

TOWN OF AUSTERLITZ COMPREHENSIVE PLAN REPORT

SUPPLEMENTS: PART 5

Appendices

Climate Smart Action Plan for
Government Operations

Climate Smart Resolutions

Zoning Audit

March 2024

PART 5 – APPENDICES

1. CLIMATE ACTION PLAN FOR GOVERNMENT OPERATIONS



AUSTERLITZ TIME TO SHINE

CLIMATE ACTION PLAN FOR GOVERNMENT OPERATIONS

TO ACHIEVE NET ZERO BY 2050



PREPARED BY
THE REV. KATHRYN C BEILKE, CSC COORDINATOR
HALEY BALCANOFF, CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

ON BEHALF OF
THE AUSTERLITZ CLIMATE COMMITTEE



ADOPTED ON
JUNE 15TH, 2023
REVISED JAN 2024

EFFECTIVE DATE
JUNE 15TH, 2023

AUSTERLITZCLIMATEACTION.ORG

ACKNOWLEDGEMENTS

SUSAN HAAG, TOWN CLERK

PETER FITZPATRICK, HIGHWAY SUPERVISOR

TIM STALKER, COLUMBIA COUNTY PLANNING BOARD

TOWN BOARD MEMBERS

ROBERT LAGONIA, SUPERVISOR

GREG VOGLER

JERE WRIGHTSMAN

MAUREEN WILSON

CHRISTOPHER SCHOBBER

OTHER CONTRIBUTORS

CARA HUMPHREY, COLUMBIA COUNTY EMC AND CLIMATE SMART LIASON

PAIGE RUANE, PARTNERS FOR CLIMATE ACTION

INTRODUCTION

The Town of Austerlitz' municipal Climate Action Plan (CAP) is a strategy document that sets goals and outlines a set of initiatives that reduce greenhouse gas (GHG) emissions resulting from government operations. This is an aspirational document, prepared by the Austerlitz Climate Committee, which expresses the motivations for the committee's work as well as identifies priority actions that will result in meeting the reduction targets defined therein. It should be noted that the town is not beholden to the strategy laid out here; this roadmap is subject to adjustment according to local developments, available resources, and evolving technologies. A Government Operations CAP is one small part of a broader strategy to both mitigate and adapt to climate change in our local context. Further pursuits beyond this plan will include a Climate Vulnerability Study and Adaptation Plan, a Community Greenhouse Gas Inventory and Community Climate Action Plan, Sustainability Elements for Comprehensive Planning, a Natural Resources Inventory and other pledge elements within the NYS Climate Smart Communities program.

CONTENTS

EXECUTIVE SUMMARY	2
PLANNING PROCESS	3
BACKGROUND.....	4-5
ANALYSIS OF BASELINE GHG EMISSIONS.....	6-7
REDUCTION TARGETS	8
TIMELINE OF PROGRESS TO DATE.....	9
TARGETS BY SECTOR: TRANSPORTATION	10-13
TARGETS BY SECTOR: MUNICIPAL FACILITIES	14-15
CONCLUSION AND FURTHER CONSIDERATIONS.....	16-18

EXAMPLES OF PROPOSED POLICIES FOR PLAN IMPLEMENTATION

APPENDIX A . GREEN FLEET PROCUREMENT POLICY

APPENDIX B. VEHICLE ANTI-IDLING POLICY

EXECUTIVE SUMMARY

THINK GLOBALLY, ACT LOCALLY

A Climate Action Plan (CAP), as defined by the Department of Environmental Conservation, “is a strategy document that sets goals and outlines a set of initiatives that reduce greenhouse gas (GHG) emissions” (*Climate Smart Communities, PE2 Action: Government Operations Climate Action Plan*). This Climate Action Plan for the Town of Austerlitz will review the baseline established by the Town’s municipal GHG inventory, establish goals to reduce emissions from municipal operations and present a strategy for implementation moving forward. The overall goal is to mitigate emissions that have adverse effects on climate change, as well as pursue cost-effective and energy-saving strategies.

No longer is there any doubt that human-caused climate change is real and that its impacts - ecosystem collapse, species extinction, devastating weather events, loss of coastline, displacement of peoples due to extreme heat, drought, and famine - are being felt worldwide. The question now is how can we act and how quickly.

We in New York are already experiencing the impacts of climate change ourselves and New York State (NYS) has made climate mitigation one of the top priorities for the state. Given the overwhelming consensus that greenhouse gas (GHG) emissions are causing the climate to change, carbon drawdown is a major component of the global strategy to reverse these alarming trends. Every individual and community has a role to play in this undertaking. If local communities can work together to each reduce greenhouse gas emissions (GHG) in New York State, we can maximize our impact on our planet and lead the way for other states to follow suit. That is why 357 local governments have adopted the NYS Climate Smart Communities (CSC) Pledge to reduce GHGs.

By choosing to act now, the Town of Austerlitz is taking a leadership role in mitigating the impacts of climate change and aligning its goals with New York State’s Climate Leadership and Community Protection Act (also known as the Climate Act). In alignment with the state's goals, the Town of Austerlitz intends to achieve an overall GHG emission reduction target of 40% percent below baseline 2019 by 2030 and an 85% reduction by 2040. The following plan will outline the progress Austerlitz is proud to have made to date, define a baseline of the town's current GHG emissions, establish goals to reduce those emissions, and present a strategy for implementation of the plan with further ideas for additional initiatives moving forward.

PLANNING PROCESS

The Austerlitz Climate Committee took the following steps, as outlined by DEC in CSC action description

1. Determined leadership and CAP framework
2. Developed a communication and engagement strategy
3. Completed and analyzed baseline assessments
4. Identified goals and reduction targets in two primary sectors
5. Identified existing and potential initiatives to meet targets
6. Prioritized initiatives in order of feasibility
7. Created a plan for implementing the chosen initiatives
8. Establish metrics
9. Produced this plan for Climate Committee feedback and a 1-month public comment period during which the plan was made publicly available
10. Updated the Austerlitz Town Board throughout the process and presented the plan to the Austerlitz Town Board for adoption

Outreach Statement

As this plan is a potential springboard for a community-wide Climate Action Plan, the Austerlitz Climate Committee is committed to informing and involving the broadest spectrum of our constituent base in Austerlitz in these efforts. The Austerlitz Climate Committee defined an outreach period between the Town Board's March to June 2023 meetings during which the CAP was circulated internally to town officials and stakeholders and other committees. The CAP was then revised according to feedback for a first reading at the Town Board's May meeting at which it would be approved to be uploaded onto the town website for public comment for a one month period before being voted on by the Town Board at its June meeting. The Climate Committee then reached out via numerous means to notify public that this plan would be available on the Town's website and at the Town Hall for a 1 month review period prior to its inclusion on the docket for a vote at the following Town Board meeting.

First Steps

The Town of Austerlitz completed a greenhouse gas (GHG) emissions inventory to identify the largest sectors of emissions. Based on the GHG baseline analysis and input from community stakeholders, focus areas were developed to streamline and cross-coordinate actions between the local government and the community to reduce emissions across these sectors. The Town of Austerlitz Climate Action Plan creates a framework for documenting and coordinating efforts by providing information about each initiative's estimated implementation timeframe and associated costs. These focus areas include a list of actions that will help to achieve the goals and reduction targets established during the climate action planning process.

BACKGROUND

The town of Austerlitz encompasses a rich and varied landscape that inspired writer Edna St. Vincent Millay and continues to engender reverence for nature amongst its current-day residents. The Town Board of Austerlitz, in its stewardship of the community's incredible natural resources, has a history of valuing sustainability and climate consciousness in its policymaking.

The Town of Austerlitz has made significant progress in reducing its greenhouse gas emissions without a formal plan yet in place. In 2018, the town installed an EV charging station as its first Climate Smart action and impetus for further momentum. The same year generous benefactor gifted the Town of Austerlitz with a historic building to be restored as its new town hall which the town took full advantage of in its sustainability journey.

Renovating an existing building in and of itself constituted savings in energy use, material fabrication, trucking, and waste hauling; but no stone was left unturned in the efficiency upgrades built into the new town hall. These included the most efficient HVAC system available on the market, two LG v5 air-source heat pumps to heat and cool the building, entirely electric, and able to be controlled individually in each room in accordance with their use. In addition, the installation of closed-cell foam insulation enabled a higher degree of air tightness along with energy-efficient windows and storms. The plumbing system was designed with a highly efficient water heater and specified with high-efficiency water consumption, with flow restrictors on toilets and faucets. Contractors also specified materials that were locally sourced and used a high degree of recycled material fabricated with processes that encourage the recycling of waste products. Lastly, all interior and exterior lighting installed was LED.

In August of 2017, The Town of Austerlitz unanimously voted to adopt the Climate Smart Communities pledge, and in 2019 Austerlitz became a Designated NYSERDA Clean Energy Community with technical support from Jill Henck of CDRPC. In April 2020, the Town established the Austerlitz Climate Committee, which focuses on the DEC Climate Smart Communities program and the NYSERDA Clean Energy Communities program. The committee currently includes Jere Wrightsman, Chair, who serves on the Austerlitz Town Board, Tim Stalker, who serves on the Columbia County Planning Board, Cara Humphrey, Austerlitz's representative on the Columbia County Environmental Management Council since March 2019 and Vice President of Sales at Neighborhood Sun (a community solar company), Christopher Schober, Town Board member, and Paige Ruane, Co-Founder of Partners for Climate Action and Co-Director of the Local Champions program.

