

**CITY OF MIDDLETOWN
PLANNING BOARD MEETING AGENDA
DECEMBER 3, 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: Dan Higbie, Richard McCormack, Gretchen Witt, Anthony Capozella, Andy Britto, Dave Madden, Yasmin Dupre

[IGNORE_INDENT]

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
 - 3.1. Accept the Minutes of November 5, 2025
4. NEW BUSINESS

Request of Bell Flavors and Fragrances, Inc., seeking a special use permit and site plan approval for a building expansion/connection located at 12 Sprague Avenue, Middletown

Request of Dreamfields, Inc., seeking a special use permit and site plan approval for manufacturing and distribution of cannabis products, located at 55 Midland Avenue Ext., Middletown

Request of Middletown Commons LLC., seeking a special use permit and site plan approval for a development of 150 residential units and approximately 27,000 sq. ft. of commercial space, located at 203-231 Dolson Avenue, Middletown

Request of Sarah Bauersachs, seeking a site plan approval and a special use permit to have an eating and drinking establishment (acai/smoothie shop) located at 23-27 West Main Street, Middletown

Request of BDK Masonry and Construction Corp. seeking a special use permit and site plan approval for an eating and drinking establishment with beer and wine, located at 101 North Street, Middletown

Request of Kai Lee and Courtenay Irving, seeking a site plan approval and a special use permit to have an art studio located at 41 Fulton Street, Middletown

Request of Allen Alvarez Gonzalez, seeking a special use permit and site plan approval for grocery, deli, coffee shop, UPS and Amazon drop off and Western Union service, located at 154 Wickham Avenue, Middletown

Request of Jean Ketlet Clerger, seeking a special use permit and site plan approval

for a barbershop, located at 30-32 East Main Street, Middletown

Request of Colin M. Smith, seeking a site plan approval and a special use permit to have an eating and drinking establishment with a full liquor license located at 28-30 West Main Street, Middletown

Request of Angel Gonzalez, seeking a site plan approval and a special use permit to have an eating and drinking establishment located at 79 West Main Street, Middletown. Section 31, Block 12, Lot 2.

5. ADJOURNMENT

**CITY OF MIDDLETOWN
PLANNING BOARD
MINUTES**

November 5, 2025

A meeting of the Planning Board was held in the Common Council Chambers, City Hall, 16 James Street, Middletown, New York on November 5, 2025 at 7:00 P.M., Mr. Anthony Capozella presiding.

Members Present: Richard McCormack, Andy Britto, David Madden, Dan Higbie, Yasmin Dupre, Gretchen Witt.

Other Attendees: Sixto Martinez, Building Inspector, Andrew Witkowski, Fire Inspector, Richard J. Croughan, Planning Board Attorney.

The Pledge of Allegiance was said.

Motion to accept the October 1, 2025 minutes by Mr. Britto, seconded by Ms. Dupre.

Motion passed.

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.

**Sobo & Sobo Holdings
20 Preston Street
Referral to ZBA**

Mr. Capozella: Good evening, sir.

Mr. Sobo: Good evening. Good evening, all.

Mr. Capozella: State your name for the record.

Mr. Sobo: Gary Sobo of Sobo & Sobo.

Mr. Capozella: And your intentions.

Mr. Sobo: We are here for an application on 20 Preston Street. We would like to use it as kind of law office adjacent. It's a prior car body shop and other things, but that's I think what it was mostly.

What we are going to do is move our mail operation in there, mail sorting, and also we have people who do maintenance on our buildings, and we're going to move them in there too. So a total of six people.

My problem is that we don't have enough setback, and it's an existing building, so I really do need you to deny me and send me to the ZBA.

Mr. Croughan: Well, I don't think you need that, Mr. Sobo. What you're looking for is a referral to the ZBA.

Mr. Sobo: Yes.

Mr. Croughan: And that's something the Board can consider.

Mr. Capozella: Right.

Mr. Sobo: Right.

Mr. Capozella: And that's our goal for this evening.

Mr. Sobo: Are there any questions though on the major application while we're all here?

Mr. Croughan: Well, I think the first order of business would be to open it to the public.

Mr. Capozella: Yeah. I have to open the public hearing. First of all, the order of business is, Ms. Tu, do we have the mailings?

Ms. Tu: Yes, we do.

Mr. Capozella: Do we have anything in writing?

Ms. Tu: No.

Mr. Capozella: Then I can open the public hearing. Anyone here wishing to address this application, please step forward.

The public hearing was opened.

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

As Mr. Croughan just said, this is not a denial, but we have to refer this issue to the Zoning Board so that all the issues can be cleared up, and then he'll have to come back to us to get Planning Board approval.

Mr. Sobo: Correct.

Mr. Croughan: Mr. Sobo would have to go to the Zoning Board of Appeals for an area variance, so before we can vote on his application, it would first have to go to the ZBA as a referral from this Board.

But before that, Mr. Martinez, any concerns?

Mr. Martinez: There's a building permit application in place, which I'm waiting obviously for the approvals.

Mr. Croughan: Thank you. Mr. Witkowski, any concerns?

Mr. Witkowski: Nothing at this time.

Mr. Croughan: Thank you.

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

No one stepping forward, I'm going to ask for a motion to close the public --

Mr. Croughan: No. You want to keep it open.

Mr. Capozella: Oh, I have to keep it open?

Mr. Croughan: Right.

Mr. Capozella: Even though he's coming back?

Mr. Croughan: For future consider.

Mr. Capozella: Okay. Then we will keep it open for future consideration. I don't need a vote then; right? We're not closing it.

Mr. Croughan: No. You can make a motion to keep it open for future consideration, and then when the applicant gets his decision from the ZBA, either it would come back to us or it may be moot.

Mr. Capozella: All right. On counsel's recommendation, I need a motion to keep the public hearing open.

Motion to keep the public hearing open by Mr. Madden, seconded by Mr. McCormack.

Motion passed.

The public hearing was kept open.

Mr. Capozella: Okay. Mr. Sobo, we'll see you soon.

Mr. Sobo: I hope so. Thank you very much.

Laura Scott
45-53 North Street
Full liquor license

Ms. Scott: Hi. I am Laura Scott, and this is Trace Martin. We are the owners of Oak & Reed, and we are looking for apply for our full liquor license.

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

Ms. Tu: Yes, we do.

Mr. Capozella: Great. Do we have anything in writing?

Ms. Tu: Yes, we do.

Mr. Capozella: I needed you to remind me. First of all, I'm going to open the public hearing. Anyone present wishing to step forward to address this application.

The public hearing was opened.

Mr. Capozella: No. Okay. I'm going to read something into the record. I do have something in writing; okay? This is from Reverend Sarrazin.

Dear Planning Board,

I will not be able to attend the planning board meeting on Wednesday November 5th but I do wish to make a statement in support of granting the full liquor license for Laura Scott, Oak & Reed Restaurant. Laura, her family and the whole team they have assembled at Oak & Reed, have been the very best of neighbors with a deep commitment to the common good of our community. I fully support the granting of a full liquor license and have every confidence that they will continue to be run the business with the same community minded dedication they have manifested from the beginning.

Thank you for your time,
Fr. Victor Sarrazin

The Rev. Victor Sarrazin (He/Him)
Rector
Grace Episcopal Church
845-343-6101
12 Depot St. Middletown, NY 10940
GraceChurchMiddletown.org

Mr. Capozella: Okay. That's into the record.

Mr. Croughan: And again, just so the Board is aware, this is the result of what the Common Council had, well, the State of New York had approved and the Common Council adopted, so that's why this application is here, just like the two other applications.

Mr. Capozella: And it's fully been vetted by the City through their criteria that's been maintained.

Anyone else from the public wishing to address this application, please step forward. I'll go to the Board. Any comments, questions, or concerns?

All right. None being had, anyone from the public?

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

Motion passed.

The public hearing was closed.

Mr. Capozella: All right. Moving on, I'll give the Board one more time, one more chance. Any comments, questions, or concerns? None being had, we'll go to the resolution.

Resolution for Laura Scott, 45-53 North Street, full liquor license. Motion by Ms. Witt, seconded by Mr. Higbie.

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

**I'Jala Wilson Retriegue
39 North Street
Educational facility for adults**

Mr. Capozella: Please step forward.

Ms. Retriegue: Good evening, everyone. My name is I'Jala Wilson Retriegue, and I'm the owner of Get Flawless by I'Jala Hair and Beauty Salon located at 41 North Street.

We are now looking to open up a textured hair school at 39 North Street for adults, and also we are partnered up with BOCES, so we will be recruiting students from them as well as Capri Cosmetology School.

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

Ms. Tu: Yes, we do.

Mr. Capozella: Do we have anything in writing?

Ms. Tu: No.

Mr. Capozella: Then I'm going to open the public hearing, go to the public. Anyone here wishing to comment on this application, please step forward.

The public hearing was opened.

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

Mr. Croughan: Mr. Martinez, any concerns?

Mr. Martinez: No concerns.

Mr. Croughan: Mr. Witkowski, any concerns?

Mr. Witkowski: No concerns.

Mr. Croughan: Thank you.

Mr. Capozella: I'll go back to the public one more time. Anyone wishing to address this application, please step forward. No one coming forward, I need a motion to close the public hearing.

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

Motion passed.

The public hearing was closed.

Mr. Capozella: I'll go to the Board thought for any questions, comments, or concerns one more time.

Resolution for I'Jala Wilson Retriegue, 39 North Street, educational facility for adults. Motion by Mr. Britto, seconded by Ms. Dupre.

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

Maricela Godinez
99 North Street
Eating and drinking establishment (beer & wine)

Ms. Avalos: Hi. Good evening. My name is Daisy Avalos. I'm here for 99 North Street. We're proposing to open a sports bar/restaurant. It's located inside of a store technically, but we're dividing the business into two.

Mr. Capozella: Okay. That's fine. Ms. Tu, do we have the mailings?

Ms. Tu: Yes, we do.

Mr. Capozella: And we do have something in writing, but I'll open the public hearing first. Anyone from the public wishing to address on this application, please step forward.

The public hearing was opened.

Mr. Capozella: No one coming forward, I'm going to read something into the record that was sent to us by one of your neighbors.

I am sorry I will not be able to make the meeting. I have a few questions and concerns regarding the application. Maybe if I was able to attend the meeting some of my questions would be answered. I hope that someone will be able to send me the minutes or replies to my questions.

1. I WOULD LIKE TO KNOW THE DAYS AND TIMES OPEN FOR THIS ESTABLISHMENT?
2. IF OPEN AFTER 10PM, WOULD THE ESTABLISHMENT BECOME A DRINKING ESTABLISHMENT (IE BAR)

3. I AM AWARE THE APPLICANT IS SEEKING A BEER AND WINE ONLY LIC, BUT AFTER PLANNING BOARD APPROVAL, COULD THE APPLICANT SEEK A FULL LIQUOR LIC. ?

4. WHERE WOULD BE THE FRONT AND REAR ENTRANCE TO THIS ESTABLISHMENT?

My biggest concern is that the establishment would become an after party location and nothing good ever comes from a location as such.

Thank you.

