



August 12, 2022

Department of Energy Resources (DOER)
100 Cambridge Street, Suite 1020
Boston, MA 02114
Email: stretchcode@mass.gov

Re: Building Code Comments

Dear Commissioner Woodcock, Secretary Card, and Secretary Kennealy,

On behalf of the 366 Massachusetts residents representing 117 communities committed to transforming buildings from being polluters to being protectors of our health, communities and our environment, the Massachusetts Action Network submits this letter to Massachusetts Department of Energy Resources with comments on the specialized stretch code.

MCAN applauds DOER for the revisions that were made to the code after the 1200 comments that were submitted in March on the straw proposal. Thank you for listening to the community of advocates and making several key improvements in the revised code language. These key revisions include:

- incorporating the industry-standard definition of net zero building and the optional pathway found in 2021 Base Code Appendix, also known as the Zero Code, advanced by AIA 2030 and endorsed by the national AIA.
- requiring multi-family projects greater than 12,000 square feet to meet Passive House standards.
- forming a Technical Advisory Committee with expertise in building codes and climate resilient buildings. While this is not technically part of the building code, the Committee serves an important role.

However, DOER must and can go further.

Building code is a powerful tool to accelerate the Commonwealth's clean energy transformation. In order to ensure that change happens in an equitable way, and in

order for DOER to adhere to the mandate in the Next Generation Roadmap bill signed by Governor Baker in March 2021, the opt-in specialized stretch energy code must:

- Accelerate the construction of energy efficient, all-electric buildings powered by renewable and clean energy. Retaining the fossil fuels pathway for new buildings perpetuates health risks and increasingly unaffordable utility bills which will disproportionately harm residents in environmental justice neighborhoods and low-income residents throughout the state. Residents cannot afford to make complicated, expensive retrofits down the road. **We demand that DOER remove the fossil fuel pathways for new construction.**
- Require annual energy reporting of buildings and disclosure. This is a standard approach for tracking progress and evaluating if buildings are working as they are intended. Requiring the commissioning of net zero buildings would allow developers to assess building performance relative to the net zero standards of performance. We must have a transparent accounting of building energy use and performance to ensure public knowledge about how the specialized stretch energy code supports meeting the state's 2030 building sector limits. Building energy reporting and disclosure, together with initial and periodic commissioning, are needed to guarantee that new building systems operate as they are designed. **We demand that DOER require building energy reporting and disclosure with periodic commissioning.**
- Restore the provision to reduce embodied carbon. Only by reducing operational *and* embodied carbon can buildings become climate mitigators with impacts beyond the building scale. **We urge DOER to require: (1) all buildings to meet specifications for low-carbon construction materials and (2) require Whole Building Life Cycle Analysis modeling for larger buildings -- this will encourage smart design choices that are so urgently needed.**
- Allow for municipal adoption by vote to take place any time before the Jan 1st or July 1st effective dates. DOER plans to issue final code language on December 23, 2022. **We demand that DOER allow municipalities the ability to vote whenever they choose to have the earliest effective date for adoption of the specialized stretch energy code.**
- Revise Section on Substantial Improvements to Existing Buildings. Currently, the specialized stretch energy code includes "Substantial Improvements" as part of alterations to existing buildings that would trigger compliance with the Home Energy Ratings System (HERS) pathway. This creates a loophole that allows renovation projects to use the assessed value of a property to determine compliance with specialized stretch energy code. The implications of using the assessed value is that this will unfairly burden small homes, while also missing substantial changes on large homes with high valuations. Any threshold using cost-to-value burdens low-value buildings in environmental justice communities and relaxes standards for wealthy communities -- which is exactly the opposite of

any sound environmental equity policy. **We ask DOER to clarify and optimize the threshold for substantial improvements to existing buildings, and suggest DOER use >50% enclosed area for triggering HERS compliance.**

- Require Continuing Education Credits in Energy Code for Construction Supervisor license (CSL) holders. Currently, CSL holders only need a maximum of 1 hour of training on energy code every 2 years to renew their license. *This is inadequate.* With the increasing complexity of the existing stretch code and the upcoming specialized stretch energy code, CSL holders need more training on an annual basis. As a point of reference, Massachusetts registered architects are required to complete 12 hours of Continuing Education credits every year. All 12 CE hours must qualify as Health, Safety & Welfare (for which building energy and other code related topics qualify). **We recommend that DOER to require annual trainings on the updated building codes -- including the current stretch and specialized stretch energy code -- for CSL holders to ensure that professionals are completing the necessary education as the codes are developed and updated.**

Timing is everything and we are running out of time.

