

Low price and more fun than ever!

## RIBA's 2014 Clambake: only \$35 each for first 300 people

**WHEN:** Friday, August 8<sup>th</sup>, noon to 8 p.m.

**WHERE:** Francis Farm, 27 Francis Farm Rd., Rehoboth, MA 02769

**COST:** \$35 per person for the first 300 people, \$70 per person after that

**DEADLINE TO REGISTER:** August 1<sup>st</sup>

**FOR INFORMATION AND TO REGISTER:** Logon to [www.RIBuilders.org](http://www.RIBuilders.org), click on this event under the "Events Calendar," or contact Elizabeth Carpenter at [ecarpenter@ribuilders.org](mailto:ecarpenter@ribuilders.org), or call (401) 438-7400.

**FOR SPONSORSHIP INFORMATION:** See the back cover.

Our biggest social event of the year is just around the corner: the Rhode Island Builders Association's 64<sup>th</sup> Annual Clambake!

With one of the lowest ticket prices in years, fabulous food and drink, a great venue and new features, we expect well over 400 people to attend. This event, which has taken place every year since

see *CLAMBAKE...page 24*

## RISD student wins RIBA/Dagata Scholarship

Rory Stevens, an architecture student at the Rhode Island School of Design (RISD), class of 2015, is the latest winner of a RIBA/Dagata Scholarship. As of this writing, Rory, who plans a career in "green" design, is in France with RISD's Solar Decathlon Team to participate in a global student competition to design a passive solar house.

Originally from Seattle, Washington, Rory is a Rhode Island resident.

The RIBA/Dagata Scholarship is named for Ross Dagata, executive director of the Rhode



*RISD student Rory Stevens strikes an artsy pose while taking a break during a solar roofing project.*

Island Builders Association from 1955-1997, and his wife, Florence, the association's first

see *SCHOLARSHIP...page 8*

## FEATURED PRODUCTS AND SERVICES FOR JULY

*Centerspread*

### Two R.I. appraisers look at the local cost factors

Last month we looked at crucial appraisal issues from the national perspective. This month, two local appraisers cue us in on the situation in the local market.

*Page 18*

### Report: Regulatory reform on track in Rhode Island

Even though the Office of Regulatory Reform is without a permanent director, its new report cites progress.

*Page 2*

### Grow Smart chief talks about land-use issues

See our interview with Scott Wolf, executive director of Grow Smart Rhode Island.

*Page 20*

### Free classes for members continue at RIBA this fall

While it's still the "lazy days of summer" for many, RIBA's staff continues to line up courses, many offered in different locations, for the coming months. Contact Sheila McCarthy at RIBA for details: (401) 438-7400 or [smccarthy@ribuilders.org](mailto:smccarthy@ribuilders.org).

*Page 12*

# Report: Regulatory reform, permit streamlining making progress

As we go to press, the General Assembly has passed legislation that will include development regulations in the reform process.

**By Paul F. Eno Editor**

While there's much left to do, progress is being made toward slimming down Rhode Island's regulatory systems and thereby giving small business a boost.

At least that's the message in the *2013 Annual Report to Governor Lincoln D. Chafee and the General Assembly*, released on May 15<sup>th</sup> by the state's Office of Regulatory Reform (ORR). The 22-page report gives special emphasis to ORR's efforts to increase the ease and timeliness of permitting, and to establishing a state-wide e-permitting system. It also outlines ORR's progress in working with 50 state regulatory agencies.

As we went to press, it was learned that the General Assembly has taken a step to further regulatory reform. Previously, regulations related to development have been exempt from the Regulatory Fairness in Administrative Procedures Act. This law requires that any regulating agency submit to the governor's office and the ORR a statement on the economic impact on small businesses before any new regulations are promulgated.

Lawmakers have passed RIBA-supported H-7520, Sub A, which includes development activities in this requirement.

Among the agencies listed in the ORR report as working with that agency are the Building Code Standards Committee, the Coastal Resources Management Council, the Dept. of Environmental Management, the Fire Safety Code Board of Appeal and Review, the Dept. of Health, the Housing Appeals Board, and Rhode Island Housing, which the report refers to by its old name of the Housing and Mortgage Finance Corp. ORR also has been working

with businesses, trade associations and other stakeholders.

Inquiries by *The Rhode Island Builder Report* in May found that former ORR Director Leslie Taito, who left the agency for the private sector on January 9<sup>th</sup>, had not been replaced and that ORR staff were covering day-to-day operations.

"My hunch as a political realist...is that the issue will probably be in flux until we have a new governor," said Scott Wolf, executive director of Grow Smart Rhode Island, which, along with the Rhode Island Builders Association, is considered an ORR stakeholder.

Specifically, the report states that ORR in 2013:

- Reviewed and classified the economic impact of 1,089 (66.2 percent of 1,646) regulations,
- Identified 14 regulations to repeal, 57 to amend and 16 for business accommodations,
- Issued 12 recommendations toward improving Rhode Island's regulatory environment, and
- Surveyed and met with hundreds of businesses regarding regulatory issues.

In its role as a business ombudsman, the report states that ORR:

- Provided over 40 businesses with on-

demand guidance through the regulatory system,

- Reviewed 45 proposed regulations for their impact on small business and studied areas of flexibility,

- Provided on- and off-site training and support to 10 regulatory agencies regarding the Administrative Procedures Act (APA) process, and

- Worked to troubleshoot specific regulatory issues between agencies and businesses.

ORR also reported progress toward state-wide e-permitting. The agency:

- "Mapped" all permits from the state Building Code Commissioner and state Fire Marshal,

- Secured \$50,000 in support from the Rhode Island Foundation to upgrade technology for those offices, and

- Coordinated a comprehensive request for proposals with those offices and the Office of Digital Excellence.

ORR was created in 2010 by an executive order of Gov. Lincoln Chafee. It operates within the Office of Management and Budgets. For more information and a full copy of the *2013 Annual Report to Governor Lincoln D. Chafee and the General Assembly* in pdf. format, visit [www.OMB.ri.gov/reform](http://www.OMB.ri.gov/reform).

