

CITY OF MIDDLETOWN
PLANNING BOARD MEETING AGENDA
MAY 7, 2025 7:00 PM
COMMON COUNCIL CHAMBERS
AND VIA DIGITAL TOWN HALL

Meeting Called By: Anthony Capozella, Planning Board Commissioner
Clerk: Martina Tu, Clerk

Members: Nicole Hewson, Dan Higbie, Richard McCormack, Gretchen Witt, Anthony Capozella, Andy Britto, Dave Madden

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
 - 3.1. Accept the Minutes of April 2, 2025
4. NEW BUSINESS

Request of Michele Severino for a special use permit and site plan approval to have an eating and drinking establishment and multipurpose event/doll artisan workshop and doll retail located at 5 South Street

Request of Vicki Andrade, for a special use permit and site plan approval in order to serve wine and beer at an existing eating and drinking establishment and multipurpose event/artisan workshop located at 12 North Street

Request of Brooke D. Jones for a special use permit and site plan approval in order to have a retail convenience store including beer, wine, lotto and tobacco products located at 130 ½ Wickham Avenue

Request of Attending Home Care Services, LLC, for a special use permit and site plan approval in order to have an office for home care aides located at 74-82 Irwin Avenue

Request of Humberto Calero, for a special use permit and site plan approval in order to have a skincare spa located at 28-32 County Highway 78, Unit 1

Request of Hisham Jamal for a special use permit and site plan approval in order to have an eating and drinking establishment (no beer, wine or alcohol) and grocery store located at 366-368 North Street

Request of Sergio Fajardo Alcala, for a special use permit and site plan approval in order to have an eating and drinking establishment where liquor, beer, wine and/or any alcoholic beverage will not be served, located at 203 North Street

5. ADJOURNMENT

**CITY OF MIDDLETOWN
PLANNING BOARD
MINUTES**

April 2, 2025

A meeting of the Planning Board was held in the Common Council Chambers, City Hall, 16 James Street, Middletown, New York on April 2, 2025 at 7:00 P.M., Mr. Anthony Capozella presiding.

Members Present: Anthony Capozella, David Madden, Richard McCormack, Andy Britto, Gretchen Witt, Nicole Hewson, Dan Higbie.

Other Attendees: Richard J. Croughan, Planning Board Attorney; Sixto Martinez, DPW; Mike Guattery, Fire Inspector.

The Pledge of Allegiance was said.

Motion to approve the March 5, 2025 minutes by Mr. Britto, seconded by Mr. McCormack.

Motion passed. Minutes approved.

Mr. Capozella pointed out that all first-time applicant appearances are considered a preliminary hearing and the Planning Board may or may not chose to act or vote on those applications tonight.

**Falun Dafa Gan Jing World Foundation, Inc.
9-29 Canal Street
6-month extension**

Mr. Capozella: We have Falun Dafa Gan Jing World Foundation, Inc., 9-29 Canal Street. This is a 6-month extension.

Mr. Britto: Is this the first one for --

Mr. Capozella: No.

Mr. Britto: It's not.

Mr. Capozella: No. I believe we stated it in the resolution.

Mr. Britto: My apologies.

Mr. Croughan: Yeah. It has second request.

Mr. Britto: My apologizes. I'm sorry.

Mr. Capozella: It's okay. Any further discussion?

Motion for 6-month extension for 6-29 Canal Street.

Motion by Mr. Higbie, seconded by Mr. Madden.

Roll Call Ayes: David Madden, Richard McCormack, Andy Britto, Gretchen Witt, Nicole Hewson, Dan Higbie, Anthony Capozella.

O'Reilly Auto Enterprises, LLC
183 Dolson Avenue
6-month extension

Motion to approve 6-month extension by Ms. Hewson, seconded by Ms. Witt.

Roll Call Ayes: David Madden, Richard McCormack, Andy Britto, Gretchen Witt, Nicole Hewson, Dan Higbie, Anthony Capozella.

Torrisi Produce Co.
76 Dolson Avenue
Temporary movable structure
1-year extension

Mr. Capozella: This is a one-year extension as per the Common Council's new law on this type of permit. They're allowed a one-year extension, and that's what we're here to do tonight.

Mr. Britto: Apologies. This is the first time they've come for an extension?

Mr. Capozella: Yes. This was a permit granted last year at this time.

Motion to approve one-year extension by Ms. Witt, seconded by Ms. Hewson.

Roll Call Ayes: David Madden, Richard McCormack, Andy Britto, Gretchen Witt, Nicole Hewson, Dan Higbie, Anthony Capozella.

Rose Yu
209-211 Monhagen Avenue
Mixed commercial -- hair salon & takeout eating and drinking establishment

Mr. Capozella: Please come up to the mic. State your name for the record.

Ms. Yu: Rose Yu.

Mr. Capozella: Thank you. And what do you intend on doing?

Ms. Yu: We will have a salon and an eating and drinking, takeout only, shop.

Mr. Capozella: Okay. Thank you.

Ms. Tu, do we have the mailings?

Ms. Tu: Yes, we do.

Mr. Capozella: Okay. In that case, I'm going to open the public hearing. Anyone present wishing to speak on this application, please step forward.

The public hearing was opened.

Mr. Capozella: No one stepping forward, I'll go to the Board for any comments, questions, or concerns.

Mr. Croughan: Mr. Martinez, any concerns?

Mr. Martinez: No concerns.

Mr. Croughan: Mr. Guattery, any concerns?

Mr. Guattery: Not at this time. We did a site visit and have met multiple times, so we're satisfied.

Mr. Croughan: Thank you. And just for the Board's clarification, this is a mixed use, but it's under common ownership, so it's one person owning both, and that's the way it would have to remain.

Mr. Capozella: And that's the way it's written in the resolution.

Okay. I'll go back to the public. Anyone wishing to address this application, please step forward.

Motion to close the public hearing by Mr. Britto, seconded by Ms. Witt.
Motion passed.

The public hearing was closed.

Mr. Capozella: I'll go back to the Board one more time. Any questions, comments, or concerns?

Mr. Croughan: Mr. Chairman?

Mr. Capozella: Yes, sir.

Mr. Croughan: I might've missed it. Did you ask if we have the mailings?

Mr. Capozella: I did.

Mr. Croughan: Okay. Thank you.

Mr. Capozella: No problem. Board, any questions, comments, or concerns?

Mr. Higbie: Yeah. I just had a question. So it's going to be for the food part, it's just going to be takeout only?

Ms. Yu: Yes.

Mr. Higbie: There's just a few chairs there that's for people that are waiting for their orders and that type of thing?

Ms. Yu: That's correct.

Mr. Higbie: Okay.

Resolution for 209-211 Monhagen Avenue, mixed commercial, hair salon and takeout eating and drinking establishment. Motion by Mr. Britto, seconded by Mr. McCormack.

Roll Call Ayes: David Madden, Richard McCormack, Andy Britto, Gretchen Witt, Nicole Hewson, Dan Higbie, Anthony Capozella.

Jaylen Cherry
59-61 North Street
Skincare spa

Mr. Capozella: Just state your name for the record, please.

Mr. Cherry: Jaylen Cherry.

Mr. Capozella: And what do you plan on doing, sir?

Mr. Cherry: We plan on doing esthetics and skin care.

Mr. Capozella: Okay. Fantastic.

Ms. Tu, do we have the mailings?

Ms. Tu: Yes, we do.

Mr. Capozella: Okay. In that case, I'm going to open the public hearing. Anyone from the public wishing to address this application, please step forward.

The public hearing was opened.

Mr. Capozella: No one stepping forward, I'll move on to the Board for any questions, comments, or concerns.

Yes, Mr. McCormack.

