

The Commonwealth of Massachusetts
TOWN OF LENOX

Filing fee is due with the petition. If hearing expenses exceed this amount the Zoning Board of Appeals will bill the petitioner.

The undersigned hereby petitions the Town of Lenox Zoning Board of Appeals for:

X A Special Permit for exception under the provisions of Sections 5.2(H)(3) and 8.4.4(2) of the Town of Lenox Zoning By-Law.

☐ A Variance from the following provisions of Section _____ of the Town of Lenox Zoning By-Law.

To permit the following use or activity (describe proposed use or activity):

Short Term Rental of Entire Dwelling Unit at 83 Yokun Ave for a maximum 110 days per calendar year.

(See Addendum.)

For premises:

Owner of Record Geoffrey K. Brown & Cynthia K. Brown

Address 83 Yokun Ave, Lenox, MA 01240

Map and Parcel Map 12, Parcel 1

Zoned as R-1A, R-30

Deed Reference Book 6973 Page 167

(This information is available from the Assessor's Office or townoflenox.com in the Property Assessments-Online Database section.)

Petitioner Geoffrey Brown Cynthia Brown
(Your signature here also acknowledges that you agree to pay all hearing expenses relative to this petition.)

Address (Mailing Address) 83 Yokun Ave, Lenox, MA 01240

Telephone Number 812-369-0150

Email address browngeoffrey@sbcglobal.net outdoors4ever1@outlook.com

Date 02/21/2023

ADDENDUM

Geoffrey K. Brown & Cynthia K. Brown, Petitioners

Property Location: 83 Yokun Avenue, Lenox

Narrative

Exhibits:

Exhibit A – Notice of Decision and Affidavit

Exhibit B – Annotated Survey Plan

Exhibit C – Transfer Deed

Exhibit D – Property Record Cards and Assessor's Map

83 Yokun Avenue has been in the Brown family for 54 years. Dr. Robert K. Brown and Mrs. Marcia B. Brown purchased the land on Yokun Avenue in 1969 and lovingly maintained the 13-acre property for the rest of their lives. In 2010, the Zoning Board of Appeals granted Dr. Brown a special permit and variance to convert the property's carriage house/stable into an accessory dwelling unit after his equestrian hobbies were no longer practical at that stage in his life. See Notice of Decision and Affidavit attached as Exhibit A. The accessory dwelling unit was rented to the public in the summer of 2013 and has since been occupied by a family member. See annotated Survey Plan attached as Exhibit B representing the existing conditions at 83 Yokun Avenue.

Now, Dr. Brown's son, Geoffrey, and daughter-in-law, Cynthia, (the "Petitioners") own and occupy the main house at 83 Yokun Avenue as their principal residence, and will continue to occupy the property as their primary residence pursuant to Section 9.2.3.11. See Transfer Deed attached as Exhibit C. The family member occupying the accessory dwelling unit is purchasing a home and will no longer occupy the ADU. In keeping with the 54-year family history of the property, Petitioners wish to maintain 83 Yokun Avenue for their descendants. To offset the costs of this endeavor, Petitioners intend to rent out the accessory dwelling unit until their son is able to occupy it as his primary residence. While it is their intention to rent out the accessory dwelling unit, the Petitioners recognize and reserve their right pursuant to Section 8.4.5 (Short-Term Rental of Residential Properties, Multiple dwelling units on a parcel), to only rent one dwelling unit on the parcel at a time and apportion the Short-Term Rental days between the two dwelling units.

The Petitioners are requesting a special permit to allow for 35 additional Short-Term Rental days to maximize the rental income from their property.

The request for a special permit for 35 additional Short-Term Rental days is in conformity with Section 8.4.2 (Short-Term Rental of Residential Properties, General Requirements) of the Zoning Bylaw as follows:

1. During the Short-Term Rental use:
 - a. All overnight parking will be within the driveway that serves the accessory dwelling unit or, alternatively, in the driveway/garage that serves the main house; and
 - b. There will be no events that include tents or amplified music.
2. There will be no signs advertising the Short-Term Rental.
3. There are no outstanding violations of the Building Code, Fire Code, Board of Health, or Town General Bylaws.
4. Section 5.2(H)(3) permits the Short-Term Rental of Entire Dwelling Units for up to 110 days in both the R-1A and R-30 districts by special permit application.

The request for a special permit for 35 additional Short-Term Rental days is in conformity with Section 3.4.2 of the Zoning Bylaw as follows:

1. Community needs served by the proposal. The proposal is in conformity with Section 9.2.1 (Accessory Dwelling Unit, Purpose) and Section 8.4.1 (Short-Term Rental of Residential Properties, Purpose). The Petitioners seek rental income to maintain the family property.
2. Traffic flow and safety, including parking and loading. The Short-Term Rental of the accessory dwelling unit and/or the main house on the now 10.7-acre parcel will not adversely affect the traffic flow in the neighborhood. Sufficient parking on the property is provided to accommodate the Short-Term Rental in compliance with Section 7.1 (Off-Street Parking and Loading Requirements).
3. Adequacy of utilities and other public services. The accessory dwelling unit and main house are served by Town water and sewer.
4. Neighborhood character and social structures. The main house was built in 1947 and is consistent with the residential character of the neighborhood. The accessory dwelling unit has been permitted for 13 years and is consistent with the residential character of the neighborhood. The ADU is 500 feet from Yokun Avenue and set back 370 feet from the closest residence. The ADU is currently rented year-round by a family member, so the 35 additional days of Short-Term Rental will not adversely affect the character of the neighborhood.

