



## PLANNING BOARD

P.O. Box 1305  
Littleton, Massachusetts 01460

# FYI

Friday, March 29, 2013

### MODIFY OVER-55 HOUSING DEVELOPMENT SPECIAL PERMIT APPLICATION DECISION

**APPLICATION:** **MODIFY SPECIAL PERMIT FOR OVER 55 HOUSING DEVELOPMENT – VILLAGE AT REED MEADOW**

**PROPERTY LOCATION:** Reed Lane off Harvard Road, Littleton, Ma  
Map U-44, Parcels 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 7-11, 7-12, and 7-14

**DESCRIPTION:** Modify an Over 55 Housing Development Special Permit issued in December 2006 for Village at Reed Meadow to allow 4 additional duplex units.

**APPLICANT/OWNER:** Apple Valley Homes, Inc.  
9 Reed Lane  
Littleton, MA 01460

**ENGINEER:** Acton Survey & Engineering  
PO Box 666  
Acton, MA 01720

**DATES OF LEGAL NOTICES:** July 26, 2012 and August 2, 2012

**DATES OF HEARING:** August 9, September 6, September 27, October 11, and October 25, 2012

**MEMBERS PRESENT:** Mark Montanari, Gerald Portante, Don MacIver, Richard Crowley, and Peter Scott

**REFERENCE PLANS:** “Modification to Village at Reed Meadow”, Over 55 Housing Development, Reed Lane, Littleton, Massachusetts” (2 Sheets) Owner: Apple Valley Homes, Inc., dated October 31, 2006 consisting the following sheets: 1. Site Plan; and 2. Site Details Erosion & Sedimentation Control Plan **AND** “Plan of Land Village at Reed Meadow, Prepared for Apple Valley Homes, Inc.” dated March 4, 2013.

Following proper notice, the Littleton Planning Board held a public hearing on the above date to consider the application of Apple Valley Homes, Inc. to modify the Definitive Over 55 Housing Development according to Article XXIII of the Town of Littleton Zoning By-law, Sections 173-140 *et. seq.*

The Public Hearing was closed on October 25, 2012.

## Special Permit – Modify Over-55 Residential Development Special Permit – Reed Meadow

### FINDINGS

Following the Hearing, the Board, based on the application, and together with the materials and testimony provided at its hearing, made the following specific findings regarding the land in question and the proposed use:

1. The application substantially meets the submittal criteria set forth in Section 173-151 of the Bylaws.
2. The Board finds, pursuant to Section 173-152A, the additional dwellings do not detract from the ecological and visual qualities of the environment and are harmonious with the existing neighborhood and that the preservation of desirable open space of the vicinity is maximized.
3. The Board finds, pursuant to Section 173-152B that the applicant shall convey the approximately 3.80 acres of Open Space for Conservation/Municipal purposes prior to the issuance of any occupancy permits for the new duplex units. The approximately 3.80 acres of Open Space is shown on "Plan of Land" Village at Reed Meadow Prepared for Apple Valley Homes, dated March 4, 2103.
4. The Board finds that the developer has met the intent of section 173-161 Affordable Units, but the sale of Over-55 Units to individuals qualified to purchase affordable units has been severely limited by current economic conditions. As such, the Town has agreed to accept the offered donation of 7% of the final sales price of the new duplex units to be deposited with the Town for Affordable Housing, or In Support of Affordable Housing prior to occupancy permits being issued for those units. The minimum donation shall be \$50,000.
5. The Board finds, pursuant to Section 173-159 that the modified plan complies with all relevant requirements of the Zoning Bylaws and is on balance no less beneficial to the town than the development likely without such approval; and that the developer has offered to contribute to meeting housing need with the donation outlined above.

### DECISION

At the meeting held *Thursday, October 25, 2013*, a motion was made by Mr. MacIver and seconded by Mr. Portante to **grant** the application to **MODIFY the Over 55 Housing Development Special Permit approved December 2006** in accordance with the reference plans with the following **additional conditions**:

1. Subject to execution of the Conservation Restriction, the deed(s) for the revised Open Space parcel must be granted to the Town for Conservation/Municipal purposes prior to issuance of occupancy permits for the new duplex units;
2. The new total number of dwelling units shall not exceed 16, and this total number is restricted in perpetuity. No further subdivision of any lot is allowed.
3. The duplex units to be constructed on Lots H-1 and H-2 shall share a single septic disposal system, with a deeded maintenance agreement.
4. The Town has agreed to waive all affordability requirements for this project, in receipt of the donation as outlined in Finding #4 above.

