



# **Town of Bellingham**

## **BOARD OF SELECTMEN**

10 Mechanic Street  
Bellingham, Massachusetts 02019  
Tel: 508-657-2800 \* 508-966-4425

August 16, 2021

The Selectboard meeting was called to order at 7:00 PM by Chairwoman Cindy McNulty. All Board members were in attendance and participating in the Arcand Meeting Room with the exception of Mr. Spencer who was participating via Zoom. Also actively participating in the meeting was Town Administrator Denis Fraine and Administrative Assistant Hilarie Allie. This meeting was accessible to the public either in-person or via the Zoom online option.

### Public Hearing – Cumberland Farms

Public Hearing on the application of Cumberland Farm of Massachusetts, Inc. d/b/a Cumberland Farms for a change in beneficial interest and change of officer application for the Retail Package Good License to sell Wine and Malt Alcoholic Beverages for the property located at 297 Pulaski Blvd, Bellingham, MA.

Mrs. McNulty read the public hearing and on a Spencer/Martinis motion the Board unanimously voted 5-0 to continue the Public Hearing until the attorney for Cumberland Farms logged into the meeting.

### One Day Wine & Beer Permit – PJ's Bar & Grill, Inc.

Julie Rogers from PJ's Bar & Grill joined the meeting via Zoom to request a One Day Wine & Beer Permit for Bellingham Days on Saturday August 21, 2021, from 2PM-9PM at the library parking lot 100 Blackstone Street. Julie stated that \$1 for every beverage sold will be donated to Friends of the Bellingham Library.

On a Grant/Connor motion the Board unanimously voted 5-0 to issue a One Day Wine & Beer Permit to PJ's Bar & Grill for 'Bellingham Days' on Saturday August 21, 2021, from 2PM-9PM at the library parking lot 100 Blackstone Street.

### Public Hearing Continued

Attorney Joseph Devlin of Upton Connell & Devlin joined the meeting and stated he is representing Cumberland Farms for their beneficial interest and change of officer application for the Retail Package Good License to sell Wine and Malt Alcoholic Beverages for the convenient store located at 297 Pulaski Blvd. Attorney Devlin explained that the parent company of Cumberland Farms Massachusetts was purchased by a large convenient store/gas station operator in both American and Europe for the total of \$2.3Billion. There will be no changes at the locations or changes in the managers and the face of Cumberland Farms will remain the same but as a requirement of the ABCC a change of beneficial interest and change of officer application is necessary for submission. Mr. Connor inquired about the parcel of land at the corner of South Main Street and Elm Street that is owned by Cumberland Farms and Attorney Devlin said he is unaware if that was part of the purchase and would look into it for the Town.

Mrs. McNulty asked if there was anyone who wished to speak on behalf of the Public Hearing. With no response the Public Hearing was closed on a unanimous motion by Connor/Martinis.

On a Connor/Martinis motion, the Board unanimously voted 5-0 to approve the Cumberland Farms of Massachusetts change in beneficial interest and change of officer application for the Retail Package Good License to sell Wine and Malt Alcoholic Beverages for the property located at 297 Pulaski Blvd, Bellingham, MA.

Larry Sposato – Town Clerk

- Precincts

Mr. Sposato came before the Board to speak about the local precincts. He stated that the 2020 Census put the population of Bellingham at 16,945. The criterion for developing a precinct is that it can not have more than 4000 residents and there must not be more than a 5% differential between the precincts. Currently he was able to put Bellingham into 5 precincts, eliminating 4A, but he is still awaiting the outcome of the state districting for the representatives. At that point the precincts may have to be revisited. He presented the Board with the map of the precincts and advised a vote would be needed tonight to approve if this is acceptable to the Board given that there are no further changes from the state.

On a Martinis/Grant motion, the Board unanimously voted 5-0 to approve the precinct map as presented by Larry Sposato, Town Clerk, indicating precincts 1-5 and eliminating precinct 4A.

