

Village of Cayuga Heights Planning Board  
Meeting #62  
Monday, May 23, 2016  
Marcham Hall – 7:00 pm  
Minutes

Present: Planning Board Members Chair F. Cowett, G. Gillespie, D. Hay, M. McMurry, R. Segelken, and Alternate J. Leijonhufvud  
Code Enforcement Officer B. Cross, Attorney R. Marcus, Trustee J. Marshall  
Members of the Public

Item 1 – Meeting called to order

- Chair F. Cowett opened the meeting at 7:02 pm.

Item 2 – April 25, 2016 Minutes

- Chair F. Cowett appointed J. Leijonhufvud as a full voting member for the purpose of reviewing and approving the minutes of the April 25, 2016 Board meeting.

Motion: G. Gillespie

Second: R. Segelken

**RESOLUTION No. 183**  
**APPROVING MINUTES OF APRIL 25, 2016**

**RESOLVED**, that the written, reviewed and revised minutes of the April 25, 2016 meeting are hereby approved.

**Aye votes** – Chair F. Cowett, G. Gillespie, R. Segelken, J. Leijonhufvud

**Abstained**- D. Hay, M. McMurry

**Opposed**- None

Item 3 – Public Comment

- N. Hicks, 125 E. Remington Road, stated her opposition to the proposed minor subdivision at 1001 Highland Road; she believes the subdivision is more in keeping with Levittown than with the special character of Cayuga Heights and that preserving green space is important.

#### Item 4 – Continuation of Site Plan Review – 1001 Highland Road Minor Subdivision

- Chair F. Cowett stated that, at the Board's April 25th meeting, the Board reviewed the proposed subdivision in accordance with the State Environmental Quality Review Act (SEQRA), found that the subdivision would not result in any significant adverse environmental impacts, and scheduled a public hearing for its May meeting.
- The public hearing commenced.
- L. Fenwick, 915 Highland Road, submitted a letter opposed to the subdivision and also stated that she has lived in the neighborhood for twenty years, values its green space, and believes the subdivision will change the character of the neighborhood and make it more suburban. She also complained about the lack of adequate notice of the public hearing, having received the Village's notification letter on Friday May 20.

915 Highland Road  
Ithaca, NY  
14850  
harpflute@twcny.rr.com

Received  
Village of Cayuga Heights  
MAY 23 2016

5/23/16

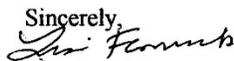
Brent Cross and Members of the Zoning Board  
Village of Cayuga Heights  
836 Hanshaw Road  
Ithaca, NY 14850

Dear Mr. Cross and Members of the Planning Board,

On Friday, May 20th I received a letter from the Zoning Board regarding a Minor Subdivision at 1001 Highland Road. I am EXTREMELY opposed to this Area Variance which lack the legal space requirements. We moved to Cayuga Height in 1996 in great part because of the fact the houses were not on top of one another. We are extremely concerned that if you allow this Area Variance to happen it will result in just this and feel it would substantially lower the value of our property which we have put significant money into.

It is my understanding according to the information I found online that 10 days notification to the neighbors is needed to hold a hearing on such a matter. While the letter is dated May 13, the envelope is postmarked May 18 and the letter arrived May 20. The meeting is scheduled for May 23. I have another crucial meeting I need to attend tonight that makes me unable to speak at the meeting but had I known earlier I might have been able to work around it. My husband will go and speak on our behalf but I am extremely unhappy about the possibility that you would consider granting such a variance and the fact that the legal requirements for notifying the neighbors was not done in the appropriate time.

Please consider this letter when making your decision.

Sincerely,  
  
Lisa Fenwick

- Code Enforcement Officer B. Cross acknowledged the lack of timely receipt of the Village's notification letters, but did not know whether this was due to a delay in the mailing or delivery of the letters.
- Attorney R. Marcus stated that the public hearing was advertised with sufficient advance notice in the Ithaca Journal, but the five day requirement for advance notice by letter to neighboring property owners of the public hearing did not appear to have been met.
- The Board discussed whether to continue the public hearing and decided to continue hearing from those members of the public in attendance who wished to speak.

