

Town of Lexington



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**EXCERPT OF THE TOWN OF LEXINGTON
ANNUAL TOWN MEETING
HELD MONDAY, MARCH 18, 2024, 7:30 P.M.
CARY MEMORIAL BUILDING – BATTIN HALL
WITH ADJOURNED SESSIONS HELD
MARCH 20, 22, 27, and APRIL 1, 3, 8, 10, 24**

**ARTICLE 38 Amend Regulation of Fossil Fuel Infrastructure Bylaw – Meet
Department of Energy Resources (DOER) Requested Changes**

MOTION: Ms. Hai moves that the following sections of Chapter 106 of the Code of the Town of Lexington be amended as follows effective January 1, 2025 (new language in **bold** and deleted language ~~struck through~~ for reference only) and that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Code of the Town of Lexington:

(1) The definition of “Major Renovation” in Section 106-2:

“Major Renovation” shall mean a project associated with a valid building permit application filed on or after the Effective Date of this article that meets the definition of ~~Level 3 Alteration~~ **Major Renovation** as defined in 225 CMR ~~22 and 23~~ **24**:

- (a) **low-rise residential additions over 1,000 square feet and additions exceeding 100% of the conditioned floor area of the existing dwelling unit,**
- (b) **additions over 20,000 square feet and additions that exceed 100% of the conditioned floor areas of the existing building for all building use types except low-rise residential,**
- (c) **Level 3 Alterations as defined in the International Existing Building Code (IEBC 2021) (which exceed 50% of the existing conditioned floor area) exceeding 1,000 square feet for low rise residential, or exceeding 20,000 square feet for all other building uses, or**
- (d) **Change of use of over 1,000 square feet per International Energy Conservation Code (IECC 2021) Sections R505, or**
- (e) **change of use of over 20,000 square feet or change of use of 100% of the conditioned floor areas of the existing building for all building use types except low-rise residential, International Energy Conservation Code (IECC 2021) Sections C505.**

(2) Section 106-3 Applicability:

106- 3 Applicability

This Chapter shall apply to all building permit applications for New Buildings and Major Renovations proposed to be located in whole or in part within the Town, except that this Chapter shall not apply to:

- A. Research laboratories for scientific or medical research,
- B. Hospitals regulated by the department of public health as a health care facility,
- C. Medical offices regulated by the department of public health as a health care facility,
- D. Buildings heated with Clean Biomass Heating Systems as defined in 225 CMR 23 as the only combustion equipment,
- E. Multi-family buildings over 12,000 square feet with permit application filed prior to January 1, 2027 that utilize gas or propane for domestic water heating as the only combustion equipment,
- F. Utility service piping connecting the grid to a meter, or to a gas meter itself;
- G. The extension or modification of heating systems via HVAC system modification, or modification of radiator, steam, or hot water piping, provided new fossil fuel piping is not installed;
- H. Repairs of any existing portions of a fuel piping system deemed unsafe or dangerous by the Plumbing and Gas Fitting Inspector, or
- I. **For building permit applications for New Buildings and Major Renovations filed before December 31, 2024:** Piping required to fuel backup electrical generators, indoor or outdoor cooking appliances, indoor or outdoor fireplaces or fire features, or appliances for outdoor heating; or
- J. **For building permit applications for New Buildings and Major Renovations filed on or after January 1, 2025:** Piping required to fuel backup electrical generators, outdoor cooking appliances, outdoor fireplaces or fire features, or appliances for outdoor heating.

Following remote electronic vote tallying, the Moderator declared that:

Motion to Approve Article 38 – Amend Regulation of Fossil Fuel Infrastructure Bylaw – Meet Department of Energy Resources (DOER) Request Changes.

Adopted by a vote of:

Yes	No	Abstain
125	26	7

MOTION CARRIES