Climate Smart Communities Bronze Certification was achieved due to the efforts of former Committee Chair, Greg Vogler, and DeeAnn Veeder, previous Sustainability Coordinator. The committee continues to be supported by a Sustainability Coordinator, currently, Kathryn Beilke who compiled this report in consultation with Haley Balcanoff, Sustainability Planner at the Capital District Regional Planning Commission.

The committee made significant progress in its CSC actions towards Bronze by adopting a Unified Solar Permit, creating a hazard mitigation plan, installing an electric car charging station in the town hall parking lot, and spearheading a Solarize Austerlitz campaign in which the response from residents was overwhelming! The committee also planted trees, conducted planning to right-size culverts, and initiated a composting campaign for residents. But perhaps the most significant achievement of the committee as it relates to this report is the Greenhouse Gas Emissions inventory for government operations which informs the forecasting and reduction targets laid out herein.

In 2018, the Town installed an EV charging station in the town hall parking lot which was the impetus for further energy reduction projects. On November 9, 2020, the Town's onsite remote meter solar array was turned on and operational. The size of the array is 22.12 kW STC, with 56 modules, and is located on the Town's Highway Garage. The Town purchased the array with help from a NYSERDA rebate. In 2021, the town converted 100% of all streetlights in its jurisdiction to LED.

At the time of this writing, the Climate Committee is currently hard at work pursuing a Natural Resources Inventory, Sustainability Elements for the Town's Comprehensive Planning process, a NYSERDA Community Clean Heating and Cooling Campaign. It is hoped that the passage of this CAP will be the impetus to energize a community-wide greenhouse gas inventory and provide a platform for engagement in a Community Climate Action Plan.

The culmination of Austerlitz' actions to date has resulted in the recognition of the town as a Bronze Certified Climate Smart Community. Austerlitz is also leading amongst Capital Region municipalities in NYSERDA's Clean Energy Communities program with 3500 points on the regional leaderboard.

Austerlitz is a historic town that is making significant strides in securing a better future for the next generation. We have a lot to be proud of, we have a lot to be hopeful for. This is truly our time to shine as we look forward to achieving a 10% reduction in GHG by the end of 2023!

ANALYSIS OF BASELINE GHG EMISSIONS

A local government operations GHG Inventory was conducted for the Town of Austerlitz using 2019 as the baseline year. The assessment was completed in partnership with the Capital District Planning Commission and NYSERDA, and accounts for emissions associated with facilities, vehicles, and other processes that are owned and operated by the Town. The below chart outlines the baseline for Scope 1 (direct GHG emissions: propane, heating oil) and Scope 2 (indirect GHG emissions: purchased electricity) GHG emissions from government-owned buildings and facilities. The total baseline measurement of GHG emissions for the year 2019 is 202.96 Metric Tons of Carbon Dioxide emissions (MTCO₂e).

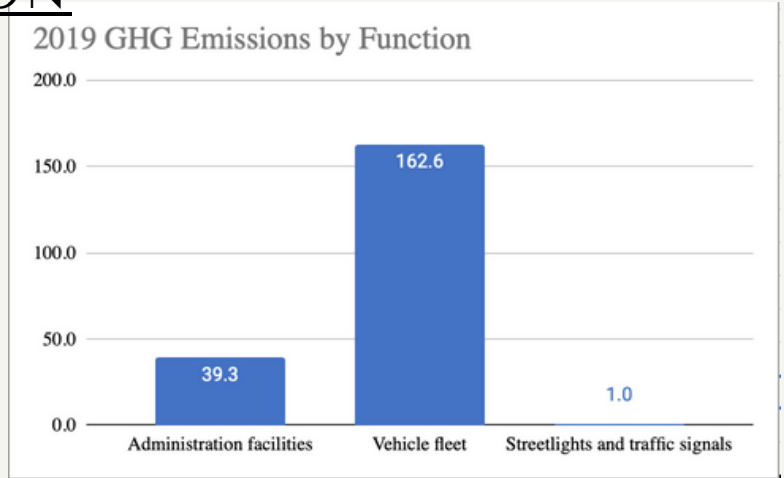
			Consumption (KWh and Gallons)			GHG Emissions (MTCO ₂ e)				TOTAL
			Electricity (kWh)	Propane (gal)	Heating Oil (gal)	Electricity	Propane	Heating Oil	Diesel/ Gasoline	
	Facility / Group Name	ICLEI Category	2019	2019	2019	2019	2019	2019		
	Town Hall	Administration Facilities	45,034			4.8	-	-		4.8
	Town Park	Streetlights and traffic signals	223			0.02	-	-		0.02
	Highway Garage	Administration Facilities	11,608		2612.30	1.23	-	26.62		27.85
	Old Town Garage	Administration Facilities	21			0.00	-	-		0.00
	Street Lighting #1	Streetlights and traffic signals	9,215			.97	-	-		.97
	Austerlitz History Center (Old Town Hall)	Administration Facilities	4,812	1,072		0.51	6.16	-		6.67
	Town Fleet	Vehicles							162.65	162.65
	TOTALS		70,892	1,071.70	2612.30	7.53	6.16	26.62	162.65	202.96

Austerlitz has four municipal buildings with a total of 15,384 square feet. In addition, the Town is responsible for the Town Park on Route 203 and has 19 streetlights within its jurisdiction. The Town government produced 202.96 MTCO₂e of greenhouse gas emissions in 2019. Municipal facilities account for 19.4% of GHG emissions, or 39.3 MTCO₂e. As the above chart shows, direct fossil fuel combustion (Scope 1) is responsible for 83% of greenhouse gas emissions in municipal facilities and 96.3% of all emissions. This fact informs us that the town's most immediate possibilities to significantly cut emissions is considering alternatives to onsite fossil-fuel combustion and replacing these systems with electric heating and cooling systems that can eventually be run off of clean power such as solar. However, the most significant emissions in Austerlitz result from vehicle diesel combustion to operate the town's fleet.

ANALYSIS OF BASELINE GHG EMISSIONS, CON'T

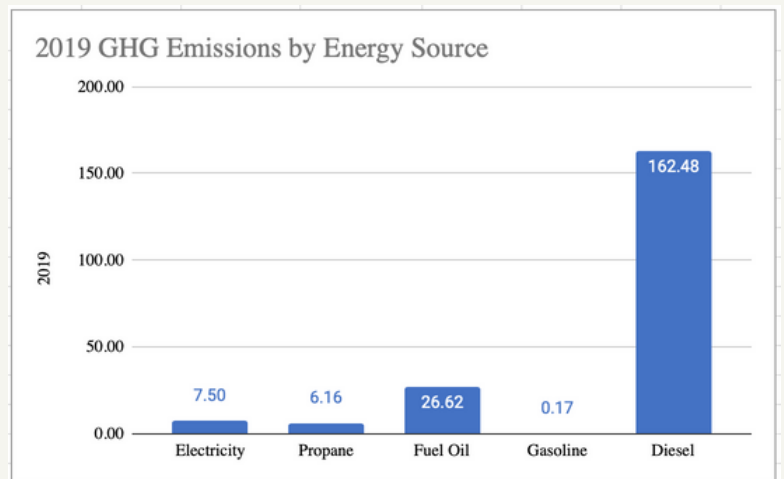
EMISSIONS BY FUNCTION

The largest contribution (80%) of the Town's greenhouse gas emissions was fuel for town vehicles at 162.6 MTCO₂e, followed by emissions from facilities at 39.3 MTCO₂e.



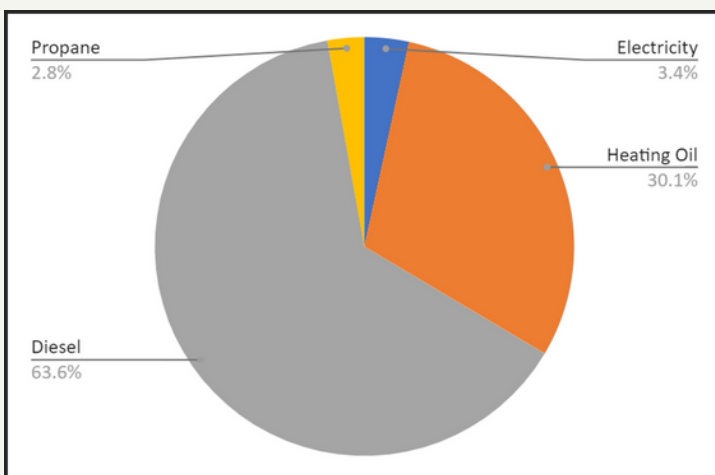
EMISSIONS BY TYPE

Electricity accounted for just .04% of the Town's GHG emissions, whereas direct combustion (source 1) from propane heating for the History Center (6.16 MTCO₂) and heating oil for the Town Highway Garage (26.62 MTCO₂) accounted for 16% of all emissions.



