

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

(617) 725-4000

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

June 29, 2007

Dear Municipal Leader:

Every day we make important choices about where and how we will grow in Massachusetts. These decisions have profound implications. While we have made progress, more needs to be done to ensure that the interests of future generations are not compromised by today's decisions.

I am pleased to announce the continuation of the Commonwealth Capital Policy in order to encourage municipalities to work in partnership with the Commonwealth to achieve smart growth. Commonwealth Capital explicitly endorses planning and zoning measures that are consistent with the enclosed Sustainable Development Principles and encourages municipalities to implement them by using state funding as an incentive.

In many ways, Commonwealth Capital has been a success. Municipalities committed to 300 improvements in their 2005 applications, and of them, more than 115 were implemented in the first year. Commonwealth Capital has also been important in ways that can't be quantified. It has inspired better communication and cooperation between local boards and commissions and provided a specific list of Commonwealth endorsed measures that municipalities can undertake to realize smart growth.

For fiscal year 2008 changes to Commonwealth Capital will be relatively modest. Some of these changes reflect my priorities and others address legitimate concerns that have been raised in regard to this policy. Most notably, I have altered the list of programs to which the Policy applies. Over the course of the next year I have directed my staff to work with all interested stakeholders to thoroughly review Commonwealth Capital and recommend other substantive changes that may be warranted for future years.

It will take our cooperative efforts to build a greater quantity and diversity of housing, develop the businesses we need to provide jobs and increase revenue, and do a better job of acting as stewards of our natural resources for future generations. My administration is interested in working in partnership with municipalities to improve our conservation and development practices. I will work to ensure that state policies, programs, and investments encourage smart growth and I ask municipalities to do the same. In addition, recognizing that time, effort, and funding are necessary to produce better plans and land use regulations, the Commonwealth will provide tools and financial and technical assistance to support your hard work.

I look forward to working with you to leave the Commonwealth better than we found it.

Sincerely,

A handwritten signature in black ink, appearing to read "Deval Patrick", written over a horizontal line.

FISCAL YEAR 2008 COMMONWEALTH CAPITAL APPLICATION

Municipality:

Contact Name:

Title:

Address:

Email:

Date:

Phone:

Municipal applicants will need to provide evidence of having met or made a binding commitment to the following criteria.

		Existing	Commit
PLAN FOR & PROMOTE LIVABLE COMMUNITIES (10)			
1.	Current Master Plan or Executive Order 418 Community Development Plan	<input type="checkbox"/> 4	<input type="checkbox"/> 3
1a.	Funding or regulatory actions implementing 2 specific plan recommendations since Jan. 1, 2006	<input type="checkbox"/> 3	<input type="checkbox"/> 1
2.	Adoption of the Community Preservation Act	<input type="checkbox"/> 3	<input type="checkbox"/> 2
ZONE FOR & PERMIT COMPACT DEVELOPMENT (34)			
3.	Zoning for mixed-use in an applicable location	<input type="checkbox"/> 4	<input type="checkbox"/> 2
3a.	If mixed-use zoning is a DHCD approved 40R District or for Transit Oriented Development (TOD)	<input type="checkbox"/> 2	<input type="checkbox"/> 1
3b.	Building permit issued for a mixed-use development since July 1, 2005	<input type="checkbox"/> 2	
4.	Zoning for accessory dwelling units (ADU)	<input type="checkbox"/> 3	<input type="checkbox"/> 2
4a.	Occupancy permit issued for at least one accessory dwelling unit since July 1, 2006	<input type="checkbox"/> 2	
5.	Zoning allowing by-right multi-family dwellings (not age restricted)	<input type="checkbox"/> 4	<input type="checkbox"/> 2
5a.	If zoning allows by-right multi-family dwellings of 4 or more units (not age restricted)	<input type="checkbox"/> 3	<input type="checkbox"/> 2
6.	Zoning for clustered development / Open Space Residential Development (OSRD)	<input type="checkbox"/> 4	<input type="checkbox"/> 2
6a.	If cluster is mandated, by-right, or includes a density bonus	<input type="checkbox"/> 2	<input type="checkbox"/> 1
6b.	A cluster development has been permitted since July 1, 2005	<input type="checkbox"/> 3	
7.	Zoning for Transfer of Development Rights (TDR)	<input type="checkbox"/> 3	<input type="checkbox"/> 2
7a.	Utilization of TDR since July 1, 2005	<input type="checkbox"/> 2	
EXPAND HOUSING OPPORTUNITIES (33)			
8.	Current housing plan	<input type="checkbox"/> 3	<input type="checkbox"/> 2
8a.	Achieved municipal goal for production of new units	<input type="checkbox"/> 2	
9.	Zoning requiring the inclusion of affordable units (IZ)	<input type="checkbox"/> 3	<input type="checkbox"/> 2
9a.	Building permits issued for affordable units under an inclusionary bylaw/ordinance since July 1, 2006	<input type="checkbox"/> 2	
10.	Increased housing stock by 50-99% of state goal OR	<input checked="" type="checkbox"/> 4	
	100% or more of state goal	<input checked="" type="checkbox"/> 5	
10a.	50-74% of new units produced using mixed use (including 40R & TOD), IZ, ADU, cluster/OSRD, TDR, multi-family, single family on 1/4 acre lots, and/or conversion/redevelopment OR	<input checked="" type="checkbox"/> 4	
	75% or more of new units	<input checked="" type="checkbox"/> 5	
11.	Actions that promote fair housing choice since July 1, 2006	<input type="checkbox"/> 2	<input type="checkbox"/> 1
12.	Attainment of Planned Production certification (.75% of housing units) OR	<input checked="" type="checkbox"/> 4	
	Attainment of the Chapter 40B 10% threshold	<input checked="" type="checkbox"/> 5	
13.	Funding for the rehabilitation of housing units since July 1, 2005	<input type="checkbox"/> 3	
14.	Production of housing units on municipal land or with municipal funding since July 1, 2005	<input type="checkbox"/> 3	<input type="checkbox"/> 2
REDEVELOP SITES AND BUILDINGS (8)			
15.	Planning: (a) inventory, (b) remediation, revitalization, or reuse strategy, or (c) site planning	<input type="checkbox"/> 4	<input type="checkbox"/> 2
16.	Incentives: (a) financial, or (b) regulatory	<input type="checkbox"/> 4	<input type="checkbox"/> 2
PROTECT LAND AND ECOSYSTEMS (11)			
17.	Current DCS-approved Open Space and Recreation Plan	<input type="checkbox"/> 4	<input type="checkbox"/> 2
18.	15-25% of town area protected [by a Chapter 184-type restriction or Article 97] OR	<input checked="" type="checkbox"/> 2	
	25% or more of town area protected	<input checked="" type="checkbox"/> 3	
19.	Land protected via a restriction or fee acquisition alone or with a land trust since July 1, 2005	<input type="checkbox"/> 4	
PROMOTE CLEAN ENERGY (6)			
20.	Clean energy for municipal functions	<input type="checkbox"/> 3	<input type="checkbox"/> 1
21.	Clean energy: regulations and incentives	<input type="checkbox"/> 3	<input type="checkbox"/> 1
ADVANCE SOUND WATER POLICY (11)			
22.	Water resource plans: Source Water Protection, Water Conservation, Comprehensive Wastewater, or Water Resource Management Plan	<input type="checkbox"/> 4	<input type="checkbox"/> 2
23.	Water resource protection measures: zoning, enterprise accounts, stormwater or LID bylaw/ordinance, or other innovative measures	<input type="checkbox"/> 4	<input type="checkbox"/> 2
24.	Implementation of the 2006 Massachusetts Water Conservation Standards	<input type="checkbox"/> 3	<input type="checkbox"/> 1
SUSTAIN WORKING NATURAL LANDSCAPES (11)			
25.	Existence of an agricultural commission	<input type="checkbox"/> 3	<input type="checkbox"/> 1
26.	Approved stewardship plan for a municipal forest	<input type="checkbox"/> 2	<input type="checkbox"/> 1
27.	Bylaw/ordinance affirming the right to farm	<input type="checkbox"/> 3	<input type="checkbox"/> 1
28.	Zoning for agricultural and/or forestry preservation	<input type="checkbox"/> 3	<input type="checkbox"/> 2
EXPAND TRANSPORTATION CHOICE (6)			
29.	Action to facilitate bicycling and walking since July 1, 2005	<input type="checkbox"/> 3	<input type="checkbox"/> 2
30.	Traffic calming actions since July 1, 2005	<input type="checkbox"/> 3	<input type="checkbox"/> 1
PROMOTE SUSTAINABLE DEVELOPMENT VIA OTHER ACTIONS (UP TO 10)			
31.	Existence of or commitment to additional local measures or actions <input type="checkbox"/> 2, <input type="checkbox"/> 4, <input type="checkbox"/> 6, <input type="checkbox"/> 8, OR	<input type="checkbox"/> 10	

BONUS - 1 POINT FOR EVERY FISCAL YEAR 2006 COMMITMENT IMPLEMENTED

TOTAL: EXISTING, COMMIT, AND BONUS POINTS (MAXIMUM 140)

Sustainable Development Principles

The Commonwealth of Massachusetts shall care for the built and natural environment by promoting sustainable development through integrated energy and environment, housing and economic development, transportation and other policies, programs, investments, and regulations. The Commonwealth will encourage the coordination and cooperation of all agencies, invest public funds wisely in smart growth and equitable development, give priority to investments that will deliver good jobs and good wages, transit access, housing, and open space, in accordance with the following sustainable development principles. Furthermore, the Commonwealth shall seek to advance these principles in partnership with regional and municipal governments, non-profit organizations, business, and other stakeholders.



1. Concentrate Development and Mix Uses

Support the revitalization of city and town centers and neighborhoods by promoting development that is compact, conserves land, protects historic resources, and integrates uses. Encourage remediation and reuse of existing sites, structures, and infrastructure rather than new construction in undeveloped areas. Create pedestrian friendly districts and neighborhoods that mix commercial, civic, cultural, educational, and recreational activities with open spaces and homes.

2. Advance Equity

Promote equitable sharing of the benefits and burdens of development. Provide technical and strategic support for inclusive community planning and decision making to ensure social, economic, and environmental justice. Ensure that the interests of future generations are not compromised by today's decisions.



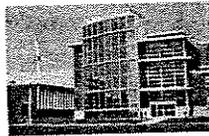
3. Make Efficient Decisions

Make regulatory and permitting processes for development clear, predictable, coordinated, and timely in accordance with smart growth and environmental stewardship.



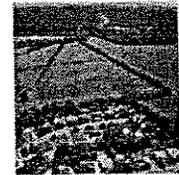
4. Protect Land and Ecosystems

Protect and restore environmentally sensitive lands, natural resources, agricultural lands, critical habitats, wetlands and water resources, and cultural and historic landscapes. Increase the quantity, quality and accessibility of open spaces and recreational opportunities.



5. Use Natural Resources Wisely

Construct and promote developments, buildings, and infrastructure that conserve natural resources by reducing waste and pollution through efficient use of land, energy, water, and materials.



6. Expand Housing Opportunities

Support the construction and rehabilitation of homes to meet the needs of people of all abilities, income levels, and household types. Build homes near jobs, transit, and where services are available. Foster the development of housing, particularly multifamily and smaller single-family homes, in a way that is compatible with a community's character and vision and with providing new housing choices for people of all means.



7. Provide Transportation Choice

Maintain and expand transportation options that maximize mobility, reduce congestion, conserve fuel and improve air quality. Prioritize rail, bus, boat, rapid and surface transit, shared-vehicle and shared-ride services, bicycling, and walking. Invest strategically in existing and new passenger and freight transportation infrastructure that supports sound economic development consistent with smart growth objectives.



8. Increase Job and Business Opportunities

Attract businesses and jobs to locations near housing, infrastructure, and transportation options. Promote economic development in industry clusters. Expand access to education, training, and entrepreneurial opportunities. Support the growth of local businesses, including sustainable natural resource-based businesses, such as agriculture, forestry, clean energy technology, and fisheries.



9. Promote Clean Energy

Maximize energy efficiency and renewable energy opportunities. Support energy conservation strategies, local clean power generation, distributed generation technologies, and innovative industries. Reduce greenhouse gas emissions and consumption of fossil fuels.

10. Plan Regionally

Support the development and implementation of local and regional, state and interstate plans that have broad public support and are consistent with these principles. Foster development projects, land and water conservation, transportation and housing that have a regional or multi-community benefit. Consider the long-term costs and benefits to the Commonwealth.



Fiscal Year 2008 Commonwealth Capital Application Guidance

Fiscal Year 2008 (July 1, 2007 to June 30, 2008)

How the Guidance Works: This guidance document provides communities with the information needed to complete and submit their Commonwealth Capital application. Applicants are requested to read thoroughly through the guidance and the Sustainable Development Principles, upon which the criteria are based, before filling out the Commonwealth Capital scorecard. The guidance exists in two forms: as a Word document available on the Commonwealth Capital website and as instructions attached to each criterion on the electronic application.

The first part of the guidance contains general information about how and when to apply. The second part of the guidance provides a basic description of every criterion and the eligibility, documentation, and timing requirements. When necessary to understanding of the criterion additional text is included such as examples, sample responses, and links for further information.

Questions: For questions on Commonwealth Capital, please visit mass.gov/commcap, send an email to commcap@massmail.state.ma.us, or call (617) 626-4949.

Scoring: The maximum score a community can receive is 140 points, including bonus points. The Commonwealth Capital score will account for 30% of the possible application points for any of the Commonwealth Capital programs. The other 70% of points are those related to the purpose of the particular program and evaluate the merits of a proposed project against the housing, environmental, transportation, or other goals of that program. (See the Commonwealth Capital web page for more details, mass.gov/commcap). Communities that previously applied must reapply for FY '08—the scores do not roll over into the next fiscal year.

Communities receive points on their Commonwealth Capital application for zoning, planning, housing, environmental, energy, transportation, and other measures already in place at the time of application and for measures they commit to implement by December 31, 2008. (*Note:* communities cannot receive points on the same criterion for both an existing measure and one they are willing to commit to.) In some instances points are cumulative, for example a community will receive 9 points if it has recently permitted a cluster subdivision using a by-right zoning bylaw (Criteria 6, 6a, and 6b). Also note that criteria #10, #10a, #12, and #18 are not cumulative—points can be awarded for only one of the two options. A number of criteria are performance measures that award points for actually using a bylaw or ordinance. For example, a community may earn points for having a cluster bylaw and additional points for permitting a cluster subdivision within the past two years. As a general rule, points will be awarded for actions taken, rather than receipt of a grant or other funding for a project. For example, a plan will not be given “exist” points until it is completed and approved. Actual expenditure, and not just receipt, of funds for items like capital improvements will typically count as an implementing action. Finally, it is possible for a single action to earn points under more than one criterion. For example, permitting a cluster subdivision could earn points under criteria 6b and 19.

