

TOWN OF FRANKLIN  
INSPECTION DEPARTMENT  
Building Inspection – Division of Wires – Division of Gas  
Division of Plumbing  
MUNICIPAL BUILDING – 355 East Central Street  
Franklin, Massachusetts 02038

Lloyd (Gus) Brown  
Building Commissioner

Telephone: 508-520-4926  
FAX: 508-520-4906

**ZONING REVIEW**

**APPLICANT:** Union Crossing Realty Trust

**LOCATION:** 380 King Street

**ZONING DISTRICT:** Commercial II

**TYPE OF PROJECT:** Multi-Family

**DATE:** 09/07/2023      **DENY**

**Variance**

**ZONING BY LAW SECTIONS:** 185 Attachment 7, Part VI, Section 6.1, 185-45  
(D) (2) (b)

**REASON FOR DENIAL:** Applicant is seeking a building permit to construct a 40 unit multi-family development. The building permit is denied without a Variance from the ZBA.

**APPEAL OF DENIAL OPTIONS:**

**ZONING BOARD OF APPEALS**

**APPLICANT SIGNATURE** \_\_\_\_\_ **DATE**

**ZONING OFFICIAL SIGNATURE** LAB      09/07/2023  
\_\_\_\_\_**DATE**

**TOWN OF FRANKLIN  
ZONING BOARD OF APPEALS**

Municipal Building  
355 East Central Street  
Franklin, MA 02038  
508-520-4926

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**AUG 28 2023**

TOWN OF FRANKLIN  
TOWN CLERK

2023 AUG 28 A 11:11

RECEIVED

**ZBA APPLICATION FORM**

**GENERAL INFORMATION**

**ZONING BOARD OF APPEALS**

The undersigned hereby petitions the Zoning Board of Appeals for the following:

Special Permit: \_\_\_\_\_ Variance:   X   Appeal: \_\_\_\_\_

PETITIONER: Union Crossing Realty Trust

PETITIONER'S ADDRESS: 58 Meadow Ln., Falmouth, MA 02540 PHONE: 508 637-5144

LOCATION OF PROPERTY: 380 King Street

TYPE OF OCCUPANCY: Multi-Family ZONING DISTRICT: CII

ASSESSORS MAP & PARCEL: 303-042-000-000

**REASON FOR PETITION:**

<u>      </u> Additions	<u>      </u> New Structure
<u>  X  </u> Change in Use/Occupancy	<u>      </u> Parking
<u>      </u> Conversion to Addi'l Dwelling Unit's	<u>      </u> Sign
<u>      </u> Dormer	<u>      </u> Subdivision
<u>      </u> Other: _____	

**DESCRIPTION OF PETITIONER'S PROPOSAL:**

See Exhibit A attached hereto and incorporated herein by reference.

**SECTIONS OF ZONING ORDINANCE CITED:**

Article \_\_\_\_\_ Section 185 Attachment 7, Part VI, Section 6.1

Article   V   Section 185-45 (D) (2) (b)

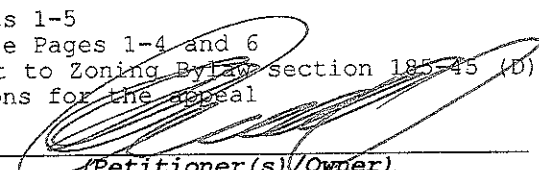
Article \_\_\_\_\_ Section MGL Chapter 40A, Section 10

Applicants for a Variance must complete Pages 1-5

Applicants for a Special Permit must complete Pages 1-4 and 6

Applicants for an Appeal to the ZBA pursuant to Zoning Bylaw section 185-45 (D) must attach a statement concerning the reasons for the appeal

**Original Signature(s):**

  
(Petitioner(s)/Owner)  
Union Crossing Realty Trust  
Union Street Management, Inc., Trustee

(Print Name)

Address: by Edward V. Cannon, Jr., Esq., Attorney  
124 Grove St., Ste. 220, Franklin, MA 02038

Tel. No.: (508) 637-5144

E-Mail Address: evc@ddcrwlaw.com

Date: August 18, 2023



Doherty, Dugan, Cannon,  
Raymond & Weil, P.C.

*Celebrating 20 Years*

124 Grove Street, Suite 220  
Franklin, MA 02038  
Tel. (508) 541-3000  
Fax (508) 541-3008  
<https://ddcrwlaw.com>

Edward V. Cannon, Jr., Esq.  
[evc@ddcrwlaw.com](mailto:evc@ddcrwlaw.com)

August 18, 2023

**Via Hand Delivery**

Zoning Board of Appeals  
Franklin Municipal Building  
355 East Central St.  
Franklin, MA 02038

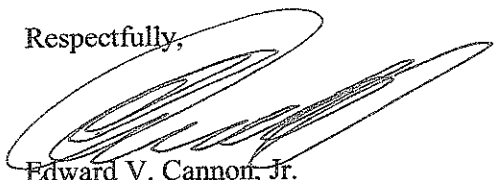
Re: 380 King Street  
Application for Use Variance

Dear Board:

Enclosed please find eight (8) copies of an application for a use variance for 380 King Street to allow the construction of a residential condominium along with the filing fee of \$350.00 payable to the Town of Franklin.

Thank you for your time and attention to this matter.

Respectfully,



Edward V. Cannon, Jr.

Ecc: Pat Marguerite

**TOWN OF FRANKLIN  
ZONING BOARD OF APPEALS**

Municipal Building  
355 East Central Street  
Franklin, MA 02038  
508-520-4926

**ZBA APPLICATION FORM - OWNERSHIP INFORMATION -**

*To be completed by OWNER, signed and returned to the Secretary of the Zoning Board of Appeals.*

I/We Union Crossing Realty Trust

(OWNER)

Address: 58 Meadow Ln., Falmouth, MA 02540

State that I/We own the property located at 380 King Street,  
which is the subject of this zoning application.

The record title of this property is in the name of \_\_\_\_\_  
Union Crossing Realty Trust


\*Pursuant to a deed of duly recorded in the date Nov. 1, 1988 Norfolk

County Registry of Deeds at Book 8145, Page 260\*; or

Dedham Registry District of Land Court, Certificate No. \_\_\_\_\_

Book \_\_\_\_\_ Page \_\_\_\_\_.

\*See also First Amendment to Marguerite Family Trust dated 1/15/1992 and recorded with said Registry in Book 9179, Page 067.

  
SIGNATURE BY LAND OWNER OR  
AUTHORIZED TRUSTEE, OFFICER OR AGENT\*  
Union Crossing Realty Trust  
Union Street Management, Inc., Trustee  
By: Patrick M. Marguerite, President

# TOWN OF FRANKLIN ZONING BOARD OF APPEALS

Municipal Building  
355 East Central Street  
Franklin, MA 02038  
508-520-4926

## ZBA APPLICATION FORM

### DIMENSIONAL INFORMATION

APPLICANT: Union Crossing Realty Trust      PRESENT USE/OCCUPANCY: Vacant

LOCATION: 380 King Street      ZONE: CII

PHONE: (508) 637-5144      REQUESTED USE/OCCUPANCY: Multi-Family

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS<sup>1</sup></u>	
<u>Lot Area:</u>		<u>40,022</u>	<u>40,022</u>	<u>40,000</u>	<u>(min.)</u>
<u>Continuous Frontage:</u>		<u>176.49'</u>	<u>176.49'</u>	<u>175'</u>	<u>(min.)</u>
<u>Size of Lot:</u>	<u>Width</u>	<u>&gt;157.5'</u>	<u>&gt;157.5'</u>	<u>157.5'</u>	<u>(min.)</u>
	<u>Depth</u>	<u>&gt;200'</u>	<u>&gt;200'</u>	<u>200'</u>	<u>(min)</u>
<u>Setbacks in Feet:</u>	<u>Front</u>	<u>N/A</u>	<u>64'</u>	<u>40'</u>	<u>(min.)</u>
	<u>Rear</u>	<u>N/A</u>	<u>30'</u>	<u>30'</u>	<u>(min.)</u>
	<u>Left Side</u>	<u>N/A</u>	<u>53.8'</u>	<u>30'</u>	<u>(min.)</u>
	<u>Right Side</u>	<u>N/A</u>	<u>32.4'</u>	<u>30'</u>	<u>(min.)</u>
<u>Building Height:</u>	<u>Stories</u>	<u>N/A</u>	<u>4</u>	<u>3</u>	<u>(max.)</u>
	<u>Feet</u>	<u>N/A</u>	<u>43'</u>	<u>40'</u>	<u>(max.)</u>
<u>NO. of Dwelling Units:</u>		<u>N/A</u>	<u>40</u>	<u>N/A</u>	<u>(max.)</u>
<u>NO. of Parking Spaces:</u>		<u>N/A</u>	<u>68</u>	<u>80</u>	<u>(min./max)</u>

Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

Lot is currently vacant land. Proposed building will be wood construction with

full sprinkler fire suppressant system and wood siding.

SEE FRANKLIN ZONING BYLAW ARTICLE 185, ATTACHMENT 9.

## **Exhibit "A"**

### **Supporting Statement for Variance**

The applicant respectfully seeks a variance from the Town of Franklin Zoning Board of Appeals according to M.G.L. 40A §10 and Town Bylaws Section 185-45(D)(2)(b) to allow the construction of a 40-unit residential condominium building in the Commercial II zoning district on the vacant lot at 380 King Street ("Locus"), which is not otherwise permitted.

Locus consists of 40,022 square feet of land and is situated on King Street. Locus is bounded to the south by Spruce Pond Village, to the east by Sierra's Pizza & Pub, and to the west by King Street Café. The proposal is to construct 40 residential housing units in a building consisting of approximately 11,602 square feet with four stories. The construction will be wood-frame and siding with full sprinkler fire suppression. The applicant, if a variance is granted, must also obtain Site Plan approval from the Town of Franklin Planning Board.

