

2/12

Petition
TOWN OF LYNNFIELD
ZONING BOARD OF APPEALS

RECEIVED
MARCH 12 2021
TOWN ENGINEERING OFFICE
LYNNFIELD, MA

March 12, 2021

Name of Petitioner: **Amie T. Geary and David E. Geary**

Address: **16 Candlewood Road, Lynnfield, Massachusetts 01940**

Address of property which is the subject of the Petition: **16 Candlewood Road, Lynnfield, Massachusetts 01940**

1. Indicate and describe relief being sought by this Petition:

 A. Appeal Decision made by * (Bldg. Inspector, Planning Board, etc.) Date:

 XB. Apply for Variance(s) **Petitioners propose to add a garage and larger driveway and patio and install a swimming pool, of which only the swimming pool will require side yard and rear yard setback Variances.**

 XC. Apply for Special Permit (if needed) **Under the Groundwater Protection District to allow an increase in the percentage of impervious area (beyond the existing non-conforming percentage) above the permitted area total allowed without a special permit under the bylaw.**

 D. Other: * (Specify)

2. Specify Zoning By-law Section(s) from which you desire relief: **Variance(s) under Section 5.4, 8.125 and 8.16 from the side yard and rear yard requirements to allow the installation of an in ground swimming pool and a Special Permit under Section 9.382 to allow an increase in the currently grandfathered impervious area of said Lot to permit an increase in the size of the driveway and addition of a third attached garage, all as shown on the plan by Hayes Engineering, Inc., entitled "Zoning Board of Appeals Site Plan Lynnfield, Mass. Showing Proposed Pool and Patio", dated March 10, 2021 and filed herewith.**

(Relief cannot be granted at this hearing for any condition or By-law not stated above.)

3. With respect to Land under consideration:

A. Its Area **34,096** square feet, street frontage **30** feet

B. District Zone (see By-laws) **RC**

C. Deed Recorded: Registry of Deeds - Book **32792**, Page **42**

Map **22**, Parcel **1421**

See Reverse Side

4. Ownership:

A. Name, Address of Owner(s): **Amie T. Geary**
David E. Geary
16 Candlewood Road, Lynnfield, MA 01940

B. If applicant is not owner, check the interest in the premises: **N/A**
Prospective Buyer: *
Lessee: *
Other (explain) *

5. The undersigned petitioner affirms the foregoing statements are true statements of fact:

Amie T. Geary and David E. Geary

Signed by: _____


Their Attorney **JOHN H. KIMBALL, JR.**
Street and Number: **618 Main Street** Town: **Lynnfield** State: **MA**
Phone No.: **(781) 334-3200**

Assessor's clerk _____ Date _____

6. A check payable to the Town of Lynnfield shall be delivered to the Secretary for the Board of Appeals, Town Hall, Lynnfield, MA 01940, for the proper amount indicated in the fee schedule.

7. **The application and fee shall be submitted to the Town Clerk at least four (4) weeks prior to the date of the hearing.**

8. Public Hearings are normally scheduled for 1st Tuesday in each month.

Petitioner not to write below:

Petition reviewed by Building Inspector for completeness _____

Received and stamped by Town Clerk _____

Entered with the Board of Appeal _____

Fees actually paid \$ _____

Advertised in _____

Parties of interest mailed notices _____

Hearing date _____

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DP/2

2013090300046 Bk:32792 Pg:42
09/03/2013 09:11 DEED Pg 1/2

MASSACHUSETTS EXCISE TAX
Southern Essex District ROD
Date: 09/03/2013 09:11 AM
ID: 980154 Doc# 20130903000460
Fee: \$3,727.80 Cons: \$817,105.00

Property Address: 16 Candlewood Rd, Lynnfield, MA 01940

QUITCLAIM DEED

Carol A. Koles, a married woman, of Lynnfield, Essex County, Massachusetts, for consideration paid, and in full consideration of eight hundred and seventeen thousand, one hundred and five (\$817,105.00) dollars, hereby grants to Amie T. Geary and David E. Geary, husband and wife, as tenants by the entirety, of 16 Candlewood Rd, Lynnfield, Massachusetts, with

QUITCLAIM COVENANTS

The land with the buildings thereon situated in Lynnfield, Essex County, Massachusetts, and being shown as Lot 15, on a plan of land entitled "Definitive Plan 'Perkins Farm' Lynnfield, Mass." dated July 17, 1981, and revised August 2, 1981, by Hayes Engineering, Inc., which plan is recorded in Essex South District Registry of Deeds, in Plan Book 172 as Plan 72.

Included in this conveyance is the right to use Perkins Lane and Candlewood Road, as shown on said plan, in common with all others lawfully entitled thereto, for all purposes for which public ways may be used in the Town of Lynnfield, Massachusetts.

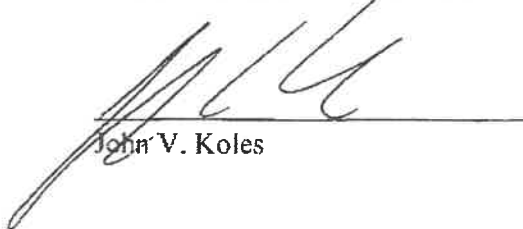
Said Premises are conveyed subject to the following;

1. An extended record and decision of the Lynnfield Board of Appeals recorded in said Deeds in Book 6951, Page 162;
2. A supplementary covenant recorded in Book 6951, Page 172;
3. An easement to New England Power Co., Book 3080, Page 1, Book 3093, Page 298, and Book 6209, page 697;
4. Terms and conditions of a Declaration of Covenants and Restrictions for Perkins Farm in Lynnfield, Book 6955, page 294;
5. Utility easements to New England Telephone and Telegraph Co., and Reading Municipal Light Department as shown on said plan and recorded in book 6986, Page 224, and a thirty (30') foot wide drain easement in location of which is shown on said plan.

By signing this deed, John V. Koles and Carol A. Koles, a married couple, hereby release any and all rights in homestead to the premises.

For title see deed dated February 6, 2009, and recorded in the Essex County Registry of Deeds in Book 28559, Page 73.

Witness our hands and seals this 3rd day of September, 2013.


John V. Koles


Carol A. Koles

COMMONWEALTH OF MASSACHUSETTS

Essex, SS.

September 3, 2013

On the 3rd day of September, 2013, personally appeared John V. Koles and Carol A. Koles, the signers of the within instrument, and proved to me through satisfactory evidence of identification, which were Massachusetts Drivers Licenses, and who duly acknowledged to me that they executed the same, as their free act and deed, before me.

My Commission expires:

