

**Hearing
10/14/2025**

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

Tuesday, October 14, 2025

Council Chambers/Novi Civic Center

41725 Novi Road

Novi, Michigan

BOARD MEMBERS:

W. Clift Montague, Chairperson
Siddharth Mav Sanghvi, Member
Joe Peddiboyina, Member
Linda Krieger, Member
Mike Longo, Secretary
Michael Thompson, Member
Joe Samona, Member

ALSO PRESENT:

Elizabeth Saarela, City Attorney
Alan Hall, Deputy Community Development
Director
Megan Nardone, Recording Secretary

REPORTED BY:

Melinda R. Womack
Certified Shorthand Reporter

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1 CHAIRPERSON MONTAGUE: Call to order the
2 Zoning Board of Appeals meeting for Tuesday,
3 October 14th. Start with Pledge of Allegiance.

4 (Pledge of Allegiance recited)

5 CHAIRPERSON MONTAGUE: Roll call,
6 please.

7 MS. NARDONE: Member Sanghvi?

8 MEMBER SANGHVI: Here.

9 MS. NARDONE: Chairperson Montague?

10 CHAIRPERSON MONTAGUE: Here.

11 MS. NARDONE: Member Thompson?

12 MEMBER THOMPSON: Here.

13 MS. NARDONE: Member Peddiboyina?

14 MEMBER PEDDIBOYINA: Yes, please.

15 MS. NARDONE: Member Longo?

16 MEMBER LONGO: Here.

17 MS. NARDONE: Member Krieger?

18 MEMBER KRIEGER: Here.

19 MS. NARDONE: Member Samona?

20 MEMBER SAMONA: Here.

21 MS. NARDONE: Thank you. We have a
22 quorum.

23 CHAIRPERSON MONTAGUE: Thank you. So
24 the rules of a public hearing here, I ask
25 everybody in the audience and up here please turn

1 off or silence your cell phone. Applicants that
2 are presenting a case tonight will be asked to
3 come up, introduce themselves, spell their name
4 and then be sworn in. You will have ten minutes
5 to present your case. Anyone in the audience who
6 wishes to speak to another case should please
7 raise their hand. You'll be recognized. You'll
8 be given three minutes to give your opinion.
9 That's about it. Okay. Approval of the meeting
10 minutes from last month's meeting.

11 MEMBER SAMONA: Make a motion to
12 approve.

13 MEMBER KRIEGER: Second.

14 CHAIRPERSON MONTAGUE: All right. Roll
15 call.

16 MS. NARDONE: Chairperson Montague?

17 CHAIRPERSON MONTAGUE: Yes.

18 MS. NARDONE: Member Sanghvi?

19 MEMBER SANGHVI: Yes.

20 MS. NARDONE: Member Peddiboyina?

21 MEMBER PEDDIBOYINA: Yes, please.

22 MS. NARDONE: Member Thompson?

23 MEMBER THOMPSON: Yes.

24 MS. NARDONE: Member Longo?

25 MEMBER LONGO: Yes.

1 MS. NARDONE: Member Krieger?

2 MEMBER KRIEGER: Yes.

3 MS. NARDONE: Member Samona?

4 MEMBER SAMONA: Yes.

5 MS. NARDONE: Thank you. Motion
6 carries.

7 CHAIRPERSON MONTAGUE: Thank you. Are
8 there any revisions to the agenda tonight?

9 MR. HALL: No changes tonight, sir.

10 CHAIRPERSON MONTAGUE: I'll entertain a
11 motion to approve the agenda.

12 MEMBER SAMONA: I make a motion to
13 approve.

14 MEMBER PEDDIBOYINA: I second.

15 THE COURT: All right. Roll call.

16 MS. NARDONE? Member Thompson?

17 MEMBER THOMPSON: Yes.

18 MS. NARDONE: Member Longo?

19 MEMBER LONGO: Yes.

20 MS. NARDONE: Member Samona?

21 MEMBER SAMONA: Yes.

22 MS. NARDONE: Member Krieger?

23 MEMBER KRIEGER: Yes.

24 MS. NARDONE: Member Sanghvi?

25 MEMBER SANGHVI: Yes.

1 MS. NARDONE: Chairperson Montague?

2 CHAIRPERSON MONTAGUE: Yes.

3 MS. NARDONE: Thank you. Motion
4 carries.

5 CHAIRPERSON MONTAGUE: At this time if
6 we have any general comments that the audience
7 would like to make we would entertain those. Do
8 you have any general comments not related to the
9 case tonight? All right. I see none of those.

10 So we have three cases tonight. The
11 first is PZ25-0048 721 South Lake Drive. The
12 applicant is requesting a variance from the City
13 of Novi Zoning Ordinance Section 3.32.10.A.ii.a to
14 allow a 456 square foot deck, 100 square feet is
15 allowed, so it's a variance of 356 square feet.
16 3.32.10.A.ii.b for 29% lot coverage, 5% allowed,
17 variance of 24%; 3.32.10.Aii.C to allow the fence
18 on the property line and 5 feet from the road, 1
19 foot from the property line, and 10 from the road
20 required. This property is zoned One-Family
21 Residential, R-4. Do we have a representative to
22 talk to this case? Please step to the podium
23 state your name and spell your name, please.

24 MR. FRANK: Brian Frank, B-R-I-A-N, and
25 then Frank, F-R-A-N-K.

1 MEMBER LONGO: Brian, are you an
2 attorney?

3 MR. FRANK: No.

4 MEMBER LONGO: Do you promise to tell
5 the truth in this case?

6 MR. FRANK: Yes.

7 MEMBER LONGO: Thank you.

8 MR. CHINOSKI: I am Justin Chinoski,
9 J-U-S-T-I-N, C-H-I-N-O-S-K-I.

10 MEMBER LONGO: Justin, are you
11 attorney?

12 MR. CHINOSKI: No, I am not.

13 MEMBER LONGO: Do you promise to tell
14 the truth in this case?

15 MR. CHINOSKI: Yes, I do.

16 MEMBER LONGO: Thank you.

17 CHAIRPERSON MONTAGUE: All right. How
18 may we assist you tonight?

19 MR. CHINOSKI: Like it says on the
20 variance, we're just looking to replace what was
21 there before the, how do you want to say it? The
22 seawall had failed. So we had to remove the deck
23 that was existing to put the new seawall in. And
24 then we wanted to put the deck back in place. I'm
25 providing you with some photos that shows the

1 fence line going down the entire street, all have
2 the five foot setback from that, and then the deck
3 itself from the photo there, I think it says from
4 1995, the deck was there already. I know Brian
5 and his family really enjoy a lot of time out
6 there in the summertime, eating and just enjoying
7 the water because they live on the lake and was
8 hoping it could go back to the way it was.