Some criteria, such as the establishment of an agricultural commission, are not feasible in every community. The application has been crafted in a way that balances scoring opportunities across urban, suburban, and rural communities. As a result, applicant communities are not expected to earn all available Commonwealth Capital points. It is also important to remember that scores are relative. They only matter when compared to the scores of other communities that have applied for the same grant.

Bonus Points/Prior Year Commitments: Applicants are able to earn bonus points for successfully implementing commitments made on their fiscal year 2006 application. When applicants first log on to begin work on their 2008 application their prior commitments page will appear. If a community made commitments in prior fiscal years they will be listed, and municipalities will provide an update on their progress. A bonus point is earned for each 2006 commitment implemented. Applications will not be considered complete if the prior commitments page has not been completed. In order to earn credit for implementing a commitment the activity must be complete. In the case of a plan it must have been finished and approved (if necessary), funding must have been approved or expended, land must have been acquired, etc. In the case of a zoning change a community is considered to have implemented a commitment if a vote of the legislative body has taken place, regardless of whether the zoning has passed or not. If a municipality has not implemented a prior year commitment it must provide an explanation in the answer box.

At the discretion of the review team applicants are allowed to request commitment points again for an action not implemented. While it is theoretically possible for a community to score over 140 if bonus points are earned, the maximum score a community can receive is 140.

How to Apply: A municipality's Chief Elected Official or their designee applies electronically through an on-line application available on the Commonwealth Capital web page. If exceptional circumstances exist paper applications will be accepted, but all communities are strongly encouraged to use the electronic application. The application contains login, scorecard, commitment, and answer/documentation pages. Links within the application go to the guidance. The scorecard page lists each criterion and provides radio buttons with the relevant available points. Criteria may be skipped, and it is not necessary to respond to every criterion. Applicants may take as much time as needed to complete the application (it does not have to be done all at once), but once submitted the application is locked and no more changes are allowed. Thereafter, if changes are necessary the municipality should email a request to commcap@massmail.state.ma.us.

Each municipality's CEO has been sent a unique login and password that will be used to access the electronic application. The CEO should share this unique login and password with any person authorized to work on the application. Multiple users may work on the application, but once the application is reviewed by the CEO only the contact designated by the CEO should submit the finalized application. The contact name is the municipal designee authorized to submit the Commonwealth Capital Application on behalf of the chief elected official (CEO). A designee must be named before an application will be scored. The designee will be contacted if any questions arise as the application is reviewed and once the municipality's score has been determined. Communities should be aware that applications submitted to the Commonwealth are considered to have been personally approved by a community's Chief Elected Official. Once submitted no more changes are allowed, unless requested by the municipality in an email to commcap@massmail.state.ma.us. Only one application is needed annually; the resulting score will be used for all Commonwealth Capital programs to which a community applies that fiscal year.

An effort has been made to ease documentation requirements. For example, a number of criteria require no documentation, as the Commonwealth maintains a variety of lists showing that a municipally qualifies. Zoning ordinances/bylaws only need to be cited with a brief text explanation, to be verified by the Commonwealth via Ordinance.com. For plans, documentation is typically the cover page, table of contents, and executive summary if one exists. The electronic application allows documentation to be attached in electronic format. Links to materials posted on websites can also be included in the answer boxes for each criterion. No paper documentation is necessary unless a community only has hard copies, which can be mailed to the address below. Commitments only require a narrative statement agreeing to implement the action by December 31, 2007.

Mailing Address: FOR USE ONLY WHEN ELECTRONIC SUBMISSION IS IMPOSSIBLE

Governor's Policy Office
Attn: Charles Anderson
Re: Commonwealth Capital
State House
Room 271M
Boston, MA 02133

When to Apply: Commonwealth Capital applications can be submitted at any time and will be valid for all Commonwealth Capital programs throughout the current fiscal year. Communities should submit Commonwealth Capital applications by the deadline of the grant program to which they are applying to ensure their score will count. However, communities should review the guidance for the Commonwealth Capital programs to which they are applying for exceptions to this policy. If local circumstances change, documentation can be submitted to commcap@massmail.state.ma.us to amend a community's application and increase the score received.

Review and Notification of Final Score: An interagency team reviews all applications. The initial review is done by an individual, with input from the team as needed. The final review is done by the program manager. Once the

final review is completed, the contact person named on the application is notified in writing of the final score. After notification the final score is posted on the Commonwealth Capital web page.

Specific Guidance for Evaluation Criteria

PLAN FOR & PROMOTE LIVABLE COMMUNITIES (10)	
1.	Current Master Plan or Executive Order 418 Community Development Plan

Existing	Commit
<input type="checkbox"/> 4	<input type="checkbox"/> 3

Description: The foundation for smart growth is comprehensive planning that should precede any specific strategic, regulatory or financial actions. Planning for future growth is a key element of city and town preparedness for that growth. Communities will receive points for having completed either 1) a Master Plan that meets the requirements of M.G.L. Chapter 41, Section 81D, or 2) a Community Development Plan pursuant to Executive Order 418.

Action & Timing: Master Plans must be current, in use, and adopted since January 1, 1997. Community Development Plans completed pursuant to Executive Order 418 are also eligible. Either of these earns 4 points. Communities with neither a Community Development Plan nor a Master Plan can earn 3 points by committing to the completion of a Master Plan or Community Development Plan (absent state funding municipalities are free to use the methodology to complete their own plans) by December 31, 2008.

Documentation: Communities seeking credit for a Master Plan should submit the title page, table of contents and executive summary (if available). These can be attached in electronic form, or sent in hardcopy. It is not necessary to submit any documentation if a community has an E.O. 418 Community Development Plan. To determine if your community has a Community Development Plan, [click here](#).

To receive commitment points municipalities must include a statement in the answer box (or a letter signed by the chief elected official) that they will complete a plan by December 31, 2008. The commitment should identify a lead entity responsible for completion of this task.

PLAN FOR & PROMOTE LIVABLE COMMUNITIES (10)	
1a.	Funding or regulatory actions implementing 2 specific plan recommendations since Jan. 1, 2006

Existing	Commit
<input type="checkbox"/> 3	<input type="checkbox"/> 1

Description: Once adopted the Master Plan or E.O. 418 Community Development Plan should be the guiding document for municipal actions related to smart growth. The agreed upon strategies found in these plans should be the "next steps" taken by communities. Generally, these strategies can be categorized as policy, regulatory and/or financial in nature.

Not Eligible: Policy changes absent regulatory or financial actions.

Action & Timing: In order to earn the 3 points available communities must have taken regulatory or financial actions to implement 2 specific plan recommendations since Jan. 1, 2006. Communities that describe in the answer box or a letter those specific actions that they will undertake before December 31, 2008 will earn 1 point.

Documentation: Communities earn points by providing information regarding specific actions taken by a board, committee, mayor, council or town meeting. In the answer box a community should describe the specific plan recommendation(s) being implemented and the financial or regulatory action(s) taken including when and from whom any necessary approvals were obtained.

Example: Adoption by a city council or town meeting of a zoning amendment recommended in a Plan. Completion of new subdivision regulations, passage of district improvement financing, a direct infrastructure investment, or other tasks identified in a Plan.

Sample Answers:

- 1) Recommendation 7 of our Master Plan states: "Reduce the amount of parking required and increase the height limit in the downtown district in order to encourage redevelopment of vacant properties." On May

26, 2006 town meeting approved new zoning for the district that reduced the on-site parking requirement in the district from two spots per unit to one spot per unit. Also approved was an increase in the height limit to allow the construction of 5 story buildings where only three story buildings were previously permitted.

- 2) Our Community Development Plan calls for increasing the capacity of our sewage treatment plant and replacing 80 year old sewer lines in order to encourage additional growth in our downtown. On February 11, 2006 city council approved our application for a state revolving fund loan to make these improvements. Our loan was awarded funding by DEP in September of 2006 and work began on the plant and pipe upgrades in April of 2007.
- 3) We are seeking the commitment point for our efforts to establish inclusionary zoning. Our Master Plan calls for the implementation of inclusionary zoning in order to increase the supply of affordable housing in our community. We have formulated a committee to study the matter, applied for a Smart Growth Grant to hire a professional to assist the committee, and intend to submit an inclusionary zoning bylaw to the spring 2008 town meeting for approval.

PLAN FOR & PROMOTE LIVABLE COMMUNITIES (10)	
2.	Adoption of the Community Preservation Act

Existing	Commit
<input type="checkbox"/> 3	<input type="checkbox"/> 2

Description: The Community Preservation Act (CPA) is enabling legislation that allows municipalities to establish a property tax surcharge for the purposes of providing affordable housing, protecting historic resources, preserving open space, and providing recreational opportunities. Cities and towns are encouraged to adopt the CPA, thus providing local resources for these purposes.

Action & Timing: Communities must have adopted the CPA by the date of application submission to earn 3 points. Communities can earn 2 points by committing to seek adoption of the CPA before December 31, 2008.

Documentation: No documentation is needed. To determine if your community has adopted the CPA, [click here](#). If you are seeking commitment points please provide specific information on the means by which your community will pursue adoption of the CPA.

Sample Answer: Our Board of Selectmen established a CPA study committee in January of 2007. Based on the advice of the committee town meeting will be voting in the fall of 2008 on whether to send the CPA to a referendum vote.

More Information: Information on the CPA can be found at the Community Preservation Coalition's website. (www.communitypreservation.com/index.cfm)

ZONE FOR & PERMIT COMPACT DEVELOPMENT (34)	
3.	Zoning for mixed-use in an applicable location

Existing	Commit
<input type="checkbox"/> 4	<input type="checkbox"/> 2

Description: One of the key ways the Commonwealth can achieve more sustainable development is to grow in the traditional land use pattern of our past. Mixed-use zoning districts embody the traditional compact development of land, buildings, and structures by integrating a variety of complementary uses, such as residential, retail, office, civic and entertainment. This criterion encourages communities to redevelop first and to concentrate development in new or existing mixed-use districts that include residential, commercial, and civic uses.

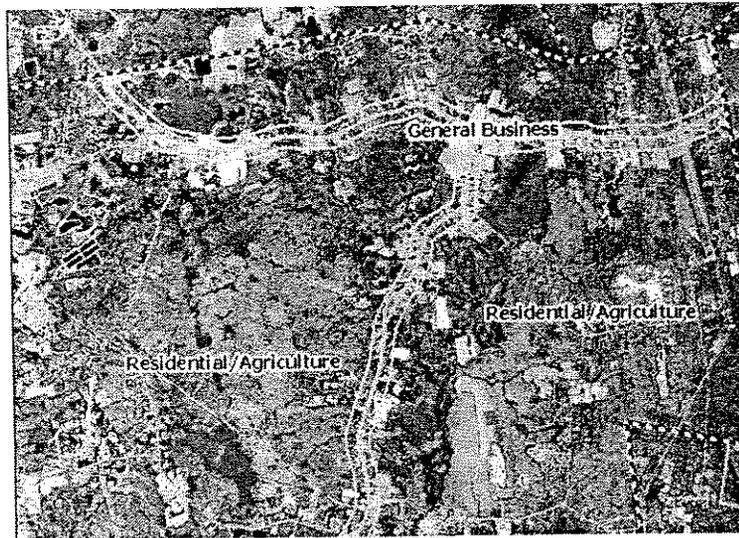
For the purpose of this criterion, mixed-use zoning must allow a combination of significantly different uses within the same district. Eligible mixed-use districts will occur in city, town, or village centers; around transit locations; or in other "highly suitable locations".

Note: Points for criteria 3, 3a, and 3b are cumulative, with a potential total of 8 points.

Not Eligible:

1. Large zoning districts that are predominately residential but allow limited non-residential uses, such as churches, schools, agriculture, and/or home occupations.

2. Districts that are not compact, such as a district that consists of a long linear strip of frontage along a major road. The image below illustrates a district in yellow that would not earn points.



Action & Timing: To earn 4 points, passage of the mixed-use district must have occurred by the time of application submission. Communities without an existing district may earn 2 commitment points by seeking a city council or town meeting vote to establish a mixed-use zoning district before December 31, 2008.

Documentation: Submit the citation of the zoning ordinance or bylaw, provide a list of uses allowed, and describe using text and/or maps the eligible location covered by the zone. For commitment points, provide a statement in the answer box or in a separate letter that states the intent of the municipality to seek passage of a mixed-use zone by the city or town council or town meeting by December 31, 2008.

Sample Answers:

1. Our mixed-use district, Section X.1.2 of the bylaw, allows single and multi-family residential plus retail and municipal uses. It covers our entire downtown surrounding the intersection of Main and Elm Streets.
2. 2 commitment points are requested. At 101 3rd Street we have a vacant Kmart that once anchored a shopping plaza on 8 acres of land. Our Planning Board is in the process of drafting new mixed-use zoning for this parcel which has water and sewer service and is adjacent to residential neighborhoods. We anticipate a spring 2008 town meeting vote on the rezoning.

ZONE FOR & PERMIT COMPACT DEVELOPMENT (34)		Existing	Commit
3a.	If mixed-use zoning is a DHCD approved 40R District or for Transit Oriented Development	<input type="checkbox"/> 2	<input type="checkbox"/> 1

Description: The Commonwealth encourages communities to direct growth to concentrated areas within the city or town. Two state programs directly related to this policy are Chapter 40R Smart Growth Zoning (40R) and Transit Oriented Development (TOD). Communities that have a DHCD approved 40R district and/or a TOD district (unlike 40R, local TOD districts are not reviewed and approved by the state and this criterion has no direct connection to the TOD Bond Program) will receive points under this criterion.

Local TOD districts should meet the following description:

Transit Oriented Development (TOD) is compact, walkable development centered on transit stations. In general, TODs include a mix of uses, such as housing, shopping, employment, and recreational facilities within a design that puts a high priority on serving transit and pedestrians. Besides providing direct access to transit, TODs can offer a variety of destinations close to one another, making it possible to move around without exclusive reliance on a car. Ideally, TODs should incorporate an attractive public realm—for example, streets with trees, furniture, and plazas—to encourage pedestrian activity. Key features of TOD

include a mix of uses, moderate to high density, pedestrian orientation/connectivity, transportation choice, reduced parking, and high quality design.

