in the sign regulations?
- Should the sign regulations be re-examined to distinguish between different categories of businesses?
- Should the size of business signage be based on overall square footage of the use versus street frontage?

22. *Simplification of the Approval Process for Accessory Uses*

Accessory apartments presently require a special use permit approved by the Zoning Board of Appeals. The suggestion has been made to simplify the approval process by treating accessory apartments as uses subject merely to permit/approval by the Code Compliance Department when established criteria are met. One important potential benefit of simplifying the approval process for accessory uses is that the Town may encourage the construction of more affordable or workforce housing.

23. *Zoning Board of Appeals Issues*

A number of opportunities have been identified that would improve the zoning board of appeals process. Included in the report as *Appendix C* is a *Variance Analysis – January 2003 to January 2001* that summarizes issues that were compiled based on information provided by the secretary to the Zoning Board of Appeal (ZBA.) This information was further supplemented by a separate meeting with the ZBA. Based on the chart and input from the ZBA, the following issues were outlined:

1. There is recurring relief requested from the sign ordinance regulations. The size of signs for business uses is based on the total length of street frontage. Another approach could be considered in conjunction with the above whereby the size of signage would be based on the overall square footage of the use (see section 21 above).
2. There have been a number of recent petitions for height variances for accessory buildings, particularly detached garages. Often times these buildings have some type of storage function included, potential for private office or accessory apartment. It is suggested that, in the event an accessory building incorporates usable area above garage space, that a different height requirement be applied.
3. Code enforcement was identified as a significant issue of concern, as well as the ability to enforce the conditions of the variances granted. This has specific ramifications that the Town must consider with respect to the addition of staff and the fiscal issues related thereto.
4. The ZBA is responsible for authorizing special permits necessary to allow accessory apartments. Although identified as a criteria in Section 185-38.B, the ZBA was still concerned that there be no waiver with respect to the owner residing on the

premises. Absentee landlords present potential issues with respect to the continued upkeep and maintenance of their property.

24. *The Planning Process*

A number of opportunities were recommended that would improve the planning process. First, initiating a community development agency and/or program to coordinate economic development and land use planning within the Town. It was also suggested that the Town put planning and zoning information and the Comprehensive Plan Update Action Plan on the Town's website so that residents can be regularly advised on the progress and status of the plan's implementation. The community should also be involved in any studies that result from the Plan. For example, residents should be invited to participate in a study on Orange Lake if one is pursued.

The Planning Board has further commented that the existing public hearing notification system needs to be improved to reach more neighbors. They recommend that a sign be posted on the property for two weeks prior to hearings on use variances, subdivisions and site plans. Lastly, regional considerations should also be included in planning decisions, especially in the case of better coordination with the school districts where boundaries fall outside of the Town of Newburgh.

25. *Volunteer Firefighters Recruitment*

As with several communities throughout New York State, the volunteer fire departments that serve the Town of Newburgh are concerned about dwindling numbers of volunteers. It is becoming increasingly more difficult to recruit new volunteer firefighters. New York State offers benefits to volunteer firefighters, which include: a lump sum death benefit; worker's compensation; limited funeral payment; and scholarships. Local municipalities may offer their own benefits and incentives as a way to retain and recruit volunteers. Potential incentives, which the Town of Newburgh could offer are as follows:

1. Tax deduction on property tax
2. Health care benefits
3. Housing assistance
4. Life insurance

5. Membership to local pools, golf country clubs, and/or fitness centers
6. Scholarship funding

Lack of affordable housing in the area can be a hindrance to retaining and recruiting local volunteers. Tools for alleviating high housing costs for volunteer firefighters can include funding assistance, reduced rate housing that is run through the fire department and property tax deduction. The construction of affordable housing is also a key component to providing opportunities for firefighters to live in the communities they serve, as discussed in Section III.3.C.11.

