



DEVENS HOUSING AND HISTORIC DISTRICT REGULATIONS FREQUENTLY ASKED QUESTIONS (FAQ's):

Residential properties within Devens generally fall into two categories: those within the Historic District and those outside. A map of the Devens Historic District is included on the last page of this document. All residential properties are required to comply with the requirements of [sections 5.03-5.07 of the Devens Enterprise Commission \(DEC\) Rules and Regulations](#). Properties within the Historic District fall within three distinct sub-districts: 1. The Elm and Walnut Streets Architectural Protection District; 2. The Auman Street Architectural Protection District, and; 3. The Bates Street Architectural Protection District. There are a number of additional specific Design Standards and Guidelines for each of these districts that all property owners are required to comply with when proposing any modification and/or alteration of their historic property and/or structure. A full copy of the Historic District Residential Design Standards and Guidelines, Devens Bylaw and Rules and Regulations are available [on-line](#). Properties within the Historic District are also subject to additional requirements under [section 7.00 of the DEC Rules and Regulations](#).

Devens Homeowner and Condominium Association Bylaws also contain a number of restrictions and requirements for homeowners, so please ensure you review these as well prior to commencing your project. Although the Devens Enterprise Commission does not enforce these Association Bylaws, we have included on-line links to these documents on our [Devens Residents page](#) of our website for ease of reference.

The DEC recognizes the complexity of these regulations. In an effort to provide residents with additional guidance, we have compiled some answers to common questions that many homeowners on Devens have with respect to property improvements. This is not a complete list. **Before you start planning a home improvement project, please review these FAQ's or contact our office (contact info. at the bottom of the page). We will be happy to answer questions and help guide you through any permitting processes that may be required.**

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[*What is the difference between a "historic structure" and a "contributing historic structure"?*](#)

Who oversees development and home/property improvement projects in Devens?

There are three separate entities that oversee residential development in Devens – The Devens Enterprise Commission, MassDevelopment and the Massachusetts Historic Commission. The Devens Enterprise Commission (DEC) is the local permitting authority for development at Devens. Like a traditional town Building and/or Zoning Department, the DEC acts as the local permitting authority and issues all permits for building, electrical, plumbing, gas, and historic property alterations. In certain instances, the DEC also acts as the local Board of Health. MassDevelopment serves as the utility and infrastructure provider (public works) for Devens and is also in charge of roads, streetlights and other public services such as police, fire, education, recreation services, property assessment and tax collection. The Massachusetts Historic Commission (MHC) is a state entity established by the legislature in 1963 to identify, evaluate, and protect important historical and archaeological assets of the Commonwealth. Most proposed alterations to any structure within the Devens Historic District require referral and review by the MHC through a Project Notification Form. The DEC can assist you with this process. Most homes within Devens also fall under the private jurisdiction of the Devens Homeowners Association or Condominium Associations (HOA's). These Associations also have private bylaws (not enforceable by the DEC) that you should be aware of. Please contact [Alpine Property Management](#) for additional details.

What is the process for making changes to my residential property at Devens?

Most proposed changes or alterations to your property will require review by the DEC prior to commencement. **The DEC encourages a preliminary meeting with staff to discuss your project.** Before making any expenditures, you should have an idea of what is involved. First you should review the [Devens By-Laws](#) and [Rules and Regulations](#) to determine if the proposed use/activity is allowed. For properties that are part of the condominium/homeowners associations (HOA's) approval for the project must be received from the HOA. Any replacement/remodeling of a historic structure must duplicate the item being replaced in size, massing, profile and materials and must meet the standards of all applicable building codes. Depending on the scope and scale of the project, a Project Notification Form may be required to be filed with the Massachusetts Historic Commission (MHC), 220 Morrissey Boulevard, Boston, MA 02125 <http://www.sec.state.ma.us/mhc/mhccon.htm> with accompanying documentation demonstrating compliance with the Protection District Design Standards and Guidelines. After approval from MHC (up to 30 days from filing), the DEC will either 1) conduct any public hearing that may be required and issue a record of decision for the project, or 2) issue any permits/decisions administratively. Items of routine maintenance, such as painting of a doorway or trim, replacement of roofing materials, repairs to gutters and downspouts or repointing of brick, can be handled administratively by DEC Staff and do not require approval of MHC. All repairs must be carried out in such a way so as not to adversely affect the integrity of the building or change the appearance of the property and must be identical to the existing material and follow the [Protection District Design Standards and Guidelines](#).