Massachusetts General Laws Ch. 40A §10 authorizes local zoning boards to grant a variance where:

- 1) Owing to circumstances relating to the soil condition, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located.
- 2) Literal enforcement of the provisions of the ordinance or bylaw would involve substantial hardship, financial or otherwise, to the petitioner.
- 3) Desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of which ordinance or bylaw.

### **Unique Conditions Affect Locus But Not Zoning District**

The proposed use variance will only impact the property at 380 King Street by allowing the construction of a building for residential condominium units. No other property within the zoning district will be affected. In the instant case the unique feature of Locus is its topographical location sandwiched between a pizza restaurant and a breakfast café and gas station. Locus is also in a neighborhood with many other commercial uses including several huge hotels, an Italian restaurant and a Dunkin Donuts.<sup>1</sup>

### **Literal Enforcement Would Involve Substantial Hardship to the Owner**

The Supreme Judicial Court has stated, "No one factor determines the question of what is practical difficulty or hardship, but all relevant factors, when taken together, must indicate that the

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<sup>1</sup> See Challenge Unlimited Inc. v. McDonough, 13 LCR 494, 497 (2005) citing Joseph v. Board of Appeals of Brookline, 362 Mass. 290 (1972), "finding a hardship caused by topography where compliance with zoning would cause either a safety issue or an economic loss".

plight of the premises in question is unique.” Brackett v. Board of Appeals of Boston 311 Mass. 52 (1942).

Given the proliferation of commercial uses surrounding Locus, the addition of still more commercial businesses makes little economic sense and is not beneficial for the neighborhood. If the applicant is forced to construct some additional commercial use the demand will be very low providing very little financial incentive to develop Locus. On the other hand, the demand for reasonably affordable housing in Massachusetts in general and specifically in Franklin, which sits in the “Golden Triangle” virtually equidistant from Boston, Worcester, and Providence, is substantial. Beyond the economic benefits of creating reasonably affordable housing, such a project will help address the critical housing shortage facing the Commonwealth. Some sample recent articles have been included with this application to highlight to desperate plight the state faces in trying to add reasonably affordable housing stock. A headline from the May 31, 2023 edition of The Boston Globe declared, “Massachusetts needs a housing moon shot”, and states:

This housing crisis has been coming to a boil for at least three decades. Fifty years ago, the state produced 30,000 new units every year, and housing costs were about the same as the national average. Over the past few decades, the state produced barely half that number while the population increased. And last year, the state did even worse. New housing permits in the Boston region fell by more than 60 percent in April from a year earlier – from 1,675 to 644.

The same Globe article went on to declare, “We need to frame the housing crisis from an us-versus-them struggle over local zoning and affordable housing into a rallying cry to create and build the Massachusetts we know we all need for the future.”

WGBH reported on June 27, 2023 that, “Massachusetts needs 125,000 to 200,000 more housing units to meet demand by 2030, according to a McKinsey & Company analysis commissioned by former Gov. Charlie Baker’s office in 2021.”

Given the over commercialization of the neighborhood surrounding Locus and the demonstrated critical need for more reasonably affordable housing, the applicant is clearly facing an economic hardship if forced to conform to only commercial uses for Locus.

### **Variance Will Not Substantially Harm Public Good or Substantially Derogate from Bylaw’s Purpose**

The addition of essential addition reasonably affordable housing units in the predominantly commercial neighborhood will not substantially harm the public good or substantially derogate from the purpose of Franklin’s zoning bylaw. As discussed above, the addition of desperately needed reasonably affordable housing units will be a huge benefit to the public good. In addition, the construction of a four-story approximately 11,602 square foot building to create the housing will not substantially derogate from the bylaw’s purpose. Locus abuts the Spruce Pond Village condominiums to the south, so the proposed residential use ties in seamlessly with that existing

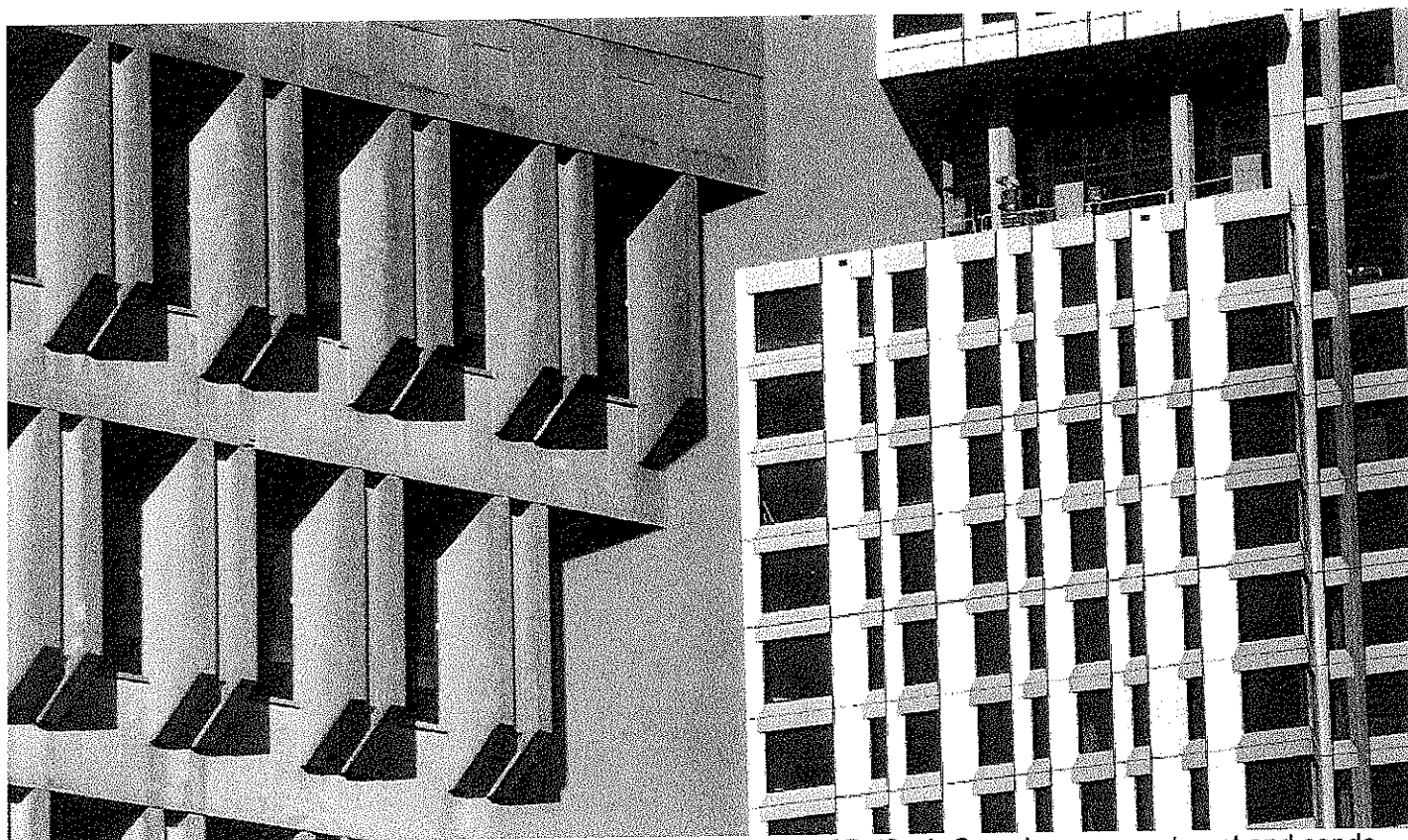
use. Locus is also surrounded by many large commercial buildings, including several much larger hotel buildings, which means that the new proposed structure will fit in quite well with the existing structures in the neighborhood.



# Massachusetts needs a housing moon shot

The state needs a whole-of-government and whole-of-the-Commonwealth approach that puts the burden and the responsibility not only on government but on all of us as concerned citizens.

By **Ira A. Jackson** Updated May 31, 2023, 3:00 a.m.



Building contrasts between Boston City Hall and the construction of Bulfinch Crossing, an apartment and condo tower on New Sudbury Street, in 2020. DAVID L. RYAN/GLOBE STAFF

It's no secret that Massachusetts is facing a housing crisis. There isn't enough housing being built, and costs have put both homeownership and access to decent rental housing beyond the reach of many. The result? Working families are forced to spend more than a third of their income on rent, with young families in particular priced out of both the rental and homeownership markets altogether. Low-income people are forced to

move farther away from their jobs, and many young people are forced to leave the state and find a place which combines decent affordable housing with job opportunities.

The housing crisis also threatens the state economy. With remote and hybrid employment, businesses today have more flexibility when choosing where to locate or expand. And many of those alternative places — like Raleigh, N.C., and Austin, Texas — have been building housing at a record pace.

This housing crisis has been coming to a boil for at least three decades. Fifty years ago, the state produced 30,000 new units every year, and housing costs were about the same as the national average. Over the past few decades, the state produced barely half that number while the population increased. And last year, the state did even worse. New housing permits in the Boston region fell by more than 60 percent in April from a year earlier — from 1,675 to 644.

The state seems to be at an inflection point where almost everyone is in agreement that housing is an existential crisis. If we — government, business, developers, communities, concerned citizens — don't solve this problem now, the very future of the Commonwealth as we know it is in serious jeopardy.

ADVERTISING

What Massachusetts needs is its own moon shot.

The barriers to success are formidable: rising interest rates, stubborn inflation, a doubling of mortgage costs, skittish investors, soft debt markets, reluctant suburbs, stringent building codes, and economic uncertainty.

