

Record of Decision
REFRAME SYSTEMS
100 Adams Circle (Parcel ID#0.26.0-00013-0600.0)
Devens (Harvard), MA
October 9, 2025

1. Owner & Applicant:

The landowner is MassDevelopment Finance Agency, 99 High Street, 11th Floor, Boston, MA 02110. The Applicant is Reframe Systems, 30 Lowell Junction Road, Andover, MA 01810.

2. Premises and Proposed Project:

The Applicant is seeking a Level 2 Unified Permit (#D25-009) for an Innovative Residential Development Definitive Subdivision, and Site Plan approval to create six (6) lots and construct six (6) modular construction duplexes (12 residential units total) and associated site improvements. Property located at 100 Adams Circle (parcel ID# 026.0-0010-0100.0), Devens (Harvard), MA (Deed Reference: Bk 17907 pg. 001) in the Residential II District and Watershed Water Resource Protection Overlay District.

3. Submission:

The application includes the following, which all become part of the record:

1. Level 2 Unified permit Application package (D25-008), prepared by Reframe Systems 30 Lowell Junction Road, Andover, MA 01810 for 25 Adams Circle, Devens, MA, including the following:
 - a. Cover letter/Inclusions (1 page)
 - b. Draft Level One Lotting Plan, dated 6/12/25, prepared by WSP USA, Inc. 10 Al Paul Lane, Suite 103, Merrimack, NH 03054
 - c. Traffic Memo, dated July 31, 2025 to Alex Walter, from Chris Droznek, and Austin Lucas (5 pages);
 - d. Stormwater Report: Multi-Family Development, 25 Adams Circle; prepared by CIVIL & ENVIRONMENTAL CONSULTANTS, INC. (CEC), 2 CORPORATION WAY, PEABODY, MASSACHUSETTS 01960 (154 pages);
 - e. Geotechnical Report, dated May 23, 2025, prepared by CEC (37 pages);
 - f. Exterior Renderings & Material Specifications, 25 Adams Circle, Lots 9-14 L2 Unified Permit Submission, prepared by Reframe Systems (8 pages);
 - g. Exterior Equipment Specs (9 pages);
 - h. HERS Certificate Projected Report based on plans, dated 6/30/25, completed by Nicole Berger Innova Building Advisors, LLC. (1 page)
 - i. Construction Cost Estimate prepared by Reframe;
 - j. Proposed Construction Schedule by Reframe;
 - k. Completed Industrial Performance Standards Checklist
 - l. Completed Embodied Carbon Reduction Checklist;
 - m. Completed LEED ND Checklist;
 - n. Architectural Plan set entitled: "25 Adams Circle, Levels 2 Site Plan Submission", Sheets A000-A301 (18 sheets); dated 8/5/25, prepared by Reframe Systems,
 - o. Certified Abutters List for 100 Adams Circle (026.0-0010-0100.0)
 - p. Site Plans entitled: "Reframe Systems Multi-Family Development, 25 Adams Circle, Devens, MA", dated July 31, 2025, prepared by CEC (16 sheets);
 - q. 25 Adams Circle Project Narrative, prepared by Reframe Systems (2 pages);
 - r. Completed Level 2 Unified Permit Application Form;
2. Corrected Public Hearing Notice to abutters and interested parties (including certified mail return receipts) dated August 15, 2025;
3. Public Hearing legal notice publication memo to Nashoba Publications, dated August 13, 2025 (publication dates August 29 and September 5, 2025), including

