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APA to Focus on Planning and Global Warming Planning Policy Guide

Seeks broad participation that accommodates various levels of member engagement.

by Mitzi Barker, FAICP, Chair, APA Legislative & Policy Committee, and Jason Jordan, APA Policy Director

The APA has begun a process to develop a new policy guide on planning and global warming. The outpouring of interest has been tremendous with literally hundreds of APA members expressing a desire to be involved. The response is an indication of the pressing importance of this issue and has reinforced APA's resolve to identify proposed policies that promote planning practices to address global warming and its consequences.

Because broad participation and input are critical to this important work, the APA is creating a process to accommodate various levels of member engagement. A steering committee will be appointed to lead the effort and coordinate various working group drafts.

There will be six working groups with each group focused on one policy area related to the global warming issue. These working groups will be charged with reviewing relevant research, evaluating current policy options and programs, establishing and articulating the connection to planning, and finally drafting initial policy recommendations.

The six working groups are:

- Transportation / Travel Demand
- Energy Efficiency in the Built Environment
- Energy Efficiency in Vehicles
- Land Use & Community Design
- Emissions, Performance Standards & Technology
- Hazard Mitigation for Sensitive Areas

For those unfamiliar with the policy guide process, the APA Legislative and Policy Committee is charged with appointing a member task force to draft the guide and reviewing (and approving) a draft guide for presentation to a Delegate Assembly. Prior to the Delegate Assembly convening, the draft is also circulated to APA Chapters and Divisions for comment. The Delegate Assembly reviews and amends the guide which is then forwarded to the APA Board of Directors for ratification.

Policy guides are the foundation of APA's advocacy work. These guides are not intended to detail best practices for planners but rather outline broad principles and public policy recommendations that improve the context for and practice of good planning. These guides are our collective voice and vision to elected officials and policymakers. Guides are then translated each year into more specific legislative priorities. All APA positions on legislation have their roots in the principles approved by the members in the policy guide process.

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How to Access Brownfield Redevelopment Funds and the Brownfield Tax Credit

by Don Bianchi, Massachusetts Association of Community Development Corporations, and Kristina Egan, Director, Massachusetts Smart Growth Alliance.

The Massachusetts Association of CDCs, along with the Massachusetts Smart Growth Alliance succeeded in obtaining a \$30 million recapitalization of the Brownfields Redevelopment Fund as well as changes to the brownfields tax credit, making it transferable and thus usable by nonprofits. As many may know, the Brownfields Redevelopment Fund is administered by Mass Development. To get more information on this program, go to www.massdevelopment.com. Once there, click on *development services*, then *brownfields redevelopment*, then *brownfields redevelopment fund*, at which point it will be possible to call up applications for brownfields site assessment and remediation loans. This is a pre-existing program that many nonprofits and for-profits have used and Mass Development is saying it is open for business on this.

The brownfields tax credit is a resource newly available for nonprofits and made more usable for for-profit developers. The credit has been extended to 2011 and is now transferable. The tax credit is administered by the State's Department of Revenue. There are three relevant places on the DOR website, www.dor.state.ma.us that will inform you about this resource and how to access it.

First, for background on the changes to the brownfields tax credit, the Mass. Department of Revenue has completed the Technical Information Release "TIR 06-16: Effect of Recent Economic Incentive Legislation on the Personal Income Tax, the Corporate Excise Tax, and Tax Administration." It can be accessed on the DOR website under *Legal Library/Technical Information Releases/TIR by Year/ 2006 Releases*. Section C of this TIR is the "Brownfields Tax Credit." It explains how the tax credit has been extended to nonprofit organizations, how the time frame for eligibility of the credit has been lengthened, and how the transfer, sale or assignment of a brownfields credit can be provided to another taxpayer. The effective date of these provisions is June 24, 2006. According to the DOR, the TIR is the official position of DOR, and can be relied upon by taxpayers.

Second, the DOR website has more detailed information on the changes made in the tax credit. To access it, go to *For Individuals and Families/Personal Income Tax/Current Year Tax Information/Guide to Personal Income Tax/Credits/ Business Related Credits/ Brownfields Credit for Rehabilitation of Contaminated Properties*. This highlights the recent changes, indicates to whom the credit is available, talks about eligible properties, and provides other information. There is also information on where to report the credit on the tax return and information on what documentation to submit.

Third, the relevant application forms are online on the DOR website. These include the credit application form and the transfer application form. They can be accessed as follows: Go to *For Individuals and Families/ Forms and Publications/ Tax Forms-* to the Online Forms Index. Then find form BCA (about a third of the way down), click on it, and it will bring you to another page titled "corporate excise taxes." About two-thirds of the way down on this (under Additional Forms and Schedules), you can click on two forms: BCA 2006 and BCTA 2006. There may be a more direct way to access these application forms, but we are confident that you will be able to get to the forms by taking the above steps.