## CONTACTING RIBA

Members are encouraged to contact the RIBA staff for information about their membership and benefits, events and educational opportunities, chances for leadership, to help with legislative advocacy, or with industry or business-related questions. General information is online at [RIBUILDERS.org](http://RIBUILDERS.org). RIBA's headquarters is located at 450 Veterans Memorial Parkway, Building # 3, East Providence, RI 02914. Hours are Monday-Friday, 8:30 a.m. to 5 p.m. Phone: (401) 438-7400, Fax: (401) 438-7446.

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# RIBA welcomes our new members and thanks their sponsors!

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## RIBA also thanks these members who renewed April-May

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see MEMBERS...page 24

For membership  
 information, visit [www.RIBUILDERS.org](http://www.RIBUILDERS.org) or call  
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## THE RHODE ISLAND builder report

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The Rhode Island Builder Report is published monthly by the **R.I. Builders Association, 450 Veterans Memorial Pkwy. #301, East Providence, RI 02914, tel. (401) 438-7400, fax (401) 438-7446, e-mail [INFO@RIBUILDERS.ORG](mailto:INFO@RIBUILDERS.ORG)**. Advertising information is available on the Internet at [www.RIBUILDERS.org](http://www.RIBUILDERS.org) or from New River Press at (888) 273-1941 (ext. 1). Claims and representations made in advertising are the sole responsibility of the advertiser. The Rhode Island Builder Report and the R.I. Builders Association neither endorse nor guarantee advertiser claims. Readers may submit articles and photographs of interest to the residential building and remodeling industries in Rhode Island, but the publishing director and editor may reject any submission or advertisement. While designed to provide accurate and authoritative information on the subjects covered, The Rhode Island Builder Report and the Rhode Island Builders Association are not engaged in rendering legal, accounting or other professional or technical advice or product support. Accordingly, RIBA cannot warrant the accuracy of all technical information contained herein and disclaims any and all liability which may result from publication or reliance on the information provided. Unless otherwise noted, articles may not be reprinted without the written permission of the publishing director. The Rhode Island Builder Report is edited, designed and produced by New River Press, 645 Fairmount St., Woonsocket, RI 02895, tel. (401) 250-5760 (ext. 1), fax (401) 356-0913, e-mail [builder@newriverpress.com](mailto:builder@newriverpress.com).



## DEADLINES FOR THE NEXT ISSUE

For the August issue, copy, ads and photos must be to us by  
**Friday, July 3**

Send material to The R.I. Builder Report, c/o RIBA,  
 450 Veterans Memorial Pkwy., Suite 301, East Providence, RI 02914  
 or e-mail to [builder@newriverpress.com](mailto:builder@newriverpress.com) Fax: (401) 356-0913

# LOOKING AHEAD!

**July 17: Barbecue at Fireplace Factory Outlet** - RIBA member Franklin Construction Group invites you to a barbecue at the Fireplace Factory Outlet, 3 Bridal Ave., West Warwick, 4 to 7 p.m. Call (401) 828-1440 for more information.

♦ **July 24: RIBA Build-PAC Fundraiser** - 5:30 to 8 p.m., Squantum Club, East Providence. Come and support the Rhode Island Builders Association's advocacy program by supporting this important political action committee! Suggested donation: \$150. Contact Elizabeth Carpenter at RIBA for more information and to register, (401) 438-7400 or [ecarpenter@ribuilders.org](mailto:ecarpenter@ribuilders.org).

♦ **August 8: RIBA's Annual Clambake** - Noon to 8 p.m., Francis Farm, Rehoboth, Mass. RIBA's biggest social event of the year, with great food, contests, networking and fun. Sponsorships will be available and will be used entirely to reduce the ticket price. Major sponsors will be provided with exhibit space.

*Details on Page 1.*

♦ **September TBA: Trenching, Excavation & Soil Classification Principles** - This condensed class is designed for excavation, site utility workers and subcontractors working in below-grade situations. It will focus on soil conditions, inspections, classifications and hands-on mechanical inspections as well as local and neighboring states' variances. An OSHA Emphasis Program has remained in effect for excavations since 1998. Two hours. Presented by Risk & Safety Management. FREE for members.

♦ **September 23: Beginner Quickbooks for Contractors** - RIBA headquarters, 5 p.m. FREE for members with a \$25 materials charge. Non-members \$50 with a \$25 materials charge. For more information and to register, logon to [RIBUILDERS.org](http://RIBUILDERS.org), and click on this event under the "Events Calendar," or contact Sheila McCarthy, [smccarthy@ribuilders.org](mailto:smccarthy@ribuilders.org), or call (401) 438-7400.

♦ **September 29: RIBA's Annual Golf Classic** - Quidnessett Country Club, North Kingstown.

*Watch for more information.*

♦ **September 30: Advanced Quickbooks for Contractors** - RIBA headquarters, 5-7 p.m. Learning how to get the most out of reports in QuickBooks® will be the subject as the Rhode Island Builders Association offers this advanced workshop in the most popular contractor bookkeeping software. FREE for members with a \$25 materials charge. Non-members \$50, with a \$25 materials charge. For more information and to register, logon to [RIBUILDERS.org](http://RIBUILDERS.org), and click on this event under the "Events Calendar," or contact Sheila McCarthy, [smccarthy@ribuilders.org](mailto:smccarthy@ribuilders.org), or call (401) 438-7400.

**January 20-22: International Builders Show** - Las Vegas Convention Center, Las Vegas, Nev.

Registration opens September 2<sup>nd</sup>. Visit [www.BuildersShow.com](http://www.BuildersShow.com).

♦ **March 5-8: RIBA's 65<sup>th</sup> Annual Home Show** - Rhode Island Convention Center, Providence. Contact Yoffe Exposition Services to reserve your exhibit space, (800) 963-3395 or visit [www.RIBAHomeShow.com](http://www.RIBAHomeShow.com).

*Watch for more information.*

***More information, registration and payment for most  
RIBA events is available at [RIBUILDERS.org](http://RIBUILDERS.org).***

♦ Indicates a RIBA-sponsored event.



# PRESIDENT'S MESSAGE



Felix A. Carlone

## RIBA always working to better industry's reputation

A recent editorial in *The Valley Breeze* pointed out the distress some Cumberland home buyers have been suffering since their builder started having financial problems. In the May 20<sup>th</sup> edition of the newspaper, Publisher Tom Ward called for tighter regulation of builders so this scenario doesn't take place again. He also said, "This issue might not be top of mind for legislators and the state's professional home builders' association, but it should be."

