



New Green Subdivision Would Be Connecticut First

Attorney says air, water and openness are part of 'holistic' criteria

Federal, state and local governments want to encourage the construction of "green" buildings and offer incentives to reward developers that do a good job. But how do you define "green" and who certifies the truly earth-friendly projects? Land use lawyer Timothy Hollister, of Shipman & Goodwin, explains.

In 1992, the federal government launched the Energy Star certification program for computers, monitors and household appliances. Since then, the program has been expanded to provide certification of new homes that are tightly built, well-insulated and energy efficient.

Later, a coalition of design professionals, officials and builders created the national Leadership in Environmental and Energy Design (LEED) standards, with the first projects appearing in 2000. These focused on commercial and public buildings; residential construction was a secondary consideration.

Finally, in 2008, the National Association of Home Builders launched a standard for green building that focused exclusively on residential construction. Today, Hollister is representing housing developer By Carrier Inc., in the first Connecticut green subdivision project, an 83-home development on 212 acres in Berlin.

It is pledging to attain top "four-star" rating as a development, with the homes qualifying for gold level certification under the new National Green Building Standard, or NGBS. Going beyond traditional building codes, the standards rate the project's use of land features, recycled materials, alternative power sources, water conservation and interior air quality. Hollister, a distinguished advocate for affordable housing developments, spoke recently

about the new green standards with Senior Writer Thomas B. Scheffey.

LAW TRIBUNE: What kind of land is this subdivision being built on?

TIMOTHY HOLLISTER: It's a former apple orchard. It's on the Metacomet Trail, so we'll be able to connect the on-site trail system of the development to the regional trail system.

LAW TRIBUNE: How do you measure "green"?

HOLLISTER: The NGBS sets three parameters. The first is the overall layout of the development itself. Avoiding steep slopes, avoiding wetlands and watercourses, orienting the individual building lots so they can take advantage of solar, if possible. If geothermal pump energy is applicable, that is one of the other things you could do.

Number two is the energy efficiency of the home, which [factors in more than] just the appliances. There's something called the HERS [Home Energy Rating System] rating, which combines the efficiency of the appliances, the insulation, the siding – some homes are built with a white roof because that reflects the sunlight and decreases the heating load.

LAW TRIBUNE: Your project engineer for the Berlin subdivision describes



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Attorney Timothy Hollister said no radical homebuilding techniques are needed to create a green subdivision, just a 'pulling together' of existing environmentally friendly approaches and technologies.

the standards as "holistic."

HOLLISTER: Well, the third certification part is the overall combined development. What's unique about what Carrier is doing in Berlin, is, it's the first in Connecticut and one of the first in the country to commit to a specific level by way of regulation. A lot of the green building programs around the country have been voluntary. There have been incentives – like if you have a certain LEED rating, we'll give you 5 per cent more density.

LAW TRIBUNE: And what are you telling the local authorities?

HOLLISTER: This says that we will not get our subdivision approval until we show you that we're going to achieve the highest level – the four-star level. The overall site development is going to achieve a gold level, which is equivalent to the highest level of [the federal] Energy Star rating, of the individual homes. And we're going to achieve the gold level for overall development. It's the developer requiring of himself a very high level of compliance. Emerald is the highest, if you do geothermal power, or solar heat.

LAW TRIBUNE: You must have to pay someone to inspect and grade the process.

HOLLISTER: It's not as expensive as the LEED process. The Carriers will hire some-

one who has completed a training course put on by the National Association of Home Builders research center, and they pay them a fee, per lot, per home. They do the scoring, which they submit to the NAHB research center, and they do the certification. With LEED certification, at [a fee] of 2 percent in some cases, would be \$6,000 on a \$300,000 home, which is prohibitive. The costs here, under NGBS, would be in the range of \$750 to \$1,000 for a home. Part of that's economies of scale, projecting on the 83 homes laid out here.

LAW TRIBUNE: The approach goes way beyond just saving fuel and emissions.

HOLLISTER: The green building standard is divided into several different chapters. Chapter four is site design and de-

velopment. Chapter five is lot design and preparation, six is resource efficiency, seven is energy efficiency, eight is water efficiency, nine is indoor air quality and ten is operation, maintenance and building owner education. It's a comprehensive set of practices, under one roof, so to speak.

LAW TRIBUNE: Is there any technology or design breakthrough for these houses?

HOLLISTER: I can't say that there's any single place where they've come up with a brand new technology, but it's pulling together all of the available techniques and technologies, and requiring of themselves, as a matter of binding regulation, to commit to that. It guarantees a baseline of quality that they're hoping will be attractive to buyers. ■