

**Members Present:** S. Woodworth Chittick, Chairman  
Benjamin Lacy  
Peter Goedecke  
Kathleen Hunter  
Barbara Power, Clerk

**Member Absent:** Charles Higginson

**Others Present:** Jennifer Oram, Assistant Clerk

Chairman S. Woodworth Chittick called the meeting to order at 7:30PM.

**Board Business**

**Mr. Benjamin Lacy moved to approve the minutes of December 11, 2007 as amended. Ms. Kathleen Hunter seconded the motion and the vote was unanimous. Mr. Lacy moved to approve the minutes of January 8, 2008 as amended. Ms. Hunter seconded the motion and the vote was unanimous.**

**HEARINGS**

**Appeal – applicants are Michael and Barbara Mullin of 14 Lamberts Lane. They are appealing the Building Inspector’s Decision to deny their request to rescind the building permit issued to 20-22 Lamberts Lane (Kimberly and Angeline Luker owners). File #07-11-19 continued.**

Chairman Chittick asked if Attorney Henderson (Attorney for the applicant) or Attorney De Lisi (Attorney for the land owners) wished to speak or had anything new to add before the Board closed the hearing. They did not. **Chairman Chittick moved to close the hearing. Mr. Lacy seconded the motion and the vote was unanimous (Chairman Chittick, Mr. Goedecke and Mrs. Power).**

**69 Elm Street (Cathy and Mathew Witkos). Seek to construct an addition and a two car garage in the flood plain. SP §9.7.8. File #08-02-12.**

Applicant Cathy Witkos, addressed the Board, along with Building Commissioner, Robert Egan. Mrs. Witkos reviewed the application and explained to the Board that presently, there is no covered structure to garage their cars and that they need more living space, so they would also like to add an exercise room and a master bedroom and bathroom. In the back, the existing deck would be extended along the southerly side of the addition, placed on six 12” diameter sonotubes. A concrete slab foundation would be constructed at 10 feet above mean sea level. Mrs. Witkos testified that storm water never flows from Elm Street onto the property, but that it actually flows into drains that discharge into the meadow and the harbor. She said that her water comes from the marsh up in to her backyard. The Board pointed out that a small portion of the proposed garage would encroach into the westerly side setback @ 13.35 feet which could create a need for them to apply for a Variance. Mr. Egan stated he would work with the Architect and Mrs. Witkos to get the structure into compliance. Chairman Chittick asked if there was anyone in the audience who wished to speak. Mrs. Susan Pile of 65 Elm Street addressed the Board. Mrs. Pile stated that she lives directly next door to the Witkos family; the side that would be most affected by the addition. She stated that she does feel that the Witkos family could use the extra room; however, she asks that the structure not be so close to her house. She also asked if they could make the structure smaller, as she felt it did not fit in with the character of the

neighborhood being that it was so large. She also stated that her husband requests that Mrs. Witkos consider adding more windows on the side of the garage that faces them. The current plans only call for one window, and that makes the structure seem even larger. Mrs. Witkos stated she would be glad to work with her Architect to see what modifications could be made.

After further discussion, it was decided to continue the hearing to allow time for submissions from the applicant. Mrs. Witkos will provide the Board with photographs showing the flooding does not reach the area where construction is proposed. A footprint re-configuration showing that there would not be any encroachment into the westerly side line setback and finally, a re-design of the westerly elevation to address the concerns of their neighbor, Mrs. Pile. **Chairman Chittick moved to continue the hearing. Mr. Lacy seconded the motion and the vote was unanimous (Chairman Chittick, Mr. Lacy and Ms. Hunter).**

#### **DELIBERATION**

**Appeal – applicants are Michael and Barbara Mullin of 14 Lamberts Lane. They are appealing the Building Inspector’s Decision to deny their request to rescind the building permit issued to 20-22 Lamberts Lane (Kimberly and Angeline Luker owners). File #07-11-19 continued.**

Chairman Chittick reviewed a decision he drafted denying the appeal. After much review, **Mr. Lacy moved to deny the appeal. Ms. Hunter seconded the motion and the vote was unanimous (Chairman Chittick, Mr. Lacy and Ms. Hunter).**

**Chairman Chittick moved to adjourn the meeting. Mrs. Power seconded the motion and the vote was unanimous.**

Meeting adjourned at 8:40PM.

Respectfully submitted,

Jennifer Brennan Oram  
Assistant Clerk