We look to DOER to release an opt-in specialized stretch energy code that supports climate resilient buildings for all buildings and for all communities.

Transform our buildings, transform our lives and ensure a livable, breathable future for all.

Sincerely,

Acton

Francis Cummings

Stella Ko

Amesbury

Benjamin Thorn

Nancy Maynes

Amherst

Sarah McKnee
Jeff Clark

Andra Rose
Lori Goldner

Sara Ross
Frances Adams

Andover

Rebecca Backman

Maria Bartlett

Arlington

Lisa Weil
Kim McMaken-Marsh
David Schreiber
Julia Bloom

Lori Kenschaft
Anne Wright
Patrick Hanlon
Downing Cless

Alan Linov
Pauline Gardiner
Sarah Hill
Ann Abbott

Ashby

Cathy Kristofferson

Ashland

Cherly Rigby

Charles Lidz

Ayer

Carolyn McCreary

Becket

Al Blake

Bedford

Sue Swanson

Karen Wilson

Renu Bostwick

Belmont

Cabell Eames
Marty Bitner

Roger Wrubel

Catherine Bowen

Boston

James Michel
Rachel Dugdell
Ania Camargo
Aakilah Rashid
Andee Krasner

Sophie Cash
Jonathan Cohn
John Marino
Karl Claire Muller
John Michael

Jack Murphy
Erik Gehring
Timothy Havel
Tamm Sissac
Ava Cheloff

Lindsey Lawson
Kannan Thiruvengadam
Lauren Bard

Barbara Parmenter
David Douglas
Nancy Ahmadifar

Marine Krzisch
Steve Kellerman

Boxford

Gary Martin

Priya Sundaram

Karen Martin

Braintree

Mike Cavanaugh
Phoebe Morad

Rachel Horak
Gary Roden

Louise Quigley

Brighton

Jack Murphy

Brockton

Bri Nichols

Brookfield

Sherry Zitter

Brookline

Ava Penman

Rand Lemley
Conner

Alisha

Lisa Cunningham
Roslyn Feldberg
Maiyim Baron
Werner Lohe
Dave Damn-Luhr
Bambi Good
Karen Kraut
Kathleen Scanlon

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Eli Goldman
Deane Coady
Seth Evans
John Harris
Patricia Correa
Werner Lohe

Wendy Stahl
Mary Dewart
Robert Miller
C. Scott Ananian
Ira Krepchin
Elizabeth Loula
Deane Coady

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Martha Simon

Cambridge

Gabriela Romanow
Jessica Ruprecht
Fred Small
Scott Doxey
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Lois Markham

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Lee Francis
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Nancy Pendergast

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Danielle Lax
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Gabriela Romanow
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Elena Saporta

Canton

Jennifer Wexler

Carlisle

Bonnie Miskolczy

Chelmsford

Bernard Kosicki

Tom Amiro

Chicopee

Fergus Marshall

Concord

Susan Mlodozieniec
Bradley Hubbard-Nelson
Mary White

Chris Schaffner
Michael McAteer

Edward Feather
Sylvia Lotspeich Greene

Conway

Bob Armstrong

Cummington

Rosemary Wessel

Dedham

Donald Henrich

Emily Walton

Dracut

Carly Mandell

East Bridgewater

Petra Reitz

East Falmouth

Dennis DiTullio

Eastham

Roberta Longley

Michael Sarcione

Easthampton

Stephen Linsky

Falmouth

David Mark Welch

Megan Amsler

Eleanor Ling

Florence

Ericsson Broadbent
Thomas Bassett
Terese Hammerle

Susan Theberge
Edward Olmstead

Jennifer Ladd
Darcy Sweeney

Framingham

Larry Stoodt

Tim Brainerd

Russell Donnelly

Franklin

Edward McIntyre

Raymond D. Milici

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Stan Franzeen

Marcia Hart

Lisa Smith

Granby

Thomas Desellier

Greenfield

Lynn Waldron
Heinemann
Susan Worgaftik

Bill Ashley
Shauna Lynn

Edie

Groton

Ginger Vollmar

Hanover

Derek Lariviere

Hardwick

Margaret Haight

James Lagomarsino

Haydenville

Alicia Purdy

Hingham

Paul Sprecher

Holden

Denis Mahoney

Hopkinton

Nicole Simpson

Kent Berlin

Hubbardston

Dennis Rogers

Hudson

Jeanette Millard

Lawrence Fine

Ipswich

Maria Wilkens

Carolyn Britt

Michael Schaaf

Jamaica Plain

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David Heinmann
Ann Gilmore

Haskell Werlin
Julia MacMahon

Dan McCarthy
Leah Becker

Jefferson

Mary Flynn

Scott A. Wahlstrom

Leeds

Janet Clark

Rei Matsushita

Leverett

Peggy Wolff

Nancy Grossman

Lexington

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Ricki Papo
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Mary Hutton
Marcia Gens

