

TOWN OF WARWICK
ZONING BOARD OF APPEALS
OCTOBER 24, 2022

Members Present:

Jan Jansen, Chairman

Robert Fink, Attorney

James Mehling

Marc Malocsay

Chris Daubert

Mary Garcia, ZBA Recording Secretary

PUBLIC HEARING OF KTM & M and Associates, LLC - for property owned by TED EDWARDS located at 77 Amity Road & 88 Newport Bridge Road, Warwick, New York and designated on the Town tax map as Section 26 Block 1 Lots 117 & 118 and located in an RU District for a variance of Section 280-a of the Town Law allowing a 3 lot subdivision with access to a public highway by a shared driveway and Section 164.41C(4)(f) allowing a 6 foot fence in the front yard setback where only 4 feet are allowed.

Continued from the 8/22/22 ZBA Meeting

Chairman Jansen: This is continued application of KTM & M and Associates, LLC for property owned by Ted Edwards. Ted, come on up. The Planning board was out there and came back with a recommendation that there would be a 6 foot fence added to the side of the driveway. Correct?

Ted Edwards: Yeah, just along my neighbor's property there.

Chairman Jansen: Are there any questions at this point?

<Board reviewing documents>

Chairman Jansen: If there's anyone here for the Tomczak/Krill application, they will not be heard this evening; they've asked for a postponement.

Bonnie Nolan: Oh, they asked for a postponement?

Chairman Jansen: Yes.

Bonnie Nolan: Tomczak?

Chairman Jansen: Yes.

Bonnie Nolan's Attorney: Thank you.

Attorney Fink and Chairman Jansen discuss where the fence will go

Chairman Jansen: Let me open up to the public. If there's anyone that wants to address this application, please come on up and identify yourself for the record.

Keith Woodruff: Keith Woodruff, 60 Newport Road.

Chairman Jansen: Ok, Keith.

Keith Woodruff: I'm still questioning as to why a 280a variance is required when the applicant has adequate frontage along Amity and Newport Bridge Road on other portions of his property. Still, the current application proceeds; I didn't see any other correspondence from the planning board and requirements as to why the 280a variance is required for the subdivision. Additionally, the 6 foot high fence, is it possible to have that as a earth tone color like brown instead of a white? And the plans, can they be updated to reflect where the fence is to begin and end, as presently it just shows the location of the fence, not necessarily the start and stopping point.

Attorney Fink: Yeah, but you see we're being asked to grant it. And together with the condition that the fence be put up. So it makes sense that we define where this fence is going to be and any other conditions such as the type of color of the fence.

Chairman Jansen: This is the fence we're talking about.

Attorney Fink: This is the fence, right?

Keith Woodruff: No,

Chairman Jansen: Ok, where's the fence?

Keith Woodruff: It's not shown on this plan. There was a subsequent plan that was submitted to the ZBA for, that shows the fence location. It's basically running along this property, in that, or along the proposed 50 foot wide easement.

Chairman Jansen: Ok,

Keith Woodruff: But it doesn't necessarily dictate the starting and stopping point. It just arbitrarily shows it and just calls it out as a one foot off of the property line. It's also labeled as a six foot high solid white vinyl fence. So we just request that it be an earth tone brown, something that kind of blends into the natural habitat or the surrounding area, not necessarily a white picket fence or a white vinyl fence.

Attorney Fink: Is this something that's, that was filed?

Keith Woodruff: Yes, you should have a copy.

Attorney Fink: No, we don't...did anybody get a copy?

James Mehling: Yeah I got a copy of it.

Keith Woodruff: So the fence itself is gonna run along this property line right here.

Chris Daubert: Is this what we're talking about?

Keith Woodruff: Yes

Ted Edwards: I know that that's a step back off the road at that point.

Attorney Fink: This is a property line here,

Ted Edwards: Right.

Attorney Fink: Where does it say 6ft?

Keith Woodruff: On the height? It's on the label. And on the mark, yeah.

Chairman Jansen: So it's going to be two fences?

Two board members at once: No, one.

Chairman Jansen: But I'm assuming the setback here is because of the, from the road, right?

Attorney Fink: That's on the property line.

Chairman Jansen: So it starts at the property line.

Keith Woodruff: But it doesn't show that, it's not, it doesn't dictate that, I mean, it looks like the line is pulled back from the property line. And then it looks like it comes up to the corner and goes around. But it's again, overlapped by the text. There's no specific labels as to where the starting and stopping points of that fence would be.

