REGULAR MEETING - ZONING BOARD OF APPEALS
CITY OF NOVI
June 14, 2016

Proceedings taken in the matter of the ZONING BOARD OF APPEALS, at City of Novi, 45175 West Ten Mile Road, Novi, Michigan, on Tuesday, June 14, 2016

BOARD MEMBERS
   Cindy Gronachan, Chairperson
   Jonathan Montville, Secretary
   Linda Krieger
   David Byrwa
   Mav Sanghvi
   Joe Peddiboyna

ALSO PRESENT:
   Beth Saarela, City Attorney
   Lawrence Butler

Coordinator: Monica Dreslinski, Recording Secretary

REPORTED BY: Jennifer L. Wall, Certified Shorthand Reporter
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CHAIRPERSON GRONACHAN: Good evening.

I would like to call the June 2016 Zoning Boards of Appeals meeting to order.

Would you please all rise for the Pledge of Allegiance lead by Member Sanghvi.

(Pledge recited.)

CHAIRPERSON GRONACHAN: Monica, will you please call the roll.

MS. DRESLINSKI: Member Ferrell.

Absent, excused.

Member Krieger?

MS. KRIEGER: Here.

MS. DRESLINSKI: Member Sanghvi?

MR. SANGHVI: Here.

MS. DRESLINSKI: Member Byrwa?

MR. BYRWA: Here.

MS. DRESLINSKI: Member Peddiboyna?
MR. PEDDIBOYNA: Yes.

MS. DRESLINSKI: Member

Montville?

MR. MONTVILLE: Here.

MS. DRESLINSKI: Chairperson

Gronachan?

CHAIRPERSON GRONACHAN: Present.

This evening we have a very short agenda. However, I'm going to ask everyone to please pay attention to the rules of conduct and format there on the back podium at the rear of the room, and ask that everyone please shut off your phones at this time during the meeting.

Are there any changes or amendments to the agenda this evening?

MS. DRESLINSKI: No.

CHAIRPERSON GRONACHAN: Seeing none, all those in favor?

THE BOARD: Aye.

CHAIRPERSON GRONACHAN: The agenda has been approved.

We have the minutes from our April and May meetings. Has everybody had a chance to review them. Are there any changes
or notes?

   All those in favor of
approving proving April 12, 2016 and
May 10th, 2016 minutes say aye.

   THE BOARD: Aye.
   CHAIRPERSON GRONACHAN: The
   minutes have been approved.

   At this time, if there is
   anyone in the audience that wishes to make
   public remarks on anything other than what's
   on the agenda this evening, in front of the
   board can do so now.

   Is there anyone out there?
   Seeing none, we will move
   right to our first case.

   Case No. PZ16-0019, 26150
   Novi Road, north of Grand River east of Novi.
   Is the petitioner here?
   Come on down.

   The petitioner is requesting
to allow construction of a new construction
building with reduced parking setbacks on the
north, on the east and on the south.

   Good evening gentlemen. Are
you both going to give testimony this
evening?

MR. HALL: Just probably myself. My name is Alan Hall. I'm with API. We are the architects. And Matt is with Keystone, he's the owner.

CHAIRPERSON GRONACHAN: Thank you very much.

Would you please spell your name then for our recording secretary, and then be sworn in by our secretary.

MR. HALL: Sure. It's Alan Hall, A-l-a-n, H-a-l-l. I'm with API.

CHAIRPERSON GRONACHAN: Would you raise your right hand.

MR. MONTVILLE: Do you swear to provide the truth in the testimony you are about to give?

MR. HALL: I do.

CHAIRPERSON GRONACHAN: You may proceed.

MR. HALL: We wish to ask for parking setbacks variances for the project before you. The Planning Commission has already approved this. We need to have your consent for the parking setbacks.
I don't know how much you want me to explain. You can go through it.

You have a site plan before you. You will see that we're trying to abide by the City of Novi's master plan, so we are pushing the building up to Novi Road and trying to adhere to all of the overlay and master plan requirements.

With that, we've put down a sidewalk and a screening wall with landscaping along Ingersol and along Crowe Drive.

With that we also incorporated a pedestrian access point on Novi Road, which has both handicapped and interest of a retaining wall there.

The site is very tight right now. The site is currently non-conforming to the zoning ordinance, and we are eliminating the curb cut on Novi Road as it currently exists.

So that's to promote safety and to the master plan. And we also had to eliminate the curve cut that is existing off Ingersol, which is access to the Town Center.
in the back there. That's because of an agreement we have with the Town Center. We closed that up.

So with that, we have a single point entrance to the site, it's a very tight design, so it's a very tight site.

So with that, I can answer any questions.

CHAIRPERSON GRONACHAN: Thank you very much.

Is there anyone in the audience that wishes to make comment in particular to this case?

Please come down. Sir, if you would please state your name, spell it for our recording secretary and you're not required to be sworn in.

MR. NEDELMAN: My name is Michael Nedelman. I'm the attorney for the Novi Town Center investors.

You have before you the objections that we filed in writing yesterday, which set forth in detail the basis upon which we believe that this board must deny the requested variances.
I would suggest to the board that the presentation by the petitioner today fails to provide any credible evidence upon which this board could find that there is a basis for the variances, on the basis of our written objections, we request that the variances be denied.

CHAIRPERSON GRONACHAN: Thank you. Is there anyone else?
(No audible responses.)
Seeing none. Is there any correspondence?

MR. MONTVILLE: Yes. There were 29 letters mailed, three letters returned and one objection letter.

CHAIRPERSON GRONACHAN: Let me ask you -- I'm sorry, let me ask this of the attorney.

Is it important at this point to read this into -- I know it's part of the record, but because it's going to be part of the discussion, is it important to read it?

MS. SAARELA: I mean, that's your judgment call, if you plan on discussing it,
yes, perhaps it will be a good idea to read
the content, if you want to talk about some
of the things in there.

    MR. MONTVILLE: The letter is
from Michael A. Nedelman, as he just
mentioned, from 28580 Orchard Lake Road,
Suite 140. He notes the following objections
of the Novi Town Center Investors, his
client.

    The first standard he
mentions, standard number one is not
satisfied. There are no applicable
circumstances or physical conditions that
support any variance. The claim that the
circumstances or physical condition of the
subject property is applicable to and/or
provides support for the requested variances
is untrue.

