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Sunderland Green Communities Action Plan Report



Prepared for:



Prepared by:

Town of Sunderland
Franklin Regional Council of Governments

Sunderland Green Communities Action Plan Report



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INTRODUCTION

The Town of Sunderland was incorporated as a town in 1718 and is located in the southern portion of Franklin County and is home to rich farmland and scenic vistas. Sunderland is bordered by the Connecticut River to the west, Leverett to the east, Hadley to the south and Montague and Deerfield to the north. According to the 2000 U.S. Census, the Town of Sunderland is home to approximately 3,777 residents and has 1,668 housing units. The majority (55%) of these housing units are renter-occupied housing units which is higher than the national average (34%). This is largely attributable to the significant population of students residing in Sunderland and attending one of the nearby institutions, the majority of which attend the University of Massachusetts Amherst.

The Town of Sunderland has an engaged Energy Committee and a demonstrated interest in sustainable community development. The Sunderland Energy Committee consists of five (5) members who are dedicated to Sunderland's energy future. The committee plans to complete the following actions¹:

- Identify sources of assistance and funding for education, conservation, and renewable energy resource development;
- Assist town government to network with other towns and nongovernmental organizations on energy issues;
- Share energy-related information with town government and citizens;
- Coordinate with citizen groups who organize educational activities or neighborhood efforts; and
- Report as needed to the Selectmen and to Town Meeting.

In addition to the efforts put forth by the Energy Committee, the Town of Sunderland has also successfully incorporated principles of sustainability into its *Fiscal Year 2009 (FY09) Community Development Strategy*. Most notably, the strategy outlines the Town's commitment to Sustainable Development Principles which are to be incorporated into the Town's activities, policies and programs. Of particular importance in relation to the Green Communities Program is to "promote clean energy". Several measures to improve energy efficiency are listed in the Community Development Strategic Action Plan – Priority Checklist.

The Franklin Regional Council of Governments (FRCOG) was contracted to provide technical assistance services to the Town of Sunderland for the purpose of creating this Action Plan. The Action Plan contained herein defines and documents the specific tasks necessary for the Town to complete in order to be designated a Green Community. It assigns responsibilities to accomplish these tasks to appropriate municipal boards and individuals. The implementation of this Action Plan will provide a framework for initiating community-wide dialogue on energy efficiency and clean energy goals, and developing community-wide support for the pursuit of Green Community designation.

To develop this Action Plan, the FRCOG met with the Town of Sunderland officials on April 15, 2010, including members of the Energy Committee, the Planning Board, Board of Selectmen, Frontier Regional

¹ <http://www.townofsunderland.us/EnergyComm.htm>

School Committee, and the Town Administrator. After an overview of the Green Communities program, the meeting focused on developing the Town’s Action Plan for becoming a Green Community. Based on the information gathered, the FRCOG prepared a Draft Action Plan, which was discussed with members of the Energy Committee at a meeting on May 27, 2010. Final revisions were then incorporated to create the Final Action Plan Report, which was officially adopted by the Board of Selectmen on [insert date], and is contained herein. Copies of agendas and sign-in sheets for each of the meetings are included in Appendix C.

The development of this Action Plan Report is a critical step in the identification of opportunities for Sunderland. This Action Plan outlines a strategy for the Town of Sunderland to achieve Green Community designation through a detailed self-assessment and inventory of resources.

GREEN COMMUNITY CRITERIA

There are five criteria that a town must meet to be designated a “Green Community” by the Massachusetts Department of Energy Resources (DOER). The criteria to qualify a municipality as a Green Community were established by Massachusetts General Law Chapter 25A Section 10, effective July 2, 2008. The following is a review of each of these criteria with a description of the progress made to date, the methodology proposed for meeting the criteria, as well as any task(s) to be completed to fulfill the Green Communities requirements. Each of these task(s) identifies steps the Town will take to fulfill the requirements, the person(s) and/or municipal boards responsible for tasks, and the timeline for completion with specific objectives and milestones. The Action Plan outlined below is also presented in a matrix format in Appendix A, for easy reference.

1. AS-OF-RIGHT SITING

BACKGROUND

A town must provide for as-of-right siting of renewable or alternative energy generating facilities, renewable or alternative energy research and development (R&D) facilities, or renewable or alternative energy manufacturing facilities in designated locations. Green Communities Program guidance outlines the definitions of renewable or alternative energy as well as the requirements for research and development (R&D) and manufacturing facilities. Additionally, the Green Communities Program has identified specific types of renewable or alternative energy generation facilities that are applicable to this criterion. They are: wind turbines (minimum of 600 kW in size); single ground-mounted system of solar photovoltaic (minimum 250 kW); and/or biomass combined heat and power generation in a stand-alone building (minimum of 5 MW).

As-of-right siting refers to the allowance of a particular use, such as those described above, by right within the zoning bylaws. In short, the bylaws do not unreasonably regulate such development nor do they require a special permit, although Towns can require Site Plan Review and specific performance standards. As described in the guidance for the criterion, the as-of-right siting is only required in the

location(s) designated by the community for the use(s) selected. In some cases, the placement of these uses may already be allowed by right in the current zoning bylaws for specific locations identified by the community, such as an Industrial District. In other cases, the zoning bylaws may need to be amended to allow as-of-right siting for the particular facility(ies) in the location(s) designated by the community. This may be accomplished in different ways, such as a change to the existing use table or the creation of a new zoning overlay district. Any zoning amendment would require the applicable public hearing process and Town Meeting vote, as required by the Commonwealth's Zoning Act (M.G.L. Chapter 40A). If already allowed or once enacted, the as-of-right siting will allow an individual, business, corporation or governmental entity to establish the renewable or alternative energy facility identified in a specified location selected by the community, by right and without unreasonable regulation or special permit.