Mr. Capozella: I don't really know the person's name. It just has an email, and it's Kevin.

So, I don't know, do we want to address those issues right now? Okay. We can do that. It's actually in the resolution, but we can go through it for the record.

So what days and times will you be open?

Ms. Avalos: So we would be open -- we're looking to be open the seven days. It's mainly a restaurant. The sports bar we added as kind of like a way to have like TVs up, and since we will be offering hopefully wine and beer, that's the reason why we kind of called it a sports bar.

The full liquor license we were trying to see maybe in the near future to apply for a full liquor license, but I believe we would be closing around midnight.

Mr. Capozella: All right. Well, to answer part of your question, according to the resolution, based on your application, your hours of operation are 8:00 a.m. to 11:00 p.m., seven days a week, daily.

Ms. Avalos: Right. Yeah. So 11:00 p.m.

Mr. Capozella: Okay. So that's the way it's going to read in your resolution. That's the hours you'll have to keep.

Ms. Avalos: Okay.

Mr. Capozella: Okay? If open after 10:00 p.m., would the establishment become a drinking establishment, i.e. bar? Well, you're going to be open after 10:00. You're going to be open till 11:00, so --

Mr. Croughan: And it will still be a bar/restaurant.

Mr. Capozella: It'll still be a bar no matter what, restaurant.

Mr. Croughan: Right.

Mr. Capozella: Okay. And you're seeking a beer and wine only. That's because that's all you can apply for at this time.

Ms. Avalos: Correct.

Mr. Capozella: And, of course, you can seek a full liquor license, but you have to meet the

criteria the City has, and one of the first criteria is you have to be there for a minimum of five years, so we may see you in five years for your full liquor license. Other than that, you can't even apply at this point in time.

Ms. Avalos: Right.

Mr. Croughan: And then you would have to come back to the Planning Board.

Mr. Capozella: Right.

Ms. Avalos: Right. Yeah. That's why I mentioned probably in the near future, but not right now.

Mr. Capozella: Okay.

Mr. Croughan: Near future being five years.

Ms. Avalos: Five years. Well, yeah, not that near.

Mr. Capozella: And the last question. Where would be the front and rear entrance to this establishment? Well, the front entrance is off of North Street; correct?

Ms. Avalos: Correct. Yeah. It's right next door to Victor's Market. I don't know if you guys are familiar.

Mr. Capozella: Okay. And there really is no rear entrance. There's only an exit.

Ms. Avalos: Yeah. Just an emergency exit.

Mr. Capozella: Yeah. And just for the Board and for the public, that rear exit is for emergency purposes only, not to be used as an everyday access or egress.

Ms. Avalos: No.

Mr. Capozella: Okay? So I think we've addressed this person's concerns.

I'll go back to the public. Anyone have any issues or wishing to address this application, please step forward.

Anyone from the Board have any questions, comments, or concerns?

Mr. Croughan: Mr. McCormack does.

Mr. Capozella: Yes.

Mr. McCormack: The resolution reads that she's applying for a beer/wine/liquor license.

Mr. Capozella: Yup.

Mr. Croughan: It's only beer and wine.

Mr. McCormack: It's only beer and wine.

Mr. Capozella: That's correct.

Mr. McCormack: The resolution says beer/wine/liquor.

Mr. Capozella: That's all she's applying for; correct? Beer and wine.

Mr. McCormack: It says establishment, beer and wine liquor license.

Mr. Capozella: I guess that's semantics, but --

Mr. McCormack: I'm not comfortable with the word liquor being in there.

Mr. Capozella: We can remove it.

Mr. McCormack: Mr. Croughan, it's usually just a beer and wine license. It's not --

Mr. Croughan: Yes.

Mr. Capozella: I guess we have to watch that doing the resolutions going forward, I guess. So let me wrap up the --

Mr. Croughan: Well, Mr. Martinez, any comments?

Mr. Martinez: No. All issues have been resolved through Mr. Witkowski and I with the building and the fire escape have been resolved. All items have been resolved.

Mr. Croughan: Thank you. And Mr. Witkowski?

Mr. Witkowski: I concur. We've met with the property owner several times to address the issues that were at hand, and everybody's agreeing going forward.

Mr. Croughan: Great. Thank you.

Mr. Capozella: Okay. Anyone from the public wishing to address this application, please step forward. No one coming forward, I need a motion to close the -- do you have another question?

Mr. McCormack: I do. I'm sorry.

Mr. Capozella: I'm sorry. Go ahead.

Mr. McCormack: Will you guys have security? So sometimes, you know, there have been other establishments that you put the word sports bar into the title and what the function of the business was that has caused problems in other parts of the area, so I just want to see if you guys are prepared to address those types of issues going forward.

Ms. Avalos: I mean, I feel like security would -- well, I don't know if it would be needed if we

were to have extended hours to like 2:00 a.m., like more later times, but since we're only going to be open till maybe 11:00, I don't know if we really will need it. But, I mean, if we see that we need it, we definitely will get it for sure.

Mr. McCormack: Okay. Thank you.

Ms. Avalos: Mm-hmm.

Mr. Capozella: Mr. McCormack --

Mr. Croughan: Mr. McCormack, are you satisfied?

Mr. McCormack: I'm good now. Thank you.

Mr. Capozella: Okay. Anyone else? Ms. Witt.

Ms. Witt: I'm just not addressing you. I'm just saying are we going to be able to provide copies of the minutes to the gentleman who sent in his questions?

Mr. Capozella: Sure. Oh, yeah.

Mr. Croughan: Yes, we can.

Mr. Capozella: Yup. That's why we read them in, and that's why we actually answered the questions so that he'll see that specific section.

Mr. Croughan: And hopefully he can watch the video.

Ms. Witt: Of course. Thank you.

Mr. Capozella: All right. Closing the public hearing, I need a motion.

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

Motion passed.

The public hearing was closed.

Mr. Capozella: I'll give the Board one more chance, questions, comments, concerns?

Amend resolution for Maricela Godinez, 99 North Street, eating and drinking establishment to read beer and wine only -- strike liquor. Motion by Mr. Britto, seconded by Mr. McCormack.

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

Amended resolution for Maricela Godinez, 99 North Street, eating and drinking establishment (beer and wine). Motion by Mr. Madden, seconded by Ms. Witt.

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

**Dewitt Acquisitions
16-18 County Route 78
Gas station and convenience store**

Mr. Lee: Good evening, everyone. My names is James Lee here for the applicant. I understand the previous submissions have been all made and other following discussions. We are here for the public hearing tonight.

Mr. Capozella: That is correct. Ms. Tu, do we have the mailings?

Ms. Tu: Yes, we do.

Mr. Capozella: And we do have something in writing, but I'm going to open the public hearing first, go the public. Anyone here wishing to address this application, please step forward.

The public hearing was opened.

Mr. Capozella: Yes, sir.

Mr. Gates: Hi. Good evening. I don't know if that letter is the one I sent in this afternoon or --

Mr. Croughan: Depends who you are.

Mr. Gates: My name is Christian Gates. I'm an associate with Keane & Beane, and our office represents Gas Land Petroleum, which is a nearby property.

Mr. Croughan: We are in receipt of that letter.

Mr. Gates: Okay. Excellent. I do have copies here if --

Mr. Croughan: It's been circulated to the Board as well.

Mr. Gates: Thank you. So I would like to first discuss some concerns that we had that our client's retained engineer had regarding traffic and stormwater and just a concern that the application, there still needs to be more information for this Board to have a full and complete review and to ensure that the public safety regarding traffic, vehicles turning off of County Highway 78, can do so safely as well as internal circulation in the unfortunate event of any type of fire. The internal circulation looks like there's zero margin of error for the tanker truck.

And so we would just ask that the public hearing remain open. I'll get to some of the issues more in detail in a second, but that the public hearing remain open so that the applicant can respond to these concerns and issues as well as allow the Planning Board to have time to consider them.

And so one thing important I believe that this should not be considered as a continuation of an existing use. The former gas station that was there I believe closed its doors approximately

20 years ago. It is not a simple continuation.

There's going to be a new canopy that is approximately four times the size of the previous one. There's going to be three new underground storage tanks. There was also a County referral response letter which raised some concerns about stormwater as well as the tanks being double lined.

So I'll just briefly go over some of the concerns and again ask that this Board request that the applicant address those concerns before moving forward.

So with respect to a jurisdictional determination from the DEC that is required as of January 1st, 2025, I believe maybe either might be a consideration of considering this as just a continuation of a gas station that closed 20 years ago as perhaps a way where a jurisdictional determination wouldn't be necessary. We respectfully disagree and believe that the applicant needs to ask for that determination. If the DEC doesn't give a determination within 90 days, then it can move forward.

Secondly, we would also like for there to be a traffic study. Our client's property is right next door. There's concerns about safety of their customers from turning and traffic, that there could be an accident. It's a very busy intersection. It's a very busy highway. It's only a two-lane highway. There's no dedicated turning route, and also the curb cut is a bit small there, so we would ask that a traffic study incorporate site lines as well as making sure that the curb cut is large enough for emergency vehicles, a tanker, and just that there's not going to be a queue where vehicles back up on 78 and cause a pileup that would be unfortunate, and we don't want to potentially jeopardize the public as well as our client's customers.

Secondly, I would like to discuss -- we believe that there should be a grading and erosion sediment control plan. We understand from the plans that were on the Planning Board's website that a significant amount of soil is going to be removed from the back. When I looked at the DEC mapper, which again you need a determination now to ascertain whether or not you need a wetland permit, looks like half the property is within an informational freshwater wetland, so that is a starting point that if all of that is going to be excavated in order to give more room back there, that there should be a proper grading and soil erosion. Our client is downwind of this and wouldn't want any adverse impacts to them.

Again, with a tanker on the diagram, it's apparently pretty small. I'm not an expert in that, but our client's expert engineer does not believe that it corresponds to industry norm, that the tanker that is being proposed is a lot smaller than one that would normally be used, so if the applicant does end up using a normal size tanker, which I believe is about 15 to 20 feet longer, how would that affect internal circulation, how would that affect vehicles turning into the property off of 98 or exiting the property and turning on -- I'm sorry -- 78.

And then again, stormwater is a big concern. Because our client is downstream that there be proper pollution prevention, utilities installed. I don't believe that there's any currently on the property. This would be a good opportunity to require some. Again, there will be excavation in the back. If there is stormwater runoff and contamination from any spills, we wouldn't want that to get into the soil, again roll downhill into our client's property or just affect the environment. I think that there should be additional measures to make sure that there's no pollution there.

And then that goes to the County referral response letter, which was issued on October 1st, and they opined that gasoline stations are considered hot spots for pollution prevention, and that the Board is recommended to incorporate sufficient pollution prevention plans.

And again, another concern is that a tanker would be queuing behind two fuel pumps either to enter the property or exit the property on both ends, and that doesn't seem to have any margin of error. If there's a vehicle there, the tanker can't get through. If the tanker is trying to swing around, there's not really any margin of error to avoid hitting anything. And again, if there

is an unfortunate emergency where emergency vehicles, a firetruck, needs to get into the back, are they going to have enough room to get back there.