In fairness, some new approaches are being taken and look promising, including the MBTA Communities law, which requires communities served by public transit to zone for multifamily housing, and the ability of cities and towns to change zoning laws with a simple majority vote. The Healey administration has made housing its number one priority, beginning with the creation of a housing secretary. But even they agree more is needed and are encouraging us to think big.

When President John Kennedy announced his own moon shot in 1961 — the goal to land a man on the moon and return him safely to earth within a decade — the move was driven by the Soviets putting Sputnik into space. It was an existential moment for America, and we responded with creativity and commitment that represented not only a whole of government approach but also a whole of society commitment.

The state should launch its own moon shot to tackle the housing crisis with a similarly passionate and effective whole-of-government and whole-of-the-Commonwealth approach that puts the burden and the responsibility not only on government but on all of us as concerned citizens.

We need to reframe the housing crisis from an us-versus-them struggle over local zoning and affordable housing into a rallying cry to create and build the Massachusetts we know we all need for the future. We all need to consider that just as with Kennedy's improbable moon shot, we simply can't afford to fail.

Fifteen years ago, Massachusetts was determined to become the life sciences hub of the world. Then-Governor Deval Patrick proposed a \$1 billion bond bill; industry and government formed a close-knit and respectful partnership; and academics became deeply involved. Massachusetts today houses R&D facilities for 18 of the top 20 bio-pharmaceutical companies in the world.

We know how to do this and how to succeed when we are intentional, focused, and committed.

Let's dust off that model and get equally serious about solving our housing crisis. Let's form a public/private/community partnership that engages all the elements of our Commonwealth in solving a problem that all of us share. Let's mount a public service campaign that gets us all on the same page and pulling in the same direction. We need to move from pointing fingers and the depressing acrimony that characterizes the current situation toward an approach that brings us together in a creative collaboration that taps the best of our instincts and imaginations. Can building 250,000 new housing units by 2030 really be more difficult than it was to land a man on the moon?

We know a lot of what is necessary — by way of carrots and sticks, financial incentives and painful penalties, and creative new approaches to financing — to overcome NIMBYism and to incentivize new construction, develop state-owned properties, expand home ownership for people of color, and to create multifamily projects that help anchor downtowns in Gateway Cities. We also need to think bigger and allow for entirely new ideas and experiments to flourish.

Many of us want to help close the racial wealth gap; provide a healthy start for young children, better schools, and more economic opportunities for those who have been marginalized; and strengthen communities threatened by climate change. The hard reality is that we can't make any sustained progress on any of these issues unless and until we start providing housing that is plentiful and affordable.

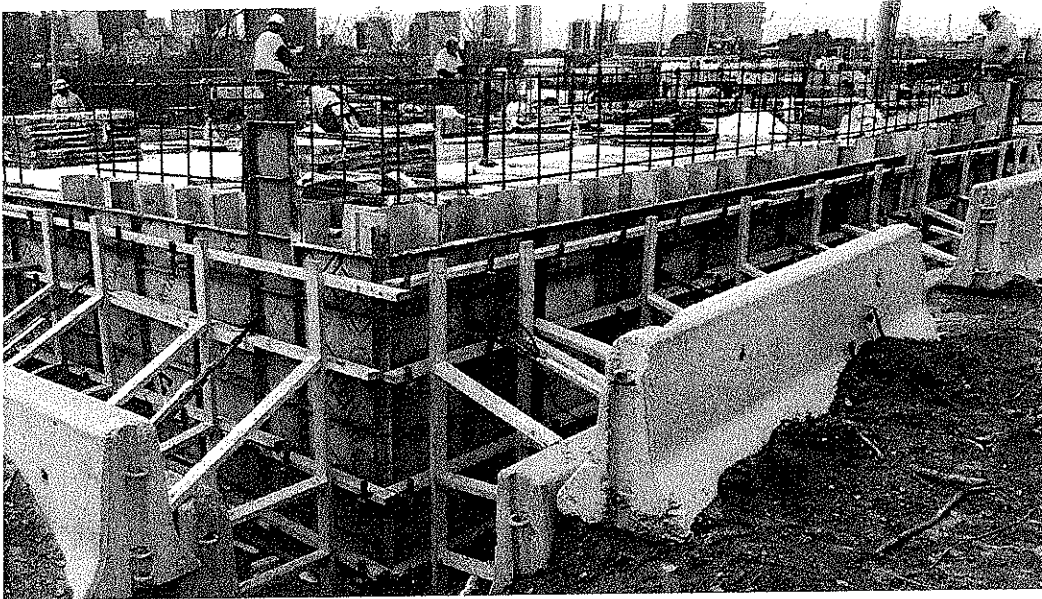
Housing is the lynchpin that unlocks and enables all the rest. Let's not wait another day to plant the seeds of our future by tackling this challenge in new ways with new voices and with all of us engaged in creating the solutions that we desperately need.

*Ira A. Jackson is a cofounder of The Civic Action Project and a research fellow in the Mossavar-Rahmani Center for Business and Government at the Harvard Kennedy School.*

# Can social housing help solve the Mass. housing crisis?

LISTEN • 7:02 MORNING EDITION

SHARE



Construction workers prepare a recently poured concrete foundation, Friday, March 17, 2023, in Boston.

Michael Dwyer AP



Jeremy Siegel Paris Alston

June 27, 2023 Updated August 07, 2023

Massachusetts needs 125,000 to 200,000 more housing units to meet demand by 2030, **according to a McKinsey & Company analysis** commissioned by former Gov. Charlie Baker's office in 2021. It's a tall order, and often a contentious debate.

State Rep. Mike Connolly, who represents parts of Cambridge and Somerville, **introduced legislation aimed at creating what's sometimes called social housing** : Government-funded mixed-income development, a sort of public housing that caters to a large variety of incomes.

"It was actually the original idea for public housing in the United States, and it offers a lot of advantages," Connolly told GBH *Morning Edition* hosts Paris Alston and Jeremy Siegel. "If the public builds mixed-income housing, there is more money on the balance sheet and so that can allow for programs that are more sustainable and more scalable."

In Connolly's plan, Massachusetts would have a social housing fund that starts with about \$100 million, raised through state-issued bonds, he said. MassHousing, the

quasi-public agency responsible for affordable housing in the state, would provide financing to cities and towns looking to build social housing.

Connolly said social housing is one idea for meeting overwhelming demand in markets that have long had low rates of new construction and a close-to-stagnant number of units.

"These projects could target one third of the units for lower income residents, one third for more of the middle income and maybe one third for more of that market-rate or higher income type of tenants," he said.

Once that housing is built and occupied, tenants would pay a rent in accordance with their income and the sum of money would return to the social housing fund, Connolly said. Then the state could use that money to build more housing.

This process is different from how Massachusetts funds affordable housing through rental vouchers or low-income housing tax credits.

#### RELATED STORIES

[Massachusetts needs more housing. How much should be affordable vs. high-end?](#)

[5 things to know about Ed Augustus, Massachusetts' new housing secretary](#)

[Some housing activists disappointed with Healey's choice for housing secretary](#)

[Once-abandoned mills are now home to thousands of Massachusetts residents](#)

"That kind of spending only flows in one direction, so we spend the money, it does something once and then the money's gone," Connolly said. "But when the state acts as a developer of public housing, and in the case of social housing as a developer of mixed-income housing, the power is the state makes that investment and then over time that housing returns the investment to the state so that the fund can grow."

Though there are not many examples of such developments in the U.S., Connolly pointed to Montgomery County, Maryland, where \$50 million in public funds have been allocated for the development of almost 8,800 new housing units, 20 percent of

which will be affordable to households making 50 percent of area median income or less.

"We need to think about multiple modes of housing production," he said. "We can think about market rate housing production, we can think about the conventional affordable housing production that's driven by low-income housing tax credits. We can think about institutional housing production, we need our universities, MIT and Harvard, to produce more affordable graduate student housing. And finally, if we're really going to get to 200,000, we ought to be thinking about social housing production as well."

Connolly's bill had its first hearing Monday. He said he was hopeful about its future, and hoped to incorporate elements of **Gov. Maura Healey's newly created Green Bank to fund it.**

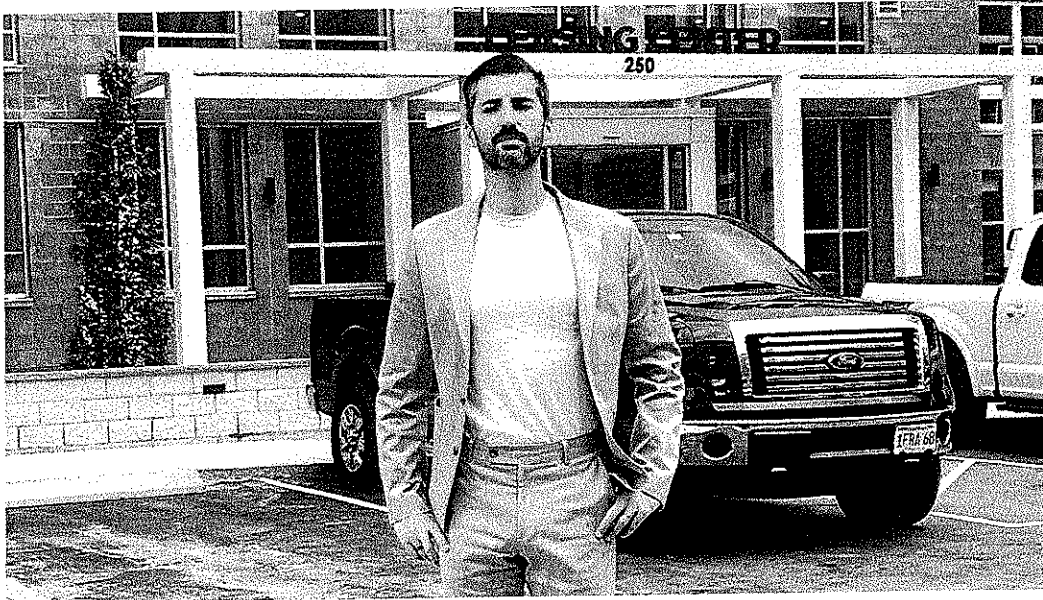
"Certainly we're at the beginning of a conversation. This is a very new topic for many legislators and for many of us," he said. "We're having some really productive conversations, not just with my legislative colleagues, but with housing officials in the city of Boston and in the city of Cambridge. And we're hopeful that this is an idea that can gain traction."



