

STATE OF NEW YORK : COUNTY OF ROCKLAND

TOWN OF STONY POINT : PLANNING BOARD

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INFORMAL DISCUSSION

6 LEE AVENUE

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Town of Stony Point
RHO Building
5 Clubhouse Lane
Stony Point, New York
December 8, 2022
7:29 p.m.

BEFORE:

- MARK JOHNSON, CHAIRMAN
- KERRI ALESSI, BOARD MEMBER
- ROLAND BIEHLE, BOARD MEMBER
- MICHAEL FERGUSON, BOARD MEMBER
- ERIC JASLOW, BOARD MEMBER
- JAMES PURCELL, BOARD MEMBER
- JERRY ROGERS, BOARD MEMBER

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Proceedings

CHAIRMAN JOHNSON: All right. This is for 6 Lee Avenue, which is the old ambulance corps building across from Town Hall. And this gentleman is proposing a new use for it. And he's here to just fill in the Board with what his thoughts are. And you guys feel free to ask any questions. Thank you. Go ahead.

MR. GUBERMAN: Thank you. My name is Richard Guberman. I work for the Absolute Medical. We are a very small family-owned medical equipment company.

We've been working out of the house for the last 20 years. We have five employees. We service, repair, and rent ultrasound machines and monitors throughout the tristate area.

What do you call it, our hours of operations are Monday through Friday, nine to five. Types of customers that we tend to deal with are doctors, hospitals, and clinics. Our customers do not come to us. We go to them.

1 Proceedings

2 Obviously, it's a doctor or a hospital,
3 they're not going to get into the car to come
4 look at something, so we do Zoom demos or we
5 will actually go into their facility and show
6 them what we can do for them. Or again, if
7 there's a repair, we do a lot of on-site
8 repairs for them as well. Or if we need to
9 bring the machine back to our place for
10 repair.

11 The types of repairs that we do is
12 computer components. There's a lot of
13 different chips and stuff that we put in
14 there. Replace keyboards, broken handles,
15 broken wheels. Obviously, these things are
16 being used a lot, so they just don't stand
17 up. Then there's also calibration of
18 software as well as upgrading of software.

19 We don't have any type of heavy
20 equipment to be used to do any of this
21 repair. Again, obviously, it's, you know,
22 simple. A lot of it is computer parts. So
23 it's just, you know, unscrewing the back ends
24 and putting in the different components
25 there.

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Proceedings

As far as receiving and shipping, we use FedEx and UPS. We get in total between inbound and outbound about 20 packages a week. So it's not a whole lot of movement as far as trucks coming in and out and that sort of stuff.

We do have two sprinter vans that we use for deliveries, or for pick ups if we have something. And what we're proposing to use with the main floor is we have the ultrasound machines, they're on wheels, so we want to keep those on the main floor in our repair area for it. And then upstairs would mainly be used for offices as well as repairing small monitors, patient monitors and such.

And that's, that's really where we're at. I know that we had a meeting a few weeks ago as another preliminary about this. I know that the -- I understand the concerns for the neighborhood as well. We happen to be a very quiet company. Like I said, we've been working out of a residential home for the last, you know, 15, 20 years, and it's just, it's too tight inside the house.

1 Proceedings

2 CHAIRMAN JOHNSON: Does anybody on the
3 Board have any questions? This is the
4 ambulance corps building across from the old
5 town hall.

6 BOARD MEMBER BIEHLE: They're right next
7 to the library, right?

8 MR. GUBERMAN: Correct.

9 CHAIRMAN JOHNSON: Right, exactly.

10 BOARD MEMBER ROGERS: So you're
11 basically going to clean up the inside of
12 that structure to your use and --

13 MR. GUBERMAN: Actually, the way it is
14 right now, we're very happy with it. We
15 really don't -- you know, I mean, yeah. We
16 might put up some partitions for offices. I
17 mean, because upstairs there is a, I believe
18 there is one office in the back, and maybe
19 even downstairs, there's one office. You
20 know, we might divide that up a little bit
21 more. But really nothing --

22 BOARD MEMBER ROGERS: Nothing major.

23 MR. GUBERMAN: Nothing major at all.
24 Really not.

25 BOARD MEMBER ROGERS: I think it's great

1 Proceedings

2 use of this. That's just me.

3 BOARD MEMBER JASLOW: Are you looking to
4 buy the building or --

5 MR. GUBERMAN: Yes. No, we're looking
6 to buy the building, sure. But again, we're
7 also hearing that we can't -- there's no
8 contingencies, and there's a little bit more
9 than just us putting the bid in. And that's
10 why we're, that's why we're here. We want to
11 make sure that we can actually purchase it
12 without any issues from the Town.

