

PARTNER

# Mark A. Borenstein

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## OVERVIEW

Mark A. Borenstein is an experienced real estate attorney who handles complex land use matters, acquisitions and dispositions, and leasing matters. Mark represents clients in a variety of land use and zoning matters relating to the development of commercial, residential, mixed-use, industrial, life science and institutional projects throughout Central Massachusetts. As a lifelong resident of Worcester, clients often turn to Mark for his broad knowledge of the local Worcester community, culture, and businesses. He is known as a resourceful professional with a distinct ability to bring clients, community members, and governmental stakeholders together.

Mark's experience includes counseling within the food and beverage industry, representing breweries, wineries, distilleries, restaurants, and retailers in all stages of licensing and regulatory compliance.

Mark is considered a top-rated land use and zoning attorney and is also a co-editor of the [Commercial Real Estate Insight & News](#) blog.

## Besides work

Mark and his wife are avid travelers and proud parents to a daughter and two pit bull rescues.

## EXPERIENCE

- Breweries, distilleries, and wineries in obtaining necessary federal, state and local licensing to produce alcoholic beverages.
- Brewery zoning approvals for a redeveloped 107,000 sq. ft. facility. Drafted a new zoning bylaw provision to create an overlay district, which was approved at a special town meeting. The new overlay district will provide flexibility with respect to the zoning requirements and expand the client's use of the property.
- Biomanufacturing facility with a site plan amendment to expand a 100,000 sq. ft. facility in Worcester to include two additional stories with a new total gross floor area of 198,000 square feet.
- Continuing care retirement community facility with zoning approvals for the construction of a 135,000 sq. ft. facility in Worcester.
- Public entity with the acquisition of necessary permanent sewer easements via eminent domain, which included takings of portions of nine different parcels.

- Industrial facility with zoning approvals (including a subdivision approval) for new 20,200 sq. ft. facility in Hudson, and prepared a cross easement agreement for utilities, access and drainage between the two lots in the subdivision.
- Zoning approvals for a client to install two new billboards along the Mass Pike.

## AFFILIATIONS

- Co-chair, Municipal Law Section; Member, Government Relations Committee, Worcester County Bar Association
- Corporator and Trustee, Worcester Historical Museum
- Trustee, Seven Hills Foundation, Inc.
- Officer and Director, Worcester Walls (formerly POW! WOW! Worcester)
- Corporator, Greater Worcester Community Foundation
- Trustee, Feiga-Olch Scholarship

## PREVIOUS

- Advisory Committee Member, Worcester Now Next
- Director, Worcester Jewish Community Center, Inc.
- City of Worcester Community Development Advisory Committee
- Leadership Worcester, Class of 2015
- Officer and Director, Latin American Health Alliance of Central Massachusetts, Inc.

## HONORS

- “People to Watch 2023,” *Pulse Magazine*
- *Massachusetts Lawyers Weekly* 2022 Excellence in the Law award – Up & Coming Lawyer
- *Best Lawyers in America: Ones to Watch*, Land Use and Zoning Law (since 2022) and Real Estate Law (since 2022)
- *Super Lawyers’* Rising Star, Land Use/Zoning (2019-2023)
- 2018 “40 Under Forty” class, *Worcester Business Journal*

## ARTICLES & TALKS

### ARTICLES

- “10 Things I know about ... Pub brewery conversions,” *Worcester Business Journal*, 2023
- “Use zoning to your development’s advantage,” *Worcester Business Journal*, 2019
- “Before you open the hot new restaurant...,” *Worcester Business Journal*, 2018

### TALKS

- *Massachusetts Alcohol Law Myth Busters*, Mass Brewers Guild Technical Brewing & Business Conference, 2022
- *Q1 Broker Power Series – Holy Shift*, The Realtor Association of Central Massachusetts, 2022

- [Survival to Recovery: Restaurants, Hospitality & Tourism](#), *Worcester Business Journal*, 2021 (Moderator)
- [How To Protect Your Clients & Yourself in An Ultra-Competitive Market](#), Realtors Association of Central MA, 2021

## MEDIA MENTIONS

- [“Pop a bottle: Worcester to allow full liquor bottle service”](#) (*Worcester Telegram*)
- [“Should full liquor bottle service be allowed at Worcester restaurants?”](#) (*Worcester Telegram*)
- [“Vacant Worcester sandwich shop may become five-story condo complex”](#) (*Worcester Telegram & Gazette*)
- [“Buy the bottle: a request to change city’s liquor law in bars”](#) (*The Worcester Guardian*)
- [“City planning conditionally approves 8-story mixed-use complex near Polar Park”](#) (*Worcester Telegram & Gazette*)
- [“Home Field advantage: Local attorneys smooth the path for developers”](#) (*Worcester Business Journal*)
- [Attorneys Mark Borenstein and Anthony Dragga Elected to Partner](#)

## BAR ADMISSIONS

- Massachusetts
- U.S. District Court for the District of Massachusetts
- New York

## EDUCATION

- J.D., Western New England University School of Law
- B.A., *summa cum laude*, University of Massachusetts Amherst