- M. Hostetler, 124 E. Remington Road, stated his strong opposition to the subdivision, has lived in the neighborhood for twenty-four years in a house built in 1963 which is the last house built on the block, bought the property because of the parklike setting of his backyard, and is very concerned about the potential loss of trees and privacy, construction noise, and change in the character of the neighborhood due to the subdivision.
- W. Fenwick, 915 Highland Road, stated his opposition to the subdivision and agreement with the previous comments, wants to preserve the unique character of Cayuga Heights, doesn't want it to become like Belle Sherman, and is worried about the potential loss of privacy.
- K. Rassnick, 121 E. Remington Road, stated his concern for the lack of sufficient advance notice and knows of neighbors opposed to the subdivision who were unable to attend the public hearing due to insufficient advance notice.
- D. Lennox, the applicant, responding to the previous comments, stated that he wants to be a good neighbor and shares his neighbors' concerns for the quality and character of the neighborhood, but believes that the proposed subdivision will not have a huge impact for the following reasons:
  - The size of any house built on the lot will be small because it is limited by the zoning restriction of 12% lot coverage;
  - The size of the proposed new lot is not completely out of character with the neighborhood as it wouldn't be the smallest lot on the block and the neighborhood is already a mix of home and lot sizes;
  - Only a few trees would be lost to construction as most of the buildable area not contained within the new lot's setbacks contains grass and not trees.
- D. Lennox further stated that the proposed subdivision is environmentally beneficial because it is an infill project and could reduce commuting and that it would benefit the Village by increasing the Village's tax base with little increase to the Village in cost.
- M. Hostetler replied that in his opinion more than a few trees would need to be removed in order to build a new house and stated his concern for the close proximity of any new house to his house and the potential loss of privacy.
- L. Fenwick stated her concern, in addition to the late notice, about a lack of transparency in the process since the neighbors only learned of the subdivision on receiving letters from the Village and the applicant had never mentioned it to them.
- D. Lennox replied that this was the third Planning Board meeting he had attended regarding the subdivision and, because the minutes for those meetings were available online and there would be at least two more Village hearings on the matter, he did not feel there was a lack of transparency in the process.
- As no additional members of the public wished to speak, the Board discussed how to proceed with the public hearing and site plan review.

- D. Hay stated that the Village’s apparent failure to give five day’s advance notice by letter of the public hearing to neighboring property owners needs to be remedied.
- M. McMurry agreed and suggested that the public hearing be adjourned until the Board’s next meeting in June.
- Chair F. Cowett stated that, if the public hearing was adjourned until June, the Village’s Zoning Board of Appeals could in the interim consider at its June 6 meeting the applicant’s request for an area variance.
- Code Enforcement Officer B. Cross stated that he believed there was room in the ZBA’s June 6 meeting agenda to consider an area variance for this project and also enough time to provide public notice of the project’s consideration by the ZBA, but asked whether there would be any problem with the ordering of project review if the ZBA was to consider the applicant’s request for an area variance prior to the Planning Board concluding its site plan review.
- Attorney R. Marcus stated that no statutory requirement exists such that one board should consider and make a finding for a project prior to another board and that, because the Planning Board had already reviewed the project for SEQRA and made a SEQRA finding, potential segmentation of SEQRA review had been avoided and the ZBA could review the project for an area variance at its June 6 meeting if it chose to do so.
- G. Gillespie recommended that, if there is any question regarding sufficient public notice, action should be taken to remove that question.

Motion: G. Gillespie  
 Second: M. McMurry

**RESOLUTION No. 184  
 TO ADJOURN THE PUBLIC HEARING**

**RESOLVED**, that the public hearing regarding the site plan review for the proposed Minor Subdivision at 1001 Highland Road be adjourned until June 27, 2016 at 7:10 p.m.

