

RECEIVED

Petition
TOWN OF LYNNFIELD
ZONING BOARD OF APPEALS

2019 APR 12 A 8:46

TOWN CLERK'S OFFICE
LYNNFIELD, MA

Name of Petitioner MATTHEW KLEE AND HEATHER KLEE

Address 45 LYNNBROOK ROAD, LYNNFIELD, MA 01940

Address of Property which is the subject of the
Petition 45 LYNNBROOK ROAD, LYNNFIELD, MA 01940

1. Indicate and describe relief being sought by this petition:
(check appropriate box)

Date

A. Appeal Decision made by _____
Bldg. Inspector, Planning Board, etc.

B. Apply for a Variance

C. Apply for a Special Permit AND FINDING
TO EXTEND, ALTER OR CHANGE A NONCONFORMING STRUCTURE FOR THE PURPOSES
OF ENLARGING AN EXISTING KITCHEN

D. Other (specify)

2. Specify Zoning Bylaw Sections(s) from which you desire relief:
5.3 NONCONFORMING STRUCTURE

Relief cannot be granted at this hearing for any condition or bylaw not stated above

3. With respect to Land under consideration:

A. Its Area 11,789 square feet, street frontage 185.07 feet

B. District Zone (see Bylaws) RA

C. Deed Record: Registry of Deeds _____

Book _____ Page _____ (see tax bill)

Or Land Court _____

Book 456 Certificate 82225

Map 53 Parcel 2367

4. Ownership

A. Name, Address of Owner(s)

MATTHEW KLEE AND HEATHER KLEE, 45 LYNNBROOK ROAD, LYNNFIELD, MA 01940

B. If applicant is not owner, check the interest in the premises, and attach evidence of such interest.

Prospective Buyer: _____

Lessee: _____

Other (explain) _____

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

Signed Heather Klee Street and Number 45 LYNNBROOK ROAD, LYNNFIELD, MA 01940
Town/City LYNNFIELD State MA Phone No. 650-714-8439
Assessors Clerk _____ Date _____

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

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

8. Public Hearings are normally scheduled for the 1st Tuesday of 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 _____

MASSACHUSETTS QUITCLAIM DEED

We, WAYNE W. GROWITZ AND MARY ANN GROWITZ (a/k/a Wayne Growitz and Maryann Growitz) of Lynnfield, Massachusetts, for consideration paid, and in full consideration of:

FOUR HUNDRED NINETY EIGHT THOUSAND DOLLARS AND NO 00/100 (\$498,000.00)

grant to MATTHEW J. KLEE AND HEATHER J. KLEE, as husband and wife, tenants by the entirety; of 181 Alda Avenue, Mountain View, CA; with *Quitclaim Covenants*, a certain parcel of land with the buildings thereon situated in Lynnfield, Essex County, Massachusetts, bounded and described as follows:

See legal description attached hereto and incorporated herein. (EXHIBIT A)

Being the same premises conveyed to Grantor by deeds recorded with Essex South Registry of Deeds (Registered Land) in Document No. 164591, Certificate of Title No. 47619 and Document No. 175162, Certificate of Title No. 50046.

Locus: 45 Lynbrook Road
Lynnfield, MA 01940

Witness our hands and seals this 7th day of April, 2008.

Wayne W. Growitz
WAYNE W. GROWITZ

Mary Ann Growitz
MARY ANN GROWITZ

COMMONWEALTH OF MASSACHUSETTS

April 7, 2008

On this 7th day of April, 2008, before me, the undersigned notary public, personally appeared, Wayne W. Growitz and Mary Ann Growitz, proved to me through satisfactory evidence of identification, which was driver's licenses, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily, for the stated purpose.