# Massachusetts needs more housing. How much should be affordable vs. high-end?

LISTEN • 7:39 MORNING EDITION

SHARE



Alexander Train directs housing and community development in Chelsea. He stands in front of a new luxury housing complex in the city.

Sam Turken GBH News



Sam Turken

June 20, 2023 Updated August 07, 2023

When Alexander Train walks around Chelsea, he sees a city becoming unaffordable for its residents. At a commuter rail station one May morning, the Chelsea community development director points down the block to a housing complex with hundreds of apartments with granite kitchen counters and stainless steel appliances fetching over \$2,500 in monthly rent — expensive for the historically working class city.

“Over the last ten years, there’s been about three times the amount of luxury housing built compared to affordable housing,” he said.

Train’s goal is to reverse that trend in Chelsea and build more mixed-income housing complexes to ensure there are affordable apartments for current residents to stay in the area. But in other Massachusetts towns and cities, officials say more expensive housing is exactly what they need to revitalize their downtowns and boost their local economies.

“We need folks to come into Fitchburg that have higher incomes,” said Liz Murphy, the Central Massachusetts city’s community development director. “We struggle to have those higher-end units for [them].”

Fitchburg and Chelsea's conflicting priorities illustrate the complex challenges state officials face as they search for solutions to a housing shortage that has caused prices to surge and **people to relocate to other states**. There is no one-size-fits-all approach to development.

This has prompted Gov. Maura Healey's administration to stress that Massachusetts needs all types of housing — both affordable and market rate. Officials are trying to tailor policy and state financing for housing development to meet communities' different needs.

Still, housing advocates caution that with state housing resources finite, using a higher percentage of taxpayer money to incentivize the development of apartments and homes for wealthier people raises equity concerns when that funding could instead go toward rental assistance and more housing for lower-income residents.

There's also the risk that any additional construction of high-end housing fuels a runaway train of increasing home prices in more Massachusetts cities.

## Different cities. Different housing markets.

"Location, location, location" is a phrase real estate insiders use often, and it helps explain why communities' housing needs can be so conflicting.

Boston's housing market has had a radiating impact on nearby cities for years. As housing prices in the state's largest city continue to increase, renters have increasingly flocked to nearby communities like Chelsea, where apartments have historically been less expensive. Developers have followed, building new apartment complexes and raising rent to meet the growing demand.

### RELATED STORIES

[Once-abandoned mills are now home to thousands of Massachusetts residents](#)

[Rising rents fuel a migration of longtime Worcester residents to small towns](#)

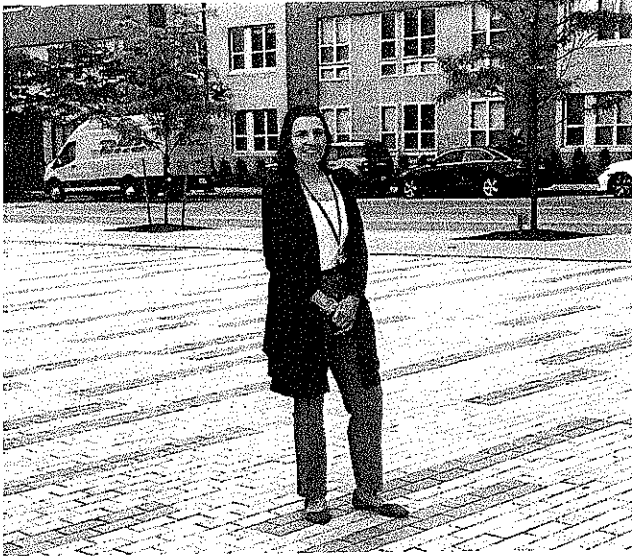
[Forced out of his home, a Worcester man needed a lucky break to avoid homelessness](#)

The increasingly hot housing market in Chelsea squeezes out the lower-income people that have traditionally made the city a working-class community. Median rents and homelessness in Chelsea are at record highs, and city officials say over half of renters are cost-burdened, paying more than a third of their income on housing and utilities.

A similar dynamic is playing out in cities like Lynn, Somerville and Worcester, where longtime residents are increasingly moving out because they can no longer afford housing.

Worcester native Mallory Shelly, whose mother, sister and brother have all left the city in search of less expensive housing, said the influx of higher-end development feels invasive.

"The rich people are taking over," Shelly said as she walked around the city's downtown and Canal District, where thousands of high-priced luxury housing units have been built in recent years. "It feels like a parasite."



Sam Turken GBH News

By comparison, smaller post-industrial cities that are farther away from Boston haven't experienced these same forces. Once factories shut down in the 1900s, Fitchburg and Holyoke became economically depressed as businesses closed and people moved away.

Today, both cities have begun to rebound, but they still have vacant properties and office space that can be converted into housing. Liz Murphy, Fitchburg's community development director, said although her city can use more affordable apartments, there's already a concentration of them around downtown. She wants to see new housing in that area for people with higher incomes who are moving into Fitchburg.

"[Those families] support our economy, and our local economy provides local jobs to folks that are already in the community," Murphy said.

## Complications due to the distinct housing needs

Recent disagreement over an obscure state housing financing program exemplifies the challenges that come with trying to tailor state policy to meet cities' distinct needs.

Massachusetts' 26 post-industrial **Gateway Cities** are eligible for housing construction funding via the Housing Development Incentive Program. The program

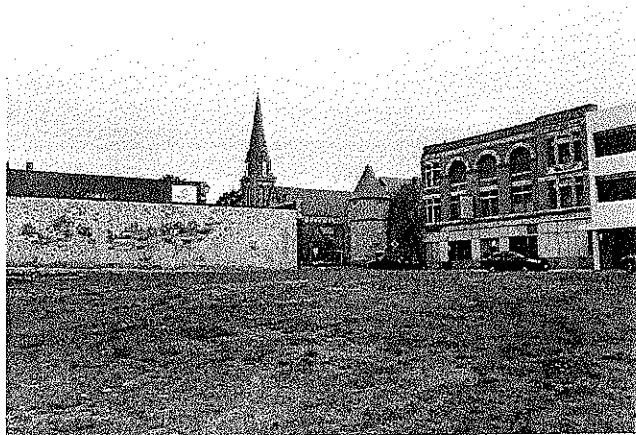
provides tax incentives to developers who build market-rate units.

When developers build housing, they usually take out loans for construction and repay the debt with future rental income. But average rents in some Gateway Cities tend to be lower, which squeezes developers' profits, leaving them less willing to take on certain projects. The HDIP subsidy is meant to make up for that and fuel more investment in Gateway Cities.

In an effort to boost housing production, Healey has proposed expanding the HDIP program by lifting its \$10 million annual cap to \$57 million in the first year and \$30 million in subsequent years. The proposal, which state lawmakers are still considering, has set off a statewide debate over whether the HDIP program should be altered to also finance affordable housing development.

**Leaders of most Gateway Cities** and some developers reject any type of modification that would force HDIP projects to include affordable apartments, arguing that it could stifle housing production because income-restricted units are often more expensive to finance.

"If you think there's a public good to having 26 thriving downtowns across the commonwealth — and not just Boston, Cambridge and Somerville — then HDIP's a very modest investment to make that happen," said Andre Leroux, a director with the nonpartisan think tank MassINC.



Sam Turken GBH News

But Alexander Train, the development director for Chelsea, believes the HDIP program does need to be reformed. Without the affordability modification, he said HDIP does nothing to help Gateway Cities like Chelsea, and the state as a whole, address the dearth of income-restricted apartments.

Train and Judith Liben, a housing attorney with the Massachusetts Law Reform Institute, noted that HDIP often subsidizes the development of luxury apartments — in some cases, HDIP-financed apartments rent for more than \$4,500 a month.

Train noted that when HDIP buildings come online and charge higher rents in a city, landlords of nearby existing apartments raise their rents in response.

"Worcester is the poster child," Liben said, noting that Massachusetts' second-largest city has become a primary recipient of HDIP funds after struggling to attract development for years. "It's not just Worcester, but Worcester is extreme."

Worcester officials have agreed housing prices are rising, and say they're **taking steps** to create more affordable housing.

Still, housing advocates add that using state money to facilitate the construction of market-rate homes is inherently inequitable. According to the National Low Income Housing Coalition, **Massachusetts needs more than 175,000 housing units** for its lowest-income residents. Activists and some local officials argue that when the state subsidizes market-rate housing development for wealthier people, there's less funding available to help build more affordable housing.

"We simply cannot afford to spend \$30 million of our annual State housing dollars, equal to one-fifth of the current year's housing capital budget, on market-rate housing," Worcester City Councilor Etel Hawhij **tweeted** earlier in June.