    The reason asserted by the
applicant for the applicability of the
standard is the need for concentrated vehicle
access. The asserted need to concentrate
vehiccular access does not give rise to the
need for the requested variance, rather the
variance is improperly requested to allow for
additional parking on the property. That would not be available if the zoning ordinance is enforced as written, to accommodate the proposed development for the size, nature in excess of that which the property can reasonably accommodate.

They note, number two, the alleged difficulty is self-created. There is no practical difficulty causing the need for the requested dimensional variance and to the extent of any difficulty, such difficulty is entirely a self-created problem that as a matter of law cannot serve as a proper basis for granting the requested variances. The alleged need for the dimensional variances is entirely the result of the actions and desire of the proposed developer, applicant to, in its own words, maximize the development by a design that maximizes the site.

In short, the alleged need for the dimensional variances is solely the result of the developer, applicant's proposal of a development on the property of a footprint in excess of that which the property can reasonably accommodate, while
still complying with the applicable
provisions of the city's zoning ordinance,
and thus is entirely self-created.

The desire to create a high
quality and attractive ambience is not a
lawful excuse for over-developing the
property as proposed or legal support for
this board approving a reduction of
applicable setbacks in order to accommodate
the additional parking required by the
proposed over-development.

The same reason is not
satisfied as the property can be developed
for a permitted purpose. Goes on to note,
the property can still be used for a
permitted purpose. Strictly compliance will
not render conformity with applicable
setbacks required being burdensome.

Standard number four, they
argue is not satisfied as well, that they
would not be able to develop the property.
They mentioned that the development of the
property for its permitted use will not be
hindered if the variances are not requested.

And standard number five,
the variance they argue will cause adverse
impact on surrounding property, saying the
development is over the size that the site
can reasonably accommodate and the
surrounding area will not be invigorated,
they used in quotations, by the excess
development.

In summary, saying deny, in
their opinion the variances as requested.

CHAIRPERSON GRONACHAN: Okay.

Any other correspondence? That's the only
letter.

MR. MONTVILLE: That was the only
letter we have, yes.

CHAIRPERSON GRONACHAN: Building
department, do you have anything to offer?

MR. BUTLER: Nothing to offer at
this time. I will stand by for comments.

CHAIRPERSON GRONACHAN: Thank
you. Board members? Open the table for
discussion. You can go. Member Byrwa.

MR. BYRWA: I'm not sure I follow
what's going on.

I am used to a certain size
building requiring a certain number of
parking spaces. I am not sure I understand what's coming and going.

Is there in net gain and net loss of parking? The only thing I see is dimensional variances that are requested based on an oversized building than what's allowed. What is the impact on the parking? Is there a net loss or net gain or what's the required amount of parking and what's being provided, what's not being provided?

MR. HALL: For the net, there is actually more parking spaces now than we are presenting. The site is actually overbuilt right now. And we put in to accommodate with the master plan and the planning department. We ended up putting a screened wall and sidewalk all the way down Crowe Road, which wasn't required. We did that as a concession to help, and then with the Ingersol Drive, taking that out, we added some parking there. But it is less parking, more green space than there is now. But it is -- you know, obviously we need a variance for zoning, so that makes sense.

MR. BYRWA: You don't have any
idea on numbers on what's allowed --

MR. HALL: I didn't know there was objections. I would have been prepared if I had known that we had objections on this. I can look real quick in my notes and get back to you, if you like, tell you what those numbers are.

MR. BYRWA: Thank you.

CHAIRPERSON GRONACHAN: Any other questions? Member Sanghvi?

MR. SANGHVI: Can you put this site map on the --

CHAIRPERSON GRONACHAN: The overhead is not working.

Gentlemen, instead of delaying the meeting, would you two like to take a little postponement? We read the objection, you could pull those things together, we can go onto the next case, then I can have you come back. Would that help or --

MR. HALL: Actually, we're net ten lower. So we have a net ten loss of parking spaces. But we do meet the requirements for parking numbers. We are not
asking for a variance in the numbers of parking. We are just asking for the setback variances. There is less parking now than there was before, there is more green space now than there was before.

CHAIRPERSON GRONACHAN: I believe Member Sanghvi had a question.

MR. SANGHVI: No.

CHAIRPERSON GRONACHAN: Anyone else? Member Montville.

MR. MONTVILLE: So it looks like -- just to clarify for everybody, you're tearing down the old restaurant and building a new development with four available spaces for four individual tenants? What's the total square footage on the new building?

MR. HALL: 9,000 square feet.

MR. MONTVILLE: Can you talk about the process that you went through in designing that particular building and --

MR. HALL: We actually started off with almost 10,000 square foot building, and that was what was talked about in the Planning Commission, or planning department.

In going through the
consultants and going back through the out
review process, we reduced it down to 9,000
square feet, and that gets the parking, you
know, in the building, so it all meets the
requirements.

MR. MONTVILLE: When working with
your consultants, did they have the opinion
that you would be under a negative economic
impact if you went under 9,000 or was there a
certain threshold that was 9,000, the number
where you could say I have the best economic,
viable chance of being successful on that
lot?

MR. HALL: Actually the 10,000
number was the first number that made numbers
the work. We went down to 9,000, that was
doable. And we were -- we did have two
restaurants that we are trying to get in one
time, one restaurant and then two retails,
but because of the parking and what -- we are
down to three retails and one restaurant for
the parking numbers. So we conceded on size
and tenants.

MR. MONTVILLE: Thank you.

CHAIRPERSON GRONACHAN: Member
Krieger?

MS. KRIEGER: For the Planning Commission, does the attorney, sir, from -- were you at that other meetings as well? Did you make your objections known to -- at that meeting as well?

MR. NEDELMAN: Unfortunately, we weren't provided notice of the Planning Commission meeting, for reasons that quite candidly remain a mystery to me, given the fact that the project as proposed requires variances, and does not meet the zoning ordinance as written. So we were not given notice. There was no public hearing. The Planning Commission gave its tentative approval to the preliminary site plan, but we were denied the opportunity to present the objections to what the Planning Commission initially approved. I'm perplexed by that.

MS. KRIEGER: So then to the Planning Commission, to the -- Larry, what occurred at that meeting? Usually they're notified to the public and hearings?

MR. BUTLER: Normally, yes, they are, but I was not present at that meeting.
MS. KRIEGER: Beth?

MS. SAARELA: If it's just a standard site plan, there is no public hearing requirement. There wouldn't be notices sent out to everybody. Public hearing requirement like this for Zoning Board of Appeals is when they would get notice for a public hearing. So not every site plan has a quote public hearing where notices are sent out.

MS. KRIEGER: Thank you.