26. *Condominiums*

The number of condominium projects is increasing in the Town of Newburgh. Condominiums are becoming more popular and offer another type of housing for residents. They are typically established as self contained communities and should have design codes that create and cultivate a feeling of community. Amending the Zoning Code by adding regulations on condominiums will provide additional direction for condominium developers as well as the Planning Board. The Town should explore design guidelines for condominiums, either as part of the recommended design guidelines handbook or as a separate section in the Zoning Code. Design issues that should be addressed include parking and solid waste disposal. Many of the condominium developments include a community center and recreation areas. Parking ratios for these areas needs to be defined to ensure adequate parking is available. Also, on-street parking may not be practical on narrow internal roadways, creating safety concerns and potentially hindering emergency vehicle access. If on-street parking is not permitted, then additional off-street parking would be necessary. In terms of solid waste disposal, condominium complexes have special needs because they have a higher density. Standard curb side pick-up for condominiums creates quality of life issues by allowing large areas of garbage to be left on the curb for extended periods of time. This can be unsightly and attract animals. Requiring a central dumpster or trash container area that is sealed would hide the garbage and keep out animals.

27. *Recommended Rezoning*

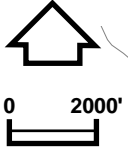
The 1991 Master Plan included the recommendation that medium and high density residential zones located in the northern and western portions of the Town be replaced with lower density zones. The historical growth pattern for the Town is one with higher

concentration of density in the eastern portion of the Town. The eastern portion of the Town contains major north-south transportation corridors, including New York State Routes 9W and 32, whereas the western portion of the Town does not contain a similar commercial north-south corridor. Much of the commuter traffic from the Town flows easterly and southerly towards the New York metropolitan area, and to available commuter train links in Beacon and Salisbury Mills and at the bus station/commuter parking area on Route 17K near the I-87 exit. Accordingly, it is logical for higher density residential growth to be directed to the eastern portion rather than the western portion of the Town and follows earlier adopted planning recommendations.

Therefore, it is recommended that the Town consider rezoning southwest portions of the Town from R-3 and R-2 to R-1. Approximately 1,377 acres (including Orange Lake) in R-3 and 967 acres in R-2 should be considered for rezoning to R-1. Most of these areas are not serviced by municipal water and sewer districts. Rezoning these districts would lower the density in this area of the Town and would ensure that the minimum lot size remains at 40,000 square feet, even if municipal water or sewer district service is eventually extended. The **Recommended Rezoning** map (**Exhibit III-16**) shows the areas proposed for rezoning. Also in the southwest area, it is recommended that an area of approximately 130 acres (located northwest of I-84, south of Route 17K, and east of Windwood Drive) be rezoned from IB to B District, which would be more compatible with the surrounding residential neighborhoods.

This rezoning would have several beneficial impacts including preserving the character of some existing residential areas, reducing growth impacts on the Valley Central School District, reducing impacts of additional residential growth on the traffic conditions on Route 17K, and limiting residential development to minimum lot sizes of 40,000 square feet, even if municipal water or sewer districts serve or could potentially serve the subject sites. Friction between residential and certain commercial uses in this area of the Town has been a significant source of public controversy. Rather than exasperating potential conflicts between commercial and industrial uses and residential uses through higher density R-2 and R-3 zoning, the reduction in density to R-1 and the change in the area proposed to be rezoned from IB to B, is recommended in order to reduce future potential conflicts and impacts due to incompatibility of uses. The recommended IB to B rezoning would also assist in the promotion of neighborhood services and limit the type of new commercial activity.

It is further recommended that the Town rezone three areas from business to residential districts, including: 3 acres from B to R3; 11 acres from IB to R1; and 27 acres from IB to R3. These rezonings provide transition and additional buffering between



Rezone R2 to R1

Rezone R2 to B

Rezone IB to R1

Rezone R3 to R1

Rezone R2 to R1

Rezone R3 to R1

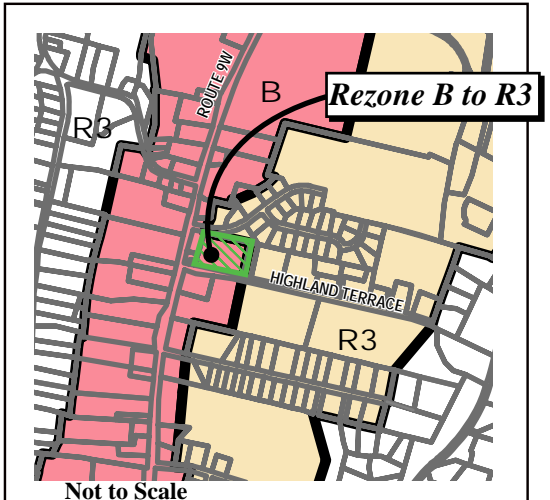
Rezone IB to B

Rezone R3 to R1

Rezone B to R3

Rezone IB to R3

- AR** Agricultural Residential
- RR** Reservoir Residential
- R1** Residential
- R2** Residential
- R3** Residential
- B** Business
- IB** Interchange Business
- I** Industrial
- O** Professional Office Overlay
- A** A-Airport 841' Radius



