

**AGENDA**  
Regular Meeting  
Town of Granby  
Zoning Board of Appeals  
Tuesday, February 21, 2023 at 7:00 pm  
Granby Senior/Social Services Community Room

1. Call to Order
2. Action on Minutes of January 17, 2023
3. Public Hearings
  - a. Appeal by Chris and Jennifer Logee seeking a front yard variance of Zoning Regulation Section 5.1 to construct a garage and workshop addition; 6 Intervale Road. File Z01-23-01.
4. Old Business: None
5. Adjourn

(This meeting can be viewed LIVE on [www.gctv16.org](http://www.gctv16.org) in "Shows in the Spotlight")

**MEETING MINUTES**  
Regular Meeting  
Town of Granby  
Zoning Board of Appeals  
Tuesday, January 17, 2023 at 7:00 pm

**Present:** Ann Crimmins, Robert Lindeyer, Steve Muller, Suzanne Yucha and Thomas Caputi

**Absent:** Lynn Guelzow, David Roberts and William O’Leary

**Also Present:** Land Use Coordinator Renee Deltenre

**1. Call to Order**

Chairman A. Crimmins called the meeting to order at 7:00 p.m.

**2. Action on Minutes of December 20, 2022**

On a MOTION by R. Lindeyer seconded by S. Muller, the Board voted (5-0-0) to approve the December 20, 2022 meeting minutes as presented.

**3. Public Hearings**

**a. Appeal by Brian Michaud seeking a variance of Zoning Regulation Section 8.5.2 to allow 2 detached accessory dwellings; 249 Granville Road. File Z12-22-01.**

Applicant and property owner Brian Michaud was present to discuss the application and answer any questions the Board had. The property has a house and several outbuildings. When the property was listed for sale, the listing indicated three apartments on-site; one within the main house and two within a detached, outbuilding. Based on the Assessor Department’s property card, the only apartment of record is the one located within the main home; therefore, the detached apartments were constructed in violation of the Zoning Regulations and without Building Permits. It is unknown when the apartments were established, but the existing tenants have resided on the property for 10 and 12 years.

B. Michaud stated that he purchased the property in August 2022 with the condition that the existing tenants in the two units in the outbuilding be allowed to remain. Under Zoning Regulations Section 8.5.2, the Planning and Zoning Commission may approve one detached accessory apartment on a property by Special Permit, but because there are two apartments on site, the applicant is seeking a variance. It was noted the apartment in the main house has been removed. B. Michaud stated that there are two separate septic systems on the property, one for the main house and one for the detached, outbuilding. He expressed frustration as he bought the property under the impression that there were no zoning violations and the town was aware of the rental units.

Public Comment

Nelson Toussaint, 279 Granville Road, spoke in favor of the application as an abutting property owner, and stated that the apartments are roughly 900 square feet and existed when he purchased his property nearly 20 years ago.

Lenna Miller, 249 Granville Road – Apartment B, spoke in favor of the application as an existing tenant and stated that it would be devastating financially for her and her husband if they had to relocate.

Thomas Tikuoto, 249 Granville Road – Apartment C, spoke in favor of the application as an existing tenant and stated that he would also be impacted financially if he had to relocate given the current state of the economy.

Lynn Sobrack, 269 Granville Road, spoke in favor of the application as an abutting property owner and has no concerns with the existing apartments.

*The public hearing closed at 7:36 p.m.*

The Board deliberated on the application and concerns were raised regarding public safety and code compliance, given that no permits were issued and no inspections were conducted on the apartments. T. Caputi provided insight regarding the Town Assessor's authority when it comes to inspecting homes and gathering information from property owners. In an effort to protect the existing tenants, the Board considered potential conditions of approval.