**Aye votes** – Chair F. Cowett, G. Gillespie, D. Hay, M. McMurry, R. Segelken  
**Opposed**- None

- Code Enforcement Officer B. Cross stated that he would issue new letters advising neighboring property owners about the public hearing in advance of the Board’s June 27 meeting, apologized to the applicant for the delay, and noted for the record that under current Village zoning a public hearing is not required for site plan review by the Village’s Planning Board for a minor subdivision in the Village’s Residence zoning district.

Item 5 –Site Plan Review – 1010 Triphammer Road Minor Subdivision

- Code Enforcement Officer B. Cross explained the reasons for the site plan review; the applicant received approval from the Planning Board in 2013 for a minor subdivision at her property, but had not filed a map of the subdivision with the Tompkins County clerk’s office in a timely fashion; therefore, the Board’s approval had expired and the applicant must go through the entire site plan review process again to receive Board approval for the subdivision.
- Code Enforcement Officer B. Cross further noted that the proposed new lot and the remaining existing lot are fully compliant with the Village’s zoning requirements.
- W. Kimble-Dugan, the applicant, told the Board that she is pursuing the subdivision to afford the opportunity to build herself a house on the proposed new lot that would be smaller than the house currently on the remaining existing lot.

Motion: D. Hay

Second: R. Segelken

**RESOLUTION No. 185**

**TO ACCEPT THE PROPOSED PROJECT AT 1010 TRIPHAMMER ROAD AS A MINOR  
SUBDIVISION**

**RESOLVED**, that the Planning Board accepts the proposed project at 1010 Triphammer Road as a Minor Subdivision.

**Aye votes** – Chair F. Cowett, G. Gillespie, D. Hay, M. McMurry, R. Segelken

**Opposed**- None

- Chair F. Cowett advised the Board that although the Board had previously made a SEQRA finding for the proposed subdivision in 2013, the Board is required to make a new SEQRA finding pursuant to the current site plan review; additionally, the SEQRA form had changed since 2013 and the applicant has filled out and submitted to the Board Part 1 of the SEQRA Short Environmental Assessment Form.
- The Board discussed the project in relation to SEQRA and whether to categorize the project as a Type 1, Type 2, or Unlisted SEQRA action.

Motion: M. McMurry  
Second: R. Segelken

**RESOLUTION No. 186**  
**SEQRA REVIEW OF THE PROPOSED MINOR SUBDIVISION AT 1010 TRIPHAMMER ROAD**

**RESOLVED**, that the Planning Board declares itself lead agency for SEQRA review of the proposed Minor Subdivision at 1010 Triphammer Road which the Board categorizes as an Unlisted SEQRA action.

**Aye votes** – Chair F. Cowett, G. Gillespie, D. Hay, M. McMurry, R. Segelken  
**Opposed**- None

- The Board reviewed Part 1 of the SEQRA Short Environmental Assessment Form submitted by the applicant.
- Chair F. Cowett noted that the NYS DEC’s EAF Mapper returns a “yes” response to Question 13a -- “Does any portion of the site of the proposed action, or lands adjoining the proposed action, contains wetlands or other waterbodies regulated by a federal, state or local agency?” -- and explained to the Board that, while the site does not contain any wetlands or waterbodies regulated by a federal, state or local agency, it does contain along its northern boundary a small wetland and small intermittent stream that terminates in a storm water inlet on Klinewoods Road.

## Short Environmental Assessment Form Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>							
Subdivision of lot at 1010 Triphammer Road							
Name of Action or Project:							
Project Location (describe, and attach a location map): 1010 Triphammer Road to be divided into two similar size lots (see map)							
Brief Description of Proposed Action: I have had my property at 1010 Triphammer Road surveyed by T.G.Miller to reflect a subdivision into two lots, one vacant, the other, containing my house, which would remain 1010 Triphammer Road.  At some point, I might like to build a small house on the vacant lot, or I might want to sell the land to someone else.							
Name of Applicant or Sponsor: Wendy Kimble-Dugan		Telephone: (607) 257-5528					
		E-Mail: wendykaydee@gmail.com					
Address: 1010 Triphammer Road							
City/PO: Ithaca		State: New York	Zip Code: 14850				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		_____ 0.535 acres					
b. Total acreage to be physically disturbed?		_____ 0.535 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 0.535 acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