Sam Turken GBH News

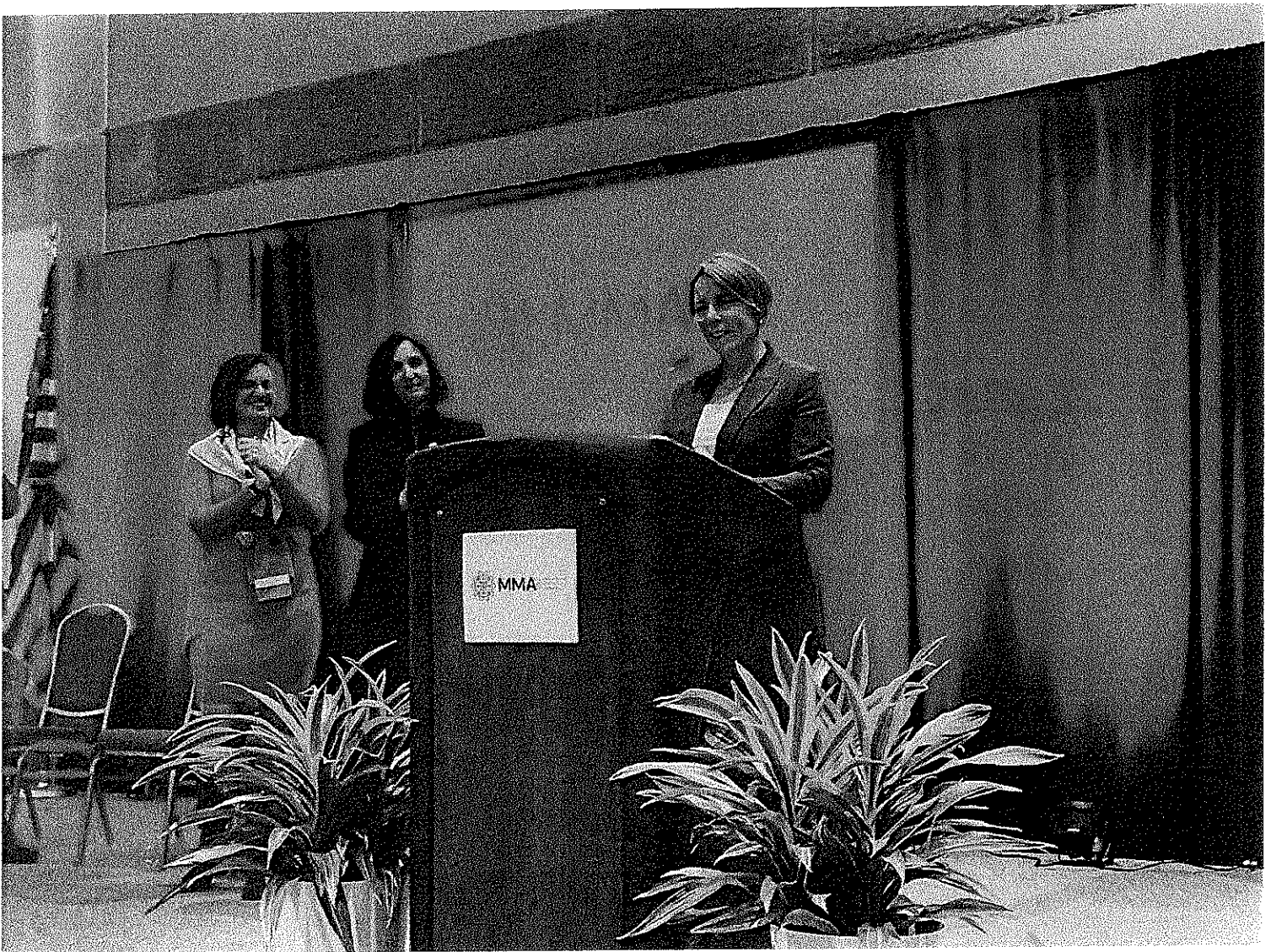
In an interview, Lt. Gov. Kim Driscoll acknowledged the concerns about building more market-rate housing. She said the state already allocates hundreds of millions dollars annually to support more affordable housing development and rental assistance.

Still, in order to best meet communities' different housing needs and address Massachusetts' housing crisis, Driscoll said the state must find a right balance between the construction of more market-rate and affordable housing.

"We don't have enough housing to meet the demand," she said. "That is requiring us to really be a lot more thoughtful about the strategies we can put in place in all of our communities to build the type of housing we need."

# Mass. housing crisis: Gov. Maura Healey files new executive order

Updated: Jan. 20, 2023, 1:18 p.m. | Published: Jan. 20, 2023, 12:15 p.m.



Gov. Maura Healey sought to rally support for her new bond bills during a speech at the Massachusetts Municipal Association's annual meeting at the Hynes Convention Center in Boston on Friday, Jan. 20, 2023. Alison Kuznitz/MassLive

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sharesBy [Alison Kuznitz | akuznitz@masslive.com](#)

Reiterating her nascent administration's pledge to tackling Massachusetts' housing crisis, Gov. Maura Healey on Friday issued her second executive order, establishing a working group that will pave the way to a new housing secretary.

Within a matter of weeks, Healey told reporters she expects to create the new housing secretariat, in a post that's separate from the traditional dual housing and economic development secretary structure used in past administrations. Healey had pledged in her inaugural address to create a housing secretary within her first 100 days.



Lt. Gov. Kim Driscoll will helm the working group, comprised of housing developers, advocates, municipal leaders and other stakeholders, Healey said. As the governor sees it, the housing secretary is a critical role for boosting Massachusetts' competitive edge, preventing an outward migration of individuals and companies.

“The secretariat will allow us to prioritize housing the way it deserves — the way the moment requires,” Healey said in her remarks at the Massachusetts Municipal Association's annual meeting in Boston Friday morning. “It will also help us better coordinate our housing response with the lens of economic development, transportation, climate and public health so that we can comprehensively make our state both more affordable and attractive to residents and employers alike. Every community will have a role in meeting our goals — we can't do this alone.”

- **Read more:** [Top 7 takeaways from state Auditor Diana DiZoglio's inaugural address](#)



Describing housing affordability as one of the single biggest problems plaguing the commonwealth, Healey lamented a limited housing stock that's too expensive for the vast majority of homeowners and renters to afford. There's also a dearth of resources for Bay Staters who are housing insecure or facing homelessness, the governor said.

"We are at serious risk of seeing our residents and businesses go elsewhere to build their futures if they can't afford to stay here," Healey said as she pleaded for partnership with hundreds of municipal officials gathered at the Hynes Convention Center. "There are no easy solutions ... It's going to require some investments, it's going to require some give-and-take, and it's going to require a super-focused, hyper-focused intentionality around this work."

Housing solutions must be regionally tailored, said Healey, who's advocated for high-density housing developments around MBTA hubs. Yet in Western Massachusetts, for example, Healey said Massachusetts must invest in the preservation and rehabilitation of existing housing stock.

"So it's not necessarily about new construction, though that can happen and should happen," Healey told reporters following her speech. "We visited actually a couple of sites yesterday in Western Mass. where they have rehabilitated old mills into fantastic affordable housing options. And that's an example of the kind of investment that we're going to make."

- **Read more:** [Massachusetts salary database: See lawmakers, staffers who earned the most in 2022](#)

Healey, who was sworn in as governor earlier this month, is not required to file her fiscal 2024 budget proposal until March 1.

While it's still early to delve into specific funding allotments for cities and towns across the commonwealth, Healey vowed to notify municipal leaders about local aid before more publicly releasing her budget. She also acknowledged the challenges facing municipalities as they grapple with the ongoing impacts of the COVID-19 pandemic and an uncertain economic outlook.

"I know how important is to have predictability and transparency for the work that you do, for the planning that you do," Healey said as she referenced Chapter 70 funding levels. "But know that we are big-time committed to doing everything that we can to support locally for our communities."

Massachusetts must work on getting students back on track, said Healey, as she voiced her commitment for fully funding the Student Opportunity Act and charter school reimbursement needs.

Healey further pledged funding to help homeless children succeed in schools. She plans to file supplemental funding to ensure migrants children have “access to the education and support they need to learn and thrive.”

Healey’s remarks come a day after she filed her initial two pieces of legislation, including a \$987 million “immediate needs” bond bill for housing and economic development initiatives and a \$400 million bond bill for municipal road and bridges improvement projects.

- **Read more:** Top 5 takeaways from Mass. Attorney General Andrea Campbell’s inaugural address

Healey and Driscoll announced the bonding authorizations during their Western Massachusetts swing Thursday, including stops in North Adams and Ludlow. Healey promised the leaders would return to the region, where residents often feel overlooked by policymakers on Beacon Hill, “many times.”

Healey on Friday said she looks forward to working alongside municipal leaders and the Massachusetts Legislature on these investments, as officials also jockey for federal grant dollars.

Invoking her competitive nature, Healey said she’s “really serious” about this effort. The success of Massachusetts as a “common wealth” hinges on all municipalities “tied to one another,” she said.

“We will make sure that within our administration we have folks who are there to help us maximize our grant applications, to work with our cities and towns on your applications so that we are making the most of opportunities to get those federal funds through the door,” Healey said. “We are competing against not only other states, but cities across this country. And one

thing that the LG (lieutenant governor) and I are really, really committed to is making sure that we have the resources in place to help all of you.”

**BREAKING**

**WATCH LIVE:** Tornado warning issued for parts of Mass., Rhode Island

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## MASSACHUSETTS

# A new push is underway in Massachusetts to develop strip malls into housing

A local planning organization says it might have a partial solution to the state's housing crisis

By Carla Rojo • Published August 16, 2023 • Updated on August 16, 2023 at 6:06 pm



**NEW PUSH TO DEVELOP STRIP MALLS INTO HOUSING**

Gaby

NBC10Boston

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BOSTON

A local planning organization says they might have found a partial solution to the housing crisis — strip malls.