I have assured Mr. Ward that, on the contrary, increasing contractor professionalism and fighting abuse is front and center for the Rhode Island Builders Association.

The builder involved is not a RIBA member, but any negative experience by any customer reflects badly on the entire residential construction industry. RIBA constantly and actively works for stronger requirements for builders to do business in this state, tough penalties for abusers, and sound laws governing development.

RIBA is working closely with other trade associations and the Rhode Island Contractors' Registration and Licensing Board (CRLB) to develop an entire curriculum of mandated, continuing-education courses for contractors, to be unveiled later this year. These will include classes in sound business practices, building and fire codes, and contract law. Courses like this will also be necessary to prepare residential contractors for eventual licensing in Rhode Island.

RIBA also works with lawmakers during every legislative session, and with the CRLB, for tougher enforcement to get unregistered, uninsured and incompetent contractors off the streets.

If it comes down to subdivision issues, the bonds established by a city or town should be sufficient to cover the cost of an incompletion, helping the home buyers recoup. Most reputable

see *PRESIDENT...* page 25



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# Over 100 turn out to meet Coach Cooley and enjoy RIBA's Networking BBQ

By Paul F. Eno *Editor*

There was no way for the rain to dampen spirits as over 100 members and guests gathered at the Rhode Island Builders Association's East Providence headquarters on June 5<sup>th</sup> for a networking barbecue and to meet Providence College Basketball Coach Ed Cooley.

Coach Cooley led the PC Men's Basketball Team to the 2014 Big East Championship March 15<sup>th</sup>.

The event was sponsored by new RIBA member Boston Cedar, whose chairman, Robert F. Ankner, an old friend of Mr. Cooley, asked the coach to come to the event. Participants enjoyed talking with Mr. Cooley, who also autographed photos.

Attendees enjoyed hot dogs, hamburgers and chicken with all the trimmings, beer, wine and soft drinks, courtesy of Boston Cedar. The event took place in the spacious RIBA meeting room and in a tent set up for the occasion on the lawn outside. Boston Cedar had informative product displays set up as well.

Members current, new and potential attended the free event. For more information on RIBA membership and benefits, on becoming an event sponsor, contact Elise Geddes at the RIBA office.



**RIBA President Felix A. Carlone, right, welcomes Boston Cedar Chairman Robert F. Ankner to the association and thanks him for sponsoring the barbecue.**



**RIBA President Felix A. Carlone, left, welcomes Providence College Men's Basketball Coach Ed Cooley, who led the PC Friars to the 2014 Big East Championship at Madison Square Garden in March. The coach signed autographs for attendees and was accompanied by the PC Friars mascot, at right.**



**RIBA continues to offer unique networking events for members and chances for non-members to see why they should join. To find out more, visit [www.RIBuilders.org](http://www.RIBuilders.org), watch this magazine or call RIBA at (401) 438-7400.**

**-Executive Director  
John Marcantonio**



## RIBA Happenings: Networking BBQ



Thanks to the generosity of new member Boston Cedar, over 100 members and guests enjoyed the Networking Barbecue at Rhode Island Builders Association headquarters on June 5<sup>th</sup>. Here, at left, is Boston Cedar Chairman Bob Ankner. With him is one of the exhibitors, Mark Ouellette of Intex.



The barbecue included hot dogs, hamburgers, salads and chicken with all the trimmings.



New member Susan Kelly of Fênix Real Estate chats with RIBA Treasurer Steve Gianlorenzo.



Mary Cool of California Closets catches up on the news with Jeff Vaillancourt of Amity Electric.



Nellie Gorbea, candidate for secretary of state, meets Joe Casali of Joe Casali Engineering.

Matt Davitt and Dave Twardowski of Davitt Design Build. ↓



↑ Cheryl Boyd of Arnold Lumber, left, and Karen Duquette of Harvey Industries.



### Members helping the community

**Three members of the Rhode Island Builders Association lent their hands and expertise to YouthBuild Providence and the Second Annual Build-A-Bed Project on May 3<sup>rd</sup> in Providence. From left are Louis Cotoia and Cheryl Boyd of Arnold Lumber Co., and Thomas J. Lopatosky of Lopco Contracting. Both companies are major donors to the project. RIBA Executive Director John Marcantonio was also there. Beds were distributed to low-income residents of the area. For more information, visit [www.YouthBuildProv.org](http://www.YouthBuildProv.org).**



### Have you signed up for e-mail notices from your community?

Members who haven't done so are urged to sign up for their local public-notice e-mail registry so they can keep informed about municipal proposals and actions that can affect property rights.

Legislation mandating that municipalities create the e-mail registries was passed during the 2013 session of the Rhode Island General Assembly at the request of the Rhode Island Builders Association. But the notices are not automatic. Par-

ticipants must sign up through their city or town clerk's office. The registries are intended to notify those on the registry about any changes to local regulations, including subdivision regulations or zoning ordinances.

RIBA characterizes the registries as a major boost for property rights, since

many landowners have not been adequately informed about local deliberations and decisions that affect their rights.

Currently, there is a move to repeal the notice law in the General Assembly, and RIBA is working to see that the law remains. Watch *The Rhode Island Builder Report* for information.

#### **SCHOLARSHIP..from page 1**

insurance administrator. It is awarded on a three-year rotation to a Rhode Island, eastern Connecticut or southeastern Massachusetts student who plans a career in residential construction or a related field.

Specifically, students must be in RISD's architecture program, the University of Rhode Island's civil or environmental engineering program, or the New England Institute of Technology's building science technology program.

Preference is given to the immediate family of RIBA members.

The RIBA/Dagata Scholarship is administered through the Rhode Island Foundation. For more information, visit [www.RIFoundation.org](http://www.RIFoundation.org).



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# Messier named to 'Top50'



Rick Messier

Rick Messier of Messier Construction, RRM Inc. has been selected as one of *Remodeling* magazine's "Big50" remodelers for 2014. Awards were presented during a dinner at the Remodeling Leadership Conference in Washington, D.C., on May 8<sup>th</sup>.

Mr. Messier and other Big50 winners are featured in the May issue of the magazine. Winner profiles are

viewable at [www.RemodelingMag.com](http://www.RemodelingMag.com).

The Messier award made special mention of the company's customer service.

"This award really came from the outstanding reports received by a third-party survey company from our customers. They contacted 100 customers in no order or preference and asked them to rate their experience with us," said a company spokeswoman.