Not to Scale

Recommended Rezoning on Highland Terrace at Route 9W

Exhibit III-16

RECOMMENDED REZONING

COMPREHENSIVE PLAN UPDATE
Town of Newburgh, New York

BASE MAP SOURCES: Orange County Water Authority and Town of Newburgh Zoning Map

Saccardi & Schiff, Inc. - Planning and Development Consultants

established residential neighborhoods and non-residential uses.

Lastly, rezoning is recommended for approximately 14 acres from R-2 to B in the southeast corner of Route 300 and I-87. Rezoning this area and the recommended IB to B area to the northwest of Stewart International Airport would accommodate existing commercial uses and promote the development of more neighborhood oriented services. All of the recommended rezonings are shown in the table below.

**Table III-5
Recommended Rezoning**

Site	General Location	Existing Zoning	Proposed Zoning	Approx. Area Size
1.	Orange Lake, west of I-87, north of Rt. 52	R3	R1	945 acres
2.	South of South Plank Rd., east of Town border, west of Monarch Dr.	R2	R1	916 acres
3.	North of I-84, east of Town border	R3	R1	329 acres
4.	South of I-84, north of Rt. 17K, east of Regal Way, west of Fletcher Dr.	R3	R1	102 acres
5.	South of Hickory Hill Lane, West of I-87	R2	R1	29 acres
6.	North of Union Avenue, east of I-87, west of Chapel Road	R2	R1	22 acres
7.	Southeast corner of Rt. 300 and I-87	R2	B	14 acres
8.	Berry Lane, South of Rt. 32, east of Rt. 300	IB	R1	11 acres
9.	East of Rt. 300, south of Jeanne Dr.	IB	R3	27 acres
10.	Northwest of I-84, south of Rt. 17K, east of Windwood Dr.	IB	B	130 acres
11.	North of Highland Terrace, east of Route 9W	B	R3	3 acres
Total				2,528 acres

D. The Action Plan

The Action Plan for planning and zoning is among the most significant components of the overall Action Plan developed for the Comprehensive Plan Update. In fact, the plan includes more recommendations for planning and zoning than are proposed for either transportation or utilities and infrastructure. Over thirty actions items are included in the Action Plan for Planning and Zoning. The action items identified are vast and varied. They cover a wide range of topics including design, land use, affordable housing and environmental preservation.

Implementation of as many of the action items as possible is important if the Town is going to address the key issue acknowledged during the update process to identify potential development and design controls that address growth while also responding to aesthetic, environmental and economic issues. In order to help with this process, the action items were prioritized into short, intermediate and long-term action items by the Comprehensive Plan Update Committee.

Short term action items are those that were determined to require the most immediate attention since the expectation is that they will be completed sometime within the next three year time frame. A total of twenty-seven short-term action items are included in the plan. Intermediate actions are those that are still important, but it has been decided that they will require more time to implement. Some intermediate action items may take up to five years to complete. Seven intermediate action items have been proposed for planning and zoning. The action plan for planning and zoning does not include any long range action items. The action items for planning and zoning are as follows:

**Short Term Action Items
Planning & Zoning**

Issue	Action Summary	Status	Notes
Clustering	Update clustering provisions and identify locations. Examine regulations for environmentally sensitive features, limits on house size, design standards, access, creation of useable open space, etc.		
Subdivision Regulations	Review requirements for sidewalks, street lights, street trees, and treatment of planting strips.		
	Review the maximum number of residential units per road.		Examine standards for private roads and town roads.
Residential Lot Size	Review the minimum lot sizes for each of the residential zoning districts.		
Useable Area	Consider including bulk regulations for minimum useable lot area, buildable area envelopes.		
Housing Density	Review R-1 and R2 Districts to determine if the regulations are encouraging higher densities than desired due to conversion of single-family homes to multiple-family.		
Lot Sizes	Evaluation of minimum lot size and clustering should be considered in areas outside of the proposed growth boundary (see <i>Growth Management Factors Exhibit III-3</i>).		
Agricultural Parcels	Comprehensively evaluate the remaining agricultural parcels in the Town.		