Mr. McCormack: Can you elaborate on what kind of esthetics and skincare you're going to be doing?

Ms. Cherry: Facials, body waxing.

Mr. McCormack: Any kind of medical procedures?

Ms. Cherry: No.

Mr. McCormack: No fillers or -- okay.

Ms. Cherry: No.

Mr. McCormack: And will you have licensed staff on hand to do it all?

Ms. Cherry: Yes.

Mr. McCormack: Thank you.

Mr. Capozella: Miss, would you please give us your name for the record?

Ms. Cherry: Marissa Cherry.

Mr. Capozella: Thank you. Any other questions?

Mr. Croughan: Mr. Martinez, any comments?

Mr. Martinez: No issues at the present time.

Mr. Croughan: Thank you. And, Mr. Guattery, any concerns?

Mr. Guattery: No, sir. We did a site visit and have met with them. We're happy here.

Mr. Croughan: Thank you.

Motion to close the public hearing by Mr. Madden, seconded by Mr. Britto.

Motion passed.

The public hearing was closed.

Mr. Capozella: Back to the Board one more time, questions, comments, or concerns.

Mr. Higbie: I just had a question. It looks like you have like three chairs or three areas. Are they just going to be partitioned off? Is that --

Ms. Cherry: Yes.

Mr. Higbie: Okay. So there's no closed doors. It's partitions.

Ms. Cherry: No. It's open.

Resolution for 59-61 North Street, skincare spa, motion by Ms. Hewson, seconded by Mr. Britto.

Roll Call Ayes: David Madden, Richard McCormack, Andy Britto, Gretchen Witt, Nicole Hewson, Dan Higbie, Anthony Capozella.

Ammar Alqublanni & Kevin Burris
2-4 North Street
Convenience store/retail

Mr. Capozella: Please state your names for the record.

Mr. Burris: Kevin Burris.

Mr. Alqublanni: Ammar Alqublanni.

Mr. Capozella: And what do you plan on doing?

Mr. Burris: So it's a convenience store primarily focused on exotic snacks and exotic candies, and it does have a tobacco license, so it will sell smoke accessories, but a general convenience store is the idea behind this and what we're looking for.

Mr. Capozella: Okay. Ms. Tu, do we have the mailings?

Ms. Tu: Yes, we do.

Mr. Capozella: We do. Okay. In that case, I'm going to open the public hearing. Anyone from the public wishing to address this application, please step forward.

The public hearing was opened.

Mr. Capozella: All right. No one coming forward at the moment, I will go to the Board for any questions, comments, or concerns.

Yes, Mr. McCormack.

Mr. McCormack: Can you go into a little bit more detail about the type of tobacco products you're going to be selling?

Mr. Burris: So like vaporizers, things like that, things that pretty much primarily fall into tobacco products, but our primary focus is more convenience store, coffees, drinks, the exotic snacks. We have the snacks from Germany, from Japan, all these different Lay's chips and different brands and all these different exotic snacks that actually sell for a nice premium in those other stores, you know, 845 Exotics, so similar and based off that concept.

Mr. McCormack: What is an exotic candy?

Mr. Burris: So a candy from a foreign or domestic place primarily. He owns a

warehouse, so the products are already there on hand, so it's kind of just getting the store and bringing the products.

Mr. McCormack: So for clarity, you're not planning on selling any cannabis products; correct?

Mr. Burris: Oh, absolutely not.

Mr. McCormack: Okay.

Mr. Burris: Absolutely not. I wouldn't even consider to jeopardize anything as business that could make us, you know, all this money in the future for something (inaudible).

Mr. McCormack: On a percentage basis, what percentage of your business do you think will be tobacco products versus general retail and convenience store products?

Mr. Alqublanni: Less than 30 percent.

Mr. McCormack: Less than 30 percent, so looking at your drawings, I don't see where you're going to sell other products based on the drawings that you supplied. I see a number of glass cases, a counter. There doesn't seem to be a whole lot of shelf space or wall space for stuff that would not be traditionally found in a glass display case in an establishment like you're talking about.

Mr. Burris: Right. Well, a lot of it's going to be shelving on the wall. If you see there on the drawings, there's shelves.

Mr. McCormack: Are those shelves behind the register though?

Mr. Burris: Yeah. So there's some on that wall. The way the store is actually structured, I'm not sure if you've actually been in there. It's kind of like oblong and it does have that long thing, so I'm just trying make the best use of the space is primarily what we're going for there to not have, you know, big renovations and, you know, structural changes and everything, just the products in, and you know, hopefully this will be the first of many.

Mr. McCormack: Now, is there something that we could put in the resolution that would limit their -- the amount of space they can provide for tobacco products? My concern is I, you know, if it's a convenience store, it should be a convenience store, and it shouldn't turn into another smoke shop in terms of --

Mr. Capozella: Well, first of all, just for the Board's knowledge and the public's knowledge, they have to get a tobacco permit to begin with, which will be under the DPW's privy; okay? And they control that. So I don't know if we can put a percentage on anything as far as tobacco products.

Mr. McCormack: So perhaps the question better directed for Sixto or Mr. Guattery, what is the definition between a smoke shop -- the difference between a smoke shop and a convenience store and retail? It seems -- obviously, retail is everything, but when you say it's going to be a convenience store, what stops them from taking it as a convenience store and just going hog wild and just primarily being a smoke shop?

Mr. Capozella: There is none. At this moment, there is none.

Mr. McCormack: So there is no definition.

Mr. Capozella: No definition. No.

Mr. McCormack: And what is the criteria to get a tobacco permit?

Mr. Martinez: Actually, we are meeting with Alex Smith in the morning to go over the tobacco licensing, how we're going to go about it. This will be the first one that we're going after.

Mr. Croughan: So they can't sell tobacco products until they get that license.

Mr. McCormack: And that's tobacco products in general; correct?

Mr. Martinez: Yes.

Mr. Burris: In general completely, yes.

Mr. Capozella: Yes.

Mr. Burris: And then we have to follow all their regulations and everything before we get that licensing.

Mr. Capozella: Correct.

Mr. McCormack: Okay.

Mr. Capozella: Yes, Ms. Witt.

Ms. Witt: My question is what is on the docket for how far a smoke shop can be, because there's a daycare center that's not far from where the establishment is going to be. There's also the SUNY Orange, you know, college, so what is the parameters regarding that, with the law regarding that?

Mr. Croughan: Well, they're not a smoke shop. They're a convenience store.

Ms. Witt: But if they were to become a smoke shop.

Mr. Croughan: Well, they would have to come back before the Board to get approval.

Ms. Witt: Right.

Mr. Croughan: And is there a law of separation? I don't believe so.

Ms. Witt: Okay. I just wanted to ask the question. Thank you.

Mr. Capozella: Yes, Ms. Hewson.

Ms. Hewson: Just a quick question. I notice on your drawing you have a sitting bench. Is that for customer use?

Mr. Burris: Yeah. So pretty much if somebody comes in and then they get a cup of coffee or they're waiting in line or whatever, it's already there, so rather than remove that structure from the wall, just keep the bench there. You know, we measured it, and it's already been there.

Ms. Hewson: And you're not planning on doing hookah where your customers could do a hookah.

Mr. Burris: Oh, no, absolutely not.

Ms. Hewson: Okay.

Mr. Burris: It's a convenience store. Like think about if you go to a gas station that doesn't sell gas.

Ms. Hewson: Okay. All right.

Mr. Burris: You know, that's, yeah. There's not enough space.

Ms. Hewson: It's hard to visualize, yeah, from the drawing.

Mr. Burriss: Yeah. No, I understand.

Ms. Hewson: Okay. Thank you.

Mr. Burriss: Yeah. That's primarily -- that's the best way I can describe it. If you think about going to any gas station, any Sunoco or Citgo, you know, they have their tobacco products behind the counter, but there are a variety of other products.