- Dog Park

Mr. Sposato indicated that as chairman of the Town Common Trustees he has been working with the trustees to relax some of the restrictions at the common. He would like to hold more events where money can be exchanged and food could be consumed. Further he directed the Board to look at a diagram of a section of the Town Common and stated this portion of the common could possibly host a dog park. There is an unused area behind the shed that extends to Depot Court and he thinks this area is feasible for a dog park. He's done some research and he doesn't see any restrictions on the deed and stated he would need ConCom to evaluate to confirm no wetlands. He has reached out to the Bellingham Housing Authority about using 5 parking spots in their overflow parking lot. He also suggested guests of the dog park could park along Depot Street as well. Mr. Martinis asked Mr. Kupfer if he thought Depot Street was wide enough for cars to park and safely get their dogs out of their car and walk to the park. Mr. Kupfer stated this would need to be looked at closely, but it is possible. Mr. Connor questioned the wetlands and stated this wasn't a development only an area where dogs would be running around. Mr. Sposato stated the purpose of this conversation was to update the Board and to request their support.

- Airbnb Bylaw

Mr. Sposato stated he would like to place an article on the upcoming Fall Town Meeting Warrant either restricting or disallowing Airbnb's. He stated he is the president of the Lake Hiawatha Association and they are having a problem with an Airbnb on the Blackstone side. Mr. Connor stated the Town adjusts its population with the ABCC every year for the purpose of visitors coming into town. Mr. Martinis stated he sees nothing wrong with people putting their house up for Airbnb as long as they are not exceeding their septic requirement and following standard guidelines such as noise ordinances. He is fine with some restrictions but not disallowing them.

The Board didn't feel the need to rush and put an article on the November Town Meeting Warrant but thought it would be better to review with the Bylaw Review Committee. Mr. Sposato stated he feared if they waited an Airbnb could come into Town and be grandfathered in. Mr. Fraine confirmed general bylaws do not have grandfathering rules and the Board was in favor of reviewing a bylaw with regards to Airbnb's with the committee.

#### Master Plan Review

Mrs. McNulty reminded the Board to take a look at the implementation strategies on the Master Plan and come up with a priority list and they would be discussing it at their meeting in September. In the meantime, she and Mr. Connor will meet with Mr. Kupfer to discuss.

#### Pete's Bluebird Restaurant

On a Connor/Grant motion the Board unanimously voted to correct the physical address, according to the assessor's database, of Pete's Bluebird Restaurant from 93 Mendon Street to 85 Mendon Street as this was a clerical error from long ago. Under discussion, Mrs. Allie pointed out that the owners had used the mailing address of their residence on the All Alcohol Restaurant License and had been advised to change it to the physical address of the restaurant.

#### COVID-19 Update

Mrs. McNulty stated that the Emergency Management Team has been meeting every other week and receives updates from the public health nurse Esther Martone and will meet more often if things really ramp up again. The Board discussed being vigilant and that wearing masks for the time being is still optional.

#### New Business

Mr. Connor made a formal request that this Board along with the School Committee make a statement regarding school enrollment. The census shows that the population has increased 3.75% from 2010 to 2020 but enrollment in the school system is down. He would like to show the statistics to residents that have reservations about new development and its impact on the school system.

#### Town Administrator's Report

Mr. Fraine stated that the Town Center project is under way and the plan is to have the ABMI cable channel do a live 15 minute public service announcement on August 19<sup>th</sup> at which time he and Mrs. McNulty will talk with contractor about the project. Additionally, the war memorial that was located in front of the Town Hall has been temporarily moved but will be relocated to the Town Common.

Mr. Fraine stated the road work being done on South Main Street is not the TIP project scheduled for next year which will consist of widening the street, installing new sidewalks and having a designated bike lane, but instead is currently replacing the water service connections to get ready for that project.

Bellingham Day will take place on Thursday August 19<sup>th</sup> and will continue until Saturday August 21, 2021. There will be a carnival, golf and cornhole tournament and fireworks.

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Also scheduled for Saturday August 21<sup>st</sup> is the annual shred day. More details on both events have been posted on the Town website.

On a Martinis/Grant motion, the Board unanimously voted 5-0 to adjourn the meeting at 8:05 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Hilarie J. Allie". The signature is fluid and cursive, with the first name "Hilarie" being more prominent than the last name "Allie".

Hilarie J. Allie  
Administrative Assistant