JONATHAN J. ROSSI
NOTARY PUBLIC
COMMONWEALTH OF MASSACHUSETTS
MY COMMISSION EXPIRES FEBRUARY 16, 2012

[Signature]
Notary Public:
My Commission Expires:

488090 (82225+) Blch: 230106
Southern Essex District Registry
4/08/2008 11:09 AM DEED Pg: 1/4

EXHIBIT A

PARCEL 1

A certain parcel of land together with the buildings thereon situate in Lynnfield, numbered 45 on Lynbrook Road, Lynnfield, Essex County, Massachusetts, bounded and described as follows:

SOUTHEASTERLY by Lynnfield Circle, now called Lynbrook Road, eighty-five (85) feet;
EASTERLY by a curved line at the junction of said Lynnfield Circle and a Road, now called Fairview Road, twenty-two and 66/100 (22.66) feet;
NORTHEASTERLY by said Fairview Road, fifty-five (55) feet;
SOUTHWESTERLY by land now or formerly of Emily E. Campbell, et al, sixty and 3/100 (60.03) feet.
NORTHWESTERLY by lot 12, as shown on plan hereinafter mentioned, ninety five and 70/100 (95.70) feet; and

All of said boundaries are determined by the Court to be located as shown upon a plan numbered 15,214-A-2, filed with original Certificate of Title #9764, in said Registry, the same being compiled from a plan drawn by Philip J. Leary, C. S., dated August, 1932 and additional data on file in the Land Registration Office, all as modified and approved by the Court, and the above described land is shown as lot #11, on said first mentioned plan.

And it is further certified that said land is under the operation and provisions of Chapter 185 of the General Laws and that the title of former owner, Jennie Gabrielson to said land is registered under said Chapter subject however to any encumbrances mentioned in Section forty-six of said Chapter, which may be subsisting and subject also to the restriction that no house shall be built on said lot costing less than \$5,000.00 above ground.

For reference to title see deed dated December 19, 1977 and recorded with the Essex South District Registry of Deeds (Registered Land) as Document No. 164591, Certificate of Title No. 47619.

PARCEL TWO

A certain parcel of Registered Land situated in said Lynnfield, Essex County, Massachusetts, bounded and described as follows:

SOUTHEASTERLY one hundred and 07/100 (100.07) feet and
SOUTHWESTERLY forty nine and 84f/100 (49.84) feet by other land of said
 grantors;
NORTHWESTERLY by lot 12-A, as shown on plan hereinafter mentioned, one
 hundred and 20/100 (100.20) feet; and
NORTHEASTERLY by other land of said grantor, sixty and 01/100 (60.01) feet.

All of said boundaries are determined by the Land Court to be located as shown upon plan numbered 15817-B, drawn by Otis W. McIntosh, Civil Engineer, dated December 1937, as modified and approved by said Court, filed in the Land Registration Office, a copy of a portion of which is filed with Certificate of Title #13669 in the Essex South Registry District of said Court, and said land is shown as lot #11-A on said plan.

Together with, and as appurtenant thereto, a right of way over a strip of land formerly owned by Ralph W. and Ellen J. Green, 40 Lynbrook Road, Lynnfield on the Southeasterly side of and adjoining said lot, said strip of land being one hundred and 07/100 (100.07) feet in length and forty (40) feet in width, corresponding with Lynbrook Road shown on said plan numbered 15214-A-2 filed with original certificate #9764 if and as extended along the entire Southeasterly side line of said lot, for all purposes for which highways may be used in said Lynnfield, the same to be and remain in force until such time as said strip of land is laid out and accepted as an extension of said Lynbrook Road, or otherwise.

For reference to title see deed dated June 19, 1980 and recorded with the Essex South District Registry of Deeds (Registered Land) as Document No. 175162. Certificate of Title No. 50046.