EMISSIONS AND COSTS BY ENERGY SOURCE

In terms of costs, the Town spent \$51,188.29 on energy usage in 2019. Below is breakdown of these costs by source:



Electricity	\$10,861.77 (21.2%)
Heating Oil	\$5,621.79 (11%)
Diesel	\$33,520.76 (65.5%)
Propane	\$1,183.97 (2.3%)
All Energy Sources	\$51,188.29

REDUCTION TARGETS

The Governor of New York signed the state's Climate Leadership and Community Protection Act (CLCPA) into law in July of 2019. Among the goals of the Act were to decrease the state's greenhouse gas emissions to 40% below 1990 levels by 2030 and 85% below 1990 levels by 2050; achieve net-zero emissions economy-wide by 2050.

OVERALL GOALS

ELIMINATE ONSITE FOSSIL FUEL COMBUSTION
40% REDUCTION IN GHG EMISSIONS BY 2030
85% REDUCTION BY 2040

SHORT-TERM TARGETS

CUT GOVERNMENT EMISSIONS 10% BY JANUARY 1, 2024.
CUT GOVERNMENT EMISSIONS 20% BY JANUARY 1, 2025

INTERIM GOALS

PROGRESS REPORTING TARGETS
BEGIN DEVELOPING MORE AGGRESSIVE TARGETS
BASED ON EVOLVING TECHNOLOGY.

DEVELOP MID-RANGE TARGET FOR 2030
SUBMIT A PLAN TO ACHIEVE THE MID-RANGE TARGET
BY JANUARY 1, 2024.

LONG-TERM TARGET

OPERATE THE AUSTERLITZ GOVERNMENT WITH NET-ZERO
EMISSIONS PRIOR TO 2050 IN ADVANCE ALIGNMENT WITH THE
STATE'S CLCPA.

In alignment with the state's goals, the Town of Austerlitz aspires to remove all legacy onsite fossil-fuel combustion infrastructure for municipal buildings and achieving an overall GHG emission reduction target of 40% percent below baseline 2019 by 2030 and an 85% reduction by 2040. This Climate Action Plan is a critical component of a comprehensive approach to reducing the Town of Austerlitz' emissions. These reduction targets can be met if each focus area implements the list of recommended actions to achieve the reduction target set for that sector.

TIMELINE OF PROGRESS TO DATE

2018

Prior to the GHG Inventory, in 2018, the Town completed a complete renovation of the Town Hall, complete with two heat pumps, interior LED lighting, high efficiency ventilating system, high efficient water heating with low water consumption toilets and flow restrictors on faucets, closed cell foam insulation, advanced wall framing, energy efficient windows, locally-sourced building materials, and high-recycled material count.

2018

Town Installs EV charging station available for public use in Town Hall parking lot

2019

Town of Austerlitz adopts Greenhouse Gas Inventory that constitutes the baseline GHG emissions levels for this plan

2020

The Town's onsite remote meter solar array was activated on November 9, 2020. The size of the array is 22.12 kW STC, with 56 modules, and is located on the Town's Highway Garage. The Town purchased the array with help from a NYSERDA rebate. The Town uses SolarEdge to monitor the energy production of the system. In 2021, the system produced 24.74 MWh of energy. Comparative Energy generated in 2021 and 2022 is shown in the chart below:

2021

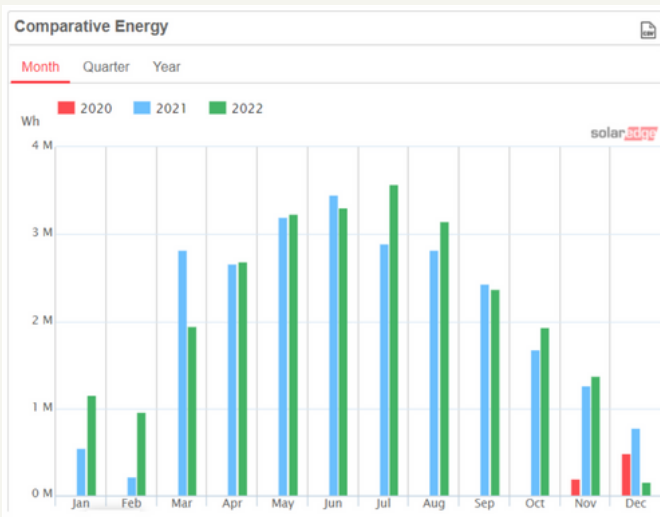
Town converts 100% of all street lights in its jurisdiction to LED.

2022

Energy Audit of Highway Garage is conducted to help identify energy efficiency and emissions reduction measures.

2023

Town adopts Government Operations Climate Action Plan committing to further reductions and associated actions to achieve targets laid out herein



REDUCTION TARGETS PER SECTOR

TRANSPORTATION

OVERALL TARGETS

Short Term Reduction Target: 25% GHG Reduction by 2030

Goals and Prioritization:

1. Annual update of fleet inventory and re-assessment of operations
2. Implementing anti-Idling measures and fleet rightsizing
3. Clean Vehicle Procurement Policy in place by 2024
4. Add EV Charging Infrastructure to Highway Garage by 2025
5. Electrify all gasoline-powered lawn equipment by 2025
6. Purchase and installation of battery storage/generator by 2027
7. 20% of the fleet to be transitioned to electric, fuel cell, or hybrid diesel-electric vehicles by 2028

Long Term Target: 85% GHG Reduction by 2040

Goals and Prioritization:

7. By 2050, remaining diesel vehicles either decommissioned, retrofitted for alternative fuel, or replaced with non-fossil fuel powered vehicles as new technologies come to market
8. Net Zero Emissions by 2050

VEHICLE FLEET

Austerlitz maintains a 9 vehicle fleet of primarily heavy duty vehicles whose emissions constitute 80% of the municipality's GHGs. Thus, the fleet is a focal point and high priority of this plan. There are several measures that the Town of Austerlitz can take to reduce GHGs from engine combustion in municipal-owned vehicles. The Climate Committee in coordination with the Town Highway Supervisor will work together to continually re-assess fleet and operations of the entire fleet and take incremental steps to reduce emissions from town vehicles.

Prioritization of Implementation

Annually Updated Fleet Inventory

The Town Highway Department currently has an inventory template on file with make/year/model, fuel type and mpg rating for all town-owned vehicles. Keeping this updated annually is the first step to identifying vehicles which may no longer serve their intended purpose.

REDUCTION TARGETS PER SECTOR

TRANSPORTATION

Reassessment of Operations

The Highway Department is already working to identify optimal routes, salt alternatives, driver training, and better fuel tracking to reduce diesel use and overall emissions from transportation. The Climate Committee is also in communication with the Highway Supervisor as to how the department could reduce the number of trips made, especially long-distance trips to Albany for parts. This reassessment will inform the evaluation and right-sizing of the future vehicle fleet.

Current Fleet Inventory for the Town of Austerlitz

Equipment Type:	Year	Year purchased	Make/Model	Condition	Fuel	Drivetrain type	MPG	Class	Vehicle function	GVW	OVER 8,5kGVWR	Cost	Notes	Disposition
TRUCK #1	2021	2022	Dodge RAM	New	diesel	4WD	8.80	MEDIUM	PLOW		YES		10' PLOW	97 km
TRUCK #2	1995	2014	INTERNATIONAL 2574	POOR	diesel	2-WHEEL		HEAVY	DUMP, PLOW, WING	45,000	YES	\$ 20,000.00	11' PLOW & WING	121 km
TRUCK #3	2003		INTERNATIONAL 2574	USED	diesel	2-WHEEL		HEAVY	DUMP, PLOW, WING	45,000	YES	\$ 60,000.00	11' PLOW & WING	84 km
TRUCK #4	2009		INTERNATIONAL 7500	USED	diesel	2-WHEEL	3.90	HEAVY	DUMP, PLOW	41,780	YES	\$ 83,163.00	11' PLOW	74 km
TRUCK #5	2020	2019	MACK GR42F	GOOD	diesel	2-WHEEL	3.90	HEAVY	DUMP, PLOW	45,300	YES	\$ 200,614.00	11' PLOW	13 km
TRUCK #6	1987	1987	INTERNATIONAL 2574	USED	diesel	TANDEM		HEAVY	DUMP		YES	\$ 64,040.00		417 km
TRUCK #7	2020	2019	MACK GR42F	GOOD	diesel	2-WHEEL	3.80	HEAVY	DUMP, PLOW	45,300	YES	\$ 200,614.00	11' PLOW	12 km
TRUCK #8	2002	2002	INTERNATIONAL 2674	USED	diesel	TANDEM		HEAVY	DUMP, PLOW, WING	66,000	YES	\$ 114,141.00	11' PLOW & WING	46 km
TRUCK #9	2016	2016	FORD F550	USED	diesel	4WD	6.80	MEDIUM	DUMP, PLOW	19,500	YES	\$ 20,000.00	10' PLOW	81 km



REDUCTION TARGETS PER SECTOR

TRANSPORTATION

Fleet Right-Sizing

The current fleet is mixed in terms of age however in terms of fuel efficiency, it is reported by the Highway Supervisor that newer does not necessarily mean more efficient; while newer models may feature particulate filters for emissions, older trucks can often get better fuel mileage and better reliability. Also, it is important to note that measuring efficiency in terms of miles per gallon (mpg), is not always appropriate as it relates to vehicles used for the fleet's purposes; gallons per hour is a more appropriate metric as often the usage of heavy duty trucks will operate at a low speed and cover very little ground. A snow plow for example could run 2-6 mpg depending on the day. Lastly, switching to smaller trucks has cost the town more due to having to make more trips. With this criteria in mind, the Town Highway Department is currently identifying vehicles that may be replaced in the next 2-5 years, with 20% conversion of fleet to EV by 2028.