Issue	Action Summary	Status	Notes
Waterfront	Study increased public access and recreation opportunities on the Hudson River waterfront.	Ongoing	
Open Space	Explore methods for preserving, and possibly acquiring, open space, including pursuing the 50 percent funding available through the Orange County Open Space Fund.	Ongoing	
Recreation Resources	Evaluate recreation resources & explore methods for preserving, possibly acquiring, open space.		
Design Controls	Create a comprehensive set of design guidelines, focusing on new residential, commercial and corporate uses. Review design elements in the Town such as the retention of stonewalls and building height.		
	Include architectural renderings as part of the required submissions for site plan review.	Ongoing In Progress	
Sign Ordinance	Review sign regulations.		
Motor Vehicle Service Station & Convenience Store	Update regulations and definition of motor vehicle service station and convenience store.		
	Examine need for recreational vehicle sale and service uses along portions of Route 9W.		
Travel Centers	Review regulations for travel centers.		
Fast-Food Establishments	Define various types of fast-food and other restaurants, update regulations.		

Issue	Action Summary	Status	Notes
Adult Uses	Examine negative secondary effects and if warranted, establish definition and regulations.		
Town Center / Hamlets	Study Town Center/Hamlet design overlay district possibilities.		
IB District	Review bulk regulations and residential uses in the IB District.		
Senior Housing	Update definition and review appropriate locations.		
Buffers	Study techniques for screening non-residential areas from residential areas and screening similar commercial areas from each other.		
Accessory Uses	Simplify approval process for accessory apartments.		
	Consider modifying height requirements for garages with useable area above the garage.		
Bed and Breakfast	Establish definition and regulations.		
Steep Slope Regulations	Enact steep slopes regulations either for purposes of density calculation or viewshed and storm water drainage protection.		
Viewshed and Ridgeline Protection	Adopt an overlay district protecting remaining significant scenic views and ridgelines.		
Condominium Design Guidelines	Establish design guidelines pertaining to new condominium developments.		
Rezoning	Rezone R-3 and R-2 Districts to R-1 and an area of the IB District to B in the southwest portion of the		

Issue	Action Summary	Status	Notes
	Town. Rezone three areas from business to residential. Rezone an area of R-2 District to B as per Table III-5.		

**Intermediate Action Items
Planning & Zoning**

Issue	Action Summary	Status	Notes
Chadwick Lake CEA and Orange Lake	Update zoning regulations for areas surrounding the two lakes to provide better protection. Prepare a planning study of Orange Lake.		Need map to show watershed boundary for Chadwick Lake.
Workforce Housing	Consider approaches that would integrate workforce housing with other uses.		Need to define affordable housing.
Economic Development	Identify strategies for promoting economic growth with corporate entities (high tech/light industrial/corporate office).		
	Study implementation of a community development agency and/or program to coordinate economic development and land use planning within the Town.		Outreach to Chamber of Commerce and Orange County Partnership.
Municipal Organization	Investigate establishing a Department of Public Works (DPW) vs. a Highway Department.		
Volunteer Firefighter Recruitment	Evaluate various tools for providing incentives for residents to volunteer with the local fire departments.		

**Long Term Action Items
Planning & Zoning**

Issue	Action Summary	Status	Notes
Impact Fees	Explore the use of developer impact fees to cover impacts to utilities, schools, and other areas.		
Tree Ordinance	Review need for a Town-wide tree ordinance.		

IV. THE ACTION PLAN

The Action Plan that follows represents the work of the Comprehensive Plan Update Committee, the Sub-committees for Utilities and Infrastructure, Transportation, and Planning and Zoning, and the input received by the public at the two information workshops and other meetings held throughout the Update process. Public involvement in the development of the Action Plan is an essential component to the successful implementation of the action item recommendations. Community support for the actions listed below will help facilitate Town officials in their work of executing the strategy outlined for the future.

