

SUSSEX COUNTY PLANNING BOARD

MINUTES

May 2, 2016

The meeting was called to order by Chairman Borisuk at 4:00 p.m. The meeting is held in compliance with the Open Public Meetings Act, NJSA 10:4-2 of 1975, as amended. Present were:

MEMBERS PRESENT:

Andy Borisuk, Chairman
Michael Francis
Gene Crawford
Matthew Hannum
Mark Zschack
Bill Koppenaar, Assistant County Engineer
George Graham, Freeholder Director
Carl Lazzaro, Freeholder Member, 4:26 p.m.

MEMBERS EXCUSED:

Lisa Chammings
Wolfgang Gstattenbauer
Dan Flynn

STAFF PRESENT:

John Williams, Esq., County Counsel
Rick VanderPloeg, Engineering Department
Autumn Sylvester, Principal Planner
Alice Brees, Principal Planner
Antoinette Wasiewicz, Recording Secretary

ALSO PRESENT:

Fred Semrau, Esq., Andover Township
Corey Stoner, Andover Township Engineer
Debra Lynn Nicholson, Esq., IAT Reinsurance
Dan Flynn, Engineer, IAT Reinsurance Co.
Ronald S. Heyman, Esq., Greentree at Hopatcong
Jeff Careaga, Engineer, Greentree at Hopatcong
Dave Hansen, Careaga Engineering
Mr. Hoer, Greentree at Hopatcong

MINUTES

A motion was made by George Graham to approve the Minutes of March 7, 2016 as presented. The motion was seconded by Matthew Hannum. All were in favor with abstention from Mark Zschack. Motion carried.

SITE PLAN/SUBDIVISION DEVELOPMENT REVIEW COMMITTEE REPORTS

A motion was made by Michael Francis to approve the Development Review Committee Reports for March 7, 2016, March 21, 2016, April 4, 2016 and April 18, 2016 as presented. The motion was seconded by Gene Crawford and carried unanimously. Motion carried.

APPEALS AND WAIVER REQUESTS

A. WAIVER FOR ANDOVER TOWNSHIP PRELIMINARY SITE PLAN, FILE 12(PSP)16, ANDOVER TOWNSHIP:

Fred Semrau said he is the attorney for Andover Township and he introduced Corey Stoner as the Township Engineer.

Corey Stoner said Andover Township is proposing to construct a parking lot to provide municipal access to Lake Iliff. There is currently a grassed, fenced-in area that gives access to the rear of Lake Iliff off of County Route 669 (Limecrest Road.) They are proposing to construct a gravel parking lot with 24 parking spaces with a new access drive intersecting with Limecrest Road. Andover Township has been working on this project for a number of years. They had a DEP permit for the construction of the parking lot and a small dock to the back of Lake Iliff. They plan to construct a 25 foot asphalt pavement into Limecrest Road.

They are looking for a waiver for the curb return. The standards require 35 feet for a commercial drive. Mr. Stoner said the driveway is only 25 feet wide and a 35 foot curb return is oversized for this type of parking lot. They are proposing 10 foot curb returns. The County Engineering Department said they would like to see 15 foot curb returns and the applicant is agreeable to that.

They are requesting a waiver for the sight triangle deed restriction due to the presence of wetlands on both sides of the proposed driveway. DEP regulations prohibit them from clearing the area.

County Standards requires an approach grade of 2% for the first 100 feet of driveway. The existing conditions have 3% for the first 50'. The plan proposed a 25 foot area of 2%, which is in line with residential driveway standards. Because the site is not a true commercial site and will not experience large traffic volumes or truck traffic, the proposed condition should be adequate to safely enter and exit the site.

The available sight distance to the east was measured to be 480', and to the west, 837'. The sight distance to the east does not meet the required left turn sight distance

calculated for Limecrest Road. County Standards require 496 feet for a passenger vehicle. Due to the low volume use of this driveway, they are requesting a waiver from the sight distance requirement. Mr. Stoner said that they have 480' of stopping sight distance when 361' is required.