The housing crisis is one the whole nation is facing, and Massachusetts is no exception.

But a local planning organization says it might have a partial solution to this problem — strip malls.

"There is no one silver bullet to solving this housing crisis," said Chris Kuschel, principal planner at the Metropolitan Area Planning Council.

According to a new study co-authored by Kuschel, there are more than 3,000 strip malls in the greater Boston area that could help ease the state's housing crisis.

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"They're often underutilized by various measures, they're often poor areas for the environment, with a lot of asphalt everywhere," he said. "So there is a lot of opportunity for redevelopment."

One plaza that's already been transformed is the Woburn Mall into the new Woburn Village. It was redeveloped in 2019.

It has stores, restaurants and an apartment complex with more than 320 apartments, 25% of which are affordable housing.

"I think it's a great idea to get these commercial areas and convert them to affordable housing," said housing rights advocate Gabriela Cartagena of City Life/Vida Urbana. But she wants action from the state on affordable housing as well.

"The government's definition of affordable housing is for people earning an average of \$70,000 to \$100,000 a year, right? And what essential worker do you know that makes an income of \$100,000 a year?"



The study estimates that to alleviate the housing crisis, eastern Massachusetts would need 140,000 new multifamily housing units by 2030.

"What we found is if you took the top 10% of sites in each community, you would get around 125,000 units," Kuschel said.

He said more than 25,000 affordable housing units could be created with these projects.

Many communities like Framingham and Hanover are redeveloping their malls to add housing, something Kuschel said can eventually generate hundreds of millions of dollars in extra tax revenue for these communities.

### More Massachusetts stories



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Amid 'crisis,' Mass. launches \$100K grants for domestic violence service providers



AUG 16

Development project ruffles feathers in Methuen: 'We want to keep eagles nest'

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C O P Y O F F I C I A L C O P Y

I, PATRICK MARGUERITE,

of Franklin,

Norfolk

County, Massachusetts,

being unmarried, for consideration paid, and in full consideration of less than \$100.00

grant to MARGARET MARGUERITE, Trustee of Marguerite Family Trust u/d/t  
dated October 28, 1988, to be recorded herewith,  
of South Street, Franklin, Norfolk County, Mass. with quitclaim covenants

the land in Franklin, Norfolk County, Massachusetts, situated off King  
and Union Street in said Franklin, and being shown as:

(Description and encumbrances, if any)

Lot B-1A on a plan entitled "Compiled Plan of Land Union  
Street Franklin, Massachusetts for Patrick Marguerite  
Franklin, MA." by Commonwealth Engineers & Consultants,  
Inc. dated May 11, 1988, recorded with Norfolk Deeds as  
Plan No. 576 of 1988 in Plan Book 368.  
Said parcel contains 2.61 ac. according to said plan.

Parcel A-2 shown on a plan entitled "Plan of Land in  
Franklin, MA" by Commonwealth Engineers & Consultants, Inc.  
dated July 31, 1987, recorded with Norfolk Deeds as Plan No.  
1373 of 1987 in Plan Book 361.  
Said parcel A-2 contains 158,716± S.F. according to said  
plan. Together with the right to use "24' travel easement"  
as shown on said plan.

Parcel C on a plan entitled "'Spruce Pond' Plan of Land  
Franklin, Mass. Owned by: Marguerite Building Corp.  
Scale: 1" = 100' June 19, 1986" by GLM Engineering  
Consultants, Inc., recorded with Norfolk Deeds as Plan  
No. 927 of 1986 in Plan Book 339.  
Said Parcel C contains 220,428± S.F. according to said plan.

For title see Norfolk Deeds Book 6728, Pages 664, 665 and 667.

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Witness my hand and seal this 28th day of October 19 88

Patrick Marguerite

**The Commonwealth of Massachusetts**

NORFOLK

ss.

October 28, 19 88

Then personally appeared the above named  
and acknowledged the foregoing instrument to be

Patrick Marguerite  
his free act and deed before me

Notary Public — Justice of the Peace

My commission expires

19

## Unofficial Property Record Card - Franklin, MA

## General Property Data

Parcel ID 303-042-000-000  
 Prior Parcel ID -041-008-01-3-  
 Property Owner MARGUERITE MARGARET, TR  
 MARGUERITE FAMILY TRUST  
 Mailing Address PO BOX 1990

Account Number 041-008-01-3

Property Location 380 KING ST  
 Property Use PARKING LOT  
 Most Recent Sale Date 11/1/1988  
 Legal Reference 8145-260  
 Grantor MARGUERITE, PATRICK

City N FALMOUTH  
 Mailing State MA Zip 02556  
 ParcelZoning

Sale Price 100  
 Land Area 0.919 acres

## Current Property Assessment

Card 1 Value Building Value 0 Xtra Features Value 8,500 Land Value 486,900 Total Value 495,400

## Building Description

Building Style  
 # of Living Units 0  
 Year Built N/A  
 Building Grade  
 Building Condition N/A  
 Finished Area (SF) N/A  
 Number Rooms 0  
 # of 3/4 Baths 0

Foundation Type  
 Frame Type  
 Roof Structure  
 Roof Cover  
 Siding  
 Interior Walls N/A  
 # of Bedrooms 0  
 # of 1/2 Baths 0

Flooring Type N/A  
 Basement Floor N/A  
 Heating Type N/A  
 Heating Fuel N/A  
 Air Conditioning 0%  
 # of Bsmt Garages 0  
 # of Full Baths 0  
 # of Other Fixtures 0

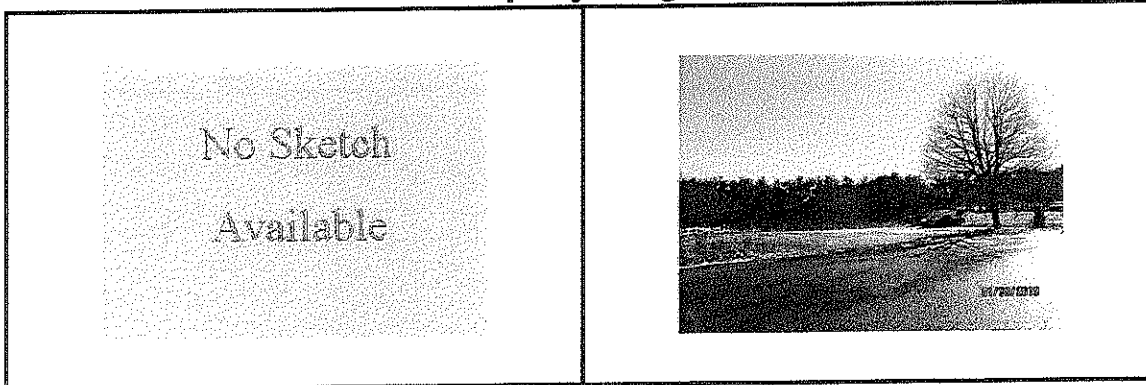
## Legal Description

DEV-BLDR LOT A-3 PLAN 1837 MARGUERITE

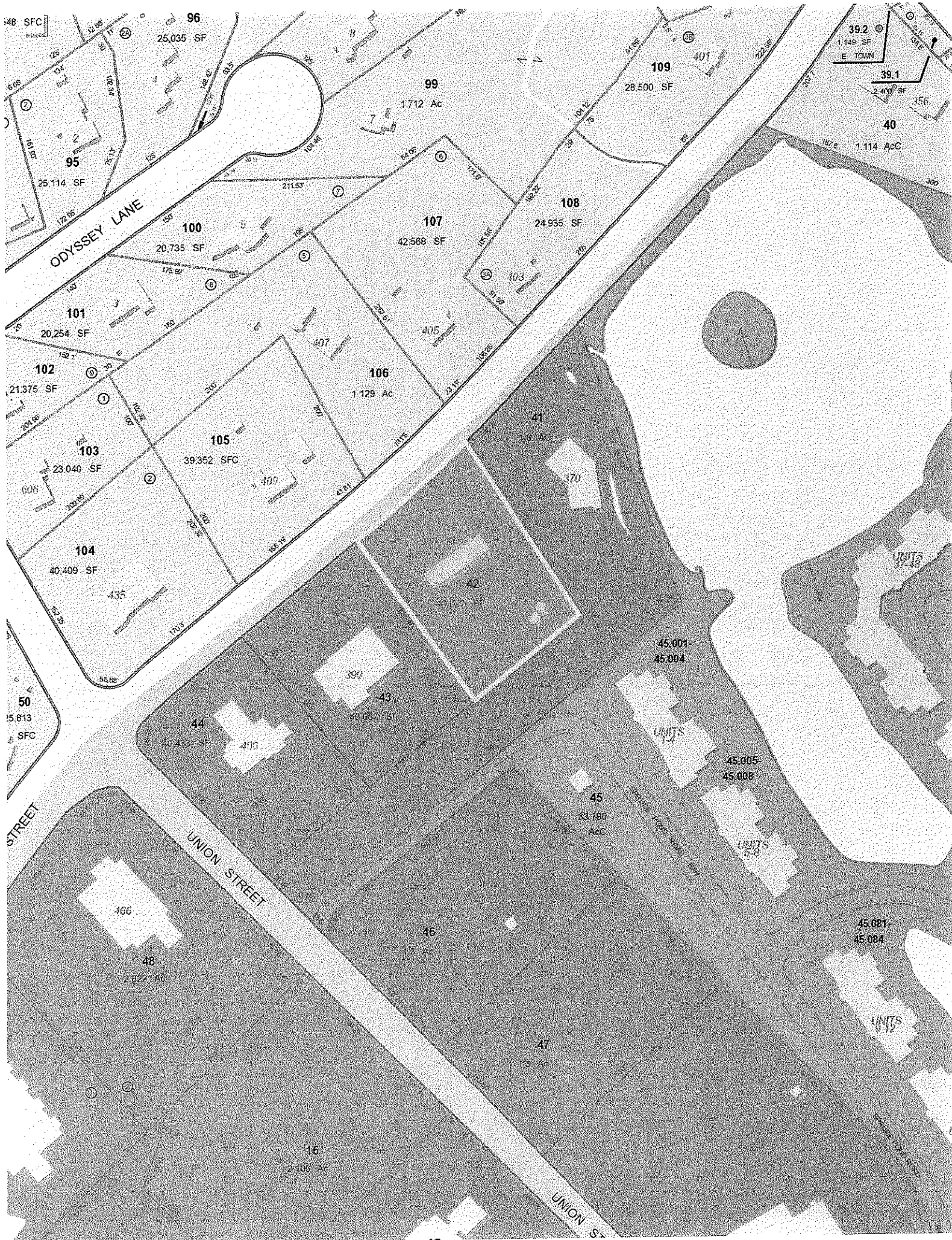
## Narrative Description of Property

This property contains 0.919 acres of land mainly classified as PARKING LOT with a(n) style building, built about N/A , having exterior and roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

## Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.



