Demolition Delay
Bylaws and Ordinances in Massachusetts

Providing a Window of Opportunity to Protect Significant Historic Resources
What do all of these buildings have in common?

- Vaughn-Hathaway House, 1750
- Old Corner Store, 1820
- Nahum Stetson House, 1820
- Abram Washburn House, 1825
Education and Advocacy

"Mendon's been caught by surprise," said Gary Smith, who has lived in Mendon since 1972. "You couldn't get a CVS or a McDonald's or a bank to come into town 10 years ago. There just wasn't enough population or traffic. Now there is, and it's a shame. It's a shame effect. It's CVS tomorrow, and then it's a Big-Mart. It's sad."

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Demolition Delay Bylaws and Ordinances

An effective tool to help protect significant historic resources in your community.

Established by town meeting or city council vote

Requires approval of the Local Historical Commission before a building (demolition) permit is granted

Delays demolition for a period of usually 6, 12 or 18 months.

Provides a window of opportunity for a positive outcome.
Demolition Delay Bylaws
Statewide Map

Does Your Town Have a Demolition Delay Bylaw?

Municipalities in Massachusetts with a Demolition Delay Bylaw

For more information on demolition delay bylaws, contact the Director of Local Government Programs at the Massachusetts Historical Commission, 220 Morrissey Boulevard, Boston, MA 02125 (617) 727-8470.

This map is for planning purposes only, based on material compiled by the Massachusetts Historical Commission.
## Demolition Delay Bylaws in Massachusetts

1. How Does a Demolition Delay Bylaw Work?
2. Types of Demolition Delay Bylaws
3. Success Stories with Demolition Delay
Demolition Delay Bylaws and Ordinances

1. How Do They Work?
Typical Steps in a Town with a Demolition Delay Bylaw.

1. The applicant goes to town hall to file the application to obtain the building (demolition) permit.

2. The building inspector notes that the building is subject to the demolition delay bylaw.

3. The building inspector forwards the application to the local historical commission.
Typical Steps in a Town with a Demolition Delay Bylaw.

4. The Historical Commission determines that the building is significant.

5. The Historical Commission holds a public hearing.

6. The Historical Commission determines that the building is preferably preserved.
Typical Steps in a Town with a Demolition Delay Bylaw.

7. The applicant cannot demolish the building during the delay period.

8. Alternatives to demolition are investigated and considered.

9. After the delay has expired, the building can be demolished so long as all other permits needed are obtained.
2. Types of Demolition Delay Bylaws in Massachusetts

- **Age**
- **Categorical**
- **List**
Demolition Delay Bylaws - Age Based

Properties meeting a certain age criteria are initially subject to review by the Local Historical Commission.

This type of bylaw is best for those towns that have not yet comprehensively identified historic resources in their community.
With this type of bylaw, all properties included in certain categories are subject to the demolition delay bylaw.

Categories might include inventoried properties, properties on the State Register of Historic Places or properties pending for inclusion on the National Register of Historic Places.
Demolition Delay Bylaws - List

Only Properties included on an address list maintained by the Historical Commission are subject to the demolition delay bylaw.

Easier for everyone to know what is subject to the demolition delay bylaw.

Must have a comprehensive inventory of historic resources in the community.
3. Demolition Delay Success Stories
Demolition Delay

Success Stories

Eastham, Massachusetts
Demolition Delay
Success Stories

Framingham, Massachusetts

Kendall Hotel was proposed for demolition to accommodate a chain drug store.

Residential building proposed for demolition due to a small subdivision.
Demolition Delay
Success Stories

Arlington, Massachusetts
Demolition Delay
Success Stories

Foster-Emerson House
Circa 1710

Listed on the
National Register of
Historic Places

Reading, Massachusetts
Demolition Delay
Success Stories

Cambridge

Reading

Peabody

Andover
Demolition Delay

Success Stories

Brookline
Lustron House - 1949

Newton
Kaplan House - 1946
Demolition Delay
Success Stories

Fowler-Clark Farm, located in Mattapan Circa 1800

One of just four farmhouses that date to between 1786 and 1806 identified in Boston. It may be the oldest of the four.
Even with demolition delay, there is no guarantee that a building will be saved.

1805 House
Dudley, Massachusetts
Other Bylaws to Consider

Local Historic Districts

Architectural Preservation Districts

Zoning Revisions

Community Preservation Act
Local Historic Districts

• Can guide appropriate changes and prevent inappropriate changes to structures.

• Can permanently prevent the demolition of significant structures.

• Requires a 2/3 majority vote of town meeting or city council

• Regulated by a Local Historic District Commission
Demolition Delay

Success Stories
Use the MHC Sample Demolition Delay Bylaw

This sample bylaw is based on demolition delay bylaws found throughout Massachusetts.