MR. NEDELMAN: We should have been provided with notice because it would have given us an opportunity to bring these issues to the Planning Commission's attention at the outset.

The project as proposed, seeks to overbuild the site. And in response to the commissioner's question, economic return isn't the standard. The question is whether or not the property can be used for a permitted use without the variance. The answer to that is absolutely yes. Now, they can't build a building as large as they like. They can't provide four retail spaces without
restriction because there is nothing at the Planning Commission level as of yet, which is one of the things we would have raised, that would prevent them from putting additional restaurants into those other spaces.

But the short answer to this board's question is whether or not the property can be used for a permitted use without the variance.

And there is nothing to indicate that that's prohibited, and in fact everything to the contrary. They can build retail on that site. They can build retail without the variances. They can't build 9,000 square feet the way they have configured it, but that's not a basis upon which this board is to lawfully grant the variance.

MS. KRIEGER: Thank you.

CHAIRPERSON GRONACHAN: Anyone else? I have to be honest that when I first read this case, I'm going to copy the word perplexed.

And I understand that there is no access, somebody can correct me if I'm
wrong, but the way I got this because we were having technical difficulties with our paperwork, that there is no access from Ingersol Drive and that there is no access from Crowe, is that correct? There is only one access?

MR. HALL: Access is off Crowe.

CHAIRPERSON GRONACHAN: The access is off Crowe.

MR. HALL: We have eliminated the access off Novi Road.

CHAIRPERSON GRONACHAN: So there is not going to be any access off Novi Road?

MR. HALL: Right, which was the main concern for Planning Commission because that's a safety factor.

CHAIRPERSON GRONACHAN: That was my concern as well. Number one.

Number two, the question of -- and the gentleman that just spoke took the words right out of my mouth. My question was, can you build a lesser space for the building without requiring any variances.

MR. HALL: Well, when you're looking at a site, you're trying to make it
viable for construction numbers, and to meet
the master plan to push the building up
towards Novi Road, have the length of that
building, to make a space viable, you have to be so deep, to make the spaces useable. So the building itself has a length along Novi Road and a depth that we are dealing with tenant spaces.

So there is a combination of numbers there to make those spaces physically work. Yes, we could make a building two feet wide, 100 feet long, and meet the zoning requirements. You know what I'm saying, it's trying to have a synergy on the whole site to make it all work with Planning Commission, the master plan and the overlay for the Grand River overlay that is there.

CHAIRPERSON GRONACHAN: So are you saying that -- so you're saying that, yes, you can build a building, but two feet wide and 100 feet is not feasible.

MR. HALL: That's right, it's not feasible. That's exactly what happens in the tenant space, they come too narrow or they don't -- they can't get the space in like you
would wish, for the size, you know what I'm saying.

CHAIRPERSON GRONACHAN: So your answer is, no, it cannot be built. Another building of lesser could not be built on this property without a variance, is that what you're indicating?

MR. HALL: That's what I would say for what we are trying to do, yes.

CHAIRPERSON GRONACHAN: I just want --

MS. SAARELA: For a reminder for this evening, to pay attention to the variance standards that are in your packet because some of the standards as quoted, you know, were more accurate towards the use variance, when someone said can't be used for a permitted purpose. That's really a use variance standard. We are only looking at the non-use variance today.

CHAIRPERSON GRONACHAN: So we are only looking at dimensions to --

MS. SAARELA: We are looking at dimensions.

CHAIRPERSON GRONACHAN: We are
not looking.

    MS. SAARELA: Can it be used.

That is a use variance.

    CHAIRPERSON GRONACHAN: Thank you for that clarification.

    I was going ask you -- I have another question for you.

    The question of can something less -- of a lesser square footage be built and the property could still be viable, how do they --

    MS. SAARELA: Again, looking at the viability, you're again talking about a use variance standard.

    CHAIRPERSON GRONACHAN: So viable is not the word I want to use.

    MS. SAARELA: You are looking at a practical difficulty. This may be more difficult to use it for a permitted purpose. You're not looking can it be used at all. You're also looking at is this the minimum variance that they could request in order to build -- what they're looking to build.

    So you're looking at two very different types of standards here. You
need to pay attention to the dimensions variance, not the use variance.

CHAIRPERSON GRONACHAN: Thank you. Is there any further discussion while I'm checking something here? Does anyone else have any other questions?

MR. SANGHVI: I have more or less the same question. You building a new thing, what is the practical difficulty of not staying within the requirements of the ordinance? And to be quite honest, I am not quite convinced that they can't do it. That's all. Thank you.

CHAIRPERSON GRONACHAN: Anyone else?

I concur with the previous speaker. I don't agree with this. I think that there -- that the petitioner has not provided us with enough information to indicate if there could be lesser variances without drawing into the phrase of the monetary issuance or issue, and that cannot be used to determine grounds for a variance.

So I would not be supporting this request based on -- I hate to say this
because I like to support businesses, but based on lack of presentation, and based on lack of full information as to how we got to this point and what other alternatives or, in fact, to prove that there were no other alternatives. That's not in the packet and it's not before us this evening.

So I actually have to hear more before I would go down the road of being in support for this -- for this business because monetary can't be used to decide for us to make a decision. I realize that there are financial burdens all over the world, but, at this board we can't -- that's not one of the reasons why we can grant a variance.

Is there anyone else that has anything else to offer?

Is there a motion on the table?

MR. MONTVILLE: I can make a motion at this time.

I move that we deny the variance in Case No. PZ16-0019 sought by Town Center Gardens for three setback variances.

The petitioner has not shown practical
difficulty recalling the variances and the size requested being necessary in order to avoid practical difficulty in using the site as currently zoned.

The circumstances and features of the property, including the overall size and the proposed are not unique and do not require the uniqueness of the proposed construction as designed. The variances that are being requested, particularly the size of the variances are a self-created condition that we are facing, unfortunately do not meet the standards for potential approval. And with those points, I move that we deny the variance.

MS. SAARELA: May I suggest that if you are basing some of your actual facts on this letter that you received, that you read some of those facts into the motion, if that's what you're basing your decision on.

MR. MONTVILLE: Sure.

The failure to grant relief will result in mere inconvenience or inability to attain a higher economic or financial return based on petitioner's
statements that strict compliance with the
setback requirements will not prevent, let
alone unreasonably prevent the property owner
from using the property for a permitted
purpose, nor will strict compliance render
conformity with the applicable setback
requirements as being burdensome.