9 CHAIRPERSON MONTAGUE: Do you have a
10 drawing or something of the proposed deck that you
11 could show on the screen?

12 MR. CHINOSKI: So that would be --
13 sorry about that. It's the first time in front of
14 the Zoning Board meeting. That is what was
15 existing there. And then we have -- this is the
16 proposed, and that would just be the construction
17 drawing of this here. That's how it's going to be
18 built. Also have I think pictures that will show
19 it. This one here. So that picture was from when
20 the house was being built and the deck is there.
21 It was built before the house was renovated. And
22 got the fence line here. Fence line coming down.
23 It goes down pretty much the entire block there.
24 I know it's probably not real easy to see. You
25 can see the post. We had to take the rest of it

1 down so the excavator could get through the
2 seawall. Then all the way down through the
3 Lakeshore Park, the fence line is all on the same
4 side.

5 CHAIRPERSON MONTAGUE: All right.
6 Anything else to add?

7 MR. FRANK: I think that's it.

8 CHAIRPERSON MONTAGUE: City?

9 MR. HALL: Thank you, Mr. Chairman.
10 Yes, they are asking for three variances tonight.
11 The one is for 356 square foot, the deck size,
12 which is the increased variance, but it's
13 replacing the existing deck that already was there
14 originally. Variance for 24% lot coverage
15 increase, and then replacing the existing four
16 foot high cyclone fence with four foot high black
17 aluminum fence. Is that correct?

18 MR. CHINOSKI: Yes, it is.

19 MR. HALL: So what kind of materials
20 are you using on the deck?

21 MR. CHINOSKI: The deck is going to be
22 just Wolmanized lumber underneath and the
23 composite material on top.

24 MR. HALL: And the composite is just --
25 composite is a --

1 MR. CHINOSKI: Composite material?

2 MR. HALL: Yeah.

3 MR. CHINOSKI: It's something once you
4 put it in there it lasts for --

5 MR. HALL: I mean is it vinyl? Is it
6 Trex?

7 MR. CHINOSKI: It's a PVC product.

8 MR. FRANK: Like Trex.

9 MR. HALL: Yeah. Like Trex. Yeah.

10 MR. CHINOSKI: Correct.

11 MR. HALL: Based on that, I think it
12 meets all the requirements. I was going to ask
13 this too. The fence is on three sides. It's in
14 the front, both sides, and not across the seawall.

15 MR. FRANK: Correct.

16 MR. HALL: Thank you, Mr. Chairman. I
17 don't have anymore questions.

18 CHAIRPERSON MONTAGUE: Correspondence?

19 MEMBER LONGO: Yes. We mailed out 59
20 notices, six were returned. There were no
21 objections. There are approvals of neighbors that
22 one said they're replacing what was there, the
23 other said improvement to the properties.

24 MR. FRANK: The fence could definitely
25 use some improvements.

1 CHAIRPERSON MONTAGUE: All right. Open
2 up to the board.

3 MEMBER SANGHVI: Thank you. I came and
4 visited your place last week, drove around. My
5 main question is we all know they are very small
6 lots over there and you can't do anything without
7 variances. What new thing are you doing apart
8 from replacing the old fence?

9 MR. FRANK: What new are we doing?

10 MEMBER SANGHVI: The fence there and
11 all those things, are you doing anything new or
12 just the replacement?

13 MR. FRANK: Just the replacement. Just
14 changing materials to the black aluminum fence
15 instead of the cyclone fence, and just a composite
16 deck instead of a wood deck. There's no deck
17 there if you just drove by the other day because
18 we had to tear it off for the seawall, but it was
19 there up until this spring.

20 MEMBER SANGHVI: Thank you. Thank you,
21 Mr. Chair.

22 MEMBER SAMONA: I drove by. I'm
23 familiar with this. I guess a couple of the
24 questions I have. First one I'm going to direct
25 to the city maybe. I don't know if you can answer

1 this. It's verified through the city that this
2 square footage is the same as what it was before?

3 MR. HALL: That's correct.

4 MEMBER SAMONA: Okay. The questions
5 that I guess I would have and maybe I'll defer to
6 some of my colleagues for this is -- and some of
7 them are directed to you too, is the height going
8 to be the same? Is the width going to be the
9 same? You know, I know it's the same square
10 footage, but is that going to be the same? Also,
11 one of the things that I typically like to see,
12 and I know I would like to think some of my
13 colleagues like to see also, is a rendering of how
14 it will actually look. That part of it I'll defer
15 maybe to the Board if anyone has any comments on
16 that. But as far as the height and the width, the
17 depth, is that remaining exactly the same or is it
18 strictly the square footage remaining the same?

19 MR. FRANK: The existing deck that was
20 there, one section was I think wider on one side
21 and we were hoping to make it the narrower length.

22 MR. CHINOSKI: Like B is 13 by 12.
23 This is the existing photo what was there. The
24 other part was 25 by 10. And then we are just
25 changing it to be completely a rectangle. So

1 there's no sharp corners or anything like that.
2 Just going to go straight across at the 12 feet,
3 so it's actually narrower by a foot by the biggest
4 part of the whole deck.

5 MEMBER SAMONA: That's the only
6 question I had regarding that, and I don't know if
7 anyone has any comments regarding on how it would
8 look or any of the renderings.

9 MR. FRANK: And height wise we were
10 hoping to make it the same height also.

11 MEMBER SAMONA: Got it. Thank you.

12 CHAIRPERSON MONTAGUE: Anybody else
13 have comments questions?

14 MEMBER KRIEGER: So the aluminum fence
15 that you're putting in will be see-through to the
16 water and the same height as to what it was.

17 MR. FRANK: Correct. It matches what a
18 lot of my neighbors have going down, so I just
19 thought it would look better.

