



October 21 2010

Erik Martin Dilan, Chairperson
New York City Council Committee on Housing & Buildings
250 Broadway
Suite 1763
New York, NY 10007

Dear Chairperson Dilan,

Citizens Housing and Planning Council (CHPC) is a non-profit research organization dedicated to improving housing and neighborhood conditions through the co-operative efforts of the public and private sector since 1937.

CHPC has reviewed the legislative items before the City Council this week pertaining to green building construction, and we would like to offer our full support for the bills that remove regulatory obstacles to incorporating green technologies into New York City buildings. It is vital that our codes support and encourage technological innovation that can contribute towards the goals laid out in Mayor Bloomberg's PlaNYC. We applaud the City Council for responding to innovation in alternative energy systems by ensuring that regulations in New York City's Building Code do not stand in the way of this technological progress.

In particular, we believe that increasing the allowances for sun control devices on building facades (INT-0340), waiving street crane permit applications for solar energy systems installation (INT-0352), amending the Building Code so that rooftop structures are not included in the height of the building or considered an additional story (INT-0338 & INT-0341) and allowing alternative or distributed energy equipment to be treated as permitted obstructions (INT-0358) are critical and laudable pieces of legislation. Furthermore, the mandates for the Department of Buildings to develop criteria regarding the anchorage of alternative energy systems to roofs and exterior walls (INT-0342, INT-0346), criteria regarding the installation of vegetated roof systems (INT-0347), and allowing wind turbine assemblies certified by NYSERDA and other standards to be accepted without approval of the Innovation Review Board (INT-0350) are all important reforms necessary to allow the development of alternative energy systems to meet the greenhouse gas reduction goals of the city.

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However, we feel that some of the other bills being considered require a few extra details at this time. Although one piece of legislation (INT-0358) puts forward that alternative energy systems will now be permitted obstructions, the Zoning Resolution of New York City also defines and regulates permitted obstructions. Without reforming the Zoning Resolution in tandem with the Building Code our laws will only become more conflicted and confusing. Another piece of legislation allows greenhouses as rooftop structures (INT-0338) without defining what the parameters of a greenhouse are. And we would ask that there is further scrutiny regarding the effectiveness of cool roof coatings in New York City's climate before this extended requirement is mandated and may add to the cost of construction, especially for affordable housing developments.

Finally, we cannot support the bills put forward this week that mandate solar photovoltaic panels and solar hot water collectors on city-owned municipal buildings (INT-0349 & INT-0351) following feasibility studies. These pieces of legislation have defined cost-effective as the ability to repay over a 25 year period. This is far too long a period of repayment for an expensive citywide mandate; in the private sector, projects are typically analyzed within the scope of a 5-year payback.

CHPC is grateful for the opportunity to provide our commentary on these bills before the Council this week. If we can help the City Council in any way to develop further pieces of legislation then please do not hesitate to contact us.

Sincerely,

A handwritten signature in blue ink that reads "Jerilyn Perine". The signature is fluid and cursive, with the first name "Jerilyn" written in a larger, more prominent script than the last name "Perine".

Jerilyn Perine
Executive Director
jperine@chpcny.org