Note: Applicants should be aware that this criterion provides points in addition to criterion 3.

Not Eligible: A bus stop is not sufficient for this criterion, however, the convergence of bus routes at a hub or terminal may qualify.

Action & Timing: Municipalities with a 40R district that has received final DHCD approval or a TOD district in place at the time of application submission earn 2 points. Municipalities may earn 1 commitment point for indicating their intention to submit a 40R or TOD district to town meeting or city council for approval (in the case of 40R following preliminary approval by DHCD) by December 31, 2008.

Documentation: It is not necessary to submit any documentation if your community has a DHCD approved 40R District. To determine if your community has an approved district, [click here](#). For existing TOD districts provide a brief description in the answer box and cite the bylaw or ordinance. For commitment points, provide a statement in the answer box or in a separate letter that indicates the community's commitment to establish a 40R or TOD district by December 31, 2008.

Sample Answer: In 2005 we passed transit oriented zoning for the 39 acres surrounding our sole train station. The new zoning authorizes structure of up to 4 stories, requires first floor retail while permitting residential, office and other uses above, and encourages pedestrian connections. The zoning is section 14.2 of our bylaw.

More Information: The Department of Housing and Community Development has a [40R website](#) that includes the statute and regulations as well as the application form and instructions needed to apply to the program. Information on transit oriented development, including links to other sites and information on applying to the TOD Bond Program, can be obtained by calling Todd Fontanella of the Executive Office of Transportation at (617) 973-7027. In addition, both [Chapter 40R](#) and [TOD](#) are included in the Massachusetts Smart Growth Toolkit at: http://www.mass.gov/envir/smart_growth_toolkit/.

ZONE FOR & PERMIT COMPACT DEVELOPMENT (34)	
3b.	Building permit issued for a mixed-use development since July 1, 2005

Existing
<input type="checkbox"/> 2

Description: This criterion rewards communities for the development that is occurring in their mixed-use zones. The development may be new construction or significant redevelopment of an existing building or site. Mixed-use may be achieved across parcels (within a district) or within a single parcel or structure.

Note: In order to get points in this section, applicants must have earned points under criterion 3.

Not Eligible: New lease or new business in available space.

Action & Timing: Communities will earn 2 points if a building permit or permits have been issued for development in a mixed-use zone since July 1, 2005.

Documentation: Communities will cite the date of the building permit or permits for new development within the mixed-use zone. Communities will also provide information as to the location and type of development for which the building permit was issued, including whether multiple uses have been provided within a district or a structure.

Sample Answer: Our community issued a building permit for "Smith's Crossing" a mixed-use development at 125 Maple Avenue containing 6 residential units over 5,000 square feet of retail space on August 15, 2005.

ZONE FOR & PERMIT COMPACT DEVELOPMENT (34)	
4.	Zoning for accessory dwelling units (ADU)

Existing	Commit
<input type="checkbox"/> 3	<input type="checkbox"/> 2

Description: Accessory dwelling units can be a cost effective method of increasing the supply of housing in a community without changing the community's character or requiring new infrastructure. This criterion encourages

communities to pass zoning to allow for the creation of accessory units as a way of providing additional housing in a sustainable manner.

An accessory unit is a rental residential unit generally created within an existing single-family home, although some are created within outbuildings (such as garages and carriage houses). The accessory unit is subordinate to the existing home on the property and is smaller in floor area (sometimes by regulation) than the principal residential unit. Accessory units may also be called supplemental apartments, granny flats, or in-law apartments.

Not Eligible:

1. Zoning provisions that allow duplexes or conversion of single-family homes into duplexes. Both of these will earn points under criterion 6 if allowed by-right.
2. Zoning provisions that allow non-residential accessory structures such as garages and other outbuildings.

Action & Timing: To earn 3 points, passage of an accessory unit bylaw or ordinance must have taken place by the time of application submission. Communities may earn 2 points for a commitment to seek adoption of an accessory unit bylaw by December 31, 2008.

Documentation: In the answer box, provide a brief description and cite the relevant provision of your zoning bylaw or ordinance. For commitment points, in the answer box or in a separate letter, provide a statement that the municipality will seek local legislative body approval of an accessory unit bylaw or ordinance by December 31, 2008.

Sample Answer: Accessory units are allowed by right in our R1 district. They can be a maximum of 750 square feet and must be within the structure of the main house. Section 2.2 of our zoning contains our ADU regulations.

More Information: Information on accessory dwelling units can be found in Chapter 3 “Zoning and Land Use Strategies” of the Citizen’s Housing and Planning Association’s (CHAPA) publication entitled *Taking the Initiative: Guidebook on Creating Local Affordable Housing Strategies*, available at: www.mhp.net/uploads/resources/taking_the_initiative_guidebook_ch_111.pdf. The [Massachusetts Smart Growth Toolkit](http://www.mass.gov/envir/smart_growth_toolkit/pages/mod-adu.html) provides a model bylaw, case studies, and other resources to promote adoption of zoning for accessory dwelling units (ADU) at: www.mass.gov/envir/smart_growth_toolkit/pages/mod-adu.html

ZONE FOR & PERMIT COMPACT DEVELOPMENT (34)	
4a.	Occupancy permit issued for at least one accessory dwelling unit since July 1, 2006

Existing
<input type="checkbox"/> 2

Action & Timing: Communities that have issued one or more occupancy permits since July 1, 2006 earn 2 points.

Not Eligible: Accessory apartments that are not created under explicit ADU zoning.

Documentation: In the answer box, briefly describe the unit(s) and provide the date of the occupancy permit(s).

ZONE FOR & PERMIT COMPACT DEVELOPMENT (34)	
5.	Zoning allowing by-right multi-family dwellings (not age restricted)

Existing	Commit
<input type="checkbox"/> 4	<input type="checkbox"/> 2

Description: This category encourages zoning provisions that allow by-right multi-family dwellings, including duplexes, three-families, apartment buildings, apartments above commercial space and other types of multi-family residential. The housing situation in Massachusetts demonstrates the need for a diversity of housing types beyond single-family. Construction of such dwellings by-right provides clear direction to developers and eases a sometimes lengthy and uncertain permitting process.

Note: Points for criteria 5 and 5a are cumulative.

Not Eligible:

1. Zoning provisions that are restricted to senior citizens (or age restricted)
2. Units allowed by special permit
3. Mobile homes

4. Zoning that allows a two family home on a single lot, but requires the same land area as would be needed to construct the homes on individual lots. Multi-family zoning must result in a net density increase over that for single family development. For example, a community that normally allows a home on a 40,000 square foot lot, but permits duplexes on a lot of 80,000 square feet, will not earn points.

Action & Timing: To earn 4 points, communities must have zoning for by-right multi-family development in place at the time of submission. Communities without multi-family zoning may earn 2 points by agreeing to seek adoption of such zoning by December 31, 2008.

Documentation: In the answer box communities will provide a brief description and cite their zoning for by-right multiple-family housing. To receive commitment points municipalities must include a statement in the answer box (or a letter signed by the chief elected official) that they will seek passage of a by-right multi-family housing bylaw or ordinance by December 31, 2008.

ZONE FOR & PERMIT COMPACT DEVELOPMENT (34)		Existing	Commit
5a.	If zoning allows by-right multi-family dwellings of 4 or more units (not age restricted)	<input type="checkbox"/> 3	<input type="checkbox"/> 2

Description: The housing situation in Massachusetts requires the production of a significant number of units each year and a diversity of housing types. Those communities that allow for more than duplexes and three-family units will receive 3 additional points under this section.

Note: Applicants should be aware that this criterion provides points in addition to criterion 5.

Not Eligible:

1. Zoning provisions that are restricted to senior citizens (or age restricted)
2. Units allowed by special permit
3. Mobile homes

Action & Timing: In order to earn 3 points by-right zoning for multi-family dwellings of 4 or more units must have been adopted by the time of submission. Absent existing zoning communities can earn 2 commitment points by agreeing to seek passage of such zoning by December 31, 2008.

Documentation: Communities will briefly describe and cite their zoning for by-right multiple-family housing for 4 plus units. For commitment points provide a statement in the answer box or in a separate letter indicating the community's willingness to seek passage of such zoning by December 31, 2008.

ZONE FOR & PERMIT COMPACT DEVELOPMENT (34)		Existing	Commit
6.	Zoning for clustered development / Open Space Residential Development (OSRD)	<input type="checkbox"/> 4	<input type="checkbox"/> 2

Description: A cluster subdivision is a form of development that permits reductions in lot area requirements if the remaining land becomes protected open space. This method allows communities to protect additional areas of open space without having to expend local or state funds for the outright purchase of the property. Development costs are reduced and there is generally less infrastructure with shorter streets and water lines. Cluster subdivisions are also known by other names, including Planned Unit Development (PUD), Flexible Development, Open Space Residential Design, or Conservation Subdivision Design. Typically, other requirements such as road frontage, setbacks, and lot sizes are reduced to allow flexibility in the design of the development and to help preserve ecologically sensitive areas, agricultural lands, historic sites or other important characteristics of the property.

Open space within a cluster subdivision must be either conveyed to the city or town and accepted by it for park or open space use, to a land trust or other non-profit organization whose purpose is the conservation of open space, or to a corporation or trust owned by the owners of the lots or residential units within the development. Where land is not conveyed to the city or town, a restriction enforceable by the city or town must be recorded providing that the open space with the development will be kept in an open or natural state and not be developed.

Note: Points for 6, 6a, and 6b are cumulative, with a potential total of 9 points.

Action & Timing: Four points are earned by communities with cluster zoning in place at the time of submission. Two points are earned by communities willing to seek passage of cluster zoning by December 31, 2008.

Documentation: Communities will briefly describe critical elements of their cluster zoning, such as the amount and types of land that must be protected, and provide the citation from their zoning bylaw or ordinance indicating the allowance of cluster subdivisions. For commitments indicate in the answer box (or separate letter) the community's willingness to seek passage of cluster zoning by December 31, 2008.

More Information: The Massachusetts Smart Growth Toolkit includes a model Open Space Residential Design (OSRD) bylaw and other materials at: http://www.mass.gov/envir/smart_growth_toolkit/pages/mod-osrd.html

ZONE FOR & PERMIT COMPACT DEVELOPMENT (34)	
6a.	If cluster is mandated, by-right, or includes a density bonus

Existing	Commit
<input type="checkbox"/> 2	<input type="checkbox"/> 1

Description: Communities can encourage use of the cluster technique through a number of mechanisms. Allowing clusters by right or including density bonuses in exchange for additional public benefits, such as affordable units, are two of those mechanisms. Requiring cluster development in certain areas or districts, particularly critical resource areas, is another technique used by some communities as a method of providing additional protections to those resource areas.

Note: Applicants should be aware that this criterion provides points in addition to criterion 6.

Action & Timing: Communities with mandatory, by-right, or density bonus provisions in their current cluster zoning will earn 2 points. One point is earned by communities willing to seek passage of these types of cluster zoning by December 31, 2008.

Documentation: Communities will briefly describe and provide the citation from their zoning bylaw or ordinance indicating the presence of one or more of these three cluster techniques. Communities should indicate their commitment to seek passage of one of these types of cluster zoning by December 31, 2008 in the answer box or in a letter.

ZONE FOR & PERMIT COMPACT DEVELOPMENT (34)	
6b.	A cluster development has been permitted since July 1, 2005

Existing
<input type="checkbox"/> 3

Action & Timing: Approval of a definitive subdivision plan and/or a special permit for a cluster subdivision since July 1, 2005 will earn 3 points.

Note: Applicants should be aware that this criterion provides points in addition to criteria 6 and 6a.

Documentation: In the answer box communities will describe the development permitted including number of units, location, acreage, open space protected, means of protection (conveyance to the municipality or ownership by a homeowners association or land trust with the recording of a restriction enforceable by the municipality), and the date of the vote by the appropriate board.

ZONE FOR & PERMIT COMPACT DEVELOPMENT (34)	
7.	Zoning for Transfer-of-Development Rights (TDR)

Existing	Commit
<input type="checkbox"/> 3	<input type="checkbox"/> 2

Description: Transfer of Development Rights (TDR) is a zoning technique that uses market forces to transfer development from one area (the 'sending area') in order to protect that area from development, to another location (the 'receiving area') where development is more appropriate. TDR has been used to protect open space and farmland as well as for historic preservation purposes. For example, a program would allow the transfer of the right to develop "x" number of housing units from a farmland area to a town center where growth is allowed to occur at a higher density than would otherwise be possible.

Not Eligible: Back lot provisions that do not transfer development rights off-site.

Action & Timing: Communities must have TDR zoning in place at the time of submission to earn 3 points. Communities must commit to seeking passage of TDR zoning by December 31, 2008 to earn 2 points.

Documentation: In the answer box, communities will cite their zoning bylaw or ordinance authorizing TDR and provide a brief description of it. Communities committing to seek passage of TDR by December 31, 2008 should so indicate in the answer box or a separate letter.

Sample Answers:

1. Our community has a modified TDR process found in Section X.XX that allows a developer to provide reduced parking in exchange for protection of farmland elsewhere.
2. Our zoning for TDR found in Section X.Y of the Zoning Bylaw protects water supply lands via the transfer of development rights to our town center. The rights can be used for residential or commercial development.

More Information: The [Massachusetts Smart Growth Toolkit](http://www.mass.gov/envir/smart_growth_toolkit/pages/mod-tdr.html) includes a model TDR bylaw and other materials at: http://www.mass.gov/envir/smart_growth_toolkit/pages/mod-tdr.html

ZONE FOR & PERMIT COMPACT DEVELOPMENT (34)	
7a.	Utilization of TDR since July 1, 2005

Existing
<input type="checkbox"/> 2

Action & Timing: Communities that have permanently protected land (via Article 97 protection or a Chapter 184 type restriction) utilizing their TDR bylaw or ordinance since July 1, 2005 earn 2 points.

Documentation: In the answer box communities will provide information about a specific action (vote of a planning or zoning board, for example) where the TDR provision was used (resulting in the recording of a permanent development restriction) during the required time period.

Sample Answer: Our Planning Board voted on July 3, 2005 to approve the subdivision plan for Green Acres which allowed the construction of 15 units of housing instead of 12 utilizing density transferred from the Jones Farm property on which an agricultural preservation restriction was approved by EOEEA on September 12, 2005.