The variance would result in
interference with the adjacent and
surrounding properties as the property will
be overdeveloped and overbearing. It is not
an appropriate size for the site. Granting
the variance would be inconsistent with the
spirit and intent of the ordinance as the
surrounding property owners, I believe they
will have an area that is to be invigorated
by the excessive development, regardless of
any claim, esthetic quality of the facade,
nor will granting variances that permit the
development for an excessively large strip
center allow patrons of the proposed center
to be better served.

For those reasons, I move
that we deny this particular case, the
variance as requested.
MS. KRIEGER: Second.

CHAIRPERSON GRONACHAN: It's been moved and seconded. Any further discussion? Seeing none, Monica, would you please call the roll.

MS. DRESLINSKI: Member Sanghvi?
MR. SANGHVI: Yes.
MS. DRESLINSKI: Member Krieger?
MS. KRIEGER: Yes.
MS. DRESLINSKI: Member Byrwa?
MR. BYRWA: Yes.
MS. DRESLINSKI: Member Peddiboyna?
MR. PEDDIBOYNA: Yes.
MS. DRESLINSKI: Member Montville?
MR. MONTVILLE: Yes.
MS. DRESLINSKI: Chairperson Gronachan?
CHAIRPERSON GRONACHAN: Yes.
MS. DRESLINSKI: Motion to deny is approved six to zero.
CHAIRPERSON GRONACHAN: I'm sorry, but your request has been denied at this time.
MR. HALL: Okay.

CHAIRPERSON GRONACHAN: Going onto our next case, PZ16-0020, Durr Systems, east of Novi Road and south of Ten Mile. The applicant is requesting variances from the City of Novi to allow a location of a dumpster enclosed in the sideyard of an existing parcel recently reoccupied and proposed for alteration. The parcel is zoned I1.

As our gentlemen are setting up their -- I'm wondering if you should -- do you think -- I apologize. But it would be in a better light everybody could see it. Thank you.

I can't see you, but that's okay.

MR. FREUND: Probably knowing me, I will be referencing it shortly.

CHAIRPERSON GRONACHAN: Are you both giving testimony this evening?

MR. FREUND: Most likely it will be coming from myself. But Patrick represents the owner, and I have given him an opportunity to get involved if he needs.
CHAIRPERSON GRONACHAN: So I would like you both to state your names. Spell them for our secretary, and if you would please both be sworn in at this time.

MR. FREUND: Hello and thank you for speaking in front of you tonight. My name is Nicholas Freund. I own Freund Andrus Construction and I'm here representing Durr Systems. My name is Nick, N-i-c-k, last name F-r-e-u-n-d.

MR. WONG: Good evening. My name is Patrick Wong. I'm the project manager for Durr Systems. Patrick, P-a-t-r-i-c-k, last name is Wong, W-o-n-g.

CHAIRPERSON GRONACHAN: Would you raise your right hand and be sworn in.

MR. MONTVILLE: Do you swear to provide the truth in the testimony you are about to give?

MR. FREUND: I do.

MR. WONG: I do.

MR. FREUND: I'll get started. Durr Systems bought the building last year and we went through administrative site plan approval to make some improvements to the
exterior the building.

This is the old Comau industrial building on Ten Mile, if you are familiar with it. The building was and has always been set up for truck loading and dock loading at the back of the building, which was large a reason why Durr purchased the building, so moving forward to last year, we went through site plan approval to make the improvements in the back of the building to make a legitimate turning radius and more functional truck loading space.

We were happy to work with planning and building department and we have had several meetings them, which has led us to really our last issue which is dumpsters.

Having worked with the planning department, we pretty much landed on a final scenario, which I think might be amendable to you. If you'd like, I can approach the display.

CHAIRPERSON GRONACHAN: Just speak up so they can hear you at home.

MR. FREUND: This is the building as I've described. You know, trucks that
come in Ten Mile around the building, load
and unload here and then come back around the
building this way.

So that leaves the final
issues for dumpsters. According to this, the
city ordinance, the first priority is getting
behind the building. Unfortunately that's
the problem for us now that we have this
loading space.

So again, in the spirit of
cooperation, we are looking for the next best
solution.

We feel that putting it on
the side of the building, which is situated
next to some residential to the -- I'm sorry,
to the east would be a mistake. We don't
want to consider that. We think that would
be a mistake and create problems for your
residents.

So what we landed on, again,
with disclosure to the planning department,
is that we would place the compactor here
next to the building, and we would place
three dumpsters, I guess you would call it an
accessory structure, off the building, on the
side of the building.

This was done, first of all, to minimized as much as possible by reducing the dumpsters to a bear minimum for Durr Systems to continue their operations. It's also I think important to note that there is a substantial tree line here as well as railroad tracks.

So again, we are just trying to be good neighbors in the community and want to make this work for everyone and still be functional, so that's really the gist of it.

Patrick, unless you have something to offer.

CHAIRPERSON GRONACHAN: Okay. Anything else?

MR. FREUND: Unless you have questions.

CHAIRPERSON GRONACHAN: I'm sure we will have that. Do me a favor, move that back so board members -- thank you very much. Is there anyone in the audience that wishes to make comments on this case? Seeing none, is there any
correspondence?

MR. MONTVILLE: 24 letters mailed, one letter returned, zero approvals and zero objections.

CHAIRPERSON GRONACHAN: All right. Building department?

MR. BUTLER: As noted, they did a good job on being good neighbors by reducing the amount of dumpsters and putting up their screening fence, but otherwise, no other comments at this time.

CHAIRPERSON GRONACHAN: Thank you. Board members. The board is quiet.

Member Montville.

MR. MONTVILLE: Real quick just on the flow of the trucks and traffic. It sounds like you did some pretty extensive research and that's the safest method potentially if you did that, have a variance and put the dumpsters on the south part of the lot that could potentially be a safety concern for your business.

MR. FREUND: Absolutely. If we need to, we can have further testimony from the building operations manager, who does
the -- who is responsible for those things that you suggest. They do run two shifts, and to -- keep in mind, the bulk of the parking is in the back of the building, so, you know, to try and put dumpsters back there, I think would be potentially hazardous.

I don't want to sound like a salesperson here, but I'm trying to make a point that I think putting it on the railroad side of the building, in a place that's not taking away parking, and is not creating a hazard for potentially trucking, circulation, I think in our opinion, has been the best choice.

MR. MONTVILLE: Thank you.

CHAIRPERSON GRONACHAN: Anyone else?

MR. FREUND: I'm sorry, one last thing I will mention. Unfortunately I don't have it, we do have photos.

