



TOWN OF WATERTOWN
Department of
Community Development and Planning
PLANNING BOARD

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John B. Hawes, Jr., Chairman
Jeffrey W. Brown
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Gary Shaw
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PLANNING BOARD REPORT

This Report provides the Planning Board's recommendation to the Honorable Town Council for the Council's public hearing on the Zoning Ordinance Amendment for LEED Silver.

Subject Property:	Town-Wide: All new Developments requiring Site Plan Review in the NB, LB, CB, I-1, I-2, I-3, RMUD and PSCD Districts
Parcel ID #:	Multiple Properties
Zoning Change:	Require new projects to be LEED Silver <i>Certifiable</i> within the commercial, mixed-use and industrial zones.
Staff Recommendation:	Approval
Date of Council First Reading:	September 11, 2018
Date of Planning Board Hearing:	October 11, 2018
Planning Board Recommendation:	(5-0) Approve the Text Amendment

I. Public Notice (M.G.L. c. 40A, §11)

A. Procedural Summary

The Zoning Text Amendment to change zoning to require all new Developments requiring Site Plan Review in the NB, LB, CB, I-1, I-2, I-3, RMUD and PSCD Districts to be LEED Certifiable at the Silver level was heard by the Planning Board on October 11, 2018. As required by the Watertown Zoning Ordinance §9.22, notice was given as follows:

- Published in the newspaper of record, *Watertown Tab*, on September 21, 2018 and September 28, 2018;
- Posted at the Town Administration Building on September 17, 2018; and,
- Mailed on September 17, 2018 to the Massachusetts Department of Community Affairs, the Metropolitan Area Planning Council and to abutting municipalities.

B. Legal Notice

“The Watertown Planning Board will hold a public hearing on Zoning Ordinance (WZO) Amendments on Wednesday, October 10, 2018, starting at 7:00 p.m. in the Town Council Chamber, Administration Building, 149 Main Street, Watertown, MA 02472, to consider amendments to the WZO. “Amend Section 9.03(c)(7) to require LEED Silver Certifiability in all new developments that require Site Plan Review as is now required in the RMUD zone.”

Town Council:

Notice is hereby given that the City known as the Town of Watertown will conduct a PUBLIC HEARING before the Town Council on proposed AMENDMENTS TO THE ZONING ORDINANCE. The Hearing will be held on Tuesday, November 27, 2018 at a meeting starting at 7:15 PM in the Town Council Chamber, Administration Building, 149 Main Street, Watertown, MA 02472.

2. LEED Standards: Amend Section 9.03 to require LEED Silver Certifiability in new developments that require Site Plan Review.

(published 11/9/2018 and 11/16/2018 and posted 11/6/2018)

II. Description

A. Nature of the Request

The Economic Development & Planning Subcommittee of the Town Council tasked the Community Development & Planning Staff to address the different requirements in the Zoning Ordinance relative to LEED.

At a November 29, 2017 Subcommittee meeting, a copy of the proposed zoning text amendment was distributed to require LEED Silver Certifiability for any project that requires site plan review in a variety of districts. It was noted that this requirement would not apply to one and two family homes. The result would create a more consistent requirement for all projects of similar size in Town, as opposed to the current situation where only projects within one district have this requirement.

At its meeting on November 29th, the Subcommittee voted (3-0) to recommend a hearing amending the Zoning Ordinance by changing paragraph 9.03(c)7 to require *LEED Silver Certifiability*, and it was then considered by the full Council, which also recommended its consideration.

III. ANALYSIS AND RECOMMENDATION

The proposed Text Amendment would create consistent language as required within the Regional Mixed-Use District for other areas of Watertown. The language creates the same requirements for all projects requiring Site Plan Review in all mixed-use, commercial, and large residential zoning districts. Recent development has shown that the requirement is reasonable.

IV. PUBLIC COMMENTS AND PLANNING BOARD DISCUSSION

Written comments received to date include an October 6, 2018 letter from Stephane Acel-Green, 29 Carroll Street, who expresses strong support for this amendment.

Mr. Curtis Whitney asked if a 2,500 square foot project would be subject to LEED Cerifiability? Is there a “safety valve” or an exemption for the smaller developer or properties? Mr. Schreiber said the trigger was Site Plan Review. He said if a project was minor enough to not require Site Plan Review, the requirement would not apply.