Attorney Fink: So if I understand it correctly, it just runs along this property line.

Chris Daubert: Yes.

Ted Edwards: Yeah, I was planning on starting it maybe 30 feet back from the edge of the road.

Attorney Fink: That's not what this shows.

Marc Malocsay: There is another issue though of where it can be because of sight distance pulling out.

Ted Edwards: It's got a setback. I was gonna take it back and take it up to end of the property, and then make a 90 degree angle.

Attorney Fink: The Planning Board know about this?

Marc Malocsay: Yes, they need the variance for the six foot fence. And if we give them the variance, the Planning Board could determine exactly where it's gonna go.

James Mehling: And they would in turn possibly address this concern as to the color of the fence as well, right?

Attorney Fink: They usually do.

Chairman Jansen: Well, we can attest that.

James Mehling: Ok

Attorney Fink: It simply says along the easement, within the front yard setback. So it would then be up to the Planning Board to determine where the fence is going to go.

James Mehling: Correct.

Attorney Fink: Where it's going to begin and where its' going to end.

James Mehling: Marc's point is the setback.

Attorney Fink: So far is a variance as long as it's in the required front yard setback, and it's 6 feet, we can give the variance for that.

Chairman Jansen: Anybody else?

Marc Malocsay: No, you know, as far as it goes back, as soon as it passes the front yard setback then it can be a six foot fence anyway,

Attorney Fink: Right

Marc Malocsay: So it's really just for that front yard setback of, for the 6 feet. They'll have to determine, I just don't know what it is for the sight distance and pulling out. I think it's less than the 30 feet but...

Ted Edwards: It's 20, 25 feet.

Marc Malocsay: It's 25 feet?

Ted Edwards: From the center of the road.

Marc Malocsay: From the center of the road, right.

Ted Edwards: Yeah.

Marc Malocsay: So, but I don't know what it is, the Planning Board would definitely know.

Ted Edwards: Yeah, as long as it doesn't, you know, interfere with sight.

Chairman Jansen: All right. So we'll take this one at a time. Is there anybody else? Anybody else have anything else to add? Ok, we got the 280a. I think we should take them one at a time.

Marc Malocsay: Bob?

Attorney Fink: Yes?

Marc Malocsay: So the one thing I mean, he had an interesting point. And I believe by us giving the variance doesn't necessarily determine that that's where it's going to go. The Planning Board's looking at the application and the Planning Board decides the best place to put this is one of the other access points. Remember, we had talked about this being that it's coming before us but we don't really have a set of plans and the Planning Board hasn't looked at

Chairman Jansen: Well they have

Marc Malocsay: I didn't think they addressed it that way yet.

Attorney Fink: They did the site visitation they sent it to us initially for the 280a.

Marc Malocsay: Correct. All I'm saying is yes, we can give the variance for the 280a but if it goes through the process they might decide that it could go someplace else and in which case, you know, the variance isn't needed but, or another variance might be needed. All I'm saying is that just because we're giving the variance doesn't mean that it's gonna go there.

Attorney Fink: That's absolutely correct.

Marc Malocsay: Okay. I just because they, you know, they brought it up and it's a very valid point. Usually, when these come before us it's really they need this in order to continue because this is what they came up with.

Attorney Fink: Well they have identified where it is, its along the easement.

Marc Malocsay: Yes

Attorney Fink: Though they haven't identified the beginning and ending point like they've identified that at least some of it's going to be in the front yard setback therefore requiring a variance for that.

Marc Malocsay: Yes.

Attorney Fink: So I mean this bBoard can entertain giving a variance for 6 foot fence in the front yard setback along, running along the easement which is what the Planning Board sent us.

Marc Malocsay: Yes

Chairman Jansen: Okay what do you want to start with?

Attorney Fink: Alright, well why don't we start with the 280a? Now 280a can use the same criteria as a usual area variance Is this going to create an undesirable change in the character of the neighborhood or a detriment to nearby properties?

Chairman Jansen: I don't think so.

Marc Malocsay: No.

Attorney Fink: Can it be achieved by any other method? Wasn't there an issue as to rock stuff like that?

Chairman Jansen: What, slope? Does someone propose it come from here? That's a mountain.

Attorney Fink: See because of the topography...

Chairman Jansen: It's already on the topography.