- copies of publications;
4. Public Hearing Notice to Board of Selectman and Planning Boards, Towns of Ayer, Harvard and Shirley, dated August 13, 2025 from Neil Angus, Director DEC;
 5. Public Hearing Notice to Town Clerks of Ayer, Harvard, Shirley, Lancaster, MassDevelopment, dated August 13, 2025, from Neil Angus/Dawn Babcock.
 6. Community Cable Advisory Committee notice, dated August 13, 2025, to run August 13, through August 26, 2025;
 7. Public Hearing Notice to the Secretary of State, dated August 13, 2025.
 8. Determination of Completeness, dated August 12, 2025, signed by Neil Angus.
 9. Plan Circulation memo dated August 12, 2025, from Neil Angus to MassDevelopment Re: Level 2 Unified Permit – Adams Circle IRD Subdivision – Plan Circulation (1 Page);
 10. Peer Review Engineering comments from Kathryn Piasecki and Sandy Brock, Nitsch Engineering, to Neil Angus, dated August 21, 2025 (5 pages);
 11. DEC Review comments to Applicant, dated September 2, 2025 (3 pages);
 12. DEC Staff report, dated September 25, 2025 (6 pages)
 13. Design Review Letter from MassDevelopment, dated November 4, 2010 from George Ramirez, EVP Devens Operations, regarding MassDevelopment’s agreement to maintain and improve Adams Circle as a Public Way (1 page);
 14. Architectural Plan set entitled: “25 Adams Circle, Levels 2 Site Plan Submission”, Sheet A000; dated 8/5/25, revised through 9/16/25; prepared by Reframe Systems,
 15. Waiver Request letter from Jillian Wahl, Reframe Systems to Neil Angus (1 page), dated September 23, 2025;
 16. Revised Site and Phasing Plan (Sheet A110), dated 3/28/25, revised through 9/16/25; prepared by Reframe Systems;
 17. Design Review Letter from Erikk Hokenson to Neil Angus, RE: Level 2 Unified Permit Application for Adams Circle IRD Subdivision; dated September 26, 2025 (1 page);
 18. Mullin Rule Affidavit from Commissioner Melissa Fetterhoff, dated 10/6/25;
 19. Revised Site Plans Entitled: “Reframe Systems Multi-Family Development, 25 Adams Circle, Devens, MA”, dated July 31, 2025, revised through 9/15/25; prepared by CEC, (15 sheets);
 20. Response to Comments letter from Reframe Systems to Neil Angus, dated September 16, 2025; Re: Adams Circle Innovative Residential Development Level II Unified Permit Application (#D25-008) (7 pages);
 21. Letter from John Marc-Aurele to Jillian Wahl re: summary of proposed roadway improvements for Adams Circle (no date) (1 page);
 22. Adams Circle Unit Safety and Fire Access memo from Jillian Wahl, Reframe Systems, dated 9/15/25 (1 page);
 23. 25 - 35 Adams Circle, Devens, MA HOA Maintenance Plan [DRAFT]; dated 9-15-25 (5 pages);
 24. Outdoor lighting fixture detail – Blok E23216-BK, from Contemporary Lighting;
 25. Response to Nitsch Engineering Stormwater Review Comments, from CEC; dated September 16, 2025 (9 pages);
 26. Revised Stormwater Report: Multi-Family Development, 25 Adams Circle; prepared by CEC, dated July 2025, revised through September 2025 (153 pages);

27. Peer Review Engineering comments from Kathryn Piasecki and Sandy Brock, Nitsch Engineering, to Neil Angus, dated September 24, 2025 (9 pages);
28. DEC Review comments to Applicant, dated September 24, 2025 (6 pages);
29. Exterior Renderings & Material Specifications , 25 Adams Circle, Lots 9-14 L2 Unified Permit Submission (updated 9/30/25), prepared by Reframe Systems (9 pages);
30. Reframe Response to Nitsch Engineering 9/24/25 Peer Review comments, dated September 30, 2025
31. Reframe Systems Schedules - Architectural, Plumbing, Electric, Acc. (Sheet A052), dated 3/28/25, revised through 9/9/25;
32. 25 - 35 Adams Circle, Devens, MA HOA Maintenance Plan [DRAFT]; dated 9-25-25 (6 pages);
33. Reframe Response to DEC Review comments, dated September 30, 2025 (8 pages);
34. Draft Record of Decision for Reframe Systems 6-lot Innovative Residential Subdivision, dated 10/9/25;
35. DEC Agenda for October 9, 2025 public hearing continuance, posted in the Towns of Ayer, Harvard, and Shirley Town Halls on October 6, 2025.
36. Mullin Rule Affidavit from Commissioner Paul Routhier, dated 10/7/25;
37. Email correspondence as follows:

To:	From:	Date:	Subject:
Neil Angus	Jillian Whal	8/5/25	Re 25 Adams Circle - Submission protocol
Neil Angus	Erikk Hokenson	8/11/25	RE: 25 Adams Circle - Submission protocol
Neil Angus	Jillian Whal	8/5/25	25 Adams - L2 Digital Submission
Neil Angus	Jillian Whal	8/5/25	Re 25 Adams Circle - Submission protocol 1
Neil Angus	Erikk Hokenson	8/11/25	RE: 25 Adams Circle - Submission protocol
Neil Angus	Kathryn Piasecki	8/21/25	25 Adams Circle - Stormwater Review Letter
Alex Walter	Neil Angus	8/14/25	RE 25 Adams Circle - Unit Affordability
Mark Cohen	John Marc-Aurele	8/13/25	RE Plan Circulation - Reframe Subdivision - Adams Circle john
Neil Angus	Mark Cohen	8/13/25	RE Plan Circulation - Reframe Subdivision - Adams Circle mark
Neil Angus	Jillian Whal	9/25/25	Re 25 Adams Circle - Response package
Neil Angus	Erikk Hokenson	9/26/25	Reframe Subdivision Design Review
Neil Angus	Jim Verner	9/26/25	RE Reframe Subdivision - Adams Circle Revised Submission 1'
Neil Angus	Mark Cohen	9/25/25	RE: Reframe Subdivision - Adams Circle Revised Submission
John Marc-Aurele	Neil Angus	10/2/25	RE: Adams Circle - Reframe Subdivision
Jillian Wahl	Neil Angus	10/7/25	Adams Circle Draft ROD
Neil Angus	John Marc-Aurele	10/8/25	Re: Adams Circle Draft ROD
Neil Angus	Jillian Whal	10/8/25	Re: Adams Circle Draft ROD

4. Unified Permit Components and Actions:

The Unified Permit for this project includes an Innovative Residential Development Definitive Subdivision, and Site Plan approval to create six (6) lots and construct six (6) modular construction duplexes (12 residential units total) and associated site improvements. Property located at 100 Adams Circle (parcel ID# 026.0-0010-0100.0), Devens (Harvard), MA (Deed Reference: Bk 17907 pg. 001) in the Residential II District and Watershed Water Resource Protection Overlay District.

5. Process:

The Applicant submitted a Level II Unified Permit application package on August 5, 2025. The pre-permitting conference was completed on July 1, 2025 and the

Determination of Completeness was issued on August 12, 2025. Copies of the application and plans were received by the surrounding Towns on August 13, 2025. Legal notices were placed in Nashoba Publications on August 29, 2025 and September 5, 2025. Certified Mail notice was sent to all abutting property owners on August 13, 2025. The 30-day town comment period expired on September 14, 2025. No public comments were received. The public hearing opened on September 30, 2025 and was continued to October 9, 2025 and closed that same day.

6. Waivers:

The Applicant requested the following waivers as part of this application.

974 CMR 3.02(3)(b)6.a. show all trees 12" caliper or greater within 100 feet of the property boundary.

The limits of clearing /grading have been revised to avoid removal of any vegetation along the rear of the property boundaries and these areas will be permanently protected through a Conservation Restriction.

974 CMR 3.04(1)(a): Front Yard Setback of 25 feet.

The front porches (non-habitable space) of the homes on lots 10, 12, and 14 encroach approximately 6 feet into the front yard setback. This helps reduce driveway lengths, shift the homes further from the rear slope areas, and bring homes closer to the sidewalks and streets (improved social interaction). The principle structures all remain compliant with the 25' front yard setback.

The Commission voted unanimously to grant both waiver requests, subject to the conditions of approval in Section 8 of this Unified Permit.