Mr. Stoner said they are proposing construction of an asphalt drive with a 15' radius and an apron into the parking lot. The permit states they must have concrete curbing. They are requesting a waiver from this requirement. He also said that the County Engineer's report pointed out that they were supposed to use a single unit design vehicle for a commercial drive. He explained that a single unit vehicle is a box truck and said that they will not have box trucks using the driveway. They are requesting a waiver for the single unit design vehicle and the use of a passenger vehicle as the design vehicle. The Standards require a painted stop bar and the word "STOP" at the driveway entrance. Because of the nature of the driveway, they are requesting a waiver from this requirement.

Andy Borisuk asked what the chances of this driveway use expanding or adding other uses in the future were. Mr. Stoner said the chances are very small because they have a lot of restrictions. Because of wetlands buffer restrictions on both sides of the driveway, they can never widen it. Mr. Borisuk asked about the hours of use. Mr. Stoner said like most municipal parking, it would be from dawn to dusk. Mr. Borisuk confirmed that the gravel driveway will only go to the end of the parking lot.

Alice Brees pointed out that Corey Stoner was not sworn. Autumn Sylvester asked him to state his qualifications. Mr. Stoner said he is a professional engineer in the State of New Jersey. He has been the engineer for a number of towns in Sussex County. Mr. Stoner was sworn by John Williams, County Counsel.

Bill Koppenaal said there is agreements with the designer to have a curb return radii of 15'. It would still be a waiver to allow a 15' curb return radii. This is more in line with the passenger vehicle nature and small volume use of this particular site.

Mr. Koppenaal said the sight triangles information that was provided was reviewed and the sight triangles, if the County was to require them, would go through areas that are restricted by DEP permitting issues.

Mr. Koppenaal said the approach grade issue goes away because there is a provision in the Land Development Standards that say for mitigating circumstances, you can go to 2% or 3% for 50'. The wetlands are the mitigating circumstance.

The driveway sight distances are very close. They measured 480', when 496' is required. The stopping sight distances are 361' and they are well above that.

The Land Development Standards require the installation of a 6" curb face that would normally go around the returns of the access and then for about 10' on both approaches along the County road. This is to provide definition of the access point and stability of the access pavement in the proximity of road. The Board has chosen to manage these in a number of different ways in the past, from requiring the installation of the curb, waiving the installation of the curb and depressed curbs. From an engineering perspective, Mr.

Koppenaar said he will defer to the Board on this decision. His comment is that it is a relatively low volume use. If there was a change in use, it would have to come back and there would be another opportunity to require that the access be upgraded to include the installation of curbing.

Regarding the design vehicle waiver, Mr. Koppenaar said the ASHTO passenger vehicle is appropriate for this particular site. It is intended only for passenger type vehicles. There is no expectation of oversized vehicles to be accessing it. It is gated at the other end of the parking lot. He does not anticipate that anyone will be bringing in boat trailers. Mr. Stoner said there is a dock but there is no provision to construct a boat launch.

Mr. Koppenaar said the current Land Development Standards do require the installation of the 24" stopbar and just as you come into the parking area, the word, "STOP." The County has reevaluated its use of those types of markings, and generally only apply the "STOP" word when there is some other warranting situation beyond that of a normal intersection. In this case, you have sight distances, people know the intersection is there, and as you are approaching the intersection from the parking lot, there is a clear line of sight to the intersection and the stop sign itself. If it was a municipal street or a street that the County had jurisdiction over, short of some other driving condition, the County normally would not be installing the word, "STOP." It still has the stop sign and the stopbar. Mr. Koppenaar added that this particular application is being handled concurrently. It did not go to the development review committee for a review. He said he included the conditions of the review with the assumption that any action taken today could be a combination of approval of waivers as well as an approval or conditional approval of the application itself.

On page 2, there are some conditions for providing any updates in plans as may be needed as a result of the waivers that were acted on today, as well as any of the conditions that are that are deemed appropriate.

The next condition was granting of easements for point discharge and sheet flow discharge. It was pointed out that there may already be a pre-encumbrance on this property which could potentially preclude the applicant from providing the County with those discharge easements. Mr. Koppenaar said the applicant was willing to give the County the easements, providing they are able to do so. If they can't, they've made a good faith effort to do so.

Mr. Koppenaar said there are a couple of standard details that need to be added to the plan, such as paving joining. He also said they've measured all of the sight distances, but the sight lines aren't shown on the plan. It is his recommendation that they are incorporated into the plan. This is standard for applications. For the access itself, just a couple of additional dimensions showing the width. It all scales correctly to what's been testified to, but the plan is not fully dimensioned. The block and lot information needs to be added to the plan itself, as well as the adjacent block and lots being identified. In the 33' right-of-way, there is a source document note that specifies it's a 33' right-of-way. The County agrees with this and would like to see the actual dimension put on the plan on Route 669.