5. Impacts on the natural environment. There will be no physical alterations to the structure, and therefore there will not be any change in topography of the property or impact on the natural environment.
6. Potential economic and fiscal impact to the Town, including impact on town services, tax base, and employment. The proposed 35 additional Short-Term Rental days are consistent with Section 9.2.1 (Accessory Dwelling Unit, Purpose) and Section 8.4.1 (Short-Term Rental of Residential Properties, Purpose) in that the additional rental income creates stability for the Petitioners and allows for them to continue to live in Lenox and maintain their family property.

The special permit will continue to encourage the most appropriate use of the land throughout the town and increase the amenities of the town, consistent with Section 1.2 Purpose of the Zoning Bylaw. For the reasons stated herein, the Petitioners respectfully request that the Zoning Board of Appeals grant a special permit for 35 additional days of Short-Term Rental.

Respectfully,

GEOFFREY K. BROWN and CYNTHIA K. BROWN, Petitioners

By: 
Grace L. Enchill, Esq.
HELLER & ROBBINS PC
36 Cliffwood Street
Lenox, MA 01240
(413) 637-2225

EXHIBIT A

Notice of Decision

Dated July 10, 2010

Recorded with Berkshire Middle District Registry of Deeds in Book 4589, Page 293

Affidavit

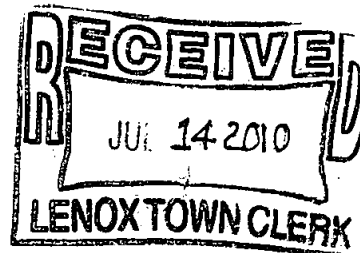
Dated May 1, 2013

Recorded with Berkshire Middle District Registry of Deeds in Book 5159, Page 155



Bk: 4589 Pg: 293 Doc: NOT
Page: 1 of 4 08/06/2010 03:03 PM

**TOWN OF LENOX
ZONING BOARD OF APPEALS**



NOTICE FOR RECORDING IN THE REGISTRY

Notice is hereby given that a SPECIAL PERMIT & VARIANCE has been granted in compliance with the statutory requirements as set forth in Chapter 40A MGL, as amended, by the Lenox Zoning Board of Appeals to:

PETITIONER: ROBERT K. BROWN

LAND OWNER: ROBERT K. BROWN

PREMISES: 83 YOKUN AVE

MAP AND PARCEL: 12-1

The decision of the Board is filed this date with the Town Clerk and the Planning Board.

Signed and certified this fourteenth day of July 2010
Shirley A. Aggy
Zoning Board of Appeals

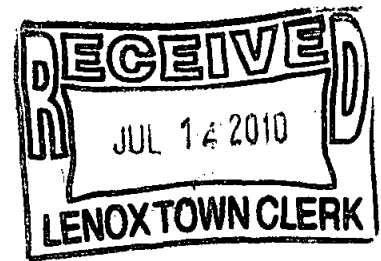
CERTIFICATE BY THE TOWN CLERK FOR FILING OF THE DECISION IN THE REGISTRY

This is to certify that twenty (20) days have elapsed since filing of the above decision with this Office and no appeal has been filed, or appeal has been filed and denied in the case.

Jennifer D. Picard
Town Clerk

10/05/2002
02/29/2004





**TOWN OF LENOX
ZONING BOARD OF APPEALS
DECISION**

At a Public Hearing held in the Land Use Meeting Room, Lenox Town Hall, on July 7, 2010, The Lenox Zoning Board of Appeals (the "Board") heard the Petition ("the Petition") of Robert K Brown (the "Petitioner") concerning property located at 83 Yokun Avenue (Map 12, Parcel 1). The property is zoned R-1A and R-30. The Petitioner requested:

- A Special Permit under 7.2.2 of the Zoning Bylaw to convert the existing detached carriage house into an Accessory Dwelling Unit (ADU).
- A Variance from Section 7.2.3(4)—Maximum Unit Size. The Maximum Unit Size for an ADU is 800 square feet and the Petitioner's proposed ADU is 1,200 square feet.

Board members present were: Pam Kueber, Shawn Leary Considine, Jo Anne Huntley Magee, Robert Fuster, and Ned Douglas. Jo Anne Huntley Magee, Shawn Leary Considine and Ned Douglas were sitting through invocation of the rule of necessity. The Petitioner and his counsel, Philip F. Heller, also present, were so informed and accepted the condition of those sitting under the rule. Also present on behalf of the Petitioner was Robert Akroyd of Greylock Design Associates.

Mr. Heller explained that the Petitioner wanted to convert the first floor of an existing two-story structure, containing 1,200 square feet of space to an ADU. The second story, consisting of 1200 square feet, would be used for storage. The building was constructed in 1983 as a carriage house, inclusive of a tack room, grain room, hay storage, carriage storage and wash stall. When constructed, existing stone walls were preserved and integrated into the site design. Due to the chronic, long term, debilitating illness of a family member, the structure is no longer used for that purpose. The Petitioner desires to adaptively reuse the structure as an ADU occupied by a member of his family. The arrangement will provide the Petitioner the comfort, companionship and security of a close-by family member and will allow the family member to afford to live in Lenox.

Mr. Heller went on to describe how the request is in conformity with the ADU Bylaw with the exception of maximum unit size.

- This will be the only ADU on the property.
- The proposed ADU is associated with a single-family residence on a parcel of 579,348 square feet, significantly larger than the 10,000 square foot minimum requirement.
- The proposed ADU is 1,200 square feet, exceeding the minimum square footage requirement.
- The carriage house is a pre-existing, nonconforming structure meeting the 20% density requirement.