Again, our client is close by and concerned that anything could spread down because of the wetland right there, and also where the tanks, the new underground storage tanks, are proposed appears to be abutting another informational freshwater wetland, which again is kind of just that inkling that DEC should be involved in order to issue that determination.

And so again we would just ask that the public hearing remain open, that the applicant have some time to respond to these concerns, that, you know, they get posed on the website so that our office can review them along with our client's retained engineer, provide any comments, and that is what our goal is. We just would like it to stay open and for these concerns to be addressed. We're concerned about impacts to our client's customers as well as their property itself should be there be any unfortunate accident.

Mr. Capozella: Thank you.

Mr. Gates: Thank you.

Mr. Capozella: The public hearing is open. Anyone from the public wishing to address this application, please step forward.

Board members have any comments, questions, or concerns? Yes, sir.

Mr. Lee: May I provide a brief rebuttal to counsel's remarks, please?

Mr. Capozella: You'd like to -- sure. Go ahead.

Mr. Lee: Yes. I just want to -- I want the record to clearly reflect that the principal of the applicant here, Sy Kermani, had previously retained Keane & Beane to represent him on a gas station related matter, and I am befuddled that Keane & Beane, after accepting a retainer and previously representing the applicant here, stands before this Board objecting to another gas station business owned by his previous client.

So I submit that that's a separate matter that I'm going to address with the Ethics Committee for a possible violation of attorney/client privilege and using information of his previous client to oppose an application.

I want to note that's a separate legal matter I'll address with counsel, but, you know, this is what happens. The real motive behind this is Gas Land is a competitor of the applicant here. It's no secret that he has two other gas stations within a quarter mile radius of this location, and it's interesting to note that the principal of Gas Land, Mitch, had called the applicant here and loved this location as a gas station and offered him a significant amount to buy him out so that he could finish this project. And to have him turn around to hire counsel that previously represented us to stand here and oppose this application, I think it's absurdity to an extreme, and I will follow up and review this matter with the principal here, the applicant here, and take appropriate steps.

Mr. Croughan: Your objection is noted, but there was the letter submitted.

Mr. Lee: I understand.

Mr. Croughan: Whether it's going to be a conflict of interest or not, they're going to have to make a determination, and if you're going to talk to the Ethics Board about that as well --

Mr. Lee: Yes. I will do that.

Mr. Croughan: But I think at this time we would need our engineer to review those comments. Those comments came in today, and our engineer hasn't had an opportunity to review those comments, so in fairness to everyone, I think our engineer needs to review these comments, and possibly our Fire Commissioner, because there was an issue raised about having sufficient room to get in, and maybe that needs to be looked at.

You know, it's the Board's pleasure, but my recommendation is that the meeting -- the public hearing be kept open to allow our engineer an opportunity to review it, and maybe they will side with you, sir. I'm not sure. But it's beyond our pay grade. It's more engineering issues that need to be addressed, and you could potentially contact our engineer to review those comments.

Mr. Lee: That's fine. Understood. But the applicant here wanted to clearly note that this is an attempt by Gas Land, who has previously opposed our applications --

Mr. Croughan: It's understood.

Mr. Capozella: So noted.

Mr. Croughan: Slow down and the competition.

Mr. Lee: Right. I mean, this is an effort to monopolize a gas station business and --

Mr. Croughan: We understand that.

Mr. Lee: Okay. So I want the record to clearly reflect that.

Mr. Croughan: It does.

Mr. Lee: What the applicant wanted was since there was significant review done, this is an effort to obstruct this application to vote and maybe perhaps put conditions on approval that we have to go to the DEC and get their review and approval. That's certainly an option for the Board members to consider because we are on a tight due diligence period.

Mr. Croughan: I understand, but that's not our concern, your due diligence.

Mr. Lee: I understand, but I want the record to reflect that.

Mr. Croughan: Again, my recommendation is to have CPL review the comments.

Mr. Capozella: The public hearing is still open. I'll go to the Board members for any questions, comments, or concerns.

I concur with Mr. Croughan that since we got these so late, we now need them to be reviewed so that we don't make any mistakes, and I'm going to put forth a motion or ask for a motion to adjourn for future consideration.

Mr. Croughan: And before we do that, the only comment, and it's directed at Keane & Beane, you need to check if there's a conflict, and if there is a conflict, you need to get out of this.

With respect to if you remain in this, or any subsequent attorneys, sending in a notice on the day of the hearing is not acceptable. You need to give our Board an opportunity to review.

Mr. Lee: I think the damage is already done. Clearly objection by ambush to his former client, the damage here is done. It's specifically calculated to do exactly that, stun this Board and leave the applicant in a position to waste further time.

Again, we're certainly willing to comply with all legal requirements, but doing it at the last minute to sandbag and ambush an application like this, it's just unacceptable, and we will take appropriate legal actions against the firm for doing this.

Mr. Croughan: Understood.

Mr. Capozella: That being said, I need a motion so that we can adjourn for this application for future consideration.

Motion to adjourn for future consideration by Ms. Witt, seconded by Mr. Britto.

Motion passed.

**Action Toward Independence, Inc.
301-307 North Street
Counseling services and educational support**

Mr. Varma: Good evening, everyone. I'm counsel for Action Toward Independence.

Mr. Croughan: Excuse me one second. Gentlemen in the back, gentlemen in the back, if you want to have a conversation, please step out. It's not fair to the applicant. Sorry.

Mr. Varma: Thank you, counsel. I appreciate that. So I'm the counsel for Action Toward Independence. This is an application for a special use permit. The premises was previously used by an office of Catholic Charities of Orange. Now we plan or propose to use it for conducting various peer counseling services and educational support.

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

Ms. Tu: Yes, we do.

Mr. Capozella: And I'll open the public hearing.

The public hearing was opened.

Mr. Capozella: Do we have anything in writing?

Ms. Tu: No.

Mr. Capozella: Okay. Anyone from the public wishing to address this application, please step

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

Mr. Croughan: Just for the Board's clarification, Catholic Charities had utilized the building. I believe they still have a small portion that they use, but it was very similar to what the use the applicant is proposing today.

Ms. Dupre: What are the hours of operation?

Mr. Varma: Oh, hours of operation should be mostly normal business hours. I have a representative. She can speak for the hours.

Ms. Sotelo: Hours of operation are Monday through Friday, typically 9:00 to 5:00.

Mr. Croughan: Mr. Martinez, any comments?

Mr. Martinez: No comments.

Mr. Croughan: Mr. Witkowski, any comments?

Mr. Witkowski: No comments.

Mr. Croughan: Thank you.

Mr. Capozella: Anyone else from the public wishing to address this application, please step forward. None coming forward, I need a motion to close --

Mr. Croughan: Wait.

Mr. Capozella: Question?

Mr. Croughan: Mr. Madden, did you have a question?

Mr. Capozella: Yes. Go ahead. I'm sorry.

Mr. Madden: Do we know like a parking situation? This is not in the DMU. Like what would be needed and what is existing? I think we have the existing, but how do we calculate what's needed?

Mr. Capozella: Well, based on what was there previously and the activity of the cars that were there, it's the same exact parking situation. It's a continuation of a use that's been there for quite some time. We have discretion for parking, but, I mean, we could calculate it, but we chose not to in this case because it's an existing continuous use, so we did not, honestly did not fully calculate the parking.

Mr. Croughan: How many employees will you have?

Mr. Varma: Three employees, and with permission of the Chair, just wanted to add most of our visitors do not drive, so they come in vans --

Mr. Capozella: Yeah.

Mr. Varma: -- and they get dropped off kind of thing, so parking will not be a situation. We have 14 plus four plus two plus one like (inaudible) parking, and if you look at the Google maps any time of the year, you will see most of the parking empty, and there's also street parking.

Mr. Capozella: We can't calculate street parking. We have to take the parking that you have.

Mr. Varma: The parking itself on the premises is always nearly empty.

Mr. Capozella: Understood.

Mr. Madden: Thank you.

Mr. Varma: Thank you.

Mr. Croughan: Mr. Madden, are you good?

Mr. Madden: Very much.

Mr. Croughan: All right. Thank you.

Mr. Higbie: I was just curious if -- do you have a waiting area for the people? Some of the concerns that we've had for this type of use, we've had issues with people congregating outside waiting for their appointments. Do you have like a waiting area for them or --

Ms. Sotelo: There is a lobby already designated --

Mr. Croughan: If you can please speak in the mic. I'm sorry.

Mr. Higbie: I see shared conference room, but --

Ms. Sotelo: Sorry. There is a lobby in the building already, but typically our consumers come together, and they enter into the building right away, so there's --

Mr. Higbie: And wait for their appointment type of thing.

Ms. Sotelo: Yeah.

Mr. Higbie: Okay.

Ms. Sotelo: So it's more like a drop in center, so they're coming and they're doing crafts or karaoke, or they're engaging in, you know, relaxed recreational activity with our advocates.

Mr. Higbie: Gotcha.

Ms. Dupre: Can you provide clarity on what type of educational support will be provided?

Ms. Sotelo: Sure. So we're an independent living center, and we support individuals with

disabilities who live in the community. We have family peer advocates who assist with educational support, so there's -- there's advocacy, educational advocacy, and we're looking to expand our OPWDD services, so there's some potential for social skills groups, which are small groups limited to children typically with autism, and so it's, again, it's a peer run organization, nonclinical, and the education is limited to social skills, life skills.

Ms. Dupre: Thank you.

Mr. Varma: It's not really an educational institute. It's a charitable institute.

And just to answer member Dan, if you look at the map, just by the entrance there's a huge area marked as lobby. That's where people are waiting for us.

Mr. Capozella: Mr. Britto, did you have a question?

Mr. Britto: I don't.

Mr. Capozella: Okay. Anyone else from the Board? All right. I'll go back to the public. Anyone from the public wishing to address this application, please step forward. No one coming forward, I need a motion to close the public hearing.

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

Motion passed.

The public hearing was closed.

Mr. Capozella: Board, any other questions or comments? None being had,

Resolution for Action Toward Independence, Inc. 301-307 North Street, counseling services and educational support. Motion by Mr. Britto, seconded by Mr. Madden.

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

Kimberly Serrano
6-8 North Street
Café

Mr. Capozella: Good evening.

Ms. Serrano: Good evening. I'm Kimberly Serrano. I'm looking to do a food and beverage location at 8 North Street. It was previously a law office.

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

Ms. Tu: Yes, we do.

Mr. Capozella: Do we have anything in writing?

Ms. Tu: No.

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

The public hearing was opened.

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

Mr. Croughan: Mr. Martinez, any concerns?

Mr. Martinez: No concerns.

Mr. Croughan: Mr. Witkowski, any concerns?

Mr. Witkowski: No concerns.

Mr. Croughan: Thank you.

Mr. Capozella: Okay. Back to the public. Anyone wishing to address this application, please step forward. Board members?

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

Motion passed.

The public hearing was closed.

Mr. Capozella: Board members? I see you're searching.

Mr. Britto: Hours of operation? I can't find it.

Mr. Capozella: It's in the resolution --

Mr. Britto: Oh, it is.