"Over half the customers contacted took the time to reply. Some

replied with very glowing comments in their own words. More than 85 percent of surveys came back with highest scores, of all 4s."

The Big50 Awards have been presented annually since 1986. They are presented to "50 owners of remodeling companies that have set exceptionally high standards for professionalism and integrity through exemplary business practices, craftsmanship, and impact in their community or the industry at large," according to a statement from the magazine.

Find out more at [www.MessierConstruction.com](http://www.MessierConstruction.com)



## The torch is passed at Risk & Safety Management



**CEO Cheri Bunner and President Andrew Thomson of Risk & Safety Management.**

A passing of the torch has just taken place at one of the Rhode Island Builders Association's most familiar members.

Andrew N. Thomson of Risk & Safety Management has stepped aside to allow his granddaughter, Cheri Bunner, to become CEO. Mr. Thomson will retain the presidency until September, when he plans to retire. Ms. Bunner, a graduate of Marshall University in West Virginia, and the Safety Program there, will be "in charge all the way," Mr. Thomson tells *The Rhode Island Builder Report*.

Mr. Thomson and his wife and partner, Betsy, have been familiar faces among RIBA members for over 20 years. The company does OSHA training and inspections, and many members call on Risk & Safety Management when they have compliance questions or have issues with OSHA.



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## Member Profile: Tim Martins of Wood & Wire Fence Co.

# The name says it all!

By Paul F. Eno *Editor*

What's in a name? Everything, as far as Wood & Wire Fence Co. is concerned.

"When my father, Joe Martins, founded the company in 1989, there were other fence companies around, but some installed wood fences and others chain-link fences," co-owner Tim Martins explains. "So the name he chose told everyone that we do both!"

Along came the 2000s, and life got a little more complicated.

"Now there's vinyl fencing, and that's very popular, but rather than change the company name, we rely on the strong reputation my father built. People know that we do it all," Tim says.

Today, Wood & Wire Fence designs, manufactures, wholesales and installs all types of residential and commercial fence systems. That includes custom wood fences, decorative picket fences, vinyl and PVC fences and rail, estate fences, chain link, security fences, ornamental fences, guardrails (wood and steel), temporary fence systems (above ground and pounded systems), crowd control panels, gates, automatic gate systems and all the accessories.

There are a number of high-profile clients, including the Boston Marathon and the Rhode Island National Guard Open House Air Show at Quonset Point. The company has grown to an average of 60 employees and works all over New England. Most permanent fence installations are usually in Rhode Island and southeastern Massachusetts, however. Wood & Wire Fence celebrated its 25<sup>th</sup> anniversary in April.

Tim and his brother, Peter, run the company's day-to-day operations. At the Community College of Rhode Island, Tim studied entrepreneurship. One day he took on a class assignment that ended up creating a milestone for Wood & Wire Fence.

"My professor asked each student to create a business from scratch. So I theoretically added to Wood & Wire by designing a storage-container rental side of the business," Tim says.

When he graduated, Tim pitched the plan to his father.



Tim, left, and Peter Martins

"He liked it! My plan called for buying 20 containers a year for the first 10 years. But it turned out that we needed 50 the first year. The second year we bought 150, and 350 the third year. By year five we had 830. When the economy started to turn around in 2007, we got by with what we had, and we still have 730."

So strong was the company's reputation that the Great Recession was no major problem, Tim says.

"My father built a strong company on values and principles, and he instilled that in his sons. We continue forward, and our best advertising is word of mouth."

Wood & Wire Fence joined the Rhode Island Builders Association in 1989, not long after its founding.

"My father started with RIBA, and it's a great organization. We especially take advantage of the classes," Tim states. "In fact, it was at a RIBA class on good business practices that I first heard about voice mail. Everybody looked at me when I said we didn't have it, and within a month we did!"

Tim also likes RIBA's networking opportunities and the constant flow of information, especially *The Rhode Island Builder Report*.

"Everyone has the same goal when they participate in RIBA activities. They want to improve," he says.

Wood & Wire Fence contributed materials for the 2013 project in Burrillville to build a house for a wounded combat veteran, carried out by Builders Helping Heroes, a RIBA not-for-profit subsidiary.

The future looks bright for Wood & Wire.

"My brother and I are exact opposites, but that helps us see things from all sides. And we want to grow the company. We're best friends, neighbors and see each other every day. That assures our future," Tim declares.

Find out more about Wood & Wire Fence Co. at [www.Wood-WireFence.com](http://www.Wood-WireFence.com).

### **Wood & Wire Fence Co.**

**President:** Timothy Martins

**RIBA member since:** 1989

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# RIBA education program gearing up for fall

The free education program for members continues to expand at the Rhode Island Builders Association, with many new classes and seminars in the works for fall, and opportunities to attend them in different parts of the state.

Along with current offerings, such as OSHA-10 certification, lead-licensing courses, classes on business software, mold and asbestos-awareness workshops, more classes are planned on the building, fire and energy codes; construction law, especially contracts; OSHA compliance and jobsite safety issues; first aid/CPR, OSHA-30 certification and much more.

## ***Mandated courses coming***

RIBA will offer contractor continuing-

education courses that will be mandated by the Rhode Island Contractors' Registration and Licensing Board (CRLB), beginning later this year.

## ***Free for members***

Tuition for these courses is free for RIBA members and their employees. In certain courses there may be a charge for books or other materials. The free program does not include professional designations from the National Association of Home Builders, such as Certified Graduate Remodeler (CGR), Certified Green Professional (CGR), Graduate Master Remodeler (GMR) and others whose tuition is set nationally. Courses won't be free for non-members, but they will still find rea-

sonable fees for the courses they need.

To make class attendance easier for contractors in all parts of the state, RIBA supplier members have begun hosting educational sessions as part of the program.

## ***Have a suggestion?***

In addition, RIBA is always open to suggestions for additional classes. For information on the program or to suggest additional classes, contact Elizabeth Carpenter ([ecarpenter@ribuilders.org](mailto:ecarpenter@ribuilders.org)) or Sheila McCarthy ([smccarthy@ribuilders.org](mailto:smccarthy@ribuilders.org)) at (401) 438-7400.

Courses are listed in the calendar on page 4 of each *Rhode Island Builder Report*, and on the Events page at [www.RIBuilders.org](http://www.RIBuilders.org).