- The structure is visually subordinate to the principal structure, virtually unseen and in keeping with the architectural style of the main building. Exterior elements will remain the same.
- The proposal is in compliance with off-street parking requirements.

With regard to the maximum unit size, Mr. Heller explained that while the proposal exceeded the minimum allowable square footage, it still met the 40% percent requirement, was reasonable use of existing space and in all other respects met or exceeded the requirements of the bylaw.

The Board then took questions and comments from the floor. Ms. Nelson of 80 Yokun Avenue spoke in favor of the proposal. Four emails and one letter in support of the proposal without objection were also read into the record.

The meeting was closed and a motion was made and seconded to grant 1) a special permit under Section 7.2.2 to convert the existing detached carriage house into an ADU and 2) a variance to allow the ADU to occupy the full square footage of the existing first floor consisting of 1,200 square feet.

The Board approved the motion 5-0 with the following findings:

- The existing structure is in character with the overall topography of the land and existing dwellings and will not be externally altered. Existing historical stonewalls will be preserved.
- The proposal is an appropriate adaptive reuse of a pre-existing structure.
- The structure is inherently subordinate to the primary residence and existing, historical garage structure.
- The proposed use is consistent with the intent of the ADU bylaw.
- The structure is sufficiently set back and removed from adjacent residences as to be virtually unseen from the street or adjacent properties in all seasons.
- It would be unreasonable to require subdivision of a single open, self-contained 1,200 square foot space under the above conditions. It was further noted that the space meets one of two criteria for determining maximum unit size in that it is less than 40% of the space of the principal single-family structure.

Any appeal from this decision must be made pursuant to M.G.L. Chapter 40A, Section 17, as amended, and must be filed within twenty (20) days of the filing of this Decision with the Lenox Town Clerk. Petitioner is also responsible for the filing, at least twenty (20) days after this decision is filed with the Town Clerk, of a certified copy of this decision at the Berkshire Middle District Registry of Deeds in Pittsfield, if no appeal has been filed with the Town Clerk within the aforementioned twenty (20) days. Petitioner remains responsible for obtaining all necessary permits.

The Petitioner must also file a notarized affidavit certifying that the premises will continue to be occupied by the owner as his or her principal domicile, except for

bona fide temporary absences, before a building permit will be issued. The special permit and the notarized affidavit must be made part of the special permit and recorded in the Berkshire Middle District County Registry of Deeds, in the chain of the title to the property, with the documentation of the recording provided to the Building Commissioner, prior to the occupancy of the accessory dwelling unit.

The petition was filed on April 23, 2010. The hearing was advertised on May 20 and May 27, 2010 in the Advocate.

Filed this 14th day of July 2010, with the Lenox Town Clerk, the Planning Board, the Zoning Board of Appeals, and the Building Inspector.

(Submitted electronically)
Jo Anne Huntley Magee
For the Lenox Zoning Board of Appeals



2013 00835358

Bk: 5159 Pg: 155 Doc: AFF

Page: 1 of 1 03/25/2013 09:19 AM

AFFIDAVIT

Now comes Robert K. Brown of Lenox, Massachusetts, who being first duly sworn deposes and says:

1. I am the owner of property located at 83 Yokun Avenue, Lenox, Massachusetts, on which property is located a single family residence, an accessory dwelling unit and a garage.
2. I have resided on the property in the single family residence as my primary residence since I purchased the property on December 10, 1969. I intend to occupy either the single family dwelling or the accessory dwelling unit as my primary residence, except for bona fide temporary absences.

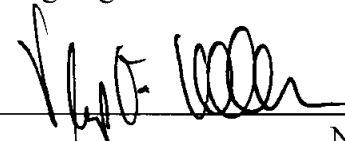
Signed under the pains and penalties of perjury this 1st day of March, 2013.


ROBERT K. BROWN

COMMONWEALTH OF MASSACHUSETTS

Berkshire, ss.

On this 5 day of March, 2013, before me, the undersigned notary public, personally appeared ROBERT K. BROWN, proved to me through satisfactory evidence of identification which was PERSONAL KNOWLEDGE OF IDENTITY, to be the person whose name is signed on the preceding or attached document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief and acknowledged the foregoing to be his free act and deed.


Notary Public

My Commission Expires: 8-23-13

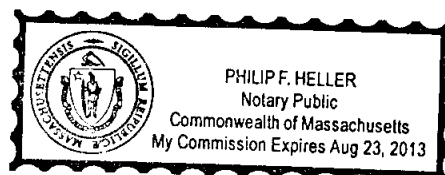


EXHIBIT B

Annotated Survey Plan

Dated February 5, 2021

Recorded with Berkshire Middle District Registry of Deeds in Plat R-99

GENERAL NOTES

- This Plan of Land is intended solely to represent the boundary lines of the subject property.
- Unless otherwise noted hereon, this survey plan shall not be construed as depicting the presence, absence, or limits of any or all regulated wetlands or floodplains. Any surface water features shown, such as streams or ponds, are not represented as indicating limits of wetland resource areas.
- No other permits, approvals, uses, site conditions or suitability are expressed or implied hereby, either directly or by omission.
- All parcels are subject to and with the benefit of all rights, restrictions, conditions, easements, leases, encumbrances and appurtenances of record.
- Endorsement does not imply compliance with Wetlands Protection Act or zoning.
- This survey was prepared without the benefit of an attorney's abstract of title and/or title report and is subject to any statement of facts such abstract or report would have revealed. This property was surveyed by the possession lines found at the time the survey was made.
- Horizontal datum is based upon a plan entitled, "Plan of Land in Lenox, MA. Owner: Ronald R. & Kathleen R. Woodger Book 881, Page 505" dated May 8, 1995, recorded as Plat D-242 in Berkshire County Registry of Deeds, Middle District.
- Location of Zoning boundaries shown hereon are approximate and are referenced from the online Town of Lenox, MA GIS Zoning Map.