Mr. Capozella: -- as 7:00 a.m. to 10:00 p.m. daily.

Mr. Britto: Got it. Apologies.

Mr. Capozella: That's okay. Any other questions?

Mr. Higbie: I'm just verifying there's no cooking and baking on site? You're bringing stuff in?

Ms. Serrano: Yeah. No cooking.

Mr. Higbie: Okay. No cooking.

Ms. Serrano: No.

Mr. Capozella: Pre-baked. Okay. Anything else?

Resolution for Kimberly Serrano, 6-8 North Street, café. Motion by Mr. Britto, seconded by Mr. Madden.

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

Latisha Mapp
23-27 West Main Street
Retail

Mr. Capozella: Good evening.

Ms. Mapp: Good evening. Oh, my God. I feel like I'm on Shark Tank.

Mr. Capozella: Take your time.

Ms. Mapp: So my name's Latisha. This is my husband, Brelan, and why am I nervous? Okay. We're the owners of NC Med Wigs, formerly known as Crown.

So we are opening, well, we anticipate on opening a retail storefront that offers medical wigs for women with cancer or experiencing chronic hair loss, so that could be alopecia or unexpected hair loss, along with hair toppers, toupées, extensions, and general hair accessories.

Mr. Mapp: How you doing? The location will be open -- we've been operating for five years, and our focus is serving individuals experiencing medical hair-related hair loss, including clients undergoing cancer treatment and other conditions.

Our goal is to provide a comfortable, respectful environment and support people dealing with difficult transitions. The location is 23 West Main Street, right in the historical Middletown district. Our business hours would be from 10:00 a.m. to 7:00 p.m., and we'll be closed on Sundays.

We are committed to serving the Middletown community, and we're really looking forward to establishing our space and being a positive presence here.

Mr. Croughan: Thank you.

Mr. Capozella: Thank you. All right. I'm going to open the public hearing. Anyone wishing to address --

Mr. Croughan: Di you ask if we had mailings?

Mr. Capozella: I think I did. That's why -- I'll do it again.
Do we have the mailings?

Ms. Tu: Yes, we do.

Mr. Capozella: Yes. Anything in writing?

Ms. Tu: No.

Mr. Capozella: No. Okay. Sorry. I'll open the public hearing. Anyone here wishing to address this application, please step forward.

The public hearing was opened.

Mr. Capozella: None coming forward, I'll address the Board. Any questions, comments, or concerns?

I do have one item I have to bring up is that according to your application, our resolution states that Monday through Friday, 9:00 a.m. to 8:00 p.m., and Saturday and Sunday, 10:00 a.m. to 9:00 p.m. Are you okay with those hours?

Mr. Croughan: It's better to ask for more than less.

Mr. Capozella: Yes.

Ms. Mapp: Yeah. That's what Martinez told me. Yeah.

Mr. Capozella: Yeah. You can always work less.

Ms. Mapp: Yeah. That's fine. Those hours are fine.

Mr. Capozella: Okay.

Ms. Mapp: Yeah.

Mr. Capozella: Just verifying. Okay.

Ms. Witt, you had a question?

Ms. Dupre: I was going to say I think that's a question with multiple --

Ms. Witt: Yeah. We're all on the same page.

Ms. Dupre: A few of us were going to ask because you said you were going to be closed on Sundays.

Mr. Capozella: Okay. We're all on the same page. Good.

Mr. Croughan: Mr. Martinez?

Mr. Martinez: No concerns.

Mr. Croughan: Mr. Witkowski?

Mr. Witkowski: No concerns.

Mr. Croughan: Thank you.

Mr. Capozella: Mr. Britto.

Mr. Britto: Is this the property where the back entrance is onto the outdoor area for a restaurant we just talked about last month?

Mr. Mapp: No.

Mr. Capozella: No.

Mr. Mapp: The opposite side.

Mr. Capozella: No.

Mr. Britto: Thank you.

Mr. Capozella: Yup. It's next to it, but there's no entrance out the back.

Mr. Britto: Gotcha.

Mr. Capozella: Okay. Any other questions? Anyone here from the public wishing to address this application, please step forward.

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

Motion passed.

The public hearing was closed.

Mr. Capozella: Board, any more questions?

Resolution for Latisha Mapp, 23-37 West Main Street, retail. Motion by Ms. Witt, seconded by Ms. Dupre.

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

Motion to adjourn by Mr. Britto, seconded by Ms. Witt.

Motion passed.

Adjourned 7:50 p.m.

Respectfully Submitted,

Diane Genender, Transcriber



**CITY OF MIDDLETOWN, NEW YORK
PLANNING BOARD
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: None
 Seconded by: None
 Date of Adoption: December 3, 2025
 Resolution Number

Names	Ayes	Noes	Abstain	Absent
Mr. Madden				
Mr. McCormack				
Mr. Britto				
Mrs. Witt				
Mrs. Dupre				
Mr. Higbie				
Chairman Cappozella				
Total				

Filed with the Clerk of the City of Middletown on: December 3, 2025

Richard P. McCormack

Request of Bell Flavors and Fragrances, Inc., seeking a special use permit and site plan approval for a building expansion/connection located at 12 Sprague Avenue, Middletown

WHEREAS, Bell Flavors and Fragrances filed an application with the Planning Board of the City of Middletown seeking a special use permit and site plan approval for a building expansion/connection, located at 12-18 Sprague Avenue, Middletown. Section 36, Block 1, Lot 9., located in the I-1 zone which is a permitted use.

WHEREAS, after due notice, a public hearing was held by the Planning Board on December 3, 2025, at 7:00 p.m. in the Common Council Chambers, City Hall, Middletown, New York, and

WHEREAS, according to the SEQRA review, this is determined to be a Type II action as it falls under the maintenance/repair and upgrade section. Therefore, no further review is necessary and Lead agency and Negative Declaration is not required, and

WHEREAS, at said hearing, all those who desired to be heard were heard and their testimony recorded, and all testimony has been carefully considered.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the City of Middletown

hereby approves the application of Bell Flavors and Fragrances for a special use permit and site plan approval for a building expansion/connection, located at 12-18 Sprague Avenue, Middletown.

SUBJECT TO: City of Middletown DPW and City of Middletown Fire Department inspections and approvals and, when necessary, approval of the Commissioner of Public Works. The applicant will obtain all necessary permits and follow the permitting process, codes, and ordinances of the City of Middletown, County of Orange, and the State of New York, if applicable. In addition, if throughout any of the review process the project is deemed to require Bulk Requirement Tables, the applicant will supply said tables through an architect or engineer licensed in the State of New York.

SUBJECT TO: Any items as stated in: submitted PB application, Public Hearing, Board discussion, City Inspectors' input, PB Engineer, and PB Attorney's recommendations. Information submitted within the application will become part of the record, and the applicant will follow through on and be held to.

THEREFORE: The applicant is only allowed to use the space as designated in the application and resolution. Any changes in building structure and/or use, applicant will need to seek PB approval, if applicable. The applicant will be required to pay any outstanding fees, such as, application fees and professional fees, if any. If these remain unpaid after a 10-day notice to cure, the approval will be rescinded, and it will be a violation to continue to operate/rent/lease space.

WHEREAS, Pursuant to the City of Middletown Code, Chapter 475, Article 4, Administration and Enforcement, Chapter 475-53, Paragraph E-6, unless work is commenced and diligently prosecuted within six months and completed within two years of the date of granting a Special Use Permit, such Special Use Permit shall be null and void. If no work is done in the next six months, the applicant will need to submit a request for a six-month extension of the Planning Board approval. Filed with the Clerk of the

Prepared by:

Attachments:

1.	Planning Board Application W Owner's Endorsement Signed 8.11.25
2.	24-353 Short EAF
3.	10-20-25 BELL FLAVORS

APPLICATION
PLANNING BOARD
City of Middletown, New York

Date deemed complete _____
Accepted by _____

Date 7/25/25

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 12 Sprague Ave, Middletown, NY 10940

Section 36 Block 1 Lot 9 Current Zoning District I-1

Building Existing _____ New

2. Owner of Property Bell Flavors and Fragrances, Inc.

Owner's Address 12 Sprague Ave

City Middletown State NY Zip 10940

Phone numbers: Home: _____

Business: 845-346-1233

Cell: _____

3. Applicant name Kennth Beecker

If different from Owner

Applicants Address 12 Sprague Ave

City Middletown State NY Zip 10940

Phone numbers: Home: _____

Business: 845-346-1233

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 # 475-23.1.B.18

Classification of Occupancy requested Factory/manufacturing

Description of what you are requesting: Approval of site plan for proposed building expansion/connection

Uses currently in property: Light industrial

Title	Section Number	Required Dimensions	Actual Dimensions
Lot area	I-1	15,000 SF	152,460 SF
Front yard		20'	7.5'(existing non-conforming)
Rear yard		10'	14'
Side yard		N/A	29'
Side yard		N/A	20'
Parking		N/A	N/A

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.

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: 

Printed Name and Title: Kenneth F. Beecher Director of MFG

Date: 8-11-2005

OWNERS ENDORSEMENT

COUNTY OF ORANGE
STATE OF NEW YORK

Kenneth Beecher, III being duly sworn, deposes and
says that he/she resides at 2 Culvert St Post Service, NY
in the County of Orange and State of New York and that he is the
owner in fee or Director of MFG of the _____
Beil Flavors & Fragrances OFFICIAL TITLE Corporation which is the owner
in fee of the premises described in the foregoing application and that he has authorized
Paul Bromley Feilner to make the foregoing application for
approval as described herein.