Anti-Idling Measures

Most town vehicles at the Highway Department have an anti-idling feature already built in wherein after 10 minutes the vehicle automatically shuts down. In some cases, idling is necessary for the functioning of a vehicle as a diesel engine often needs to idle to cool the engine to reduce wear on the engine. With these provisions in mind, the town of Austerlitz will consider policies ranging from a non-binding resolution to an enforced anti-idling law. See Appendix a. for proposal as a part of this plan.

Green Vehicle Procurement Policy

Discussions are currently underway between the Highway Department, Climate Committee, and Town Board to get an early start on tracking the availability of heavy-duty electric vehicles or plug-in hybrids. The Highway Department may also consider biodiesel as a potential fuel source if a hybrid is procured. It is recommended that the town codify its intentions to only procure only EVs or hybrids when replacing a diesel vehicle in the current fleet. See appendix b. for proposal as a part of this plan.

EV Charging Infrastructure

The first step in making it possible to build a green fleet is in the installation of EV charging stations at the Town Garage using funds from the Utility MakeReady Incentive, the DEC's Municipal Zero-emission Vehicle (ZEV) Infrastructure Grant Program, or from grants through NYSERDA's Clean Energy Communities program.

REDUCTION TARGETS PER SECTOR

TRANSPORTATION

Purchase and Installation of Battery Storage/Generator

Exploration of battery storage through NYSERDA's Energy Storage program is recommended with the intent to install backup support for the electrification of the municipal built environment and transportation infrastructure and to provide energy backup in the event of a power outage.

Vehicle Replacements

Diesel is the main contributor (64%) of the Town of Austerlitz's GHG Emissions. Heavy-duty vehicles, such as plows, are used during extreme weather events. As more highly efficient hybrid and electric vehicles come to the market each year, the Town can assess its fleet inventory and purchase or lease EV, hybrid or alternative fuel vehicles. According to the Highway Superintendent, two vehicles are almost ready for replacement.

As of 2023, there are several funding opportunities available to assist with short-term implementation:

- NY Green Bank's Tenet EV Auto Loan platform to help finance EVs and EV infrastructure in NYS; will also fund the deployment of other types of clean transportation projects in NYS
- NYS DEC ZEV Rebate Program (opportunity opens April 2023)
- Drive Clean Rebate
- NYSEG Fleet Assessment Services and Medium/Heavy Duty EV Pilot Program
- Joint Utilities EV Make-Ready Program
- NY Truck Voucher Incentive Program – pays up to \$220,000 of the incremental cost of purchasing a heavy-duty EV above the costs of purchasing a conventional diesel vehicle; models include garbage trucks, delivery vans, tractors, and more
- Ongoing participation in NYSERDA's Clean Energy Communities program will earn the Town additional grants that can also be used toward the purchase of an EV

Lawn Equipment

In the ongoing maintenance of town-owned lands, Austerlitz currently uses gasoline-powered chainsaws, leaf blowers, weed whackers, and lawnmowers. As a part of this plan, the climate committee will investigate electrification of all gas-powered tools and have already, in consultation with the Highway Department, considered particular models and sources of funding for these.

REDUCTION TARGETS PER SECTOR

MUNICIPAL FACILITIES

OVERALL TARGETS

Short Term Target: 5% GHG Reduction by 2030

Goals and Prioritization:

1. Insulation improvements made to Highway Garage
2. Propane heating system at Town History Center converted to mini-split (2.8%)
3. All remaining facilities (highway garage and history center) interior and exterior lighting upgraded to LEDs

Long Term Target: 35% GHG Reduction by 2040

Goals and Prioritization:

1. HVAC System upgrade at Highway Garage
2. Scope 1 emissions eliminated (30%)

TOWN HIGHWAY GARAGE

The Town Highway Department is the town's most significant source of emissions not only in the vehicle fleet but in the facility itself. The building generates 13.7% of the town's GHG emissions and 70.8% of all municipal facilities' GHG emissions. Thus, the town highway garage is the major focus within this category.

Insulation Improvements

The town highway garage is a 20-year-old steel building with fiberglass insulation. One of the lowest-hanging fruits in improving the efficiency of the Town Highway Garage is preventing warm air from escaping through leaks in the envelope itself. While necessary overhead doors are difficult to seal, the building also features exhaust pipes hanging from the roof for venting vehicle stacks. In the winter, these have been left uncapped which cools the building significantly. In the winter of 2022, these were capped as a part of the climate action planning process.

Energy Audit

In October of 2022, the town received a grant from NYSERDA to conduct an energy audit of the garage to determine the best reduction solution for the facility. The following recommendations were assessed:

REDUCTION TARGETS PER SECTOR MUNICIPAL FACILITIES

Interior and Exterior Lighting Retrofit to LED

The interior lighting consists of fluorescent and metal halide high bay fixtures. Each zone has low hourly usage per discussions with the site staff. The recommendation is metal halide high bay and mezzanine fixtures are not directly wired, rather they plug into receptacles. Replace these with new LED fixtures with the equivalent lumens and appropriate color temperature. The remaining fluorescent fixtures can be re-lamped with direct wire 4' LED tubes. The estimated savings to undertake this measure are \$1057 annually.

The exterior lighting is all 175 W mercury vapor wall-packs except for one LED in the front entrance that was replaced by the Supervisor. The recommendation is to replace them with LED equivalent wall-packs that are Energy Star labeled or listed with the Design Lights Consortium (DLC). The estimated annual savings to undertake this measure is \$445 annually.

Building Electrification, Boiler Replacement

The highway garage is currently heated by a fuel-oil-powered water boiler and hydronic radiant flooring system. The cast iron boiler is a high-efficiency unit with a six-pass coil system. Domestic hot water in the garage runs off the boiler in the winter and is switched to electric in the summer.

It is suggested that when the boiler is no longer functional, the Town look into an electric boiler or heat pump-powered water boiler for the existing radiant flooring system. This technology is still forthcoming however in order to meet a target of 85% reduction in GHGs by 2040, it would need to be replaced with a more efficient unit within 17 years.

TOWN HISTORY CENTER

The town history center, located adjacent to the new town hall is the site of the former town hall. The building is 965 sq. feet and is currently only operational for a few hours on Saturday when the museum is open to the public. The building is heated with propane which is especially wasteful considering the limited functionality of the building. This system will be replaced with an alternative non-fossil fuel heating and cooling system. To prevent leaks the town intends to tighten the envelope with the installation of new windows.

CONCLUSIONS AND FURTHER CONSIDERATIONS

CARBON SEQUESTRATION AND NATURE-BASED SOLUTIONS

As of 2023, the Town is developing a Comprehensive Plan and Natural Resource Inventory (NRI) to help identify and address priority natural areas within the jurisdiction. An NRI identifies and describes natural resources at the local scale, helping to create a strong foundation for future proactive planning, informed decision-making, conservation of priority habitats, and insight into areas that will be affected by climate change, such as flood-prone areas. For this reason, the NRI provides an invaluable resource for comprehensive land use and conservation planning.

Due to increasing extreme weather patterns, it is important for a community to carefully plan development and future land use to prevent unnecessary disturbance to natural areas. Between 2000 and 2050, the northeast is expected to have an overall decline in forest and cropland by 7% and 6%, respectively (USDA). Adaptation strategies, such as smart growth principles and green infrastructure, will help reduce damage to municipal infrastructure and relieve the burden on the highway department and fleet, thus reducing GHG emissions. These planning elements can be further explored in a future Community Climate Action Plan. Additionally, maintaining tree cover near municipal facilities will reduce cooling load and subsequent associated GHG emissions.

In 2023, the Town is taking part in a Vulnerability Assessment and Adaptation and Resilience Planning process that will help inform future risks and strategies. Steps will then be taken to determine how GHG Emissions from municipal operations could be reduced by implementing adaptation strategies.

MOVING FORWARD

This Climate Action Plan provides a roadmap to take action and make better energy choices that will make the Town of Austerlitz more stable and resilient in the future. Climate change mitigation may be a challenge, but it is also an opportunity to take action and make better energy choices that will make the Town of Austerlitz more stable and resilient in the future.