PROGRESS TO DATE

The Town of Sunderland does not currently meet this requirement. The Town of Sunderland does not currently have as-of-right siting in place for any of the facilities outlined in the Green Communities Criteria. The Town's Zoning only addresses one of these permitted uses (*Manufacturing, processing*) which may be allowed by Special Permit (SP) in the Commercial 1 (C-1) District. The Town could consider amending its zoning to allow small scale (up to 5,000 square feet) R&D or manufacturing facilities as-of-right that meet specific performance standards. Additionally, the Town is interested in renewable and alternative energy generation facilities; namely solar PV although current zoning does not allow this use as-of-right. To date, the following have been examined:

- **Wind:** While the Town of Sunderland is interested in examining wind generation, there are currently no high wind areas that are located outside of State Owned Permanently Protected Open Space land. At present wind facilities cannot be sited on permanently protected open space under Article 97.
- **Solar PV:** The Town of Sunderland has a demonstrated interest in pursuing solar PV generation and will explore the possibility of creating a solar overlay district in Town. The solar overlay district could be used to site solar on several potential sites in Town. Additionally, the Town is currently working with Western Massachusetts Electric Company (WMECO) to explore the possibility of installing ground mounted solar PV in Town.
- **Biomass:** Biomass, in general, is presently a controversial topic in Western Massachusetts, in part due to a lack of available information regarding the long-term needs and environmental impacts of such systems. There are three proposals for large-scale biomass generation facilities (electric only) in Western Massachusetts that are currently in the permitting stage. In November 2009, DOER announced that it has selected the Manomet Center for Conservation Services of Plymouth to lead a comprehensive study of issues related to biomass sustainability and carbon emissions policy. The six-month study will also result in a "white paper" that will assist state environmental and energy officials to prepare new regulations to establish sustainability criteria for biomass facilities. Until this and other information becomes available, the Town of Sunderland will wait to consider Biomass generation.

METHODOLOGY

The following tasks specifically relate to meeting Criterion 1, “as-of-right” siting. The Town of Sunderland will consider amending its Zoning Bylaws with the following modifications to the Commercial 1 (C-1) District:

1. Amend the use table to allow small scale alternative or renewable energy R&D and/or manufacturing facilities; and
2. Update the zoning bylaws to include performance standards for these land uses.

Upon completion of the proposed amendments to the zoning bylaws, the Town of Sunderland will obtain a letter from Town Counsel affirming compliance with Criterion 1, which will include:

- The applicable sections of the Zoning Bylaw;
- Important zoning definitions;
- The relevant sections of the use table and any key that will help DOER interpret the use table;
- Any related local regulations applicable to the facilities sited under the Bylaw, including Site Plan Review regulations, so that DOER can confirm that the related local regulations are non-discretionary; and
- Yield calculations showing that there is capacity in the Town’s C-1 District to construct at least 50,000 square feet of R&D and/or manufacturing space in the aggregate.

The Town will also explore creating a solar overlay district which will include as-of-right siting for large-scale ground-mounted solar PV systems (250 kW in size or above).

TASK(S)

Task 1-A

- **Task:** The Town of Sunderland will consider amending its Zoning Bylaws with the following modifications to the C-1 District: (1) amend the use table to allow small scale (up to 5,000 sf), using Site Plan Review, alternative or renewable energy R&D and/or manufacturing facilities; and (2) update the Zoning Bylaws to include performance standards for these land uses in the C-1 District.
- **Timeline:** May 2011
- **Responsible Party:** Planning Board, Energy Committee, Town Counsel, and Town Administrator.
- **Guidance:** The FRCOG has provided a sample letter for Municipal Counsel. Additionally, DOER has also provided a guide titled *Guidance: Complying with the Green Communities Act through the as-of-right siting of renewable or alternative energy research and development or manufacturing facilities*.

Task 1-B

- **Task:** The Town of Sunderland will explore creating a solar overlay district which will include as-of-right siting for large-scale ground-mounted solar PV systems (250 kW in size or above).
- **Timeline:** May 2011.
- **Responsible Party:** Planning Board, Energy Committee, Town Counsel, and Town Administrator.
- **Guidance:** DOER has provided a model solar bylaw titled *Model As-of-Right Zoning Bylaw: Allowing Use of Large-Scale Ground-Mounted Solar Photovoltaic Installations*.

Task 1-C

- **Task:** The Town of Sunderland will obtain a letter from Town Counsel affirming compliance with Criteria 1.
- **Timeline:** June 2011
- **Responsible Party:** Town Counsel, and Town Administrator
- **Guidance:** DOER has provided a guide titled *Guidance: Complying with the Green Communities Act through the as-of-right siting of renewable or alternative energy research and development or manufacturing facilities.*

2. EXPEDITED PERMITTING

BACKGROUND

To qualify as a Green Community, a town must adopt an expedited application and permitting process under which renewable or alternative energy facilities may be sited within the municipality. The timeframe for permitting shall not exceed one year from the date of initial application to the date of final approval. By adopting an expedited permitting process, the municipality is committing to making *local* permitting decisions within one year. An expedited permitting process is accomplished by providing a transparent and efficient process for municipal permitting by various boards, including the Planning Board, Conservation Commission, Historic Commission, Zoning Board of Appeals, Fire Chief, and Board of Health. The result is a streamlined procedure that is efficient for municipal staff and boards to implement, and that will provide a predictable schedule for local decision making for the applicants. Once designated a Green Community, a municipality will be required to report annually on their permitting of renewable or alternative energy facilities within the designated as-of-right zoning districts to show that the Town has adhered to the 365 day requirement.