EXPAND HOUSING OPPORTUNITIES (33)	
8.	Current housing plan

Existing	Commit
<input type="checkbox"/> 3	<input type="checkbox"/> 2

Description: In the past several years, the state has encouraged municipalities to take a role in the development of housing through planning and action. This criterion rewards municipalities that have done substantial planning to address their housing needs and to set goals & objectives that achieve a balance of housing opportunities. Eligible plans include E.O. 418 Housing Strategies (formerly used for Housing Certification), housing elements of E.O. 418 Community Development Plans, plans developed under the Planned Production regulation, and other types of local, subregional, or regional housing plans.

Action & Timing: Applicants that have completed plans by the time of application submission earn 3 points. Plans must have been adopted since January 1, 2002. Regional plans must have been adopted by the municipality in order to qualify. To be adopted, a plan must have been approved by vote of an appropriate elected or appointed municipal entity, such as a planning board, board of selectmen, city council, mayor, or town meeting. To earn 2 commitment points, applicants must agree to complete a plan or update an out-of-date plan by December 31, 2008.

Documentation: For a list of municipalities with known housing plans, [click here](#). If your municipality is on the list, no documentation is needed. If your municipality is not on the list and you have a housing plan that qualifies, please submit a copy of the cover page, table of contents, and executive summary of the plan along with the date of the plan and which local elected or appointed entity approved the plan. For commitment points, provide a statement in the answer box or a separate letter that you intend to complete a housing plan by December 31, 2008.

More Information: For guidance on developing housing plans, please contact DHCD at (617) 573-1357.

EXPAND HOUSING OPPORTUNITIES (33)

Existing

Description: Municipalities are encouraged to identify how much housing is needed in their community, establish numerical goals for the production of housing overall, and measure progress towards meeting that goal. Many communities adopted numerical goals as part of the E.O 418 Housing Certification or Community Development Plan process or through creation of an affordable housing plan under Planned Production. Goals from other types of housing plans are also eligible. Goals do not have to be for affordable (subsidized) housing only.

Action & Timing: Communities will earn 2 points if they had an overall housing production goal (regardless of affordability level) for either fiscal (7/1/05 to 6/30/06) or calendar year 2006 and have met that goal through the issuance of building permits for new units. If your housing plan or strategy contains an annual numerical goal and you have met or exceeded that goal, provide that information as indicated in Documentation below.

Eligible Units: New construction; units made inhabitable after being uninhabitable and/or vacant for the prior 2 years; conversion/redevelopment of non-residential structures; conversion of existing residential structures to additional units; or new accessory apartments.

Not Eligible: Rehabilitated existing housing units.

Note: A housing plan is not required to earn points under this criterion.

Documentation: In the comment box, provide the following:

1. Identify the annual goal, source of the goal, and what timeframe it covers (fiscal or calendar year 2006). If your plan contains a goal for more than one year (such as a 5- or 10-year goal), then provide the single year average and indicate how many years are covered. For those communities that were E.O. 418 Housing Certified in FY05, we have compiled goals from those applications that fit the relevant time period. [Click here](#) for a list. Note that not all communities achieved certification in FY05 or had a goal that qualifies for this criterion.
2. Determine the number of new housing units for the fiscal or calendar year you are reporting by calculating the number of building permits and the number of new units for each building permit.

Sample Answers:

1. From our Master Plan, our community anticipates needing 115 more units of housing over the next 5 years, for an annual average of 23 units. During fiscal year 2006 we issued 19 building permits for 16 single family dwellings, one two-family dwelling, one 3-family and one containing 5 units for a total of 26 new housing units.
2. From the Housing Chapter of our Community Development Plan: Based on population projections and the trend in household size, we will need 46 new units per year for the next 10 years. During calendar year 2006, we issued 35 single family permits, 3 duplex permits, and 2 multi-family permits (8 units) for a total of 49 units.
3. From the list, our goal for FY06 was 68 units. Between 7/1/05 and 6/30/06, we issued building permits for 25 single-family units and 43 apartments for a total of 68 units.

EXPAND HOUSING OPPORTUNITIES (33)	
9.	Zoning requiring the inclusion of affordable units (IZ)

Existing	Commit
<input type="checkbox"/> 3	<input type="checkbox"/> 2

Description: Inclusionary zoning promotes the fair distribution of affordable housing units and the inclusion of long-term affordable housing in developments created by the private market. Inclusionary zoning normally requires a minimum percentage of lower and moderate income housing to be provided in new developments based on a mandated formula. Often inclusionary zoning provisions will provide developers a density bonus in compensation for provision of the affordable units, as is recommended by the Commonwealth. For example, a bylaw might require that 15% of a new subdivision be affordable to those who earn no more than 80% of area wide median income, while compensating the developer by allowing the affordable units to be in addition to the

otherwise allowable development density. The zoning may allow 'in-lieu-of' payments that go to an affordable housing fund, creation or rehabilitation of off-site units, and/or creation of affordable units within the project itself.

Action & Timing: Communities with inclusionary zoning in place by the time of application submission will receive 3 points. Communities may earn 2 points for a commitment to seek adoption of inclusionary zoning by December 31, 2008.

Documentation: In the answer box, provide a brief description and cite the relevant provision of your zoning bylaw or ordinance. For commitment points, in the answer box or in a separate letter, provide a statement that the municipality will seek local legislative body approval of an inclusionary zoning bylaw or ordinance by December 31, 2008.

More Information: The publication, *Taking the Initiative: Guidebook on Creating Local Affordable Housing Strategies* at: www.mhp.net/uploads/resources/taking_the_initiative_guidebook_ch_111.pdf and the Massachusetts *Smart Growth Toolkit*, <http://www.mass.gov/envir/sgtk.htm>.

EXPAND HOUSING OPPORTUNITIES (33)		Existing
9a.	Building permits issued for affordable units under an IZ bylaw/ordinance since July 1, 2006	<input type="checkbox"/> 2

Action & Timing: Communities that have issued a building permit for at least one inclusionary unit since July 1, 2006 earn 2 points. These units may be created on- or off-site. The inclusionary unit may be created by a developer or by the municipality with funding from a dedicated account.

Documentation: In the comment box, cite the date of the building permit(s) and the number of units that were permitted. Briefly describe the level of affordability.

Sample Answer: On 8/15/06, a building permit was issued for one of 10 units in the Residences at Village Green developed under our Inclusionary Zoning bylaw. This unit will be affordable to a household making no more than 80% of area median income.

EXPAND HOUSING OPPORTUNITIES (33)		Existing
10.	Increased housing stock by 50-99% of state goal OR	<input type="checkbox"/> 4
	100% or more of state goal	<input type="checkbox"/> 5

Description: It is critical that the Commonwealth produce enough new housing to moderate prices and reduce the cost of housing to the Commonwealth's residents. Recent studies of the Commonwealth's rate of housing production have substantiated the need to increase housing stock across the state. To meet this need the state recommends that municipalities increase the supply of housing by 1% per year. This criterion will enable communities to demonstrate their progress towards meeting that statewide goal.

Eligible Units: New construction; units made inhabitable after being uninhabitable and/or vacant for the prior 2 years; conversion/redevelopment of non-residential structures; conversion of existing residential structures to additional units; or new accessory apartments.

Not Eligible: Rehabilitated existing housing units.

Action & Timing: Issuance of building permits for new units in either fiscal year 2006 (7/1/05-6/30/06) or calendar year 2006 equivalent to 50-99% of the state goal earns 4 points and 100% or more of the state goal earns 5 points. To see the thresholds for your community, [click here](#).

Documentation: In the answer box indicate the number of new units produced.

Sample Answer: In 2006, we permitted 66 units. Consulting the table provided, this is between 50 and 99% of the state goal.

EXPAND HOUSING OPPORTUNITIES (33)		Existing
-----------------------------------	--	----------

10a.	50-74% of new units produced using mixed use (including 40R & TOD), IZ, ADU, cluster/OSRD, TDR, multi-family, single family on ¼ acre lots, and/or conversion/redevelopment OR	<input type="checkbox"/>	4
	75% or more of new units	<input type="checkbox"/>	5

Description: Producing housing in the right locations is a key policy of the Commonwealth. Smart housing development fosters a sense of community; makes the connection between housing, jobs, and amenities; reduces dependence on the automobile; and uses land efficiently. There are a variety of ways that housing can be developed in a smart growth fashion. This criterion measures the consistency of new housing units with the following smart growth techniques: mixed-use (including 40R & TOD); inclusionary zoning; accessory apartment zoning; cluster/OSRD; TDR; multi-family; single family units on ¼ acre or smaller lots; and/or conversion of non-residential structures or redevelopment of buildings or sites (including brownfields).

Eligible Units: New construction; units made inhabitable after being uninhabitable and/or vacant for the prior 2 years; conversion/redevelopment of non-residential structures; conversion of existing residential structures to additional units; or new accessory apartments.

Not Eligible: Rehabilitated housing units; market rate units in an inclusionary development.

Action & Timing: Issuance of building permits for new units earns 4 points if 50-74% of the units are smart growth consistent or 5 points if 75% or more of the units are smart growth consistent. For the purpose of this criterion smart growth consistent means only those techniques listed above. The period of performance for issuance of the permits is either fiscal year 2006 (7/1/05 to 6/30/06) or calendar year 2006. If you responded to criteria 3b, 4a, 6b, 7a, 9a, and/or 10, you can use your answers as a starting point.

The process to determine the percentage is as follows:

1. Choose whether you are using calendar year or fiscal year 2006.
2. Determine if building permits were issued during your performance period for any of the smart growth techniques listed above.
3. Calculate the number of units for each technique used. Note that only affordable units in an inclusionary development count.
4. Add up the number of units across all techniques. Units that fit multiple techniques (e.g. redevelopment of a mixed-use structure) may only be counted once.
5. Obtain the total number of new units permitted in your performance period from Question 10 or from your building department.
6. Calculate the percentage of smart growth units by dividing the number of smart growth units by the total number of new units.

Documentation: In the answer box, provide the performance period, the number & type of smart growth units, the total number of housing units and the percentage that are smart growth consistent.

Sample Answer: In 2006, we issued permits for 66 new housing units. Of these, 44 are smart growth consistent: 25 units are in a single family cluster subdivision, 5 units are new apartments above retail in the downtown, and 14 units are in a converted school. 44 smart growth units/66 total new units=67%.

EXPAND HOUSING OPPORTUNITIES (33)		Existing	Commit
11.	Actions that promote fair housing choice since July 1, 2006	<input type="checkbox"/> 2	<input type="checkbox"/> 1

Description: Fair housing prohibits discrimination in all housing-related transactions -- including financing, advertising, selling, and renting -- based on race, color, national origin, religion, sex, familial status, and disability. Fair housing is implemented and enforced at all levels of government, including the local level. Municipalities have responsibilities for fair housing compliance in their regulatory actions, when they provide services or subsidies, and when they dispose of or acquire property for housing.

Action and Timing: Communities earn 2 points if they have adopted plans or regulations or are implementing actions that promote fair housing. Implementing actions must have been accomplished since July 1, 2006. Communities earn 1 point for committing to take an action by December 31, 2008.

Not Eligible: Actions by non-municipal entities.

Examples:

- Analysis of impediments to fair housing choice
- Implementation of the analysis of impediments
- Town-wide fair housing plan
- Active fair housing commission/committee (must have met since 7/1/06)
- Affirmative marketing plan that is used as a template for all projects
- Activities related to affirmative marketing (other than planning)
- By-laws/ordinances that further fair housing choice, e.g., a bylaw or ordinance that supports the use of Universal Design in housing projects (adoption of a policy statement is allowable)
- Outreach and education, such as a campaign addressing advocates and target groups
- Monitoring of compliance with the Fair Housing Act or the Community Reinvestment Act (CRA) and Equal Credit Opportunity Act when related to lending for housing

Documentation: In the comment box briefly describe your plans, regulations or implementation actions. For plans, attach the title page, table of contents and the executive summary, if available. If the item is available on a website, simply provide the link. For regulatory actions, cite the bylaw number and provide a brief description.

More Information: DHCD recently completed an Analysis of Impediments to Fair Housing that can be found online at <http://www.mass.gov/dhcd/Temp/06/FairHsAccess/>. For more information or answers to fair housing-related questions, contact DHCD at 617-573-1526.

EXPAND HOUSING OPPORTUNITIES (33)		Existing
12.	Attainment of Planned Production certification (.75% of housing units) OR	<input type="checkbox"/> 4
	Attainment of the Chapter 40B 10% threshold	<input type="checkbox"/> 5

Description: An insufficient supply of affordable housing continues to be a key problem facing the Commonwealth. This criterion rewards communities for having created a significant number of affordable units, as measured on the Subsidized Housing Inventory (SHI).

Not Eligible: Municipalities that have approved Planned Production plans but are not certified.

Action & Timing: Communities that are certified through DHCD’s Planned Production program at the time of application submission earn 4 points. Those that have reached 10% on the SHI by the time of application submission earn 5 points.

Documentation: None needed. To determine if your municipality is certified under Planned Production contact DHCD at 617-573-1357. To determine whether your community has achieved the 10% threshold, click the inventory link above or call 617-573-1526.

EXPAND HOUSING OPPORTUNITIES (33)		Existing
13.	Funding for the rehabilitation of housing units since July 1, 2005	<input type="checkbox"/> 3

Description: Safe, functional housing is a key tenet of a healthy community and therefore of smart growth. The goal of rehabilitation programs is to bring units into compliance with state sanitary and environmental codes. Funding may come from state, federal, or local sources (as allowed). Eligible sources include: Community Development Block Grant, HOME, Massachusetts Lead Abatement Program, Community Preservation Act (CPA) (as long as it is used to bring units into code compliance), and public funding for septic system upgrades. Programs may be administered by the municipality or by a regional entity.

Action & Timing: 3 points are earned by those communities that have been active in a housing rehabilitation program since July 1, 2005.

Documentation: If you are a CDBG housing rehabilitation grant recipient, no documentation is needed. [Click here](#) for a list. For other state or federal programs, provide verification of the award, which may be done by hard copy (mail) or electronically. For CPA or other types of local funding, describe in the answer box the date the money was authorized, who authorized it, how much was authorized, and the use of the funds.

EXPAND HOUSING OPPORTUNITIES (33)	
14.	Production of housing units on municipal land or with municipal funding since July 1, 2005

Existing	Commit
<input type="checkbox"/> 3	<input type="checkbox"/> 2

Description: The high cost of land and its relatively limited availability is a major factor in the high price of housing. Many municipalities are seeking to use their own land or funding, such as that available through the Community Preservation Act, to facilitate the creation of new units. The Commonwealth supports both these activities because they allow municipalities to exercise more control over the type and amount of housing that gets built and because they increase the opportunities for housing for all citizens. For the purpose of this criterion, municipal funding may include state or federal grants that are administered by the municipality (such as DHCD's Housing Development Support Program).