Attorney Fink: Is this a substantial variance? Generally 280a's are not...

Chairman Jansen: No they're not.

Attorney Fink: No? Alright. Is it going to have an adverse effect or impact, adverse impact upon environmental conditions in the neighborhood?

Two board members: No.

Attorney Fink: Alright, self created?

Marc Malocsay: Yes.

Chairman Jansen: Yeah.

Attorney Fink: Ok, now for the 6ft fence.

Chairman Jansen: You want to do them all at once, or...

Attorney Fink: No, we'll do all at once.

Chairman Jansen: Ok. Go ahead.

Attorney Fink: Alright, is that going to create an adverse or undesirable change in the neighborhood or nearby properties?

Chairman Jansen: Not really.

Attorney Fink: Can it be achieved by another feasible method? Well I guess it's there for screening, correct?

Chairman Jansen: Correct.

Attorney Fink: Correct. So would the answer be no?

Marc Malocsay: Yes, no.

Attorney Fink: Is this is a substantial variance? Four feet, six feet?

Chairman Jansen: No.

Attorney Fink: Can it have an adverse effect or impact upon environmental conditions?

Several Board Members: No.

Attorney Fink: Self created?

James Mehling: Yup,

Chairman Jansen: Again, yes.

Attorney Fink: Alright. Would someone care to deem this an unlisted action with no adverse environmental impact?

Marc Malocsay: So move.

Chairman Jansen: Motioned by Marc

Chris Daubert: Second

Chairman Jansen: Seconded by Daubert

Chairman Jansen: Any further discussion? All in favor?

Board Members: Aye

Chairman Jansen: Any opposed? Motion carried.

Marc Malocsay: It's not hurting the motion with the first time caller?

Attorney Fink: Well that comes next.

Marc Malocsay: Ok

Attorney Fink: So would someone care to move that the application be approved as submitted with conditions, and the conditions being...

Chairman Jansen: Determination of color and a fence?

Attorney Fink: A neutral what? What color, what type of color?

Marc Malocsay: Well I use the word earth-tone. Which covers it technically. We have those covered under **ridge line** already.

Chairman Jansen: Right.

Attorney Fink: Ok, any other conditions?

Chairman Jansen: No. Someone care to move?

Marc Malocsay: Motion

Chairman Jansen: Marc

James Mehling: Second

Chairman Jansen: Who second? Chris? No, no, no, no...

James Daubert: I did

Chairman Jansen: Jim. Four against, abstaining? No one is abstaining that, and Diane is absent. All in favor?

Board Members: Aye

Chairman Jansen: Any opposed? Motion carried.

Ted Edwards: That's it?

Chairman Jansen: Yup, that's it.

Ted Edwards: Thank you, guys.

PUBLIC HEARING OF Michael & Marie Pillmeier - Joint Revocable Trust for property located at 276 Round Hill Road, Florida, New York and designated on the Town tax map as Section 7 Block 2 Lot 47.2 and located in an AI District for a variance of Section 164.42E(2) permitting an adaptive reuse of an existing non-agricultural building with acreage of 1.4 acres where 2 acres are required. We're really looking at the adaptive reuse, and then a reduction in the size.

Representing the Applicant: Dave Goetz, Engineering Properties & Surveying. Michael Pillmeier, Applicant.

Attorney Fink: We were really looking at the use, just the size. The use is subject to a special permit, which means it's not as of right, even if the variance is granted. And as to what's there and how the business is conducted that's all part of the site plan approval. So really the question that came up was whether or not there was other property available, so that the variance wouldn't be needed. And other than that, it was just a matter of either granting or denying the variance based upon the reduced size.

Chairman Jansen: So is there additional property available?

Michael Pillmeier: Not to my knowledge

Dave Goetz: On both sides, there are existing buildings very close to the property line, so it really can't be done.

Chairman Jansen: And the town board had a hearing on the environmental conditions. And as far as the tanks are concerned and stuff like that.

Dave Goetz: Yes.

Attorney Fink: Town board?

Chairman Jansen: Yeah. The town board adapted the DEC rules for the, I mean to place those tanks. And there was a town resolution that they had to be removed within one day. Now it's whenever the DEC requires.

Attorney Fink: I see, I wasn't aware of it. But again, that has to do with the site plan that was gray not having nothing to do with the area, right?

Chairman Jansen: It's really the adaptive reuse of the property. And whether the acreage supports that, being reduced from 2 to 1.4.