**Special Permit – Modify Over-55 Residential Development Special Permit – Reed Meadow**

**Each member voted as follows:**

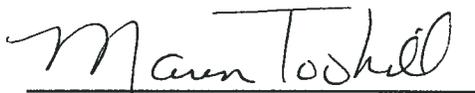
<b>Mark Montanari</b>	<b>AYE</b>
<b>Gerald Portante</b>	<b>AYE</b>
<b>Don MacIver</b>	<b>AYE</b>
<b>Richard Crowley</b>	<b>(Absent and not voting.)</b>
<b>Peter Scott</b>	<b>AYE</b>

**The wording of this decision was reviewed by Town Counsel, and the Planning Board confirmed the wording for this Special Permit modification at their meeting of March 28, 2013 by a vote of 5 to 0, on a motion from Mr. MacIver, seconded by Mr. Scott.**

**Appeals, if any, shall be made pursuant to Section 17 of Chapter 40A, Massachusetts G.L., and shall be filed within 20 days after the date this decision is filed with Town Clerk.**

**Signed:**

**Date Filed with Town Clerk:** March 29 2013

  
\_\_\_\_\_  
**Don MacIver, Clerk**

  
\_\_\_\_\_  
**Diane Crory, Town Clerk**

**TOWN CLERK CERTIFICATION:**

**To Whom It May Concern:**

I, Diane Crory, Clerk of the Town of Littleton hereby certify that twenty days have elapsed since the filing of this decision by the Planning Board for this Open Space Special Permit and that no appeal concerning said decision has been filed, or that any appeal that has been filed has been dismissed or denied.

**DATE:** \_\_\_\_\_

\_\_\_\_\_  
Diane Crory Town Clerk,  
Littleton, Mass.

APPROVAL UNDER ZONING CATEGORY 173 AGRICULTURE - 0403  
 SUBMITTED TO THE BOARD FOR REVIEW AND APPROVAL  
 DATE: 3/1/15

**LITTLETON PLANNING BOARD**

SEE GENERAL BOARD  
 DECISION FOR OWNER OF  
 LITTLETON PLANNING  
 BOARD RECORD NO. 238

REF: 1932 COUNTY LAYOUT

**LEGEND**

- CONCRETE STONE WALL
- ASBESTOS
- FRONT YARD LINE
- OPEN SPACE
- ROAD FROM ROAD
- ROAD FROM ROAD

LOTS 1-1, 2 & 3 ARE OWNERS OF A  
 COMMON INTEREST COMMUNITY  
 DEVELOPED BY THE PLANNING BOARD UNDER ARTICLE FOUR  
 OF THE BOARD'S BYLAWS

1. OWNER CERTIFY THAT THE PLAN WAS PREPARED IN  
 CONFORMANCE WITH THE RULES AND REGULATIONS OF  
 THE RECORDING OF DEEDS OF THE COMMONWEALTH OF  
 MASSACHUSETTS

3/1/15  
 PROFESSIONAL LAND SURVEYOR

LITTLETON, MASSACHUSETTS, OWNER OF COMMON  
 INTEREST COMMUNITY, HEREBY CERTIFY THAT THE  
 PLAN WAS PREPARED IN CONFORMANCE WITH THE  
 RULES AND REGULATIONS OF THE RECORDING OF  
 DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS  
 AND THE RECORDING OF DEEDS OF THE COMMONWEALTH  
 OF MASSACHUSETTS

OWNER SCALE  
 1" = 40 FT.

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 1" = 40 FT.

OWNER SCALE  
 1" = 40 FT.

**PLAN OF LAND**  
 VILLAGE AT REED MEADOW  
 LITTLETON, MASSACHUSETTS  
 PREPARED FOR OWNER OF RECORD  
 OPEN SPACE  
 LITTLETON, MA 01460  
 SCALE: 1" = 40'  
 DATE: MARCH 4, 2013  
 ACTION SURVEY & ENGINEERING, INC.  
 97 GREAT ROAD  
 P.O. BOX 668  
 LITTLETON, MA 01460  
 PHONE: (978) 283-2866  
 FAX: (978) 283-2868  
 SINCE 1967