Ms. Hewson: Sure.

Mr. Burriss: So, like you said, 30 percent might be that, but it's a variety of other things as well, you know.

Ms. Hewson: Right. I'm not against that anyway. I just wanted to know what your use of the building would be.

Mr. Burriss: Yeah. Absolutely.

Ms. Hewson: Yeah. Thank you.

Mr. Capozella: Yes, Mr. McCormack.

Mr. McCormack: What happens if they don't get a tobacco permit? I don't know if this is directed to Sixto or the applicant.

Mr. Martinez: This would be subject to that.

Mr. McCormack: Would that derail your project if you didn't get a tobacco permit?

Mr. Burriss: No. It would just be a convenience store.

Mr. McCormack: Okay.

Mr. Burriss: I mean, you know, a lot of the sales are primarily, you know, people like to smoke, that's that, but, you know, and accessories and things like that. That is primarily some of the income, but like I said, it's only going to be a fraction, so even if that wasn't included, we're still going to go full force with the convenience store, you know, givebacks. Thanksgiving, we'll give away turkeys. You know, we

want to be community based and everything as well, so it could be something beneficial for the community.

Mr. McCormack: And, again, I don't know. What about advertising in terms of smoke stuff on the windows and the displays? Are they allowed to do that? I don't know what the new regulations are, especially in the DMU.

Mr. Croughan: Well, I think that's going to be discussed tomorrow probably.

Mr. McCormack: That's part of that process.

Mr. Burris: Yeah. It's all in there.

Mr. McCormack: Could we hold off on this until we have some clarity about what the tobacco permitting process is?

Mr. Capozella: I don't think it's necessary because it's a convenience store. He just stated if he doesn't get a tobacco permit, he won't be selling tobacco, but he'll be running a convenience store.

So this tobacco permit has been in the works for over a year. We're trying to work with it. It should've been discussed, and it was approved, but here we are. So we're trying to make the best of it, and these gentlemen are doing the same.

Yes, Mr. Madden.

Mr. Madden: Are there health products being offered as well? Your resolution says it's a convenience store/health store.

Mr. Burris: Yeah. So my wife, she does all type of like organic shower scrubs and, you know, little things that I'm going to put on the shelving and stuff to try to support her business. But, yeah, we're definitely organic. You know, we eat a lot of food, so we're definitely primarily on health and, you know, skincare and things like that that she does and, you know, wants to bring into the store.

Mr. Madden: Thank you.

Mr. Alqublanni: Some CBD too, CBD products. We will apply for the license.

Mr. McCormack: CBD is not permitted in the City of Middletown.

Mr. Capozella: Correct.

Mr. Alqublanni: Okay. We can take that off.

Mr. McCormack: Okay. I just want to --

Mr. Capozella: Make that very clear. Any other questions?

Mr. Croughan: And before, you had said that you weren't selling cannabis products, so you're not allowed.

Mr. Burris: But he meant like the CBD creams and stuff like that.

Mr. Higbie: That's still --

Mr. Burris: Okay. And, you know, these are all clarifications that we're glad we're glad we're getting so we know, because I'm sure you guys are going to come in and see it. We're going to invite you guys in and, you know, everything, so everything will be up to what you guys need it to be.

Mr. Capozella: And we're not 100 percent sure what the tobacco permit states to be honest with you because we've never seen it.

Mr. Burris: Right. It could say that we could have those creams. You know, we don't know that till we get to that point.

Mr. Capozella: Right.

Mr. Britto: The application doesn't say anything about tobacco. Does it need to for him to sell it?

Mr. Capozella: Well, they have to go to the DPW and get a permit. It's kind of like a liquor license. We don't issue it.

Mr. Britto: But if someone was going to sell liquor, it would say it in the plan and the application.

Mr. Capozella: Right.

Mr. Britto: It would say we're going to sell liquor, and then they'd have to go. It doesn't say that they're selling tobacco in here. Do they have to?

Mr. Capozella: They should state it because technically they're going to -- we're going to put it in all convenience store resolutions going forward now that we know that they have a tobacco permit in place that, just like the SLA, liquor and tobacco will have to go and get a permit.

Mr. Britto: Okay.

Mr. Capozella: So even if they were approved tonight for just a convenience store, and a month down the road they said, geez, I want to sell tobacco. Well, they can't sell tobacco until they go to the DPW and get that permit.

Mr. Britto: And my understanding just from Mr. McCormack's questions and your discussion is there is no specific number as far as percentage of products or sales or products that are being sold that would make it a smoke shop instead of a convenience store.

Mr. Capozella: That is correct.

Mr. Britto: If they had 90 percent of their product being smoke --

Mr. Capozella: We have no percentage. We were given no criteria.

Mr. Britto: And this is coming up with what Mr. Martinez is talking about, that's what it's going to be.

Mr. Capozella: Correct.

Mr. Britto: Okay.

Mr. Capozella: Mr. McCormack, another thought?

Mr. McCormack: I'll defer to Ms. Hewson while I process.

Ms. Hewson: Are you sure?

Mr. McCormack: I'm positive.

Ms. Hewson: Mr. Croughan, question for you. With regard to the tobacco permit, that's not a New York State, that's a City of Middletown tobacco permit?

Mr. Croughan: That's correct.

Ms. Hewson: Okay. Because in all my years on the Board, this is the first time I'm hearing of it.

Mr. Croughan: That's correct.

Mr. Capozella: That's correct.

Ms. Hewson: Is this something recent?

Mr. Croughan: It is recent.

Ms. Hewson: Okay. Got it.

Mr. McCormack: The Common Council passed it I would say about 12 months ago.

Ms. Hewson: Okay. I missed that one. All right. Thank you.

Mr. Croughan: You're welcome.

Mr. Capozella: Don't feel bad. We were just made aware of it also.

Ms. Hewson: Okay.

Mr. McCormack: So as it stands right now, a tobacco license is not in their resolution; correct?

Mr. Croughan: It is in the resolution.

Mr. Capozella: It is. Oh, yeah.

Mr. McCormack: Oh, it is in the resolution, just not in their application.

Mr. Croughan: Correct.

Mr. Capozella: Correct.

Mr. McCormack: Gotcha.

Mr. Burris; And, you know, I think the thing too with the application is we've had to --

Mr. Higbie: Can you talk into the mic because this is being broadcast.

Mr. Burris: Yup. And I think part of the thing with the application was we've had the store since December and been paying store rent on it, and the first time we thought we had a meeting they said they didn't have our paperwork, which was submitted and I had emails that they were in receipt of them, so we had to do this application three or four times to even get to where we're standing here today. So, you know, I'm not saying that it wasn't the first one or it wasn't in the third one,

but we've had to send a couple different applications. We've had to go through two or three different drawings. We've had a contractor come in and do measurements. Like, you know, it's been a lot of time and everything invested, and I'm not sure specifically what he's saying it doesn't have the tobacco part put in there, but like I said, this is the third time we filled this application out and submitted it

So, I just, it could've been in the first one, you know what I mean? That was probably the more detailed and we thought we were coming for a meeting, and then it's, oh, you're not on the Planning Board because we don't have any paperwork on that address. That was the first time, and you know, everybody, like I'm getting all this feedback about this cannabis. I don't smoke cannabis, you know. I understand at that end of North Street that's what they were doing and shutting down. That's not what we're doing. You know, I went to college, Binghamton University, studied business management and psychology. This is just me trying to get off the ground and start my first business and, you know, hopefully many more to come.

Mr. Capozella: Understood.

Mr. Burris: Thank you.

Mr. Capozella: Anything else from the Board? Okay. I don't even remember if I closed the public hearing, so I'll go back and close the -- anyone from the public wishing to address this application -- oh, I'm sorry, Ms. Witt.

