

**May 14, 2012
SPECIAL MEETING
Medway Planning and Economic Development Board
Medway High School – 88 Summer Street
Room 112A and Auditorium**

BOARD MEMBERS PRESENT: Bob Tucker, Andy Rodenhiser, Karyl Spiller-Walsh, Tom Gay, and Chan Rogers.

ABSENT WITHOUT NOTICE:

ALSO PRESENT: Susy Affleck-Childs, Planning and Economic Town Coordinator
Gino Carlucci, PGC Associates (planning consultant)
Barbara Saint Andre, Petrini & Associates (town counsel)

The Chairman opened the meeting at 6:42 p.m.

There were no Citizen Comments.

**Public Hearing Continuation – 25 Summer Street Definitive Subdivision Plan
MODIFICATION**

Note – No one was present representing the applicant.

Andy Rodenhiser reported that Town Counsel has been very busy with town meeting preparations and has not been able to work with Paul Kenney, the applicant's attorney, on some of the details regarding the Speroni Acres sewer easement as such applies to the applicant's project at 25 Summer Street.

Susy Affleck-Childs provided copies of email communications between Town Counsel Barbara Saint Andre and Paul Kenney, attorney for the applicant. Mr. Kenney had provided a revised easement document from Sean and Michele Lynch at 15 Little Tree Road to Fasolino Home Improvements authorizing the applicant to connect to the sewer system on the Lynch property.

Susy Affleck-Childs reported that she had spoken with Stephanie Bacon, the new Health Agent, and brought her up to date on the various issues. Susy specifically asked for BOH comments on this sewer connection matter.

Andy Rodenhiser asked about our liability if the Board were to approve this subdivision modification without all the sewer easement issues being clearly resolved.

Andy Rodenhiser indicated he had stressed to Mike Fasolino how important it was for them to provide information about who owned the Speroni Acres sewer easement.

Bob Tucker indicated that Mike Fasolino needs to provide proof that there is a sewer easement for the Speroni Acres subdivision. We could make this a condition of the Board's decision.

Susy Affleck-Childs entered into the record an email communication dated May 11, 2012 from Dave Pellegrini of Tetra Tech Engineering. (See Attached.) This pertained to his review of the endorsed Speroni Acres definitive subdivision plan from 1998 to determine the scope of the sewer system. His email indicates that the plan does NOT show any stubs to connect adjacent properties to the Speroni Acres sewer system.

A motion was made by Chan Rogers, seconded by Karyl Spiller-Walsh to continue the public hearing to the Board's next meeting on Tuesday, May 29, 2012 at 7:15 pm. It will be held at Medway Town Hall. The motion was approved.

Susy Affleck-Childs reported that the Board needs to secure a deadline extension from the applicant. The application was filed on February 28, 2012. (Per the Rules and Regs), the Board has 90 days from the date of the application submittal to file its decision with the Town Clerk unless otherwise extended. (NOTE – That deadline would be May 28, 2012, which is the day before the next meeting.) She had hoped Mike Fasolino would be at the hearing tonight to be able to request the deadline extension.

The Board agreed that Susy should try to secure the authorization from Mike Fasolino. before the next meeting. This would provide additional time for Town Counsel and the applicant's attorney to work out the sewer easement concerns.

On a motion by Chan Rogers, seconded by Bob Tucker, the Board approved extending the action deadline in anticipation of receiving such a request from the applicant but to deny the proposed subdivision plan modification if an extension is not granted.

Bob Tucker asked whether the applicant had provided the information discussed at the last meeting regarding the future owners of the subdivision lots at 25 Summer Street providing financial support if the Speroni Acres neighbors ever establish a home owners association for the operation and maintenance of the private sewer system.

Susy Affleck-Childs reported that nothing had been submitted yet but Attorney Kenney had recommended that such provisions could be included in the Homeowners Association Trust that will be established for the owners of the 25 Summer Street subdivision lots.

Susy Affleck-Childs also noted that Mike Fasolino has not paid the newspaper advertising invoice for the public hearing legal ad in the *Milford Daily News*. She has billed him several times.

It was noted that without the various documents the board has asked for and without the deadline extension and without the payment to the *Milford Daily News* for the legal ad, the board would have grounds to deny the application.

On a motion by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board agreed to relocate its meeting to the 2012 Medway Annual Town Meeting being held in the auditorium at Medway High School at 7:30 p.m. and to adjourn at its conclusion.

NOTE – Town Meeting concluded at 9:45 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Susan E. Affleck-Childs". The signature is written in a cursive, flowing style.

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Susan Affleck-Childs

From: Pellegrini, David [david.pellegrini@tetrattech.com]
Sent: Friday, May 11, 2012 10:55 AM
To: Susan Affleck-Childs
Subject: 25 Summer Street Sewer Stub

Susy,
Please note that based on discussions at previous public hearings for the project proposed at 25 Summer Street, we reviewed the Speroni Acres plans approved by the Planning Board to verify whether or not a stub was provided for the 25 Summer Street parcel in the original design.

The Definitive Subdivision Plans for Speroni Acres was approved and signed by the Medway Planning Board on March 31, 1998. On sheet 5 of 8D of that approved plan set, the sewer line is shown running through the rear of Lots 9, 10, and 12. Lot 9 is the parcel that immediately abuts the 25 Summer Street parcel. The proposed two (2) inch force main takes a 90 degree bend in the south east corner of Lot 9. It is at this 90 degree bend that the developer of the 25 Summer Street Parcel proposes to connect to the existing system. On the approved plans mentioned in the sentences above, there is no stub shown from the existing system at this location extending towards the 25 Summer Street Parcel.

Please let me know if you have any questions.

Thanks,

Dave

David R. Pellegrini, P.E. | Senior Project Manager
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