Mark Zschack asked Mr. Koppenaar if he was comfortable with or without the curbing, because on the report he said he'd rather see the curbing. Mr. Koppenaar said he is

comfortable without the curbing knowing the limited use of the parking lot and knowing that if the use expands, it will come back for approval. With the additional waivers, there is already some deviation from what would otherwise be standard. To install curbing, they would be installed right up to the edge of the roadway and that would pose some other issues. George Graham confirmed that the applicant was agreeable to all of the condition. The applicant's attorney said that they were in agreement. He also asked if there was a posted restriction on trailers. Mr. Stoner said he believes there is. The permit runs out this year and they are in the process of extending it. It is not set up for a boat launch. Matthew Hannum confirmed that they've defined the intent near the entryway and that it is supposed to be for swimming. Mr. Stoner said that was correct and that there will be signage.

The meeting was opened to the public. No comments were offered. The meeting was closed to the public.

MOTION:

A motion was made by Michael Francis to approve the application with the waivers which were discussed, with the condition that they meet the conditions of approval. The motion was seconded by George Graham. A roll-call vote was taken. Results are as follows: Andy Borisuk-Yes; Gene Crawford-Yes; Michael Francis-Yes; Mark Zschack-Yes; Matthew Hannum-Yes; George Graham-Yes; and Carl Lazzaro-Abstain. Motion carried.

B. WAIVER FOR IAT REINSURANCE CO., LTD. – HUDSON FARM MINOR SITE PLAN, FILE 7(MSP)16, HOPATCONG BOROUGH:

Debra Nicholson said she is an attorney representing IAT, known as Hudson Farm. Hudson Farm is going to be putting in a solar farm. She introduced Daniel Flynn who is the project engineer. Mr. Okeson is also here to answer questions specific to solar. Mr. Flynn and Mr. Okeson were sworn by John Williams.

Todd Okeson, TDI Solutions said he is the general contractor for the project. His address is P.O. Box 626, Branchville. Dan Flynn, said he is an engineer with Fierro Engineering, located at 180 Main Street, Chester, NJ.

Ms. Nicholson said they need to take an existing agricultural driveway and use it for access to have approximately 20 trucks deliver the solar panels and equipment to the site. Because the driveway is located on a county road, the review process is very extensive. She said as soon as the two or three trucks a day for a few days, many days apart, finish the deliveries, it will revert back to the gated farm lane. The applicant is here to seek waivers from all of the Land Development Standards access standards. Andy Borisuk asked how many acres were involved for this solar project. Mr. Flynn said the solar development area is 3.5 acres.

Ms. Nicholson said there may be some easements that are needed. She asked that the Planning Board grant waivers from all of the permanent design standards and send a letter to Hopatcong saying that the application is approved with conditions. The condition would be that as the County Engineering Department decides that they have further issues or

want any easements, that they will be done and as a condition of certificate of occupancy at the Hopatcong level, that they would confirm that the applicant provided all of the easements that may be needed.

Mr. Nicholson said this application is also a very practical one. It is on a hairpin turn and traffic control devices will be some temporary signs which will only be put out on the days that trucks are making deliveries along with flaggers, one at the lower part and one at the upper part. All of the service for the solar farm will occur from within Hudson Farm's own internal roadways. Mr. Borisuk asked if the site is presently forest. Ms. Nicholson said that was correct. Mr. Flynn said this site was chosen because it is out of view from the adjacent properties on Bear Pond, the residents of Hudson Farm and the club members. It is remote site and is an underutilized part of the 30-40 acre parcel. It is steep and they will comply with all of the steep slope standards for the Borough. The gate located at the hairpin turn is always closed. The Hudson Farm never intends to leave the gate open. They have a tremendous problem with trespassing as it is.

