



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF
ENERGY AND ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENERGY RESOURCES
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Maura T. Healey
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Kimberley Driscoll
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Elizabeth Mahony
Commissioner

December 22, 2023

Via Electronic Mail

Andrea Becerra
Sustainability Director
Town of Acton
472 Main Street
Acton, Massachusetts 01720
sustainability@acton.gov

Dear Andrea Becerra,

The Department of Energy Resources (Department) is contacting you in regard to Acton's application to become a Participating 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 Acton's application and determined that it contains the required application materials listed in 225 CMR 24.04(1) and that Acton meets the Housing Eligibility Thresholds detailed in 225 CMR 24.05(2). The Department hereby approves Acton's application to become a Participating Community in the Department's Demonstration Project.

The Department notes that Acton's final by-law's definition of major renovation reflects the definition contained in the published draft regulations of 225 CMR 24.00. The Department made a technical revision to the definition in the final version of the regulations published in the State Register on August 4, 2023. In order to avoid confusion, the Department recommends that Acton update its by-law to either reflect the definition of major renovation contained in the final version of 225 CMR 24.00 or reference 225 CMR 24.00's definition directly.

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.

The Department will be in contact in the coming weeks regarding the collecting and reporting of data to the Department detailed in 225 CMR 24.07(2).

In accordance with the effective date contained in Acton's fossil fuel-free by-law, Acton may now proceed with the implementation of their fossil fuel-free by-law.

If you have any questions regarding this determination, please contact Joanne Bissetta at joanne.bissetta@mass.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Joanne Bissetta". The signature is fluid and cursive, with a long horizontal stroke at the beginning.

Joanne Bissetta
Director, Green Communities Division