Can I have window mounted air conditioners in the Historic District?

The removal of window sash and the installation of permanently fixed panels to accommodate air conditioners or fans is prohibited. (Devens Housing Redevelopment Historic Preservation Plan Section 6 Pg. 11). Window mounted removable air conditioners are allowed. Whole house air conditioning units are also allowed. The units should be located in the rear of the building and screened by landscaping.

The Garage Master Plan allows for garages in various predetermined places within the Historic District. Can I vary the location?

The Record of Decision for the Garage Master Plans states: "Garages constructed through a Level I permitting process must utilize approved historic designs submitted as part of the package (sketches A-1, A-2, and A-3). Garages may be resized smaller, but retaining same detailing and proportions and not require a Level II review (but require the submission of detailed building permit plans). Any increase in size beyond the prototypes is Level II." The location may be varied, but you must secure approval from the DEC and go through a Level II permitting process. Fire sprinklers are required for attached garages.

Can I build an expansion or addition to my house?

Architectural changes that increase the height of the structure or that substantially alter the profile or historic façade of a historic and/or contributing historic structure are not allowed. Additions to individual buildings may be allowed on a case-by-case basis however any addition must be compatible with the style and materials of the structure and will require Mass Historic Commission approval, Devens Homeowners Association authorization, and a building permit from the Devens Enterprise Commission.

What steps do I need to follow before digging into the soil?

Consult with the Devens Enterprise Commission, read the [Devens Soil Management Policy](#). Call Dig Safe (1-888-DIGSAFE) and if digging into the soil at the Grant Housing Area, read the brochure [Information on the Former Military use of the Grant Road Housing Area](#).

Can I have a hot tub or pool located on my Historic District property?

Yes, however private outdoor hot tubs and swimming pools are regulated by the State Building Code and require a barrier or a fence, wall, a building wall or combination thereof which completely surrounds the swimming pool and/or hot tub and obstructs access to the pool and/or hot tub. If a portion of the barrier is visible from a public way, it must be visually impermeable. Hot tubs and pools must be located behind the rear line of the principle building. These require a building permit from the DEC. Additional requirements can be found under 974 CMR 5.03(6) at <http://www.devensec.com/devserv.html>.

Can I put a fence on my property within the Historic District?

Yes, fences are permitted as long as they are placed so that vehicle sight lines are not restricted. Any proposed fence must be natural wood (painted or natural) and may not exceed 6'0" in height measured from mean grade to top of post, picket, board or panel. No fences are allowed in the front yard between houses and the street (Devens Housing Redevelopment Historic Preservation Plan Section 6, Pg. 7).

Can I add a stone wall or fence in my front yard?

No. Adding a stone wall or fence is not allowed in the front yard. No fences are allowed in landscaped areas between the multifamily buildings or between individual buildings and the street given the scale and formality of the buildings (Devens Housing Redevelopment Historic Preservation Plan).

I want to install a new screen door, what's the process?

First check with the homeowners association. Per the Apsen's "Devens Development Project the Estates at Harvard Hills, Devens Massachusetts dated June 2001 "New storm doors will be full-light with white aluminum frames." (Page 4 of the report). This report includes specifications for the storm doors. A DEC permit is not required, other than notification that the work will be taking place.

What is the process for removing trees from my property?

In all cases the homeowner should contact the Devens Enterprise Commission **prior** to removing any trees from their property. Trees observed too close to buildings may be permitted to be removed to prevent potential structural damage to the foundation from roots or to roofs from falling branches (Historic District Guidelines, Section 6 Pg. 34). In all other cases, unless there are visible signs of stress or infestation, the DEC will request a letter from a MA certified arborist stating that the tree poses a hazard before authorizing its removal. In an emergency situation, the DEC may accept a letter or conclusive photographic evidence after the fact. Unauthorized removal of trees may result in the homeowner having to replace twice the caliper inches of the tree removed elsewhere on their property.