PROGRESS TO DATE

The Town of Sunderland does not currently meet this requirement.

METHODOLOGY

To meet this requirement, the Town of Sunderland will work to identify one or more locations within the C-1 District to be designated as a Priority Development Site (PDS) with the approval of the landowner(s). Sites which are designated M.G.L. Ch. 43D Priority Development Sites are designated by a majority vote of Town Meeting or of a city or town council. If designated by Town Meeting, the PDS is submitted to the Massachusetts Interagency Permitting Board (IPB) for approval. Such sites must comply with a series of criteria, which include:

- Commercially or industrially zoned (including mixed use);
- Eligible for the construction of structures totaling at least 50,000 square feet;
- Designated by the Interagency Permitting Board; and
- Whenever possible, Priority Development Sites should be located adjacent to areas of existing development or in underutilized buildings or facilities, or close to appropriate transit services.

Designated PDS reviews must take place within 180 days beginning the day after notification of completeness. As demonstrated, sites which are designated as a PDS fulfill the Green Communities Criterion 2 for expedited permitting.

In the event that one or more Priority Development Sites are not designated, the Town will consider developing a local Expedited Permitting Process for the locations where renewable or alternative energy R&D, manufacturing, and/or generation are allowed as-of-right with Site Plan Review. Under current zoning, Site Plan Review decisions are made within ninety (90) days of receiving a complete application. Additionally, the Town of Sunderland will also consider adopting a General Bylaw to create an Expedited Permitting Process for non-zoning-related Town Boards, under which permitting for renewable or alternative energy R&D or manufacturing facilities shall not exceed 1 year from the date of the initial application to the date of final approval. The Town will then obtain a letter from Town Counsel affirming that nothing within the municipality's rules and regulations precludes issuance of a permitting decision within one year along with the language addressing approval procedures and associated timing from any applicable bylaws/ordinances or regulations.

TASK(S)

Task 2-A

- **Task:** The Town of Sunderland will work to identify one or more locations within the C-1 District to be designated as a Priority Development Site. If adopted at Town Meeting, the Town will submit the PDS for approval by the Massachusetts Interagency Permitting Board (IPB).
- **Timeline:** January 2011
- **Responsible Party:** Planning Board, Board of Selectmen, Town Counsel, and Town Administrator.
- **Guidance:** The Massachusetts Permit Regulatory Office has the official application form and guidance materials for the Chapter 43D Program on their website at www.mass.gov/mpro.

Task 2-B

- **Task:** In the event one or more Priority Development Sites are not designated, the Town of Sunderland will consider developing and adopting a General Bylaw to create an Expedited Permitting Process for non-zoning related Town Boards.
- **Timeline:** May 2011
- **Responsible Party:** Planning Board, Board of Selectmen, Town Counsel, and Town Administrator.
- **Guidance:** The DOER has provided a guide titled *Guidance: Expedited Permitting Options*.

Task 2-C

- **Task:** The Town of Sunderland will obtain a letter from Town Counsel certifying that the Town meets DOER requirements for Criteria 2.
- **Timeline:** June 2011
- **Responsible Party:** Town Counsel, and Town Administrator.
- **Guidance:** The DOER has provided a guide titled *Guidance: Expedited Permitting Options*.

3. ENERGY USE INVENTORY AND REDUCTION PLAN

BACKGROUND

To fulfill Criterion 3, a town must establish an energy use baseline inventory for municipal buildings, vehicles, street and traffic lighting, and put in place a comprehensive program designed to reduce this baseline by 20% within five years of the selected baseline year. The energy use baseline inventory should be applied in the aggregate across buildings, streetlights, traffic lights and vehicles on a million British Thermal Units (MMBTU) bases. It is important to note that both general government and municipal school districts are required to adopt the energy reduction plan for a municipality to meet this requirement. Schools in the Town that are part of a regional school system, however, are not subject to this requirement. There are a number of acceptable tools for performing the inventory including:

- **Energy Star Portfolio Manager:** This is a free energy and water consumption tracking software available on the Energy Star website. This program allows an entity to track and assess energy and water consumption within individual buildings (generally consisting of at least 5,000 square feet) as well as across numerous buildings. This program does not assess the energy consumption of vehicles, street or traffic lighting.
- **ICLEI Software:** The ICLEI software, Clean Air and Climate Protection (CACP) Software, is a one-stop emissions management tool that calculates and tracks emissions and reductions of greenhouse gases and criteria air pollutants. This tool is available, free of charge, to members of ICLEI and has the capacity to assess buildings and facilities, vehicle fleets, waste, wastewater treatment, employee commute, street and traffic signals, and port and airport facilities.
- **DOER's MassEnergyInsight:** DOER's MassEnergyInsight is an energy information system with customized electricity, natural gas, and oil usage details for cities and towns across Massachusetts. This web-based tool was developed to enable communities to establish energy-use baseline inventories for their buildings, vehicles, and street lights. This tool is free to all 351 local governments in the Commonwealth, but municipalities must send a representative to one of the regional trainings, receive training from someone who has attended a regional training session, or participate in a webinar in order to gain access to the system. (See the Energy Use Baseline Criteria in the References section of this report for materials on MassEnergyInsight.)