Sworn before me this _____ day of _____ 20____

NOTARY PUBLIC

Paul Bromley Feilner
OWNERS SIGNATURE

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

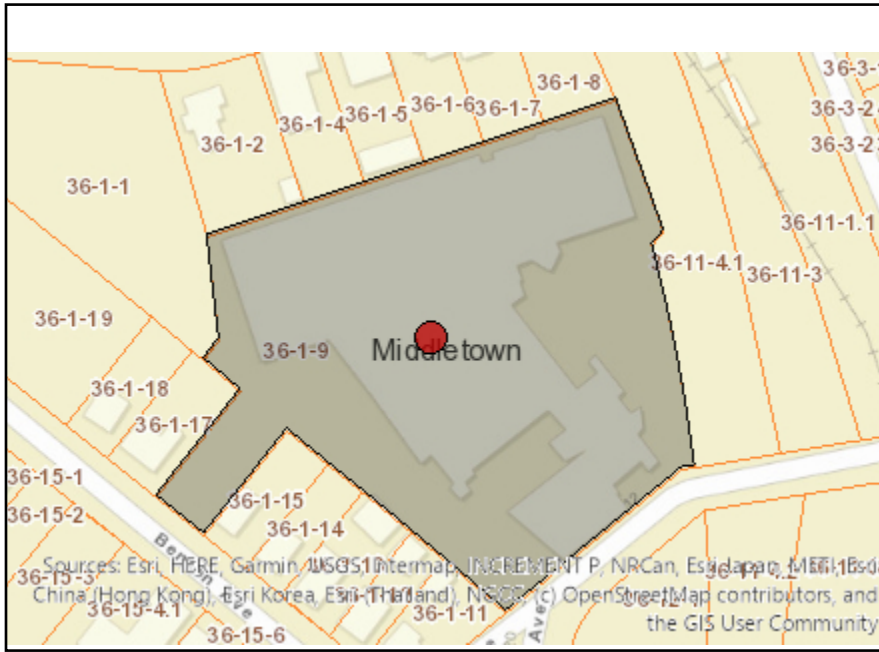
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

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

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5. Urban Rural (non-agriculture) Industrial Commercial Residential (suburban)				
<input type="checkbox"/> Forest Agriculture Aquatic Other(Specify):				
<input type="checkbox"/> Parkland				

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest Agricultural/grasslands Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? Note: Will have no effect on remediation sites If Yes, describe: 1. Remediation Site ~2000 feet north-west of the project site, 1 Union St, Middletown, NY 10940 Site Name: Erie Way Post Office Site. Site Code: V00580. Program: Voluntary Cleanup Program. Classification: N(No Further Action at this Time)	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: _____ Date: _____		
Signature: <i>Ryan D Fellenzer</i> Title: _____		

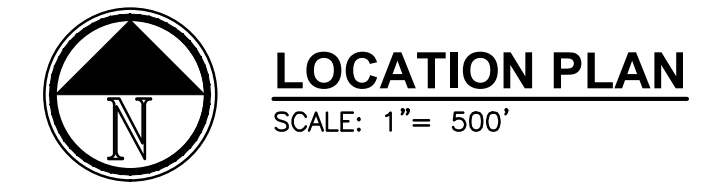


Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources to confirm data provided by the Mapper or to obtain data not provided by the Mapper.



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

NEW BUILDING SITE PLAN FOR BELL FLAVORS 12 SPRAGUE AVENUE MIDDLETOWN, NY



BULK REQUIREMENTS TOWN OF MIDDLETOWN ZONE: I-1 (LIGHT INDUSTRIAL DISTRICT)		
BULK TABLE REQUIREMENTS		
MINIMUM REQUIRED		
BULK ITEM	REQUIRED	PROVIDED
LOT AREA (SF)	15,000	152,460
LOT WIDTH (FT)	100	350
FRONT SETBACK (FT)	20	7.5*
REAR SETBACK (FT)	10	14
* EXISTING NON-CONFORMING		
MAXIMUM PERMITTED		
BULK ITEM	PERMITTED	PROVIDED
BUILDING HEIGHT (FT)	35	<35
*EXISTING NON-CONFORMING		
PROPERTY ADDRESS		
12 SPRAGUE AVE. MIDDLETOWN, NY 10940		
TAX MAP		
TOWN OF MIDDLETOWN, NY SECTION 36, BLOCK 1, LOT 9		
OWNER		
BELL FLAVORS AND FRAGRANCES INC. 12 SPRAGUE AVE. MIDDLETOWN, NY 10940		
APPLICANT/DEVELOPER		
BELL FLAVORS AND FRAGRANCES INC. PAUL BROMLEY 12 SPRAGUE AVE. MIDDLETOWN, NY 10940		
EXISTING USE		
MANUFACTURING OF PERFUMES / FLAVORINGS		
PROPOSED USE		
MANUFACTURING OF PERFUMES / FLAVORINGS		
REFERENCE		
SURVEY BY FUSCO ENGINEERING AND LAND SURVEYING, P.C. 12/20/10		

REV #	DATE	REMARKS:	ISSUE #	DATE	ISSUED FOR:				
<p>REFERENCE SCALE</p>									
<p>UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A LICENSED PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE N.Y. STATE EDUCATION LAW.</p>									
<p>FELLENZER III ENGINEERING LLP www.felip.com</p> <p>22 Mulberry St., Suite 2A, Middletown, NY 10940 1845-343-1481 fx 845-343-4986</p>									
		<p>PROJECT TITLE: NEW BUILDING AT BELL FLAVORS 12 SPRAGUE AVE. MIDDLETOWN, NY 10940</p>							
<p>DRAWING TITLE: TITLE SHEET</p>									
DESIGNED BY:	DRAWN BY:	APPROVED BY P.M.:	APPROVED BY P.M.:	DRAWING #:					
JB	VMB	RDF	MDF	TS					
DATE:	SCALE:	FE PROJECT #:							
08/26/2025	AS SHOWN	24-353							
PAGE 1 OF 1									

DRAWINGS LIST:

PAGE	SHEET	SHEET TITLE
1.	TS	TITLE SHEET
2.	C-001	EXISTING CONDITIONS
3.	C-100	DEMOLITION PLAN
4.	C-101	SITE PLAN
5.	C-901	DETAILS



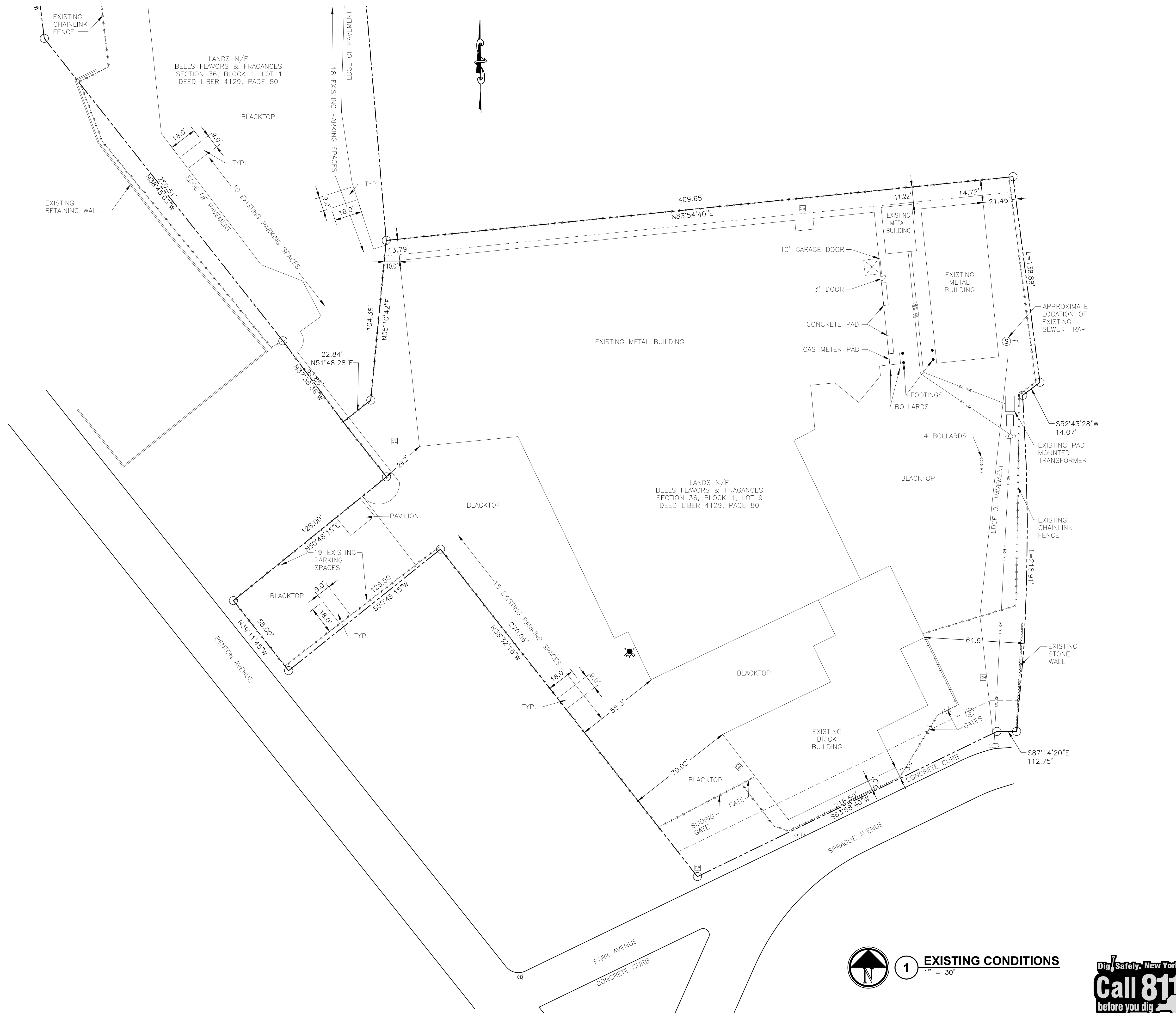
PROGRESS PRINT
10 / 20 / 25
NOT FOR
CONSTRUCTION

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 Date: Mon, Oct 20, 2025 - 2:13 PM (Name: vmb)

LEGEND

- PROPERTY LINE
- CHAINLINK FENCE
- STONE WALL
- DEMO LINE

- IRON PIN
- EXISTING UTILITY POLE
- EXISTING SANITARY MANHOLE
- EXISTING CATCH BASIN
- EXISTING HYDRANT



REV #	DATE	REMARKS:	ISSUE #	DATE	ISSUED FOR:				
 REFERENCE SCALE									
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<h2 style="margin: 0;">FELLENZER III</h2> <p style="margin: 0;">ENGINEERING LLP www.felip.com</p> <p style="margin: 0; font-size: small;">22 Mulberry St., Suite 2A, Middletown, NY 10940 1 845-343-1481 fx 845-343-4986</p>									
		PROJECT TITLE: NEW BUILDING AT BELL FLAVORS 12 SPRAGUE AVE. MIDDLETOWN, NY 10940							
DRAWING TITLE: EXISTING CONDITIONS									
DESIGNED BY:	DRAWN BY:	APPROVED BY P.M.:	APPROVED BY P.I.C.:	DRAWING #:					
JB	VMB	RDF	MDF	C-001					
DATE:	SCALE:	FE PROJECT #:	PAGE 2 OF 1						
08/26/2025	AS SHOWN	24-353							