Matthew Hannum asked what the estimated timeframe was. Mr. Flynn said the construction would probably take between four to six months. The main stages will be land clearing activity, which is predominately timber. There will not be a lot of grading to the site. There may be a couple of days where the deliveries are frequent and then it might stop for several weeks and it might commence again. Mr. Flynn also said that the sight distance lines will be put on the plan and the flaggers will be in positions where they can see the greatest distance, both over 1,000'. The only distance they have coming out of the construction access is 135'. It is substantially substandard but the intent that the flagger will advise the truck pulling out to make a safe entry out onto the roadway. They are using straight trucks, not tractor trailers.

Matthew Hannum asked how much widening will there be to the existing road. Mr. Flynn said the gate is 12' wide. There are no plans to widen it. They will put in a tracking pad to prevent material from being tracked out onto the County road, according to soil erosion and sediment control standards. He added that the access road is at grade, it is not steep.

Gene Crawford asked if the four to six month timeframe includes the time bring the lumber out. Mr. Flynn said that will commence first. They are anxious to start on that portion of the project. The timber is not of substantial value, so there will not be a lot of large timber trucks. The timber will be cut up for firewood and sold at the farm and some of it will be chipped and brought to a composting facility.

Bill Koppenaal said Engineering and Planning has spent a lot of time looking at this to determine the best way to manage this application. They met with the professionals on site. They were concerned with the nature of the trucks going in and out of this agricultural access, particularly due to the substandard sight distances. 135' is a very, very short distance. The applicant agreed with the County's assessment that this was an area of concern and they've developed a maintenance protection of traffic plan. The intent is that while they are actually using this access, bringing trucks in and out of the property, the control of the trucks will be managed by flaggers, who physically are stopping the approaching traffic so the truck has an opportunity to get in and out in a safe manner. When asked if that management will apply to both the timbering operation as well

as the materials delivery operation. Mr. Flynn said they originally thought that they would have a lot of high-value timber coming out of the property and it is not. Mr. Koppenaar asked if that operation will have the benefit of protection of the flaggers. Mr. Flynn said as the person who prepared the plans, he said he is testifying to that and that he will oversee and manage the project according to the County's approved traffic control plans.

Mr. Koppenaar went on to say that when the starting looking at this and understanding that they are taking an existing agricultural access and looking to use it for a short period of time to serve as a truck construction access for this timbering and solar build-out, they were trying to look through the standards to come up with a common sense approach. The standards, while they govern most accesses on the County roads, are more geared up for permanent accesses. It makes a lot of sense that when this project is completed; the access reverts back to the limited use, gated-access that exists today. Because this is still a commercial, temporary access for the construction of this facility, we need to provide waivers for what would otherwise be required for a commercial access. The Land Development Standards, Section 5, C defines all of the parameters that a designer would normally apply to the development design of an access point. Nothing applies to this project because it is such a short-term, temporary type of configuration. He recommends that the Board consider granting a waiver for the temporary construction use of this existing agricultural access, including the waiving of most of the Land Development Standards, based on the fact that is a temporary, short-term nature and that the sights distance issues are being efficiently and pro-actively managed through the development of a traffic control plan. This is for two waivers: one for the Subsection C design requirements and the other for a waiver to acknowledge the substandard sight distances. This is mitigated through the development of a specific maintenance protection of traffic plan whereby the use of this access is managed by flaggers that are going to control approaching vehicles at all times when there is activity for this construction project. The plan safeguards the traveling public. The recommendation is that it is done so that the signs and flaggers are ONLY out there when it is an active access.

When this project was discussed earlier in development review, the issue of easements came up. The County always memorializes the drainage easements along the right-of-way. The County is agreeable to working with the property owner and the applicant to achieve that, understanding the timeframes that they are up against. The County has not had the opportunity do to a technical review of the maintenance and traffic plan. Mr. Koppenaar said he would like to reserve the potential to make minor modifications to the configuration of the traffic control plan and/or if there is anything specific that he feels needs to be put in place just to facilitate the safe operation of the temporary nature of this access. At the end of the project, it is the County's intent that this will revert back to what exists now. They will still come to Engineering to obtain a temporary construction access permit which is good for a 12-month period. Engineering will also issue a construction permit which will also be good for 12 months, in accordance with the design plans. Michael Francis asked Ms. Nicholson if they were in agreement with the possible minor modification as Mr. Koppenaar discussed. Ms. Nicholson said she was. She also said she is looking to make further changes to the design standards so that in the future, something like this does not require this much of an application.