Once the energy use baseline inventory has been established, the community must develop a comprehensive reduction plan to decrease energy consumption by 20% consisting of a number of key components which would enable a municipality to establish energy reduction goals and develop a structure to meet those goals over a five year time frame.

PROGRESS TO DATE

The Town of Sunderland has partially met this criterion. The Town has already conducted a preliminary audit and is awaiting the results of that audit and will seriously consider continuing with an Investment Grade Audit (IGA) for all town-owned buildings through the FRCOG Energy Savings Performance

Contracting program with Siemens Building Technologies, Inc. Recently Sunderland applied for and was awarded a \$97,000 grant through the Energy Efficiency and Conservation Block Grant (EECBG) program to implement thermal efficiency measures at the Sunderland Public Safety Complex and the Sunderland Elementary School as part of a larger \$1.2 million energy savings performance contract.

METHODOLOGY

The Town of Sunderland has completed an Energy Audit which included an energy inventory of municipal buildings. Following is a description of the audit program:

- **Energy Saving Performance Contracting (ESPC) Program:** The Performance Contracting Program is a turnkey program authorized pursuant to Massachusetts General Law chapter 25A, section 11i whereby a private energy services companies undertakes the audit, design, and installation of energy conservation measures to upgrade existing town facilities. The energy services company performs an in-depth investment grade energy audit and identifies energy and water saving measures that can be implemented at those facilities. The financing of the work that is contracted by the Town will be paid for out of the energy cost savings, so there would not be any need for the Town to increase its operating budget. Additionally, the energy savings are guaranteed, by the energy services company, to cover the costs of the improvements and the financing costs within the up to twenty year payback period authorized by law².

As previously mentioned, there are several tools which have been identified by the DOER which can be used to complete the energy audit baseline inventory. The Town of Sunderland will use one of these tools to complete the baseline inventory, specifically, to determine baseline energy consumption for Town vehicles, traffic lights, and streetlights.

Upon the completion of the baseline inventory, the Town will put in place a comprehensive program designed to reduce the baseline by 20 percent within 5 years of the baseline year. In general, the comprehensive program should include the following elements:

- Overview of short and long term goals
- Action plan – getting to 20%
 - Prioritized list of strategies to reduce fossil fuel usage;
 - Tools, resources and financial incentives; and
 - Program Management Plan for implementation, monitoring and oversight.

TASK(S)

Task 3-A

- **Task:** If the Town of Sunderland decides to use DOER’s MassEnergyInsight tool to complete the inventory, a municipal official and/or member of the Energy Committee will participate in a training webinar hosted by the DOER or receive training from someone who has attended one of the regional training sessions.
- **Timeline:** November 2010
- **Responsible Party:** Town Administrator and the Energy Committee.
- **Guidance:** The DOER will announce webinar training sessions as they become available.

² Executive Office for Administration and Finance, Energy Performance Contracting Program, <www.mass.gov>

Task 3-B

- **Task:** The Town of Sunderland will complete a baseline inventory for all Town-owned vehicles and streetlights using one of the tools approved by DOER.
- **Timeline:** February 2011
- **Responsible Party:** Energy Committee, Town Administrator, and Board of Selectmen.
- **Guidance:** The DOER has provided a guide titled *Guidance: Criteria 3, Energy Use Baseline and Sample Energy Reduction Action Plan Outline*.

Task 3-C

- **Task:** The Town of Sunderland will adopt a comprehensive program designed to reduce its energy use baseline by 20 percent within 5 years of the baseline year.
- **Timeline:** June 2011
- **Responsible Party:** Energy Committee, Town Administrator, and Board of Selectmen.
- **Guidance:** The DOER has provided a guide titled *Guidance: Criteria 3, Energy Use Baseline and Sample Energy Reduction Action Plan Outline*.

4. POLICY TO PURCHASE ONLY FUEL-EFFICIENT VEHICLES

BACKGROUND

To qualify as a Green Community, the town must enact a policy to purchase only fuel-efficient vehicles for municipal use, whenever such vehicles are commercially available and practicable. It is important to note that both general government and school districts are required to adopt the policy for a municipality to meet this requirement. Schools in the Town are part of a regional school system, however, and are not subject to this requirement. The purpose behind this criterion is to reduce carbon dioxide emissions by municipal vehicles, which has a positive impact on the environment and results in costs savings for the municipality. Exempt from this policy are department of public works trucks, police cruisers, fire trucks and school buses. Communities that do not have any non-exempt vehicles that would apply to this criterion must adopt alternate Transportation Demand Management (TDM) policies to support fuel efficiency, such as policies that encourage municipal employees to utilize alternate transportation modes (for example, bicycle, transit) or carpooling.

PROGRESS TO DATE

The Town of Sunderland has no non-exempt vehicles. The Town has also installed several bike racks, including next to the Library and Elementary School. Furthermore, the Town has additional bike racks to install around Town.

METHODOLOGY

To meet this criterion, the Town of Sunderland will adopt alternative TDM measures, such as incentives for carpooling. The Town will also consider adopting a fuel efficient vehicle purchasing policy for any future non-exempt municipal vehicles.

TASK(S)

Task 4-A

- **Task:** The Town will adopt alternative TDM measures.
- **Timeline:** January 2011
- **Responsible Party:** Energy Committee, Town Administrator, and Board of Selectmen.
- **Guidance:** The FRCOG has provided a list of potential TDM measures.