7. Findings:

The DEC finds that:

1. The proposed residential use is allowed in the Residential II District as per Exhibit D of the Devens Bylaws and the proposed lot sizes are in accordance with the minimum required lot size for new development in the Residential II District.
2. The proposed project, with conditions, is superior to a conventional plan in the way it preserves open space, minimizes environmental disruption and allows for more efficient provision of services to the residents of the development than a conventional development approach and complies with the Innovative Residential Development II regulations under 974 CMR 5.02(2) by including building designs that greatly exceed minimum state energy and water efficiency codes.
3. MassDevelopment has agreed in writing to upgrade and continue to maintain the existing way (Adams Circle) as a public way until official acceptance, including sidewalks, curbing, street trees, hydrants, utilities, and stormwater management system treating all runoff from Adams Circle prior to discharging to Willow Brook.
4. The site is a previous developed site that has been remediated to unrestricted development standards for residential use as per the MA Department of Environmental Protection.
5. The Devens Reuse Plan calls for accommodating the needs of a broad range of income groups and "...approximately 25% of the 282 units...will be reserved for low

and moderate income individuals or families and/or special needs populations”. The Applicant has included both low and moderate income dwelling units to maintain this 25%.

6. The project is located within a Watershed Water Resources Protection District. The final plans, with the conditions listed herein, comply with the Stormwater Management Provisions and Water Resource Protection District Regulations in 974 CMR 4.08 to protect the ground and surface water resources through the implementation of best management practices during construction as well as long-term.
7. The on-site Storm Water Management system has been designed so that there are no untreated discharges from the site– all runoff will be pretreated through an on-site treatment train that includes on-site infiltration, and mechanical filtration. Discharges from the site, with conditions, have been designed to meet the MA DEP SWM Standards and DEC regulations and comply with the US EPA MS4 requirements. Any discharge to the Devens Municipal Stormwater System is under the jurisdiction of and subject to the review and approval of the Devens Engineering Department.
8. The bio-swale serves a linear/barrier function different from a traditional detention pond and therefore still meets the decentralized stormwater management requirement in 974 4.08(4)(a). The bioswale is two (2) feet in effective depth and therefore does not require fencing as per the Massachusetts Stormwater Handbook.
9. Regarding the approval criteria listed in 974 CMR 2.04 (Definitive Subdivision):
 - (a) The proposed project complies with 974 CMR 2.00 and the applicable provisions of the By-Laws.
 - (b) Proposed public improvements to be undertaken by MassDevelopment along Adams Circle will comply with 974 CMR 2.07.
 - (c) Adams Circle is a publicly accessible way and connects to and is accessible from a public way.
 - (d) Adams Circle improvements to be undertaken by MassDevelopment will provide for safe vehicular and pedestrian travel in accordance with 974 CMR 2.07: Table Street Design Standards by Classification.
 - (e) Adams Circle provides access to adjoining property not yet subdivided.
 - (f) Admas Circle is in alignment with existing ways in the Devens street system, and is an appropriate width. Admas Circle is continuous, and is connected to ensure free movement of vehicular traffic.
 - (g) MassDevelopment maintains Adams Circle as a public way.
 - (h) Street drainage will be upgraded by MassDevelopment in accordance with 974 CMR 2.07 and 4.08.
 - (i) Storm drains, culverts, and related installations, both surface and subsurface, will be designed by MassDevelopment to provide for safe unimpeded flow of natural water courses, drainage of low areas along streets, and to intercept stormwater run-off along streets at intervals reasonably related to the surface type, grade, and acreage area drained. Connections exist and will be provided to the existing drainage system and any new drains shall be extended to adjacent lands in order to provide for their future continuation.
 - (j) Adequate water supply exists in terms of quantity, quality, and water pressure, for existing, proposed, and future residential development along Adams Circle.