On a MOTION by T. Caputi seconded by S. Yucha, the Board voted (5-0-0) to grant an appeal by Brian Michaud seeking a variance of Zoning Regulations Section 8.5.2 to allow 2 detached accessory dwellings, 249 Granville Road, File Z12-22-01, subject to the following conditions:

1. It is the appellant's responsibility to follow through with the property code change with the Assessor's Office on the main dwelling unit to change the code from 0107 to 0101 single family code.
2. The appellant must allow full inspections at the request of the Town Building Official and Town Assessor.
3. The two tenants may stay on the property as it presently exists. If one of the two tenants move out, a new tenant can't move in, and there can only be one tenant in the accessory dwelling unit going forward after the applicant receives Special Permit approval for the apartment in the detached structure. The applicant must conform to the requirements of the Special Permit.
4. Applicant must consult with the Farmington Valley Health District to ensure the septic systems are functioning and up to code.

**5. Old Business:**

None

**6. Adjourn**

On a MOTION by R. Lindeyer seconded by S. Yucha, the Board voted (5-0-0) to adjourn the meeting at 7:51 p.m.

Respectfully submitted,

Renee Deltenre  
Land Use Coordinator

Town of Granby  
Legal Notice  
Zoning Board of Appeals

There will be a public hearing conducted by the Zoning Board of Appeals on Tuesday, February 21, 2023 at 7:00 p.m. in the Granby Senior/Social Services Community Room, 15 North Granby Road, to hear the following item:

- Appeal by Chris and Jennifer Logee seeking a front yard variance of Zoning Regulation Section 5.1 to construct a garage and workshop addition; 6 Intervale Road. File Z01-23-01.

At the hearing interested persons may appear and written communications will be received. All information is located on the town's website [www.granby-ct.gov](http://www.granby-ct.gov).

\*\*\*\*\*

To the Hartford Courant:

Please publish on the following dates: Friday, February 10, 2023 and Friday, February 17, 2023 in the CONNECTICUT SECTION, Zone 5

Approval as written – An additional approval is not required.  
An affidavit of publication is not required.

Account # CU00254317

Please send billing to the Town of Granby, 15 North Granby Road, Granby, CT 06035

# TOWN OF GRANBY

## MEMORANDUM

TO: Zoning Board of Appeals

CC: Chris and Jennifer Logee

FROM: Abby Kenyon, Director of Community Development

DATE: February 14, 2023

RE: Appeal by Chris and Jennifer Logee seeking a front yard variance of Zoning Regulation Section 5.1 to construct a garage and workshop addition; 6 Intervale Road. File Z01-23-01.

---

The applicant proposes to construct a garage addition measuring 25 feet by 50 feet that will be connected to the existing home via a breezeway measuring approximately 6 feet by 14 feet. There will be a lean-to/overhang extending from the side of the garage measuring 16 feet by 30 feet for boat storage. The proposed garage addition would be constructed on the north side of the house and would extend about 16.5 feet into the required front yard. Refer to attached layout and plot plan.

The property is in the R50 Zone, which has a 50-foot required front yard setback. The proposed garage would therefore require a variance of 33.5 feet to allow it to extend 16.5 feet into the required front yard.

As noted in the applicant's narrative, a buried pool located to the rear of the existing home limits where the garage addition may be located.

The applicant will be available at the hearing to explain the request and answer any questions.

**ZONING BOARD OF APPEALS  
GRANBY, CONNECTICUT**

RECEIVED  
JAN 27 2023  
Granby Building  
Department

**APPLICATION FOR VARIANCE OR EXCEPTION TO THE ZONING ORDINANCE REQUIREMENT**

Case No. Z01-23-01 Date 1-11-23  
Applicant Chris + Jennifer Logee Address 6 Intervale Road, Granby, CT  
Phone /Cell # \_\_\_\_\_ Email CLogee@yahoo.com  
Location of property 6 Intervale Road, Granby, CT Zone R50

Owner Chris + Jennifer Logee Address/Phone/Cell 6 Intervale Road, Granby, CT  
Agent Lorei DiBartista Address/Phone/Cell 860-997-5137

**CLEARLY STATE THE REQUEST**

We request to build a garage addition that passes the  
50'-0" front yard building line by roughly 16'-6". This would  
create a 33'-6" front yard setback.

