

# GREEN BUILDINGS AND ENVIRONMENTAL SUSTAINABILITY



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Governor Corzine signed into law A-1559/S-1788, which authorizes Municipal Planning Boards to adopt Green Buildings and Environmental Sustainability Municipal Master Plan Elements on August 5, 2008. This bill amends the "Municipal Land Use Law" (C.40:55D-1 et seq.) by allowing the Planning Board to adopt a new type of element. However, the bill is not intended to modify or supersede the State construction code.

*"The Green Buildings and Environmental Sustainability Element provides for the encouragement and promotion of the efficient use of natural resources and the installation and usage of renewable energy systems, considering the impact of buildings on the local, regional and global environment, allowing ecosystems to function naturally, conserving and reusing water resources, treating stormwater on-site and optimizing climatic conditions through site orientation and design."*

The Municipal Master Plan Elements create a blueprint depicting current land uses and guiding decisions for both growth and conservation. All the provisions of a municipality's zoning ordinance or any amendment or revision thereto will be substantially consistent with the master plan. Therefore, a well-crafted master plan is a vital tool to protect local resources for the future of a municipality. The Green Buildings and Environmental Sustainability Element is the 15<sup>th</sup> permissible element of a master plan and can support a municipality's efforts to provide adequate light, air and open space, as well as preserve cultural and natural resources and energy.

An example of a recommendation to be set forth in the Green Buildings and Environmental Sustainability Element is the adoption of a "Green Building Program" for residential development. A program mandating higher performance of housing is a favorable way of keeping real estate and community values high as the more or less

uniform housing stock matures. A Green Building Program could focus on several areas, including waste reduction, pollution, water conservation, energy conservation and sustainable development. By enforcing the standards of this program, a municipality will give future generations the legacy of environmental sensitivity, functionally efficient homes, and a commitment to conservation.

The Green Buildings and Environmental Sustainability Element can include recommendations for commercial development, such as mandatory inclusion of bicycle racks and shower facilities to promote energy reduction and to also reduce air pollution. In addition, special parking spaces can be assigned for hybrid vehicles.

Finally, developing methods to use stormwater for on-site irrigation or utilizing xeriscaping in lieu of traditional landscaping are suggestions that can also be included in the Green Buildings and Environmental Sustainability Element. Xeriscaping refers to landscaping in ways not requiring supplemental irrigation. Advantages to xeriscaping include lower water bills, more water available for other uses and people, and little or no lawn mowing (saves energy). Xeriscape plants along with proper bed design tend to take full advantage of a rainfall, and they can also live in more habitats than most other plants.

For more information on drafting and implementing a Green Buildings and Environmental Sustainability Element, please contact the Remington & Vernick affiliate office nearest you.

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