Finally, to answer any questions about the brownfields tax credit, the DOR contact person is Daniel Seferian. His e-mail address is seferian@dor.state.ma.us.

Coalition of State Planning Groups Successful in Influencing New Administration's Land Use Policy

by Peter Lowitt, AICP

When Governor Patrick took office, the Chapter, in collaboration with the Massachusetts Association of Regional Planning Agencies (MARPA), the Massachusetts Association of Consulting Planners (MACP), and Massachusetts Association of Planning Directors (MAPD), issued a White Paper entitled **Six Key Recommendations to Our Next Governor to Achieve Sustainable Growth in the Commonwealth**. (See *New England Planning*, Nov. 2006, for a summary.) Upon receipt of the White Paper, the Governor's new development ombudsman, Gregory Bialecki, invited the paper's authors to meet with him and discuss its recommendations.

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Planning and Global Warming Policy Guide Process

The global warming policy guide is slated for consideration by the Delegate Assembly at the 2008 conference in Las Vegas. This means that preliminary research and drafting must be completed in the summer and fall of 2007. One can expect that there will be a series of conference calls on at least a monthly basis through early 2008. We acknowledge that this is a fast track for a complex issue, and that it will require intense volunteer commitment and follow-through.

APA will also be establishing other mechanisms and venues to keep the membership informed and involved in advocacy related to global warming and this policy guide.

Please mark your calendar for September 30 through October 2 and plan to attend APA's Federal Policy & Program Briefing and Planner's Day on Capitol Hill events. Global warming will be a major topic. You won't want to miss this year's program. Together we will help APA provide a leading voice in this important debate.

For more information, please go to:
govtaffairs@planning.org.

Coalition of State Planning Groups Successful in Influencing New Administration's Land Use Policy

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At the time the planners reiterated their recommendations, stressing the need to address Recommendation # 4 below:

4) Elevate the coordination of land use and capital planning across state government.

Massachusetts needs state-level leadership in land use and capital planning. Four state agencies have been formally working together through the Office for Commonwealth Development (OCD) to coordinate programs and spending and improve communication. The next Administration can continue this momentum toward integrated, forward-thinking decisions on growth.

Recommendations:

- ✓ Establish an effective mechanism for carrying out coordinated statewide planning inside state government such as an Office of State Planning. State leadership in coordinating investments and policies between different agencies ensures more efficient spending and progress toward state development goals.
- ✓ Improve the coordination of state economic development functions under this umbrella. Business expansion and location decisions are intertwined with our housing, transportation, and conservation decisions.

- ✓ Incorporate other state entities that make important decisions on large capital projects, such as the School Building Authority. Investment decisions by these entities should be guided by the Commonwealth's sustainable development principles.
- ✓ Continue an incentive-based approach to entice communities to make decisions consistent with state growth policies. Incentive-based programs, such as the Commonwealth Capital Fund, have demonstrated an influence on local efforts.

In mid-May, after meeting with his Development Cabinet, Governor Deval Patrick announced a series of changes to the state's development policies, incorporating clean energy as a key development goal and restructuring certain grant programs to better serve environmental and housing purposes.

"As we grow our economy, our energy, environmental, housing and transportation policies and initiatives must work in sync," said Governor Patrick. "Clean energy will be one of our development goals, and our grant programs must achieve their intended results."

For the first time, the state's Sustainable Development Principles include promoting clean energy, in the form of energy efficiency and renewable power generation in order to reduce greenhouse gas emissions and consumption of fossil fuels. Other changes encourage the creation of "pedestrian-friendly" districts and neighborhoods that mix commercial, civic, cultural, educational, and recreational activities with parks and homes. In housing, the principles call for building homes "near jobs, transit, and where services, including water supply, are available." In addition, the principles would "foster the development of housing, particularly multifamily and smaller single-family homes."

"Our state needs to protect its natural resources and grow its economy. Governor Patrick's sustainable development principles show the way to do both," said Jim Gomes, president of the Environmental League of Massachusetts.

The Governor also removed three affordable housing grants and three land preservation grants from the portfolio of grants that fall under the purview of the Commonwealth Capital Scorecard. He determined that the Commonwealth Capital Scorecard did not properly apply to these grant programs, and could actually discourage some affordable housing projects and undercut attempts to protect the state's most valuable habitat land. Governor Patrick has also convened an interagency group of senior level officials from the Executive Office of Administration and Finance, the Executive Office of Transportation, the Executive Office of Energy and Environmental Affairs, and the Executive Office of Housing and Economic Development that will examine ways to further improve the Commonwealth Capital program moving forward.