Ms. Witt: I just want to let you know, Mr. Burris, so on the application on the front page would be where you're going to submit like your location, and what we're referring to is on the second page where it's handwritten what you want to open up. That's what we're referring to when we don't see where you're saying you're going to sell tobacco.

Mr. Burris: And I thank you for that clarification.

Ms. Witt: Okay.

Mr. Burris: I know the first one that we had submitted, you know, that was all done, and then I came back and I got another one from Ms. Martina, and I filled it out there at her desk, so it's possible that I left that out.

Ms. Witt: So, but just to let you know, so that's why we're just looking at that, and I see that you did make this application first in January, and we're now obviously in April, so I just want to let you know that; okay?

Mr. Burris: All right. Thank you so much for that clarification, Ms. Witt.

Ms. Witt: You're welcome.

Mr. Capozella: Okay.

Mr. Croughan: You were going to close the public hearing.

Mr. Capozella: Again. Anyone from the public wishing to step forward. No one coming forward, I'm going to close the public hearing.

Motion to close the public hearing by Mr. Britto, seconded by Ms. Hewson.

Motion passed.

The public hearing was closed.

Mr. Capozella: That being said, I'll go to the Board to finish up with any questions, comments, or concerns. Mr. McCormack.

Mr. McCormack: I just want to clarify for the record. So they're approved tonight. They can open theoretically tomorrow, just not with the tobacco products or paraphernalia.

Mr. Croughan: As a convenience store.

Mr. Capozella: That's correct.

Mr. McCormack: And then it is up to the permitting department to move forward.

Mr. Capozella: Any further discussion? Roll call.

Resolution for 2-4 North Street, convenience store, retail. Motion by Mr. Britto, seconded by Ms. Hewson.

Roll Call Ayes: David Madden, Richard McCormack, Andy Britto, Gretchen Witt, Nicole Hewson, Dan Higbie, Anthony Capozella.

Tyrina Jones
13 Center Street
Boutique

Mr. Capozella: Good evening.

Ms. Jones: Good evening.

Mr. Capozella: State your name for the record, please.

Ms. Jones: Tyrina Jones.

Mr. Capozella: And what do you plan on doing?

Ms. Jones: A women's boutique.

Mr. Capozella: Thank you. Ms. Tu, do we have the mailings?

Ms. Tu: Yes, we do.

Mr. Capozella: Thank you. I'll open the public hearing. Anyone from the public wishing to address this application, please step forward.

The public hearing was opened.

Mr. Capozella: No one stepping forward, I will move on to the Board for any comments, questions, or concerns.

Mr. Croughan: Mr. Martinez, any concerns?

Mr. Martinez: No concerns.

Mr. Croughan: Mr. Guattery, any concerns?

Mr. Guattery: No, sir.

Mr. Croughan: Thank you.

Mr. Capozella: Okay. I'll go back to the public one more time. Anyone wishing to address this application, please step forward.

No one stepping forward, I'm going to close the public hearing.

Motion to close the public hearing by Mr. Madden, seconded by Ms. Witt.

Motion passed.

The public hearing was closed.

Mr. Capozella: Board, one more time. Ms. Hewson?

Ms. Hewson: It looks like, but my copy is faded, I just wanted to clarify. If that doesn't say convenience store, it says something else. I was just making sure that it wasn't also a convenience store based on what I was reading and unable to clarify with the way the copy came out.

Ms. Jones: No.

Ms. Hewson: Okay. All right.

Ms. Jones: You can show me, but --

Ms. Hewson: Maybe it's some kind of door. That might be what it says.

Ms. Jones: Yeah. It's a door.

Ms. Hewson: Okay. Thank you.

Mr. Capozella: Okay. Anyone else? Yes, Mr. McCormack.

Mr. McCormack: Can you just describe a little bit what you're going to be doing, what a women's boutique is?

Ms. Jones: Like selling pocketbooks, accessories, jewelry, like small --

Mr. McCormack: Like retail.

Ms. Jones: Yeah.

Mr. McCormack: Okay. Thank you.

Mr. Capozella: Anyone else? Yes.

Ms. Witt: Do you realize you're not giving yourself a time off? You're open from 9:00 a.m. to 9:00 p.m., Monday through Sunday. Did you realize that?

Ms. Jones: Yeah. I need to change that. Yeah.

Ms. Witt: Okay. Now would be the time if you wanted to change that. No?

Mr. Britto: Usually we give them the bigger so that she can -- anything within there.

Ms. Witt: Okay.

Mr. Capozella: She can make her down decision on when she --

Mr. Britto: If not, she'd have to come back and get it changed and --

Mr. Croughan: She doesn't have to be open all that time. You can't exceed that time.

Ms. Witt: Yeah.

Resolution for 13 Center Street, boutique. Motion by Mr. Madden, seconded by Mr. Britto.

Roll Call Ayes: David Madden, Richard McCormack, Andy Britto, Gretchen Witt, Nicole Hewson, Dan Higbie, Anthony Capozella.

Motion to adjourn by Mr. Britto, seconded by Mr. McCormack.

Roll Call Ayes: David Madden, Richard McCormack, Andy Britto, Gretchen Witt, Nicole Hewson, Dan Higbie, Anthony Capozella.

Adjourned 7:30 p.m.

Respectfully Submitted,

Diane Genender, Transcriber

APPLICATION

PLANNING BOARD

City of Middletown, New York

Date deemed complete _____
Accepted by _____

Date _____

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 5 South St.

Section 35 Block 3 Lot 11 Current Zoning District DMU

Building Existing New _____

2. Owner of Property Anthony Proscia

Owner's Address 2 Sheryl Lane

City Mahopac State NY Zip 10541

Phone numbers: Home: _____

Business: 914-329-9021

Cell: _____

3. Applicant name Michele R. Severino

If different from Owner

Applicants Address 45 Horton Ave

City Middletown State NY Zip 10940

Phone numbers: Home: _____

Business: _____

Cell: 845-800-0687

Fax: _____

Answer 4, 5 or 6

4. **Special Use Permits/Site Plan Approval.** An approval for a special use permit and/or site plan approval is hereby requested. In the space provided indicate the section(s) and classification(s) of the occupancy for which you are seeking a special use permit. Included all uses which are currently or will be in the subject property. All dimensions shall be listed in the space provided. Refer to the tables at the rear of the Zoning Ordinance for requirements in UR-3, SR-3, SR-3A and SR-3B districts. Additional sheets may be attached if required.

Section # _____

Classification of Occupancy requested 1

Description of what you are requesting: Retail dolls, doll education,
Sculpting classes. Offering water + packaged foods
Daily 11-7

Uses currently in property: Vacant

Title	Section Number	Required Dimensions	Actual Dimensions
Lot area	_____	_____	_____
Front yard	_____	_____	_____
Rear yard	_____	_____	_____
Side yard	_____	_____	_____
Side yard	_____	_____	_____
Parking	_____	_____	_____

Answer this section only for multiple dwellings

Lot coverage _____
Building height _____
Open Space _____
Playlot _____
Livable floor area _____
Number of Bedrooms _____

5. **Nonconforming Use.** In the area provided, list each use for which an expansion is sought and the reason therefore. State the current use and all conditions that presently exist and those