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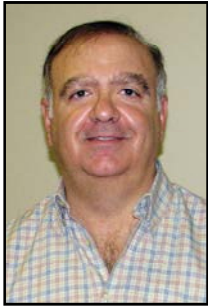
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# Working for statewide CTE reform

**Steven Carlino**

We're pleased to report that the state House of Representatives has unanimously passed the "Spec Housing and Rehab Bill," which would eliminate any local inventory tax on new residential construction, and would prevent a tax on improvements to foreclosed properties. Cities and towns would not be able to collect taxes "at full and fair cash value" on those improvements until that property is either occupied or sold, for up to two years.

This would encourage speculative development with the intent of creating an inventory of housing in the state. It would benefit communities by encouraging the purchase and improvement of foreclosed properties. The bill would be in effect for six years. We hope the Senate will soon follow suit.

As of this writing, another measure critical to Rhode Island's economic recovery was still in committee in the House. That's

the bill to reform career and technical education (CTE). Specifically, it would set the stage to unite the current nine CTE programs into one statewide program along the lines of the nationally-acclaimed Worcester Technical High School (WTHS). This would include funding through a not-for-profit, 501C3 foundation supported by local and national businesses, again along the lines of the successful program at WTHS.

Other important measures continue to work their way through legislative committees as of this writing. These include proposed changes to inclusionary zoning rules, apprenticeship issues, independent contractor definitions, regulatory reform, cesspool phase-outs, the corporate tax and truck taxes.

For information, contact RIBA Executive Director John Marcantonio at (401) 438-7400 or [jmarcantonio@ribuilders.org](mailto:jmarcantonio@ribuilders.org).

**Robert J. Baldwin**

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## RIBA's Legislative Committee

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# Appraisal issues vex builders

By Paul F. Eno *Editor*

Recent turmoil in the national housing and credit markets have brought attention to the need for fair and accurate appraisals in Rhode Island.

In our June edition, *The Rhode Island Builder Report* spoke in depth on appraisal issues with Stephen Linville, director of single-family finance at the National Association of Home Builders (NAHB). Now let's take a look at two local appraisers' perspectives on the same matters.

First, do Rhode Island's home builders really understand the highly complex appraisal system?

"Educating builders about what appraisers are up against is an ongoing process," commented Susan Kelly, president of Lincoln-based Appraisal Solutions and a new member of the Rhode Island Builders Association, who has worked with home

builders for the past five years. "We try to help them understand the process and how to work with us."

At the same time, appraisers have to learn to work with builders.

"We need to better understand the structure and costs of building materials," Ms. Kelly said. "That's a fixed cost and we can only do so much with it. Builders should understand that we have to apply that within the sales comparables ("comps") for that market. The numbers don't always balance."

A new home's value can be affected by an existing home next door, noted Jamie Moore of Jamie Moore Appraisal Services in Warwick.

"The cost of a new construction is so high that an existing home next door could be going for half the price," Ms. Moore noted. "So how much more credit can we give the new home? We can credit for conditions, and maybe the quality, lot size and value might be the same. But all that can be a problem when we're comping out new construction, unless the whole plot is new."

"Even with a new plot, there can be appraisal issues at the *beginning* of a development," Ms. Kelly added. "The first two or three houses might not 'come in' (make



Jamie Moore and Susan Kelly

value according to the comps) but the seventh or eighth do because we then have other houses to comp them with."

On a more hopeful note, both women pointed out that local lenders, a common source of fi-

nancing for many members of the Rhode Island Builders Association, tend to use local appraisers rather than national appraisal management companies (AMCs) that might be less familiar with the Rhode Island market. They suggest that builders ask about this before dealing with a lender.

"AMCs can be a problem for us as well as for builders," Ms. Moore said. "The appraiser has to know the market, and factors can vary street by street."

Ms. Kelly believes that new construction should be a specialty within the appraisal profession.

"There are nine appraisers in my organization, and only four do new construction," she noted. "They have to know how to read plans and know what to look for in five to eight visits throughout the project. We have to be able to report to our client that the project is adhering to the plans."

All builders and appraisers have felt the ongoing effects of the Dodd-Frank Wall Street Reform and Consumer Protection

see *APPRAISALS...* page 25



**Having received so many complaints from builders about appraisals, RIBA is making an effort to connect the two industries so they can better understand each other. Watch for more information.**

**-Executive Director  
John Marcantonio**

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## A conversation on land-use issues in Rhode Island

# Scott Wolf

## Executive Director, Grow Smart Rhode Island

*Scott Wolf has been executive director of Grow Smart Rhode Island (GSRI) since 1999. Previously, he was executive director (1995-1998) of The '98 Project, a national-issue-education and Congressional accountability project overseen and funded by a coalition of labor unions and their political allies, including the National Association of Social Workers, the Sierra Club, and the American Association of University Women. From 1991-1994, Mr. Wolf directed the Governor's Office of Intergovernmental Relations. A 1975 graduate of Brown University, he holds a degree in political science and government.*



clean up brownfields. We support the creative and cultural economy bond that would fund rehabilitation of various arts and cultural facilities around the state. That includes \$5 million for improvements to historic buildings not eligible for the HTC.

So we do see a great deal of building that could result from these bond issues and the HTC.

**THE BUILDER:** But so much debt! Won't that in itself impede growth in the long run?

**WOLF:** In tough times we tend to pull back and say we can't afford any of this, but businesses don't grow without investment and some debt. And there's a need to invest, *especially* in tough times. For a state to thrive, it needs to *prudently* go into debt for capital.

I don't think this will impede growth because these are all significant and needed capital investments that should have a major, positive economic ripple-effect. And several of these proposed investments, particularly transit hubs, farmland preservation and brownfields funding, will trigger significant private investment.

Rhode Island's main economic problem today is not debt but lack of economic activity. Show me a business that grows and reaches its potential without taking on some debt!

One of the contributing factors to the state's slow recovery has been the continuing contraction of state government. I know that's not the conventional wisdom, but parts of state government were really hollowed out during the Carcieri years. Look at the Dept. of Business Regulation, the Dept. of Environmental Management (DEM), and the Dept. of Children, Youth and Families, among others. This hollowing out contributes to permitting delays, among other negative consequences.