Do you have a list of appropriate landscaping for the historic district?

The existing ornamental shrubbery within the historic district generally consists of arborvitae and yew foundation plantings. Any new proposed shrub plantings should be of the same variety. Within the historic district, the following urban-tolerant trees are recommended: Maidenhair Tree (*Ginkgo biloba-male*), Honey locust (*Gleditsia triacanthos*), London Plane Trees 'Bloodgood' (*Platanus acerifolia 'Bloodgood'*), Bradford or Aristocrat Pear or 'Aristocrat' (*Pyrus calleryana 'Bradford'*), European Littleleaf Linden (except on streets with on-street parking) (*Tilia cordata*), 'Village Green' Zelcova (*Zelcova serrata 'Village Green'*). Additional recommended tree species can be found under 974 CMR 3.06 Appendix A at <http://www.devensec.com/devserv.html>.

Can I operate a home-occupation and/or business from my home?

Yes. Home occupations and businesses are permitted, upon review and approval by the DEC. They must be clearly incidental and secondary to the use of the dwelling as a residence, shall be located entirely within the dwelling unit, and shall not change the residential character of the premises. The DEC Development Rules and Regulations contain a number of requirements regarding home occupations and businesses to avoid any nuisance issues and to ensure the residential character of the property is maintained. See [974 CMR 5.04](#) of the DEC Rules and Regulations for full details.

Am I allowed to have signs on my property within the Historic District?

In residential areas, occupants with a DEC approved home business or home occupation, may erect a single 2 square foot freestanding or building mounted accessory sign, showing name and address of the permitted home occupation. Any proposed signage is subject to review by the Massachusetts Historical Commission (MHC) and also requires a sign permit from the DEC (DEC Regulations 6.04). The DEC may allow signs of a form not otherwise permitted by 974 CMR 6.00 or allow signs to be mounted in locations not otherwise permitted by 974 CMR 6.00, if, in their opinion, such sign may more appropriately fit with the character the premises and the district. (DEC Regulations 974 CMR 6.04). This provides for some flexibility in the design of the sign based on any potential historic concerns.

Can I have an accessory or in-law apartment?

Yes. Accessory apartments are permitted in single family dwellings. Accessory apartments may be located in the same structure as the principal dwelling or in combination with space for a permitted home occupation or business, a garage, or other allowed accessory use, or as a separate structure itself, provided that the total gross square feet of the accessory apartment, whether within the same structure or a separate one, is limited to 25% of the floor area of the principal dwelling. Dwellings with accessory apartments shall retain the appearance of single-family dwellings. An accessory apartment within the dwelling is a Level One permit, an accessory apartment in a detached structure is a Level Two permit.

Can I locate a shed on my property within the historic district?