Printed Name and Title: Michele F. Severino

Date: 3/20/2025

OWNERS ENDORSEMENT

COUNTY OF ORANGE
STATE OF NEW YORK

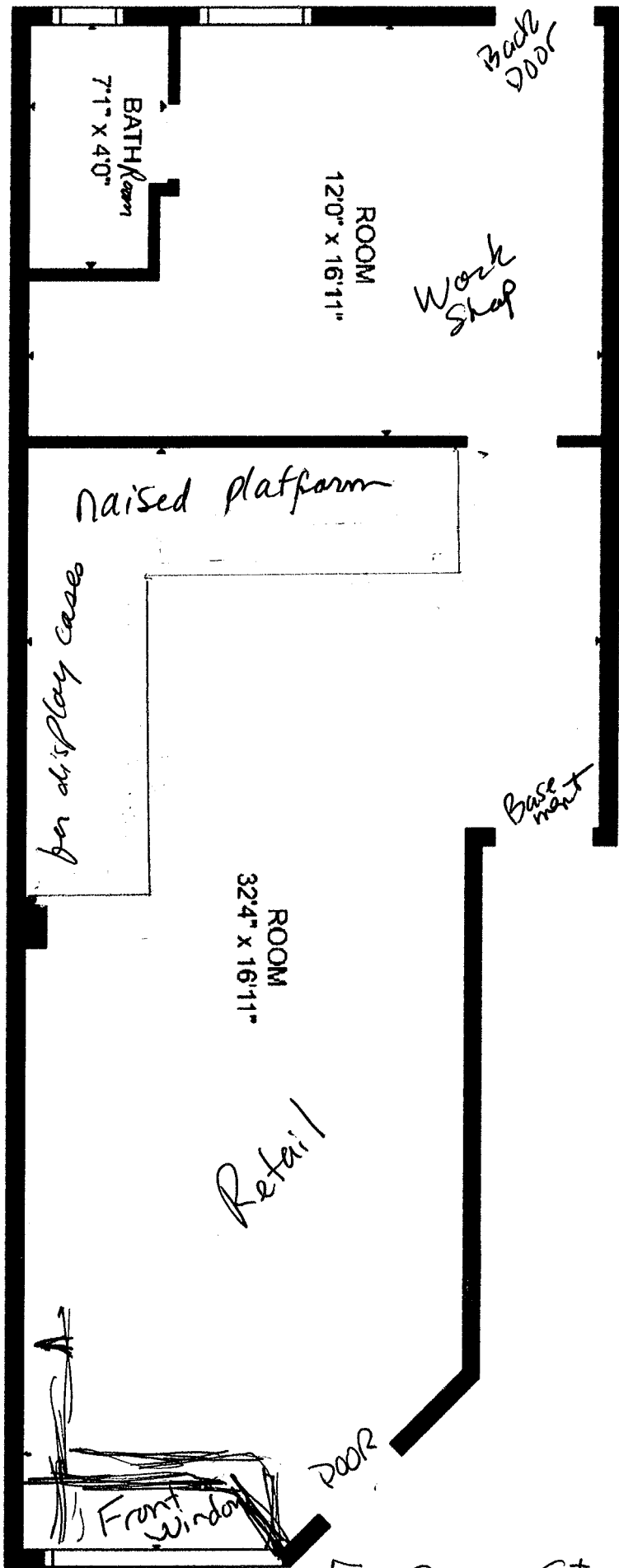
Anthony Proscia being duly sworn, deposes and
says that he/she resides at 2 Sheryl Lane
in the County of Putnam and State of NY and that he is the
owner in fee or _____ of the Promae
Holdings, LLC OFFICIAL TITLE Corporation which is the owner
in fee of the premises described in the foregoing application and that he has authorized
Michele R. Severino to make the foregoing application for
approval as described herein.

Sworn before me this 7th day of April 2025

Cheryl A. Zastenchik
NOTARY PUBLIC

[Signature]
OWNERS SIGNATURE

CHERYL A. ZASTENCHIK
Notary Public State of New York
No. 01ZA6098466
Qualified in Putnam County
My Commission Expires 9-15-2027



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APPLICATION

PLANNING BOARD

City of Middletown, New York

Date deemed complete _____
Accepted by _____

Date 2-19-25

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 12 North street (DMU)
Section 31 Block 10 Lot 8 Current Zoning District _____
Building Existing _____ New _____
2. Owner of Property Sal Vasapolli / Cherokee South Holdings LLC
Owner's Address 22 Montgomery St
City Middletown State Ny Zip 10940
Phone numbers: Home: (516) 351-0045
Business: (516) 351-0045 / 845-247-3750 - office
Cell: (516) 351-0045
3. Applicant name Kicki Andrade
If different from Owner
Applicants Address 77 Maple Ave
City Boston State NY Zip 10924
Phone numbers: Home: (845) 977-7890
Business: (845) 775-3130
Cell: (845) 551-4451
Fax: _____

Answer 4, 5 or 6

4. **Special Use Permits/Site Plan Approval.** An approval for a special use permit and/or site plan approval is hereby requested. In the space provided indicate the section(s) and classification(s) of the occupancy for which you are seeking a special use permit. Included all uses which are currently or will be in the subject property. All dimensions shall be listed in the space provided. Refer to the tables at the rear of the Zoning Ordinance for requirements in UR-3, SR-3, SR-3A and SR-3B districts. Additional sheets may be attached if required.

Section # _____

Classification of Occupancy requested _____

Description of what you are requesting: I would like to sell and serve
hot + cold loose leaf tea to my customers as well as
food items to be made on premises es. charcuterie boards. No cooking
or open flame items. I would also like to offer + sell beer and wine.
Uses currently in property: I host creative canvas classes and
craft workshops in my studio. I host small gatherings
such as bridal showers etc where we paint and socialize.

Title	Section Number	Required Dimensions	Actual Dimensions
Lot area			
Front yard			
Rear yard			
Side yard			
Side yard			
Parking			

Answer this section only for multiple dwellings

Lot coverage	
Building height	
Open Space	
Playlot	
Livable floor area	
Number of Bedrooms	

5. Nonconforming Use. In the area provided, list each use for which an expansion is sought and the reason therefore. State the current use and all conditions that presently exist and those that will be created. Refer to the excerpt from the Zoning Ordinance Section 475-44.

Additional sheets may be attached if required.

I would like to use my studio to sell and make loose leaf tea and food items. Many of my customers would like a place to relax and stay while waiting for me to make their items. This space would offer a quiet place to enjoy tea, charcuterie board items (cheese, crackers etc) and other items that can be prepared in the kitchen. NO cooking or open flame will be done. I would like to offer a quiet space for people to come relax, read a book and enjoy beverage. I would like to also offer, serve, sell wine + beer only.

6. Fence and/or Parking Nonconformance. In the area provided, list the reason(s) requested for all conditions which are not in conformance with the regulations. Indicated the requirement(s) and the amount of relief requested. Additional sheets may be attached if required.

7. Sign at the Place Indicated

Signature: Vicki Andrade

Printed Name and Title: Vicki Andrade, owner

Date: 2-19-25

OWNER'S ENDORSEMENT

COUNTY OF ORANGE
STATE OF NEW YORK

Sal Vasapelli being duly sworn, deposes and says that

he/she resides at Montgomery Orange County

in the County of Orange and State of New York and that he/she is the

owner in fee or Managing member of the Cherokee South Holdings LLC
OFFICIAL TITLE