Keep in mind also that Rhode Island doesn't have county governments to take on debt, so our state government plays a bigger role in financing capital improvements than is the case in many larger states where that responsibility is shared with county governments. My sense is that, while our state government's *per capita* debt is pretty high, we may not be so high among all states on the total amount of public debt assumed by all public entities be-

**THE BUILDER:** Growth, smart or otherwise, has effectively stopped in Rhode Island. What's your reaction?

**WOLF:** If you define growth broadly, it's an overstatement to say that growth has effectively stopped in Rhode Island. If you define growth in terms of population, then yes, we haven't had much population growth for a couple of decades. If you define growth as development and business activity, we certainly have much less than desirable, but I wouldn't say it has stopped.

I'm thinking of some recent events in particular. United Natural Foods is hiring about 40 new people, Tunstall Americas is now employing about 300 people in Pawtucket. The recently reinstated state Historic Tax Credit (HTC) is starting to generate some activity. That involves some projects that might not have shovels in the ground just yet, but they're moving forward, such as the American Tourister site in Warren and Pontiac Mills in Warwick. The Procaccianti Group just proposed a 170-room hotel in Providence, and there are some new employers coming to Quonset. So I wouldn't want to create the impression that nothing is happening. There isn't enough, but it's something.

We're still concerned about the high unemployment rate, of course, and a lack of opportunity for all our residents. That's one reason Grow Smart proposes an ambitious set of investments in our state's assets, supporting \$52 million in additional funding for the HTC, the bond issue to create two new transit hubs in Providence. We support the governor's healthy communities and environmental bond, and the proposed \$5 million in funding to





cause of that absence of county government debt.

Keep in mind that the governor's budget people aren't loose spenders. The analysis from Peter Marino, Paul Dion and Rosemary Booth Gallogly is that the state can afford the governor's proposed \$275 million in new bonds.

**THE BUILDER:** Despite the stagnant housing market, the cost of construction continues to rise. Builders attribute this largely to overregulation. Do you feel that state and local planners, including people informed by events like the Power of Place Summit (organized by GSRI and held in Providence on May 23<sup>rd</sup>), grasp the costs of what they do?

**WOLF:** I certainly hope so! For many of the folks, the answer is "yes," but I don't think that every planner has a grasp of it, especially at the local level. I think that most state planners are more savvy on this, and some local planners too, but there are many who need more consciousness-raising. We're certainly committed to that.

In construction and development, we're particularly concerned about the time it takes to get through the permitting system. The unpredictability and lack of uniformity from one community to another, or even within the same community, is a serious challenge. Given our relatively weak economy, we can't afford to continue at that level of inefficiency. As for overregulation, we certainly think there's some, but the lack of predictability and timeliness in making decisions is a real problem.

**THE BUILDER:** Does GSRI include elements like construction costs and other economic factors in its education programs for planners?

**WOLF:** Yes, we definitely do. Our training program, by the way, is over 12 years old, and we've reached about 3,000 people. It's a top priority for us to get this information to people on these boards and to refresh the information for new people.

**THE BUILDER:** What new initiatives in land use is GSRI working on?

**WOLF:** One is to have several training programs for local officials over the next six to nine months on how they can more appropriately regulate farming activities. Just as there's some overregulation in the rest of the economy, there's some in the agricultural sector as well.

In another area, we're working with Scott Millar (administrator of DEM's Sustainable Wetlands Program) and his village guidance advisory group to put together a village guidance development manual. This will include a section on transfers of development rights (TDRs)\*. That should be completed fairly soon.

We're also working on the notion of "complete streets," where road design accommodates pedestrians, bicyclists and transit riders as well as automobiles.

**THE BUILDER:** Groundwater issues don't change at town lines. What's GSRI's opinion of proposed statewide implementation of water and sewer planning and standards?

**WOLF:** We support moving in that direction. Smart growth is

more likely to happen if we have statewide coordination, as opposed to things happening helter-skelter, community by community. It would be good for the state to take a lead role in funding and implementing further water and sewer developments.

**THE BUILDER:** What are the limits to water and sewer infrastructure expansion in Rhode Island?

**WOLF:** There are two ways to answer that: What GSRI thinks the limits should be and what the practical, hydrological limits are. I really can't address the second. But as to what we feel the limits should be, we'd like to see them as a combination of the urban-services boundaries as defined in the state's Land Use 2025 plan (available online at [www.planning.ri.gov/documents/121/landuse2025.pdf](http://www.planning.ri.gov/documents/121/landuse2025.pdf)) and some locally designated, state-approved growth centers outside those boundaries. Exeter is working on one of those right now.

**THE BUILDER:** What's GSRI's position on affordable housing and how are you implementing it, especially in terms of the cost of construction?

**WOLF:** There are several basic priorities for us on affordable housing. First, there isn't enough, so we continue to support state funding of affordable housing through bond issues and general appropriations.

Secondly, affordable housing should be in places that are walkable, with good access to transit and services. That creates some challenges when it comes to the need for affordable housing in all communities, and the state's mandate for 10 percent affordable-housing stock. We've been working with the Division of Planning to come up with ways to reconcile the Low and Moderate Income Housing Act (which mandates the 10 percent) and Land Use 2025 (which calls for walkable and transit factors).

**THE BUILDER:** Regarding costs, the Rhode Island Builders Association has expressed some concern that local inclusionary zoning, as a tool for increasing affordable housing, doesn't work in Rhode Island, and in many cases discourages developers from building affordable units. What say you?

**WOLF:** (RIBA Executive Director) John Marcantonio and I both serve on the low-mod housing act commission, which has met several times this year. We've actually heard testimony from builders on the inclusionary zoning (IZ) issue.

I still think there's a role for IZ, but a good point I've heard from builders is that, at least in this economic climate, it's practical only if there are strong density bonuses. Otherwise it just doesn't pencil out. And testimony before our commission indicated that several communities with IZ just haven't provided the density bonuses to make it economically feasible.

**THE BUILDER:** What's GSRI's role in attempts at regulatory simplification and streamlining, notably by the Governor's Office of Regulatory Reform (ORR)?

**WOLF:** We think it's an important initiative. Leslie Taito (ORR's first director, now working in the private sector) certainly

see *INTERVIEW...*page 25

## Environmental Committee knee deep in the issues

Statewide standards for wetlands and septic systems, permitting and soil erosion issues, coastal management plans, storm-water regulations and more continue to keep the Rhode Island Builders Association's Environmental Committee busy.

