



PLANNING BOARD
P.O. BOX 1305
Littleton Massachusetts 01460

March 15, 2007

FORM D
Definitive Subdivision Approval
Reed Meadow Over-55 Development

APPLICATION: **DEFINITIVE SUBDIVISION 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

DESCRIPTION: Definitive Subdivision for over 55 Housing Development for Village at Reed Meadow, a 9 Lot, 12 Unit, Residential Over 55 Housing Development at Harvard Road, with approximately 4.37 acres of “Open Space” to be preserved for Conservation/Municipal passive recreation purposes.

APPLICANT/OWNER: Apple Valley Homes, Inc.
2 Orchid Drive
Littleton, MA 01460

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

DATES OF LEGAL NOTICES: February 1 and 8, 2007

DATE OF HEARING: February 22, 2007

MEMBERS PRESENT: Janet LaVigne, Mark Montanari, Gregg Champney, Steve Wheaton and Richard J. Dennis, Jr.

REFERENCE PLANS: “Village at Reed Meadow”, Over 55 Housing Development, Reed Lane, Littleton, Massachusetts” (6 Sheets) Owner: Apple Valley Homes, Inc., dated October 31, 2006 consisting of six sheets: 1. Cover Sheet; 2. Record Plan 1/5; 3. Lot Layout 2/5; 4. Site Plan 3/5; 5. Landscape Plan 4/5 and 6. Site Details 5/5

Following proper notice, the Littleton Planning Board held a public hearing on the above date to consider the application of Apple Valley Homes, Inc. for a Definitive Subdivision for Over 55 Housing Development according to Article XXIII of the Town of Littleton Zoning Bylaw, Sections 173-140 *et. seq.* The Public Hearing was closed on February 22, 2007.

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At the meeting held *Thursday, March 8, 2007*, a motion was made by Mr. Montanari and seconded by Mr. Dennis to **approve** the Definitive Subdivision in accordance with the reference plans with the following **conditions**:

1. All such installation and construction shall be completed within 24 months of this date or an extension of said time frame;
2. Subdivision Plans shall be recorded within 6 months of this date or this subdivision shall be automatically rescinded;
3. All drainage, pavement, landscaping, utilities, etc. shall be constructed as shown on the plans;
4. If all the houses in the development are not completed within two years from the time that the base course of pavement is installed, the developer shall reclaim and reinstall the 2 inches of base course prior to installing the top course of pavement if the Planning Board deems that is necessary;
5. Plantings within the development shall conform to the plans;
6. The developer shall pay the Town's costs of all construction inspections and consultations; all construction must be inspected at intervals approved by the Planning Board;
7. Subject to execution of the Conservation Restriction, the deed(s) for the Open Space must be granted to the Town for Conservation/Municipal purposes as directed by the Planning Board;
8. This approval is contingent upon receipt of all water and utility easements in conformity with the Plans;
9. This subdivision roadway and appurtenances shall remain in private ownership for perpetuity;
10. The walking trail parking lot access shall be constructed within Parcel A as shown on said plan;
11. Prior to the Board's endorsement of its approval of the Subdivision thereon the developer shall furnish guarantees to the Planning Board as provided in Section 81-U of Chapter 41, GL, that no lot included in such plan shall be conveyed until the work on the ground necessary to service all the lots has been completed in the manner specified by the Subdivision Regulations of the Town of Littleton with the specific conditions listed herein, or a cash bond in lieu of completion has been accepted by the Planning Board;
12. The total number of dwelling units shall not exceed 13 (including the existing house known as #40 Harvard Road), and this total number is restricted in perpetuity. No further subdivision of any lot is allowed;
13. Units 7 and 8, 9 and 10A, and 11 and 12A, are duplex units and shall share a single septic disposal system, with a deeded maintenance agreement;
14. Units 3, 11, and 12A shall be designated "Affordable Units" as that term is defined by the Department of Housing and Community Development (DHCD). All such Affordable units shall contain a use restriction meeting all requirements of 760 CMR sec. 45.03(3), including initial purchase and resale price restrictions, and non-discrimination provisions in tenant and buyer selection. Each such unit shall be deeded with a Deed Rider, meeting the requirements of DHCD, as approved and/or modified by Town Counsel for the Town of Littleton. Each such unit shall remain restricted in perpetuity, or the maximum amount allowed by law for newly constructed units, unless released pursuant to the Deed Rider. The Littleton Housing Authority is designated the monitoring agent for the Affordable Units. Each such unit shall be conveyed through a lottery program monitored by Littleton Housing Authority. The inclusion in the Deed of the maximum resale price

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or formula for maximum resale price shall be conclusive evidence that the Deed has been approved by the Town of Littleton;


- 15. All new units shall have a maximum of two bedrooms and a maximum size of 1500 square feet per unit, excluding basement, garage and deck. No change in the original footprint of the living space shall be permitted;
- 16. The living space, defined by the Bylaw as kitchen, dining room, living room and one bedroom, shall be on the ground floor;
- 17. Each new unit shall be occupied by at least one person age fifty-five (55) or older. Children under the age of eighteen (18) may not reside in any dwelling unit within the development for more than six (6) months in any nine (9) month period. All new units shall be subject to Restrictive Covenants mandating such restrictions. No new unit shall be built upon or conveyed until the Restrictive Covenant has been recorded with the Registry of Deeds for Middlesex County; and
- 18. A Homeowner’s Association shall be formed which will have the legal responsibility for the management and maintenance of the Development. No unit shall be conveyed until the Homeowner’s Declaration has been recorded with the Registry of Deeds for Middlesex County.

The Board voted 5 to 0 in favor of this motion.

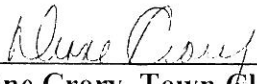
Appeals, if any, shall be made pursuant to Section 81 of Chapter 41, Massachusetts G.L., and shall be filed within 20 days after the date this decision is filed with Town Clerk.

Signed:

Date Filed with Town Clerk: March 15, 2007



Gregg S. Champney, Clerk



Diane Crory, Town Clerk

TOWN CLERK CERTIFICATION:

To Whom It May Concern:

I, Diane Crory, Acting 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.

Town Clerk, Diane Crory,
Littleton, Mass.

Date