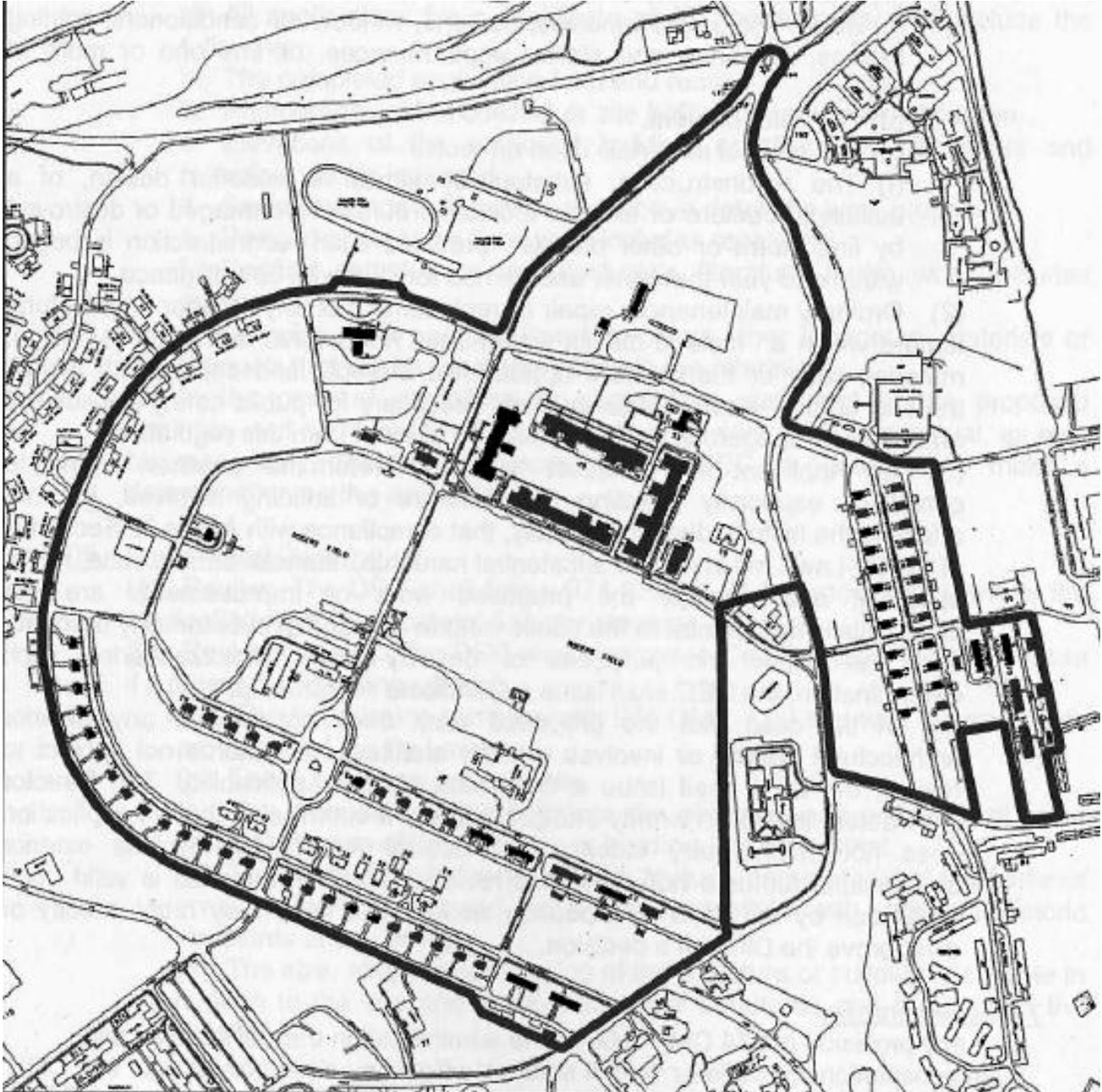
Yes. One (1) freestanding outbuilding such as a storage shed is allowed under certain circumstances. Sheds require a permit from the Devens Enterprise Commission. For the DEC to issue a permit, the shed must be no larger than 120 sq.ft., not placed on permanent foundations, located behind the house (not in side yard), not visible from any street, and located at least 5 feet from the side and rear property boundaries.

What is the difference between a “historic structure” and a “contributing historic structure”?

A “historic structure” is a property that is subject to specific Protection District Design Standards and Guidelines on Devens, in addition to the Massachusetts Historical Commission review requirements. A “contributing historic structure” does not have as detailed Design Standards and Guidelines, however, because of its location within close proximity to historic structures, improvements to contributing historic structures and their properties, may still be subject to review by the DEC and the Massachusetts Historical Commission.

Before you start planning a home improvement project, feel free to contact the DEC. We would be glad to answer and questions and help guide you through any permitting process that may be required.

Devens Historic District



-  - Historic Structures within the Devens Historic District Boundary
-  - Contributing Historic Structures within the Historic District Boundary

Historic Structure/Building:

A combination of materials forming a shelter for persons, animals or property, including but not limited to a garage, office, or shed as well as functional construction created for purposes other than creating shelter, including but not limited to a windmill, bridge, or gazebo. Historic structure/building may also be used to refer to an historically and functionally related unit, such as a house and barn.

Contributing Historic Structure:

An historic structure that adds to the historic architectural qualities, historic associations, or archaeological values for which a property or district is significant, including all detached structures on an historic property which contribute to the above qualities.

These Definitions are based primarily on the National/Massachusetts Register of Historic Places and the National Historic Preservation Act.