CONCLUSIONS AND FURTHER CONSIDERATIONS

This Climate Action Plan is a resource to municipal officials and all community stakeholders by offering a framework and resources needed to implement actions that will help the Town of Austerlitz achieve the goals established for the future of its government operations. The Town of Austerlitz's Climate Action Plan has set an ambitious goal to achieve 40% percent reduction of greenhouse gas (GHG) emissions by 2030 and an 85% reduction by 2040. Using the greenhouse gas emission inventory as a foundation, this Climate Action Plan has outlined a collection of measures and policies that reduce GHG emissions. To maximize success in implementing this plan, detailed information about the leadership and resources needed to take action is provided and initiatives are ranked according to our local priorities and feasibility. With the Climate Action Plan as a guide, Austerlitz can take effective action in climate change mitigation as we implement municipal projects and policies.

METHODS FOR ASSESSING PROGRESS

Since the Town's vehicle fleet is the greatest emitter of greenhouse gases, the Town intends to update and evaluate the fleet inventory and operations of the Highway Garage. Additionally, every three to five years, the Town of Austerlitz intends to update its Greenhouse Gas Inventory to assess progress in meeting the goals outlined in this Climate Action Plan.

Adjusting Local Strategy if GHG Targets are Surpassed or Not Fulfilled

As the Town updates its Greenhouse Gas Inventory periodically, municipal officials and stakeholder committees will be able to determine how to adjust the Climate Action Plan should targets be surpassed or not fulfilled. As such, the Town of Austerlitz is approaching this Climate Action Plan as a "living document" that can be periodically updated, allowing municipal officials to adjust the targets and strategy as new technologies are available and improvements to municipal operations are made. The Town plans to ensure alignment with the goals outlined in the NYS Climate Leadership and Community Protection Act.

CONCLUSIONS AND FURTHER CONSIDERATIONS

ONGOING WORK

Making strides in greenhouse gas reductions are one small part of Austerlitz' strategy to both mitigate and adapt to climate change in our local context. A government operations climate action plan is simply "doing our part," within our sphere of control to protect the planet we all share. Further pursuits beyond this plan will include a Climate Vulnerability Study and Adaptation Plan, a Community Greenhouse Gas Inventory and Community Climate Action Plan, Sustainability Elements for Comprehensive Planning, a Natural Resources Inventory and other pledge elements within the NYS Climate Smart Communities program.

LAND ACKNOWLEDGEMENT

It is with humility that the Austerlitz Climate Committee acknowledges the original stewards of this land, the Mohican people who hunted on these lands and fished these waters long ago. An Algonquian-speaking tribe, the Mohican people identified by the place they inhabited, which they called Muh-he-ka-neew (meaning "people of the continually flowing waters.")

To honor this land, we must honor the crucial role of indigenous knowledge plays in recovering a reciprocal relationship with the earth.

2. CLIMATE SMART COMMUNITY RESOLUTIONS

The following resolutions were passed by the Town Board to form the Climate Smart Community Task Force.

RESOLUTION 25-2024

Be it resolved that the Town Board hereby appoints the following as members of the Climate Smart Community Task Force for a term beginning January 1, 2024 and ending December 31, 2024:

Paige Ruane
Jeffrey O'Donnell
John Miller
Tim Stalker
Michael Segell
Jennifer Thompson
James Oates
Lisa Bouchard Hoe
Jere Wrightsman
Cara Humphrey
Christ Schober
Kathryn Bielke

RESOLUTION 26-2024

Be it resolved that the Town Board hereby appoints Cara Humphrey as Climate Smart Community Task Force Chair for a term beginning January 1, 2024 and ending December 31, 2024.

RESOLUTION 27-2024

Be it resolved that the Town Board hereby appoints Kathryn Bielke as Climate Smart Community Task Force Coordinator for a term beginning January 1, 2024 and ending December 31, 2024.

3. ZONING AND SUBDIVISION AUDIT PREPARED BY PLANNING CONSULTANT

**Town of Austerlitz
Audit of Land Use Regulations
For Comprehensive Plan**

Prepared by Nan Stolzenburg FAICP, July 2023

This Audit was conducted as part of the comprehensive plan update process. The goal of this Audit is to evaluate how closely aligned the direction set in land use laws are with the updated vision and goals for the Comprehensive Plan. This exercise is an important one for two reasons: The first being that land use regulations, by State Law, must be consistent with a Town's Comprehensive Plan and we need to identify where local law enhancements should be made. The second reason is that by identifying areas where we can better align Plan goals with land use requirements, we can begin to identify strategies and actions that may be included in the Updated Plan. Issues raised in this Audit will be translated into draft recommendations for the Comprehensive Steering Committee to consider.

The following comments and observations identify challenges and likely inconsistencies between policy and outcome and indicate topics that should be discussed by the Comprehensive Plan Steering Committee as they deliberate over Plan strategies and actions.

Summary

Overall, the zoning establishes purposes and objectives that are largely consistent with the updated vision and goals of the Comprehensive Plan. The review process for site plan, special use permits, and subdivisions seem adequate and up to date. However, the language of the zoning is very vague and lacks specificity to guide both applicants and the Planning Board. Vague zoning laws make it harder all around, and applicants generally want to know what the rules are and that if they follow the rules, they will get an efficient 'yes' at the end. Planning Boards generally want to have direction upon which to make their decisions. There is room for improvement on both those accounts in the zoning.

Of significant concern is that all the uses allowed are allowed in the same way in all three zoning districts. This is not a solid long-term strategy to maintain the integrity of hamlets or the hamlet/rural differences that contribute to Austerlitz' sense of place. Not all uses are appropriate everywhere, at least not in the same way. Size, scale, intensity and development standards are different in hamlets (that is what makes a hamlet distinct from rural areas). The Plan's vision and goals point to more detail and more fine tuning to maintain those significant features.

Another significant concern is the allowance for all types of businesses across the Town. That is also not a long-term strategy to maintain the features that the Austerlitz community feels are important. The question of whether commercial uses should be allowed in areas of the town that are residential or a mix of residential/farm and open space is a critical question the updated Comprehensive Plan should answer. Density as set in the zoning is likely too high to maintain low density/open space desired by the Town. Current Town roads are not likely to support all commercial uses that are currently allowed, nor perhaps higher density as may be allowed. While in theory the site plan review and special use permit processes might control for those questions, in reality, the zoning offers little direction.

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

The updated Comprehensive Plan does not need to include new, specific zoning language, but it does need to set policy direction as the foundation for zoning updates to come later. The Audit below points to many topics that, in my opinion, need to be addressed and discussed by the Committee.

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
Floodplain Law Section 101	Adopted in 1987	Review with DEC and updated as needed.	Should be reviewed with DEC and updated.
Historic Preservation Section 115	Adopted in 1988	Consider establishing an Historic Preservation Commission to do the job as intended or rescind this law.	Consider establishing an Historic Preservation Commission to do the job intended or rescind this law if there is no intent to have such a commission review projects and give certificates of appropriateness for projects within the Historic District.
	Establishes historic preservation board		
	Has two National Register historic districts in hamlets		
	Establishes an historic preservation commission, but none is created by Town Board		
Mass Gatherings Section 126.	Addresses events with 2,000 people or more for no more than 5 consecutive days; town board reviews and issues permit. May hold hearing. Not integrated or mentioned in zoning.	Confirm with Town Attorney that this law has been superseded by Local Law 2 of 2022 Town of Austerlitz Code Administration and Enforcement Law (Section 10[5]) which stipulates gatherings greater than 200 persons require a CEO issued an Operating Permit.	This is outdated. As it regulates events only when they are 2000 or more, it is not particularly helpful. This can stay as is for those mass gatherings, but given current land use pressures, having regulations for smaller events is important. This can be addressed by regulating special events. Add special events as a special use permit with specific development standards in Zoning designed to ensure maintenance of the environment and residential/rural character.
Mobile homes and mobile home parks – Section 131	Adopted in 1973	Review and update.	Overall, this is old and needs updating.
	Defines <u>farm</u> as being > 10 acres.		This may conflict with zoning definitions and wording and should be looked at. Zoning defines agricultural use, but not a farm. However, this chapter offers a definition that is not a farm-friendly one

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
			and it is certainly not consistent with NYS Ag and Markets Law by calling a farm as something > 10 acres. In today's ag climate, this is very restrictive. If it were challenged, NYS would not allow it in the NYS Ag District. While you don't have a lot of farms, this is not helpful or needed. Remove this definition.
	Uses old language of mobile homes when modern regulations use 'manufactured home.'		Update to reflect use of manufactured homes as the correct term. Might need to rethink how manufactured houses are treated in Town as they are an important component of affordable housing.
	Mobile home parks have both PB and TB approvals needed. PB makes written recommendations for approval, or not for the TB. The process does not mention SEQR or other design standards for parks.		Update to have full review by PB, and not involve TB. Update to reference SEQR. Update to add in other modern design standards for manufactured home parks.
	Allows mobile homes only with a mobile home permit and only to Town residents. CEO issues permits for mobile home. Has application requirements and construction requirements and it sets more restrictive standards for mobile homes than for all other kinds of homes (has special setbacks just for mobile homes which is not the same as other Single family homes) - that are 75' from road, 30' from adjacent property lines; 50' from any permanent structure or other mobile home.		<p>A mobile home is now one built pre-HUD federal standards. Now, manufactured homes include single wides, double wides, panelized, modular, and tiny homes. There is a bias in most places against single wide manufactured homes. As discussed above, consider treating at least some of the manufactured home types similarly as single family dwellings. Consider including modulars, panelized homes and double-wides this way. Make distinction between manufactured home and mobile home (pre-HUD standards).</p> <p>Consider addressing other types of manufactured homes such as tiny homes</p>