Task 4-B

- **Task:** The Town will consider adopting a fuel efficient purchasing policy for future non-exempt municipal vehicles.
- **Timeline:** March 2011
- **Responsible Party:** Energy Committee, Town Administrator, and Board of Selectmen.
- **Guidance:** The DOER has provided a guide titled *Guidance: Fuel Efficient Vehicles*, which includes a model purchasing policy. The DOER has also provided a list of fuel efficient vehicles that would meet the Green Communities requirements.

5. MINIMIZE LIFE-CYCLE ENERGY CONSTRUCTION COSTS

BACKGROUND

To qualify as a Green Community, the town must require all new residential construction of more than 3,000 square feet and all new commercial and industrial real estate construction to minimize the life-cycle cost of the facility by utilizing energy efficiency, water conservation and other renewable or alternative energy technologies.

The primary method to satisfy this criterion is to adopt the Massachusetts State Building Code's new appendix called the Stretch Energy Code (780 C.M.R. Appendix 120 AA). The Stretch Code was approved as an appendix at a meeting of the Massachusetts Board of Building Regulations and Standards (BBRS) in May 2009. Based on the International Energy Conservation Code (IECC) 2009, the purpose of the Stretch Code is "to provide a more energy efficient alternative to the base energy code applicable to the relevant sections of the building code for both new construction and existing buildings." For municipalities that choose to adopt this appendix, they would meet this Green Communities Program criterion. Whereas Green Community designation applies only to new residential construction over 3,000 square feet and all new commercial and industrial real estate construction, the Stretch Code applies to all residential buildings of any size for both new construction and redevelopment.

Another method to satisfy this criterion is to establish an alternate policy that meets the requirements of the Green Communities Program. At this time, model policies or regulations that may be an acceptable alternative to adopting the Stretch Code are not available from DOER.

PROGRESS TO DATE

The Town of Sunderland does not currently meet this requirement.

METHODOLOGY

The Town of Sunderland is planning to approach the adoption of the building code that reduces life-cycle costs by first becoming familiar with the new Massachusetts Building Code and Stretch Code and their requirements. Public information sessions were held on January 14, 2010 and on January 21, 2010 for communities to learn more about the Stretch Code. Several local and regional experts were on hand at this workshop to discuss the Stretch Code and answer questions about its requirements, costs, and other concerns. Information presented at the workshops is available from the FRCOG and includes a copy of the presentation, several handouts, as well as a video of the session.

Following these educational sessions and further evaluations, the Energy Committee in coordination with the Town Administrator and Board of Selectmen will hold a Public Hearing to educate residents about the Stretch Code and to address concerns. The Board of Selectmen will then decide whether they have sufficient information to bring the adoption of the Stretch Code to Town Meeting. If brought to Town Meeting, a vote will be required for adoption of the Stretch Code. In the event the Stretch Code is not adopted or not brought to Town Meeting, the Board of Selectmen, in coordination with the Building Inspector, will consider adopting an alternative standard that minimizes the life cycle energy costs for new construction and is enforceable by the community.

TASK(S)

Task 5-A

- **Task:** Key town staff, committee and board members will investigate the Stretch Code and review materials from the workshops provided by the FRCOG.
- **Timeline:** November 2010
- **Responsible Party:** Energy Committee, Planning Board, Town Administrator, Board of Selectmen, and the Building Inspector.
- **Guidance:** DOER has provided a document titled *Summary of the Massachusetts Building Code Appendix 120.AA, 'Stretch' Energy Code*, a Question and Answer (Q&A) list for the Stretch Appendix to the Energy Code in Massachusetts, and has included on its website a copy of a webinar explaining the Stretch Code. The FRCOG has made available on its website the presentation from the workshops, as well as handouts covering different topics concerning the Stretch Code. A DVD of the second workshop is available to towns by request.

Task 5-B

- **Task:** The Board of Selectmen, in coordination with the Energy Committee and the Town Administrator, will hold a Public Hearing addressing the Stretch Code.
- **Timeline:** March 2011
- **Responsible Party:** Energy Committee, Town Administrator, and Board of Selectmen.
- **Guidance:** DOER has provided a document titled *Summary of the Massachusetts Building Code Appendix 120.AA, 'Stretch' Energy Code*, a Question and Answer (Q&A) list for the Stretch Appendix to the Energy Code in Massachusetts, and has included on its website a copy of a webinar explaining the Stretch Code. The FRCOG has made available on its website the presentation from the workshops, as well as handouts covering different topics concerning the Stretch Code. A DVD of the second workshop is available to towns by request.

Task 5-C

- **Task:** The Board of Selectmen will determine if they have sufficient information to bring a warrant article to adopt the Stretch Code at a Town Meeting.
- **Timeline:** April 2011
- **Responsible Party:** Town Administrator, Board of Selectmen, and Building Inspector.
- **Guidance:** DOER has provided a document titled *Summary of the Massachusetts Building Code Appendix 120.AA, 'Stretch' Energy Code*, a Question and Answer (Q&A) list for the Stretch Appendix to the Energy Code in Massachusetts, and has included on its website a copy of a webinar explaining the Stretch Code. The FRCOG has made available on its website the presentation from the workshops, as well as handouts covering different topics concerning the Stretch Code. A DVD of the second workshop is available to towns by request.

Task 5-D

- **Task:** In the event the Stretch Code is not adopted or brought to Town Meeting, the Board of Selectmen, in coordination with the Building Inspector, will consider adopting an alternative standard that minimizes the life cycle energy costs for new construction and is enforceable by the community.
- **Timeline:** June 2011
- **Responsible Party:** Energy Committee, Town Administrator, Board of Selectmen, and the Building Inspector.
- **Guidance:** None.