Attorney Fink: Want to open it up to the public?

Chairman Jansen: Anyone from the public that would like to address this again? Yes, sir.

Joe Pillmeier: My name is Joe Pillmeier; I live at 274 Round Hill Road. Again, I said, stated in the last meeting that my house is very close to the warehouse, within 100 ft, and I can't tell you how negative, negatively this is going to impact my life and my family's life. I feel like he doesn't have enough property. I do have a lot in front of the house that would be for sale. So other than that, I

don't want to get into with the trucks and the tanks and everything else. But whatever goes on down there, I hear it in my house, the vibration of the trucks running in the morning. You know there's a lot of factors here that negate the quality of my life.

Chairman Jansen: Again, and you acknowledged in the last meeting, that's really a Planning Board issue as to whether this should be allowed. And also the question was asked, let's assume the property was available and added to the property so that there were two acres, would that make any difference, either adverse or better, as far as you're concerned, and the effect it would have on your property?

Joe Pillmeier: No sir, it would definitely be a bad thing. You know, the lot I have available is in front of my house, it's adjacent to the warehouse. So again, having the trucks right in front of my house wouldn't be a good thing, sir.

Attorney Fink: So would it be correct to say that the acreage really isn't the issue, but rather it's the use?

Joe Pillmeier: It is, yes sir, it is, absolutely. When you have heavy equipment handling tanks within 100 feet of my house, you know, my house literally shakes with the handling the tanks and the trucks. It's so close. Really, that's all I have folks. Thank you.

Attorney Fink: Of course you have, that's an issue to bring up before the Planning Board.

Joe Pillmeier: I understand, thank you.

Chairman Jansen: Anybody else? No one else? No? Public hearing is closed. I'm not getting any comments from anybody before we begin? No? I think the only thing that we're looking at right here is an adaptive reuse.

Attorney Fink: Well no, what we're looking at is the acreage.

Chairman Jansen: And a reduction in the acreage.

Attorney Fink: I think a reduction in the acreage would be a big question if adding to it to make the two acres would make a difference.

Chairman Jansen: But you just heard that it doesn't.

Attorney Fink: And presumably, it would not; given where other properties adjacent to it.

Chairman Jansen: Right. Ok.

Attorney Fink: Is this going to create an undesirable change in the character of the neighborhood and be a detriment to nearby properties?

Marc Malocsay: It already exists. Referring to the lot size and the use that's been on the lot.

Attorney Fink: So Marc, I guess your position is that it wouldn't create an undesirable change in the neighborhood because it has existed? For the same reason it wouldn't be a detriment to nearby properties, again, keeping in mind we're talking about acreage here?

Marc Malocsay: Correct. Again, it's just looking at the acreage, I believe that the Planning Board could deny it in that we're saying that the lot is in fact 1.4 acres, but the Planning Board can do theirs and say, by the time all of these things are in place, you don't have enough acreage for what you want to do here.

Attorney Fink: Let's not, no they can't say that. Because we, if this variance is granted they'd be hard put to say there's not enough acreage because they've been granted a variance. But certainly with the special use permit, they can look at the use, how it affects neighbors. And I think this board so far has determined that an extra 6/10 of an acre really wouldn't make a difference because of how the other lots are configured and improvements on it, is that right?

Marc Malocsay: Correct.

Attorney Fink: Ok. So apparently then it would be the board's consensus that it's not going to create an undesirable change in the character of the neighborhood or be a detriment in nearby properties based upon the reduced acreage?

Marc Malocsay: Yes.

Chairman Jansen: Okay.

Attorney Fink: Can it be solved by any other feasible method?

Chairman Jansen: Not really because you can't purchase enough land to change it.

Attorney Fink: Is it a substantial variance?

Chairman Jansen: Six tenths of an acre is, yes.

Attorney Fink: Is it going to have an adverse effect or impact on the physical or environmental conditions in the area, neighborhood, or district?

Chairman Jansen: No

Attorney Fink: Self created?

Chairman Jansen: Yes

Attorney Fink: Someone care to type this as unlisted with no adverse environmental impact?

Marc Malocsay: So moved

Chairman Jansen: Was that from Marc?

Marc Malocsay: Yes

Chairman Jansen: Motion by Marc, Second?

Chris Daubert: Second

Chairman Jansen: Seconded by Daubert. Any discussion? All in favor?

Board Members: Aye.