20 CHAIRPERSON MONTAGUE: All right.
21 Entertain a motion.

22 MS. KRIEGER: I move that we grant the
23 variance in case number PZ25-0048 sought by Brian
24 Frank for 721 South Lake Drive because the
25 petitioner has shown practical difficulty

1 requiring the variances, for the -- to have a
2 variance of 356 square feet for the deck, 24%
3 variance for lot coverage, and to allow the fence
4 on the property line and from 5 feet from the road
5 from the property line, and 10 feet from the road,
6 the property line from the fence as requested and
7 from 10 feet from the road required. Without the
8 variance the petitioner will unreasonably be
9 prevented or limited with respect to the use of
10 the property because they are replacing the
11 previous deck with new material according to city
12 requirements, and it's the same size as their
13 previous deck with little improvement. The
14 property is unique because it's lakefront. The
15 petitioner did not create the condition because
16 the reconstruction will be very similar because of
17 the seawall that failed. That wasn't their fault.
18 The relief granted will not unreasonably interfere
19 with adjacent or surrounding properties, because
20 it is similar to current neighbors that was taken
21 down from the repair of the seawall. And as they
22 explained, it'll be very similar in height with
23 the fence.

24 MEMBER SANGHVI: Second.

25 CHAIRPERSON MONTAGUE: Roll call,

1 please.

2 MS. NARDONE: Member Peddiboyina?

3 MEMBER PEDDIBOYINA: Yes, please.

4 MS. NARDONE: Member Thompson?

5 MEMBER THOMPSON: Yes.

6 MS. NARDONE: Member Longo?

7 MEMBER LONGO: Yes.

8 MS. NARDONE: Member Krieger?

9 MEMBER KRIEGER: Yes.

10 MS. NARDONE: Member Samona?

11 MEMBER SAMONA: Yes.

12 MS. NARDONE: Chairperson Montague?

13 CHAIRPERSON MONTAGUE: Yes.

14 MS. NARDONE: Member Sanghvi?

15 MEMBER SANGHVI: Yes.

16 MS. NARDONE: Thank you. Motion

17 carries.

18 CHAIRPERSON MONTAGUE: Thank you very

19 much.

20 MR. FRANK: Thank you for your time.

21 CHAIRPERSON MONTAGUE: All right.

22 Second case tonight, PZ25-0049 24730 Sarah Flynn
23 Road. The applicant is requesting a variance from
24 the City of Novi Zoning Ordinance Section 3.1.5
25 for an aggregate side yard setback of 21 ft. 25

1 feet is required, so it will be a variance of four
2 feet. This property is zoned One-Family
3 Residential (R-4). Is the applicant here? Please
4 step to the podium and state and spell your name.

5 MR. MOYLAN: John Moylan, J-O-H-N.
6 Moylan is M-O-Y-L-A-N.

7 MR. LONGO: John, are you attorney?

8 MR. MOYLAN: No.

9 MEMBER LONGO: Do you promise to tell
10 the truth in this case?

11 MR. MOYLAN: I do.

12 MEMBER LONGO: Thank you.

13 MR. MANSOUR: Jamil Mansour. Jamil,
14 J-A-M-I-L, Mansour, M-A-N-S-O-U-R.

15 MEMBER LONGO: Jamil, are you an
16 attorney?

17 MR. MANSOUR: No.

18 MEMBER LONGO: Do you promise to tell
19 the truth in this case?

20 MR. MANSOUR: Yes.

21 MEMBER LONGO: Thank you.

22 CHAIRPERSON MONTAGUE. All right. How
23 can we assist you tonight?

24 MR. MOYLAN: So we are, my wife and I,
25 our family, we're building onto our house. Right

1 now it's a three bedroom. We're making it a five
2 bedroom and adding an additional bath. We are as
3 we're building up above our garage. Jamil if you
4 have pictures.

5 MR. MANSOUR: We provided to you.

6 MR. MOYLAN: We're adding above our
7 garage. And then as we add over our garage it
8 pushes back to the back and it lines up to the
9 back of the house. So we aren't getting any
10 closer to any neighbors than our house already is.
11 We're filling in a gap in the back, and then we're
12 going up. So the area in red is the section that
13 we'd be adding on into the back, so simply filling
14 in the gap that we have right there that is a
15 flower bed and grass.

16 MR. MANSOUR: So the existing house
17 and all the houses in the neighborhood, the
18 current setback from the right side is around 11,
19 11 feet. So once we build the addition, whether
20 on the first floor or the second, we're sticking
21 to the same setback, so we're not going any
22 further. This is the existing house actually.
23 But we understood that this was an old zoning or
24 old setback. So then the first floor, whatever is
25 shaded with red, it's being added, and on the

1 second floor is over the garage all the way to
2 where the red area is.

3 CHAIRPERSON MONTAGUE: And the line
4 represents the setback requirements, I take it.

5 MR. MANSOUR: Yeah. So basically this
6 is how currently now there's only garage, and
7 we're adding this one here, the bedrooms over it,
8 but we're still respecting this wall here. We're
9 not going any further here.

10 CHAIRPERSON MONTAGUE: All right.
11 Anything else to add?

12 MR. MOYLAN: No.

13 CHAIRPERSON MONTAGUE: City?

14 MR. HALL: Mr. Chairman. Yes, they are
15 asking just for the single variance tonight of the
16 four foot reduction and the side yard accumulative
17 setbacks. Add them together it's less than -- or
18 more than 25 feet. It is within a foot from the
19 house. We have no further questions. Thank you.

20 CHAIRPERSON MONTAGUE: Correspondence?

21 MEMBER LONGO: Yes. We mailed out 42
22 notices. We had two returned. There were no
23 objections. There were five approvals. One
24 neighbor went into great extent of how wonderful
25 this is going to be.

1 CHAIRPERSON MONTAGUE: You got a good
2 neighbor. All right. Open it up to questions.

3 MEMBER SANGHVI: Can I go?

4 CHAIRPERSON MONTAGUE: Yes. Go ahead.

5 MEMBER PEDDIBOYINA: Audience?

6 CHAIRPERSON MONTAGUE: I'm sorry. I
7 didn't ask if you wanted to comment. Bad
8 assumption on my part.

9 MEMBER SANGHVI: I came and visited
10 your property. I came all the way down the side.
11 You have a beautiful neighborhood. You have a
12 beautiful home. I have only one question. Are
13 you changing the footprint of the house?

14 MR. MOYLAN: No.

15 MEMBER SANGHVI: It looks like it from
16 your application.

17 MR. MOYLAN: No. The footprint of the
18 house will remain the same.

19 MEMBER SANGHVI: I have no problem
20 supporting your application. Thank you.

21 MR. MOYLAN: Thank you.

22 CHAIRPERSON MONTAGUE: Yes, sir.

23 MEMBER SAMONA: Alan, as I understand
24 it, so they're building within the parameters of
25 the current home. Was the current zoning

1 ordinance not the zoning ordinance when the home
2 was built because all they're doing is they're
3 adding the second floor? So is that what it was,
4 the current zoning ordinance was not in effect
5 when it was built, therefore, they didn't need to
6 request -- whoever built it didn't need to request
7 a variance then, but now since they're putting the
8 addition on the second floor they have to request
9 the variance?