CONCLUSIONS

The Town of Sunderland has an engaged Energy Committee and a demonstrated interest in sustainable community development. The Town is committed to making sustainable decisions and is examining ways in which to promote energy efficiency. The Town has recently had an energy audit of municipal facilities and also applied for and was awarded a \$97,000 grant through the Energy Efficiency and Conservation Block Grant (EECBG) program to implement thermal efficiency measures at the Sunderland Public Safety Complex and the Sunderland Elementary School as part of a larger \$1.2 million energy savings performance contract. A summary of tasks identified in this Action Plan to meet the requirements to become a Green Community as well as a timeline for each of the tasks is summarized on the following page.

Summary of Action Items

CRITERIA	TASK	TASK DESCRIPTION	TIMELINE	RESPONSIBLE PARTY
1	1-A	The Town of Sunderland will consider amending its Zoning Bylaws with the following modifications to the C-1 and C-2 Districts: (1) amend the use table to allow alternative or renewable energy R&D and/or manufacturing, and (2) update the Zoning Bylaws to include performance standards for these land uses.	May 2011	Planning Board, Energy Committee, Town Counsel, Town Administrator
	1-B	The Town will explore creating a solar overlay district which will provide as-of-right siting for large-scale ground-mounted solar PV systems.	May 2011	Energy Committee, Planning Board, Town Counsel, Town Administrator
	1-C	The Town of Sunderland will obtain a letter from Town Counsel affirming compliance with Criteria 1.	June 2011	Town Counsel, Town Administrator
2	2-A	The Town of Sunderland will work to identify one or more locations within the C-1 District to be designated as a Priority Development Site. If adopted at Town Meeting, the Town will submit the PDS for approval by the Massachusetts Interagency Permitting Board (IPB).	January 2011	Planning Board, Board of Selectmen, Town Counsel, Town Administrator
	2-B	In the event one or more Priority Development Sites are not designated, the Town of Sunderland will consider developing and adopting a General Bylaw to create an Expedited Permitting Process for non-zoning related Town Boards.	May 2011	Planning Board, Board of Selectmen, Town Counsel, Town Administrator
	2-C	The Town of Sunderland will obtain a letter from Town Counsel certifying that the Town meets DOER requirements for Criteria 2.	June 2011	Town Counsel, Town Administrator
3	3-A	If the Town of Sunderland decides to use DOER's MassEnergyInsight tool to complete the inventory, a municipal official and/or member of the Energy Committee will participate in a training webinar hosted by the DOER, or receive training from someone who has attended one of the regional training sessions.	November 2010	Energy Committee, Town Administrator, Board of Selectmen
	3-B	The Town of Sunderland will complete a baseline inventory for all Town-owned vehicles and streetlights using one of the tools approved by the DOER.	February 2011	Town Administrator, Energy Committee
	3-C	The Town of Sunderland will adopt a comprehensive program designed to reduce its energy use baseline by 20 percent within 5 years of the baseline year.	June 2011	Energy Committee, Town Administrator, Board of Selectmen
4	4-A	The Town of Sunderland will adopt alternative TDM measures.	January 2011	Energy Committee, Town Administrator, Board of Selectmen
	4-B	The Town will consider adopting a fuel efficient purchasing policy for future non-exempt municipal vehicles.	March 2011	Energy Committee, Town Administrator, Board of Selectmen
5	5-A	Key Town staff and committee/board members will investigate the Stretch Code and review materials from the workshop provided by FRCOG.	November 2010	Energy Committee, Planning Board, Town Administrator, Board of Selectmen, Building Inspector
	5-B	The Energy Committee in coordination with the Town Administrator and Board of Selectmen will hold a Public Hearing addressing the Stretch Code.	March 2011	Energy Committee, Town Administrator, Board of Selectmen
	5-C	The Board of Selectmen will determine if they have sufficient information to bring a warrant article to adopt the Stretch Code at the Annual Town Meeting.	April 2011	Town Administrator, Board of Selectmen, Building Inspector
	5-D	In the event that the Stretch Code is not adopted or brought to Town Meeting, the Board of Selectmen, in coordination with the Building Inspector, will consider adopting an alternative standard that minimizes the life cycle energy costs for new construction and is enforceable by the community.	June 2011	Energy Committee, Town Administrator, Board of Selectmen, Building Inspector

APPENDICES

Appendix A: Action Plan Matrix

Appendix B: Action Plan Development Meetings

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Appendix D: Wind Resources Map and Zoning Map for the Town of Sunderland