Corporation which is the owner in fee of the premises described in the foregoing application and that

he/she has authorized Vicki Andrade to make the foregoing

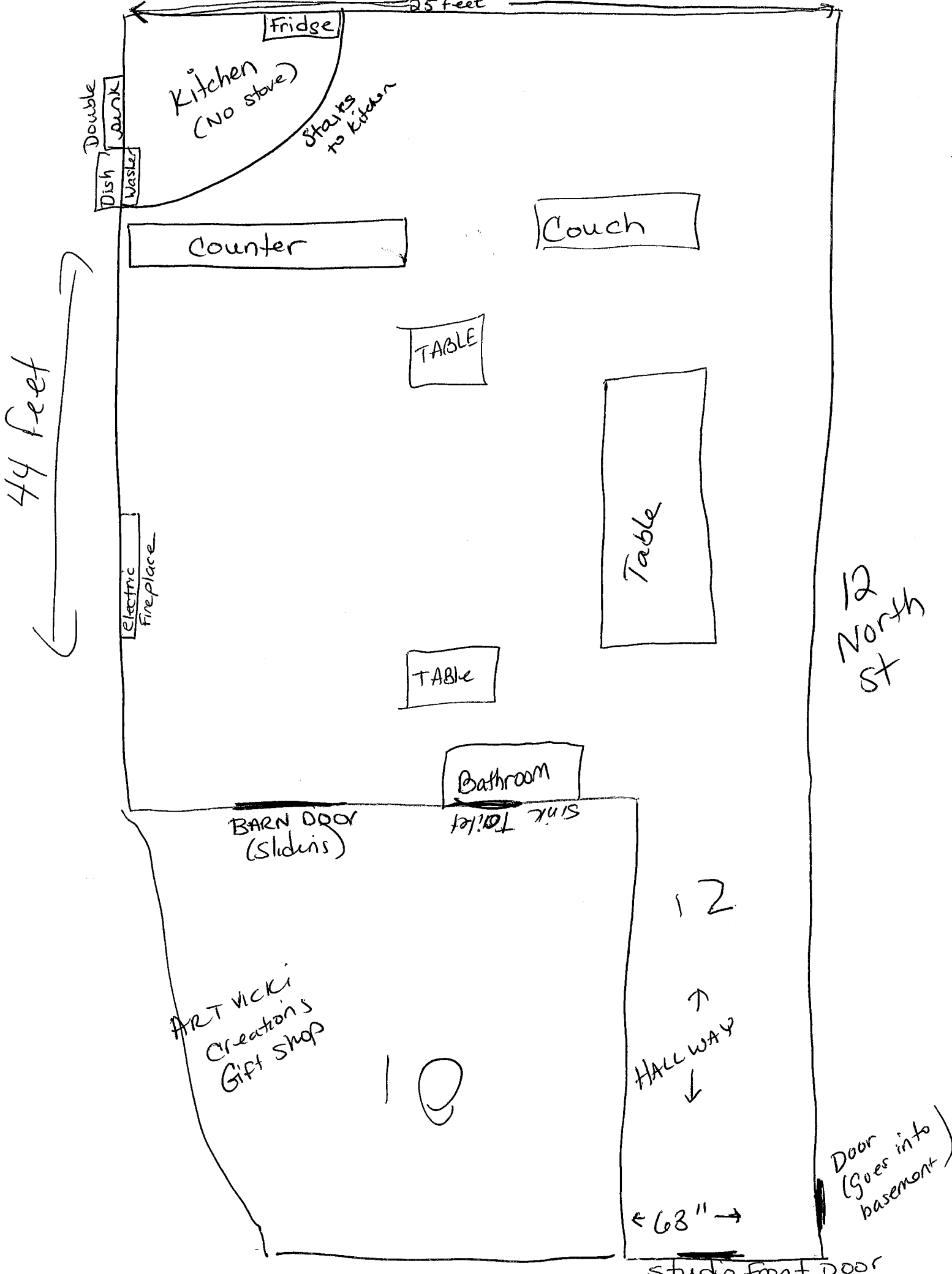
application for approval as described herein.

Sworn before me this 19th day of February 2025

Denise M. Clark
Notary Public

DENISE M. CLARK
Notary Public, State of New York
No. 01CL6034054
Qualified in Orange County
Commission Expires December 6, 2025

[Signature]
OWNER'S SIGNATURE



APPLICATION

PLANNING BOARD

City of Middletown, New York

Date deemed complete _____
Accepted by _____

Date 3-20-25

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 130 1/2 Wickham

Section 26 Block 2 Lot 2 Current Zoning District C2

Building Existing New _____

2. Owner of Property Vineet Sharma

Owner's Address 200 Highland Ave

City Middletown State New York Zip 10940

Phone numbers: Home: _____

Business: _____

Cell: 845-800-8903

3. Applicant name Brooke Jones

If different from Owner

Applicants Address 10 Lindsey Rd

City Warwick State New York Zip 10990

Phone numbers: Home: _____

Business: _____

Cell: 845-545-4893

Fax: _____

Brookejones24@gmail.com

211 Wickham Avenue

11 Feet
Front Door

29 Feet

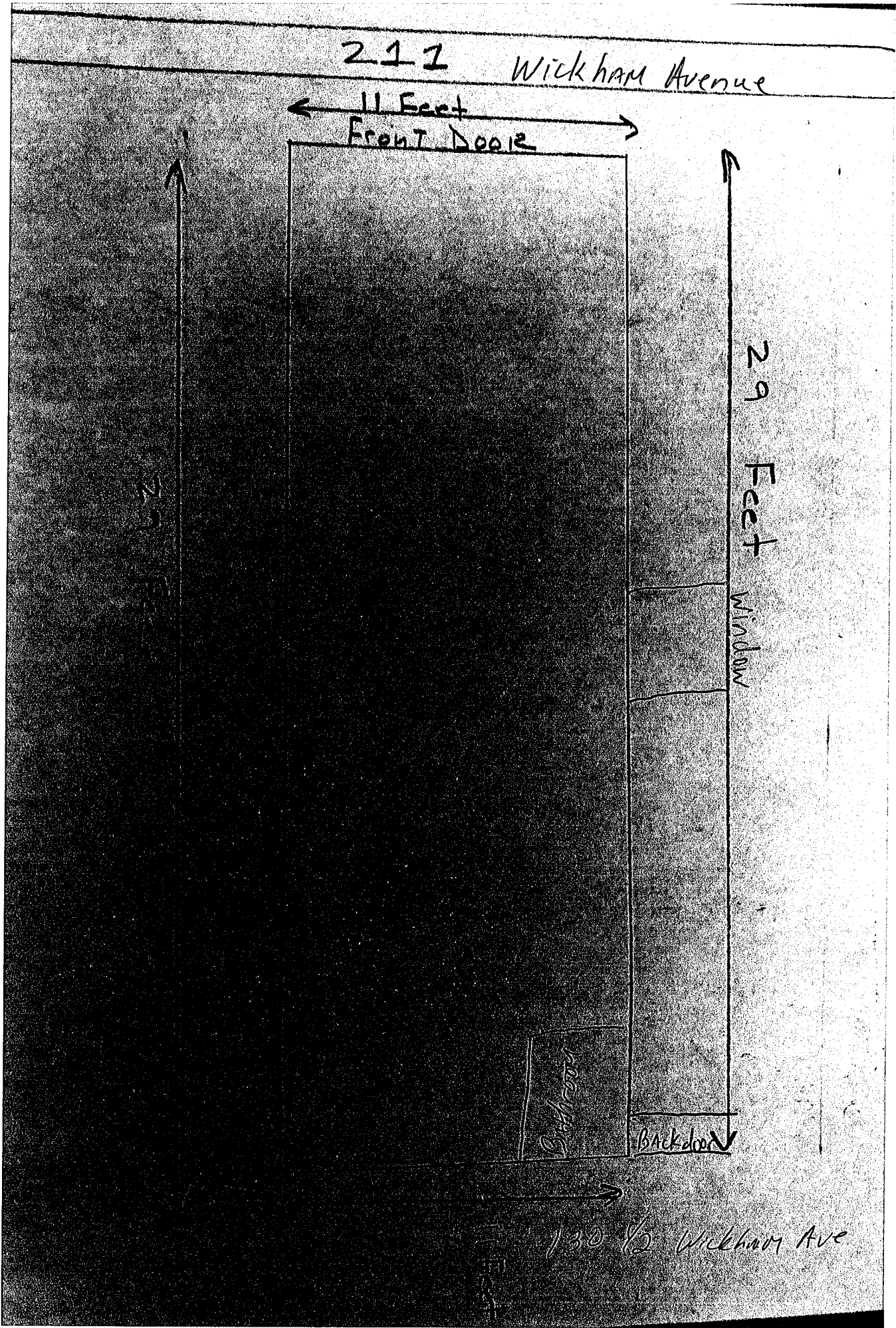
Window

Window

Backdoor

Backdoor

130 1/2 Wickham Ave



OWNER'S ENDORSEMENT

COUNTY OF ORANGE
STATE OF NEW YORK

Vineet Sharma being duly sworn, deposes and says that

he/she resides at 200 Highland Ave, Middletown, Ny 10940

in the County of Orange and State of New York and that he/she is the

owner in fee or OWNER of the Ruchi LLC
OFFICIAL TITLE

Corporation which is the owner in fee of the premises described in the foregoing application and that

he/she has authorized Brooke Jones to make the foregoing

application for approval as described herein.