Andy Borisuk asked what, if any, agriculture is being done at Hudson Farm. Dan Flynn said they are growing crops and harvesting timber . Mark Zschack said that it was mentioned that once this project is complete, maintenance will be done through another access. He asked if there was a reason why that access can't be used for this project. Mr. Flynn said that road is only accessible by a small pick-up truck or an ATV. Mr. Koppenaal said this property also has accesses out onto Rt. 605. It has frontage on Rt. 605 and also going up the hill on Rt. 607. The issue becomes that the change in elevation between the Rt. 605 part of the property and the solar farm is significant. There are some steep grades and rough terrain that you would have to traverse. There is no way to make the truck deliveries internally. They would have had to unload the trucks down below and then use a crawler to get the materials up the hill. Dan Flynn said that when the electricity was put underground at Hudson Farm about 2001-2002, this was the point of entry that they took off of the JCP&L power lines. It has been used for construction in the past.

Bill Koppenaal confirmed that the driveway is predominately for large vehicle access. He asked if the construction workers are coming in from an internal access. Mr. Semrau said the access was for large delivery vehicles and not for every day workers or trucks.

The meeting was opened to the public. No comments were offered. The meeting was closed to the public.

MOTION:

A motion was made by George Graham to approve the waivers as discussed, leaving options open for minor modifications as recommended by the Engineering Division. The motion was seconded by Mark Zschack. A roll-call vote was taken. The results were as follows: Andy Borisuk-Yes; Gene Crawford-Yes; Michael Francis-Yes; Mark Zschack-Yes; George Graham-Carl Lazzaro. Motion carried.

C. WAIVER FOR GREENTREE AT HOPATCONG III, LLC PRELIMINARY SITE PLAN, FILE 15 (PSP)15, HOPATCONG BOROUGH:

Ronald Heyman said he is with the firm of Heyman and Fletcher and is here on behalf of Greentree of Hopatcong. He is here with Jeff Careaga and Dave Hansen from Careaga Engineering. He said that he is in receipt of the County's report and noted that the facility is a 9-unit townhome.

Jeff Careaga was sworn by John Williams. Mr. Careaga testified before the Planning Board many times in the past, so his qualifications were not needed. Mr. Careaga said that they have received site plan approvals for this site on two occasions in the past. There is a portion of the site that is fairly constrained by a bridge structure.

The site has a total of nine residential units. The primary design vehicle for the site is a passenger vehicle. They anticipate an SU vehicle less than 5% of the time, so the turning radii do allow for a Fed Ex/UPS type of vehicle.

For River Styx Road, the new centerline location is illustrated on the latest set of plans. There should be no changes to the plans as long as they receive the Freeholder's approval

for the revised centerline. Mr. Careaga asked Bill Koppenaar when the Freeholder's will make a decision. Mr. Koppenaar said he did not know if that will be an official adoption by the Freeholders. He believes they documented the "best fit" existing centerline on Rt. 607 with the understanding that the County is not looking to realign this entire corridor. The intent is that we hold the centerline and use it for adjacent development.

Mr. Careaga said he wanted to discuss the comment regarding the possible request for a mid-block crossing. He said originally, when they laid out the intersection of River Styx Road, they did not have a mid-block crossing waiver because the crossing was within the radius. Now that they have reduced the radius, it technically would be a mid-block crossing. Mr. Careaga said they can't move it over because there is a driveway right across the street. He questioned if it would be a mid-block crossing because it falls in a location where it should fall for the specified 35' radius.

Bill Koppenaar said he did not know if that would be something that the Board would be able to weigh in on. That is a State statute requirement. The State statute defines crosswalks that don't reside at an intersection, as a mid-block. He said you need an Engineer's study to support the construction of a mid-block crossing. In addition, you need a Freeholder authorization for the crossing itself. The alternative is not to change the radius, but that increases the length of the crosswalk across north River Styx Road. Mr. Careaga said they originally had the larger radii and the crosswalk was a lot longer. It was suggested that the radius be kept at about 20'.

