

**SENATE, No. 3129**

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**STATE OF NEW JERSEY**  
**217th LEGISLATURE**

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INTRODUCED MAY 8, 2017

**Sponsored by:**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Senator BOB SMITH**

**District 17 (Middlesex and Somerset)**

**SYNOPSIS**

Provides for priority consideration, by DCA, DEP, DOT, and municipalities, of permit applications for green building projects.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT providing for priority consideration of permit applications  
2 for green building projects and supplementing P.L.1975, c.291  
3 and Titles 13, 27, and 52 of the Revised Statutes.

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5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7  
8 1. a. A municipal agency shall provide priority consideration  
9 to any application for development associated with a green building  
10 project submitted to the municipal agency for review pursuant to  
11 the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et  
12 seq.), provided the application includes a letter from a licensed  
13 architect or engineer pursuant to subsection c. of this section.

14 b. A project shall qualify as a "green building project" if the  
15 project has documented incorporation of site, water, energy, and  
16 resource efficiency measures and demonstrable practices to promote  
17 the health and well-being of the building occupants.  
18 Documentation shall be submitted pursuant to subsection c. of this  
19 section demonstrating that the project has been registered for  
20 certification under the Leadership in Energy and Environmental  
21 Design (LEED) Green Building Rating System as adopted by the  
22 United States Green Building Council, or an alternative compliance  
23 path in accordance with the American Society of Heating,  
24 Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard  
25 189 minimum requirements, compliance with American National  
26 Standards Institute (ANSI) 700 National Green Building Standard,  
27 or compliance with minimum performance requirements of the  
28 International Green Construction Code. The term "green building"  
29 is reserved for projects which take a holistic approach and do not  
30 focus on single measures, such as only energy performance.

31 c. An application receiving priority pursuant to subsection a. of  
32 this section shall include a letter from a licensed architect or  
33 engineer describing how the project qualifies as a green building  
34 project pursuant to subsection b. of this section. The letter shall  
35 include documentation demonstrating how the project qualifies as a  
36 green building project and a narrative outlining the sustainable  
37 attributes of the project in accordance with the rating systems and  
38 standards set forth in subsection b. of this section.

39  
40 2. a. The Department of Environmental Protection shall  
41 provide priority consideration to any application for a permit,  
42 approval, or other authorization issued by the department associated  
43 with a green building project, provided the application includes a  
44 letter from a licensed architect or engineer pursuant to subsection c.  
45 of this section.

46 b. A project shall qualify as a "green building project" if the  
47 project has documented incorporation of site, water, energy, and  
48 resource efficiency measures and demonstrable practices to promote

1 the health and well-being of the building occupants.  
2 Documentation shall be submitted pursuant to subsection c. of this  
3 section demonstrating that the project has been registered for  
4 certification under the Leadership in Energy and Environmental  
5 Design (LEED) Green Building Rating System as adopted by the  
6 United States Green Building Council, or an alternative compliance  
7 path in accordance with the American Society of Heating,  
8 Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard  
9 189 minimum requirements, compliance with American National  
10 Standards Institute (ANSI) 700 National Green Building Standard,  
11 or compliance with minimum performance requirements of the  
12 International Green Construction Code. The term “green building”  
13 is reserved for projects which take a holistic approach and do not  
14 focus on single measures, such as only energy performance.

15 c. An application receiving priority pursuant to subsection a. of  
16 this section shall include a letter from a licensed architect or  
17 engineer describing how the project qualifies as a green building  
18 project pursuant to subsection b. of this section. The letter shall  
19 include documentation demonstrating how the project qualifies as a  
20 green building project and a narrative outlining the sustainable  
21 attributes of the project in accordance with the rating systems and  
22 standards set forth in subsection b. of this section.

23

24 3. a. The Department of Transportation shall provide priority  
25 consideration to any application for a permit, approval, or other  
26 authorization issued by the department associated with a green  
27 building project, provided the application includes a letter from a  
28 licensed architect or engineer pursuant to subsection c. of this  
29 section.

30 b. A project shall qualify as a “green building project” if the  
31 project has documented incorporation of site, water, energy, and  
32 resource efficiency measures and demonstrable practices to promote  
33 the health and well-being of the building occupants.  
34 Documentation shall be submitted pursuant to subsection c. of this  
35 section demonstrating that the project has been registered for  
36 certification under the Leadership in Energy and Environmental  
37 Design (LEED) Green Building Rating System as adopted by the  
38 United States Green Building Council, or an alternative compliance  
39 path in accordance with the American Society of Heating,  
40 Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard  
41 189 minimum requirements, compliance with American National  
42 Standards Institute (ANSI) 700 National Green Building Standard,  
43 or compliance with minimum performance requirements of the  
44 International Green Construction Code. The term “green building”  
45 is reserved for projects which take a holistic approach and do not  
46 focus on single measures, such as only energy performance.

47 c. An application receiving priority pursuant to subsection a. of  
48 this section shall include a letter from a licensed architect or

1 engineer describing how the project qualifies as a green building  
2 project pursuant to subsection b. of this section. The letter shall  
3 include documentation demonstrating how the project qualifies as a  
4 green building project and a narrative outlining the sustainable  
5 attributes of the project in accordance with the rating systems and  
6 standards set forth in subsection b. of this section.

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8 4. a. The Department of Community Affairs shall provide  
9 priority consideration to any application for a permit, approval, or  
10 other authorization issued by the department associated with a green  
11 building project, provided the application includes a letter from a  
12 licensed architect or engineer pursuant to subsection c. of this  
13 section.

14 b. A project shall qualify as a “green building project” if the  
15 project has documented incorporation of site, water, energy, and  
16 resource efficiency measures and demonstrable practices to promote  
17 the health and well-being of the building occupants.  
18 Documentation shall be submitted pursuant to subsection c. of this  
19 section demonstrating that the project has been registered for  
20 certification under the Leadership in Energy and Environmental  
21 Design (LEED) Green Building Rating System as adopted by the  
22 United States Green Building Council, or an alternative compliance  
23 path in accordance with the American Society of Heating,  
24 Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard  
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27 or compliance with minimum performance requirements of the  
28 International Green Construction Code. The term “green building”  
29 is reserved for projects which take a holistic approach and do not  
30 focus on single measures, such as only energy performance.

31 c. An application receiving priority pursuant to subsection a. of  
32 this section shall include a letter from a licensed architect or  
33 engineer describing how the project qualifies as a green building  
34 project pursuant to subsection b. of this section. The letter shall  
35 include documentation demonstrating how the project qualifies as a  
36 green building project and a narrative outlining the sustainable  
37 attributes of the project in accordance with the rating systems and  
38 standards set forth in subsection b. of this section.

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40 5. This act shall take effect immediately.

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STATEMENT

45 This bill directs the Department of Community Affairs, the  
46 Department of Environmental Protection, the Department of  
47 Transportation, and municipal agencies to give priority  
48 consideration to permit applications for green building projects.

**S3129 GREENSTEIN, B.SMITH**

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1 Under the bill, a project would qualify as a “green building  
2 project” if the project has documented incorporation of site, water,  
3 energy, and resource efficiency measures and demonstrable  
4 practices to promote the health and well-being of the building  
5 occupants. The bill requires an application receiving priority  
6 consideration to include a letter from a licensed architect or  
7 engineer describing how the project qualifies as a green building  
8 project.