SITE DATA

Data provided by Town of Lenox, MA Zoning Bylaw (2019)

Zoned: Residential R-1A (Majority) & Residential R-30
Use: Building Lot

Dimensional Requirements (R-1A):

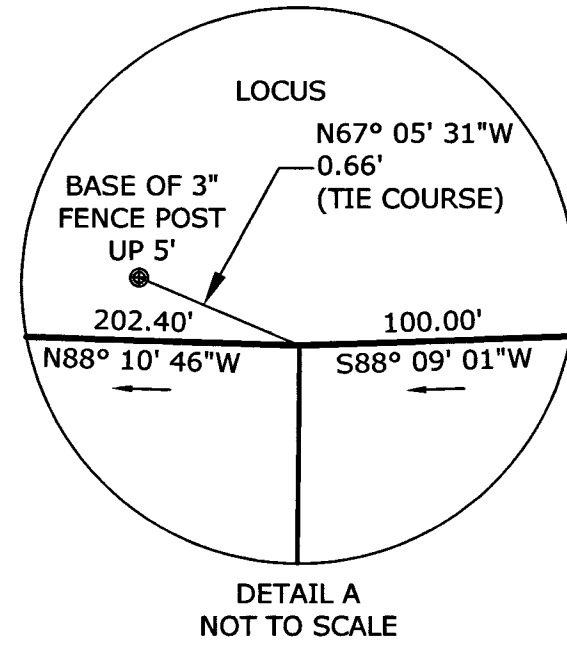
Min. Lot Size (Acres)	= 1
Min. Lot Frontage (Ft.)	= 150
Min. Lot Width (Ft.)	= 150
Min. Yard Setbacks (Ft.)	
Front (Street)	= 35
Side/Back (Lot Line)	= 25

Max. Building Height (Ft./ Stories) = 35/2
Max. Lot Coverage (%) = 20

Dimensional Requirements (R-30):

Min. Lot Size (Sq. Ft.)	= 30,000
Min. Lot Frontage (Ft.)	= 125
Min. Lot Width (Ft.)	= 125
Min. Yard Setbacks (Ft.)	
Front (Street)	= 35
Side/Back (Lot Line)	= 20

Max. Building Height (Ft./ Stories) = 35/2
Max. Lot Coverage (%) = 20



Accessory Dwelling Unit

Garage

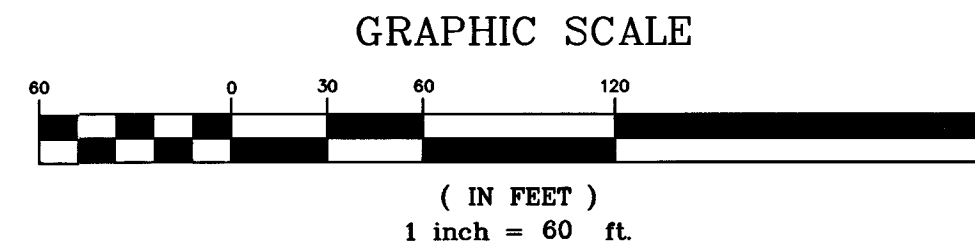
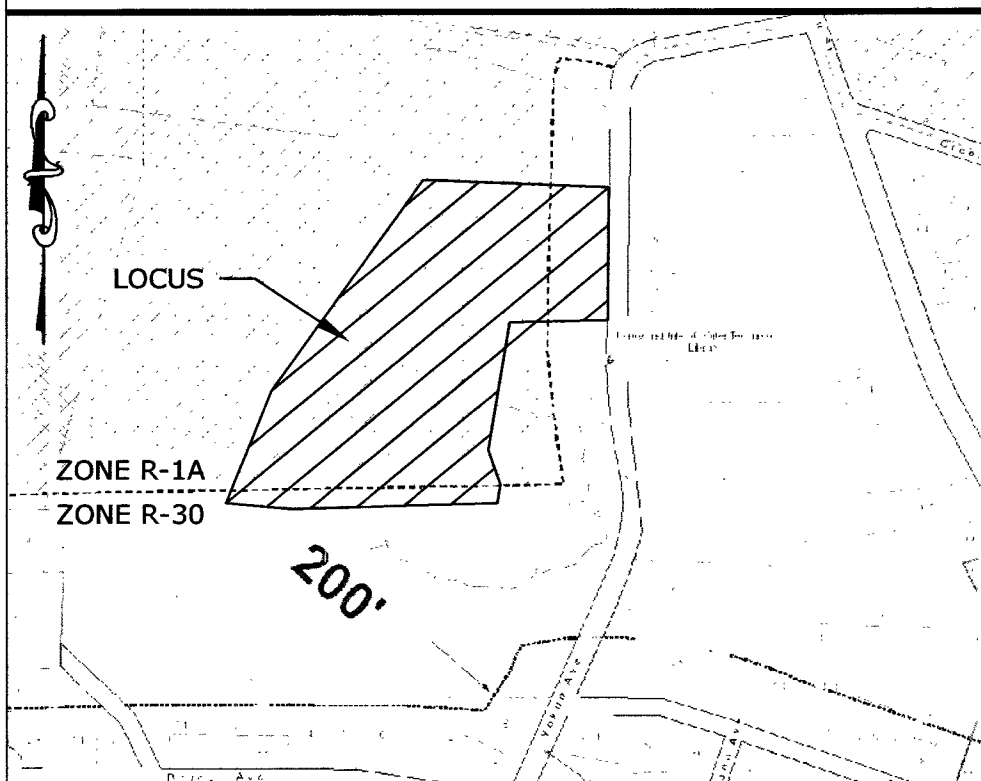
Main House