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
			<p>and establish policy as to whether and how you want to allow them.</p> <p>Many places treat single-wide manufactured homes differently, but this is problematic and new regulations seek to remove barriers for use of these types of homes.</p>
Signs – Section 148	Freestanding signs are allowed no higher than 10', nor 10' wide in any direction, or located 15' from any property line or ROW	Review and update.	This seems adequate. However, the Town may prefer more ground mounted freestanding signs instead of pole mounted and zoning should address this. Rural designs favor lower, ground mounted signs having a landscaped base.
	No sign allowed > 25 sf		This size may be adequate outside hamlets where speed limits are 55 mph, but for hamlet areas, may be too large. Signs have big influence on aesthetics, and rural standards favor smaller signs. You also want to address sign lighting, and LED signs.
	Prohibits signs with flashing, intermittent, rotating or moving lights.		Unsure if this allows the Town to regulate new LED style lights? Update this section to add language specific to LED signs, and LED illumination of signs.
	CEO issues sign permit		Update so that a sign associated with a use going through site plan or special use permit are reviewed and approved as part

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
			of the full application by the Planning Board, not separately.
	As per attorney comments, there have been issues with proliferation of off-premises signs advertising local and non-local businesses		The sign chapter prohibits off-premises signs, so it appears as if current prohibition language is not adequate.
Streets and Sidewalks Section 160	Requires all public streets to have 50' ROW, 20' min pavement, and 5' shoulders. All dead end roads must have a cul-de-sac with a 50' bulb at the end for turnaround. All must be built to town specifications.	Review and update.	Many low density rural residential roads are allowed to have smaller paved widths. 20' may be too large for a small, low density subdivision. Consider adopting more rural road standards. Further, a cul-de-sac is not a typical rural road features. Consider eliminating this requirement and allowing for dead end roads with a hammerhead for turning at the end. The road standards do not address long driveways that seem to be problematic in many places. The private road specifications are more aligned with low density, rural roads but policy on use of private roads in Town is not clear.
	Allows application of private road specifications for subdivisions having 5 lots or fewer. Anything more than that must be a road built to town specifications. Private roads have to have 50' ROW. 3 or fewer lots can have 16 feet travel way. 4-5 lots travel way has to be min 18'. Max length of private road is ½ mile. A subdivision with > 5 lots must be built to town road specifications.		Consider adopting low density rural road specifications for construction and maintenance. See Cornell Local Road program recommendations for these specifications.
	All driveways need a passing zone every 400 feet with a 30'x 8' area. Private roads need maintenance agreement.		This is standard and seems appropriate and consistent with Building Code.

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
	Private roads must meet all public road specs except for paving.		To pave or not to pave? The Plan should address this as a policy statement in the Plan. This is a big question as shown in the survey.
	Has driveway specs: 12 feet width; > 400' must have the passing area; max 3% grade. Has OK specs for access to public roads, and access to Town Roads along with very specific standards. Requires Town Highway Superintendent approval for driveways.		These seem appropriate and seem to be good specs for driveways and approval procedure for driveways. Consider adding in additional specifications beyond grade for driveways that are on steep slope areas including addressing erosion and sedimentation, land clearing for driveways, and very long driveways.
Subdivision Section 167	New regulations adopted in 2022.	No further action necessary regarding subdivision Section 167. However, update zoning for Ag requirements.	Overall, the updated law has all appropriate and up to date submissions and procedures required.
	Minor = 4 or less lots; major = 5+ lots.		These are common, and no change needed.
	Acknowledges the Ag data statement as being required when the subdivision takes place in a NYS Ag District, or within 500' of a farm operation in a NYS Ag District.		This is good. (The zoning should also be updated to require the Ag Data Statement.) Further, it is recommended that subdivisions and site plans taking place in the NYS Certified Ag District be required to have a plat/plan note that acknowledges both that the parcel is in a NYS Certified Ag District and adds an Ag Disclosure Notice. The Ag Disclosure Notice acknowledges that the parcel is in or near farming and may be subject to the noises, odors, and activities associated with Farms. There is standard language for the Ag Disclosure Notice
	Has requirements for stormwater management and design.		This is good for subdivision, but the Zoning should also be updated similarly to ensure that erosion and stormwater is addressed

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
			during all projects, including all development on steep slopes.
	Prevents habitation in areas subject to 100 year flooding. Requires wetlands to be identified on or within 100 feet of the subdivision and compliance with DEC or Army Corps requirements		While these are good, the subdivision law does not really emphasize or call out the wide range of other important natural features in Town or provide details for their preservation. Subdivisions should take into account all natural features. Subdivision doesn't offer many guidelines to preserve all those features. This is an area that could be improved in the subdivision law.
	The law mentions the option for clustering for major subdivisions but has neither procedure nor development standards for this to take place. (This language mirrors similar language found in zoning for incentives for clustering and use of density bonuses. Both of which have few details as to how this is to be done.)		The Subdivision Law should be updated to include use of conservation subdivision. It is recommended that all major subdivisions be required to be designed using the conservation subdivision method. This is a density neutral technique that addresses the siting and layout of lots and new homes. Companion language would need to be in the zoning law too. The conservation subdivision section includes specifics on how lots are to be laid out, homes sited, open space protected, and other development standards to protect the environment and rural character. These could result in clustering, but not necessarily. Current local law gives no direction at all for the Planning Board. As an alternative to requiring conservation subdivision for all major subdivisions, the

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
			Town could incentivize this using the density bonus section (see below for more on this in the zoning law).
Zoning - Section 195	Adopted in 2009.		
	Establishes an expedited site plan review process for ag uses in Chapter 195a App 1.	<p>Review and Updates needed including, but not limited to the following topics:</p> <ul style="list-style-type: none"> • Allowable Uses • Special Use Permits, which may change by district • Site Plan reviews, including expedited site plan reviews for ag uses • Road preservation or damage mitigation provisions; Driveways • Purpose statement for each district • Use of the Natural Resources Inventory and associated maps, e.g., for climate change • Wording to incentivize renewable energy, energy 	<p>Having an expedited site plan review for certain ag uses is excellent. However, this particular section is not fully fleshed out: It does not identify what ag uses can use or must use an expedited site plan process. It is not tied into the main zoning law at all, so it is unclear how it is applied or when it is applied. This needs to be better integrated into the site plan section of zoning and fleshed out as to its review process and time lie.</p> <p>Does this apply to all farms everywhere, or only those in the NYS Ag District? The purpose of the NYS Ag and Markets Law is to prevent over regulation of farms. As such, use of site plan review or special use permits for farm operations is not allowed. But the State recognizes that some uses</p>

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
		<p>conservation, sustainability or local climate solutions</p> <ul style="list-style-type: none"> • Potentially other changes resulting from the Updated Comp Plan Visions and Goals, as well as common survey responses • Ridgeline Protection • Accessory Dwelling Units • Possible distinctions by zoning district • Tightening provisions against large scale solar installations • Density: Lots sizes and setbacks by location • Dimensions and design standards for commercial uses • Open Space Lots • Land Clearing • Short Term Rentals • Multifamily dwellings and senior housing • Home occupations (HO-2) • Stormwater • Consistency with emergency services and available infrastructure <p>Review and update zoning to provide enhanced supplemental standards for certain uses.</p>	<p>such as agri-tourism can have impacts on roads, noise, etc.</p>

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
		Review and update definitions so terms used in zoning are clarified and consistently applied.	
	References the need for road preservation or road damage mitigation provisions. It is unclear what these actually are.		Update to articulate what the process, standards and definitions are for road preservation and road damage mitigation and when this would be applied. I assume this is connected to the Streets and Sidewalks Chapter, but this is an important topic that is too vague.
	Includes sections on telecom towers, land clearing/grading, commercial timber harvesting (timber harvest permit), solar energy, home occupations (two levels), Site Plan Review and Special Use Permits.		<p>These are adequate sections, but there are other specific uses that need attention. One is short term rentals - The survey points to the need and desire for regulating short term rentals.</p> <p>Another recommended area to expand on is multi-family dwellings. Zoning needs to establish development standards for that type of housing, so they are consistent with community goals for that.</p> <p>Other uses may need their own supplemental standards including, but not limited to tiny houses, landscaping at commercial uses, commercial design standards, etc.</p>
	Purpose statements are very good, aligned with the comprehensive plan vision and		One addition - There is no mention of addressing climate change, having smart