The Action items include a wide range of recommendations and strategies designed to address the primary issues of concern to the Town at this important time in its history. Recommendations related to water supply, traffic congestion, design and economic development to name a few are provided. It is necessary to recognize that not every opportunity and public input comment detailed on the preceding pages are addressed in the Action Plan. For example, the suggestion to investigate private sources for long range water sources was determined to be unfeasible at this time and the recommendation was not included in the Action Plan, even as a long range action item. Even though this determination was made, it is important to acknowledge these comments and ideas in the Comprehensive Plan Update since their applicability in the future may become relevant.

The following Action Plan provides the Town with a prioritization of short, intermediate and long term action items. A total of forty two short term items that the Town anticipates will be completed within the next three year time frame are included. Many of these strategies the Town is already working on. Eleven intermediate action items are included that should be undertaken by the Town during the next five year time frame. Five long term action items are proposed that Town officials expect could be worked on during the next 10 year time frame. The actions items are as follows:

Short Term Action Items

Issue	Action Summary (Short Term)	Status	Notes
Infrastructure & Utilities			
Water	Study whether and how water service should be expanded within the existing service area and benefits, impacts, and costs of this service expansion.		Encourage infill development.
	Evaluate water-intensive developments to see if they should be prohibited.		Examine Zoning Code for permitted uses.
Sewer	Study benefits, impacts, and costs of service expansion within the existing service district boundaries.		Focus on infill development within existing District. Target commercial development to potentially assist in the cost of expanding sewer service.
	Investigate the opportunities for land-banking property along the Hudson River for a new Sewage Treatment Plant.		Identify appropriate locations.
Utilities	Prepare a Capital Improvements Program for necessary utility improvements.		
Stormwater Management	Review stormwater management regulations. Determine if stagnant water can be addressed during the site plan approval process		

Issue	Action Summary (Short Term)	Status	Notes
Transportation			
Speed Limits	Establish a town-wide 30mph speed limit.	Ongoing In Progress	
	Discuss speed limits on State/County owned roadways with NYSDOT and Orange County.	Ongoing In Progress	
Transportation Safety	Address traffic safety issues throughout the Town.	Ongoing	
Traffic Calming	Modify street configuration requirements for new developments as a means of traffic calming.		Discourage new private roads. Maximum of 3 houses for a private road.
Transportation Plan	Prepare transportation plan and use it to lobby NYSDOT to receive more resources.	Ongoing	Corridor study for NYS Route 17 just completed.
Site Access	Comprehensively coordinate site access with commercial developers.	Ongoing In Progress	
	Study access between residential developments.	Ongoing	Study should exclude private roads.
Maintenance	Better enforcement of truck weight limits on local roads.	Ongoing	
Transportation Alternatives	Encourage sidewalks, where appropriate.	Ongoing	Examine subdivision regulations.

Issue	Action Summary (Short Term)	Status	Notes
Route 9W Corridor	Study ways to accommodate the future expansion of Route 9W.		Examine zoning requirements and ROW requirements.
Planning & Zoning			
Clustering	Update clustering provisions and identify locations. Examine regulations for environmentally sensitive features, limits on house size, design standards, access, creation of useable open space, etc.		
Subdivision Regulations	Review requirements for sidewalks, street lights, street trees, and treatment of planting strips.		
	Review the maximum number of residential units per road.		Examine standards for private roads and town roads.
Residential Lot Size	Review the minimum lot sizes for each of the residential zoning districts.		
Useable Area	Consider including bulk regulations for minimum useable lot area, buildable area envelopes.		
Housing Density	Review R-1 and R2 Districts to determine if the regulations are encouraging higher densities than desired due to conversion of single-family homes to multiple-family homes.		

Issue	Action Summary (Short Term)	Status	Notes
Lot Sizes	Evaluation of minimum lot size and clustering should be considered in areas outside of the proposed growth boundary (see <i>Growth Management Factors Exhibit 3</i>).		
Agricultural Parcels	Comprehensively evaluate the remaining agricultural parcels in the Town.		
Waterfront	Study increased public access and recreation opportunities on the Hudson River waterfront.	Ongoing	
Open Space	Explore methods for preserving, and possibly acquiring, open space, including pursuing the 50 percent funding available through the Orange County Open Space Fund.	Ongoing	
Recreation Resources	Evaluate recreation resources & explore methods for preserving, possibly acquiring, open space.		
Design Controls	Create a comprehensive set of design guidelines, focusing on new residential, commercial and corporate uses. Review design elements in the Town such as the retention of stonewalls and building height.		
	Include architectural renderings as part of the required submissions for site plan review.	Ongoing In Progress	
Sign Ordinance	Review sign regulations.		