Eligible Units: New construction; units made inhabitable after being uninhabitable and/or vacant for the prior 2 years; conversion/redevelopment of non-residential structures; conversion of existing residential structures to additional units; or new accessory apartments.

Not Eligible: Rehabilitated housing units.

Action & Timing: 3 points are earned by communities that issued building permits after July 1, 2005 for the construction of at least one unit on a parcel provided by the municipality or with municipal funding. Applicants earn 2 points for demonstrating they are in the process of using municipal land or funding for housing and anticipate issuing building permits by December 31, 2008.

Documentation: In the answer box, provide the date(s) of building permit(s), number of units, and a brief explanation of whether land or funding was used. If funding was used, include the amount and the source. For a commitment, provide a brief description of the status of the project and identify the expected date the building permits will be issued.

REDEVELOP SITES AND BUILDINGS (8)	
15.	Planning: (a) inventory, (b) remediation, revitalization, or reuse strategy, or (c) site planning

Existing	Commit
<input type="checkbox"/> 4	<input type="checkbox"/> 2

Description: The redevelopment of brownfield sites, downtown districts, abandoned shopping centers, historic mill buildings, or otherwise decadent, substandard, or blighted areas serves as a critical strategy in expanding economic development, creating new housing opportunities, and building livable, vibrant communities. By redeveloping such areas, sites and buildings, fewer "greenfield" sites are developed, compact and often historic centers are revitalized, and underutilized properties are returned to productive use. By cleaning up brownfield sites, environmental contamination is mitigated improving ecological and human health as well as economic opportunity. This criterion rewards planning actions that contribute to successful redevelopment.

Not Eligible:

1. The DEP list of 21E sites (because it is produced through state action).
2. Site plans or strategies developed by private parties without significant municipal participation.

Action & Timing: 4 points are earned by communities that have done any of the following by the time of application submission:

- a) *Inventory:* A local or regional inventory of brownfield sites; a building inventory of a downtown district; or an inventory of mill buildings. The inventory must contain basic descriptive information such as address and site ownership. Brownfield inventories must include the property information, brownfields data (such as DEP tracking number, assessment status, and liability status if known), and municipal

contact info. These inventories must have been completed or updated since July 1, 2005. A slums and blight inventory that is approved by DHCD identifying vacant and deteriorating structures (“greyfields”) is also eligible—these must have been completed since January 1, 2002. To determine whether your community has an approved slums and blight inventory, contact DHCD’s Community Development Block Grant Program at 617-573-1400.

b) *Remediation, revitalization, or reuse strategy*: Eligible strategies include remediation, revitalization, or reuse strategies that outline the specific steps needed to bring sites, buildings, or districts back into productive use. A currently active Urban Renewal Plan or Commercial Area Revitalization District (CARD) Plan, approved by DHCD, are examples of an eligible plan. Municipally funded feasibility or market studies are also eligible. The municipality must be an integral partner in the creation of the strategy. These strategies/plans must be no older than 5 years or demonstrated to be currently active.

c) *Site planning*: Site planning for reuse/redevelopment of brownfields, vacant buildings, or downtown districts. The municipality must be an active participant in the site planning activities. Examples of eligible activities include completing a plan by convening a design charrette or hiring an architect or landscape architect to create site plans for a redevelopment project. These site plans must have been completed since July 1, 2005.

Communities that commit to completing any of the above redevelopment activities by December 31, 2008 earn 2 points.

Documentation: In the answer box, briefly describe your plan, inventory, or strategy, including the role of the municipality. For plans, attach the title page, table of contents and the executive summary, if available. If the item is available on a website, simply provide the link. To receive commitment points, provide a statement (in the answer box or a separate letter) identifying the action that will be taken by December 31, 2008.

Sample Answer: We completed an inventory of 20 historic mill buildings along the Pasconuck River in 2006. The inventory identifies the address, ownership, square footage, assessed value, zoning, and current use and condition of the mills. We funded the inventory with a combination of municipal funding and a state grant and supervised the project, which was done by a consultant. Please find the cover page and table of contents attached.

REDEVELOP SITES AND BUILDINGS (8)	
16.	Incentives: (a) financial or (b) regulatory

Existing	Commit
<input type="checkbox"/> 4	<input type="checkbox"/> 2

Description: To overcome upfront barriers to redevelopment, municipalities can provide incentives or investments to prompt redevelopment of important sites and areas. This criterion rewards a community’s financial or regulatory efforts related to the redevelopment of brownfields, greyfields, vacant mill buildings, or underutilized downtown districts.

Not Eligible: Greenfield projects that do not involve redevelopment of a site or building.

Action & Timing: 4 points will be earned for any of the following activities:

a) *Financial*: Funding incentives must be at a meaningful level and have been used since July 1, 2005. Tax incentives must be currently active. Incentives can be provided through a variety of means including the creation of a revolving loan fund or brownfields cleanup program; approval of a bond authorization; local tax incentives or investments such as: Tax Increment Financing (TIF), District Improvement Financing (DIF), Urban Center Housing TIF, or Special Tax Assessment (STA) or creation of Business Improvement Districts (BIDs).

b) *Regulatory*: Modifications to the permitting (zoning, other bylaws, building permit, occupancy permits or other necessary approvals) process since July 1, 2005 that simplify or expedite the permitting for redevelopment of brownfield, greyfield, infill, or other sites. A primary example is designation of a Priority Development Site pursuant to Chapter 43D, Expedited Permitting.

2 commitment points are earned by communities that agree to implement an incentive for redevelopment by December 31, 2008.

Documentation: In the answer box, provide the following information depending on your action:

a) *Financial:* Provide a brief description of the amount, purpose, and source of funding and when it was used. If points are requested for assisting in securing a regional funding source, submit the letter of support that was included in the regional application for funds. For incentives, submit the date the agreement was approved by either the Economic Assistance Coordinating Council (EACC) or DHCD. Include the project name and indicate the location of the business. For a BID, provide the date it was locally established.

b) *Regulatory:* Explain how your revised permitting makes it simpler or faster to obtain a permit to redevelop a brownfield or greyfield site (reference the applicable provision in your bylaw or ordinance) and/or discuss when and how zoning was altered to encourage redevelopment. If the community is seeking credit for the establishment of a Priority Development Site pursuant to Chapter 43D or designation of a "smart growth zone" pursuant to Chapter 40R reference the site and date of approval by the Interagency Permitting Board or DHCD respectively.

To earn commit points, please submit a statement committing to implement a financial or regulatory incentive by December 31, 2008.

Sample Answers:

1. We passed a bond authorization at the Fall Town Meeting in 2006 to borrow \$150,000 to assist in the cleanup of the Johnson Mill site. This site was the location of a metal fabrication shop that is contaminated with heavy metals and petroleum. The town plans to redevelop the site into a passive park along the Pasconuck River.
2. We altered the permitting mechanism from special permit to site plan review for mixed-use mill conversions at the fall 2006 Town Meeting.
3. Our Priority Development Site, 54 acres between Main Street and the rail line, was approved by the Interagency Permitting Board on February 14, 2007.

More information: For more information about TIF, STA, and DIF, go to: www.mass.gov/bizteam; click Department of Business Technology; then click Mass Office of Business Development. Guidance is also available in regard to Chapter 43D, Expedited Permitting, on the website of the Executive Office of Housing and Economic Development. The Massachusetts Smart Growth Toolkit has information about DIF, TIF, 40R, and Brownfields at: <http://www.mass.gov/envir/sgtk.htm>. For BID information visit DHCD's website at: <http://www.mass.gov/dhcd/publications/bid398.pdf>.

PROTECT LAND AND ECOSYSTEMS (11)	
17.	Current DCS-approved Open Space and Recreation Plan

Existing	Commit
<input checked="" type="checkbox"/> 4	<input type="checkbox"/> 2

Description: Open Space and Recreation Plans (OSRP) identify and plan for local open space priorities. These plans guide a community's management of natural resources and recreational opportunities and facilities. The Commonwealth supports pro-active planning for natural resource protection and recreation as an important way of promoting stewardship of natural resources. The state's Division of Conservation Services (DCS) has a long-standing requirement for the completion and approval of an Open Space & Recreation Plan (valid for a 5-year period) before a community can apply for Self-Help, Urban Self-Help and Federal Land and Water Conservation Fund grant rounds.

Action & Timing: Communities with a DCS-approved Open Space and Recreation Plan earn 4 points and those that commit to completion of a plan by December 31, 2008 earn 2 points.

Documentation: No documentation is needed for DCS-approved plans. To determine whether your community has a current approved plan, [click here](#). To earn 2 commitment points, please provide a statement indicating the municipality's commitment to complete and submit an Open Space and Recreation Plan to DCS by December 31, 2008.

More information: Please visit the DCS website at mass.gov/envir/dcs/openspace/default.htm.

PROTECT LAND AND ECOSYSTEMS (11)	
18.	15-25% of town area protected [by a Chapter 184-type restriction or Article 97] OR
	25% or more of town area protected

Existing	
	2
	3

Description: Permanent protection of land is important to the Commonwealth. Permanently protected open space safeguards critical habitat, water quality, community character, and can provide opportunities for recreation and environmental education. The land must be within the municipal boundary and have permanent protection status through either mechanism explained below. The municipality itself does not have to be the fee owner or manager of protected lands. Permanently protected municipal land is typically controlled by the Conservation Commission.

For this criterion, land must receive permanent protection through one of the following:

- *Chapter 184-type conservation restriction*, which requires EOEEA secretarial approval to assure "public benefit." The Secretary's approval affords certain protections for easements in gross and in perpetuity; or
- *Article 97 protection* (mass.gov/legis/cart097.htm). Lands acquired for the natural resource purposes listed in Article 97 require approval of the General Court before they can be sold or used for other purposes.

Not Eligible: Land enrolled in the Chapter 61 program or not protected in perpetuity by one of these 2 mechanisms.

Action & Timing: Municipalities will earn 2 or 3 points, depending on how much land is permanently protected. A municipality with 15% to 25% of its dry land area in permanently protected status, as of July 1, 2005, will earn 2 points. If 25% or more of the dry land area is permanently protected the municipality will earn 3 points. Each municipality can only qualify for one threshold for protected land; the points are not cumulative for this criterion.

Documentation: There is no documentation needed unless a municipality is counting land not currently included in the MassGIS Protected and Recreational Open Space Datalayer and therefore not counted in the Protected Open Space List ([click here](#)). The municipality can check the protection status of specific land parcels included in the datalayer via the MassGIS website and [Open Space Online Viewer](#).

If recent acquisitions or conservation restrictions have occurred that are not included in the MassGIS Datalayer the municipality must submit documentation in one of three ways:

1. Provide reference to a current DCS-approved Open Space and Recreation Plan that details and locates the specific property or properties;
2. Submit a completed MassGIS Parcel Worksheet and locus map for each additional property; or
3. Submit digital GIS data directly to Dominique Pahlavan at MassGIS (dominique.pahlavan@state.ma.us)

More information:

MassGIS Protected and Recreational Open Space Datalayer web page:
mass.gov/mgis/osp.htm

MassGIS Browser-based Mapping Application for Open Space:
maps.massgis.state.ma.us/MassGISOpenspace/viewer.htm

MassGIS Parcel Worksheet:
www.mass.gov/dhcd/components/SCP/hidden/parcel-ws.pdf

MassGIS Browser-based Mapping Application for USGS Topographic Maps (useful for a locus map):
maps.massgis.state.ma.us/MassGISTopos/viewer.htm

The Massachusetts Conservation Restriction Handbook publication available at:
mass.gov/envir/dcs/restrictions/default.htm

EOEEA's Article 97 Land Disposition Policy can be found at:
mass.gov/envir/mepa/fourthlevelpages/article97policy.htm

PROTECT LAND AND ECOSYSTEMS (11)

19. Land protected via a restriction or fee acquisition alone or with a land trust since July 1, 2005

Existing 4

Description: Critical to smart growth is deciding in advance of development which lands should be protected for habitat, agricultural, water supply, recreation, or other purposes, and taking action to preserve them. This criterion awards points for municipal land protection.

Action & Timing: Communities will earn points under this criterion for municipal actions resulting in approval by the Secretary of Environmental Affairs of a conservation restriction or a vote of the local legislative body to acquire a parcel for conservation purposes since July 1, 2005. Land must have been permanently protected via a Chapter 184-type restriction or Article 97 protection (as explained in the guidance for number 18).

Examples: Actions that will qualify include:

- Utilization of the right of first refusal under Chapter 61, 61A or 61B for land protection (not for other purposes), either by the municipality directly or via assignment of the right of first refusal to a land trust. (Not Eligible: Municipal assignment of the right of first refusal, if not exercised by a land trust.)
- Conversion of lands from general municipal ownership to care and custody of the conservation commission, bringing the land under Article 97.
- Joint protection of a parcel with a land trust, state agency, the federal government or other party so long as municipal funding or ownership of an interest is involved.
- Projects that involve fee ownership by one party and the holding of a restriction on the parcel by another party, such as the approval of a restriction held by a land trust on municipal land.
- Donation of a conservation restriction to the town.
- Permanent land preservation resulting from a cluster subdivision.
- Restrictions resulting from partial developments. For example, a community sells a portion of a site on which housing is constructed in order to pay for the permanent protection of the rest of the parcel.
- Municipal provision of the required 20% match to the acquisition of an agricultural preservation restriction (APR) by the Department of Agricultural Resources.
- A project that involves land protection and development. For example, acquisition of land using Community Preservation Act funds with a portion of the parcel to be permanently protected and the remainder developed for affordable housing.

Not Eligible: Local approval of a conservation restriction not held by the town.

Documentation: Describe the parcel(s) protected including location, size, partners involved, means of permanent protection, and purpose for which protection occurred. Also include the date that the local legislative body approved the acquisition or restriction.

Sample Answers:

- EOEEA approval was received on July 11, 2006 for a restriction acquired by the community on the 27 acre Dawes property off Green Street that allows continued agricultural use but not future development.
- On May 5, 2007 Town Meeting approved the fee simple acquisition of 16 acres off Elm Street (to be placed under the control of the Conservation Commission) for the creation of a new well.
- On October 12, 2005 the Town and the local land trust jointly acquired 48 acres at 16 North Main Street. The town will own the land under the jurisdiction of the conservation commission, and the trust will hold an enforceable restriction on the parcel. The front portion of the site will be used for a little league field; the remainder of the site will be used for passive recreation.
- On May 16, 2007 town meeting approved the expenditure of \$158,000 to provide the 20% match required by the state as part of the acquisition of a \$790,000 dollar APR on the Frost Farm at 131 Birch Street. The APR was purchased on June 21, 2007.