13 CHAIRMAN JOHNSON: Now --

14 BOARD MEMBER FERGUSON: How much parking
15 is on the property?

16 CHAIRMAN JOHNSON: Yeah.

17 MR. GUBERMAN: Yeah, so I guess you guys
18 can ask. There's two on each side. There's
19 four. And I think we have three in the back,
20 maybe.

21 BOARD MEMBER PURCELL: Yeah, I walked
22 the site.

23 MR. GUBERMAN: Right. So, yeah. I
24 actually went back because I know in our
25 first meeting also, there were some questions

1 Proceedings

2 about parking stuff, but.

3 BOARD MEMBER PURCELL: I walked the
4 site. With the employees that you have, you
5 fit, actually, ample parking. You move the
6 generator out of there if you don't need it,
7 you could grab a whole other spot, you get
8 that. There's a massive generator in the
9 back, I guess for emergency backups when it
10 was the ambulance building.

11 The tarmac is pretty large. So with
12 FedEx trucks pulling up, they'll have no
13 problem being off the road and not blocking
14 the road. If they have to make the
15 deliveries, I looked at that. It is a little
16 tight in the back for a vehicle to go around.
17 But you could use it for, I'm assuming
18 parking the employees' cars back there.

19 MR. GUBERMAN: Exactly. Exactly.

20 BOARD MEMBER PURCELL: Yeah, so, I mean
21 the site itself, you know, for what your
22 business is looking to do, and it's a weekly
23 operation, it's not going to impact the
24 community on weekends. But the tarmac was my
25 concern. When you said you're going to have

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Proceedings

deliveries, there's plenty of room where it's not going to block the road as they pull out off, so.

MR. GUBERMAN: No. No, not at all. We actually, like you said, you went -- I went back around again and I saw that there is actually a garage door in the back.

BOARD MEMBER PURCELL: Yes. There is a garage, a garage entrance in the back.

MR. GUBERMAN: Right. So I measured that, and there was more than enough room for us to back up to that. And then we're really not offending anybody. No one is seeing anything.

The other thing I was, I'm just curious is how many spots does the library have? Because, you know, are they using -- you know, when it was built, was it built for both to use or it was -- because I feel like the library only has about four or five slots.

BOARD MEMBER FERGUSON: The library is supposed to use the lot across the street.

BOARD MEMBER PURCELL: They park across

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Proceedings

the street, they walk across the street.

MR. GUBERMAN: Okay.

THE CLERK: I think they have a
handicapped spot there.

BOARD MEMBER FERGUSON: Right.

THE CLERK: In the back, where the back
around is.

MR. GUBERMAN: Okay. I was just curious
for my own curiosity about that.

BOARD MEMBER PURCELL: And there's
natural fencing in the back of the property,
still with the trees and stuff. It kind of
segregates the building away from the library
and the adjacent house to the left side of
it, I noticed, so.

MR. GUBERMAN: Correct, yeah.

BOARD MEMBER PURCELL: The site really
is in good shape. Just needs a little
cleaning up, a little TLC.

MR. GUBERMAN: Yeah.

BOARD MEMBER PURCELL: The building
looks good.

MR. GUBERMAN: Yeah. We want, we
definitely still want to get an inspection in

1 Proceedings

2 there and all that. But, yeah.

3 CHAIRMAN JOHNSON: Just out of
4 curiosity, you say you've got two sprinter
5 vans?

6 MR. GUBERMAN: Yes.

7 CHAIRMAN JOHNSON: And will they be
8 housed there during the overnight hours or
9 offsite somewhere?

10 MR. GUBERMAN: We -- most of the times,
11 they're offsite because again, we usually
12 have the driver take it home with him. So he
13 puts it by him.

14 CHAIRMAN JOHNSON: Yeah. Because if you
15 have five employees and two sprinter vans --

16 MR. GUBERMAN: Right, that much -- yeah,
17 no, no. We -- for us, we don't see parking
18 as the issue at all. Not at all.

19 CHAIRMAN JOHNSON: Okay.

20 BOARD MEMBER PURCELL: Whether you park
21 the rigs, would you be able to leave room in
22 there if you had to park a van in there, or
23 you're going to need all that space for your
24 equipment?

25 MR. GUBERMAN: We'd like to for the

1 Proceedings

2 equipment, but if we needed to, we can, you
3 know.