10 MR. HALL: That's correct. And to add
11 to that, this is cleaning up the record a little
12 bit, to make sure that the property line can be
13 approved by the Board.

14 MEMBER SAMONA: I'm sorry. Can you
15 repeat the last part? That property line what?

16 MR. HALL: So you saw the graphic where
17 they showed the setback and it was into that
18 setback. So this is giving them the opportunity
19 for the homeowner to clear it all up to make sure
20 the old records, new records it's all approved to
21 be within that footprint.

22 MEMBER SAMONA: Got it. I'm familiar
23 with the neighborhood. I drove by. I do real
24 estate. I do a lot of work in that neighborhood.
25 I can't think of a logical reason even if I tried

1 to to not support this.

2 MR. MOYLAN: Appreciate it.

3 CHAIRPERSON MONTAGUE: Anybody else?

4 MEMBER SAMONA: That's the shortest
5 comment ever.

6 MEMBER PEDDIBOYINA: Mr. Chair?

7 CHAIRPERSON MONTAGUE: Yes, sir.

8 MEMBER PEDDIBOYINA: Okay. John and
9 Callie, you had a practical difficulty you showed,
10 and I have no objection on this case.

11 CHAIRPERSON MONTAGUE: Thank you. I'll
12 entertain a motion.

13 MEMBER THOMPSON: I move that we grant
14 the variance in case PZ25-0049, sought by John and
15 Callie Moylan for the four foot variance because
16 the petitioner has shown practical difficulty
17 getting permission to expand, going up with their
18 current home. Without the variance, the
19 petitioner would be unreasonably prevented or
20 limited with respect to the use of the property.
21 This does not expand the current footprint. The
22 property is unique because the garage is already
23 built. The expansion is going to go on top of
24 that. The petitioner did not create the condition
25 because of some old zoning. Like They said,

1 "We're just trying to clean it up." The relief
2 granted would not unreasonably interfere with
3 adjacent or surrounding properties because the
4 garage footprint was already made, going up again.
5 The relief is consistent with the spirit and
6 intent of the ordinance. This will not interfere
7 with the neighbors, and as stated by the neighbors
8 approved, and none objected.

9 MEMBER LONGO: I second.

10 MS. NARDONE: Member Longo?

11 MEMBER LONGO: I approve.

12 MS. NARDONE: Member Krieger?

13 MEMBER KRIEGER: Yes.

14 MS. NARDONE: Member Samona?

15 MEMBER SAMONA: Yes.

16 MS. NARDONE: Chairperson Montague?

17 CHAIRPERSON MONTAGUE: Yes.

18 MS. NARDONE: Member Sanghvi?

19 MEMBER SANGHVI: Yes.

20 MS. NARDONE: Member Thompson?

21 MEMBER THOMPSON: Yes.

22 MS. NARDONE: Member Peddiboyina?

23 MEMBER PEDDIBOYINA: Yes, please.

24 MS. NARDONE: Thank you. Motion

25 carries.

1 MEMBER PEDDIBOYINA: Good luck.

2 MR. MOYLAN: Thank you very much.

3 CHAIRPERSON MONTAGUE: All right.

4 Final case of the night. PZ25-0050 26245 Novi
5 Road. The applicant is requesting a variance from
6 the City of Novi Ordinance Section 5.4.2 to omit
7 the requirement for the loading zone to be located
8 within the rear yard setback. This property is
9 zoned Town Center (TC). Please come forward and
10 state your name and spell it.

11 MS. STROESSER: Hi. My name Juliette
12 Stroesser, J-U-L-I-E-T-T-E, S-T-R-O-E-S-S-E-R.

13 MEMBER LONGO: Juliette, are you an
14 attorney?

15 MS. STROESSER: No.

16 MEMBER LONGO: Do you promise to tell
17 the truth in this case?

18 MS. STROESSER: Yes.

19 MEMBER LONGO: Thank you.

20 CHAIRPERSON MONTAGUE: How may we
21 assist you tonight?

22 MS. STROESSER: I actually have a quick
23 PowerPoint presentation. So my name is Juliette
24 Stroesser and I'm working with Kimley Horn &
25 Associates, the civil engineer on this project.

1 First of all, I would like to thank you for your
2 time and consideration tonight. We are proposing
3 a Raising Cane's restaurant at 26245 Novi Road and
4 are requesting a variance for the absence of
5 designated unloading zone. Before getting into
6 the details of our variance request, I would like
7 to provide some information on the background of
8 Raising Cane's.

9 So Raising Cane's all started with our
10 founder, Todd Graves. He opened the first
11 restaurant in Baton Rouge back in 1996. The
12 restaurant has one love, which is quality chicken
13 finger meals.

14 Raising Cane's has a focused menu,
15 which allows for them to receive high ratings in
16 the industry for food quality, food order
17 accuracy, speed of service and value. To touch
18 real quick on speed of service, we have a two and
19 a half minute time for an order to pick up. Our
20 focus menu includes chicken fingers, fries,
21 coleslaw, and Texas toast. This location will
22 have approximately 55 employees with an average of
23 13 employees per shift. Cane's also prides itself
24 as always paying higher than minimum wage.

25 Raising Cane's is not just a quick

1 service restaurant, we're also a real part of the
2 community. The restaurant not only employs people
3 from the area but gives back to the community in
4 several different ways. Here we have listed our
5 six areas of focus, which include education,
6 feeding the hungry, active lifestyles, pet
7 welfare, entrepreneurship, and then they like to
8 say, everything else. So they like to have a very
9 big involvement in the community, not just a quick
10 serve restaurant.

11 To dive a little bit further into that,
12 Raising Cane's has been part of the Michigan
13 community specifically since 2022. And here we
14 have listed just a few ways that we've gotten
15 involved directly into the community in different
16 Michigan parts of the state, including education,
17 feeding the hungry, active lifestyles, pet
18 welfare, and then some examples of everything else
19 as well.

20 To get into our site specifically, we
21 are proposing for the conversion of the former
22 Wendy's drive-thru restaurant into a Raising
23 Cane's chicken finger restaurant. We will be
24 maintaining the same zoning district in Town
25 Center.