More Information: Information on land protection can be found on EOEEA's Smart Conservation web page at: mass.gov/envir/smart_cons/default.htm and the Massachusetts Land Trust Coalition web page at: www.massland.org/.

PROMOTE CLEAN ENERGY (6)

20. Clean energy for municipal functions
--

Description: Clean energy decreases global warming emissions and other pollutants, enhances public health, and reduces spending on fossil fuels while promoting use of innovative technologies that enhance economic development in the Commonwealth. In addition, renewable energy use, particularly when coupled with energy efficiency measures, can reduce costs for municipalities. This criterion addresses direct municipal actions relative to clean energy. Municipalities have the ability, through incorporation of building and fleet efficiencies, local power generation, energy purchasing practices, and other municipal policies and activities to foster clean energy, efficiency and conservation.

Action and Timing: In order to earn the 3 points available under this criterion a municipality must meet 2 of the following 11 items:

Municipal Planning:

1. Completion of a climate action plan or greenhouse gas inventory (using ICLEI software or an alternative method) since July 1, 2002.
2. Participation in the U.S. EPA's Community Energy Challenge or completion of energy performance ratings for municipal buildings since July 1, 2005 pursuant to Energy Star Portfolio Manager.

Municipal Facilities:

3. Execution of a performance contract for one or more large municipal facilities or implementation of comprehensive energy efficiency measures at one or more significant town buildings or facilities since July 1, 2005.
4. Construction of a new or retrofit of an existing municipal facility that meets green building standards (LEED, MassCHPS, Energy Star, or similar) since July 1, 2005.
5. Installation of one or more non-electric renewable energy technologies including solar thermal, geothermal, or biomass/bioheat (biodiesel blend) since July 1, 2002.

Municipal Electricity Use:

6. Direct acquisition of MA Renewable Energy Certificates (alone or bundled with electricity purchase) equivalent to 2% or more (above current obligatory RPS supply) of municipal electricity consumption in fiscal or calendar year 2006.
7. Acquisition of Green-E certified renewable energy certificates equivalent to 5% or more of municipal power use in fiscal or calendar year 2006.
8. Installation of one or more renewable energy distributed (onsite) generation (e.g. wind, solar, hydroelectric) or combined heat and power units since July 1, 2002, resulting in a total capacity in excess of 50 kW, that are used to serve municipal electricity loads.

Municipal Fleet:

9. Acquisition of efficient hybrid vehicles in fiscal or calendar year 2006.
10. All diesel fuel used is biodiesel (B5 or better blend).
11. Use of any CNG vehicles (school, public works, public safety or other vehicles).

Commitment points are earned by communities indicating in the answer box their willingness to implement 2 of these 11 measures by December 31, 2008.

Documentation:

Municipal Planning: Communities seeking credit for a climate plan or greenhouse gas inventory should submit the title page, table of contents and executive summary (if available). Those communities seeking credit for a regional plan must show that the community has been an active participant in the creation and

implementation of the relevant regional effort. Participation in the U.S. EPA's Community Energy Challenge can be documented through the submission of the municipality's Energy Challenge commitment letter. Communities completing energy performance ratings pursuant to Energy Star Portfolio Manager for municipal buildings since July 1, 2005 should submit their Statements of Energy Performance for municipal buildings assessed.

Municipal Facilities: Communities should provide a brief description including the building or facility involved, the energy efficiency, renewable energy technology, or green building technique implemented, any green building standard attained, and projections of the amount of energy use to be reduced in comparison to current usage (preferably from an audit conducted through a utility contractor, an energy service company, or other expert analysis).

Municipal Electricity Use: Communities should describe their qualifying actions including their renewable electricity use as a percentage of total electrical energy use for fiscal or calendar year 2006, acquisition of renewable energy or energy certificates, the means (type, location, year constructed, etc.) by which they are generating qualifying amounts (≥ 50 kW) of renewable energy, or their use of combined heat and power units.

Municipal Fleet: Communities should describe and quantify their vehicle acquisitions of calendar or fiscal year 2006 including hybrid vehicles acquired and the percentage of overall acquisitions they represent. If using biodiesel show the quantity acquired and indicate where the fuel was purchased. For CNG vehicles indicate which vehicles you own and the fuel source.

Sample Answers:

1. Our community acquired four Toyota Prius vehicles on October 6, 2006 replacing older less fuel efficient gasoline powered vehicles.
2. We operate our diesel fleet: 1 dump truck, 2 fire engines, and 2 diesel lawn mowers on a B20 biodiesel blend, the only diesel fuel we use. We have utilized only B20 biodiesel, acquired from the John Doe Fuel Company, since 2005.
3. Our town library, for which we held the ribbon cutting on May 10, 2007, has been LEED certified. A copy of the award letter and certificate are attached.
4. A wind turbine was installed at our municipal sewer plant in July, 2004. This turbine generates 660kW which is used to meet the electricity needs of the plant.

More Information:

The Massachusetts Division of Energy Resources has an abundance of information on energy policies and programs, including information on biodiesel.

Clean Cities: Clean Fleet Guide <http://www.eere.energy.gov/fleetguide/>

The U.S. EPA Clean Energy website includes information on a wide variety of clean energy topics including both the Community Energy Challenge and Energy Star Portfolio Manager that it has implemented in concert with the U.S. Department of Energy.

PROMOTE CLEAN ENERGY (6)

21. Clean energy: regulations and incentives
--

Description: Clean energy decreases global warming emissions and other pollutants, enhances public health, and reduces spending on fossil fuels while promoting use of innovative technologies that enhance economic development in the Commonwealth. Generation of power from renewable sources and the utilization of clean energy by homes and businesses are important to realization of the public health, environmental, and other benefits that can be attained through better energy practices. Municipalities can use their regulatory and financial powers to encourage owners of homes and businesses to adopt clean energy best practices. Through this criterion points are available to communities that utilize their authority to encourage the construction of clean energy facilities, the utilization of energy efficiency techniques or green building practices.

Examples:

- Buildings and facilities: green building standards and/or energy efficiency measures for residential and/or commercial development;
- Clean energy siting: tax mechanisms, direct investments, zoning bylaws/ordinances, general bylaws, and other actions facilitating clean energy siting.

Action and Timing: To earn 3 points communities must have a) provided significant financial or other support for a non-municipal clean energy project since July 1, 2005, or b) have an appropriate regulatory or financial measure in place at the time of application submission. Communities may earn a commitment point by agreeing to provide support for a qualifying project or adopt an appropriate financial or regulatory measure by December 31, 2008.

Documentation: Those communities seeking credit for their support of a particular clean energy project should describe in the answer box the project itself as well as when and how they made a significant contribution to the realization of the project. Alternatively, if the community offers financial incentives or has adopted regulatory measures that facilitate energy efficiency, green building construction, or the siting of wind, biomass, or other renewable generation facilities the community should outline their qualifying measure. Specifically, in the answer box communities should briefly describe either a) the relevant bylaw/ordinance or other regulatory measure including the energy facilities to which it applies and the ways in which it facilitates the siting of clean energy facilities, and cite the relevant provision; or b) the financial or regulatory incentive including the type of incentive offered, the level of inducement provided, and the targeted outcome.

To earn the commitment point provide in the answer box a statement that the municipality will provide support for a clean energy project, seek approval of an appropriate regulation, or implement a clean energy incentive by December 31, 2008.

Not Eligible:

- Local bylaws/ordinances that codify rather than enhance state solar power requirements found in Chapter 40A Section 3 which states that “No zoning ordinance or by-law shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety or welfare.”
- Bylaws/ordinances that unnecessarily inhibit rather than encourage clean energy.
- Zoning or other regulations that permit power generation without specifically referencing clean energy technologies.

Sample Answers:

1. In November 2006 our community passed a zoning ordinance, based on the state model, specifying locations where wind facilities may be constructed and the conditions under which turbines may be installed. Our wind requirements can be found in section 10.xx of our zoning.
2. Section 5 of our zoning provides developers an incentive to utilize green building practices. If any of a specified list of green building practices are employed the developer will earn a density bonus, capped at 1.3x the base density.
3. Following a January 10, 2007 Public Hearing, the Boston Zoning Commission approved several amendments to the Boston Zoning Code to require all projects over 50,000 SF to be designed and planned to meet the “certified” level using the US Green Building Council’s Leadership in Energy and Environmental Design building rating systems.
4. We require, pursuant to section 7 of our zoning regulations, homes in developments of over 5 units to meet Energy Star Standards.

More Information:

The Executive Office of Energy and Environmental Affairs and the Division of Energy Resources have issued a model zoning bylaw for wind power.

Information on Boston’s green building requirements can be found at <http://www.cityofboston.gov/bra/gbtf/gbtfhome.asp>.

The Massachusetts Technology Collaborative has established a Community Wind Collaborative dedicated to helping cities and towns tap into clean, renewable wind power. Among the available resources on this site are Wind Energy Resource Maps that communities can use to determine their potential for siting of wind turbines. The U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) green building rating system provides benchmarks for the design, construction, and operation of high performance green buildings.

ADVANCE SOUND WATER POLICY (11)	
22.	Water resource plans: Source Water Protection, Water Conservation, Comprehensive Wastewater or Water Resource Management Plan

Existing	Commit
<input type="checkbox"/> 4	<input type="checkbox"/> 2

Description: Assuring that sufficient water quality and quantity exist for human use and natural needs requires advance planning. Any of the following plans earn 4 points under this criterion:

- Source Water Protection Plans that address either surface water supply or wellhead protection.
- Water Conservation Plans that indicate which water conservation measure the community intends to utilize and provide an "action plan" for implementation of these measures. The water conservation measures included in the plan should be those listed in EOEEA's 2006 Water Conservation Standards, available by [clicking here](#).
- Comprehensive Wastewater Plans that address future wastewater needs. A Comprehensive Wastewater Plan is created through a planning process in which current and future wastewater needs are quantified, wastewater management alternatives considered, and a final plan chosen through careful comparison of options. The Massachusetts Department of Environmental Protection (Mass DEP) provides a guidance document on Comprehensive Wastewater Planning available at: <http://www.mass.gov/dep/water/laws/wwtrfpg.pdf>
- Water Resource Management Plans include all of the elements in a Comprehensive Wastewater Plan and also address water quantity and stormwater. Guidance for these plans is under development by Mass DEP and should be completed in 2007. Communities may commit to completing a water resource management plan by December 31, 2008.

Not Eligible: Plans submitted to the Department of Conservation and Recreation as required of all public water suppliers seeking water withdrawal or interbasin transfer permits from the Water Resources Commission pursuant to the Water Management Act.

Action & Timing: Plans must have been completed after July 1, 2002 to earn points. Existence of a listed plan at the time of submission earns 4 points. Commitment to the completion of a plan by December 31, 2008 earns 2 points.

Documentation: Please describe the plan and include the cover page, table of contents, date completed and executive summary, if one exists. To earn 2 points for commitment, include a statement attesting to the municipality's intention to complete one or more of these plans by December 31, 2008.

More Information:

Local Surface Water Protection plans: <http://www.mass.gov/dep/water/drinking/surfprot.doc>
 Local Wellhead Protection plans: <http://www.mass.gov/dep/water/drinking/whplan.doc>
 Water Conservation Standards: www.mass.gov/envir/mwrc/pdf/Conservation_Standards.pdf
 Comprehensive Wastewater plans: <http://www.mass.gov/dep/water/laws/wwtrfpg.pdf>

ADVANCE SOUND WATER POLICY (11)	
23.	Water resource protection measures: zoning, enterprise accounts, stormwater or LID bylaw/ordinance, or other innovative measures

Existing	Commit
<input type="checkbox"/> 4	<input type="checkbox"/> 2

Description: Communities earn the points under this criterion for any of the following:

- *Stormwater bylaw/ordinance:* The purpose of these bylaws is to eliminate non-stormwater discharges to the storm drain system; to eliminate or reduce adverse effects of soil erosion or sedimentation occurring as a result of construction, and related activities including, but not limited to, earth alteration, removal of vegetation and general construction activities; and to establish minimum

requirements for the control of stormwater runoff at newly developed or redeveloped sites. Stormwater management controls are typically permanent features of a completed project and require maintenance and management.

- *LID bylaw or ordinance or subdivision regulations*: these bylaws or regulations encourage or require the use of low impact development techniques for managing stormwater during development. The goal is to replicate the pre-development hydrology of the site after development by reducing impervious surfaces and retaining and slowing runoff on-site using non-structural strategies.
- *Water resource protection zoning* (water supply, aquifer protection, or river protection overlay): These overlay zoning districts place additional limitations on the types of activities, uses, and development allowed in these important resource areas. Limitations on type and intensity of use must provide meaningful protection of water resources. Communities seeking points for these measures must describe the specifics of their zoning measure including details on the additional protection afforded natural resources.
- *Enterprise accounts for water or wastewater*: An enterprise account is a technique that ensures that customers of a water or wastewater system are paying the full cost of the services they receive. Enterprise accounts enable the utility to operate self-sufficiently by setting rates that cover the cost of providing the service. The user fees are paid into a separate account, which allows the utility to avoid dependence on general fund expenditures.
- *Innovative measures* (stormwater utility; water bank; septic system maintenance tracking or monitoring program): These innovative techniques address different water resource issues. A community could establish a septic system maintenance tracking program to ensure regular maintenance of septic systems, which lessen the likelihood that they could fail. Water banks are a new type of agreement that provide for allocation of water supply between different users: water banks can be geographical or temporal in nature. Stormwater utilities allow a city or town to assess taxes or fees for use of the stormwater system. The resulting revenue enables upgrades to the stormwater infrastructure.

Not Eligible:

1. Measures implemented by a community under a consent order or regulatory or legislative mandate.
2. Floodplain zoning measures

Action & Timing: A community that has enacted any of these measures by the time of application submission will earn 4 points. Two points are earned by communities that commit to establish any of the measures by December 31, 2008.

Documentation: In the answer box, cite the bylaw or ordinance and describe in sufficient detail the significance of the stormwater, LID, or water resource zoning provision. For enterprise accounts or innovative measures briefly describe the measure and date established. For commitment points, submit a statement agreeing to implement one of these activities by December 31, 2008.