Ms. Carolyn Day noted she has been doing LEED Certifications as an architect for over 10 years. She said her analysis to answer the cost question for her clients is that “Certified” adds between zero to one percent to project cost. She said going to *Silver Certified* is between to zero to 2% cost increase. So, she said the standard in Boston is Silver Certified, and the costs, including the consultant is relatively low.

Mr. Ed Lewis, Watertown’s Energy Manager, spoke in favor of the proposed Text Amendment. He noted the new Building Code changes that took place in January go further than even the Stretch Code.

Councilor Palomba said the Town knows that it’s important to build sustainability based on Climate Change. He said this is a step that should be taken, especially now that there is a building boom. Let’s move the bar now on stronger sustainability.

Hellen ... The UN Climate Change Report shows the need to do more to pay attention to sustainability. She commended Watertown for making progress, and being a leader in this regard.

Brian Haywisen, WEC3, noted the Committee had discussed the LEED proposal. He said WEC3 had not taken a formal vote on the issue, but that there was a strong consensus of the need to support sustainable development. He noted the new State baseline energy code is going to require many of these measures, and that there will be a relatively quick payback. He urged the Planning Board to consider requiring Silver Certified if it was overly concerned about verification.

Ms. Day said there should be a new version published (Version 4.1). She said the new version will only tweak things, but should not negatively affect what the Town is proposing to do.

V. PLANNING BOARD DELIBERATION

Mr. Brown asked staff to clarify where this would apply? Mr. Schreiber noted that any new development over a certain size that would require Site Plan Review would meet the requirement.

Mr. Brown said he was concerned what the cost penalty to a developer would be and also what cost to go from Silver Certifiable to actual Certification?

Mr. Shaw noted that if development follows the State’s energy Stretch Code, a project is about 90% of the way to Silver certifiable.

Mr. Brown asked Mr. Magoon how this requirement has influenced development or redevelopment in Watertown? Mr. Magoon noted that the requirement was currently only in the Regional Mixed Use District, but the Amendment would create a level playing field for similar projects.

Mr. Cohen asked if there was any way to verify compliance? He noted that value engineering could knock out LEED activities. Mr. Magoon said there is the option to require LEED certification to provide monitoring, but also costs a developer additional money. Any value engineering should take place before the project gets submitted for a Building Permit and felt confident in the Building Division's ability to follow up on these requirements. Mr. Schreiber noted that developers submit a construction management plan, which is monitored through the Building Permit process.

Mr. Cohen said there is a concurrency period when the Council rolls out a new LEED version. Mr. Schreiber noted the existing language requires use of the current version, as applicable.

Ms. Buck moved to recommend to the Honorable Town Council to amend Section 9.03(c)(7) of the Zoning Ordinance to require LEED Silver Certifiability in all new developments that require Site Plan Review in the NB, LB, CB, I-1, I-2, I-3, RMUD and PSCD Districts. Mr. Whitney seconded the motion, which passed unanimously (5-0).

The following language would amend the zoning ordinance to require all new development projects to be LEED silver certifiable within the commercial, mixed-use and industrial zones. The original language required only mixed-use developments to be LEED certifiable at 40 points and required mixed-use developments in the RMUD Zone to be LEED Silver certifiable.

SECTION 9.03 SITE PLAN REVIEW OF CERTAIN RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS

- (c)7. Environmental Sustainability: Proposed developments shall seek to diminish the heat island effect; employ passive solar techniques and design to maximize southern exposures, building materials, and shading; utilize energy-efficient technology and renewable energy resources; and minimize water use.

All ~~Mixed Use~~ new Developments requiring Site Plan Review in the NB, LB, CB, I-1, I-2, I-3, **RMUD** and PSCD Districts must meet LEED **Silver** Certifiable requirements as outlined by the United States Green Building Council's Leadership in Energy and Environmental Design (current edition as applicable) as a minimum. Design documentation shall be provided by the Petitioner to the Town to verify that the project could achieve the minimum number of LEED points to achieve certification. Such documentation may include but not be limited to a project narrative describing how the project design intends to achieve selected LEED credits, and a LEED checklist with criteria (or points) which shows the project will achieve a minimum of 40-50 points.

~~All Mixed Use Developments in the RMUD must meet LEED Certifiable requirements as outlined by the United States Green Building Council's Leadership in Energy and Environmental Design (current edition as applicable) at the Silver level.~~