CHAIRPERSON GRONACHAN: If you would like to pass them, that would be great. Thank you. Anyone else?

Just for clarification, can
you tell me what Durr Systems is and how long -- you have been previously in Novi, is that correct?

MR. FREUND: You know, Patrick, do you mind.

MR. WONG: Durr Systems, we're actually a German owned company. We have been in the United States since approximately 1970. Previously we had two facilities in Plymouth, and also in Auburn Hills. This facility was relocated from Plymouth due to us wanting to consolidate our offices to Southfield, and then we needed another location for manufacturing in Novi.

Basically, what we manufacture is sheet metal products that go into painting facilities for OEMs like Ford, GM, Chrysler. We build spray booths, ovens, air supply houses, steel work decks, everything that would go into a paint facility.

CHAIRPERSON GRONACHAN: Thank you for that. I appreciate that.

I have no problem with this.

I think as the building department pointed
out, and as my colleague to my left Member Montville pointed out, I think that you as a new business are welcoming -- or coming in, trying to be a new neighbor. I think that this is a minimum request and I think it has the least impact, as you so stated, given your presentation. So I am in full support of this.

Does anyone else have anything else to offer? Have any questions? Is there a motion? Member Montville.

MR. MONTVILLE: I move that we grant the variance requested in Case No. PZ16-0020, sought by the petitioner Durr Systems for a sideyard dumpster enclosure, as the petitioner has shown a practical difficulty requiring the sideyard closure versus the typical -- being the proposed beyond the building. Without the variance the petitioner will be unreasonably prevented or limited with respect to the use of the property as currently zoned, due to the nature of the business, and as noted the unique flow of trucking traffic on the lot.
The property is unique due to the shape of the lot and the available space for a dumpster enclosure, for that reason, as mentioned, the petitioner did not create this particular condition and the relief will not -- if the relief is granted, it will not unreasonably interfere with adjacent or surrounding properties as noted.

It's the minimal request necessary, it was going to be placed on the east side of the building, it would be next to residential, and by going on the west side of the building it is closer to the railroad tracks and will not interfere with any surrounding neighbors.

And the relief is consistent within the spirit and intent of the ordinance.

For those reasons I move that we grant the variance as requested.

MS. KRIEGER: Second.

CHAIRPERSON GRONACHAN: It's been moved and seconded. Any further discussion? Seeing none, Monica will you please call the roll.
MS. DRESLINSKI: Member Krieger?
MS. KRIEGER: Yes.
MS. DRESLINSKI: Member Sanghvi?
MR. SANGHVI: Yes.
MS. DRESLINSKI: Member Byrwa?
MR. BYRWA: Yes.
MS. DRESLINSKI: Member Peddiboyna?
MR. PEDDIBOYNA: Yes.
MS. DRESLINSKI: Member Montville?
MR. MONTVILLE: Yes.
MS. DRESLINSKI: Chairperson Gronachan?
CHAIRPERSON GRONACHAN: Yes.
MS. DRESLINSKI: Motion passes six to zero.
CHAIRPERSON GRONACHAN: Congratulations. Your variance has been granted and welcome to Novi.
MR. FREUND: Thank you very much.
CHAIRPERSON GRONACHAN: The next case is PZ16-0021, 1921 West Lake Drive, south of Fourteen and west of Novi. This
applicant is requesting variances to allow
construction of a new home on an existing
non-conforming lot.

I think we have heard a few
of those stories before.

MR. HALLETT: Hello. My name is
Todd Hallett, T-o-d-d, H-a-l-l-e-t-t. I'm
from Tiki (ph) Design and Associates and I'm
here representing my clients, Kurt and Jenna
Houghton. And what we basically have --

CHAIRPERSON GRONACHAN: Before
you get started, we need to swear you in.
Would you please -- are
there residents -- are the homeowners going
to be giving testimony as well?

MR. HALLETT: No.

CHAIRPERSON GRONACHAN: Would you
please be sworn in.

MR. MONTVILLE: Do you swear to
provide the truth in the testimony you are
about to provide?

MR. HALLETT: I do.

CHAIRPERSON GRONACHAN: You may
proceed.

MR. HALLETT: What we have is a
lot zoned in R4. And we have a very narrow lot. We have a 30-foot wide lot. And the side setbacks are ten and 15, so it's 25 feet. So what we are looking for are some relief on the side setbacks, so we can build a new house. The house that's already there that's existing is 22 feet wide. So what we are hoping to do is have the same setbacks that will allow us to build the same width house.

We are also looking for relief relative to the lot coverage, 11 percent relief. The house that we have designed is not a mansion. It's well under 2,500 square feet, but being that the lot is so narrow, we were requesting a little bit of lot coverage relief. And finally, we are looking to cantilever a fireplace out on one side.

Typically if we go with a four foot side setback, we'd only be allowed eight inches cantilever. We are requesting 24 inches.

As it relates to the standards, relative to physical conformity,
obviously we have an exceptionally narrow lot. So that's why we are asking for relief.

Being self-created, standard number two, it's not self-created. It's a non-conforming lot. As it relates to standard number three, relative to meeting the strict compliance, if we were to try to meet that strict compliance, we would only have room for a five foot wide house. So clearly we can't do that.

As it relates to standard number four, the minimum variance, 22 feet width is the minimum variance that we can really get to because what we did, we designed an open floor plan, even took out a lot of the walls. Even at that, it's very narrow. We are trying hard to make that work.

And standard number five, no impact, we are not asking to push back beyond the site lines, of anyone else, being the neighbors, we believe we are going to have any negative impact. I'm open to any questions.

CHAIRPERSON GRONACHAN: Is there
anyone in the audience that wishes to make
comment on this case?

Seeing none, is there any
correspondence?

MR. MONTVILLE: 34 letters
mailed, zero returned, one approval, from
James and Mary Street at 1915 West Lake.
They note their approval and that their house
is directly north of the Houghtons and they
support the variances. There is zero
objections.

CHAIRPERSON GRONACHAN: Thank
you. Building department.

MR. BUTLER: Yes, I was looking
at it, I believe he stated, the gentleman has
stated that the house is going to be 22 feet
wide, but with that cantilever out, for the
fireplace that adds an additional two feet
on. It needs to be taken into consideration,
that side setback. So technically it would
be 24 feet.

MR. BYRWA: I got a question on
that. Is that .67 allowed? On the write-up,
the last sentence? The writeup for the
variance says, parenthesis two feet proposed,
comma .67 feet allowed.

MR. BUTLER: That's saying what would be allowed for that setback, if they wanted it a narrow setback, that's really a small space.