More Information: Bylaw Governing Post-Construction Stormwater Management of New Developments and Redevelopment: www.ago.state.ma.us/sp.cfm?pageid=1591

Low Impact Development (LID) bylaw or subdivision regulations: mass.gov/envir/lid/default.htm The Massachusetts Smart Growth Toolkit provides a model LID bylaw and other resources at: http://www.mass.gov/envir/smart_growth_toolkit/pages/mod-lid.html

Water Resource Protection Zoning (Aquifer Protection, River Protection Overlay): www.ago.state.ma.us/sp.cfm?pageid=2013

Innovative measures (stormwater utility; enterprise accounts; water bank; septic system maintenance tracking or monitoring program): Enterprise Accounts are authorized by M.G.L. Chapter 44 Section 53F1/2 at mass.gov/legis/laws/mgl/44-53f.5.htm

Stormwater (NPDES) Phase 2 information can be found at: <http://www.mass.gov/dep/water/laws/p2help.htm> and list of communities at: <http://www.mass.gov/dep/water/wastewater/stormlis.htm>

ADVANCE SOUND WATER POLICY (11)	
24.	Implementation of the 2006 Massachusetts Water Conservation Standards

Existing	Commit
<input type="checkbox"/> 3	<input type="checkbox"/> 1

Description: Water conservation, defined as any beneficial reduction in water loss, waste, or use, is an important strategy to ensure both the quantity and quality of a safe, reliable, and healthy water supply. Conserving water is also important to maintain critical aquatic habitats and prevent water resource degradation. The Commonwealth's Water Conservation Standards set statewide goals for water conservation and efficiency and provide guidance on effective conservation measures and incentives to meet the statewide goals identified in the 2006 Massachusetts Water Policy. The Standards, which can be found at mass.gov/envir/mwrc/default.htm, also educate citizens on the importance of water conservation, its crucial link to our natural resources, and how all consumers can use water more efficiently. This criterion measures municipal implementation of water conservation activities.

Action & Timing: The existence of either a comprehensive municipal water conservation program or a mandatory watering ban bylaw/ordinance that applies during summer months or drought conditions will earn a municipality 3 points.

A water conservation program must include at least two of the following elements: provision of water audits or biennial leak detection surveys; ensuring that 100% of water users are metered; education and outreach regarding appropriate lawn care, water conserving landscaping, rain barrels, cisterns, and rainwater harvesting systems; information or rebates for water efficient devices and appliances; or applying these techniques in municipal buildings or on municipal properties. The program must be current and any actions must have been taken since July 1, 2005.

A watering ban bylaw, ordinance, or regulation must provide the community or designee (i.e. water supplier, police department, etc.) the ability to implement mandatory water use restrictions (which may also apply to private wells). These restrictions should be tied to environmental and water supply indicators (such as streamflow triggers) as outlined in a seasonal demand management plan.

A commitment to implement a water conservation program or water use restriction by December 31, 2008 will earn 1 point.

Not Eligible: Other water conservation measures already covered by other criteria will not count, such as completion of a Water Conservation Plan or implementation of Low Impact Development regulations. Actions taken by the MWRA or other non-municipal water suppliers also will not qualify for points.

Documentation: To demonstrate the existence of a water conservation program, summarize a minimum of two of the listed actions taken and the responsible party. To receive credit for the existence of a mandatory watering ban bylaw/ordinance describe the bylaw/ordinance, including the environmental or water supply triggers and any restrictions that may be imposed. To earn 2 commitment points, provide a statement indicating the municipality's commitment to the implementation of either technique by December 31, 2008.

More information:
 Water System Conservation Bylaw at www.ago.state.ma.us/sp.cfm?pageid=2024
 Water Conservation Standards at: www.mass.gov/envir/mwrc/pdf/Conservation_Standards.pdf
 Two Energy and Environmental Affairs publications: *More than Just a Yard: Ecological Landscaping Tools for Massachusetts Homeowners* at mass.gov/envir/mwrc/pdf/More_Than_Just_Yard.pdf and
Guide to Lawn and Landscape Water Conservation at mass.gov/envir/mwrc/pdf/LawnGuide.pdf

SUSTAIN WORKING NATURAL LANDSCAPES (11)	
25.	Existence of an agricultural commission

Existing	Commit
<input type="checkbox"/> 3	<input type="checkbox"/> 1

Description: Agricultural commissions promote and protect agricultural interests for present and future generations. The existence of an agricultural commission in a community provides a forum for consideration of farming issues, assuring that the impact of land use and other local decisions on farm interests are properly

considered. Establishment of agricultural commissions helps to meet the Sustainable Development Principle "Foster Sustainable Businesses".

Action & Timing: Communities earn 3 points by having an agricultural commission in place at the time of application submission. A commitment to establish an agricultural commission by December 31, 2008 will earn 1 point.

Documentation: Communities should indicate in the answer box when and how their agricultural commission was established. For a list of communities known to have an agricultural commission (maintained by EOEEA's Department of Agricultural Resources), [click here](#). For commitment points, provide a statement in the answer box or in a separate letter that the community will establish a commission by December 31, 2008.

Sample Answer: Our agricultural commission was established by vote of town meeting on May 11, 2001.

More Information: Information on agricultural commissions, the process for forming one, and sample warrant articles are available from the Department of Agricultural Resources by visiting mass.gov/agr/agcom/index.htm or calling 617-626-1772.

SUSTAIN WORKING NATURAL LANDSCAPES (11)	
26.	Approved stewardship plan for a municipal forest

Existing	Commit
<input type="checkbox"/> 2	<input type="checkbox"/> 1

Description: Forest Stewardship Plans require active and ecologically-appropriate management of municipally-owned forestlands and can pertain to forestlands owned by more than one municipality. The Department of Conservation and Recreation oversees the program and approves the plans. A [licensed consulting forester](#) develops a 10-year management plan, based on municipal goals. The forest stewardship plan documents best management options and practices to maintain forest lands in productive and healthy condition for future generations. The plan focuses on topics such as soil and water quality, wildlife and fish habitat, timber and other wood-based products, and outdoor recreation opportunities. It recommends action strategies to protect or enhance the environmental values of forest lands while achieving desired social or economic benefits.

Not Eligible: Cutting or timber management plans.

Action & Timing: Municipalities that have an approved Forest Stewardship Plan covering at least one municipally-owned parcel at the time of application submission earn 2 points. One commitment point is earned by communities that commit to seek approval of a plan by December 31, 2008.

Documentation: None needed. [Click here](#) to see the list of communities with a municipal Forest Stewardship Plan. For the commitment point, provide a statement indicating the municipality's commitment to complete a plan and submit it for approval by December 31, 2008.

More information: mass.gov/dcr/stewardship/forestry/service/steward.htm

SUSTAIN WORKING NATURAL LANDSCAPES (11)	
27.	Bylaw/ordinance affirming the right to farm

Existing	Commit
<input type="checkbox"/> 3	<input type="checkbox"/> 1

Description: One way to encourage continued agricultural activity is local passage of a Right-to-Farm bylaw, which protects farmers from nuisance complaints related to their farming practices. Agriculture is defined broadly as indicated in M.G.L. [Chapter 128 Section 1A](#). These town (or general) bylaws provide for notice to new property owners that the community is farm-friendly and that agriculture is a part of the local character and economy.

Note: This is a specific type of general bylaw and not a zoning provision. The Right-to-Farm bylaw does not address when, where, or how farming is allowed as a use. If farming is not a reasonable or viable option in your community, the Commonwealth reserves the right to withhold points for adoption of such a bylaw.

Not Eligible: Local zoning bylaws or ordinances allowing agriculture as a permitted use, essentially affirming those protections already afforded under [Chapter 40A Sec. 3](#) of the Zoning Act.

Action & Timing: Communities with this bylaw/ordinance in place earn 3 points. Communities that commit to taking a Right-to-Farm bylaw/ordinance to town meeting or city council for a vote by December 31, 2008 earn 2 points.

Documentation: In the answer box describe the bylaw/ordinance or submit a statement committing the municipality to seek adoption of a bylaw/ordinance by the town meeting or city council before December 31, 2008.

More information: A model bylaw is available from the Department of Agricultural Resources, please call (617) 626-1726 or visit mass.gov/agr/docs/farmbylaw.pdf. This technique is also featured in the Massachusetts Smart Growth Toolkit at: http://www.mass.gov/envir/smart_growth_toolkit/pages/mod-ag.html

SUSTAIN WORKING NATURAL LANDSCAPES (11)	
28.	Zoning for agricultural and/or forestry preservation

Existing	Commit
<input type="checkbox"/> 3	<input type="checkbox"/> 2

Description: Zoning practices can actively support and promote the viability and retention of working landscapes, as broadly defined in Section 1A of M.G.L. Chapter 128, to include agriculture, forestry, tourism, and recreation. This criterion awards points for zoning that supports the preservation of forestry or critical farmland via a number of different zoning techniques, including use of an overlay zoning district, zoning that delineates specific resource areas and imposes conditions that are favorable to their preservation, and low-density zoning (often referred to as “true large lot” or “agricultural zoning”) that establishes resource protective densities of 1 housing unit per 10 acres or more. Also awarded points are zoning measures that promote the viability of agricultural uses.

Currently, many Massachusetts communities have zoned for 2 or 3-acre house lots across the majority of their land, which results in the dispersion of housing with higher rates of land consumption per housing unit. This type of zoning is often a detriment to natural resource-based industries.

Not Eligible:

1. Simply “allowing” agriculture, forestry, tourism, or recreational activities as a permitted use, as Commonwealth Capital is seeking zoning bylaws/ordinances that regulate development in ways that actively sustain and preserve the working landscape.
2. Backlot bylaws

Action & Timing: Municipalities that have adopted a zoning technique that supports agricultural and/or forestry preservation by the time of application earn 3 points. Communities that commit to taking a bylaw/ordinance to town meeting or city council for a vote by December 31, 2008 earn 2 points.

Documentation: In the answer box, cite the reference of the bylaw or ordinance and briefly describe it. For commitment points, submit a statement committing the municipality to seek city council or town meeting adoption of a bylaw/ordinance by December 31, 2008.

Example: Allowance of agricultural uses above those required pursuant to Chapter 40A Section 3 in order to encourage the viability of those uses. Examples include:

- a) Base or overlay farmland or agricultural zoning that includes extra protections for farmland such as mandatory clustering that protects prime farm soils, fields, pastures etc. with a permanent farm restriction.
- b) Mandatory APR or similar protection for farmland in a cluster, such as a cluster bylaw that requires 80% + of the farmed land area to be protected.
- c) Use of TDR that targets farms as the sending zones.
- d) A land clearance bylaw that protects “significant” forests (“significant” defined by zoning criteria) from clearing for development.
- e) An overlay zone that prohibits or severely restricts any development in the agricultural area.
- f) Zoning for 10 acres or more per house lot, especially when coupled with a maximum developed area provision.

Sample Answers:

- 1. Our Farmland Conservation District bylaw requires mandatory cluster development for any subdivision development within the district. This bylaw encourages the preservation of the best farmland and directs development to the areas that are less suitable for active agriculture. Our bylaw is available at: XXXXXXXX.
- 2. Our transfer of development rights bylaw protects land for farmland preservation, water supply protection, and other purposes in three different locations in our community. Development is permitted in the sending area at one unit per 25 acres, or credits can be transferred at 1 unit per 5 acres. Development can occur in our two town centers at 50% greater density than is otherwise possible when credits are acquired.

EXPAND TRANSPORTATION CHOICE (6)	
29.	Actions to facilitate bicycling and walking since July 1, 2005

Existing	Commit
<input type="checkbox"/> 3	<input type="checkbox"/> 2

Description: Smart growth promotes bicycling and walking as healthy and sustainable alternatives to the automobile. In order to achieve livable communities, localities should provide facilities integrating the safe use of bicycles and walking into the transportation system.

A bicycle facility is defined as any on- or off-road facility designed for bicycle travel, including bike lanes and shared-use paths, bicycle parking facilities, including racks and lockers, informational and directional signing, and other related facilities.

A pedestrian facility is defined as any facility that supports, encourages, and/or attracts safe pedestrian mobility and access.

Not Eligible:

- 1. Requiring sidewalks to be constructed in new subdivisions.
- 2. Provision of street trees absent a larger streetscape project.

Action & Timing: A significant action (see examples) supportive of bicycling or walking taken by a community since July 1, 2005 will earn 3 points. Communities committing to take a specific action facilitating bicycling or walking before December 31, 2008 will earn 2 points.

Points will be earned for actions taken directly by a municipality and/or regulations implemented to encourage and/or require development of bicycle and pedestrian facilities during development projects. Examples include bicycle parking ordinances and site plan ordinances that require bicycle amenities such as showers and lockers in addition to bicycle parking.

Note: To be "significant", bike racks or lockers need to be provided for more than one building, streetscape improvement must be for more than one block, handicap accessibility for more than one intersection, etc.

Documentation: In the answer box communities should provide a basic description of the action taken including date completed, parties involved, and impact on bicycling or walking in the community. For commitments communities should similarly describe in the answer box what action is to be taken, by whom, and when the appropriate approvals will be obtained or construction completed (no later than December 31, 2008).

Examples: Implementation of community wide bicycle or pedestrian plans (but not other plans), new or expanded shared use paths, bike racks or lockers, Safe Routes to School programs, newly constructed handicap accessible sidewalks, streetscape improvements such as benches and lighting, crosswalks, pedestrian and/or bike signals and signage, and connectivity through new sidewalks and/or shared use paths between homes and businesses.

EXPAND TRANSPORTATION CHOICE (6)	
30.	Traffic calming actions since July 1, 2005

Existing	Commit
<input type="checkbox"/> 3	<input type="checkbox"/> 1

Description: The Massachusetts Highway Project Development and Design Guide includes in Chapter 16 actions that a city or town can take to calm and manage traffic. As stated in the Guide, "traffic calming measures are physical road design elements intended to reduce vehicle speeds and improve driver attentiveness", thus, improving pedestrian and vehicular safety on local roadways. Implementation in one location (such as a block, intersection, or

neighborhood) of three or more of the actions listed in Chapter 16 of the Guide will effectively demonstrate that traffic calming measures have been taken by a community.

Note: Only municipal actions are eligible. Such actions would include applying for and receiving state funding for a project.

Not Eligible: Direct state and/or regional actions.

Action & Timing: Municipal implementation of at least three significant traffic calming measures (see examples), in one location, including at least one since July 1, 2005, will earn 3 points. Communities committing to take a specific traffic calming action resulting in three or more traffic calming measures in one location on or before December 31, 2008 will earn 1 point.