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FIRST AMENDMENT  
TO  
MARGUERITE FAMILY TRUST

RECORDED  
ASSOCIATED REALTY TRUSTS  
NORFOLK, VA  
9178 67

WHEREAS, the MARGUERITE FAMILY TRUST was created by Declaration of Trust dated October 28, 1988, and recorded with Norfolk Deeds in Book 8145, Page 253; and

WHEREAS, I, Margaret Marguerite of Franklin, Norfolk County, Massachusetts, was designated as sole Trustee of said MARGUERITE FAMILY TRUST; and

WHEREAS, there have been no previous amendments or modifications to said Trust, and that said Trust as declared on the 28th day of October, 1988, is still in full force and effect.

NOW, THEREFORE, I, Margaret Marguerite, the original and present Trustee of the MARGUERITE FAMILY TRUST, do hereby modify and amend the MARGUERITE FAMILY TRUST as follows:

- A. The FIRST paragraph of paragraph numbered 1. is amended to read as follows:
1. This Trust shall be designated as the UNION CROSSING REALTY TRUST, and it is and shall be for any and all purposes a Trust without transferrable shares.

And I do further declare that all of the beneficiaries of said Trust have consented in writing to the above amendment and modification, which assents are attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Margaret Marguerite have hereunto set my hand and seal this 15th day of January, 1992.

*Margaret Marguerite*  
Margaret Marguerite

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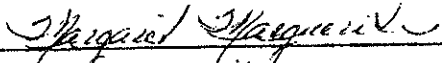
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SCHEDULE OF PRESENT BENEFICIARIES

I, Margaret Marguerite, being the present Trustee of Marguerite Family Trust, hereby certify that the beneficiaries of the said Marguerite Family Trust as of this date are:

Margaret Marguerite  
Christine Marguerite  
Catherine Marguerite


  
Margaret Marguerite

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

January 15, 1992

Then personally appeared the above named Margaret Marguerite, Trustee as aforesaid, and acknowledged the foregoing instrument to be her free act and deed, before me

  
Robert E. Ficco, Notary Public  
My Commission expires: 2/7/97

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## COMMONWEALTH OF MASSACHUSETTS

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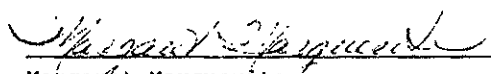
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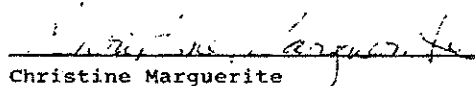
Then personally appeared the above named Margaret Marguerite and acknowledged the foregoing instrument to be her free act and deed, before me

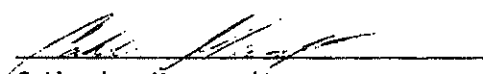
  
Robert E. Ficco, Notary Public  
My Commission expires: 2/7/97

ASSENT OF BENEFICIARIES

We, Margaret Marguerite, Christine Marguerite, and Catherine Marguerite, being all of the beneficiaries of the MARGUERITE FAMILY TRUST, created by Declaration of Trust dated October 28, 1988, by Margaret Marguerite, and recorded with Norfolk Registry of Deeds in Book 8145, Page 253, do consent to the modification and amendment to the MARGUERITE FAMILY TRUST, hereinbefore stated.

  
Margaret Marguerite

  
Christine Marguerite


  
Catherine Marguerite

## COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

January 15, 1992

Then personally appeared the above named Margaret Marguerite and acknowledged the foregoing instrument to be her free act and deed, before me

  
Robert E. Ficco, Notary Public  
My Commission expires: 2/7/97


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## COMMONWEALTH OF MASSACHUSETTS

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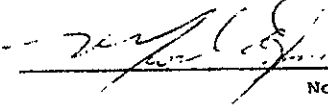
Then personally appeared the above named Catherine Marguerite  
and acknowledged the foregoing instrument to be her free act and  
deed, before me

  
Robert E. Ficco, Notary Public  
My Commission expires: 2/7/97

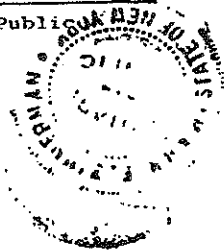
State of New York } ss  
County of New York

1/16/92

Then personally appeared the above named Christine Marguerite  
and acknowledged the foregoing instrument to be her free act and  
deed, before me

  
Notary Public  
My Commission expires:

MARK E. ZIMMERMAN  
Notary Public, State of New York  
No. 31-8804225  
Qualified in New York County  
Commission Expires January 31, 1993





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# 253

DECLARATION OF TRUSTMARGUERITE FAMILY TRUST

This Declaration of Trust made by Margaret Marguerite of Franklin, Norfolk County, Massachusetts, hereinafter called the Trustee, witnesseth:

1. This Trust shall be designated as the MARGUERITE FAMILY TRUST, and it is and shall be for any and all purposes a trust without transferrable shares.

This Trust is a bona fide Massachusetts real estate trust created under and in accordance with the Massachusetts General Laws, Chapter 203, Section 1 ff. As stated hereinabove, this is a Trust without transferrable shares. Accordingly, the Trustee's powers shall at all times be limited, interpreted and applied so as to have this Trust function and operate not as a corporation, association or whatever for purposes of Federal and Massachusetts income, estate and gift taxation. Thus, the said Trustors have the right to deduct on their said tax return any and all payments of interest, real estate taxes

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and the like interest therefrom, as well as depreciation, insurance, repair, maintenance, operating expenses, management costs and other business expenses.

2. Any and all property of every nature, whether real estate, personal or mixed, tangible or intangible, that may be transferred, conveyed, assigned or given to the Trust shall be held by the Trustees for the benefit of the Beneficiaries listed in the Schedule of Beneficiaries this day executed by them and the Trustees and filed with the Trustees; the interests of the Beneficiaries are as stated in the said Schedule; but the share or interest of any present or future beneficiary shall be considered personal property only. And the share or interest of any beneficiary in the principal or income of the Trust estate shall not be subject to alienation, gift, sale, assignment, pledge or transfer, except by will or by operation of law in the event of death, and no beneficiary, present or future, shall have the right to call for any division of the income or principal of the Trust estate. All payment, transfers or conveyance of the income or principal of the Trust estate shall be made directly to the beneficiary hereto entitled, and upon his or her personal receipt only. If by reason of the bankruptcy or insolvency of any beneficiary or by reason of his or her transfer, alienation, gift, sale, pledge or assignment of his or her interest in this Trust estate or any part thereof, or by reason of any attachment, garnishment, trustee process, bill in equity, judgment, decree or order of Court on supplementary process or bill in equity in behalf of the creditors of any beneficiary, or by any means whatsoever, the income or principal can no longer be personally enjoyed by such beneficiary, but the same, or any part thereof shall, or but for this present provision would, belong to or become vested in or payable to some other persons, or

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due to an order of Court such beneficiary shall be forced to make payments to any person or persons, then the provisions herein expressed as to the interest of such beneficiary shall thereafter be applied by the Trustee for the support, maintenance, use and benefit of the beneficiary or his or her husband or wife with whom he or she may then be living, or of his or her children or more remote issue, in such amounts and in such manner as the Trustees may deem advisable.

3. The Trustees shall have complete control, management and power to invest and re-invest the Trust property in any manner they may deem advisable and in any kind of property, real, personal or mixed, tangible or intangible, without regard to whether such investments be such as are considered proper or legally authorized to be made by Trustees generally. And without in any way limiting the generality of the foregoing, the Trustees shall have the following powers: to purchase or sell any property of any character, at public or private sale, for cash or credit, or upon any terms or conditions as they shall see fit; to let, hire or lease any property for any term even beyond the possible termination of this Trust; to exchange, release (with or without consideration) or partition any property or interest of the Trust; to place restrictions, reservations or conditions upon property acquired or disposed of by the Trust; to take and give options for land, property, or interests to be bought or sold for the Trust; to insure the Trust or any property of the Trust against fire or any other possible hazard, liability or contingency, in forms and amounts and with companies at their discretion, but the Trustees shall not be liable for any failure to insure; and the Trustees shall also have every possible power and right of dealing with the Trust property and estate which an individual can have on his or her own

property as fully and completely as if such individual powers were herein expressed. And for the foregoing purposes and in execution of any other powers of the Trustees (save the power to alter or amend this instrument or to resign this Trust) the Trustees may make such contracts with such persons, associates and corporations as they may deem desirable.