APPENDIX A: Action Plan Matrix

APPENDIX A: SUNDERLAND ACTION PLAN MATRIX

CRITERIA	GREEN COMMUNITIES CRITERIA	METHODOLOGY	TASK	ACTION ITEM(S)	TIMELINE	RESPONSIBLE PARTY
1	<p>Provide for the as-of-right siting for renewable or alternative energy generation facilities, renewable or alternative energy research and development (R&D) facilities, or renewable or alternative energy manufacturing facilities in designated locations.</p> <p>An applicant can meet this requirement by providing as-of-right siting for one of the three types of facilities described. If meeting the requirement through manufacturing or R&D, the area zoned for as-of-right siting of these facilities must allow for the development of at least 50,000 square feet of facility space in the aggregate.</p> <p>Applicants must provide DOER with a letter from legal counsel including:</p> <ul style="list-style-type: none"> ▪ The letter must cite and summarize the pertinent section of the zoning ordinance/bylaw; ▪ Applicants must include copies of: <ul style="list-style-type: none"> ○ The applicable section of their zoning bylaw/ordinance, ○ Important zoning definitions, ○ The relevant section of the use table and any key that will help DOER interpret the use table, ○ Any related local regulations applicable to facilities sited under the bylaw/ordinance—such as Site Plan Review regulations—so that DOER can confirm that the related local regulations are non-discretionary; AND ▪ Yield calculations must be either included in the text of the letter or attached. 	<p>The Town of Sunderland does not currently have “as-of-right” siting in place for any of the facilities outlined in the Green Communities Criteria. The Town’s Zoning only addresses one of these permitted uses (<i>Manufacturing, processing</i>) which may be allowed by Special Permit (SP) in the Commercial 1 (C-1) District.</p> <p>The intent behind “as-of-right” siting is to allow a landowner/developer to build the pertinent facility without the need for a special permit or any other type of discretionary permit. DOER has utilized the following definition:</p> <ul style="list-style-type: none"> • As-of-Right Siting: As-of-Right siting shall mean that development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval. As-of-right development may be subject to non-discretionary site plan review to determine conformance with local zoning bylaws as well as state and federal law. As-of-right development projects that are consistent with zoning bylaws and with state and federal law cannot be prohibited. <p>The Town of Sunderland Zoning does not fulfill the requirement for as-of-right siting of any of the approved facilities. The Town could consider amending its zoning to allow small scale (up to 5,000 square feet) R&D or manufacturing facilities as-of-right that meet specific performance standards.</p>	1-A	The Town of Sunderland will consider amending its Zoning Bylaws with the following modifications to the Commercial 1 District: <ol style="list-style-type: none"> 1. Amend the use table to allow small scale (up to 5,000 sf), using Site Plan Review, alternative or renewable energy manufacturing or R&D facilities. 2. Update the Zoning Bylaws to include performance standards for these land uses. 	May 2011	Planning Board Energy Committee Town Counsel Town Administrator
			1-B	The Town will explore creating a solar overlay district which will provide as-of-right siting for large-scale ground-mounted solar PV systems (250 kW in size or above).	May 2011	Energy Committee Planning Board Town Counsel Town Administrator
			1-C	The Town of Sunderland will obtain a letter from Town Counsel affirming compliance with Criteria 1.	June 2011	Town Counsel Town Administrator
2	<p>Adopt an expedited application and permitting process under which these energy facilities may be sited within the municipality and which shall not exceed 1 year from the date of initial application to the date of final approval.</p> <p>Criteria 2 states that communities need to adopt an expedited application and permitting process under which as-of-right energy facilities (Criterion 1) may be sited within the municipality and which shall not exceed 1 year from the date of initial application to the date of final approval.</p> <p>Such an expedited application and permitting process applies only to the proposed facilities which are subject to the as-of-right provisions, and documentation that all permits necessary to site proposed facilities can be issued within the 1 year deadline is required.</p> <p>To meet this criterion municipalities need to have rules and regulations in place governing permit issuance such that all local permitting decisions – formal determinations, orders of conditions, licenses, certificates, authorizations, registrations, plan approvals, or other approvals or determinations with respect to the use, development or redevelopment of land, buildings, or structures required by any issuing authority – applicable to the siting and construction of clean energy facilities within the relevant zoning district(s) can be issued within 1 year of submission of a completed application.</p>	<p>There are two typical methods for meeting Criteria 2 which consist of the following:</p> <ol style="list-style-type: none"> 1. Apply Chapter 43D Designation: The Town can consider adopting Chapter 43D and designating Priority Development Sites (PDS); <i>OR</i> 2. Adopt an Expedited Application and Permitting Process: The Town can create a General Bylaw to include a provision for expedited permitting specific to the locations identified for as-of-right siting. The expedited permitting process should apply to all permitting that is used to meet Criteria 1 and must specify a one year (maximum) time limit for the Planning Board and other Boards to make decisions and file a written notice with the Town Clerk. Additionally, the Zoning Bylaws may also need to be revised to reflect this Expedited Permitting Process. <p>To meet this requirement, the Town of Sunderland will work to identify one or more locations within the C-1 District to be designated as a Priority Development Site (PDS) with the approval of the landowner(s).</p> <p>In the event that one or more Priority development Sites are not designated, the Town will consider developing a local Expedited Permitting Process for the locations where renewable or alternative energy R&D, manufacturing, and/or generation are allowed as-of-right with Site Plan Review. Under current zoning, Site Plan Review decisions are made within ninety (90) days of receiving a complete application. Additionally, the Town of Sunderland will also consider adopting a General Bylaw to create an Expedited Permitting Process for non-zoning related Town Boards, under which permitting for renewable to alternative energy R&D or manufacturing facilities shall not exceed 1 year from the date of the initial application to the date of final approval.</p>	2-A	The Town of Sunderland will work to identify one or more locations within the Commercial 1 (C-1) District to be designated as a Priority Development Site. If adopted at Town Meeting, the Town will submit the PDS for approval by the Massachusetts Interagency Permitting Board (IPB). (<i>The Massachusetts Permit Regulatory Office has the official application form and guidance materials for the Chapter 43D Program on their website at www.mass.gov/mpro.</i>)	January 2011	Planning Board Board of Selectmen Town Counsel Town Administrator
			2-B	In the event one or more Priority Development Sites are not designated, the Town of Sunderland will consider developing and adopting a General Bylaw to create an Expedited Permitting Process for non-zoning related Town Boards.	May 2011	Planning Board Board of Selectmen Town Counsel Town Administrator
			2-C	The Town of Sunderland will obtain a letter from Town Counsel certifying that the Town meets DOER requirements for Criteria 2.	June 2011	Town Counsel Town Administrator