Sworn before me this 17 day of March 2026

Kathryn C Siegel
Notary Public

KATHRYN C SIEGEL
NOTARY PUBLIC STATE OF NY
QUALIFIED IN ORANGE COUNTY
REG. NO 01SI4675896
COMMISSION EXPIRES 5/31/2026

[Signature]
OWNER'S SIGNATURE

APPLICATION
PLANNING BOARD
City of Middletown, New York

Date deemed complete _____
Accepted by _____

Date _____

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 74-82 Irwin Ave

Section 27 Block 9 Lot 18 Current Zoning District UR-3

Building Existing New _____

2. Owner of Property AMPC LLC

Owner's Address P.O. Box 459

City Middletown State NY Zip 10940

Phone numbers: **Home:** 845-342-0051

Business: 845-341-1922

Cell: _____

3. Applicant name Attending Home care Services, LLC

If different from Owner

Applicants Address 15 Ocean Avenue

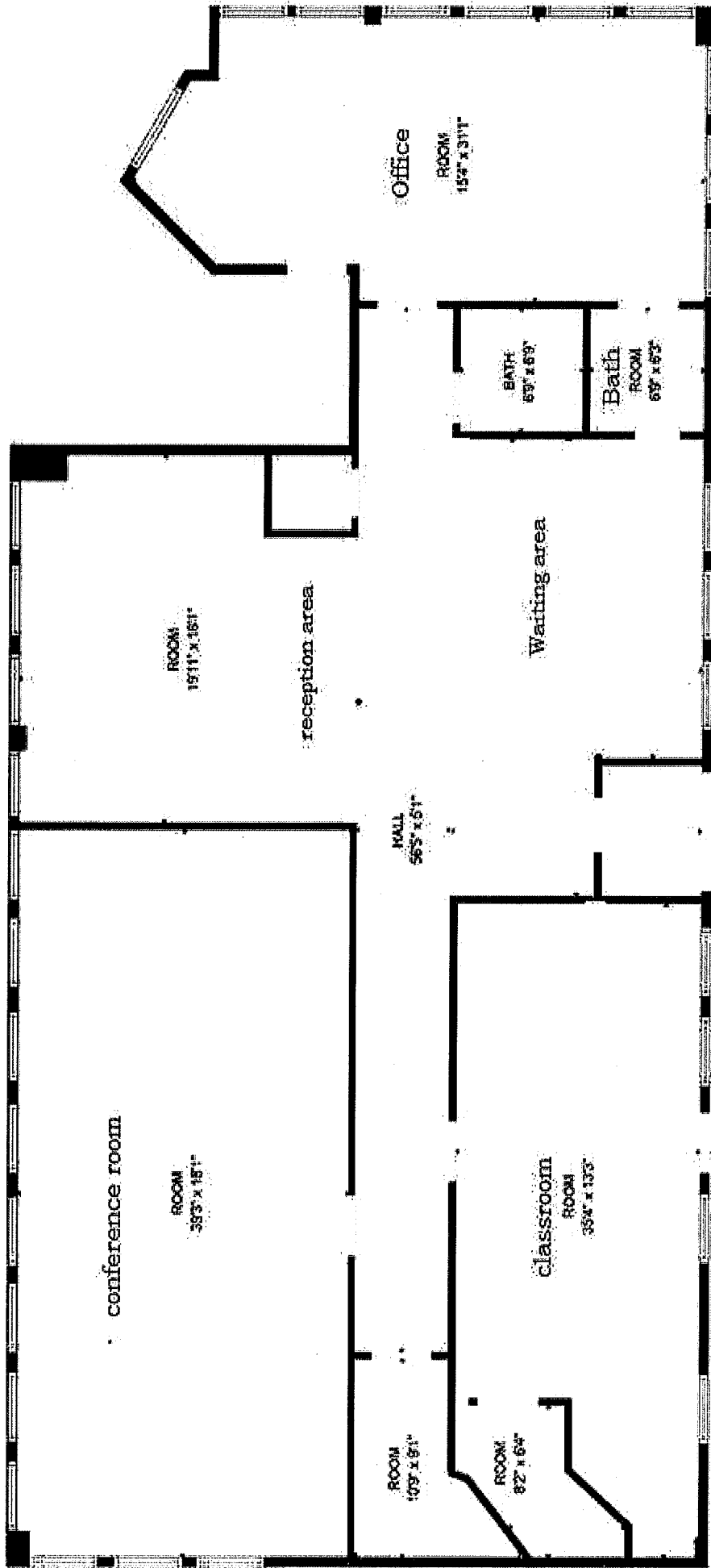
City Brooklyn State NY Zip 11225

Phone numbers: **Home:** 718-940-4900

Business: _____

Cell: _____

Fax: 718-940-7021



APPLICATION

PLANNING BOARD

City of Middletown, New York

Date deemed complete _____
Accepted by _____

Date 04-10-2025

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 28-32 County Highway 78, Middle-town, NY 10940
Section 54 Block 1 Lot 12.11 Current Zoning District C3

Building Existing New _____

2. Owner of Property 28-32 County Highway 78, MIDDLETOWN, NY 10940

Owner's Address 28-32 County Highway 78, M

City MIDDLETOWN State NY Zip 10940

Phone numbers: Home: _____

Business: _____

Cell: 646-209-5354

3. Applicant name Humberto Calero

If different from Owner

Applicants Address 36.20 boerne Street

City Flushing State NY Zip 11354

Phone numbers: Home: 917-662-8832

Business: humbertocalero804@gmail.com

Cell: _____

Fax: _____

Answer 4, 5 or 6

4. **Special Use Permits/Site Plan Approval.** An approval for a special use permit and/or site plan approval is hereby requested. In the space provided indicate the section(s) and classification(s) of the occupancy for which you are seeking a special use permit. Included all uses which are currently or will be in the subject property. All dimensions shall be listed in the space provided. Refer to the tables at the rear of the Zoning Ordinance for requirements in UR-3, SR-3, SR-3A and SR-3B districts. Additional sheets may be attached if required.