Co-Chairmen Thomas E. D'Angelo and Timothy A. Stasiunas continue to meet with other stakeholders as part of a committee to study empowering the Dept. of Environmental Management (DEM) as the central agency for approving environmental regulations related to land development. The committee was established by the General Assembly in 2013 with a view toward eliminating the current tangle of local environmental regulations, which RIBA believes to be unnecessary and a hindrance to the economy.

On July 19<sup>th</sup>, two environmental experts who have worked on all sides of wetlands issues will speak to the statewide standards committee, Mr. D'Angelo told *The Rhode Island Builder Report*. These are Andrew T. Der of Andrew T. Der & Associates LLC, Environmental Consulting;

and Mark W. Eisner, P.G., of Advanced Land and Water Inc. Both are from the Baltimore, Md., area.

Along the same lines, the Environmental Committee is studying the proposal by the Army Corps of Engineers for a New England General Permit for wetlands. This would replace all state general permits. RIBA member Scott Moorehead of SFM Associates is monitoring this matter.

Meanwhile, John Carter of John C. Carter & Co. is representing RIBA in the ongoing issues related to soil erosion.

Regarding Onsite Wastewater Treatment Systems (OWTS), DEM regulations require an OWTS upgrade or replacement whenever a change is made affecting one square foot or more of a structure expansion within the Salt Pond or Narrow River Critical Resource Area, along Route 1.

There had been a temporary rule change allowing up to 600 square feet of expansion until November 2014, with a sunset clause. DEM has proposed extending that provision for an additional two years. RIBA is working to get the rule made per-


manent.

The committee also follows the ongoing changes to coastal regulations having to do with the National Flood Insurance Program. Recent action by Congress has delayed, but not stopped, massive premium increases deriving from new flood maps produced by the Federal Emergency Management Agency (FEMA), along with new minimum height requirements for homes.

"Our committee continues to ask for information about damage to homes built to today's standards in the wake of Hurricane Sandy," Mr. D'Angelo commented.

"Also, we have worked toward a combined wetlands/OWTS permit for many years. And thanks to DEM Director Janet Coit, that is coming to fruition," he added. *Related story on next page.*

The Environmental Committee is looking for other RIBA members interested in participating in its crucial work.

For more information on the issues or how to help, please contact Elizabeth Carpenter at (401) 438-7400 or [ecarpenter@ribuilders.org](mailto:ecarpenter@ribuilders.org). 

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# DEM heads toward joint wetlands/OWTS permit

By Paul F. Eno Editor

Rhode Island might be one step closer to a joint permit application for wetlands and septic systems.

That's the word from the Dept. of Environmental Management (DEM), which in June issued a public notice for proposed changes to the *Rules Establishing Minimum Standards Relating to Location, Design, Construction, and Maintenance of Onsite Wastewater Treatment Systems* (OWTS rules) and the *Rules and Regulations Governing the Administration and Enforcement of*

## NAHB: Proposed Army Corps rule would harm builders

*National Association of Home Builders*

A proposed rule by the Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers (Corps) redefining the scope of waters protected under the Clean Water Act would harm home builders and evades the intent and the letter of the law to make the regulatory process less costly and more efficient for small businesses, the National Association of Home Builders (NAHB) told Congress on May 29<sup>th</sup>.

EPA and Corps overstepped their boundaries by certifying the proposed rule without complying with the Regulatory Flexibility Act (RFA), which requires federal agencies to review regulations for their impact on small businesses and consider less burdensome alternatives, according to Tom Woods, a Missouri-based builder and NAHB's first vice chairman.

"By completely bypassing the RFA process, the agencies are not interested in hearing from the regulated community," Mr. Woods testified before the House Small Business Committee. "Their only objective is to move this regulation closer to the finish line. For a rule of this magnitude, the small business voice must be heard, and the agencies have failed to provide that platform."

The claim by the EPA and the Corps that virtually anything could be a "tributary" if it is determined to have a bed, bank and an ordinary high-water mark, could erroneously include manmade ditches, pipes, canals, dams, groundwater and isolated wetlands.

The rule also exacerbates the current regulatory confusion by adding new, undefined terms such as "floodplain" and "riparian area" to give regulators automatic federal jurisdiction over properties that contain isolated wetlands, ephemeral streams or any land features covered under the expansive definition of tributary.

For more information, contact Liz Thompson at (202) 266-8495, [ethompson@nahb.org](mailto:ethompson@nahb.org).

*the Fresh Water Wetlands Act* (wetland rules).

"Amendments to the OWTS and wetland rules are necessary in order to establish and implement a new joint OWTS/Wetlands application and permit for single-family residential lots," a DEM statement said.

"The new joint application and permit will streamline applications processing by incorporating efficiencies in staff resources, and creates a more predictable process for applicants while providing additional opportunities for environmental protection of wetland resources. The amendments also address issues of concern identified by stakeholders, including the Rhode Island Builders Association, regarding application review processing times for single-family residential lots needing permits for both OWTS and wetlands."

The public hearing was to be held on June 23<sup>rd</sup>. Watch the August *The Rhode Island Builder Report* for more information.

A fact sheet, and the proposed draft OWTS and wetlands rule documents are available at [www.dem.ri.gov/programs/benviron/water/pdfs/owtsfwwpn.pdf](http://www.dem.ri.gov/programs/benviron/water/pdfs/owtsfwwpn.pdf).



