

Regulatory Model

- § Public Buildings Only
- § Private Sector Development/Incentives
- § Command and Control
- § Privatized System with Audit
- § Article 37

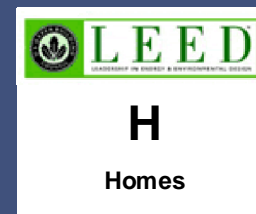
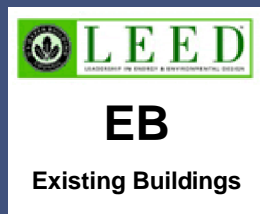
Towards a Sustainable Architecture



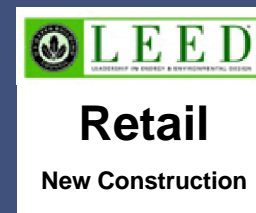
“The U.S. Green Building Council (USGBC)

...is a nonprofit organization, is a community of more than 6,900 organizations from every sector of the building industry united by a common purpose: to transform the building market-place to sustainability”.

The USGBC have developed the following LEED™ rating systems:



AND are developing the following for release in 2007/8:



PILOT VERSION

PILOT VERSION



LEED for Neighborhood Development Rating System

Developed through a partnership of the Congress for New Urbanism,
Natural Resources Defense Council and the U.S. Green Building Council

CONGRESS
FOR THE
NEW
URBANISM



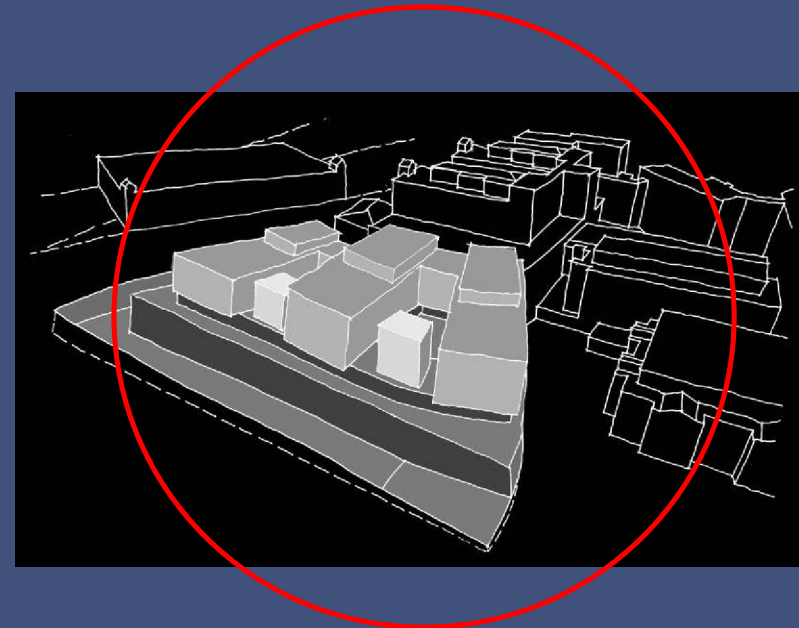
Towards a Sustainable Architecture

Using LEED™ and Article 37 as a Design Tool

Strategic Issues

Site Planning
Internal Planning

Energy
Water
Materials



Strategic Issues

10 Potential Credits:

- Site Selection
- Development Density
- Brownfield Development

Green Buildings in Cambridge



Genzyme Center: Interior

City Green Building Policy

§ The City encourages development of green buildings as a strategy to achieve Cambridge's goal to reduce the greenhouse gas emissions that cause global warming.

Municipal Buildings

§ It is City policy that all new construction and major renovation of municipal building projects follow the U.S. Green Building Council's LEED rating system.

Private Buildings

§ The Cambridge Planning Board encourages developers to use the LEED rating system under the Project Review guidelines of the Zoning Ordinance (see Article 19.33).

Green Buildings in Brookline

Brookline Zoning

§ The Board of Appeals may grant by special permit a maximum gross floor area higher than is permitted in Table 5.01, subject to the procedures, limitations, and conditions specified in this Section, and provided that public benefits including but not limited to the following are provided by the developer of the lot as required by the Board of Appeals: ...environmentally friendly sustainable building and site planning practices....

Green Buildings in Newton

Newton Zoning Code

Sec. 30-2.

§ The provisions of this chapter are ordained by the city for the purpose of promoting the health, safety, convenience and welfare of its inhabitants by:

Efficient use and conservation of natural resources and energy.

Newton Zoning Code

Sec. 30-23. Site Plan Approval.

§ When conducting a site plan approval, the board of aldermen shall consider the application in light of the following criteria:

Significant contribution to the efficient use and conservation of natural resources and energy for projects proposing building(s), structure(s), or additions to existing building(s) or structure(s), if those proposed buildings, structures, or additions contain individually or in the aggregate 20,000 or more square feet in gross floor area.

Newton Zoning Code

Sec. 30-24. Special Permits.

§ Natural resources and energy: All applications for a special permit authorizing proposed building(s) and/or structure(s) or additions to existing building(s) and/or structure(s), if those proposed building(s), structure(s), or additions contain individually or in the aggregate 20,000 or more square feet in gross floor area, shall submit evidence that the site planning, building design, construction, maintenance, or long-term operation of the premises will contribute significantly to the efficient use and conservation of natural resources and energy.

Enforcement Issues

§ Who controls USGBC? What if the checklist/values change?

§ Public participation in the “Green” process

§ Changes from PNF to Certificate of Compliance

§ Effect of Article 37 on MEPA review

§ Lender requirements

LEED Certification to the BRA – Are You Covered?

§ Certification – as to what and when?

§ Disclaimers on the certification – not a warranty or guarantee of performance

§ Limitations of liability?

§ Coverage

§ Review your coverage with your carrier

NOVEMBER 26, 2007

B a n k e r & T r a d e s m a n

Radcliffe Digs

Wells associated with ground source heat pumps are typically regulated by the MassDEP under the ground discharge program and the underground injection control program. Because the water removed from the wells during drilling is filled with sediment and debris, permits had to be secured from the Massachusetts Water Resource Authority to ensure that the removed water is properly cleaned and filtered before it is returned to the site storm water drainage system. A filtration system was integrated into project planning and site logistics.

1998 LEGISLATION

§ Also Created Brownfields-Specific Programs:

§Covenant Not to Sue

§Brownfields Redevelopment Access to Capital (BRAC)

§Brownfields Redevelopment Fund (BRF)

§Brownfields Tax Credits

§Municipal Tax Abatements

FACTORS TO ACCELERATE THE PACE

§Smart Growth

§LEED, Green Buildings, Sustainable Development

§Boston Zoning – Major Projects

§Statutory, regulatory and policy “tweaks”

Conservative Curmudgeon

§ Is this a problem that cries out for regulation?

§ Who makes the call on “sustainability” or “good green”?

§ Green roof v. recharge

§ Bike rack/shower v. roadside assistance or equipping the T

§ Recycling for recycling’s sake?