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
	goals, and specifically address the need to implement the Towns comprehensive plan. They address:		growth, or ensuring land use addresses renewable energy and energy efficiency. These are topics that were important to the community and an additional purpose statement in the zoning should address this.
	Preservation of natural resources and natural character		
	Recognizes unique characteristics of the landscape		
	Maintain existing patterns of mixed use economic activity via home occupations and appropriately scaled businesses throughout		
	Protect wooded areas, ridgelines, ag, waterways, groundwater, surface water, ecological systems, wetlands, natural vegetation, and to maintain contiguous open space in current undeveloped state to preserve predominantly rural character of the town		
	Encourage ag, diversify and prosper		
	Provide for variety of housing and encourage affordable housing		
	Encourage conservation of energy and appropriate use of renewable energy resources		
	Regulate density to maintain existing settlement patterns etc.		
	Protect quality of life in hamlets with ag and the rural landscape as traditional components		
	Discusses importance of the ridge line 195-10 (C)		

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
	<p>190-19 is Ridgeline Protection. There is a short section and references to the importance of ridgeline protection in Town, with a development standard that rooflines need to be below the ridgeline, but there is no mention of an overlay district, or which ridgeline(s) this is applied to, for what uses, when, and what procedure.</p> <p>Also, the zoning map using data from the County has an 'environmental protection overlay district' which is not referenced in the text at all and makes the map confusing.</p> <p>It has good purposes for why ridgelines are important. Good intent. Oriented to dominant ridgelines, not all hills and rises on a particular parcel. Has siting so all rooftops are below ridgelines. But again, it does not say where these are to be regulated. It generally addresses clearing of forest land, via prohibiting clear cutting on a ridgeline but it doesn't offer where or how much clear cutting is prohibited. There are few standards to help apply here. Ridgeline is defined but does this identify where the regulations are applied.</p>		<p>The Plan should outline how the Town wants to address ridgelines. Develop a ridgeline map and create a ridgeline protection overlay district on both the map and text. If this is the direction the Town wants to go, the zoning should articulate more details on process, applicable uses, and development standards needed to protect ridgelines (it is more than just having rooflines below ridgelines).</p>
	<p>Site plan – required for all businesses, community group uses, land clearing > thresholds, all uses that require an SUP.</p>		<p>These are appropriate uses to require site plan review for.</p>

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
	<p>Most businesses require a special use permit (remember that this means these are ALLOWED uses with special conditions). Buildings are limited to 5,000 sf for retail and personal business uses. Other business group uses can be 10,000 sf. Warehouses are allowed only along state or county roads. Zoning has limits on auto repair and auto towing service uses and this set of uses seems to be the most detailed of all.</p> <p>Most businesses listed are allowed in all districts, including some that are large (heavy equipment yard/light industry/self-storage/theater/warehouse/wind turbines) and some uses do not seem they are likely to be compatible with hamlets, while others do not seem compatible with RR. The use table does not reflect the differences between hamlets and rural areas outside them.</p>		<p>This raises the concern that zoning treats business development the same - all businesses are allowed in all places. This is not fine-tuned enough to assure for rural character and some uses are more appropriate to hamlets or to rural areas but not everywhere. It is recommended that the uses be re-evaluated to determine which uses are best situation in which district. Some businesses uses in rural areas are desired, but too much, too many, too large, or too intense impacts the other values you have in Town. Note that the purpose statement uses “appropriately scaled” for business development, but the goal in the Plan uses “traditional small scale commercial enterprises.” I don’t think those are the same and there needs to be more consistency to reach ‘small scale.’</p> <p>Further, business sizes should be re-evaluated. The Plan should offer policy as to whether a town-wide allowance for 10,000 sf businesses is appropriate. Zoning should distinguish different uses, mixed uses, smaller sizes, and different dimension requirements for setbacks to discern hamlets from other areas.</p> <p>Design standards for certain commercial businesses can be an important tool to help business development fit into rural</p>

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
			<p>and hamlet areas and should be considered.</p> <p>It is recommended that the Plan address the designation of districts, whether a business district is needed, the size of the hamlet districts, and differences in the rest of the town that warrant fine tuning of zoning requirements to better meet the town's needs. There needs to be more distinction between the hamlet districts and other places in Town.</p>
	<p>Uses are separated into use categories (Business, agriculture, residential, community, land conservation, solar energy).</p>		<p>Do these categories and the specific uses allowed capture all the uses desired in Town? Are there ones on the list that should not be allowed? This Audit points out some that are missing, but every use on that list should be acceptable in town and with adequate development standards for the use in that district. This can be fine-tuned with policy towards this as a foundation in the Plan.</p>
	<p>ADU's (Accessory Dwelling Units) are allowed as of right in all districts, as are 1 and 2 family dwellings.</p>		<p>Use of ADUs is complex and now very much tied to short term rentals. The Plan ought to specify policy and development standards for ADUs in terms of location and siting on the parcel, size, etc., and use as short term rental. ADUs are desirable and a viable land use option, but with some basic development standards. The Town needs to address how use of ADUs for short term rentals maintain community and rural character as well as how they impact affordable housing options.</p>

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
	Home occupations level 1 are allowed as of right (no review) in all districts. Home occupation level 2 is also allowed all districts with a special use permit.		<p>This language is consistent with the continued desire to promote home occupations, but it is recommended that there be additional development standards for Level 2 so that those uses are not inconsistent with all the other goals in town. Size, intensity, scale, traffic, and other aspects are of concern with Level 2 home occupations, and it does not appear as if there are many standards, or tools for the Planning Board to use to ensure compatibility of these projects with the current conditions in Town.</p> <p>Community input received indicates that the Town does have problems with HO 2 and there is a chance that these could become too intense as home occupations and not be compatible with surrounding residential uses. Zoning offers only a general statement about limiting noise, traffic, etc. but is this enough? It is quite vague and leaves a lot for the Planning Board to figure out. There does not seem to be enough to protect character, environment, neighbors.</p> <p>Another issue is that 195-28 doesn't mention in the text as needing a special use permit as outlined in the Use section of the zoning.</p>
	Senior housing and multifamily housing are allowed in all districts with a SP.		It is a good tool to allow for senior housing and multifamily housing in Town to meet housing goals. However, it is unclear if

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
	Critical to this is that the zoning limits multi-family dwellings to 4 units.		<p>these types of housing are appropriate in all locations. The Town may want to focus these uses on locations where senior and multi-family housing are most appropriate. This is usually in hamlets but can be in other locations.</p> <p>Similar to the comment above, I do not believe these housing types allowed all locations is either desired or is a policy likely to maintain rural character, but it very much depends on location, scale, and intensity of the proposed housing development. This is an area where more detail is needed.</p> <p>Also, limiting a multi-family dwelling to 4 units establishes the small scale desired by the community (as per the survey), but is 4 too few? Are there any places or situations where more could be allowed?</p> <p>And it is not clear if the zoning allows for a multiple number of multi-family dwellings on a parcel – so as to create a small, clustered cottage setting, for instance? If so, how are they controlled? Is there a maximum density? This needs to be fine-tuned so that this type of housing is consistent with affordable housing goals and the environmental and community character goals too.</p>
	Zoning prohibits large scale solar in all districts and requires site plan review for other ground mounted solar facilities.		NYS reviews, permits, and regulates large scale solar. If the Town prohibits this use in Austerlitz, the State may find that

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
			<p>unreasonable and ignore it should a proposal for a solar farm > 20 MW is proposed. If the State ignores your prohibition, then you offer no other standards, development criteria or protections that should be considered by them during their review process. The message is that this prohibition only addresses < 20 MW systems.</p> <p>We should check the Hosting Capacity Map for Austerlitz to see if and where there is potential for large scale solar that may fall in the State purview. Are there any 3-phase power lines? If so, then you are at risk. This is a policy area for discussion.</p>
	No specific purpose statements are offered to define the reason for establishing the three districts you have.		Adding in purpose statements for each of the districts would assist in drawing distinctions between them. In development of district purpose statements, the Town could then fine tune uses and dimensions that would help meet those specific purposes.
	Requires a 1 acre min lot size in hamlets; 2 acres in RR. Setbacks required are generally OK except that they are likely to result in uniform (cookie-cutter) lots due to large lot frontage requirements.		<p>Smaller lots are appropriate in hamlet areas. Should there ever be water and/or sewer in either of the two hamlet areas, then 1 acre is too large.</p> <p>I do not believe a 2 acre minimum lot size in the RR will meet your long-term goals. That is a high density. This will simply create many 2 acre lots spread throughout town over time. This is not, in my opinion,</p>

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
			<p>enough to address either rural character or environmental protection. We of course want to balance preservation/conservation with people's right to build on their property. But there are many other tools the Town should evaluate to provide better long-term attainment of rural character and environmental protection. These techniques include use of density (# of dwelling units per acre) instead of requiring minimum lot size (the minimum lot size should be only what the County requires for septic and wells), and the amount of development should be controlled by density (# units/acre). Use of average lot sizes, and a lower overall density are other tools that need to be discussed and policy developed to meet long-term goals. Some of these techniques seem to be incidentally applied in the zoning (see below) but not clearly or effectively.</p> <p>Frontage and front setback especially need to be adjusted in the hamlets to ensure that new development in those locations maintains the current lot size, frontage, and setback characteristics there.</p>
	The RR district allows for a sliding scale density for subdivisions of 4+ lots; for lots > 90 acres, average density is 10 acres/lot.		<p>Sliding scale is a good technique but in your zoning can be applied only when there is a major subdivision. Why is that?</p> <p>Sliding scale is used to direct more density</p>