SALEM
CANCELLED

04/08/08 10:16AM 01
000000 #2529

FEE \$2270.88

CASH \$2270.88

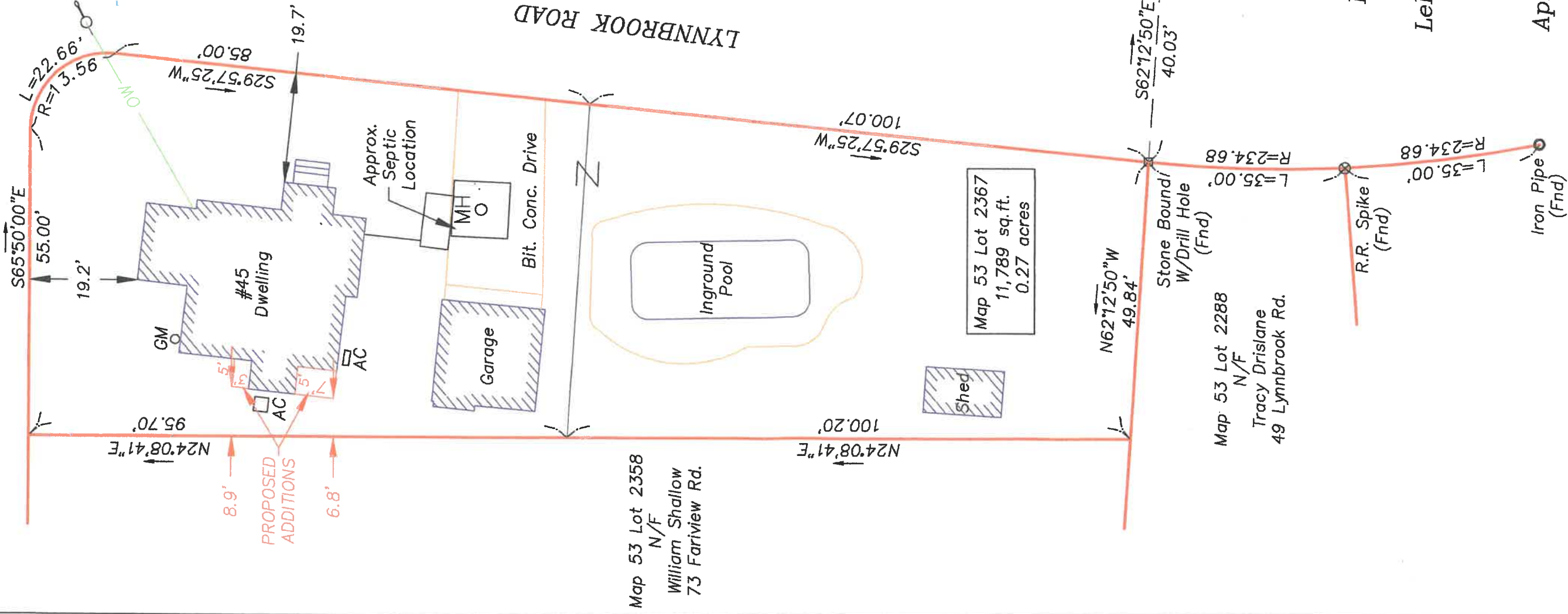
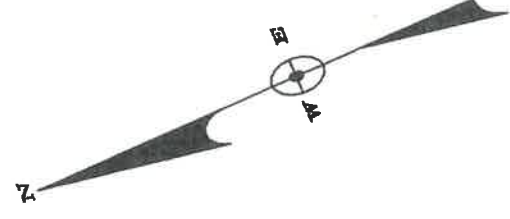
4880910

Deed

ESSEX SOUTH REGISTRY DISTRICT

APR 08 2008
REC 1
0'CLOCK 0'7 M2M
EX 456 FG 82225

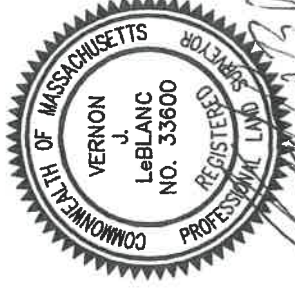
FAIRVIEW ROAD



Map 53 Lot 2358
N/F
William Shallow
73 Fairview Rd.

Map 53 Lot 2367
11,789 sq.ft.
0.27 acres

Map 53 Lot 2288
N/F
Tracy Drislane
49 Lynnbrook Rd.



ZONING DISTRICT - RA

REFERENCES:

- 1) Land Court Doc. #488090
- 2) Land Court Plan #15817B
- 3) Land Court Plan #15214A2
- 4) Land Court Plan #15817K

PROPOSED PLOT PLAN
45 LYNNBROOK ROAD
LYNNFIELD, MASSACHUSETTS

Prepared By
LeBlanc Survey Associates, Inc.
161 Holten Street
Danvers, MA 01923
(978) 774-6012

April 11, 2019 Scale: 1"=20'

HOR. SCALE IN FEET