Sallye Bleiberg
Sandra Frawley
Timothy Hoffman
Fran Ludwig
Mary Hutton

Fran Ludwig
Joe Pato
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Lincoln

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Malden

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Marblehead

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Nadeau

Elieen Mathieu
Louise Yarmoff

Petra Langer
Lynn

Mattapoisett

Helen Lozoraitis

Maynard

Orian Greene

Medfield

Fred Davis

Medford

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Michelle Scott

Katherine Brekka

Frederik Brasz

Melrose

Trudy MacDonald

Middleborough

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Jeff Stevens

William Howe

Susan J. Howe

Milton

L. Tucker Smith

Hale Smith

Monroe

Betsy Bizarro

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Cooper Wood

Nahant

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Natick

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Needham

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Susan McGarvey

Newburyport

Michael Strauss

Newton

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Demie Stathoplos
Elieen Kurkoski
Cory Alperstein

Dorothy Weitzman
Virignia Robinson
Alison Leary

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Patricia Benjamin

Nonantum

Pat Irwin

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Rachel Maiore
Judith Hyde
Darren Port

T. Stephen Jones, M.D.
Denise Lello
Sarah Metcalf
Sharon Moulton

Linda Butler
Maureen Carney
Daphne T Stevens
Nicolas Warren

Northborough

James A Vander Poel

North Adams

Jake Laughner

Peabody

Jerry Halberstadt

Pelham

Anthony Rogers

Petersham

Diane Nassif

Pittsfield

Jane Winn

Kelly Cusson

Pocasset

Andrea Lewis

Princeton

Richard Chase

Quincy

Larry Chretien
Cyndy Roche-Cotter

Catherina Guozden
Fat Strigler

Mike Cotter RN
Susan Entin

Raynham

Abhinav Malik

Reading

Meghan Boyle

Allison Sillers

Salem

John Hayes

Aaron Udy

Chris Cantone

Sandwich

Laurie Ray

Scituate

Mary Ann Svenning

Sheffield

Stephanie Blumenthal

Sherborn

Michael Lesser

Shrewsbury

Seana Parker-Dalton

Shutesbury

Gail Fleischaker

Somerville

Elizabeth Galloway
Edward Woll
Deborah Fennick
Andrea Ranger

Larry Yu
Grace Hall
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Marya Anxer
Jane Carbone
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South Deerfield

Sherry Morgan

South Hadley

Sylvia Staub

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Kimberly Fisher
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Quentin Prideaux

Wenham

Jon Richardson

West Boxford

Constance Glore

West Boylston

Nicole Nelson

West Roxbury

Jackie Ammerman

West Tisbury

Kate Warner

Westborough

John Metzger

Andrew Koenigsberg

Westfield

Mary Ann Babinski

Westford

Barbara Theriault
Edythe Salzman

Lynn Cohen
Gerald DiBello

Frances Chang

Westport

Hank Keating

Weston

Debbie Slotpole

Phoebe Beierle

Weymouth

Laurel Christensen

Williamstown

Gretchen Thompson

Winthrop

Laurie Ferhani

Carol Walker

Woburn

Gail Page

Worcester

Mara Pentlarge
Paul Popinchalk

Judy Diamondstone

Etel Haxhiaj

Yarmouth Port

Susan Starkey

Municipal Officials & Organizational Leaders

Andover

Maria Bartlett (Andover Green Advisory Board)

Ashland

Charles Lidz (Vice Chair, Sustainability Committee)

Becket

Al Blake (Planning Board Member)

Belmont

Roger Wrubel (Belmont Energy Committee)
Kannan Thiruvengadam (Director Of Eastie Farm)

Boston

Jonathan Cohn (Policy Director of Progressive Massachusetts)
James Michael (Co-Founder of Boston Clean Energy Coalition)
Andee Krasner (Program Manager at Climate and Health Greater Boston Physicians)

Boxborough

Barbara Salzman (Member Boxborough Sustainability Committee)
Francie Nolde (Sustainability Chair at Boxborough Sustainability Committee)

Boxford

Gary Martin (Sustainability Committee Chair at Boxford Sustainability)

Brookline

Kathleen Scanlon (Brookline ZEAB Member)
Werner Lohe (Town Meeting Member)
C. Scott Anaian (Brookline Town Member)

Cambridge

Steven E. Miller (State Coordinator)
Fred Small (Director of Faith Action)
Nancy Pendergast (350 Somerville Steering Team)

Cummington

Rosemary Wessel (Program Director at No Fracked Gas MA)

Dedham

Emily Walton (Sustainability Advisor)

Falmouth

Megan Amsler (Executive Director at Self-Reliance Corp.)