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
			<p>to parcels already subdivided – thus large parcels still get development, but at a lower rate than smaller parcels. This in the long run ends up directing more growth to smaller parcels. Sliding Scale density is used in many places in the US, but not too much in NYS. Glad to see it, but in Austerlitz, no minor subdivisions get to use that technique and each lot will require a 2 acre minimum – as discussed above. This is, in my opinion, not consistent with maintenance of rural character. Lot size requirements also affect affordability of a lot so that is a consideration to weave into the land use regulations too.</p>
	<p>In RR, for lots that are 30 acre or more, they get higher density if they preserve 50% open space. This is a bonus (called bonus developable lots).</p>		<p>Density incentives are a good tool to incorporate. This incentivizes preservation of open space. But the way this is set up by allowing only on large lots actually directs more density to the most rural parcels (the largest). Why is this applied only to large lots? Is this the right approach? Can you incentivize preservation of open space on more (see above related to conservation subdivision).</p> <p>I suspect this probably hasn't been used in Town much to know how it works, but at the least, it is not detailed enough for the PB to know how to effectively or legally allow for density bonuses. For instance, 'Bonus' is not defined, nor is there a</p>

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
			<p>reference to NYS Town Law that authorizes use of density bonuses and its requirements.</p> <p>NYS Town Law requires several specific procedures for when a Town can offer a density bonus and none of that is articulated here. These are good concepts that can be enhanced for better outcomes. One policy area for consideration is to require 50% open space and a conservation subdivision layout for all major subdivisions. That would be a more direct method to meet your goals. Incentives work but they have to be big enough incentives to be attractive. These philosophy behind incentivizing open space protection is good but need additional details to likely work.</p>
	<p>Zoning also provides incentives when someone offers to provide open space lots. This is a voluntary option and specifically not mandated. The incentive is that in return for creating an open space lot, density bonus lots are allowed. And in so doing zoning also allows for a smaller minimum lot size (1 acre) to promote cluster development. Zoning does allow the open space lands proposed to be used for ag, forestry, ponds and passive and active recreation having low impact on environment (low impact is not defined).</p>		<p>Open Space Lot is not defined. 195-16 is pseudo clustering/conservation subdivision but without the process or definition. Is there enough info here to make these work? (It also doesn't say whether bonus lots are available for minor subdivisions.) So large lots get more density. Isn't this opposite of what sliding scale offers – smaller lots get more density? Again, these are good tools and concepts, but I do not think they are fleshed out enough to be applied well. There is too much vagueness and too much left for the Planning Board to figure</p>

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
			out and without more direction from the zoning, this could be difficult.
	195-20. Development of one and two-family homes on large lots with driveways > 500 feet require Site Plan Review. Zoning offers just minor instructions to “minimize clearing, road cuts, and steep grades and assure proper measures are in place for erosion and sediment control during and after construction.”	Update Use Table to reflect this requirement so it is adequately applied.	Like other areas in the zoning, this is not very detailed, and I question whether there is enough direction for the Planning Board to actually use to get the job done. Long driveways on steep slopes seems to be a development pattern emerging in lots of places in Columbia County. This should be addressed as they have implications for erosion/sedimentation, forest fragmentation, safety, etc. This provision may not be adequately applied.
	Site Plan Review is required for all land clearing > 1 acre in all districts where property <u>is vacant without a primary residence or business use</u> . Exempt from this review are agriculture, municipal projects, selective cutting, and clearing or grading up to 4 acres on same lot with existing residential or business use. Also, if the applicant says they have no future plans for subdivision or development of a property – then they can clear their land, but they are not able to apply for site plan review, special use permit or a building permit on that parcel for 5 years.		I am unsure about this requirement. It is good to require site plan review for large land clearing. Does this however not have an upper limit to the amount of clearing? Does this mean that someone can clear hundreds of acres if they desired? Is that what the Town seeks? On the other hand, if there is a house or business present, they can clear up to 4 acres with no review at all. Is that also what you want? What policy does this address? Is there risk that this policy just allows for 4 acres of land clearing at a time anywhere and then they just wait 5 years to later build? Does this promote environmental protection and maintenance of rural character?
	Site Plan Review 190-29.		Many words used in this section are often not defined. For instance, the term “environmentally sensitive area” is used, but not defined. A stormwater pollution prevention plan (as required by NYS for

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
			certain developments is neither defined nor required. And, definitions do not offer information as to what ‘dangerous or hazardous activities’ are.
	Site Plan establishes a voluntary sketch plan and sketch plan conference.		I believe a sketch plan and its conference is a critical stage of the process where the Planning Board can discuss the project and concerns or requirements before an applicant spends lots of time and money. I believe these should be mandatory. The requirements for a sketch plan, and the outcome of the conference and its relationship to a full application are not well articulated.
	Site Plan lists a landscape plan is a ‘may’ be required.		I believe this should be a ‘shall.’
	Stormwater and runoff plans are also ‘may.’		
	The required site map shall show ‘site area and any pertinent natural features that may affect or be impacted by the proposed use.’		Usually, all natural features that the town wants to address are specified and required to be shown on the site plan. The subdivision law details this aspect well - See language from Subdivision law that outlines and details all these. What is site area (the building envelope or the whole parcel)? What is pertinent? How does one know they may be affected or impacted if they are not identified and then reviewed first?
	There is nothing about building design for commercial buildings.		Commercial design standards don’t have to be extensive but can outline basic design (such as peaked roof and an architectural style that is consistent with the historic nature). These would be, in my

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
			opinion, very important especially for business development in the hamlet districts.
	See 196-31. This section allows for a less intensive site plan review.		<p>Many laws have a minor site plan that has less review, but this is not particularly well articulated and leaves the decision open for interpretation. Is that a loophole? What real criteria are used for determining if a less intensive review is appropriate? Is it location? Size of building? Type of use? I don't know how this would apply.</p> <p>Certainly, some projects are worthy of a less intensive review, but shouldn't this be more well defined so that applicants and the Planning Board know what is eligible to have a less rigorous review?</p>
Special Use Permits Article IX:	Special use permit criteria are acceptable		Sometimes the vagueness of criteria such as these are beneficial, but other times, general statements that don't offer more can be hard for the Planning Board to determine when something meets the criteria or not. There are few specifics offered.
	This section certainly is oriented to ensuring the use fits into the area and protects the environment. However, few environmental features are defined, and are generally mentioned with no specifics.		Is the statement that 'applicants shall avoid development in areas where the following conditions are present' enough for the Planning Board or applicants to know what is meant? For example, the zoning might offer more such as 'all outdoor lighting associated with a home occupation level 2 or commercial business shall use fully shielded, dark sky compliant

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
			light fixtures.’ Enough detail needs to be offered to help the applicant and PB know how to tell if a use fits into the area.
Other Areas	No definition of farmworker housing, but it is mentioned in the text.		Define farmworker housing.
	Definitions need updating and expanding		Every use allowed via zoning should be defined. There are many terms used throughout the zoning that are not defined. Some definitions are out of date (mobile homes for example). All definitions need to be specific enough to avoid difficulties in interpreting the term – which leads to applicant and Planning Board confusion, trips to the ZBA, and lack of direction.
	The Zoning Map is not included online with the rest of the zoning on the General Code Publishers site.		Make sure the zoning map is fully accessible online with the zoning code.
	There is no mention of uses that occur in rural areas now such as special events (weddings for instance), glamping, tiny houses, etc.		Use the survey information to identify ‘hot button items’ that should be addressed in the zoning.
	The new Plan will have lots of maps of all the environmental features in Town and descriptions.		Zoning should mention those maps, allow for them to be used by applicants to at least in sketch phase to identify features on the parcel, and the Town needs to ensure these are made available to the public, applicants, and the Planning Board and ZBA. Where Zoning mentions environmental protection, it should also encourage/require applications to use the

Town of Austerlitz Comprehensive Plan – Draft March 18 2024

Local Land Use Law and Section	Comment	Recommendation to Enhance Consistency With Updated Comprehensive Plan (See Next Column for More Detail)	Detail
			<p>Plan maps to learn about those resources that may be on their property.</p> <p>Site Plans and Special Use applications should have information to allow for an effective environmental site analysis that identifies what environmental features identified may be on that parcel of land. Having this information will help the Planning Board avoid or minimize impacts to it. This will be especially true if the zoning specifically addresses a requirement to minimize impacts to these special areas.</p>
	Not much exists in the Plan to promote, encourage, require, or incentivize renewable energy, energy conservation, or climate smart solutions.		Smart growth strategies to address climate change should be outlined in the Plan and then implemented via land use regulations as appropriate. This could include use of incentives or requirements for providing renewable energy when development occurs, use of energy conservation methods (such as LEED certified commercial buildings), installation of EV charging stations in commercial parking lots, etc.
	There is a need to ensure that emergency vehicles can have adequate access in all new projects.	Update zoning and subdivision to ensure that emergency access needs are reviewed and evaluated.	The zoning and subdivision laws should reflect the need to ensure adequate emergency access. Roads, driveways, curb cuts, and other traffic circulation elements need to be reviewed and evaluated by the Planning Board. This review is also part of SEQR.