Issue	Action Summary (Short Term)	Status	Notes
Motor Vehicle Service Station & Convenience Store	Update regulations and definition of motor vehicle service station and convenience store.		
	Examine need for recreational vehicle sale and service uses along portions of Route 9W.		
Travel Centers	Review regulations for travel centers.		
Fast-Food Establishments	Define various types of fast-food and other restaurants, update regulations.		
Adult Uses	Examine negative secondary effects and if warranted, establish definition and regulations.		
Town Center / Hamlets	Study Town Center/Hamlet design overlay district possibilities.		
IB District	Review bulk regulations and residential uses in the IB District.		
Senior Housing	Update definition and review appropriate locations.		
Buffers	Study techniques for screening non-residential areas from residential areas and screening similar commercial areas from each other.		

Issue	Action Summary (Short Term)	Status	Notes
Accessory Uses	Simplify approval process for accessory apartments.		
	Consider modifying height requirements for garages with useable area above the garage.		
Bed and Breakfast	Establish definition and regulations.		
Steep Slope Regulations	Enact steep slopes regulations either for purposes of density calculation or viewshed and storm water drainage protection.		
Viewshed and Ridgeline Protection	Adopt an overlay district protecting remaining significant scenic views and ridgelines.		
Condominium Design Guidelines	Establish design guidelines pertaining to new condominium developments.		
Rezoning	Rezone R-3 and R-2 Districts to R-1 and an area of the IB District to B in the southwest portion of the Town. Rezone three areas from business to residential. Rezone an area of R-2 District to B as per Table III-5.		

Intermediate Action Items

Issue	Action Summary (Intermediate)	Status	Notes
Infrastructure & Utilities			
Water	Review watershed regulations for the Chadwick Lake reservoir for potential update.		
Sewer	Study benefits, impacts, and costs of service expansion.		Investigate lands outside the Growth Boundary area (see <i>Growth Management Factors</i> map <i>Exhibit 3</i>).
Water Resources	Conduct study of water quality, stormwater capabilities and recreational policies of Town’s water bodies.		
Transportation			
Traffic Calming	Implement traffic calming measures with assistance from a traffic engineer.		
Transportation Alternatives	Explore locations for dedicated bike route/lanes.		
	Encourage sidewalks, where appropriate.		Evaluate maintenance and liability issues.

Issue	Action Summary (Intermediate)	Status	Notes
Planning & Zoning			
Chadwick Lake CEA and Orange Lake	Update zoning regulations for areas surrounding the two lakes to provide better protection. Prepare a planning study of Orange Lake.		Need map to show watershed boundary for Chadwick Lake.
Workforce Housing	Consider approaches that would integrate workforce housing with other uses.		Need to define affordable housing.
Economic Development	Identify strategies for promoting economic growth with corporate entities (high tech/light industrial/corporate office).		
Economic Development	Study implementation of a community development agency and/or program to coordinate economic development and land use planning within the Town.		Outreach to Chamber of Commerce and Orange County Partnership.
Municipal Organization	Investigate establishing a Department of Public Works (DPW) vs. a Highway Department.		
Volunteer Firefighter Recruitment	Evaluate various tools for providing incentives for residents to volunteer with the local fire departments.		

Long Term Action Items

Issue	Action Summary (Long Term)	Status	Notes
Infrastructure & Utilities			
Water	Examine potential for an additional water connection to the Catskill Aqueduct to create a redundant water supply system for emergency supply.		Would require discussion with the Town of New Windsor and NYC DEP.
Sewer	Consider possibility of the Town building its own Sewage Treatment Plant and land banking property along the Hudson River for such use.		See related discussions on land banking under short term items.
Sanitation	Consider establishing uniform sanitation and recycling collection program.		
Transportation			
Traffic Calming	Examine location of commercial nodes closer to residential areas, as a means of reducing traffic.		
Route 9W Corridor	Study ways to accommodate the future expansion of Route 9W.		

Issue	Action Summary (Long Term)	Status	Notes
Planning & Zoning			
Impact Fees	Explore the use of developer impact fees to cover impacts to utilities, schools, and other areas.		
Tree Ordinance	Review need for a Town-wide tree ordinance.		