1 Our variance request is specific to the
2 absence of a designated unloading zone regarding
3 section 5.4.2. The unloading zone is proposed to
4 be within the parking lot drive aisles with
5 deliveries being made prior to restaurant hours.
6 Here we have a couple of the standards listed, a
7 couple background on each. Standard one,
8 circumstances or physical conditions. Our lot is
9 L-shaped with two narrow legs. And essentially we
10 are maintaining the existing building and
11 essentially maintaining the existing like layout
12 of the site. So we are pretty confined there.
13 And we're trying to propose a situation in which
14 we're able to provide parking near the building,
15 but also by having the unloading zone in the drive
16 aisle, we're also able to have deliveries as close
17 to the building as possible. Both of those things
18 play into the environmental conditions. We do
19 have significant grade change on the west side of
20 the existing building, so by having the deliveries
21 within the drive-by closer to the building, that
22 means that the delivery route is able to be a lot
23 shorter and we don't have to have any potential
24 like slips or falls in the icy seasons in the
25 winter.

1 Standard number two, not self-created.

2 Just to reiterate, you've already seen the
3 existing building, the inside layout. We did work
4 very heavily with city staff to meet their parking
5 requirements, setbacks and all other code items to
6 the best of our ability as well.

7 Standard number three. Strict
8 compliance. Again, we're using the existing
9 building and very much held to the existing
10 layout, and we're trying to meet as many code
11 items as possible.

12 Standard four. Minimum variance
13 needed. In working with the city we agreed to
14 bring other aspects of the site into conformance
15 that weren't previously in conformance, and we
16 plan to accommodate deliveries without impacting
17 the surrounding area. So we did feel that this
18 variance of an unloading zone occurring within the
19 drive aisle prior to restaurant hours was the
20 least impactful to the community since it will be
21 outside of those restaurant hours. It's not
22 intended to impact any kind of like site
23 circulation, any like -- pretty much anything like
24 that. So it shouldn't be impactful to the
25 adjacent property owners.

1 Standard five. Adverse impact on
2 surrounding area. Within loading operations
3 taking place immediately north or south of the
4 building, we do feel we're providing a direct and
5 efficient path from the truck to the building.
6 And with it being before restaurant hours, again,
7 we feel that this will be the least impactful to
8 surrounding properties since it shouldn't
9 interfere with anything occurring within like
10 business hours.

11 We are proposing two different route
12 options. The first route option is occurring on
13 the north drive aisle. So essentially the truck
14 will be coming in from Novi Road and exiting
15 through Crescent Boulevard where we have the truck
16 stationed near the building pointing to with the
17 pen here. That is where the unloading will be
18 taking place. We have a dash line in this exhibit
19 indicating where the delivery route will be taking
20 place from the back of the truck to the door.
21 Delivery route option two is very similar, exempt
22 the delivery unloading will be taking place in the
23 southern bypass lane. This will be entering from
24 Novi and then exiting out of Novi.

25 Thank you again for your time and

1 consideration. I'm available should you have any
2 questions and we are really looking forward to
3 joining the Novi community.

4 CHAIRPERSON MONTAGUE: All right.
5 Anything else to add?

6 MS. STROESSER: No.

7 CHAIRPERSON MONTAGUE: City?

8 MR. HALL: Thank you, Mr. Chairman.
9 Yes, they are asking for variance for the location
10 of the loading zone. We did run this by the fire
11 marshal in our city and he is not in favor of
12 option one being that it could break down and have
13 a blockage if cars are in the parking area, and
14 there might not be access for a fire. They're in
15 favor of option number two but not one.

16 Could you explain your hours of
17 operation, when are they open and when would the
18 trucks be coming and going?

19 MS. STROESSER: Yeah, for sure. So our
20 current hours of operation that are being proposed
21 are Sunday through Thursday, 9:30 a.m. to 2 a.m.,
22 and then Friday and Saturday, 9:30 a.m. to 3:30
23 a.m. And then the truck would be coming outside
24 of those hours.

25 MR. HALL: And the size of the truck.

1 Is that a cube truck? Is it a semi?

2 MS. STROESSER: It would be a 36-foot
3 truck.

4 MR. HALL: So based on not option one
5 but option two, based on the fire marshall's
6 recommendation, we have no further questions.
7 Thank you.

8 CHAIRPERSON MONTAGUE: Are we within
9 our motions to put option two delivery being a
10 requirement?

11 MR. HALL: Absolutely.

12 CHAIRPERSON MONTAGUE: All right.
13 Correspondence, please.

14 MEMBER LONGO: Yes. We mailed out 34
15 notices. Six were returned. We got no objections
16 and no approvals.

17 CHAIRPERSON MONTAGUE: Now the audience
18 is empty, so I can officially not ask the
19 audience. You are the presenter and audience at
20 this point.

21 MS. STROESSER: Two in one.

22 CHAIRPERSON MONTAGUE: All right. Open
23 to the Board. Let's start over here.

24 MEMBER THOMPSON: Sunday to Thursday,
25 9:30 to 2 a.m. are the hours?

1 MS. STROESSER: Yes.

2 MEMBER THOMPSON: That would leave
3 Friday and Saturday, 9:30 to 3 a.m.?

4 MS. STROESSER: 3:30.

5 MEMBER THOMPSON: 3:30. Okay. I've
6 been to the one in East Lansing before so I'm
7 familiar with the business. The truck is going to
8 come sometime between 3:00 a.m. when they close
9 and 9 a.m. when they open?

10 MS. STROESSER: Correct. That it
11 should come outside of operating hours, restaurant
12 hours.

13 MEMBER THOMPSON: Okay. I just know
14 that's a lot of operating hours, and they sell a
15 lot of chickens. So I'm not overly familiar. The
16 drawing wasn't super clear. The unloading zone,
17 there's nothing special about it. There's no
18 risers to like meet up with the back of the truck,
19 it's just a place for the truck to park, a lift
20 gate go down and the food come off.

21 MS. STROESSER: Yes. So there would be
22 no further like proposed like I guess like
23 conditions for the drive aisle. It will be just
24 acting solely as a drive aisle with the truck just
25 parking within it for unloading.

1 MEMBER THOMPSON: Okay. If they did
2 not apply for an unloading zone and just pulled
3 there and parked, the fire marshal could ticket
4 them for doing that?