- (k) Water mains, laterals, and appurtenances will be designed to provide adequate water service for the needs of future development of the subdivision and for fire protection. The minimum size of a water main shall be in accordance with 974 CMR 2.07.
 - (l) The sewer system has adequate capacity for discharge from for existing, proposed, and future residential development along Adams Circle.
 - (m) Sanitary sewers including all appurtenances will be designed to serve all lots in the subdivision and to provide connection to the Devens sewerage system.
 - (n) The Adams Circle street name will be posted and is in keeping with the character of Devens.
 - (o) Required public landscaping improvements will be located entirely within the right-of-way and are designed to provide visual and climactic relief from broad expanses of pavement, to create separations between vehicular and pedestrian circulation, and to enhance the natural and rural campus-like character of Devens.
 - (p) Indigenous (native) plant material will be used to maintain ecological diversity and prevention of local and regional decimation of tree cover by a single disease. Existing healthy, mature vegetation within and adjacent to the right-of-way is retained to the maximum extent feasible.
 - (q) The incorporation of sidewalks into the right-of-way of subdivision streets will support and enhance safe pedestrian circulation by providing separate, dedicated pedestrian paths, thereby reducing potential conflict with vehicular and bicycle circulation occurring within the roadbed.
 - (r) Sidewalks will be designed to be universally accessible and to contribute to an overall network of sidewalks that ultimately will become a continuous and predictable system of walkways offering safe connections from any combination of pedestrian generators and destinations.
 - (s) Trails shown on the Trail Master Plan have been constructed and adequate connectors to the main trail system exist and additional informal connections to open space will be provided.
10. Regarding the Site Plan approval criteria listed in 974 CMR 3.03(2):
- (a) The plans, with conditions, comply with 974 CMR 3.00 and the applicable provisions of the By-Laws.
 - (b) The development lies on a lot that is recorded at the Registry of Deeds.
 - (c) The application is Complete.
 - (d) All access is designed to provide for safe vehicular and pedestrian travel.
 - (e) Access and circulation enables prompt fire, police, and emergency response.
 - (f) Adequate capture and discharge of stormwater and surface water runoff and compliance with applicable portions of the "Devens Stormwater Pollution Prevention Plan" has been achieved.
 - (g) Connections with Devens utility, power and communication systems exist and new connections will be approved by MassDevelopment.
 - (h) Facilities required under the Water Resources Protection Bylaw and the related Design Standards exist and will be included as per the conditions of approval.

- (i) The plans comply with Landscaping Design Standards through the preservation of existing specimen trees and naturally forested areas and proposed native plantings per conditions of approval.
- (j) A wetlands order of conditions is not applicable to this project.
- (k) Industrial Performance Standards will be adhered to as per the final plans and conditions of approval.
- (l) The Applicant has provided sufficient parking for the project utilizing on and off-street parking sufficient for the current and future proposed uses.
- (m) The project will not interfere with existing traffic patterns;
- (n) The applicant will participate in the Devens Transportation Management Initiative.
- (o) Adequate water supply exists in terms of quantity, quality, and water pressure for domestic needs and fire protection.
- (p) Connection to sanitary sewers will be made for this project.
- (q) The building designs meet the minimum standards as established by Mass Development for the district in which the lot is located.
- (r) Soil testing indicates that the soils are capable of supporting the proposed development and drainage design.
- (s) The development, with conditions, has been designed with due consideration for public health.
- (t) Adequate climate change mitigation, adaptation and greenhouse gas emission mitigation measures have been conditioned and incorporated in accordance with 974 CMR 4.11.

8. Conditions:

The DEC voted to impose the following conditions:

- 1) Wherever “Applicant” is referenced in the Conditions set forth herein, it refers to the Applicant, its successors and assigns. Wherever “DEC” or “Commission” is referenced, it shall refer to the Devens Enterprise Commission, its successors and assigns.
- 2) In accordance with the Devens By-Laws, Article III, Section K 1. a., no soil, loam, sand, gravel, or other earth materials shall be permanently removed from any lot within Devens, except in accordance with the Devens Soil Management Policy and approval from the DEC.
- 3) Prior to commencing any intrusive earth work within Devens (due diligence, construction of otherwise) all personnel to be on site shall view an Unexploded Ordinance/Munitions of Explosive Concern (UXO/MEC) video briefing provided by the Devens Fire Department.
- 4) Once the appeal period has expired, the Applicant shall submit final approved plans to the DEC for endorsement, along with a Level One Lotting plan for the creation of the lots. The Applicant shall file the Level One Lotting Plan and endorsed plans, along with the Record of Decision, with the Registry of Deeds and proof of recordation shall be submitted to the DEC prior to the issuance of a building permit.