Reason for request/hardship \* See attached description of hardship

Zoning Regulation, Section and Requirement Section 5 - Area, Yard And Height  
Requirements, Section 5.1 (50'-0" Front Yard Min.)

Describe construction and materials to be used (if any) Typical Residential, light frame  
construction (concrete and lumber)

Has any previous appeal been filed in connection with these premises? No

If so, when, and what was the appeal taken? \_\_\_\_\_

I hereby state that the above statements and information contained in any other papers submitted in connection with this application are true.



Signature of Applicant/Owner or Agent

\*This application shall be submitted with 8 copies of plot plans, drawn to scale, and any other information, as may be requested by the Zoning Board of Appeals.  
A fee of \$155.00 is required for this application. (Town fee \$95.00 and State fee \$60.00).

## **Zoning Board of Appeals**

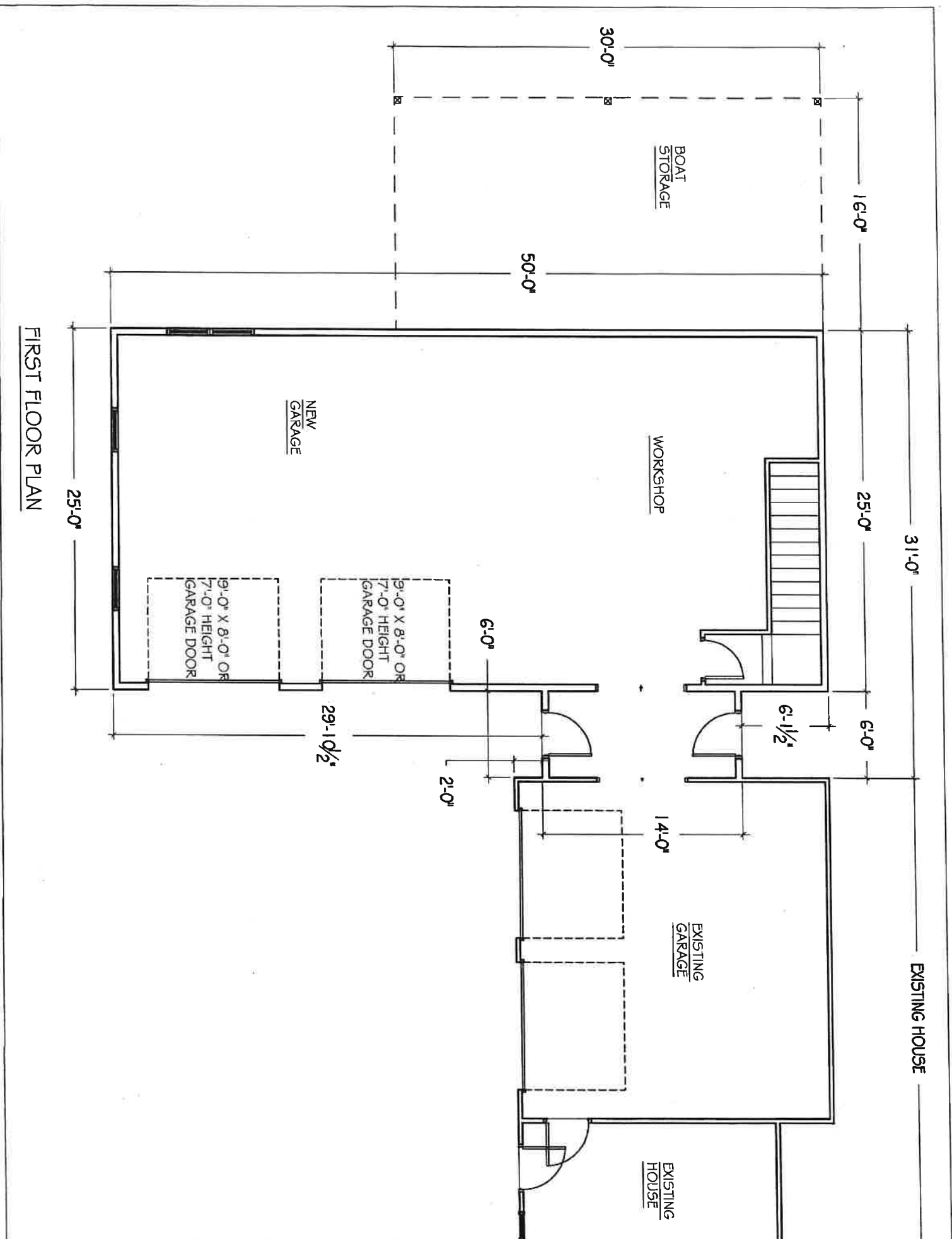
### **Granby, Connecticut**

#### Reason for Request / Hardship

Our proposed garage and workshop addition was designed to accent our home while providing the functionality to store family vehicles and to expand an existing hobby workshop. The proposed design will require a 16'6" front yard setback variance to the required 50'-0" front yard setback. The attached survey confirms the variance request.