Chairman Jansen: Any opposed? Motion carried.

Attorney Fink: Should we carry to move that the variance be granted as advertised?

Marc Malocsay: So moved.

Chairman Jansen: Motioned by Marc. Second?

Chris Daubert: Second.

Chairman Jansen: Seconded by Daubert. Any discussion? All in favor?

Board Members: Aye.

Chairman Jansen: Any opposed? Motion carried.

Michael Pillmeier: Thank you.

PUBLIC HEARING OF Raymond Morin - property located at 179 Kings Highway, Warwick, New York and designated on the Town tax map as Section 44 Block 1 Lot 33, located in an RU District for a variance of the Bulk Area Requirements of the Code for a proposed 16 foot X 25 foot bedroom addition with the following setbacks: (required/existing/requested) side setback: 75/42.7/26.7 and both side setbacks: 150/73.7/47.7

Representing the Applicant: Raymond Morin, Applicant

Chairman Jansen: Please identify yourself for the record.

Raymond Morin: Raymond Morin.

Chairman Jansen: Ok briefly tell the board what you want to do.

Raymond Morin: I got another child on the way, I got a two bedroom house, I need an extra bedroom.

Chairman Jansen: Okay the question always is: can you buy more land on the side?

Raymond Morin: I don't, I couldn't.

Chairman Jansen: Okay.

James Mehling: Congratulations by the way.

Raymond Morin: Thank you.

Chairman Jansen: Yes. Let me open it up to the public first. Anyone from the public contest this application? No? If not, I'll close the public hearing. It's a pretty straightforward request.

Attorney Fink: I guess the question though is could it be in any other location, could it be smaller?

Chairman Jansen: Really looking at that property, it could not be in another location and to make it any smaller would not be justifiable.

Raymond Morin: It's like on a big hill. It's like a three story house on a big hill, kinda funky, you know.

James Mehling: You can look down upon all the travel before you.

Chairman Jansen: He does that already.

Raymond Morin: True.

James Mehling: Yeah you're up on a riser.

Marc Malocsay: Did you already talk to the building inspector about this? I mean, we have a denial letter, does he know that's what you want to do?

Raymond Morin: Yeah I spoke to them. I didn't want to go through and pull plans in case the variance is denied so I have to work with an architect to get them started.

Marc Malocsay: All right, it's not before our board because ours is to give the variance for really for the side yard etc.

Raymond Morin: Right.

Marc Malocsay: You listed it as an addition of a bedroom.

Raymond Morin: Correct.

Marc Malocsay: They should have said something about your septic.

Raymond Morin: Okay.

Chairman Jansen: That really has nothing...

Marc Malocsay: That's how I started the conversation, not before us, but just to know all of that is...

(Inaudible)

Attorney Fink: Ok, we're really only interested in the setbacks and of course the size he wants to put in.

Chairman Jansen: Do your magic.

Attorney Fink: Ok, is it going to create an undesirable change in the character of the neighborhood or be a detriment to nearby properties?

Chairman Jansen: Not at all.

Attorney Fink: Are these setbacks typical of those in the area?

Marc Malocsay: Yes.

Chairman Jansen: Pretty much.

James Mehling: Yes.

Attorney Fink: Can it be achieved by another feasible method? I think that was answered.

Chairman Jansen: No.

Attorney Fink: Can't be smaller wouldn't be practical and it can't be put in a different location because of topography. Is it a substantial variance? It requires 75...

Marc Malocsay: If you're looking at the numbers, yes.

Attorney Fink: Could it have an adverse effect or impact upon physical or environmental conditions?

Several Board Members: No

Attorney Fink: Self created?

Several Board Members: Yes

Attorney Fink: We're looking at more than one setback so would someone care to type this as unlisted with no adverse environmental impact?

Marc Malocsay: So moved.

Chairman Jansen: Motioned by Marc. Second?

Chris Daubert: Second.

Chairman Jansen: Seconded by Daubert. Any discussion? All in favor?

Board Members: Aye.

Chairman Jansen: Any opposed? Motion carried.

Attorney Fink: Can we move it be granted as advertised?

Marc Malocsay: So moved.

Chairman Jansen: Motioned by Marc.

Chris Daubert: Second.

Chairman Jansen: Second by Daubert. Any discussion? All in favor?

Board Members: Aye.

Chairman Jansen: Any opposed? Motion carried.