Mr. Careaga said the plans, as they stand right now, call for a reduction of the curb return from 35' to 15'. They may not go as low as 15' if they can avoid the mid-block crossing, but if not; they do not want to come before the Planning Board again. Mr. Koppenaar said they could frame the waiver so as it permits a modification of the radii below 35', so that it best balances the issue with the crosswalk and accommodates the design vehicle. It won't be less than 15', but it could reside someplace between 15' and 35'. He clarified that there are two different radii being discussed. There is a radii for north River Styx Road, which is the one being discussed in relation to the crosswalk. The other is the site access itself. There are two different ways to handle the site access. One would be with a more traditional curbed intersection. The Land Development Standards defines this as a Transect 5, an urban core setting, and provides the ability to use a more traditional urban access point. This has a shorter, flared curbs and the sidewalk continues directly across the driveway itself. The design as proposed uses an at-grade Intersection. His only comment on this is that the Standards allow the ability for both of them. It is his understanding that in the urban context, the traditional flared curb is more preferred. He would recommend a waiver for the 15' curb return that includes a depressed curb along the sideline of Route 607 so it delineates the access from the through road itself. Mr. Careaga said that is probably the way they will want to pursue this.

Mr. Koppenaar said that he would like to see turning templates for the design vehicle, passenger cars, actually making the turn off of Route 607 into the site. Two turning templates, one for the design vehicle and the other for the SU vehicle, single unit truck. The general design is that when you put those into the sites, you want to fit the radius of the curb return so that you have a 2' buffer over the sweep path of the vehicle. When a design vehicle makes a turn movement, it should be able to do it by maintaining the lanes

it's intended to be in. The SU vehicle, because it is in a town center, is provided the latitude to use more space. The curb-to-curb width should provide ample opportunity for that type of vehicle to make the turn, knowing they are going to encroach into the other lanes.

The second waiver request is to allow the use of a passenger vehicle as the design vehicle. Mr. Careaga said that Mr. Koppenaar indicated he would support that.

The third waiver is to allow reverse frontage and access spacing waivers. This access to the County road requires being 200' and they have 100'. The location at 100' has much better sight distance and avoids grade issues.

They also request a waiver to allow for 12' wide lanes with 4' shoulders along the frontage of the site. This is in keeping with the Borough's desire. Mr. Koppenaar said Engineering would not have an objection to that and it does align with Hopatcong Borough's sustainable economic development plan for the River Styx area. He added that the County Standards would require an 11' lane and a 4' shoulder, so this is a little above and beyond.

The applicant is also requesting a waiver to allow for the proposed driveway landing to be greater than the 2% slope for the 100' access. Mr. Koppenaar said he would not have any objection to that. The Standards permit for up to 3% for a 50' buffer. Because of the configuration of this particular site design, they are falling within those parameters. The proposed grade is 2.5%

Mr. Careaga said the County Standards for driveway sight distance is 441' and they have 397'. It greater than the AASHTO stopping distance of 301'.

Mr. Koppenaar said this application was conditionally approved pending approval of the waivers and a prior technical report that came out of the Development Review Committee process. They are in the process of reviewing the revised plans and there is another report going out. The list of larger comments is now very minor.

The meeting was opened to the public. No comments were offered. The meeting was closed to the public.

MOTION:

A motion was made by Michael Francis to approve the application with the waivers based on the discussion for the turn radii and the recessed curb. The motion was seconded by Gene Crawford. A roll call vote was taken. The results were as follows: Andy Borisuk-Yes; Gene Crawford-Yes; Michael Francis-Yes; Mark Zschack-Yes; Matthew Hannum-Yes; George Graham-Yes; and Carl Lazzaro-Yes. Motion carried.

DIVISION REPORT

Autumn Sylvester said that we need more members to serve on the Development Review Committee. She also wanted to know if the Board would be amenable to changing the time

of the second meeting of the month. It is currently at 9:00 a.m. and perhaps more people could attend the meetings if they were held at 3:00 or 3:30 p.m. When asked how many members are needed, Ms. Sylvester said we typically have had four members with one alternate. We are currently down to two members. Ms. Brees said we were not able to have the meeting two weeks ago due to a lack of Planning Board members in attendance. The Board suggested that the meeting be held at 3:30 p.m. Ms. Brees asked that the members let her know whether or not they can make the meeting. Mr. Borisuk said to let him know if they need another member to attend.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

OPEN TO PUBLIC

None

ADJOURNMENT

All business having been completed, a motion to adjourn the meeting was made by George Graham. The motion was seconded by Michael Francis and carried unanimously. The meeting adjourned at 5:50 p.m.