5 MS. HALL: So that's why option one
6 isn't like -- so the idea is there is a sidewalk I
7 think connects from the roadway or the travel way
8 to the building. That would have a curb cut to do
9 the dollies, or whatever is going to go in. Does
10 that make sense?

11 MEMBER THOMPSON: Yep.

12 MR. HALL: He's not interested in
13 having that kind of curb cut at the northern side
14 to allow them to come to the other side and get
15 around in case the truck breaks down, or something
16 happens during the night that you can't prevent,
17 and something happens that the fire truck can't
18 get in there. So he's concerned about possible
19 blockage if he's in the narrow area.

20 MEMBER THOMPSON: With the unloading
21 zone where it is, there's going to be the
22 building, there's still room for a vehicle to go
23 by on either side?

24 MS. STROESSER: Yes, that's correct.
25 So the intention with this is that since it's

1 outside of restaurant hours, there wouldn't be
2 anybody parked within those parking stalls. So if
3 there was a need for an emergency vehicle to go
4 across the site, they would be able to go around
5 the delivery truck and just go around through the
6 parking stalls since there wouldn't be anybody
7 within those.

8 MEMBER THOMPSON: Okay. You answered
9 all the questions. Thank you.

10 MEMBER PEDDIBOYINA: Can you show me
11 the other comes and goes on the picture.

12 MS. STROESSER: For option two?

13 MEMBER PEDDIBOYINA: Yeah.

14 MS. STROESSER: Yes. For sure. So
15 they would be coming in through this northern
16 access on Novi and then circulating through the
17 bypass and then exiting down on the southern
18 access of Novi.

19 MEMBER PEDDIBOYINA: You won't have any
20 docking? There's no docking area?

21 MS. STROESSER: Any docking, no.

22 MEMBER PEDDIBOYINA: Just a parking and
23 you can put the non-working hours, after hours?

24 MS. STROESSER: Non-working hours.

25 MEMBER PEDDIBOYINA: Thank you.

1 MEMBER SAMONA: First of all, couple of
2 my questions. I'm very, very familiar with this.
3 I'm very familiar with the Wendy's how the traffic
4 backed up a lot of times almost to Novi Road. So
5 if I supported this, it would be only option two.
6 But before I make another statement, my question
7 is, what -- personally I'm not against option two,
8 but one of the things that I'm struggling with
9 here is what happens to either the site or the
10 number of parking spots should you have to come
11 into compliance, you know? What would happen?
12 Would it reduce the size of the site? Would it
13 reduce the number of parking spots? What would
14 happen, because to me I'm thinking to show that
15 there's a difficulty there, I have to know what
16 the alternative, what would happen if you had to
17 come into compliance? And maybe when you answer
18 that, I have two follow-ups.

19 MS. STROESSER: Yeah. For sure. So
20 currently we are meeting the parking requirement
21 right on the dot. We did consider the idea of
22 doing an unloading space, but then we were going
23 to have to request a variance for deficient like
24 parking. So there was that. And then there were
25 also some setback requirements which helped to

1 establishing where the parking stalls were as
2 well. And since we felt that the unloading zone
3 was the least impactful to operation since it's
4 before restaurant hours, we figured that that was
5 going to be the least impactful to the community
6 and the easiest one to kind of move forward with
7 with community in mind.

8 MEMBER SAMONA: Got it. Thank you for
9 that explanation.

10 MS. STROESSER: Of course.

11 MEMBER SAMONA: I will say I know the
12 proposal and they anticipate the delivery times
13 being between certain hours. What I will propose
14 to my -- well I guess let me ask you this. I'll
15 ask this, and I'm proposing this as well to my
16 colleagues is that should this get approved under
17 option two that it gets -- that it gets approved
18 with the specific delivery time limits, however, I
19 would also propose that the delivery time limits
20 should end 30 minutes prior to store opening and
21 I'd want, you know, the specific times. That's
22 the way I would support a motion with the specific
23 times as part of the motion. For example, if
24 you're open 9:30 a.m. to 2 a.m. Sunday through
25 Thursday, I would say that Sunday through Thursday

1 the deliveries have to be completed by 9 a.m. and
2 Friday and Saturday the same thing. That's what I
3 would say because to me, that can create traffic
4 related issues and it looks like Alan's about to
5 say something to me regarding that.

6 MR. HALL: I just want to kind of talk
7 about that for a second. So I think it's a good
8 wish that they would do it after hours, but if
9 there's an emergency chicken rush and they have to
10 get chicken there, we would hate to prevent them
11 on a technicality and then they wouldn't be able
12 to get their chicken on time. So that's part of
13 the reason why the fire marshal was in favor of
14 option two because if they do have to come in on
15 some kind of a different time and the truck breaks
16 down and there's cars in there, we're looking at
17 the worst-case scenario why this would be bad. So
18 that would be the reason.

19 MEMBER SAMONA: So I understand that.
20 But then in that case, I'm sure the effort is made
21 in good faith on behalf of Raising Cane's, and I'm
22 sure you guys can tell I haven't had a shortage of
23 them before while traveling and whatnot, but I'm
24 sure the effort to try to make it outside of
25 business hours is in good faith, but with that

1 being said, if we can't limit it, we understand
2 that emergencies happen, and that's why there's
3 explanations to emergencies. But if we can't --
4 if we can't make that as part of the requirements,
5 then we're really not even to consider the fact
6 that they're saying that they will make it outside
7 of business hours. It's just something that
8 they're stating but they don't have to abide by
9 because that wouldn't be part of our approval if
10 we approved it?

11 MR. HALL: I think if you mandated the
12 hours, they would be obligated to be within those
13 hours. And if something changed on that, it could
14 potentially be a problem. So I think in good
15 faith, we can look at that as a consideration for
16 where the loading zone could be between option one
17 and option two, how you would feel about that.
18 But there's going to be -- abnormalities are going
19 to happen. Things are going to arise that we
20 can't discover in this board, but how that relates
21 to your approval.

22 MEMBER SAMONA: How long does the
23 typical unloading take of a store what you guys
24 project for this?

25 MS. STROESSER: I'm sorry. I don't

1 think I know how long the unloadings are
2 typically.

3 MEMBER SAMONA: I understand -- I
4 thought about that when I was asking. It's like
5 okay, what do you have, you know, okay, in the
6 alternative we can say, look, we understand
7 emergencies happen. We're not there with 24-hour
8 security on Raising Cane's to see if you guys are
9 moving your unloaded truck, and they can say well,
10 why not just grant it. But I guess -- yeah.
11 That's my position.