LOT 2
AREA = 10.72± ACRES

LOT 1
AREA = 2.94 ± ACRES

VICINITY MAP

APPROX. SCALE: 1" = 500'



APPROVAL NOT REQUIRED UNDER
SUBDIVISION CONTROL LAW

James J. Rice
James J. Rice
James J. Rice

TOWN OF LENOX, MA
PLANNING BOARD

DATE: March 9, 2021

Town of Lenox, MA Planning Board
Endorsement Does Not Imply That The
Lots or Parcels Shown Hereon Are
Building Lots, Nor That They Comply
With Zoning Ordinances, Wetlands
Regulations, Title 5, or Other Local,
State or Federal Regulations.

2021 00001920
Bk: Pg: 0 Doc: PLAN
Page: 0 04/08/2021 09:15 AM

COUNTY OF BERKSHIRE
MIDDLE DISTRICT REGISTRY OF DEEDS
PLAN RECEIVED AND FILED FOR RECORD
4/8/2021 at 9:15 AM
IN PLAT R-99
SEE INSTRUMENT RECORDED IN
BOOK PAGE
REGISTER

Robert M. Brown

I CERTIFY THAT THIS PLAN HAS BEEN
PREPARED IN ACCORDANCE WITH THE
RULES AND REGULATIONS OF THE
REGISTERS OF DEEDS.

Frederick J. Haley
DATE: February 5, 2021



LEGEND

- IRON PIPE FOUND
- BOUND FOUND
- IRON PIPE TO SET
- ⊙ DECIDUOUS TREE
- ⊙ FENCE POST
- ⊙ UTILITY POLE
- ⊙ SEWER CLEAN OUT
- ⊙ SEWER MANHOLE
- ⊙ GATE POST
- ⊙ TRANSFORMER
- PROPERTY LINE
- APPROX. ZONE BONDARY LINE
- ZONING SETBACK
- EDGE OF GRAVEL
- EDGE OF PAVEMENT
- EXISTING EDGE OF LAWN
- EASEMENT LINE
- EXISTING FENCE
- EXISTING BUILDING

RECORD OWNER

1/2 INTEREST
THE MARCIA BEALS BROWN
EXEMPT FAMILY TRUST
BOOK 5676 PAGE 164

1/2 INTEREST
ROBERT KEITH BROWN
REVOCABLE TRUST
BOOK 6837 PAGE 178
PARCEL ID:12-1-0

PLAN OF LAND
Prepared For

GEOFFREY K. BROWN &
CHRISTOPHER L. BROWN

TRUSTEES OF THE MARCIA BEALS BROWN EXEMPT FAMILY TRUST
AND
TRUSTEES OF THE ROBERT KEITH BROWN REVOCABLE TRUST
83 YOKUN AVENUE
LENOX, MA.

FORESIGHT
LAND SERVICES

ENGINEERING
SURVEYING
PLANNING

FORESIGHT LAND SERVICES, INC.
1496 WEST HOUSATONIC STREET - PITTSFIELD, MA 01201
TEL: 413-439-1500 FAX: 413-439-3307 WWW.FORESIGHTLAND.COM

SCALE: 1" = 60'	DWN. BY:DW/SK	CHK. BY: FJH
DATE: February 5, 2021	DWG. NO. S3071W01	
JOB NO. S3071	Layout Tab: W01	

EXHIBIT C

Transfer Deed

Dated July 26, 2021

Recorded with Berkshire Middle District Registry of Deeds in Book 6973, Page 167



2021 00981510

Bk: 6973 Pg: 167 Doc: DEED

Page: 1 of 4 07/30/2021 09:21 AM

TRANSFER DEED

We, **GEOFFREY K. BROWN and CHRISTOPHER L. BROWN, TRUSTEES OF ROBERT KEITH BROWN REVOCABLE TRUST**, under trust agreement dated September 16, 2003 (see trustee certificate recorded herewith), of Lenox, Ma, **and GEOFFREY K. BROWN and CHRISTOPHER L. BROWN, TRUSTEES OF MARCIA BEALS BROWN EXEMPT FAMILY TRUST**, created by the **Marcia Beals Brown Revocable Trust**, dated September 16, 2003 (see trustee certificate recorded herewith), of Lenox, MA, for no consideration paid as this transaction constitutes a transfer and not a sale, grant to **GEOFFREY K. BROWN and CYNTHIA K. BROWN**, husband and wife, whose residence and post office address is 83 Yokun Avenue, Lenox, MA 01240, to be held as **TENANTS BY THE ENTIRETY**, with **QUITCLAIM COVENANTS**, the land with buildings, situated in the Town of Lenox, Berkshire County, Massachusetts, bounded and described as follows:

LOCUS: 83 Yokun Avenue, Lenox, MA

Lot 2, containing 10.72 ± acres, as shown on plan titled "PLAN OF LAND Prepared For GEOFFREY K. BROWN & CHRISTOPHER L. BROWN, TRUSTEES OF THE MARCIA BEALS BROWN EXEMPT FAMILY TRUST AND TRUSTEES OF THE ROBERT KEITH BROWN REVOCABLE TRUST, 83 YOKUN AVENUE, LENOX, MA", surveyed by Foresight Land Services, Inc., Scale: 1" = 60, Dated: February 5, 2021 and recorded with the Berkshire Middle District Registry of Deeds in Plat R-99.