- 5) Prior to commencement of construction, the Applicant shall submit a copy of all applicable federal, state, and local permits necessary for the construction and operation of the facility must be obtained, including, but not limited to, their Construction Stormwater Pollution Prevention Plan (SWPPP), EPA Construction General Permit, and Driveway curb cut permits/authorization from MD/Devens Public Works. Copies of permits issued by those other than the DEC must also be filed with the DEC prior to commencement of any construction.
- 6) Prior to commencement of construction, a pre-construction meeting shall be held. Limits of disturbance shall be flagged in the field and all necessary erosion controls and tree protection shall be inspected by DEC Staff. Additional controls shall be implemented at the discretion of the DEC or its Staff. A written report documenting compliance with the approved erosion and sedimentation controls shall be maintained by the developer and made available to the DEC for review upon request.
- 7) The Applicant shall provide As-Built Plans and accompanying information for all site improvements in accordance with the DEC As Built Policy, prior to issuance of a final Certificate of Occupancy.
- 8) For each unit, a compliance report which includes a Home Energy Rating System (HERS) index rating of sixty (60) or less, a description of the building's energy features, and a statement that the rating score is "based on plans", shall be submitted to the DEC prior to issuance of a building permit.
- 9) For each unit, final verification of the HERS index rating of sixty (60) or less and compliance with the requirements of the Energy Star Qualified Homes Thermal Bypass Inspection Checklist endorsed by a RESNET certified HERS rater (and the builder if required) shall be provided to the DEC, prior to issuance of a Certificate of Occupancy. Final verification shall also confirm the use of EPA Water Sense labeled plumbing fixtures or an approved equivalent.
- 10) Innovative Development Residential II energy efficiency requirements shall be memorialized in the deeds for each new lot to ensure any expansion and/or redevelopment of the lots complies to the increased energy efficiency requirements under 974 CMR 5.02(2). Each lot will be required to be recorded in the registry of deeds prior to issuance of building permits for any lots.
- 11) Deed restrictions and easements shall be provided for the bio-swale and forested areas on the rear of the lots, in a format acceptable to the DEC, prior to issuance of any certificates of occupancy.
- 12) Electric, water and sewer connections shall be provided to each unit. All existing utilities within the proposed lots that are not being reused shall be properly abandoned or removed.
- 13) The following off-site improvements will be completed prior to issuance of any certificates of occupancy:

- a. The storm water collection and treatment system along the frontage of the development project will be brought into compliance with current stormwater regulations.
- b. Utility services will be extended as needed to meet the requirements of condition #12.
- c. Sidewalks will be installed from the constructed units to provide safe pedestrian access to Cavite Street.
- d. The base course of pavement and any necessary curbing will be installed on Adams Circle, along the frontage of the development project.

All remaining street and utility improvements as listed in the Letter to Jillian Wahl, Reframe Systems from John Marc-Aurele, Director of Engineering, submitted on 9/17/25 (1 page) shall be completed in a timely manner in accordance with applicable laws.

- 14) Public access to the open space area to the east of the lots (Ley Hill) shall be maintained by MassDevelopment south of Lot 14.
- 15) Construction will be performed in two phases: Phase 1: Lots 9-13 and associated utility work, plus all site stormwater infrastructure, and Phase 2: Lot 14 and associated utility work.
- 16) The development is required to provide deed-restricted affordable units in the form of two (2) units at 80% AMI and (1) unit at 120% AMI. These units will be included in Phase 1 of the development and will be spread out throughout the subdivision and not clustered.
- 17) The Homeowners Association Maintenance Plan Draft (dated 9-25-25), shall be updated to address carports, landscape island maintenance, native landscaping requirements, invasive species management, parking restrictions on Adams Circle during snow emergencies, Devens TMA/Shuttle, and recycling. Waste management is the responsibility of the Association (except for yard waste). Final copies of the updated plan shall be provided to each unit owner.
- 18) The Stormwater Management report Project Narrative Introduction (1.1) shall be updated to certify that “the project complies with the requirements of 974 CMR 3.04(4), Stormwater Management Design Standards, and 974 CMR 4.08, General: Stormwater Management.”
- 19) Test pits and falling head soil permeability tests shall be performed within the proposed footprint of the bioswale prior to issuance of a building permit.
- 20) All homes shall be sprinklered with NFPA 13D system. Each carport will have [1] sprinkler head, as a side wall head from the main home. Due to helical pile foundation, details for freeze/thaw protection for water and sewer connections to buildings will be required as part of the building permit review.