4 BOARD MEMBER PURCELL: Yeah, because
5 it's a pretty big space.

6 MR. GUBERMAN: Right. We can be
7 flexible on that. But again, like I said, I
8 had driven around the back end, and when I
9 saw the back end, there was a garage door.
10 I'm like --

11 BOARD MEMBER PURCELL: Yeah, there's a
12 garage in the back.

13 MR. GUBERMAN: Yeah. So I was -- sure.
14 We just load up in the back. And it's a once
15 a week, twice a week type of thing where
16 we're putting something into a truck and
17 going out to the city or something like that.

18 THE CLERK: They have to ask you the
19 questions.

20 MR. O'ROURKE: You say to bring the rest
21 of the Board up to speed. So they are here
22 informally to discuss, to get a warm and
23 fuzzy feeling from the Board, if you like it.
24 They -- we did have a question as they
25 proceed. Again, ultimately, they'd come back

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Proceedings

to your Board for site plan approval. But there was a question concerning the language in the ZBA approval because the ZBA specifically said professional business.

So I think if this Board is generally happy, I think -- at least I'll defer to Steve and Max -- but I recommend that he get an interpretation either from the Building Department or from the ZBA. And I think it's just an interpretation of what they envisioned for professional business, because they were very specific on that. And we just want to make sure that this falls under that category.

CHAIRMAN JOHNSON: Yeah. Does that require, like, an LLC title or something?

MR. O'ROURKE: Well, under it, usually it says, like, licensed is what it refers to in the code. But you know, obviously, there's a lot of professional buildings out there that aren't licensed. So initially, I think it was for, like, a lawyer or a doctor or an engineer.

So I think you just need that

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Proceedings

interpretation from the ZBA. Again, that's if this Board is generally okay with this layout for the site. Again, looking at the site, looking at the proposed, it seems like it has very little impact to the residential neighborhood, which is the fine tightrope we're kind of walking with this building. And I defer to Steve or Max if they want to continue, but I think that's where we stand.

MR. STACH: Yeah, so I concur with what John said. Essentially, the ZBA decision I think said a professional office. John Hager had to look at the definitions in the code, and there is only a definition for professional and business office. I think that is the, sort of the clarification.

Ultimately, it will be John Hager's reading of the code on whether or not this fits into that. And then if the applicant -- if he decides it doesn't fit, the applicant will have to go to the ZBA. But I think in the meantime, the applicant just wants to make sure that you're all comfortable and that you don't have any, you know, pressing

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Proceedings

concerns with regard to this use in that location.

CHAIRMAN JOHNSON: Okay.

BOARD MEMBER FERGUSON: Was the ambulance a professional business?

MR. O'ROURKE: Well, they got a -- it wasn't, but that was allowed under your code.

BOARD MEMBER FERGUSON: Preexisting nonconforming?

MR. O'ROURKE: Yeah. Or it's a quasi-government building.

MR. STACH: Yeah. The ambulance corps, the people who got the variance were the people who purchased it originally from, or were going to purchase it from the ambulance corps. It was another business that wanted to go in there and never got off the floor.

MR. O'ROURKE: Yeah. So they've already received a ZBA variance to allow -- because it's a residential zone, so you couldn't get anything. It's an existing building. So they went to the ZBA and got a use variance, which is somewhat difficult to allow this professional office. So if they fall under

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Proceedings

that interpretation, they don't have to go back to the ZBA, and then they can move forward to this Board for a site plan.

MR. HONAN: My understanding is --

BOARD MEMBER FERGUSON: It was in 1940, was it always an ambulance building?

MR. O'ROURKE: I believe it was always a --

MR. HONAN: I don't know.

MR. STACH: I think it looks like it was built as a --

MR. GUBERMAN: No, it was built as an -- I'm sure it was built as an ambulance corps.

MR. STACH: It's got two bays in front.

MR. GUBERMAN: Yeah.

BOARD MEMBER FERGUSON: They added one, yeah, 1940 when it was built.

MR. O'ROURKE: That would have been preexisting.

BOARD MEMBER FERGUSON: Preexisting. But then is that a professional practice?

MR. HONAN: From my understanding, the issue really is that is your anticipated use is going to be office, which would be okay,

1 Proceedings

2 but also repair some of this equipment, store
3 the equipment. So it kind of takes it out of
4 the professional office type of use.

5 BOARD MEMBER ALESSI: Well, I think the
6 distinction, though, is it's professional
7 business, not professional office.