1 EXISTING CONDITIONS
 1" = 30'

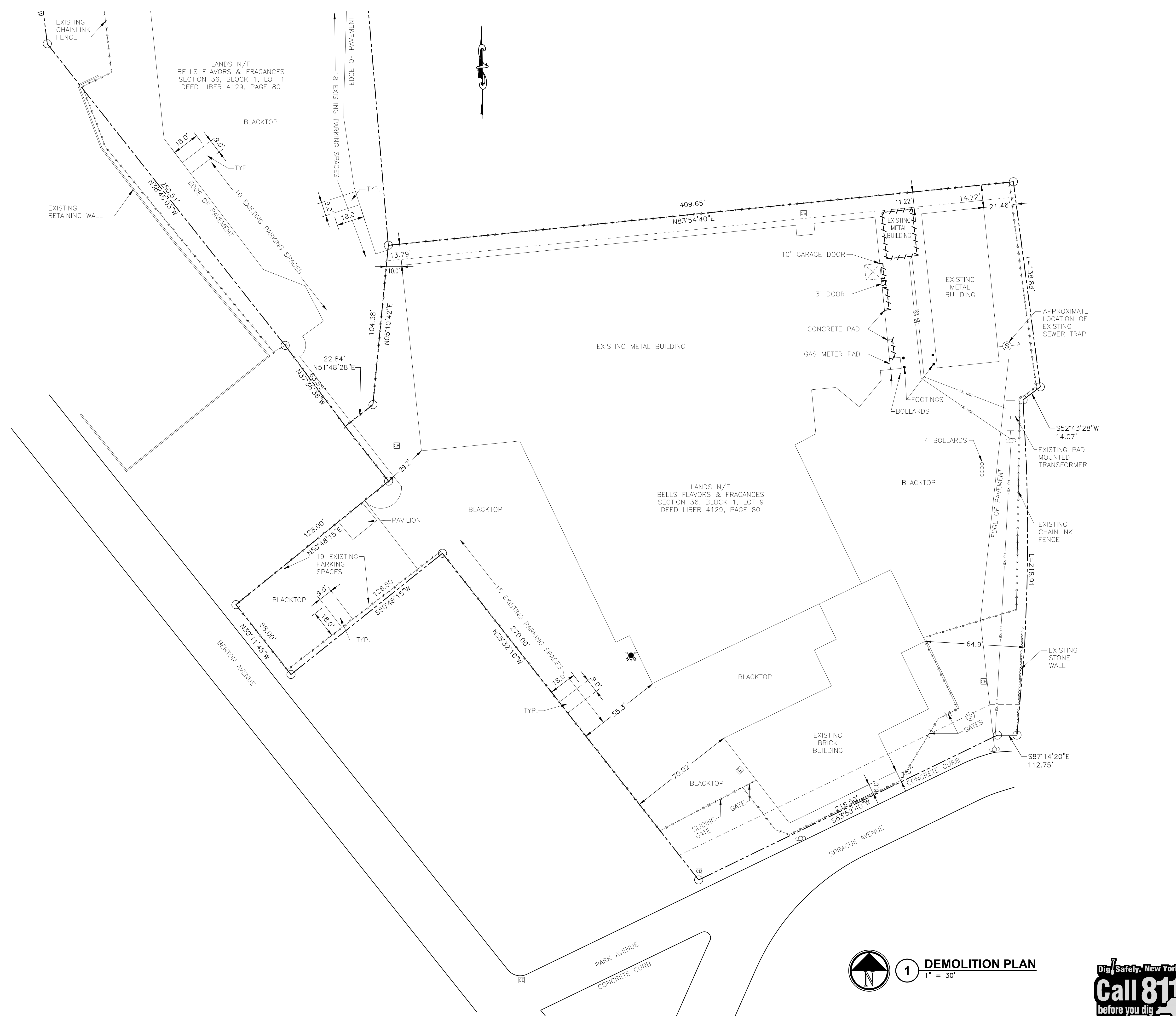
Call 811
 before you dig

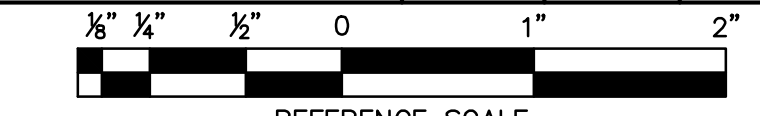
PROGRESS PRINT
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 CONSTRUCTION

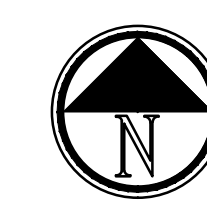
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 Date: Mon, Oct 20, 2025 - 2:13 PM (Name: vmb)

LEGEND

-  PROPERTY LINE
-  CHAINLINK FENCE
-  STONE WALL
-  DEMO LINE
-  IRON PIN
-  EXISTING UTILITY POLE
-  EXISTING SANITARY MANHOLE
-  EXISTING CATCH BASIN
-  EXISTING HYDRANT



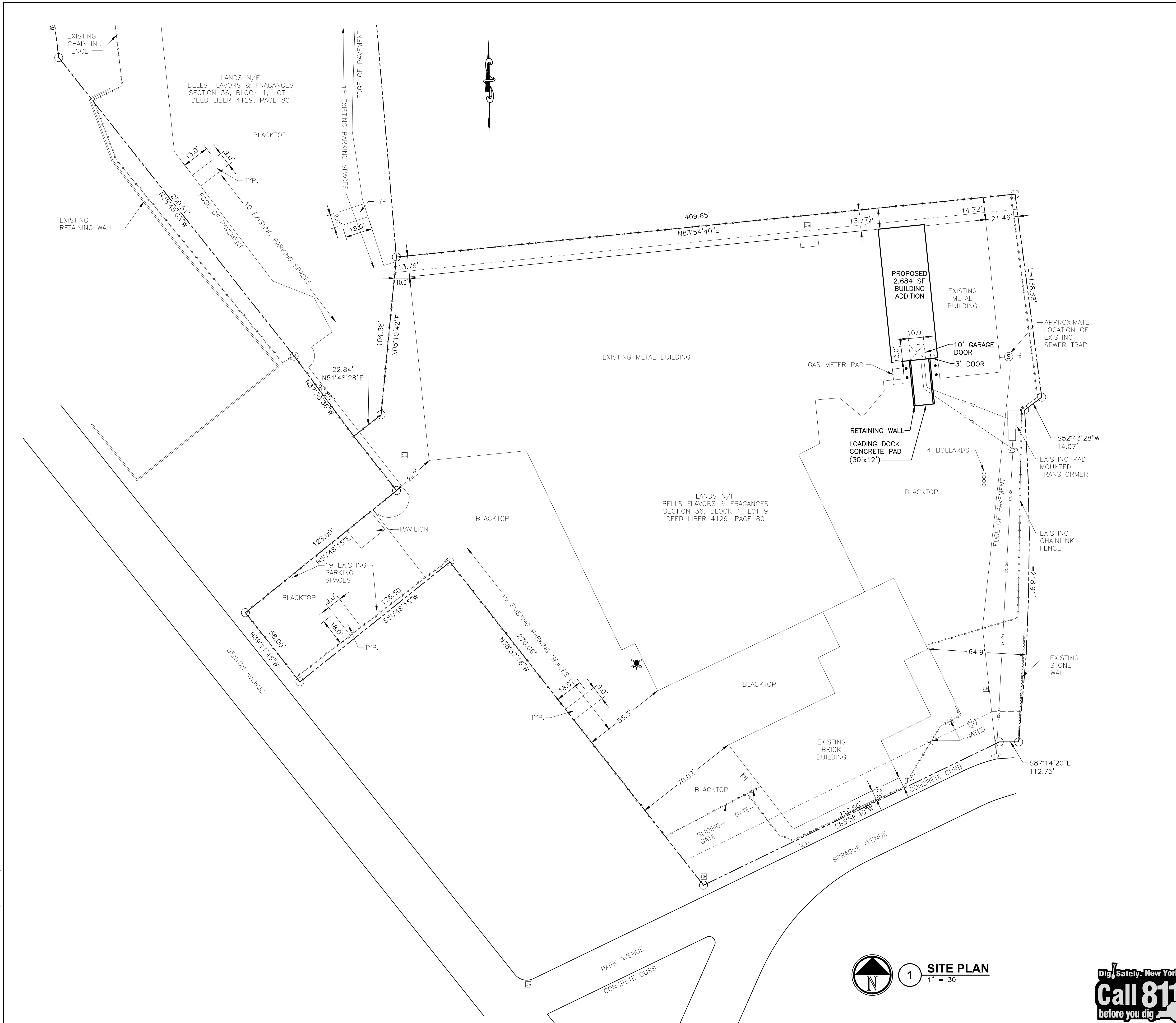
REV #	DATE	REMARKS:	ISSUE #	DATE	ISSUED FOR:				
 <p>REFERENCE SCALE</p>									
<p>UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A LICENSED PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE N.Y. STATE EDUCATION LAW.</p>									
<p>FELLENZER III ENGINEERING LLP www.felip.com</p> <p>22 Mulberry St., Suite 2A, Middletown, NY 10940 1 845-343-1481 fx 845-343-4986</p>									
		<p>PROJECT TITLE: NEW BUILDING AT BELL FLAVORS 12 SPRAGUE AVE. MIDDLETOWN, NY 10940</p>							
<p>DRAWING TITLE: DEMOLITION PLAN</p>									
DESIGNED BY:	DRAWN BY:	APPROVED BY: P.M.	APPROVED BY: P.C.						
JB	VMB	RDF	MDF						
DATE:	SCALE:	FE PROJECT #:							
08/26/2025	AS SHOWN	24-353							
									<p>C-100 PAGE 3 OF 1</p>

 **1 DEMOLITION PLAN**
1" = 30'

Call 811
before you dig

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File Name: F:\2024\24-353 NEW BUILDING AT BELL FLAVORS, MIDDLETOWN, NYC-101.dwg (Layout: C-101)
Date: Mon, Oct 20, 2025 - 2:13 PM (Name: vmb)



LEGEND

- PROPERTY LINE
- CHAINLINK FENCE
- STONE WALL
- DEMO LINE

- IRON PIN
- EXISTING UTILITY POLE
- EXISTING SANITARY MANHOLE
- EXISTING CATCH BASIN
- ⊙ EXISTING HYDRANT

SEWER LOAD CALCULATION

FACTORY = 15 GPD PER EMPLOYEE / SHIFT
= 15 GPD X 54 EMPLOYEES
= 810 GPD

PARKING CALCULATION

REQUIRED PARKING SPACES = 1/PARKING SPACE PER 2 EMPLOYEES
= 54 EMPLOYEES / 2
= 27 PARKING SPACES REQUIRED

PROVIDED PARKING SPACES = 62 PARKING SPACES

REV #	DATE	REMARKS:	ISSUE #	DATE	ISSUED FOR:

1/8" 1/4" 1/2" 0 1" 2"
REFERENCE SCALE

UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A LICENSED PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE N.Y. STATE EDUCATION LAW.