MR. BYRWA: That would be what would be existing after he took his two feet?

MR. BUTLER: That was just a little confusing how that was written up.
Okay.

CHAIRPERSON GRONACHAN: All right. Point of order. So do you have anything else to offer building department?

MR. BUTLER: No additional comments.

CHAIRPERSON GRONACHAN: Now, board members, do we have anything. Member Byrwa, did you want to continue?

MR. BYRWA: No. I understand what's going on.

CHAIRPERSON GRONACHAN: Good. Anybody else. Member Sanghvi?

MR. SANGHVI: Thank you. I came and saw your place a couple of days ago. It's a very narrow lot. Actually those lots,
historically they were not designed for living all around the year. They were little cottages for summer. And when you want to live there permanently, then you cannot build anything without any variances. I recognize that. And this has been the story about almost every home around that part of Novi. Actually I want to commend you for the way you have presented your application, very, very nicely put together. And it doesn't leave too many questions to be asked afterwards. If you go through it very nicely, and all I can say, I have no problem with your request and I wish you luck with the new house. Thank you.

MR. HALLETT: Thank you.

CHAIRPERSON GRONACHAN: Anyone else?

I have to concur with Member Sanghvi about the presentation. You put a great deal of work into. As a board member, you know, what we do is a volunteer position. We serve proudly, but we like any help that we can get to understand this because we are not zoning people, you know, nine to five.
Then when we come back and look at these cases, it makes it difficult if we don't have all the information available. So I commend the homeowners and you for the information.

I just want to clarify the fireplace because I'm sorry, but I don't understand. So is this something that -- is it something that if they don't do it, it affects the whole picture of the house or is it the minimum request that they're asking for? Could it be less of a variance. I'm truly asking because I do not -- I don't know the answer.

MR. BUTLER: Basically, if they could design it and come back in, little bit more we can give them more space on that side of the house, just basically indicating that would be a narrow space, would that be sticking out additional two feet. I don't know if he has a dimension on the house next to him, what that space is -- I mean, the distance between the two spaces from the fireplace to the adjacent house.

MR. PEDDIBOYNA: You mean technically you want two feet for the
fireplace to go? What is the reason for the two feet?

MR. BUTLER: That's for the fireplace. The fireplace is designed to stick out, that bump out there.

CHAIRPERSON GRONACHAN: Can you clarify that? Do you know how far -- once you put this fireplace out, so, just for clarification, so I'm sure everybody doesn't -- what side is it, on the north side?

MR. HALLETT: It's on this side right here.

CHAIRPERSON GRONACHAN: South side.

MR. HALLETT: This house is sitting -- I have put my place -- excuse me. This side is 1.10, this is real close to the existing -- what's happening it -- this fireplace -- what we normally get in this kind of setback, is an eight inch projection. The house itself is so narrow that once you get the plan put together, if you stuck it in the house anymore, you wouldn't be able to get furniture. That's why we are asking for
that extra 16 inches.

CHAIRPERSON GRONACHAN: So my question to the homeowners, and it's just a question, can you live without the fireplace?

MR. HOUGHTON: It would be tough to live without it because it helps to add to the value of the property for future resale.

CHAIRPERSON GRONACHAN: I realize we haven't had you sworn in --

MR. PEDDIBOYNA: He said he was not presenting.

CHAIRPERSON GRONACHAN: Thank you.

MR. HOUGHTON: Do you want me to --

CHAIRPERSON GRONACHAN: We can swear you in.

MR. HOUGHTON: I'm Kurt Houghton, K-u-r-t, H-o-u-g-h-t-o-n.

CHAIRPERSON GRONACHAN: Raise your right hand, please.

MR. MONTVILLE: Do you promise to provide the truth in the testimony you are about to give?

MR. HOUGHTON: Yes.
CHAIRPERSON GRONACHAN: Go ahead.

MR. HOUGHTON: So as I was saying, it certainly -- it's a strong desire of ours to have the fireplace. It would take away from the general feel of the family room and the presentation of the main living area that we are looking to create.

As Todd mentioned, we're going for the full floor plan to have an open space, on the adjoining family room, dining room and kitchen area. So without that fireplace there, then we wouldn't have much of a presentation in that family room.

MS. KRIEGER: Have you decided north versus south, is this the floor plan you have already made up your mind on the inside that you would go with the south side for the fireplace?

MR. HOUGHTON: That's correct.

MS. KRIEGER: Since the house then on the south would be a preexisting older house then for fire standards, if you have a fireplace, is there anything extra that would need to be, since there was historically a fire on that part of west
lake?

MR. BUTLER: The fire rating of the walls would be consideration -- close proximity of the house next door.

MR. HOUGHTON: If you don't mind, I'd like to add one other thing, too. The neighbors to the north of us that submitted the approval, James and Mary Street, they have a bump out for -- it's not technically a fireplace, but it's a bump out on their south side, that's the reason why we wanted to design ours on the south side as well, as part of the proposal. So we wouldn't have two bump-outs on the same side.

CHAIRPERSON GRONACHAN: Member Byrwa.

MR. BYRWA: The neighboring construction that is closest to the fireplace, how far away is that? Is that like right near the lot line, the neighboring construction?

MR. HALLETT: It's pretty close. The neighboring construction is just above the lot line. The narrowest point is just less than two feet, so that one is close.
MR. BYRWA: A little background, historically, the building code has always fought to try and keep a minimum of 10 feet between structures. And what happens is they found over the years that when structures are located closer than ten feet to each other, they got a fancy word called confligation where there is a strong possibility that the fire is going to jump from one structure to the next. Where once you get over to 10 feet, it minimizes that possibility of the fire jumping from one structure to the next. You can see what happened, I think it was about a month or so ago, there was a fire out there, and half the neighboring house looked like it caught on fire because the structures are so close together. Here, we are adding a component kind of fire, a fireplace, and you know, once you come within three feet of the lot line, the building code kicks in all kinds of fire ratings inside and outside of the walls and everything and stuff, you know, it's a kind of a precarious proposition when you're that close to the lot line.

MR. HALLETT: Let me ask you a
question. Our intent to put a full fire rating on that wall pop out. If two feet were a problem, if we could get 18 inches, that would make a big difference in that room. So if we could concede that, to give us a little more room, we are allowed eight, ask for 10 extra inches, I think we could make it work.

MR. BYRWA: That wouldn't omit the fire ratings though or anything -- I think over three feet of the lot line --

MR. HALLETT: We will still do all the fire ratings. I appreciate that. Thank you.