12 MEMBER SANGHVI: Thank you, Mr.
13 President. You have a nice PR guy who has
14 prepared a pretty good presentation.

15 MS. STROESSER: Thank you.

16 MEMBER SANGHVI: Couple of things I
17 wasn't clear about was verified during the
18 discussion. The only question I have, are you
19 going to stock that place 24 hours ahead so you
20 can have deliveries when it is all closed. So you
21 can't predict when the truck is going to arrive.

22 MS. STROESSER: Yeah. I think, at
23 least as far as I know and what's been
24 communicated to me from the client, it's just that
25 deliveries occur outside of business hours. We

1 have a third-party company that they work with on
2 the schedule and everything like that. So I feel
3 pretty confident that the deliveries would occur
4 outside of business hours as is typical.

5 MEMBER SANGHVI: You have practical
6 difficulty you say about the truck coming in at
7 any time. You can't predict what time it will
8 show up.

9 MEMBER SAMONA: Mr. Chair, I understand
10 they can't predict when it's going to show up, but
11 also worried about the traffic. How many parking
12 spots would be lost if you had to come into
13 compliance on this. And I understand you'd have
14 to be here for a different variance, but how many
15 parking spots would be lost if that was the case.

16 MS. STROESSER: I would assume about
17 five or six probably. I do know that might have
18 to be revisited like the parking requirements,
19 maybe some setbacks, things of those nature. I
20 think also in this circumstance we're trying to
21 keep the deliveries and parking as close to the
22 building as possible. So I know originally when
23 we were previously going through concept designs
24 we were looking at doing the unloading space
25 within these stalls here. We thought that they

1 were better suited parking for customers.

2 MEMBER SAMONA: Where is their
3 current -- where was the loading for Wendy's.

4 MR. HALL: I believe it would be like
5 option one -- or option two. Sorry. It would be
6 going right by where it is now.

7 MEMBER SAMONA: So Wendy's was
8 essentially in the same spot as option two,
9 however they got it there, whether this ordinance
10 wasn't there then, or whether they had gotten a
11 variance then, they were essentially in the same
12 spot as option two.

13 MR. HALL: I think the fire marshal
14 reiterated that there was potential issues if the
15 truck is broke down or somewhere the cars in the
16 parking lot and he can't get his truck in. So
17 that was his concern being what Wendy's is now and
18 what Raising Cane's will be is I think the same
19 concern.

20 MEMBER SAMONA: Got it. And the last
21 question I have for Alan is the fire marshal
22 prefers option two. Is the fire marshal -- is
23 there something that wasn't proposed that the fire
24 marshal -- is there something that the corporation
25 has not proposed that the fire marshal would like

1 the Board of Review to take into consideration?

2 MR. HALL: No. No. I think what she's
3 showing tonight is the options before you.

4 MEMBER SAMONA: I feel really good
5 about that question. Yeah. I mean my only -- my
6 only thing is the time, but I guess you can -- I
7 guess you can divert the -- they'll be another
8 exit from Crescent -- from Crescent Boulevard, so
9 you guys have -- can you guys get something intact
10 where if the traffic is backed up if it takes a
11 longer time for unloading, or something like that,
12 where you guys can have people directing traffic
13 out of Crescent Boulevard, that way they're not
14 trying to loop back around and leave Novi Road
15 because that's my concern that it could be a
16 traffic disaster, especially with the drive-thru.
17 But I don't know if that's a possibility.

18 MEMBER SANGHVI: Can I just say one
19 comment? That is my experience in Novi last 50
20 years. I have never seen much traffic in Novi
21 Road at that time of the morning, 2 a.m. I don't
22 think it will create any practical problem, even
23 though theoretically it could.

24 MEMBER SAMONA: I don't think it's
25 going to create practical problems at 2 a.m.

1 either. The thing is, we're not limiting them to
2 2 a.m., so they can be doing it at, I'm not saying
3 you guys will, but they can be doing it at 1:00 in
4 the afternoon. Of course it's their peak time.
5 They don't want to do it then and cause
6 congestion, but they could be doing it at that
7 time. So I don't think it's going to be jam
8 packed at 2 a.m., but at the same time, we're not
9 limiting them to the specific hours. That's all.

10 MEMBER LONGO: I think to that point,
11 the supplier does not want to be there at 1:00 in
12 the afternoon, so they're not going to be
13 delivering at 1:00 in the afternoon. The supplier
14 will be delivering before and after hours. If
15 they have to deliver at 1:00 in the afternoon it's
16 because they ran out of the chicken. So I don't
17 think that your concern is an everyday issue. And
18 I also don't think that we should say, you can't
19 deliver outside of that hours because that's
20 not -- that's not how a restaurant works. That's
21 my opinion.

22 MEMBER KRIEGER: Question. For option
23 one, I can see it for a traffic flow that it is
24 reasonable. And then option two from a fire
25 perspective that it's a whole different ball game

1 from their perspective. So I would go with what
2 the fire marshal said. But just to confirm, so
3 the northern part is narrower than the southern
4 part of the area where the building sits?

5 MS. STROESSER: So this is our
6 dimension control plan here. So where I'm
7 pointing with my pen right here is 18 feet, the
8 drive, and then this is also 18 feet from the
9 south. So same width.

10 MEMBER KRIEGER: And then for option
11 two that your delivery would be on the southern
12 door. The truck would pull in from the north, go
13 around, and then stop at the southern entrance and
14 unload.

15 MS. STROESSER: So it will be going in
16 through the same door whether it goes through the
17 north or the south. We have a blue dash line
18 right here kind of indicating which door they
19 would be going in.

20 MEMBER KRIEGER: Is the traffic flow --
21 I'm not familiar with this restaurant. Do people
22 go into the restaurant and sit down?

23 MS. STROESSER: Yes.

24 MS. KRIEGER: Okay. And then is there
25 a drive-thru as well.

1 MS. STROESSER: Correct. Yes. So the
2 drive-thru is right through this northern part
3 along the southern face of the building, and we do
4 both dine-in and drive-thru during regular
5 operating hours.

6 MEMBER KRIEGER: Would you be
7 anticipating lines over the traffic flow, I guess
8 for best how they back up across the street at
9 Chick-fil-A? So for the line you have
10 preparations so they don't back up on Novi Road.