FELLENZER III
ENGINEERING LLP www.felip.com
22 Mulberry St., Suite 2A,
Middletown, NY 10940
1 845-343-1481 fx 845-343-4986

PROJECT TITLE: **NEW BUILDING AT BELL FLAVORS**
12 SPRAGUE AVE. MIDDLETOWN, NY 10940

DRAWING TITLE: **SITE PLAN**

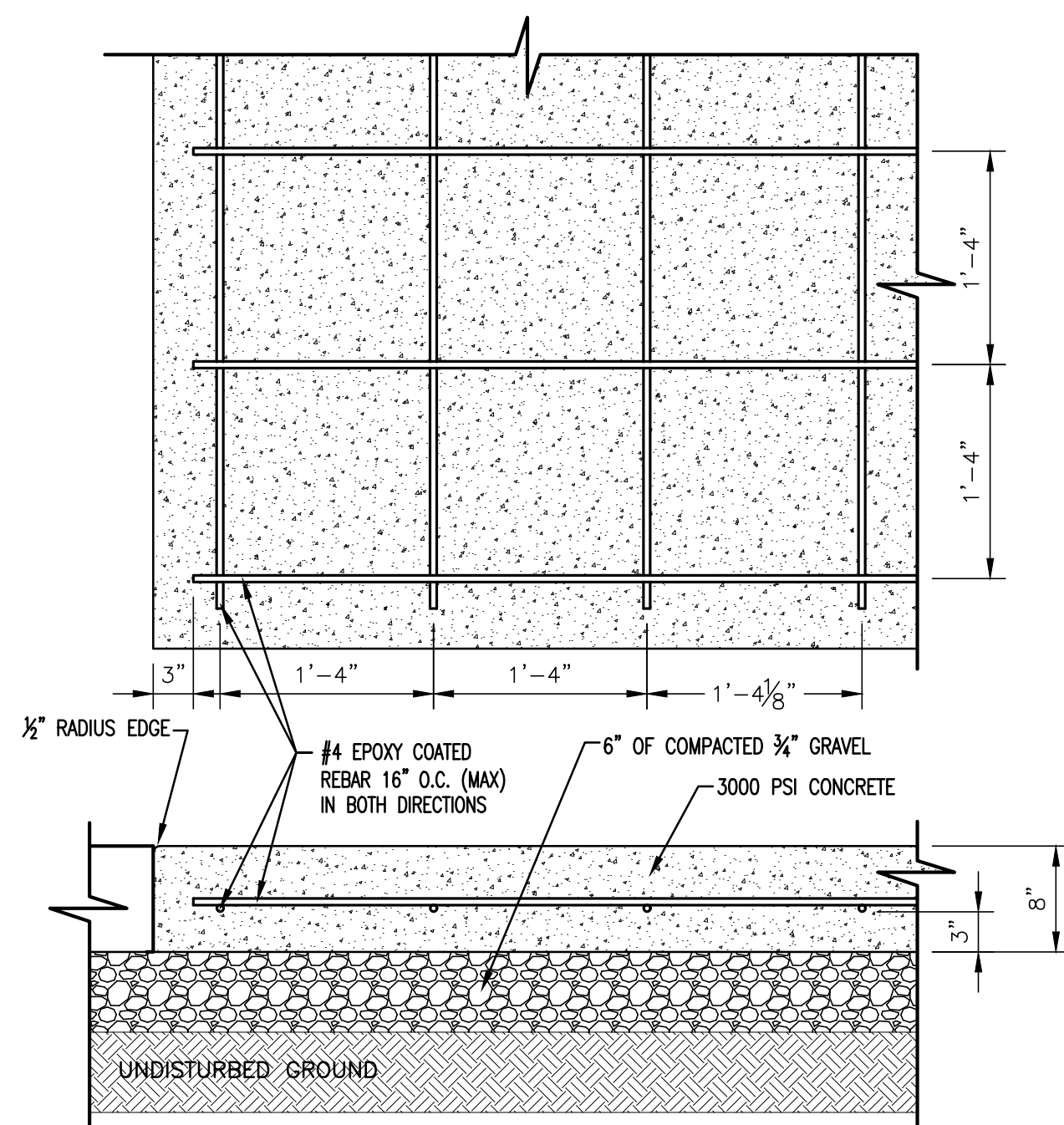
DESIGNED BY: JB	DRAWN BY: VMB	APPROVED BY P.M.: RDF	APPROVED BY P.I.C.: MDF	DRAWING #:
DATE: 08/26/2025	SCALE: AS SHOWN	FE PROJECT #:	24-353	C-101

PAGE 4 OF 1

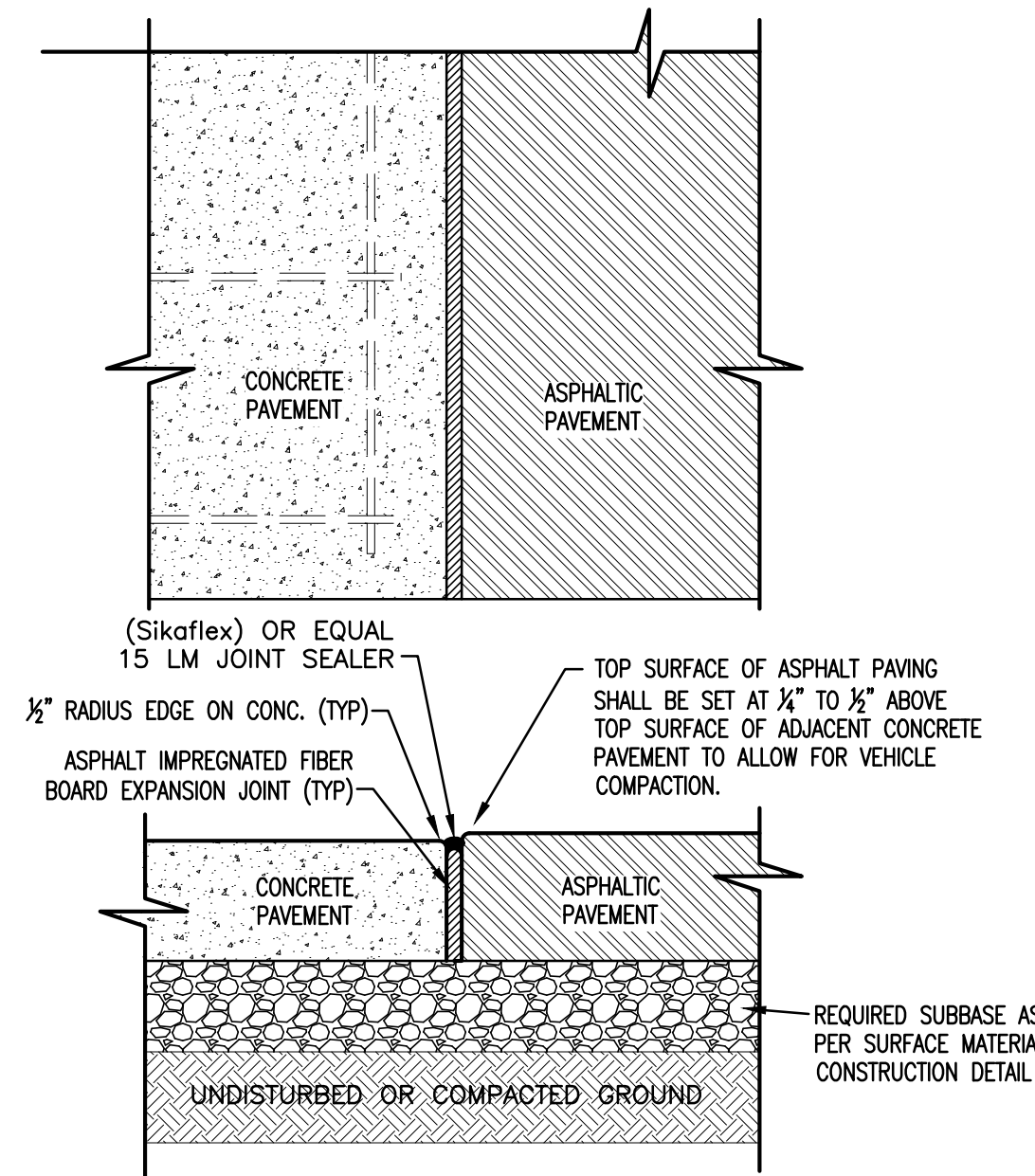
1 SITE PLAN
1" = 30'



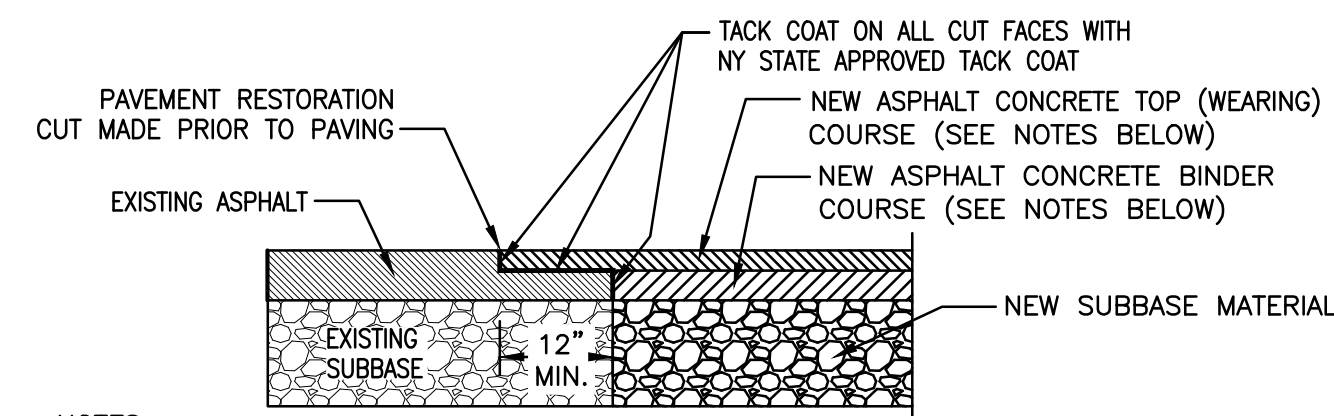
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1 CONCRETE PAVEMENT DETAIL
N.T.S.