Together with the benefit of a utility easement as described in a deed from Geoffrey K. Brown and Christopher L. Brown, Trustees of Robert Keith Brown Revocable Trust, and Geoffrey K. Brown and Christopher L. Brown, Trustees of Marcia Beals Brown Exempt Family Trust to Christopher L. Brown dated July 26, 2021 and recorded in said Registry of Deeds in Book 6973, Page 163.

Together with the benefit of a Special Permit & Variance granted by the Town of Lenox Zoning Board of Appeals to convert an existing detached carriage house into an Accessory Dwelling Unit dated July 14, 2010 and recorded with said Registry of Deeds in Book 4589, Page 293.

Being a portion the same premises conveyed to the Grantors herein by the deed of distribution from Geoffrey Brown and Christopher L. Brown, Personal Representatives of the Estate of Robert Keith Brown, a/k/a Bob K. Brown, Robert K. Brown and Robert Brown dated and recorded February 5, 2021 in the Berkshire Middle District Registry of Deeds in Book 6837, Page 178 and by deed of distribution from Robert K. Brown, Personal Representative of the Estate of Marica Beals Brown a/k/a Marcia B. Brown dated December 11, 2015 and recorded December 23, 2015 with said Registry of Deeds in Book 5676, Page 164.

WITNESS our hands and seals this 26th day of July 2021

ROBERT KEITH BROWN REVOCABLE TRUST

Geoffrey K. Brown
Geoffrey K. Brown, Trustee

Christopher L. Brown
Christopher L. Brown, Trustee

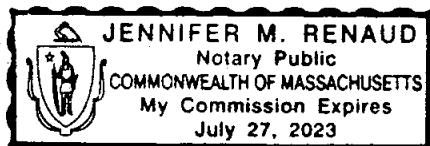
COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE COUNTY

On this 26th day of July 2021, before me, the undersigned notary public, personally appeared **GEOFFREY K. BROWN and CHRISTOPHER L. BROWN**, who proved to me through satisfactory evidence of identification, being (check whichever applies):

- (☒) driver's license or other state or federal government document bearing a photographic image:
() oath or affirmation of a credible witness known to me who knows the above signatory; or
() my own personal knowledge of the identity of the signatory,

to be the persons whose names are signed on the preceding or attached documents in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of their knowledge and belief, and acknowledged to me that they signed it voluntarily for its stated purpose as their free act and deed, **Trustee of Robert Keith Brown Revocable Trust.**



Jennifer M. Renaud
Jennifer M. Renaud, Notary Public
My Commission Expires: 7/27/23

WITNESS our hands and seals this 26th day of July 2021

**MARCIA BEALS BROWN EXEMPT FAMILY TRUST,
created by the Marcia Beals Brown Revocable Trust**

Geoffrey K. Brown
Geoffrey K. Brown, Trustee

Christopher L. Brown
Christopher L. Brown, Trustee

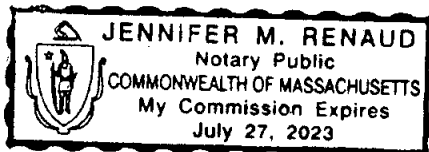
COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE COUNTY

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- (☒) driver's license or other state or federal government document bearing a photographic image;
() oath or affirmation of a credible witness known to me who knows the above signatory; or
() my own personal knowledge of the identity of the signatory,

to be the persons whose names are signed on the preceding or attached documents in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of their knowledge and belief, and acknowledged to me that they signed it voluntarily for its stated purpose as their free act and deed, **Trustee of Marcia Beals Brown Exempt Family Trust, created by the Marcia Beals Brown Revocable Trust.**



Jennifer M. Renaud
Jennifer M. Renaud, Notary Public
My Commission Expires: 7/27/23

EXHIBIT D

Property Record Cards Assessor's Map

83 Yokun Avenue, Lenox, MA 01240
Map 12, Parcel 1

Key: 665

Town of LENOX - Fiscal Year 2023

12/8/2022

6:17 pm

SEQ #: 742

LEGAL

LAND

DETACHED

BUILDING

CURRENT OWNER								PARCEL ID				LOCATION						
BROWN GEOFFREY K BROWN CYNTHIA K 83 YOKUN AVE LENOX, MA 01240								12-1-0				83 YOKUN AVE						
								TRANSFER HISTORY				DOS		T	SALE PRICE		BK-PG (Cert)	
								BROWN GEOFFREY K				07/30/2021		A			6973-167	
								BROWN GEOFFREY K (CO TRUS				02/05/2021		H			6837-178	
								BROWN ROBERT K TRUSTEE ET				12/23/2015		F			5676-164	
CD	T	AC/SF/UN	Nbhd		Inf1		Inf2		ADJ BASE	SAF	Inf3		LPI	VC	CREDIT AMT	ADJ VALUE		
100	S	43,560	1	1.00	A	1.00	A	1.00	327,600	1.00	A	1.00	10	2.60		327,600		
200	A	2,000	1	1.00	10	0.90	A	1.00	189,306	1.00	A	1.00	10	2.60		378,610		
300	A	7,720	1	1.00	75	0.25	A	1.00	8,125	0.76	A	1.00	10	2.60		47,380		