MS. KRIEGER: Were you going to do gas or wood?

MR. HOUGHTON: Gas.

CHAIRPERSON GRONACHAN: Okay. So you would change -- you would reduce it to -- clarify please.

MR. HALLETT: 18 versus 24.

CHAIRPERSON GRONACHAN: Board members? I have a question for Beth. So the concern that I have, looking at this, is because it is a
fireplace, and because it is an additional hazard, but does that play into --

MS. SAARELA: I don't know that we know it's an additional hazard. I think that's an assumption you're making just because it's a fireplace. But what we really would need to do is look at whether meeting the building code for the fireplace. I believe that we have heard that they are going to do whatever they need to do to rate that wall under the building code, so I don't necessarily think there is -- that we concluded -- or there hasn't been any facts presented that this is an extra hazard.

CHAIRPERSON GRONACHAN: Okay. Thank you for that help. That's what I was struggling on.

Then if he reduces it to 18 feet --

MR. HALLETT: 18 inches.

CHAIRPERSON GRONACHAN: Sorry, 18 inches. Eighteen feet.

MR. HALLETT: Eighteen feet is okay.

CHAIRPERSON GRONACHAN: I just
wanted to make sure everybody was listening. Then I don't have -- based on what the city attorney just clarified for me, and fact that this petitioner worked very hard on this presentation and that this lot is extremely unique, I would be in full support.

MR. PEDDIBOYNA: I second.

CHAIRPERSON GRONACHAN: I can't make a motion. You have to wait for Member Krieger to make the motion.

MS. KRIEGER: Thanks.

CHAIRPERSON GRONACHAN: Any time.

MS. KRIEGER: I move that we grant the variance in Case No. PZ16-0021, sought by the petitioner Mr. and Mrs. Houghton. The petitioner has shown practical difficulty requiring the very nature of these homes all around Walled Lake are all in need of a variance. Without the variance, petitioner will unreasonably be prevented and limited with respect to the use of their property, because they wouldn't be able to build a house that would be liveable under current zones.

The property is unique
because it's on Walled Lake and each house has property, has it's own topography. Petitioner did not create the condition. The relief granted will not unreasonably interfere with adjacent or surrounding properties because of the nature, the presentation, with the 18 inches for the fireplace, on the south side, and the footprint with the neighbors will not interfere with their properties and will increase value of properties and resale value and is consistent with the spirit and intent of the ordinance.

MR. SANGHVI: Second.

CHAIRPERSON GRONACHAN: It's been moved and seconded. Any further discussion? (No audible responses.)

CHAIRPERSON GRONACHAN: Seeing none, Monica, would you please call the roll.

MS. DRESLINSKI: Member Krieger?

MS. KRIEGER: Yes.

MS. DRESLINSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. DRESLINSKI: Member Byrwa?

MR. BYRWA: Yes.
MS. DRESLINSKI: Member

Peddiboyna?

MR. PEDDIBOYNA: Yes.

MS. DRESLINSKI: Member

Montville?

MR. MONTVILLE: Yes.

MS. DRESLINSKI: Chairperson

Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. DRESLINSKI: Motion passes six to zero.

CHAIRPERSON GRONACHAN: Variance has been granted. Congratulations. Welcome to Novi. Good luck on your new home.

Our next case and last one for the evening is City of the Novi, PZ16-0022, 26900 Beck Road. Is our petitioner here?

MS. SAARELA: I'm going to speak on behalf of our petitioner.

CHAIRPERSON GRONACHAN: 47277 Grand River, south of Grand River and east of Beck. The applicant is requesting a variance for the City of Novi to allow a ten foot reduction in the required front setback
measured from the existing 100-foot wide
dedicated right-of-way along Beck and Grand
River frontage. So the city's proposed
highway easement does not impact future
developments of the parcels. The property is
zoned B3.

Could you please state your
name for the record.

MS. SAARELA: My name is
Elizabeth Saarela and I am city attorney for
the City of Novi. And I am here to present
on behalf of the petitioner today who is the
City of Novi, the public services division.

So what this is, is under
the uniform condemnation procedures act, it
gives the authority to the city to petition
for a variance when the city is taking an
easement or some other property, just over a
property that will impact the use of that
property.

So the uniform condemnation
procedures act gives us the authority to
petition in the place of the property owner,
to get this variance.

So that's what we are doing
here, is the city is petitioning for a variance to be granted to this property owned by Joanne Ward, who is a resident of the city.

The city has already taken the highway easement over the property to construct a Grand River dual left-turn lane. The turn lane is not going on her property. The turn lane is staying within the existing right-of-way, but the construction in the right-of-way is causing the need to shift the existing pathway and utility poles farther into the property.

In some places -- it's a variable distance, but the maximum -- the farthest distance it will be shifted in is 10 feet, so that's why we are requesting the ten feet from the back of the existing right-of-way.

In this case, it's apparent that it's not the property owner's fault. It's not created -- the problem is not created by property owner.

The problem is created by the city from, you know, proposing -- going
forward with this project and taking the easement over the property.

So I guess the need for it is essentially that, you know, we want to put the property back in the position, the best position that it was hopefully before we took the easement, so that's what we are trying to do here.

So by granting the maximum of 10-foot variance, you know, the property owner will potentially be able to construct the same type of development. It's vacant right now, but if there is a proposal to develop, this will give the property owner essentially the same ability to construct something that she would have had prior to the city taking the highway easement across the frontage of the property.

So that's the intent today.

It is the minimum variance necessary because we have already taken that width of an easement, the construction has already occurred. There is no lesser variance that could be granted right now that would provide the property the relief that,
you know, to allow the same type of, you
know, development in the future, potentially
that it would have had.

There is no proposed
development at this point. It's just, you
know, theoretical in the future, we want the
property to be able to be used for the same
uses, same purposes.

So if you have any
questions, that's basically the intent. I'm
here for any questions you have.

CHAIRPERSON GRONACHAN: That was
a very good presentation.

MS. KRIEGER: Yep.

CHAIRPERSON GRONACHAN: Is there
anyone in the audience that wishes to make
comment?

(No audible responses.)

CHAIRPERSON GRONACHAN: Seeing
none, is there any correspondence?

MR. MONTVILLE: There were 23
letters mailed, three letters returned, zero
approvals, zero objections.

CHAIRPERSON GRONACHAN: Okay.

Building department?
MR. BUTLER: Only thing I would say is that studies have shown that this area is a high impact for accidents and this would mitigate that balance of that turning lanes. No additional comments.