Section # 54 x

Classification of Occupancy requested _____


Description of what you are requesting: Facial - Skin Care
Business hours 10 AM to 10 PM daily

Uses currently in property: _____

Title	Section Number	Required Dimensions	Actual Dimensions
Lot area			
Front yard			
Rear yard			
Side yard			
Side yard			
Parking			

Answer this section only for multiple dwellings

Lot coverage _____
Building height _____
Open Space _____
Playlot _____
Livable floor area _____
Number of Bedrooms _____

Signature: 

Printed Name and Title: Humberto Calero

Date: 04-10-2025

OWNER'S ENDORSEMENT

COUNTY OF ORANGE
STATE OF NEW YORK

Shi Guang Si being duly sworn, deposes and says that

he/she resides at 28-32 County Rd 78, Middletown NY 10940

in the County of Orange and State of New York and that he/she is the

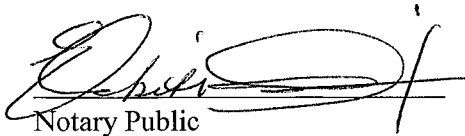
owner in fee or President of the Shi and Zhang LLC
OFFICIAL TITLE

Corporation which is the owner in fee of the premises described in the foregoing application and that

he/she has authorized Humberto Calero to make the foregoing

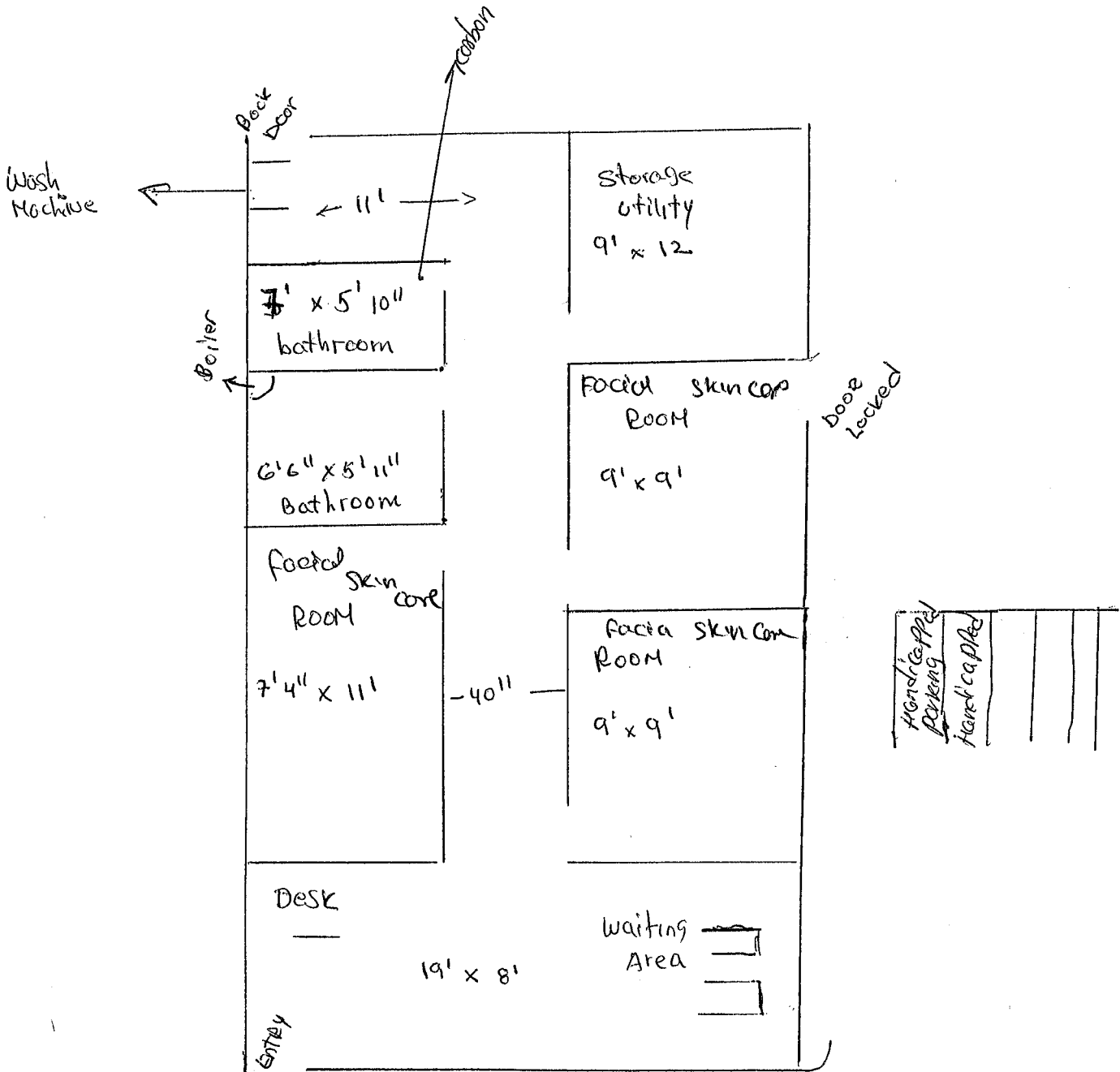
application for approval as described herein.

Sworn before me this 10th day of April 2025


Notary Public

ELIZABETH R. ARRINGTON
Notary Public - State of New York
No. 01AR6424430
Qualified in Orange County
My Commission Expires November 1, 2025

Shi Guang Si
OWNER'S SIGNATURE



P A R K I N G Exit

APPLICATION

PLANNING BOARD

City of Middletown, New York

Date deemed complete _____
Accepted by _____

Date _____

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 366-368 N St

Section 8 Block 8 Lot 16

Current Zoning District C1

Building Existing New _____

2. Owner of Property Alex Szikla

Owner's Address 366 N Street

City Middletown State NY Zip 10940

Phone numbers: Home: _____

Business: _____

Cell: 646-856-4935

3. Applicant name Hisham Jamal

If different from Owner

Applicants Address 31 Clearwater Rd

City Highland State NY Zip _____

Phone numbers: Home: _____

Business: 845-505-8702

Cell: 845-505-0650

Fax: _____

Answer 4, 5 or 6

4. **Special Use Permits/Site Plan Approval.** An approval for a special use permit and/or site plan approval is hereby requested. In the space provided indicate the section(s) and classification(s) of the occupancy for which you are seeking a special use permit. Included all uses which are currently or will be in the subject property. All dimensions shall be listed in the space provided. Refer to the tables at the rear of the Zoning Ordinance for requirements in UR-3, SR-3, SR-3A and SR-3B districts. Additional sheets may be attached if required.

Section # _____

Classification of Occupancy requested DELI & GROCERY

Description of what you are requesting: cold cut sandwich
Hot Platter Breakfast lunch dinner
No Beer 6AM + 11 PM 7 DAYS week

Uses currently in property: USED to be BAKERY

Title	Section Number	Required Dimensions	Actual Dimensions
Lot area			
Front yard			
Rear yard			
Side yard			
Side yard			
Parking			

Answer this section only for multiple dwellings

Lot coverage _____
Building height _____
Open Space _____
Playlot _____
Livable floor area _____
Number of Bedrooms _____

Signature: H / [Signature]

Printed Name and Title: Hisham J

Date: 4-14-05

OWNER'S ENDORSEMENT

COUNTY OF ORANGE
STATE OF NEW YORK

Alexander J. Szikla
Managing Member of 366-368 North being duly sworn, deposes and says that
Middletown LLC

he/she resides at 260 West End Avenue, #2C

in the County of New York and State of New York and that he/she is the


owner in fee or Managing Member of the 366-368 North Middletown LLC
OFFICIAL TITLE

Corporation which is the owner in fee of the premises described in the foregoing application and that

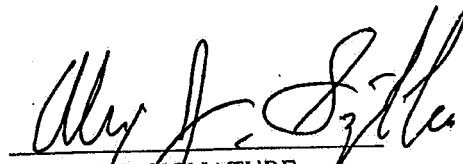
he/she has authorized Hisham Jamal to make the foregoing

application for approval as described herein.

Sworn before me this 15th day of April 2025


Notary Public

KAI CANSLER
Notary Public - State of New York
No. Q1CA6445169
Qualified in New York County
My Commission Expires Dec. 12, 2026


OWNER'S SIGNATURE

