

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