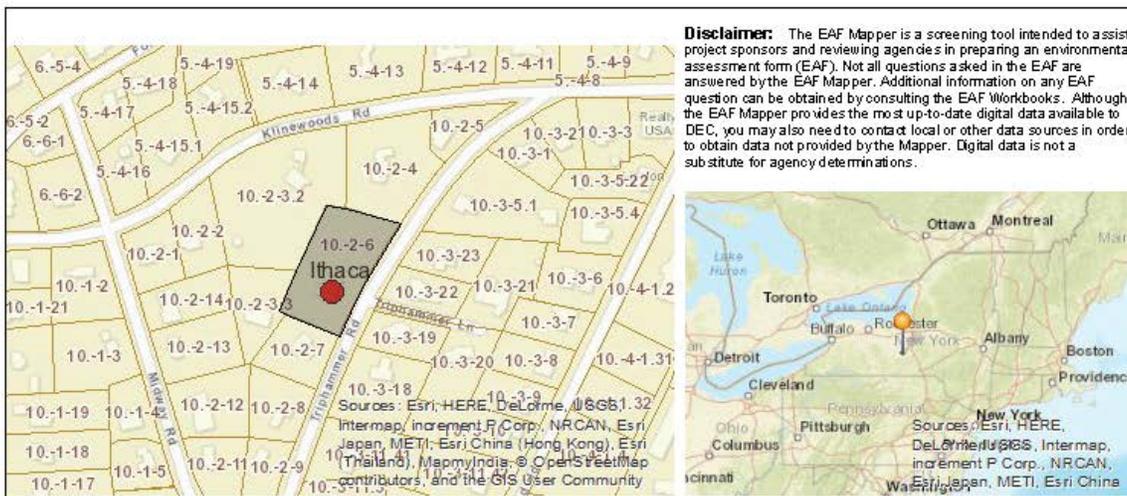


18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	<b>NO</b>	<b>YES</b>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	<b>NO</b>	<b>YES</b>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	<b>NO</b>	<b>YES</b>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: Wendy Kimble-Dugan		Date: 5/17/2016
Signature: <i>Wendy Kimble-Dugan</i>		

**PRINT FORM**

# EAF Mapper Summary Report

Monday, May 16, 2016 9:44 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

- The Board reviewed Parts 2 and 3 of the SEQRA Short Environmental Assessment Form.

**Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2.** Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The new lot created by the proposed action will increase population density in the neighborhood if developed. However, this increase in density would be minor. There is small wetland area associated with a small intermittent stream and culvert under Triphammer Road along the northern parcel boundary. This wetland area is not mapped or regulated by any federal, state, or local agency, and the stream terminates into a storm water inlet on Kinewoods Road. The Planning Board recommends that conditions be placed on subdivision approval to minimize any negative environmental impact on the wetland and stream caused by development of the new lot. Therefore, based on the above, the environmental impacts associated with the proposed action are judged by the Planning Board to be small and the Board finds a negative determination of environmental significance.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Planning Board, Village of Cayuga Heights \_\_\_\_\_ May 24, 2016 \_\_\_\_\_  
 Name of Lead Agency \_\_\_\_\_ Date \_\_\_\_\_

Frederick D. Cowett \_\_\_\_\_ Chair, Planning Board \_\_\_\_\_  
 Print or Type Name of Responsible Officer in Lead Agency \_\_\_\_\_ Title of Responsible Officer \_\_\_\_\_

Frederick D. Cowett \_\_\_\_\_  
 Signature of Responsible Officer in Lead Agency \_\_\_\_\_ Signature of Preparer (if different from Responsible Officer) \_\_\_\_\_

**PRINT**

Motion: R. Segelken  
Second: M. McMurry

**RESOLUTION No. 187**  
**TO DETERMINE PROPOSED ACTION WILL NOT RESULT IN AN ADVERSE**  
**ENVIRONMENTAL IMPACT**

**RESOLVED**, that the Village of Cayuga Heights Planning Board has determined that the proposed minor subdivision at 1010 Triphammer Road will not result in any significant adverse environmental impacts.