And for all the powers and purposes of this Trust, the Trustees shall have power to execute all written instruments, contracts, bills of sale, mortgages, assignments, leases, releases, bonds, deeds, discharges or other instruments necessary, proper or desirable therefor; and any purchaser, grantee, mortgagee, assignee, pledgee or other recipient of any property or interest from the Trustees shall take such property or interest free and clear of all Trusts.

4. The Trustees may borrow for the purposes of the Trust and may issue notes, bills of exchange, bonds, debentures and other evidence of obligation of this Trust, secured and unsecured, and to secure the same may execute mortgages, debentures, deeds of trust, and collateral agreements and secure the repayment by a pledge, mortgage or hypothecation of the Trust property or any part thereof.

5. No purchaser or mortgagee from and no person dealing with the Trustees shall be bound to make inquiry concerning the validity, regularity or propriety of, or the existence of circumstances affecting the validity, regularity or propriety of any sale, pledge, mortgage, lease, purchase, or other transaction purported to be made by or with the Trustees nor be liable for the application of money paid or loaned or any other thing of value given to the Trustees. For the purposes of this Trust the signature of one Trustee shall be required to carry out the powers of the Trustees and the purposes of this Trust.

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6. The Trustees may represent the beneficiaries and the Trust in all suits, actions and legal proceedings relating to the Trust estate or business or property in any courts of law or equity or before other bodies or tribunals, employ counsel and commence, defend or intervene in suits, actions or proceedings, or compromise or submit to arbitration, all matters of dispute to which the Trust or Trustees may be a party.

7. The Trustees may employ such attorneys, agent (general or special), and servants as they may deem necessary to carry out the purposes of the Trust and may act through them and delegate any of their powers to them (except the power to alter or amend or add to this instrument or to resign this Trust) and to this end may execute any necessary powers of attorney or other evidence of appointment. They may pay such attorneys, agents or servants such compensation as they may deem proper out of the Trust estate. The Trustees may pay themselves out of the Trust estate any compensation they deem earned either as salary or commission for their services in acting as Trustees or for other labor or services rendered by them to the Trust.

8. No Trustee or beneficiary shall be personally liable for any contract, tort, liability or obligation of the Trust and only the Trust estate shall be liable therefor, and all persons, associations, and corporations dealing with the Trustees shall look only to the funds or property of the Trust for payment of any debt, damage, judgment or decree.

9. The Trustees shall not be liable to any beneficiary except for their own wilful misconduct, nor shall they be liable for any default, negligence or misconduct of any agent, servant or attorney appointed by them to represent the Trust, nor shall the Trustees be

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required to give bond for the proper and faithful performance of their own duties or acts, nor for the acts of any agent, servant or attorney appointed by them.

10. The gross receipts of the Trust from any and all sources shall be applied to the payment of encumbrances upon property of the Trust and other expenses in connection with such property and the building, development, improvement, maintenance, rental, sale or disposition thereof; or to the payment of taxes, and other municipal liens, interest and obligations and expenses of the Trust, including salary and commission of the Trustees; or may be re-invested temporarily or permanently in any securities or property, real or personal; or may be divided between the beneficiaries in proportion to their respective interest; all in amounts and at times in the absolute discretion of the Trustees.

11. The terms of this Trust may be amended, modified or added to at any time by an instrument in writing, signed and acknowledged by the then acting Trustees and assented to in writing by all the beneficiaries then having interests in this Trust, and recorded with the Norfolk County Registry of Deeds. The Trustees may resign this Trust at any time by an instrument in writing, signed and acknowledged, and recorded with said Registry of Deeds, and they may appoint a successor by the same instrument. In case of the failure of the Trustees to appoint a successor in case of the resignation, or death, or removal of a Trustee, the beneficiaries then holding interests in this Trust may appoint a successor by an instrument, signed and acknowledged by a majority in number, and recorded with said Registry of Deeds, and in default of such appointment by the beneficiaries, a successor may be appointed by the Probate Court of

County. But no amendment, modification or addition to this Declaration, and no resignation or appointment of a Trustee, shall affect the rights, title or interests in land acquired by any person or persons before such amendment, modification, addition, resignation or appointment is recorded in the Norfolk Registry of Deeds. Any successor to the Trustee shall have all the powers and be subject to all the duties and liabilities of the present Trustees. And the execution and recording or registration of any amendment, modification, addition, resignation or appointment shall be conclusive evidence of the facts set forth therein.

12. This Trust shall endure the term of twenty (20) years after the death of the survivor of any person named herein. This provision is to be construed as part of and as a limitation upon duration of this Trust.

We, the said Trustees, assent to and accept the above.

IN WITNESS WHEREOF, We have hereunto and to another instrument of like tenor, set our hands and seals, this 28th day of October, 1988

By: Margaret Marguerite  
Margaret Marguerite  
Trustee

- 7 -

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

October 28, 19 88

Then personally appeared the above-named Margaret Marguerite and acknowledged the foregoing to be her free act and deed, before me.

Robert E. Ficco  
Notary Public - Robert E. Ficco

My Commission expires:

March 2, 1990

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 OFFICIAL 10- OFFICIAL  
 COPY

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RESIGNATION OF TRUSTEE  
 MARGUERITE FAMILY TRUST

NORFOLK COUNTY REGISTRY OF DEEDS  
 100 STATE STREET  
 NORFOLK, MA 01901  
 9179 71  
 RECEIVED

I, Margaret Marguerite, of Franklin, Norfolk County, Massachusetts, being the sole Trustee under the provisions of MARGUERITE FAMILY TRUST, a Declaration of Trust dated October 28, 1988, and recorded with Norfolk Registry of Deeds in Book 8145, Page 253, as amended, do hereby resign as said Trustee, effective at the date and time this instrument is recorded with the Norfolk Registry of Deeds.

I, hereby appoint Union Street Management, Inc., a Massachusetts corporation having a place of business at 137 East Central Street, Franklin, Massachusetts, as Successor Trustee under said Trust in place of myself, Margaret Marguerite who has resigned as above.

*Margaret Marguerite*  
 Margaret Marguerite

92 JAN 21 AM 11:40

RECEIVED  
 RECORDED

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

January 15, 1992

Then personally appeared the above named Margaret Marguerite and acknowledged the foregoing instrument to be her free act and deed, before me

*[Signature]*  
 Robert E. Ficco, Notary Public  
 My Commission expires: 2/7/97



NOT  
AN  
OFFICIAL  
COPYNOT  
AN  
OFFICIAL  
COPYACCEPTANCE OF APPOINTMENT  
OF SUCCESSOR TRUSTEE

Union Street Management, Inc., a Massachusetts corporation having a usual place of business at 137 East Central Street, Franklin, Massachusetts, hereby accept appointment as Successor Trustee of the Marquerite Family Trust, under Declaration of Trust dated October 28, 1988 and recorded with Norfolk Deeds in Book 8145, Page 253.

EXECUTED as a sealed instrument this 15th day of January, 1992.

UNION STREET MANAGEMENT, INC.

by Margaret Marquerite  
Margaret Marquerite, President and  
Treasurer

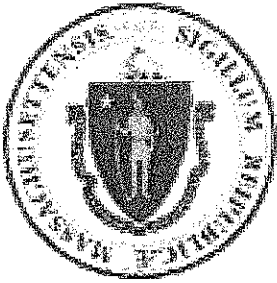
COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

January 15, 1992

Then personally appeared the above Margaret Marquerite and acknowledged the foregoing instrument to be the free act and deed of the Union Street Management, Inc., before me

Robert E. Ficco  
Robert E. Ficco, Notary Public  
My Commission expires: 2/7/97



**The Commonwealth of Massachusetts**  
**William Francis Galvin**

Minimum Fee: \$100.00

Secretary of the Commonwealth, Corporations Division  
 One Ashburton Place, 17th floor  
 Boston, MA 02108-1512  
 Telephone: (617) 727-9640

**Annual Report**

(General Laws, Chapter 156D, Section 16.22; 950 CMR 113.57)

Identification Number: 043142852

1. Exact name of the corporation: UNION CROSSING MANAGEMENT, INC.

2. Jurisdiction of Incorporation: State: MA Country:

3,4. Street address of the corporation registered office in the commonwealth and the name of the registered agent at that office:

Name: MARGARET MARGUERITE  
 No. and Street: 58 MEADOW LANE  
 City or Town: FALMOUTH State: MA Zip: 02540 Country: USA

5. Street address of the corporation's principal office:

No. and Street: 135 MAIN STREET  
 City or Town: MEDWAY State: MA Zip: 02053 Country: USA

6. Provide the name and addresses of the corporation's board of directors and its president, treasurer, secretary, and if different, its chief executive officer and chief financial officer.

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
PRESIDENT	PATRICK M. MARGUERITE	58 MEADOW LANE FALMOUTH, MA 02540 USA
TREASURER	PATRICK M. MARGUERITE	58 MEADOW LANE FALMOUTH, MA 02540 USA
SECRETARY	MARGARET MARGUERITE	58 MEADOW LANE FALMOUTH, MA 02540 USA
DIRECTOR	MARGARET MARGUERITE	58 MEADOW LANE FALMOUTH, MA 02540 USA
DIRECTOR	PATRICK M. MARGUERITE	58 MEADOW LANE FALMOUTH, MA 02540 USA

7. Briefly describe the business of the corporation:

FINANCIAL SERVICES

8. Capital stock of each class and series:

9. Check here if the stock of the corporation is publicly traded: \_\_\_\_

10. Report is filed for fiscal year ending: 12/31/ 2022

Signed by PATRICK M. MARGUERITE, its PRESIDENT  
on this 9 Day of January, 2023

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