



April 3, 2024

Department of Energy Resources
c/o Ian Finlayson, Deputy Director, Energy Efficiency Division
100 Cambridge Street, Suite 1020
Boston, MA 02114

Dear Mr. Finlayson:

The Nantucket Builders Association appreciates the opportunity to provide comments regarding the 2021 International Energy Code Council (IECC) Massachusetts Stretch Code.

On behalf of our membership, which represents over 300 Nantucket-based builders, contractors, design professionals, and others who help to drive the island's construction economy, we submit the following:

Variance Pathways

We urge the DOER to provide clearly defined variance pathways to address the inherent challenges of historic preservation, historic district restrictions, and affordability in building construction, particularly on Nantucket.

- **Historic Windows:** Nantucket, like many Massachusetts communities, has a rich and abundant stock of historically-significant structures. To ensure that these buildings remain authentic and contributing to the Nantucket National Historic Landmark, the Nantucket Historic District Commission (HDC) *requires* single glazed windows be used for buildings located in the island's historic core districts. However, the performance of these windows makes the ERI/HERS targets nearly impossible to achieve due to their poor performance.

One possible solution would be to model a “digital twin” using the code minimum for the building's window performance, along with all the other required components of the building. This comparative analysis would help demonstrate, or trigger, a “Variance” of the HERS requirements to allow for the integration of historical windows within these designated zones.

- **Historic Fabric not to be disturbed:** Similarly, if the interior fabric is to remain undisturbed due to historical preservation requirements, those areas of construction could be modeled as a digital twin to the code minimum to prove energy code compliance.
- **Solar permitting restrictions in historic districts:** While solar is possible and growing in popularity on Nantucket, all solar projects must be designed according to strict [historic](#)

[guidelines](#) and approved by the Nantucket Historic District Commission (HDC) prior to the issuance of a building permit. Concern and confusion remain about how certain building projects will meet stretch code compliance, or be enforced, if solar is not allowed by the local permitting authority.

- **Financial Hardships:** On Nantucket, where there is a severe shortage of affordable, year-round housing stock, and the cost of construction is naturally higher due to import premiums (on materials and labor), there is a pressing need for a variance pathway for demonstratable financial hardships, for both existing homes and new construction.

Hardship metrics should take into account local datapoints, such as the actual costs of construction per county.

We are therefore supportive of an alternative compliance path for structures—new construction, renovations and additions—when located within a federally-designated historic landmark district. The need for a “Good Cause” variance process for challenging permit applications cannot be overstated.

Support for Building Commissioners, Inspectors, and Specialty Inspectors

We also urge that the DOER provide additional training for local permitting officials in a convenient and easy to access format. With electrification comes a greater need for education and training, such as for adequately sizing and selecting HVAC equipment (i.e., Manual J, D, S support).

Other suggestions for improving the engagement and education of permitting officials, contractors, and the general public include:

- Online trainings in HERS, ERI and Passive House pathways to support each compliance pathway.
- Hotlines for permitting officials
- Calendars of code adoption including ALL applicable codes with reference materials, which should be circulated widely with builders, homeowners, construction subcontractors and the general public, as well as maintained and posted on the DOER website.
- A checklist including best practice tips for new code features and technologies, which can serve as a helpful reference guide for information such as:
 - EV-charging infrastructure and best practice for electricians and electrical inspectors
 - Continuous insulation, vapor barriers and best practice assemblies for builders and homeowners
 - Heatpump hot water systems– tips and clarifications (i.e. can they be used for baseboard radiant heating?)

We thank you again for your consideration of our feedback. Should you have any questions, please do not hesitate to contact us as the information listed below.

Respectfully,

Frank Daily

Frank Daily; President
*On Behalf of the Board of Directors
Nantucket Builders Association*

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