Documentation: In the answer box, communities should provide a basic description of the actions taken, including date completed, parties involved, and impact on traffic calming in the location. For commitments, communities should similarly describe what traffic calming measures are to be installed, where they will be located, the municipalities role in their construction, and when they will be completed (not later than December 31, 2008).

Examples: Examples of traffic calming measures, taken from Chapter 16 of the Highway Project Development and Design Guide include street narrowing; narrow lanes; raised curbs; street furniture; street trees; street lighting; spot narrowing; medians and crossing islands; curb extensions; road diets; building siting; horizontal deflection; chicanes; mid-block traffic circles; roundabouts; lane offsets; profile alterations; speed humps; raised crosswalks; raised intersections; and textured pavement.

Sample Answers:

1. In order to address excessive speed in the Old Hill neighborhood the City completed installation of curb extensions, raised crosswalks, mid-block traffic circles, and street trees for the six block neighborhood on September 19, 2005.
2. Green Street, which runs from downtown to the train station has long allowed on-street parking and includes a roundabout in front of the train station. In order to further decrease traffic speed in May of 2007 our town completed installation of curb extensions and raised crosswalks, resulting in 3 or more traffic calming measures in this location.

PROMOTE SUSTAINABLE DEVELOPMENT VIA OTHER ACTIONS (UP TO 10)		Existing
31.	Existence of or commitment to additional local measures or actions <input type="checkbox"/> 2, <input type="checkbox"/> 4, <input type="checkbox"/> 6, <input type="checkbox"/> 8, OR	<input type="checkbox"/> 10

Description: In addition to the criteria listed above, there are a wide variety of actions that a community can take to demonstrate that it is pursuing a sustainable development strategy. Communities are encouraged to proactively engage in a comprehensive set of plans, policies and actions that are consistent with the 10 Sustainable Development Principles ([click here](#)).

This criterion provides the opportunity for cities and towns to earn additional points by documenting such plans, policies and actions. **NOTE:** Actions cited in criteria #1-30 will not earn points here.

While not meant to be an exhaustive list of topics that could earn points under this criterion, listed below are a number of specific topics and examples that may be considered. Communities should consider all of their sustainable development efforts, not just these topics.

- a) *Regional Activities:* Significant municipal actions taken within a regional planning effort. Any regional effort of two or more communities that is related to the State Sustainable Development Principles may be cited here. Examples could include adoption and/or implementation of a regional policy plan; being a signatory to an intergovernmental land use compact; adoption of a regional wildlife corridor or habitat protection plan; commercial corridor design guidelines and/or zoning districts which act to focus development in concentrated nodes; ridgelines protection measures etc. Note that simple participating in a regional commission or task force is not sufficient to earn points.

- b) *Historic Preservation*: Creation of historic districts; adoption of a demolition delay bylaw; adoption of a Historic Preservation Plan or Historic Landscape Preservation Plan; or use of CPA funds for historic preservation.
- c) *Capacity Building*: Training of Board/Commission members (Planning, Zoning, Conservation, or Health). Attendance must have been at a training session held since January 1, 2006 provided by a recognized organization such as the Citizen Planners Training Collaborative or the Mass. Association of Conservation Commissions.
- d) *Recycling*: Implementation of a pay-as-you-throw program, recycling effort resulting in rates over 35% or other innovative measures. [Click here](#) for the list of municipal pay-as-you-throw programs as of September 2006 and a list of municipal recycling rates as of 2004.
- e) *Affordable Housing*: Examples include actions to increase affordable housing in communities above the 10% threshold, actions taken to protect expiring use developments, or addition of 2% of year-round housing units to the Subsidized Housing Inventory in a single year.
- f) *Backlot Development Bylaws*: Backlot development bylaws to protect scenic corridors and farmland.
- g) *Coastal Zone Management*: Plans and actions to protect the coastal zones in cities and towns.
- h) *Urban and Community Forestry*: Tree City USA; active street tree management plan; active tree committee; etc.
- i) *Environmental Justice*: Actions to address environmental justice issues within the city or town such as actions to enhance opportunities for residents to participate in environmental decision-making and ensure compliance with all health and environmental codes and regulations.
- j) *Innovative Zoning*: Examples include commercial corridor design guidelines and zoning improvements which act to reduce commercial sprawl and focus growth in concentrated development nodes; actions that streamline the development review process; form based zoning, etc.
- k) *Innovative Parking Strategies*: A well designed parking management plan meets the needs of businesses, citizens and commuters. Parking strategies can promote pedestrian friendly village centers and downtowns, reduce air pollution and energy use, and minimize congestion. Examples could include actions to reduce or eliminate on-site minimum parking requirements; adoption of maximum parking requirements; creation of parking districts which use parking revenue and/or contribution from in-lieu-of contributions for parking management and other improvements; adoption of shared parking provisions etc. Actions must have been taken since July 1, 2005.
- l) *Traffic Measures*: Participation in a TMA; presence of an access management plan and/or regulations; creation of an intermodal center; implementation of additional transit services beyond membership in a transit authority; local planning and zoning measures supportive of transit such as density allowances.
- m) *Economic Development*: Actions such as support of sustainable businesses; allowance for or expansion of home occupations; actions to encourage artists and arts districts; development of eco-industrial parks, support of agricultural activities such as local food marketing and or purchasing programs and campaigns.
- n) *Roadways*: Scenic road bylaws; adoption of subdivision regulations for context-sensitive road design requirements; reduction of roadway width requirements, etc.
- o) *Implementation of recommendations in a Watershed Action Plan (WAP)*: Active participation in the development and/or implementation of a WAP including water quality surveys and monitoring programs, outreach and education efforts, and actions to enhance water quantity, habitat, open space, and/or recreational resources.

Examples include any of the following: water quality sampling, a shoreline survey or monitoring program; or the installation of stream flow gauges; habitat information from field observations or other studies conducted on ecologically significant areas in the watershed; field surveys of or research on local protected open space; surveys of the public's access to open space resources and/or trails; and the broad publication or dissemination of such information to the public.

p) *Urban/Community Forestry*: Completion of an Urban Forestry Management Plan that guides the strategic management of urban forest resources at the community level.

q) *Working Waterfronts*: Actions taken to protect and enhance working waterfronts/harbors for water-based activities. Examples include municipal harbor plans, zoning measures; municipal financial investments in harborfront infrastructure; etc.

r) *Other*: Measures not cited elsewhere in the application

Action and Timing: Under this section, communities can be awarded points at the following levels: 2, 4, 6, 8, or 10. Applicants should choose a realistic points level based on the number and significance of the items cited in the answer box, their direct connection to the Sustainable Development Principles, and the number of actions completed or implemented as compared to the number of commitments proposed or planning actions.

Measures cited must have occurred since July 1, 2002, unless otherwise specified. Applicants must cite the date the action was taken in order for points to be earned.

Documentation: In the answer box communities should provide specific information on their actions and activities such as dates, financial contribution, plans, programs, regulations, etc.

Example 1: Community requests points for five items:

- Three planning board members attended CPTC training in the fall of 2006;
- An environmental justice policy was approved in September 2005;
- Ongoing participation in a regional watershed protection effort;
- The town center was designated an historic district on September 1, 2005; and
- The community became a "Tree City USA" on March 1, 2003.

This answer would likely receive 6 points.

Example 2: Community requests points for 3 items:

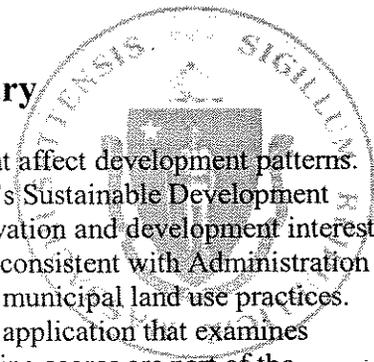
- A pay-as-you-throw program is in place;
- The community commits to establishment of a senior shuttle by 12/31/08; and
- The community established a scenic road bylaw on October 1, 2005.

This answer would likely receive 2 points

BONUS – 1 POINT FOR EVERY FISCAL YEAR 2006 COMMITMENT IMPLEMENTED	<input type="checkbox"/>
--	--------------------------

Applicants are able to earn bonus points for successfully implementing commitments made in the prior year. As part of the application communities will review last year's commitments, describe progress made, and earn a bonus point for each measure implemented. If a prior year commitment has not yet been implemented communities must provide an explanation in the answer box. Finally, communities may commit to the same criteria in more than one year, as long as a legitimate implementation effort is underway. While it is theoretically possible for a community to score over 140 if bonus points are earned, the maximum score a community can receive is 140.

Commonwealth Capital – 2008 Summary



The Commonwealth Capital policy coordinates state capital spending programs that affect development patterns. The state's goal is to invest in projects that are consistent with the Commonwealth's Sustainable Development Principles and to partner with municipalities seeking to advance our shared conservation and development interests. Commonwealth Capital explicitly endorses planning and zoning measures that are consistent with Administration policy and encourages local implementation by linking state spending programs to municipal land use practices. Municipal smart growth consistency is assessed through a Commonwealth Capital application that examines municipal implementation of 30 land use planning and regulatory practices. Resulting scores are part of the proposal evaluation process for each program.

Programs Included. For fiscal year 2008 the Commonwealth Capital policy will apply to 14 grant and loan programs offered by the Executive Offices of Administration and Finance, Energy and Environmental Affairs, Housing and Economic Development, and Transportation and Public Works. All municipalities seeking funding from the following programs (*including Self-Help and Urban-Self Help which previously indicated that they would use FY 06 scores*) will need to submit an FY 2008 Commonwealth Capital application in order to receive points associated with their smart growth consistency:

1. Public Works Economic Development Program (EOTPW)
2. Bike and Pedestrian Program (EOTPW) – this program now under development
3. Transit Oriented Development Bond Program (EOTPW)
4. Community Development Action Grant Program (EOHED-DHCD)
5. State Revolving Fund (EOEEA – DEP)
6. Urban Brownfields Assessment Program (EOEEA)
7. Self-Help Program (EOEEA- DCS)
8. Urban Self-Help Program (EOEEA - DCS)
9. Drinking Water Supply Protection Grant Program (EOEEA)
10. UrbanRiver Visions Program (EOEEA)
11. Coastal Pollutant Remediation Grant Program (EOEEA - CZM)
12. Coastal Nonpoint Source Pollution Grant Program (EOEEA – CZM)
13. Off-Street Parking Program (EOAF)
14. Smart Growth Technical Assistance Program – for this program EOEEA will use **inverse** Commonwealth Capital scores. Unlike the other 13 programs, a primary goal of this program is to help communities with low Commonwealth Capital scores improve.

Please note that some programs included in Commonwealth Capital last year are no longer a part of this policy and that a thorough evaluation of state funding programs will occur over the coming year to determine which additional programs are best suited for inclusion in Commonwealth Capital starting in fiscal year 2009.

How to Apply: Grant applicants will continue to apply directly to each of the Commonwealth Capital programs. In addition, municipalities need to apply annually for a Commonwealth Capital score. For FY 08, Commonwealth Capital applications will again be submitted electronically. The application, and guidance to assist applicants, can be found at <http://www.mass.gov/commcap>. As before, the application will be accessible via a log-in system. While anyone can visit the site and view the application each community has been assigned a username and password that will be required to submit a municipality's official application. A sheet containing the community's username and password, plus instructions on how to log-in and register has been enclosed with letters mailed to Chief Elected Officials. Note that local officials in more than 250 communities have already established individual passwords which remain effective. Each municipality will have one official application, but may have multiple users accessing it. The system will allow applicants to submit the application only once, although changes and updates may be requested later via e-mail.

Timing: Communities should electronically submit their Commonwealth Capital applications for scoring by the due date of the program to which they are applying. Exceptions are the Self-Help and Urban Self-Help programs for which program applications are due 7/31/07 and Commonwealth Capital applications a month later, 8/31/07.

Only one application is needed annually; the resulting score will be used for all Commonwealth Capital programs to which a community applies that year. If circumstances change and a community has earned additional points relevant information should be sent to commcap@massmail.state.ma.us.

Criteria: Project proposals to any of the 14 grant programs will be evaluated using two sets of criteria:

- **Program-Specific Criteria:** These criteria are related to the purpose of the particular program and evaluate the merits of a proposed project against the housing, environmental, transportation, or other goals of that program. These criteria will account for 70% of the possible points for most grant programs.
- **Commonwealth Capital Criteria:** A community's Commonwealth Capital score is a measure of the consistency of a municipality's land use planning and regulatory practices with the Sustainable Development Principles. The Commonwealth Capital score will account for 30% of the possible points for the Commonwealth Capital programs. Communities are not required to submit a Commonwealth Capital application to be eligible for funding, but their proposals will be significantly less competitive without one.

Results: A letter will be sent to the Chief Elected Official or their designee once the review of a community's submission is complete. In addition, the score and application as approved will be posted on the Commonwealth Capital website.

New for 2008: A small number of modifications were made to this year's Commonwealth Capital application reflecting new Administration priorities, "lessons learned," and feedback received from municipalities and other stakeholders. New criteria address clean energy, traffic calming, affordable housing, and fair housing practices. Changes were also made to some of the existing criteria, so please read the guidance document carefully when completing the application. It is anticipated that more significant changes may be made for next year's application.

Like the last application, many of the criteria will not require any documentation, with compliance verified through lists accessed through the on-line application. "Bonus" points may be earned for commitments implemented at any time since a community's 2006 application. As in 2006, commitment letters will not need to be signed by the various local boards as the password will serve as the signature of the Chief Elected Official.

Assistance in understanding Commonwealth Capital: In concert with the state's regional planning agencies educational sessions will again be offered. A schedule will be posted on the Commonwealth Capital webpage.

Financial and technical assistance to improve Commonwealth Capital scores: The Massachusetts Smart Growth Toolkit provides model bylaws, case studies, and other materials municipalities can use to implement 12 different smart growth techniques. Also, in FY 08 Energy & Environmental Affairs anticipates again offering Smart Growth Technical Assistance Grants to communities and regional planning agencies to implement zoning changes and other local actions that will improve sustainable development practices and increase Commonwealth Capital scores. Up to \$30,000 per community will be awarded. The grant announcement will be posted at <http://www.comm-pass.com>. In addition, funding is available through DHCD's Priority Development Fund for measures that will lead to housing production and technical assistance grants are available for implementation of expedited permitting measures pursuant to Chapter 43D.

For More Information: Visit our website <http://www.mass.gov/commcap>

Questions/Comments: Email: commcap@massmail.state.ma.us
Call: (617) 626-4949