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## MEMBERS...from page 3

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Gilbert Electric & Construction Co., Inc.	Roy Savasta
Gilbert Realty Corporation Trust	James Gilbert
Goldense Building Products Inc.	Paul Goldense
Gonsalves Realty	Joao Gonsalves
GutterBrush LLC	Randy Schreiber
H.L. George Development Corp.	Herbert George
H.V. Holland Inc. Heating/AC	Edward Holland
Heritage Remodeling Ltd.	Edmund Barber
Home & Commercial Security Inc.	Henry Sidok
Home Healthsmith	Linda Bohmbach
Home-Rite Inspections Inc.	Edward Gardiner
Horner Millwork Corp.	Peter Humphrey
Hurd Auto Mall LLC	Ron Mandeville
J.G. Vandal Roofing Co.	Robert Vandal
J.J.O. Inc.	John O'Neil
Jacob Talbot Inc.	Jacob Talbot
JED Electric Inc.	James Governo
K&J of RI James Marcoux	
Kirkbrae Country Estates Inc.	Gregory, Henry & Paul Richard, Theodore Kounavis
Kitchen & Countertop Center of N.E.	Joseph Pakuris
KWIK Plumbing & Heating Co.	James Fusco
Liberty Cedar Inc.	David Goss
Lu-Lin Inc.	Mark Bard
M&B Tile Company Inc.	Michael Borges
M&M Enterprises	Mario Mattiace
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Martone Painting Co.	Michael Martone
Meehan Builders Inc.	John Meehan
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Nardelli Builders Inc.	Daniel Nardelli
National Building Products	Michael McDole
National Development Group Inc.	Richard Colardo
National Land Surveyors-Developers Inc.	Norbert Therien
Notargiacomo Construction Inc.	Phillip Notargiacomo

## CLAMBAKE...from page 1

1950, has grown into a major industry happening. So now's the time to reserve your tickets. Each ticket includes all the food you can eat, along with two free beers.

Make 2014 the year that your company makes the RIBA Clambake your annual outing, as many companies do. As a new feature this year, major sponsors will have exhibits set up to showcase their latest products and services. This began last year with only a few booths and has proven very popular with attendees.

## Sponsorships

The low ticket price is possible because every penny from sponsorships goes directly to event costs. The more companies that come forward to sponsor the event, the lower the ticket price will get, so please consider a sponsorship. See the information on sponsorships **on the back cover**, or contact Elizabeth Carpenter at the RIBA office, [ecarpenter@ribuilders.org](mailto:ecarpenter@ribuilders.org) or at (401) 438-7400 for more information about sponsorships for the Clambake or any other RIBA event.

Sponsors will be recognized at the venue and in *The Rhode Island Builder Report's* Clambake Issue in September.

As always, great food will be featured throughout the day. There will be clamcakes and chowder (both red and white), hot dogs, and little necks on the half shell. Later in the day, there will be a traditional clambake. See you there!

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## INTERVIEW...from page 21

got the ball rolling, and quite a bit has been accomplished. My hunch as a political realist, though, is that the issue will probably be in flux until we have a new governor. We may have to tread water on this for the next few months, though I hope not.

We do feel that there are some redundant and unnecessary regulations, along with a clunky, cumbersome permitting process. We're also concerned with how building and fire codes are interpreted differently by local officials, sometimes in the same community. It is an economic development issue.

One new direction we've begun to pursue is getting involved in local regulatory and land-use issues, and in promoting certain projects that we feel make sense locally from a smart-growth standpoint. So our role in the area is likely to increase within the limits of our staff.

### **THE BUILDER: What were the highlights of the Power of Place Summit and what feedback have you received?**

**WOLF:** We had 19 workshops and several plenary sessions. There was a great deal of positive energy, and we've had some very good feedback. People felt the Summit was a good and necessary morale boost at a time of high unemployment, and when Gallup is telling us that Rhode Islanders have the worst collective self-esteem of any state in the country.

One evident theme at the Summit was that state and local government need to work more closely on permitting and regulation.

## APPRAISALS...from page 18

Act (Dodd-Frank), which produced interagency appraisal and valuation guidelines, along with new definitions. It also was designed to protect appraisers from undue influence to help prevent more problems in the banking industry. This led to questions about builder/appraiser transparency.

"There's supposed to be a great deal of transparency, but in the end, nothing really changes when it comes to what's legal and proper and what isn't. The appraiser is accountable as part of any future legal action based on the project and its value," Ms. Moore said. "The weight is on our shoulders not to give in to pressure and to make sure an appraisal is sound."

### **'Wall of communication'**

Dodd-Frank, along with the now expired Home Valuation Code of Conduct (HVCC) have left in their wakes a troublesome "wall of communication" between builders and appraisers, Ms. Kelly added.

"In many cases we've lost complete communication with the builder on some important appraisal issues... 'this is the way this or that has to be done.' But some good things came from Dodd-Frank and the HVCC, like making appraisers and lenders more accountable and more ethical."

Many RIBA members are doing "green" building and remodeling and want a new home's energy efficiency to figure in the appraisal.

We highlighted some examples of that coordination in action, two being the I-195 development and the East Providence waterfront.

We think that's a model that needs to be emulated.

*\*Watch the August Rhode Island Builder Report for an in-depth look at TDRs.*

## PRESIDENT...from page 5

contractors don't require large, up-front payments unless some large custom order is involved. The payment schedule reflects work that has already been completed, and home buyers should pay as they go.

CRLB has rules in place to prevent many abuses. The problem is that many CRLB decisions are severely watered down if they are appealed in court. We are working on this problem.

As it is, the vast majority of residential contractors should not be branded by the actions of a few. Anyone who hires a contractor has a responsibility to do their homework to be sure that the contractor is legitimate and does business responsibly. There are ample resources on the Internet to help any consumer do this, including the CRLB, RIBA and Better Business Bureau websites. And people should never hire a contractor without several references.

Beyond this, let's encourage people to remember that the vast majority of contractors are good, honest professionals and their neighbors, serving our communities with good, safe, healthy and energy-efficient housing choices.

"For us, there's controversy on an important question: What's the home buyer's return on investment with these highly efficient homes, and how long will it take to realize it?" Ms. Kelly stated. "Many of these increased efficiency factors are now part of the code anyway."

That said, she noted that when a home is "completely green certified, it has to be treated differently."

"An educated appraiser will know the energy-code requirements, but will be able to break down the cost benefits in certified homes that go beyond the code, such as foam insulation or geothermal. Maybe the appraiser can give that house a little bit more credit."

Another factor is that the buyer's energy savings might be spread over a long period.

"With green valuations, someone might pay \$50,000 for a geothermal system as opposed to \$10,000 for a standard system, and they'll recover that over the life of the home, but that could take 25 years. So do you credit all that up front? That's the difficult question," Ms. Moore said.

Ms. Kelly pointed out some unknowns in green construction.

"Are there long-term negative effects if we're tightening homes too much? Are houses unable to 'breathe,' resulting in long-term health issues? These are unanswered questions," she pointed out.

Despite all the issues, both women see positive trends in the market today.

"We're definitely in a better place," Ms. Kelly said.

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