Hudson

Jeanette Millard (Director of Green Hudson)

Ipswich

Carolyn Britt (Planning Board)
Michael Schaaf (Town Member)

Jamaica Plain

Haskell Werlin (Board Member)

Lexington

Joe Pato (Select Board Member)

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Jean- Jacques Yarmoff (Sustainable Marblehead, Building Group Leader)

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Orian Greene (Green Maynard Member)

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Kimberly French (Sustainable Middleborough, Leadership Team)

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Marcia Cooper (President of Green Newtown)
Emily Norton (City Councilor)
Alison Leary (City Councilor)

Northampton

Adele Franks (Steering Committee Member)
Nicholas Warren (Representative)
Rachel Maiore (City Councilor, Ward 7)

Peabody

Jerry Halberstadt (Coordinator of Clean Power Coalition)

Pelham

Anthony Rogers (Co-Chair of Pelham Energy Committee)

Pittsfield

Jane Winn (Executive Director of Berkshire Environmental)

Princeton

Richard Chase (Principal of Chase Systems)

Salem

John Hayes (Chair ar Salem Sustainability)

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Stephanie Blumenthal (President of Sheffield Saves)

Somerville

Mark Niedergang (Former City Councilor)

Jane Carbone (Director of Development)

Watertown

Caroline Bays (Watertown City Councilor)

Wellesley

Mary Gard (Director of Sustainable Wellesley)

Phyllis Theerman (President of Sustainable Wellesley)

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Kate Warner (Chair of West Tisbury Energy Committee)

Westford

Gerald DiBello (Member of Westford Climate Action)

Westport

Hank Keating (Board President, Passive House MA)

Woburn

Gail Page (Steering Committee Member of Green Sanctuary of the Unitarian
Universalist Church of Reading)

Worcester

Etel Haxhiaj (City Councilor)

Yarmouth Port

Susan Starkey (Co-Chair at Faith Communities Environmental Network)

Organizations

350 Central Mass
350 Mass
350 Mass Action
Berkshire Environment
Boston Catholic Climate
Boxford Sustainability
Canton Residents For A Sustainable Equitable Future
Chase Systems
Northampton City Council
Clean Heat Lexington Alliance
Clean Power Coalition
Climate Action Brookline
Climate Action Group, UU of Northampton
Climate Action Now
Climate Action Now Western Massachusetts (CAN)
Climate Reality Project
Commonwealth of MA Department of Correction
ConcordCAN
Eastie Farm
ECA
Eco-Nuclear Solutions
Elders Climate Action
Faith Communities Environment Network
FCCPR Climate Crisis Task Force
Food Bank of Western Massachusetts
Found Objects Transformed
Greater Boston Physicians for Social Responsibility
Greater Energy Consumers Alliance
Green Logic Design
Green Maynard
Green Needham Collaborative
Green Newtown
Green Sanctuary of the Unitarian Universalist Church of Reading
Green Money MA
Health Link
HRI
Indivisible Acton Area
Jewish Climate Action Network
Lexington and Climate Action Network (LexCAN)
MAPA and QCAN Emmanuel Church of Boston
Mass Climate Action
Massachusetts Interfaith Power and Light

MassSolar
Mother's Out Front
Mother's Out Front Lexington
Newburyport Energy Advisory Committee
No Fracked Gas in Massachusetts
Passive House MA
PipeLine Awareness Network for the Northeast (PLAN-NE)
Progressive Massachusetts
Quincy Climate Action
Resilient Roses Respite Corp.
Self-Reliance Corp.
Sheffield Saves
Solstice Initiative
Sustainable Marblehead
Sustainable Middleboro
Sustainable South Hadley
Sustainable Wellesley
The Green Engineer, INC.
Tipping Point 01545
Town of Watertown
Two Degrees of Northampton
Unitarian Universal Mass Action
Watertown Faces Climate Action
Wendell State Force Alliance
WILPF, MAPA, FUSSN
Worcester City Council
Zero Carbon MA