



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF  
ENERGY AND ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENERGY RESOURCES**  
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**Maura T. Healey**  
Governor

**Kimberley Driscoll**  
Lt. Governor

**Rebecca L. Tepper**  
Secretary

**Elizabeth Mahony**  
Commissioner

February 28, 2025

**Via Electronic Mail**

Mayor Gina-Louise Sciarra  
Northampton City Hall  
210 Main Street  
Northampton, MA 01060

Dear Mayor Sciarra,

Thank you for providing Northampton's final fossil fuel-free ordinance (FFF Ordinance), adopted by Northampton on January 16, 2025 and submitted to the Department of Energy Resources (Department) on January 18, 2025, to complete the city's application to become a Substitute Community in the Department's Municipal Fossil Fuel Free Building Construction and Renovation Demonstration Project (Demonstration Project) as authorized by St. 2022, c. 179, § 84 (Act). The Department has reviewed the FFF Ordinance and has the following feedback.

Northampton's FFF Ordinance contains certain exemptions not contained in the Department's Model Rule, nor its draft ordinance submitted with its Substitute Community application. Notably, for major renovations, it permits the continued use of existing fossil fuel heating or hot water appliances and the replacement of these appliances with new fossil fuel equipment with a higher efficiency rating. While the Department views such exemptions as within the discretion the Act affords communities to define "fossil fuel-free," the Department notes that Northampton is the only Community in the Demonstration Project to have made such an exemption. The Department views these exemptions as contrary to the intent of the Act and the Demonstration Project and is concerned that allowing these exemptions will provide an incomplete picture of the impact of banning the use of fossil fuels in new construction and major renovations. The

Department recommends that Northampton consider removing or revising these exemptions in the future.

The Department additionally notes that while the Act grants municipalities the discretion to adopt exemptions and define the exemption and waiver process within their fossil fuel-free by-law or ordinance, such exemptions and waivers must not conflict with 225 CMR 24.00 or the applicable provision of the building energy code in the adopting municipality, including (if applicable) the stretch energy code and specialized energy code contained in 225 CMR 22.00 and 23.00. The Department would be happy to clarify any questions regarding this.

If you have any questions regarding this determination, please contact Joanne Bissetta at [joanne.bissetta@mass.gov](mailto:joanne.bissetta@mass.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Joanne Bissetta". The signature is fluid and cursive, with the first name "Joanne" and last name "Bissetta" clearly distinguishable.

Joanne Bissetta  
Director, Green Communities Division

cc: Dr. Ben Weil, Director, Climate Action and Project Administration