TOTAL	10.720 Acres	ZONING	R30	FRNT	0	ASSESSED	CURRENT	PREVIOUS
Nbhd	Tanglewood	NOTE ADJ=SHAPE/STEEP				LAND	753,600	638,600
Inf1	AVG					BUILDING	597,600	489,500
Inf2	AVG					DETACHED	40,600	36,800
						OTHER	231,600	191,500
						TOTAL	1,623,400	1,356,400

TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD
DGC	G	1.20	40	0.60	24 X 47	1,128	48.71
LBN	G	1.20	90	0.10	33 X 41	1,353	31.43
ASH	+	1.10	40	0.60	IRREG	704	7.78

PHOTO 05/16/2007

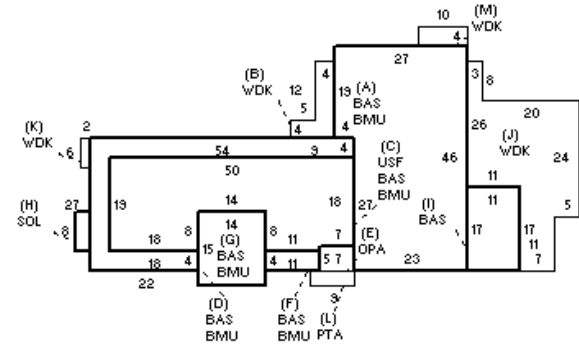


BLDG COMMENTS

BUILDING	CD	ADJ	DESC	MEASURE	8/4/2006	PBK
MODEL	1		RESIDENTIAL			
STYLE	8	0.90	CONTEMPORARY [100%]	LIST	3/25/2011	RJM
QUALITY	V	1.50	VERY GOOD [100%]			
FRAME	1	1.00	WOOD FRAME [100%]	REVIEW	3/27/2011	RJM

YEAR BLT	1947	SIZE ADJ	1.000	ELEMENT	CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN	TOTAL RCN	905,486
NET AREA	3,641	DETAIL ADJ	0.882	FOUNDATION	4	FLR & WALL	1.00	+	BMU	N	BSMT UNFINISHED	2,599		46.56	121,016	CONDITION ELEM CD	
\$NLA(RCN)	\$249	OVERALL	1.000	EXT. COVER	10	VERT BOARD	0.98	+	BAS	L	BASE AREA	2,389	1947	200.16	478,182		
CAPACITY				ROOF SHAPE	2	HIP	1.00	+	WDK	N	WOOD/COMP DECK	723		44.85	32,427	EXTERIOR	A
				ROOF COVER	1	ASPH/CMP SHIN	1.00	C	USF	L	UPPER STORY FIN	831	1994	184.31	153,164	INTERIOR	A
				FLOOR COVER	1	HARDWOOD	1.00	E	OPA	N	OPEN PORCH	35		64.07	2,243	KITCHEN	A
				INT. FINISH	1	PLASTER	1.00	G	BAS	L	BASE AREA	210	1947	200.16	42,033	BATHS	A
				HEATING/COOL	2	HOT WATER	1.00	H	SOL	L	SOLARIUM	24	1947	135.50	3,252	HEAT	A
				FUEL SOURCE	2	GAS	1.00	I	BAS	L	BASE AREA	187	1972	200.16	37,430	ELECT	A
												L	PTA	N	PATIO/STOOP	482	EFF.YR/AGE 1987 / 34
												F11	O	FPL 1S 1OP	8,767.50	8,768	
												F21	O	FPL 2S 1OP	10,018.50	10,019	
												WPL	O	WHIRLPOOL-ADD	2,713.50	2,714	
																COND	34 34 %
																FUNC	0
																ECON	0
																DEPR	34 % GD 66
																RCNLD	\$597,600

CLASS	CLASS%	DESCRIPTION			BN ID	BN	CARD	
1090	100	MULTIPLE HOUSES				1	1 of 2	
PMT NO	PMT DT	TY	DESC	AMOUNT	INSP	BY	1st	%
SS23-3		20	Splits/Subs/		02/15/2022	ER	100	100
10-477	11/03/2010	1	New Constr (160,000	05/10/2012	RJM	100	100
10-389	09/15/2010	3	Reno / Alter	3,000	03/25/2011	RJM	100	100
CR	01/01/1995	77	Cycl Rev No		06/06/1995	SL	100	100
92-125	09/01/1992	2	Additions	55,000	08/18/1993	PSK	100	100



Key: 665

Town of LENOX - Fiscal Year 2023

12/8/2022

6:17 pm


SEQ #: 743

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CURRENT OWNER						PARCEL ID		LOCATION			
BROWN GEOFFREY K BROWN CYNTHIA K 83 YOKUN AVE LENOX, MA 01240						12-1-0		83 YOKUN AVE			
						TRANSFER HISTORY		DOS	T	SALE PRICE	BK-PG (Cert)

CD	T	AC/SF/UN	Nbhd	Infl1	Infl2	ADJ BASE	SAF	Infl3	LPI	VC	CREDIT AMT	ADJ VALUE

TOTAL		ZONING		FRNT		ASSESSED	CURRENT	PREVIOUS
Nbhd		N O T E				LAND BUILDING DETACHED OTHER	231,600	
Infl1								
Infl2								
						TOTAL		

TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD	PHOTO	05/10/2012
									

BUILDING	CD	ADJ	DESC	MEASURE	5/10/2012	RJM
MODEL	1		RESIDENTIAL	LIST REVIEW	5/10/2012	EST
STYLE	8	0.90	CONTEMPORARY [100%]		5/10/2012	EST
QUALITY	A	1.00	AVERAGE [100%]		5/15/2012	RJM
FRAME	1	1.00	WOOD FRAME [100%]			