CRITERIA	GREEN COMMUNITIES CRITERIA	METHODOLOGY	TASK	ACTION ITEM(S)	TIMELINE	RESPONSIBLE PARTY
3	<p>Establish an energy use baseline inventory for municipal buildings, vehicles, street and traffic lighting, and put in place a comprehensive program designed to reduce this baseline by 20 percent within 5 years of initial participation in the program.</p> <p>Energy use baseline is applied in the aggregate across building, street lights and vehicles on an MMBTU basis. It is important to note that both general government and school districts are required to adopt the energy reduction plan for a municipality to meet this requirement.</p>	<p>The Town of Sunderland is part of the Franklin Regional Council of Governments (FRCOG) Energy Services Contract (ESCO) with Siemens Inc. which is currently in the process of completing an energy use baseline for the municipal buildings.</p> <p>In order to complete the energy use baseline, the Town will consider using the DOER's energy reporting software, <i>MassEnergyInsight</i>, to complete the baseline energy use for street and traffic lighting and all Town-owned vehicles.</p> <p>Upon completion of the baseline inventory, the Town will put in place a comprehensive program designed to reduce this baseline by 20 percent within 5 years of initial participation in the program. The 20% Reduction Plan will be sure to include the recently awarded EECBG Municipal Subgrant of \$97,000.00 towards thermal efficiency measures as part of a larger \$1.2 million energy savings performance contract.</p>	3-A	If the Town of Sunderland decides to use DOER's MassEnergyInsight tool to complete the inventory, a municipal official and/or member of the Energy Committee will participate in a training webinar hosted by the DOER, or receive training from someone who has attended one of the regional training sessions.	November 2010	Energy Committee Town Administrator Board of Selectmen
			3-B	The Town of Sunderland will complete a baseline inventory for all Town-owned vehicles and streetlights using one of the tools approved by the DOER.	February 2011	Town Administrator Energy Committee Board of Selectmen
			3-C	The Town of Sunderland will adopt a comprehensive program designed to reduce its energy use baseline by 20 percent within 5 years of the baseline year.	June 2011	Energy Committee Town Administrator Board of Selectmen
4	<p>Purchase only fuel-efficient vehicles for municipal use whenever such vehicles are commercially available and practicable.</p> <p>If an applicant does not have a vehicle fleet other than heavy-duty vehicles and/or police cruisers, it must propose alternative means for meeting this requirement (e.g., having in place policies and procedures that promote reduced fuel usage for the municipality). For example, carpooling incentives for municipal employees, preferred parking for employees with hybrid vehicles, bike racks at municipal buildings and incentives for employees to bike to work.</p> <p>An applicant must provide a vehicle inventory for non-exempt vehicles and a plan for replacing these vehicles with vehicles that meet the fuel efficiency ratings (outlined in the DOER Fuel Efficient Vehicles Spreadsheet).</p> <p>It is important to note that both general government and school districts are required to adopt the policy for a municipality to meet this requirement.</p>	<p>The Town of Sunderland has no non-exempt vehicles. The Town of Sunderland will adopt alternative TDM measures, such as incentives for carpooling. The Town will also consider adopting a fuel efficient vehicle purchasing policy for any future non-exempt municipal vehicles.</p>	4-A	The Town of Sunderland will adopt alternative TDM measures.	January 2011	Energy Committee Town Administrator Board of Selectmen
			4-B	The Town will consider adopting a fuel efficient purchasing policy for future non-exempt municipal vehicles.	March 2011	Energy Committee Town Administrator Board of Selectmen
5	<p>Require all new residential construction over 3,000 square feet and all new commercial and industrial real estate construction to minimize, to the extent feasible, the life-cycle cost of the facility by utilizing energy efficiency, water conservation and other renewable or alternative energy technologies.</p> <p>Cities and towns can meet this requirement by adopting the new BRRS Stretch Code, the new appendix to the MA State Building Code. Should a community chose to not adopt the Stretch Code and choose to use another standard, the community must provide evidence that this alternative standard minimizes the life cycle energy costs for all new construction and is enforceable by the community.</p>	<p>The Town of Sunderland does not currently have a standard in place to fulfill this criterion, but will explore adoption of the Stretch Code.</p>	5-A	Key Town staff and committee/board members will investigate the Stretch Code and review materials from the workshop provided by FRCOG.	November 2010	Energy Committee Planning Board Town Administrator Board of Selectmen Building Inspector
			5-B	The Energy Committee in coordination with the Town Administrator and Board of Selectmen will hold a Public Hearing addressing the Stretch Code.	March 2011	Energy Committee Town Administrator Board of Selectmen
			5-C	The Board of Selectmen will determine if they have sufficient information to bring a warrant article to adopt the Stretch Code at the Annual Town Meeting.	April 2011	Town Administrator Board of Selectmen Town Meeting Building Inspector
			5-D	In the event that the Stretch Code is not adopted or brought to Town Meeting, the Board of Selectmen, in coordination with the Building Inspector, will consider adopting an alternative standard that minimizes the life cycle energy costs for new construction and is enforceable by the community.	June 2011	Energy Committee Town Administrator Board of Selectmen Building Inspector

APPENDIX B: Action Plan Development Meetings

APPENDIX C: Sunderland Letter of Commitment

APPENDIX D: Wind Resources Map and Zoning Map for the Town of Sunderland