8 BOARD MEMBER PURCELL: Correct.

9 MR. O'ROURKE: That's what the
10 interpretation comes in at, because I
11 don't --

12 MR. HONAN: Professional business?

13 MR. STACH: No, I think the --

14 BOARD MEMBER ALESSI: Is that the term?

15 MR. STACH: I think the variance said
16 professional office.

17 THE CLERK: I didn't bring that ZBA. Do
18 you have it?

19 MR. O'ROURKE: They just got the
20 variance from the ZBA just a few months ago
21 to allow this use. It's always been an
22 ambulance, so that was okay.

23 THE CLERK: This is the ZBA. Thank you.

24 CHAIRMAN JOHNSON: Yeah. I agree.

25 MR. GUBERMAN: It might be on the third

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Proceedings

page or fourth page, because I sort of go through the history of the problem of them trying to sell the building, and then trying to make it into a home, which they really can't do. It's just not feasible to turn it into a residential home.

MR. HONAN: It's just not -- the building is not conducive.

MR. GUBERMAN: Right, it's not. And in that, they go through if we tore it down, you know.

MR. O'ROURKE: Professional office space.

MR. HONAN: Right, so.

MR. O'ROURKE: So the interpretation I think is one of them, is his use professional office space including the repair. So basically, is his business considered professional office.

MR. HONAN: Right. And I guess they can make the determination. You could also go to the Board with the alternative, ask for interpretation. If the interpretation is not what you want, you can ask them for a further

1 Proceedings

2 use variance.

3 MR. O'ROURKE: I'd go for the
4 interpretation.

5 MR. GUBERMAN: Yeah, yeah, no. And
6 honestly, that's what I thought.

7 MR. O'ROURKE: I'm going to give you a
8 hint.

9 MR. GUBERMAN: Yeah, no. But that's
10 funny because I also thought that this Board
11 was going to do the interpretation.

12 MR. O'ROURKE: No, no. This, this
13 evening just is to get a warm and --

14 MR. GUBERMAN: Right, to get the warm
15 and fuzzy. But I thought --

16 MR. O'ROURKE: Yes. And after this, you
17 would go back to the Building Department.

18 MR. GUBERMAN: Okay.

19 MR. O'ROURKE: I would write a letter to
20 the Building Inspector and ask for an
21 interpretation if your business outline meets
22 the criteria of a business office space. And
23 then he's either going to say yes or no. If
24 he says yes, then you would come back to this
25 Board for a site plan approval.

1 Proceedings

2 MR. GUBERMAN: There we go.

3 MR. O'ROURKE: If he says no, you could
4 then go to the ZBA and ask them for an
5 interpretation. And if they say yes, you're
6 back to this Board. If they say no, then you
7 could ask for a use variance. But that's
8 much further down. So I think you'll -- your
9 best bet is, again, with John with the
10 Building Department.

11 MR. GUBERMAN: Uh-huh.

12 MR. O'ROURKE: And not to speak for
13 anyone who's not here this evening --

14 THE CLERK: I think you met John Hager.

15 MR. GUBERMAN: Yeah. I met John. And
16 actually, I spoke to him as well after our
17 meeting, just to understand what I needed to
18 prep for this meeting. And again, it's -- I
19 thought he was actually going to be here
20 tonight at this meeting, so.

21 MR. O'ROURKE: Unfortunately, he was.

22 MR. GUBERMAN: Okay.

23 MR. O'ROURKE: He has a doctor
24 appointment. But either way, he has to give
25 you the -- it's got to be more formal from

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Proceedings

him.

MR. GUBERMAN: More formal for him.

Okay.

MR. O'ROURKE: Yeah. So again, write him a letter.

MR. GUBERMAN: Okay.

MR. O'ROURKE: And that's the first step.

MR. GUBERMAN: Okay. And once he signs off on that letter, then I would come back to this Board with a site plan.

MR. O'ROURKE: With a full application that you would submit to the Planning Board.

MR. GUBERMAN: Got you. Okay. All right. Not a problem.

THE CLERK: I'll help you tomorrow.

MR. GUBERMAN: Sure. Not a problem. Anybody have any questions that I can answer about?

CHAIRMAN JOHNSON: Not now. Thank you very much.

MR. GUBERMAN: Thank you.

CHAIRMAN JOHNSON: Really appreciate your time and coming here and explaining to

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Proceedings

everybody.

MR. GUBERMAN: Yup. Thank you.

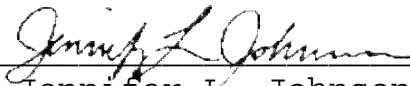
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Proceedings

THE FOREGOING IS CERTIFIED to be a true
and correct transcription of the original
stenographic minutes to the best of my ability.



Jennifer L. Johnson