YEAR BLT	2011	SIZE ADJ	1.000	ELEMENT	CD	DESCRIPTION	ADJ	S	BAT	T	DESC
NET AREA	1,635	DETAIL ADJ	0.862	FOUNDATION	2	SLAB	0.95	+	BAS	L	BASE AREA
\$NLA(RCN)	\$157	OVERALL	1.000	EXT. COVER	10	VERT BOARD	0.98	A	USF	L	UPPER STOR
				ROOF SHAPE	2	HIP	1.00	B	PTA	N	PATIO/STOO
CAPACITY		UNITS	ADJ	ROOF COVER	1	ASPH/CMP SHIN	1.00	C	WDK	N	WOOD/COMB
STORIES	1.25	1.00		FLOOR COVER	1	HARDWOOD	1.00		GFP	O	GAS FIREPL
ROOMS	4	1.00		INT. FINISH	2	DRYWALL	1.00				
BEDROOMS	1	1.00		HEATING/COOL	9	WARM/COOL AIR	1.03				
BATHROOMS	1	1.00		FUEL SOURCE	2	GAS	1.00				
TOT FIXTURES	3	\$2,069									
GARAGE SPACES	0	1.00									
% BSMT FIN	0	1.00									
# 1/2 BATHS	0	1.00									
# OF UNITS	1	1.00									



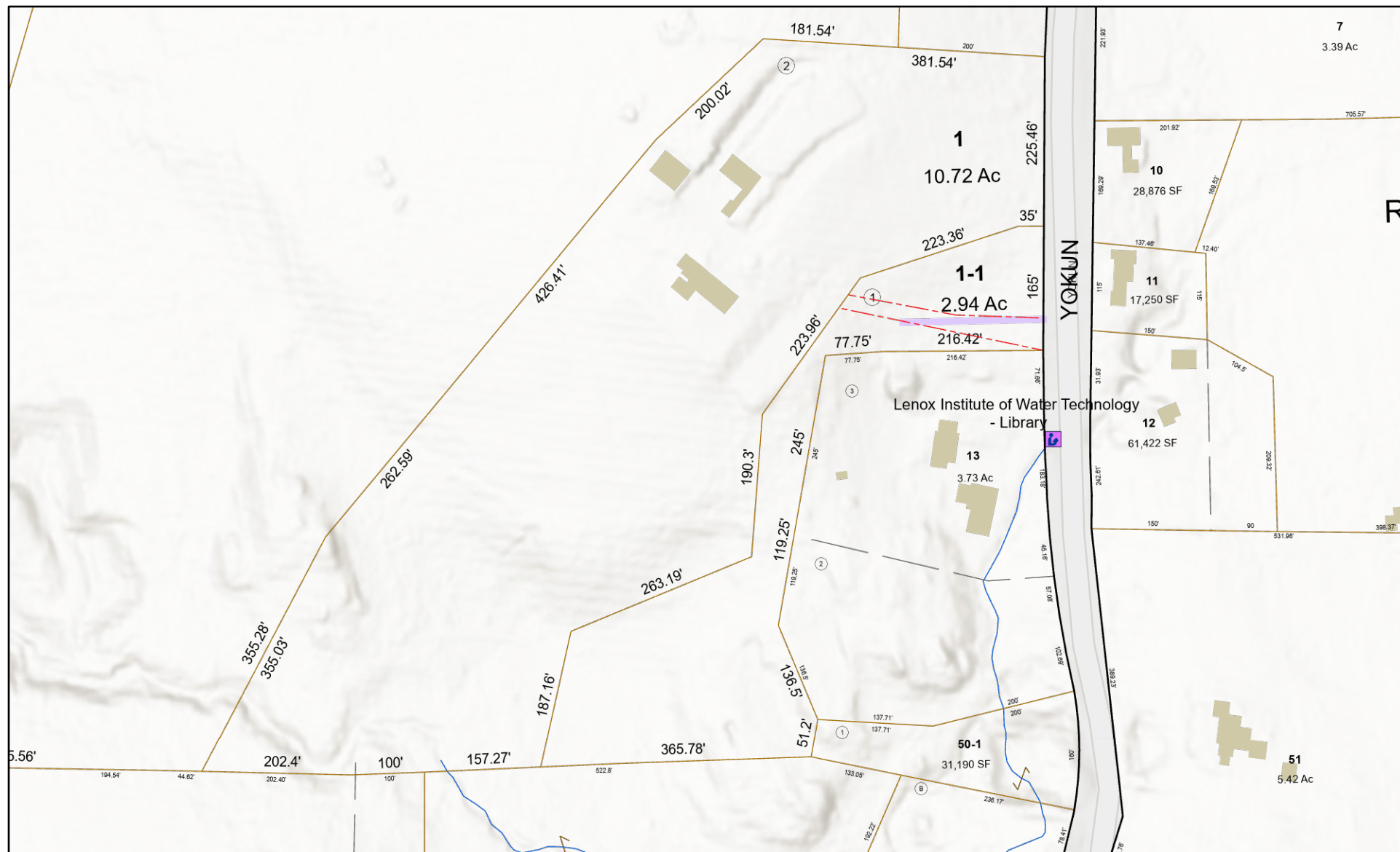
Town of Lenox, MA

1 inch = 188 Feet



February 23, 2023

www.cai-tech.com



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