**LEED CERTIFICATION BUILDING STANDARD**

*Developed by the Pioneer Valley Planning Commission*

**SECTION 1.0 LEED CERTIFICATION BUILDING STANDARD**

**1.1 Purpose**

The purpose of this bylaw is:

a. To encourage the construction of environmentally sustainable municipal and privately-owned buildings;

b. To ensure that large scale new and rehabilitated building projects are planned, designed, constructed, and operated to minimize adverse environmental impacts;

c. To encourage the conservation of natural resources and reduction of toxins through environmentally appropriate building materials and methods;

d. To encourage the reduction of greenhouse gas (GHG) emissions in the Building Sector to lessen the effects of climate change;

e. To encourage a reduction in the use of energy in both the initial construction of a project, as well as its daily operation;

f. To enhance the quality of life in the [Town/City] of \_\_\_\_\_\_\_\_\_\_\_\_.

**1.2 Definitions**

Green Building: The practice of increasing the efficiency of buildings and their use of energy, water, and materials, and reducing building impacts on human health and the environment, through better siting, design, construction, operation, maintenance, and removal.

Gross Floor Area: The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles, or any space where the floor-to-ceiling height is less than six feet.

Leadership in Energy and Environmental Design (LEED) Standards: A voluntary, third-party rating system where credits are earned for satisfying specified green building criteria. Developed by the United States Green Building Council (USGBC), LEED is the nationally accepted benchmark for the design, construction, and operation of high performance green buildings. LEED, as defined is this bylaw, will refer to the most current standards as revised by the USGBC.

**1.3 Applicability**

Any new construction or substantial rehabilitation of privately-owned and municipally-owned, non-residential structures over 25,000 square feet in Gross Floor Area which require a Special Permit or Site Plan Review shall comply with the requirements listed in Section 1.4 of this Bylaw.

**1.4 Requirements**

In addition to the application requirements for a Special Permit or Site Plan Review, the applicant will submit a completed and most current LEED Registered Project Checklist reflecting the intended design details of the building(s) to the Special Permit Granting Authority. The applicant will select the most appropriate LEED rating system, based on the proposed project.

a. For construction of non-residential structures over 25,000 square feet but less than 50,000 square feet Gross Floor Area, proposed projects shall be required to meet the Basic LEED Certification.

b. For the construction of non-residential structures over 50,000 square feet Gross Floor Area, proposed projects shall be required to meet the Silver LEED Certification. Proposed projects are encouraged to consider meeting LEED Gold or Platinum standard.

**1.5 Procedures**

a. For a Special Permit and Site Plan Application, in addition to the requirements set forth in Special Permits, Section \_\_\_\_ of the [TOWN/CITY] Zoning Bylaw, and Site Plan Approval, Section \_\_\_\_ of the [TOWN/CITY] Zoning Bylaw, the applicant will also submit to the appropriate permitting board:

i. The appropriate LEED Registered Project Checklist, reflecting intended design details of the proposed project;

ii. Identify the designated LEED Accredited Professional for the project;

iii. Documentation to demonstrate the anticipated methods by which compliance with the LEED standards will be achieved at the time of construction.

b. Building Permit

i. Prior to the issuance of the first Building Permit for each authorized building, the applicant will submit a draft LEED certification package, prepared by a LEED Accredited Professional, to the Planning Board and Building Inspector.

ii. Approval shall be granted upon determination by the Planning Board that the certification package is in compliance with LEED certification level as required in Section 1.4 of this bylaw.

iii. The Planning Board shall certify to the Building Inspector that all conditions under Section 1.4 of this bylaw have been met before issuance of a Building Permit.

c. Certificate of Occupancy

i. Prior to the issuance of the first Certificate of Occupancy for each authorized building, the applicant will submit the final LEED certification package, prepared by a LEED Accredited Professional, to the Planning Board and Building Inspector.

ii. Approval shall be granted upon determination by the Planning Board that the certification package is in compliance with LEED certification level as required in Section 1.4 of this bylaw.

iii. The Planning Board shall certify to the Building Inspector that all conditions under Section 1.4 of this bylaw have been met before issuance of a Certificate of Occupancy.

iv. Within eighteen (18) months of the issuance of the final Certificate of Occupancy for each building, the applicant shall submit a report to the Planning Board which shall outline the results of the measurement and verification procedures to date for that building.

**1.5 Project Review**

In addition to any Administrative Fees, the Planning Board may impose a Project Review Fee on those applications which require, in the judgment of the Planning Board, review by outside consultants due to the size, scale or complexity of a proposed project, the project's potential impacts, or because the Town lacks the necessary expertise to perform the review work related to the permit or approval. In hiring outside consultants, the Board may engage engineers, planners, lawyers, designers, or other appropriate professionals able to assist the Board and to ensure compliance with this Section 1.0. Such assistance may include, but shall not be limited to, analyzing the LEED application, monitoring or inspecting a project or site for compliance with the Board's decisions or regulations, or inspecting a project during construction or implementation.

Project Review Fees shall be submitted at the time of the submittal of the application for deposit in an account established pursuant to G.L. c. 44, s. 53G (53G Account). Any application filed without this fee shall be deemed incomplete and no review work shall commence until the fee has been paid in full.

**1.6 Performance Bond**

The permit granting authority shall require an irrevocable performance bond or other security to insure large scale new and rehabilitated building projects are functioning at the required LEED certification level, unless, in a particular case it specifically finds that such security is not warranted and so states its decision giving the reasons for its finding. The bond shall not be released until the applicant has certified in writing and the permit granting authority has determined that the building projects have been completed in compliance with the permit and LEED certification.

**1.7 Conflict with Other Laws**

The provisions of this bylaw shall be considered supplemental of existing zoning bylaws. To the extent that a conflict exists between this bylaw and others, the more restrictive bylaw, or provisions therein, shall apply.

**1.8 Severability**

If any provision of this bylaw is held invalid by a court of competent jurisdiction, the remainder of the bylaw shall not be affected thereby. The invalidity of any section or parts of any section or sections of this bylaw shall not affect the validity of the remainder of the town’s zoning bylaw.