PUBLIC HEARING OF John & Johanna DeSanto - property located at 1525 NYS Rte. 17A, Warwick, New York, designated on the Town tax map as Section 56 Block 4 Lot 2.1, located in an SL District for a variance of Section 140-4B of the Town Code allowing an existing hot tub which is located 7 feet 10 inches from the dwelling where 15 feet are required.

Representing the Applicants: John and Johanna DeSanto, Applicants

Chairman Jansen: How long has it been there?

Johanna DeSanto: The hot tub was installed in 2016, and we purchased the property in 2020.

Chairman Jansen: So how did this come about?

Johanna DeSanto: The house is currently on the market and it came, it was flagged this time as a violation.

Chairman Jansen: Ok, alright.

Marc Malocsay: It was already there, but they didn't catch it when you guys bought it.

John DeSanto: Exactly.

Johanna DeSanto: Correct. They caught it this time, yeah.

Attorney Fink: Lucky you, right?

James Mehling: Timing is everything.

Chairman Jansen: Sorry about that. Anyway, what do we need to do? The public hearing is open, there's no one from the public to address this application. So that's a good sign.

Attorney Fink: Ok, we seem to be having a run on hot tubs. Is this going to create...well obviously you closed the public hearing...

Chairman Jansen: The hearing is closed.

Attorney Fink: Is this going to create an undesirable change in the character of the neighborhood or be a detriment to nearby properties?

Chairman Jansen and other Board Members: No.

Attorney Fink: Can it be achieved by any feasible method?

Chairman Jansen: Well moving it would be a little bit too difficult.

Chris Daubert: Yes.

James Mehling: And it's a good selling point for the house.

Chairman Jansen: Right.

Chris Daubert: There's a deck.

John DeSanto: And there's a rock wall.

Attorney Fink: Is it a substantial variance?

Several Board Members: Yes.

Attorney Fink: Adverse effect or impact?

Marc Malocsay: No.

Chairman Jansen: No.

Attorney Fink: Self-created?

Marc Malocsay, James Mehling, and Chairman Jansen (at once): No.. No, because it was there / Not in this instance / No

Attorney Fink: I guess really the issue is the fact it's 7'10" as opposed to 15 feet, does that create any apparent problems with septic, well, anything like that?

Marc Malocsay: Yeah, Bob, when we have these before because we've had two of them, and both times specifically I went and talked to them at the Planning Department and asked why. And they couldn't answer the question. So it's in the code if they took it from something else or the State because we had the issue of a hot tub can be inside a house, obviously not 15 feet away so we've been, unless there's an obvious reason and in most reasons somebody wants to put it there and they can't give us a reason why it won't meet this, put someplace where it meets the setback, in this case its existing, it was existing, it was missed by the town when they did their abstract or whatever it's called the first time. So, unless somebody comes up with a reason they can't, an existing one is something I'd be hard pressed to deny.

Attorney Fink: Alright, by definition it's a type 2 so we can pass that, would someone care to move that we approve as advertised?

Marc Malocsay: So moved,

Chris Daubert: Second.

Chairman Jansen: Marc, seconded by Daubert. Any discussion? All in favor?

Board Members: Aye.

Chairman Jansen: Any opposed? Motion carried. There you go.

Johanna DeSanto: Thank you.

Chairman Jansen: That's it. Thank you.

James Mehling: Sell your house while you still can.

John DeSanto: Yes,

Johanna DeSanto: Actually this is just holding up the closing, so...

(Both) John and Johanna DeSanto: Thank you

Marc Malocsay: Bob is really quick with the turnover, but usually they can't do anything until they have their stuff on their end, so if you just check with them and let them know that it was approved. And, like I said, Bob is really good at the turnover, so...

Johanna DeSanto: Okay.

John DeSanto: When can we check with them?

Attorney Fink: It should go out of my office tomorrow, which is Tuesday, Wednesday at the latest. It's a matter of Jan signing.

Chairman Jansen: I come in and sign it.

Marc Malocsay: So like we said you can let the bank know if they want to set something up. You do remember Connie's not here this week. So hopefully there's somebody can take care of it on that end, I would imagine. Cause things do stop when Connie's not there.

Chairman Jansen: At the latest it would be Monday.

Marc Malocsay: At the latest. But like I said, I think at least they can set a closing date.

Johanna DeSanto: Yeah exactly. Ok thank you.

Board Members: Good luck.

Johanna DeSanto: Thank you.