CHAIRPERSON GRONACHAN: Thank you. In fact, that's how this came about, right, because it was a high impacted -- there was an increase in the accidents at that intersection which brought this all about?

MS. SAARELA: Correct. This is for public safety, the city project.

CHAIRPERSON GRONACHAN: Board members? Member Sanghvi.

MR. SANGHVI: Thank you. I understand that this is an effort by the city to preempt any future problems by the property owners, they build anything over there?

MS. SAARELA: That's correct. The property owner is aware of this variance. We are in contact with the property owner's attorney right now trying to negotiate, you know, the value of the easement. So they're
aware of this and they have not objected. They realize that by obtaining this variance, it will, you know, allow the property to be, you know, developed in the future.

MR. SANGHVI: I think I want to commend the city for doing this in advance on behalf of the property owners, so they don't have any future problems and it is a step in the right direction for the public good and I have no objection at all whatsoever. Thank you.

CHAIRPERSON GRONACHAN: Member Krieger?

MS. KRIEGER: I agree.

CHAIRPERSON GRONACHAN: Anyone else? I think this is great. I think that it just shows that Novi is proactive and to keep an eye our residents and I'm in full support.

Honestly for all the years I've lived here, and for the other cities that I have lived in, I have never seen a city watch over their residents the way we do. So I commend the city for taking this in right direction.
So I'm in full support.

MR. PEDDIBOYNA: I wish good luck for Novi.

CHAIRPERSON GRONACHAN: There you go. And with that, would anyone like to entertain a motion.

MR. MONTVILLE: I'm prepared to make a motion at this time.

CHAIRPERSON GRONACHAN: Member Montville.

MR. MONTVILLE: I move that we grant the variances in Case No. PZ16-0022, sought by the City of Novi public services department, at 26900 Beck Road and 47277 Grand River Avenue, as the petitioner has established that the City of Novi, Grand River duel left turn land project requiring the city to take a variable width highway easement, which is 10 feet wide at its widest point, across and front to the parcels for the purpose of shifting the existing pathway and the utility poles of the existing right-of-way to accommodate the turn lane causes a practical difficulty relating to the property, including some or all of the
following criteria.

The petitioner has established the physical condition of the property creates the need for a variance, because the city's road project will cause a property setback to be measured from the back of the highway easement and otherwise reduce a buildable portion of the property by up to 10 feet, to accommodate relocation of the pathway, utility poles within the highway easement.

Furthermore, the condition is not personal or economic hardship. The need for the variance is not self-created, as the city initiated the project to the public benefit to improve the flow of traffic along Grand River and Beck Road.

Strict compliance with dimensional regulations of the zoning ordinance, including measuring the setbacks from the back of the highway easement, the city has required, might reduce a portion of the property, but the property owner could construct building improvements within, and may unreasonably prevent the petitioner from
using the property for the permitted purpose
because a smaller building might be required
to comply with the setback in the highway
easement.

The petitioner has
established that this variance is the minimum
variance necessary, has a lesser variance,
would not provide the property owner with the
same options for development, as the property
owner might have had prior to the city's
acquisition of the highway easement.

The requested variance will
not cause adverse impact on surrounding
property, property values, or the enjoyment
of property in the neighborhood or zoning
district because it will merely permit the
property owner the ability to construct the
same and substantially similar development
that the owner could otherwise have
constructed prior to the city's acquisition
of the highway easement.

MR. PEDDIBOYNA: Second.

CHAIRPERSON GRONACHAN: It's been
moved and seconded. Is there any further
discussion?
Monica, please call the roll.

MS. DRESLINSKI: Member Krieger?

MS. KRIEGER: Yes.

MS. DRESLINSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. DRESLINSKI: Member Byrwa?

MR. BYRWA: Yes.

MS. DRESLINSKI: Member Peddiboyna?

MR. PEDDIBOYNA: Yes.

MS. DRESLINSKI: Member Montville?

MR. MONTVILLE: Yes.

MS. DRESLINSKI: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. DRESLINSKI: Motion passes six to zero.

CHAIRPERSON GRONACHAN:

Congratulations. Your variance has been granted.

MS. SAARELA: Thank you.

CHAIRPERSON GRONACHAN: With that, are there any other matters for
discussion this evening?

I would like -- I have one thing to add.

So, we were having problems just all of know that no -- the petitioners were not sending in blank pages with their applications.

And Charles and Larry and Monica worked feverishly over the last two days and did try to communicate that with all of us, so you knew that, when you downloaded it, there was additional information. I tried to reach out as best I could.

So my suggestion, if you have a problem next month, downloading your cases, when Monica emails you the day that she is going to download it, please download that day.

So if we do have a problem the building department is not scrambling at the last minute. That's why we do it ahead of time. I know everybody is busy. I'm going to ask you to do that for them.

If you do have blank pages, you have two options. One, call Monica, and
she'll get that paperwork to you, or two, you can go to the Novi website. And the actual case will be there.

However, for you newbies, if there is confidential correspondence that are given to us, it will not be on the Novi website. Okay. I just want you to know that they are working on the problems very diligently and if you see something -- or you have got my email let me know, I will get in touch with Charles or Monica, if you are able to, because of work commitment or you're on the road or whatever, so we can work together as a team, they want us to get -- have as much information, the correct information as possible. So you know that there is -- we can get that to you.

Having said this, I will entertain a motion to adjourn.

MR. SANGHVI: So moved.

MR. MONTVILLE: Second.

CHAIRPERSON GRONACHAN: It's been moved and seconded. All those in favor.

THE BOARD: Aye.

CHAIRPERSON GRONACHAN: Meeting
adjourned.

(The meeting was adjourned at 8:10 p.m.)

** ** **
I, Jennifer L. Wall, Notary Public within and for the County of Oakland, State of Michigan, do hereby certify that the witness whose attached deposition was taken before me in the above entitled matter was by me duly sworn at the aforementioned time and place; that the testimony given by said witness was stenographically recorded in the presence of said witness and afterward transcribed by computer under my personal supervision, and that the said deposition is a full, true and correct transcript of the testimony given by the witness.

I further certify that I am not connected by blood or marriage with any of the parties or their attorneys, and that I am not an employee of either of them, nor financially interested in the action.

IN WITNESS THEREOF, I have hereunto set my hand at the City of Walled Lake, County of Oakland, State of Michigan, this 6th day of July 2016.

Jennifer L. Wall CSR-4183
Oakland County, Michigan
My Commission Expires 11/12/15