**Aye votes** – Chair F. Cowett, G. Gillespie, D. Hay, M. McMurry, R. Segelken

**Opposed**- None

- The Board discussed whether to hold a public hearing as part of the site plan review process.
- G. Gillespie noted that the Board has scheduled public hearings for its previous two site plan reviews of minor subdivisions in the Village's Residence zoning district and recommends following suit and scheduling a public hearing for this project.
- Code Enforcement Officer B. Cross stated that to his knowledge the Village's Planning Board has not scheduled a public hearing for a minor subdivision site plan review unless the subdivision also required an area variance, reflective of the potential for increased public concern due to the need for a variance.
- M. McMurry stated that creation of a non-conforming lot pursuant to a subdivision triggers an additional level of scrutiny, but, since an area variance is not required for this subdivision, an additional level of scrutiny is not as necessary in this case.
- Attorney R. Marcus stated that as a matter of context it is not uncommon for municipalities in New York State, when a proposed subdivision does not require a variance, to handle subdivision approval administratively without requiring Planning Board site plan review.
- R. Segelken stated that, in light of the concerns expressed by neighbors to the proposed minor subdivision at 1001 Highland Road, it is better to err on the side of caution and provide the opportunity for public feedback since the public might make the Board aware of concerns that the Board had not considered.
- W. Kimble-Dugan, the applicant, told the Board she is not certain a house will be built on the proposed new lot, but believes that any house she would build on the lot would have minimal impact on the neighborhood, and questioned the need for a public hearing.
- G. Gillespie reiterated his support for a public hearing to afford consideration by the Board of any concerns the public might have regarding this subdivision.

- Chair F. Cowett agreed with G. Gillespie and stated that, although a public hearing is not required currently for any minor subdivision in the Village’s Residence zoning district, there is value in hearing from the public and making site plan review as transparent a process as possible.
- The Board asked Attorney R. Marcus whether the Board’s SEQRA finding could be reopened if a public hearing made new information available to the Board.
- Attorney R. Marcus replied that the Board is able to reopen SEQRA on the basis of obtaining relevant new information.
- Code Enforcement Officer B. Cross asked the applicant if the lot was originally two lots subsequently consolidated as one lot.
- W. Kimble-Dugan, the applicant, replied that the lot was originally one lot; she added that, should the Board schedule a public hearing, she would be unable to attend a hearing in June, but could attend one in July.

Motion: D. Hay

Second: G. Gillespie

**RESOLUTION No. 188**  
**TO HOLD A PUBLIC HEARING ON THE PROPOSED MINOR SUBDIVISION AT 1010**  
**TRIPHAMMER ROAD**

**RESOLVED**, that a public hearing will be held on July 25, 2016 at 7:10 p.m. regarding the site plan review for the proposed Minor Subdivision at 1010 Triphammer Road.

**Aye votes** – Chair F. Cowett, G. Gillespie, D. Hay, R. Segelken

**Abstained**- M. McMurry

**Opposed**- None

Item 6- Other Business

- Chair F. Cowett, in the context of parking lot utilization for the proposed Corners Community Shopping Center Medical Office Building, discussed “perceived parking utilization” in which a goal of at least ten percent parking vacancy is considered ideal for off-street lots and, if an off-street lot has less availability, it is effectively at its functional capacity and drivers perceive parking problems.
- G. Gillespie disagreed with this concept, stating that current design practice seeks to minimize the impervious paving associated with parking lots.
- J. Leijonhufvud agreed with G. Gillespie, adding that reducing the size of parking lots is desirable to mitigate storm water runoff.

- Chair F. Cowett asked the Board whether it would like to post the Board's SEQRA findings to the Board's Village webpage in advance of their inclusion in the minutes for the meeting in which the findings are made.
- The Board decided that the Board's SEQRA findings for a project should be posted to the Board's Village webpage prior to their inclusion in meeting minutes.

Item 7 – Adjourn

- Meeting adjourned at 8:47 pm.