11 MS. STROESSER: Yes. Correct. We
12 worked pretty heavily with city staff during our
13 preliminary site plan review on like a drive-thru
14 cuing plan that we put together to ensure that all
15 like on-site congestion is held on site.

16 MS. KRIEGER: And then I noticed that
17 driving around the city at night after 10 p.m. it
18 just slows down really well. It goes to sleep.
19 And so I would like for our fire marshal's request
20 for option two that the request go as his request
21 for that, and then I would be able to support your
22 request.

23 MS. STROESSER: Awesome. Thank you.

24 MR. SAMONA: I think I agree -- oh, I'm
25 sorry.

1 MS. SAARELA: I just wanted to say, if
2 you're interested, there was a site -- this did go
3 to Planning Commission last month in September
4 24th, and there was -- the city's traffic engineer
5 did review the plan. So there's an extensive
6 traffic report from the city's traffic engineer in
7 the packet of the Planning Commission.

8 MEMBER SAMONA: You know what, I'm
9 going to ask a question that might actually have
10 the answer to that. But after you said that, I
11 agree that it would be -- it wouldn't be practical
12 to limit delivery times to certain hours, but
13 maybe you can tell us. Is there anything in the
14 city traffic report that would indicate the peak
15 traffic times in that area or -- the reason that
16 I'm asking that is maybe deliveries aren't allowed
17 at a certain time. Again, I'm just talking about
18 the backflow of traffic, and that's the last thing
19 I have on this.

20 MS. SAARELA: So they reviewed it for
21 cuing. The applicant met with the police
22 department, did an extensive plan for traffic
23 cuing at high like traffic times.

24 MEMBER KRIEGER: Rush hour and
25 weekends.

1 MR. SAMONA: So the police department
2 and traffic commission were satisfied with option
3 two looking at --

4 MS. SAARELA: Well, I don't know if the
5 police department looked at these options but they
6 looked at the cuing during like high traffic.

7 MR. SAMONA: During the like peak
8 traffic times, and that was the Planning
9 Commission.

10 MS. SAARELA: Yes. This is a report
11 from the Planning Commission.

12 MEMBER SAMONA: And they were satisfied
13 during peak traffic hours.

14 MS. SAARELA: Yes. That the plan that
15 they came up with for how their traffic would
16 stack inside the site was doable, was feasible.

17 MEMBER SANGHVI: Just want to say one
18 thing. It's a matter of possibility and it
19 differs between the possibility and probability.
20 And I don't think there's very high probability
21 that there will be any major problems.

22 CHAIRPERSON MONTAGUE: We can always
23 look at worst-case scenario. Once again, we have
24 to defer that the fire department has looked at it
25 and taken care of it. I'm a little surprised that

1 they didn't do a combined option one and two when
2 they came in off Crescent, stayed all off of that
3 north side and just went around the south side.
4 I'm surprised that was not a -- I don't know if
5 that was an option that was looked at, but once
6 again.

7 MR. HALL: The fire marshal is looking
8 at when the truck stopped in the delivery, so
9 that's why option two was the one. And then I
10 think that the stacking lines I think mirror
11 option two as goes around, it's the longest stack
12 line. Looking at the report here it looks like
13 they did consider the times for loading as part of
14 the report.

15 CHAIRPERSON MONTAGUE: Okay. All
16 right. I think we should entertain a motion here.

17 MEMBER LONGO: Okay. I move that we
18 grant the variance in case number PZ25-0050,
19 sought by Raising Cane's, for option two. This is
20 for the unloading zone in the rear yard setback
21 because petitioner has shown particular difficulty
22 in requiring, receiving the necessary goods.
23 Without the variance, the petitioner will be
24 unreasonably prevented or limited with respect to
25 the use of the property because receiving goods

1 would be very difficult. The property is unique
2 because it was originally a similar activity.
3 Petitioners did not create the condition because
4 they purchased a property that was already doing a
5 similar business. The relief granted will not
6 unreasonably interfere with adjacent or
7 surrounding properties because it presents no
8 additional obstruction, and it will be utilized
9 primarily in non-business hours. The relief is
10 consistent with the spirit and intent of the
11 ordinance because it presents no obstruction to
12 the nearby properties.

13 MEMBER KRIEGER: Second.

14 CHAIRPERSON MONTAGUE: Roll call.

15 MS. NARDONE: Member Krieger?

16 MEMBER KRIEGER: Yes.

17 MS. NARDONE: Member Samona?

18 MEMBER SAMONA: No.

19 MS. NARDONE: Chairperson Montague?

20 CHAIRPERSON MONTAGUE: Yes.

21 MS. NARDONE: Member Sanghvi?

22 MEMBER SANGHVI: Yes.

23 MS. NARDONE: Member Thompson?

24 MEMBER THOMPSON: Yes.

25 MS. NARDONE: Member Peddiboyina?

1 MEMBER PEDDIBOYINA: Yes, please.

2 MS. NARDONE: Member Longo?

3 MEMBER LONGO: Yes.

4 MS. NARDONE: Thank you. Motion
5 carries.

6 CHAIRPERSON MONTAGUE: Thank you. Good
7 luck.

8 MEMBER PEDDIBOYINA: Good luck.

9 MEMBER SAMONA: Don't tell me the ice
10 cream machine is down because of that. The frosty
11 machine is down a lot from Wendy's.

12 CHAIRPERSON MONTAGUE: Any other
13 matters that anyone would like to bring up
14 tonight?

15 MEMBER SAMONA: Motion to adjourn.

16 MEMBER PEDDIBOYINA: Second.

17 CHAIRPERSON MONTAGUE: All right. All
18 approved say aye.

19 THE BOARD: Aye.

20 CHAIRPERSON MONTAGUE: No opposed. All
21 right. Thank you.

22 (The meeting was adjourned at 7:59 p.m.)

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CERTIFICATE OF NOTARY

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STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

I, Melinda R. Womack, Certified
Shorthand Reporter, a Notary Public in and for the
above county and state, do hereby certify that the
above deposition was taken before me at the time
and place hereinbefore set forth; that the witness
was by me first duly sworn to testify to the
truth, and nothing but the truth, that the
foregoing questions asked and answers made by the
witness were duly recorded by me stenographically
and reduced to computer transcription; that this
is a true, full and correct transcript of my
stenographic notes so taken; and that I am not
related to, nor of counsel to either party nor
interested in the event of this cause.



Melinda R. Womack, CSR-3611
Notary Public, Jackson County

My Commission expires: 06-22-2032

Hearing 10/14/2025

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