- 21) Prior to endorsement, the final civil site plan set shall be updated to include the following:
- a. Existing conditions survey to include ties to the county boundary;
 - b. Updated phasing plan;
 - c. Affordable unit mix;
 - d. Compliant light fixture detail;
 - e. Shed details;
 - f. Erosion and sediment control notes on Sheets C100 and C101 to be consistent with 974 CMR 3.02(3)(e), including dust control;
 - g. All references to the Utility Company must reference MassDevelopment/Devens Utilities. Plan notes for hydrants on Sheets C100 and C101 still reference Devens Enterprise Commission. Need to reference Devens Utilities and Devens Fire Department.
 - h. Sheet C001 Grading Note 13 references Devens Enterprise Commission (DEC) but needs to reference Devens Soil Management Policy. Storm Drainage notes refer to DEC but should include MassDevelopment as well.
 - i. Fencing removed from rear of lots in slope/forested areas.
 - j. Individual trees to be removed identified on sheets C200 and C201.
 - k. Note requirement for all native plantings on plans (straight species where available);
 - l. Updates to landscaping plans including the following:
 - i. Bioswale hatching on sheets C700 and C701 shall be updated to more clearly distinguish proposed seed mixes and cover types;
 - ii. Invasive weeds listed in notes should be edited based on the invasives found at the site. Control plan specific to the invasives found on site.
 - iii. Construction entrance should specify the size of crushed stone – needs to be coarse enough to prevent mud from reaching roadways.
 - iv. Plant substitutions need to be approved by DEC.
 - v. New plantings will likely need to be watered for longer than 60 days.
 - vi. Clearly identify cover material between carports and sheds. Also provide detail for rear paving stone walkways and rear patios.
 - m. Proposed building area, impervious area, and permeable pavement area to be added to the zoning table on Sheet C200;
 - n. Remove details for hydrants and gate valves on Sheet C801 and note that MassDevelopment will be responsible for these improvements.
 - o. Plans shall conform to all Registry recording requirements.

9. Decision:

The Public Hearing opened on September 30, 2025 and closed on October 9, 2025 and the DEC voted to grant the requested waivers, issue findings, including that the application complied with Approval Criteria in 974 CMR 3.03(2), 974CMR 5.02(2), and 974 CMR 2.04, to impose conditions, and to approve the definitive subdivision, site plan and innovative residential development plan for the creation of six (6) lots and the construction of six (6) modular construction duplexes (12 residential units total) and associated site improvements. Property located at 100 Adams Circle (parcel ID# 026.0-

0010-0100.0), Devens, MA in the Residential II District and Watershed Water Resource Protection Overlay District.

10. Building Permits:

The Building Commissioner, along with the Electrical and Plumbing Inspectors, must review architectural/structural drawings and specifications and approve them in writing, prior to issuance of a building permit. All requirements in the Massachusetts Building Code, the Massachusetts Sanitary Code, and the Devens Fire Chief must be met. When this approval is obtained, building permits may then be integrated with this Record of Decision; together they will constitute the Unified Permit for this project and in turn, allow building construction to commence.

11. Permit Duration:

In accordance with 974 CMR 1.10, unified permits shall remain in effect so long as the approved activities commence within six months of the date of the DEC or the LUA produces a written decision and approved activities are completed within two years. It is further noted that there is a thirty-day “reconsideration period” during which an applicant, a Town, or an aggrieved person may request the DEC reconsider its action (By-Laws, Article IV, Sections C through F). Work performed during this period, which begins on October 10, 2025 and terminates November 10, 2025, is “at risk”. Final plans must be submitted to the Commission for endorsement by April 9, 2026.

Approved by:

Date

Neil Angus, FAICP, Director
Devens Enterprise Commission

Certification

Middlesex, SS

I certify the above is a true action and record of the Devens Enterprise Commission and that Neil Angus, Devens Land Use Administrator/Director, is empowered by the Devens Enterprise Commission to sign this Record of Decision on its behalf.

Date

Dawn Babcock, Notary
My Commission expires _____