We did explore locating the addition to the rear of the existing garage. During a project introduction meeting with the town planner and our structural engineer, it was revealed the previous homeowners buried their pool which was located behind the garage. The pool location is assumed to be where the "fire pit" notation is on the survey plan. As there is no certified documentation on how the pool area was filled, we assume the pool structure is still there.

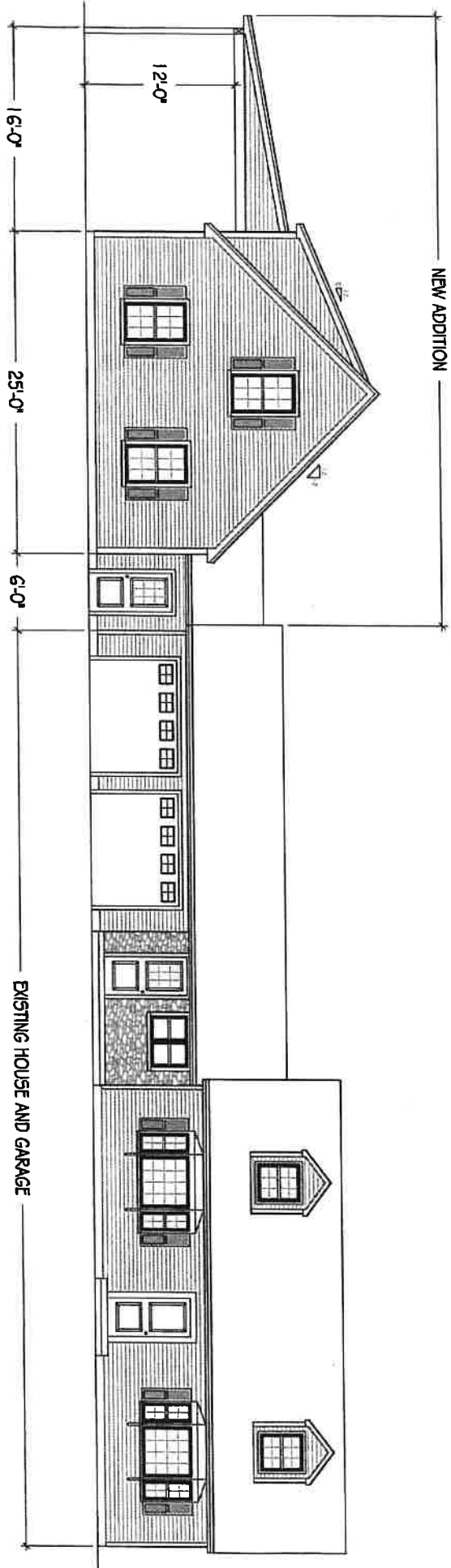
Building a structure on or near this buried pool has structural safety concerns. Building a structure on filled in areas without soil bearing data is not prudent for the structural stability of the structure. To construct a building on fill soil materials requires soil compaction during the fill process to guarantee the soil bearing pressure can support the building. As a result, expanding to the rear is not feasible, thus, the request for the variance.



FIRST FLOOR PLAN

EXISTING HOUSE





FRONT ELEVATION VIEW

# INTERVALE ROAD