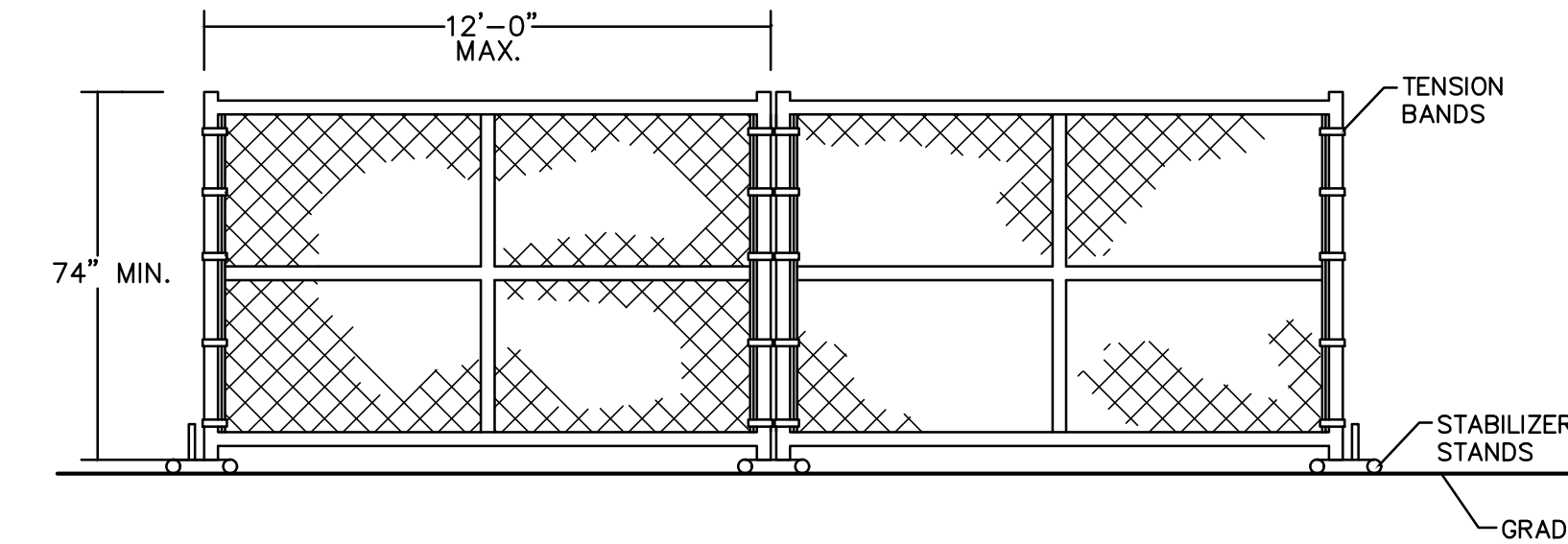
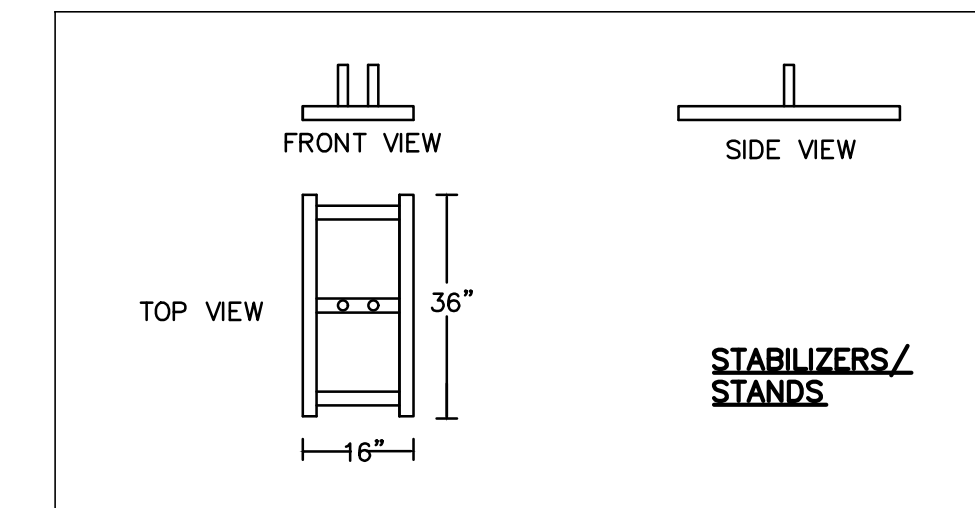


2 JOINT DETAIL
CONCRETE PAVEMENT TO ASPHALT PAVEMENT
N.T.S.



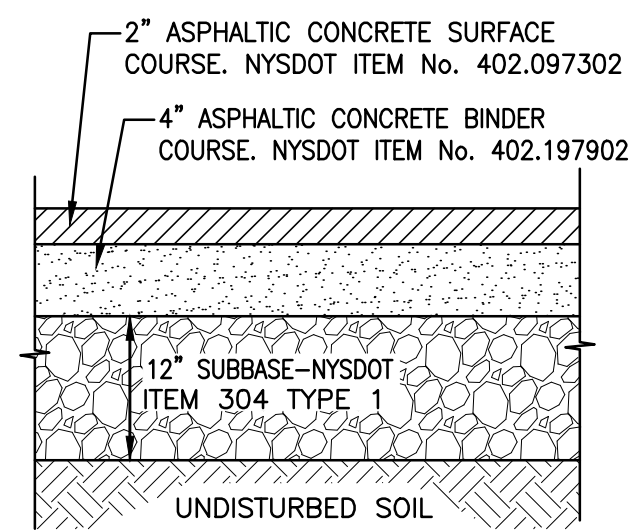
- NOTES:
- CONSULT PAVEMENT DETAIL SPECIFIC TO TYPE OF PAVEMENT BEING RESTORED FOR THAT AREA FOR REQUIRED MATERIAL SPECIFICATIONS AND DEPTH REQUIRED.
 - IN NO CASE SHALL THE THICKNESS OF NEW PAVEMENT LAYERS BE LESS THE CORRESPONDING LAYERS OF THE EXISTING PAVEMENT.

3 PAVEMENT RESTORATION DETAIL
N.T.S.

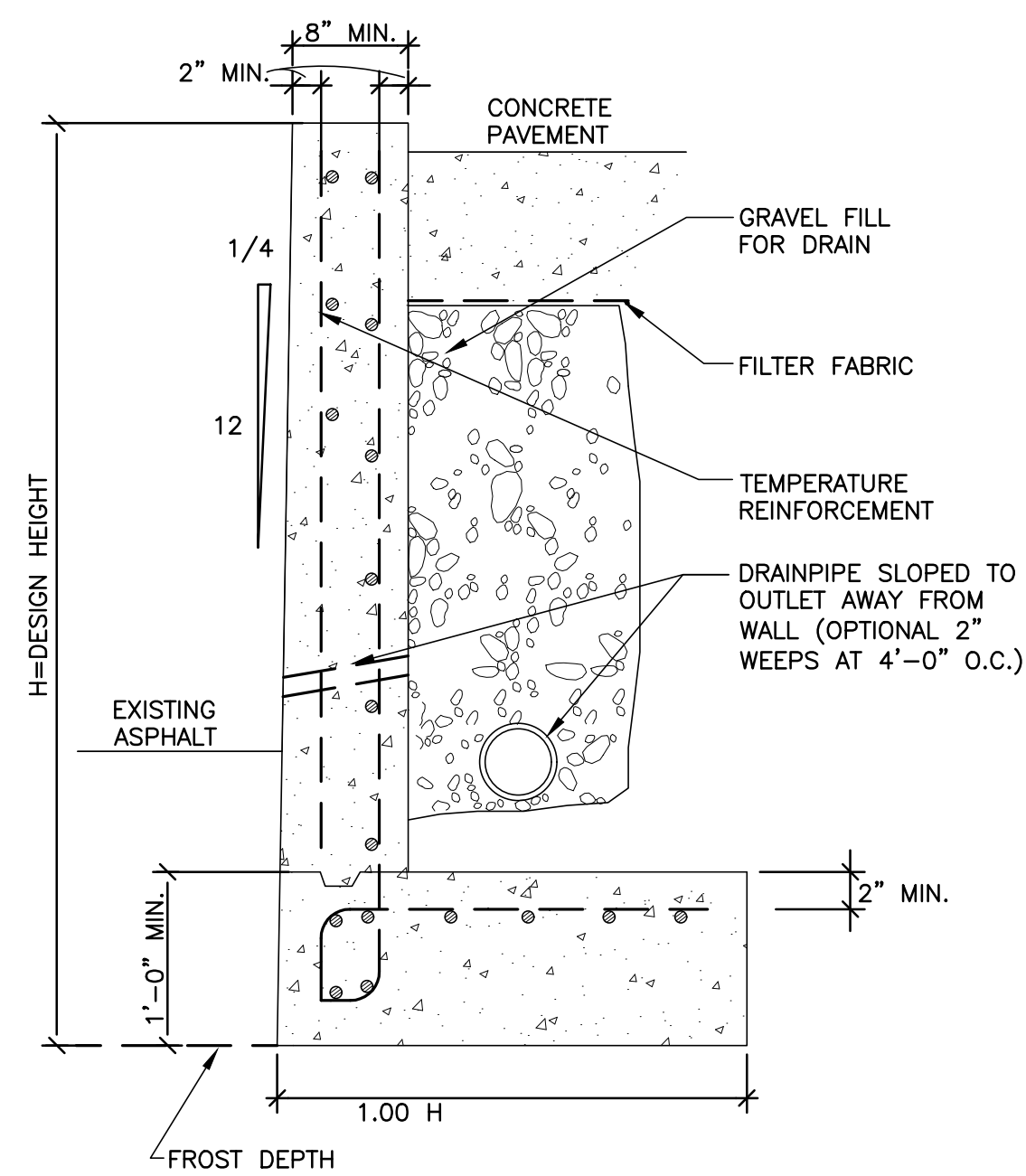


- NOTES:
- 2X11GA WIRE FILL
 - TENSION BANDS W/ NUTS AND BOLTS (NOT PRESS CLIPS)
 - WIRE TIES EVERY 12"
 - PROVIDE SAND BAGS AS ADDITIONAL SUPPORT ATOP STABILIZERS/STANDS.

4 TEMP. CHAIN LINK FENCING DETAIL
N.T.S.



5 HEAVY DUTY ASPHALTIC PAVEMENT DETAIL
N.T.S.



6 "L" TYPE GRAVITY RETAINING WALL
N.T.S.

REV #	DATE	REMARKS:	ISSUE #	DATE	ISSUED FOR:
<p>REFERENCE SCALE</p>					
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<p>FELLENER ENGINEERING LLP www.felip.com</p> <p>22 Mulberry St., Suite 2A, Middletown, NY 10940 1845-343-1481 fx 845-343-4986</p>					
<p>PROJECT TITLE: NEW BUILDING AT BELL FLAVORS 12 SPRAGUE AVE. MIDDLETOWN, NY 10940</p>					
<p>DRAWING TITLE: DETAILS</p>					
DESIGNED BY: JB	DRAWN BY: VMB	APPROVED BY PM: RDF	APPROVED BY PIC: MDF	DRAWING #: C-901	
DATE: 08/26/2025	SCALE: AS SHOWN	FE PROJECT #: 24-353	PAGE 5 OF 1		



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**CITY OF MIDDLETOWN, NEW YORK
PLANNING BOARD
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: None
 Seconded by: None
 Date of Adoption: December 3, 2025
 Resolution Number

Names	Ayes	Noes	Abstain	Absent
Mr. Madden				
Mr. McCormack				
Mr. Britto				
Mrs. Witt				
Mrs. Dupre				
Mr. Higbie				
Chairman Cappozella				
Total				

Filed with the Clerk of the City of Middletown on: December 3, 2025

Richard P. McCormack

Request of Dreamfields, Inc., seeking a special use permit and site plan approval for manufacturing and distribution of cannabis products, located at 55 Midland Avenue Ext., Middletown

WHEREAS, of Dreamfields, Inc., filed an application with the Planning Board of the City of Middletown seeking a special use permit and site plan approval for manufacturing and distribution of cannabis products, located at 55 Midland Avenue Ext., Middletown. Section 9, Block 1, Lot 1., located in the I-2 Zone, which is a permitted use.

WHEREAS, after due notice, a public hearing was held by the Planning Board on December 3, 2025, at 7:00 p.m. in the Common Council Chambers, City Hall, Middletown, New York, and

WHEREAS, according to the SEQRA review, this is determined to be a Type Unlisted action as it is not determined yet what the potential impact may be. Lead Agency must be established to make a determination of significance by comparing the potential impacts of the action against the criteria listed in the SEQRA regulations. Therefore, a further review is necessary and a Negative Declaration may be required at the appropriate time, and

WHEREAS, at the said hearing, all those who desired to be heard were heard and their testimony

recorded, and all testimony has been carefully considered.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the City of Middletown hereby approves the application of Dreamfields, Inc., for a special use permit and site plan approval for manufacturing and distribution of cannabis products, located at 55 Midland Avenue Ext., Middletown

Hours of operation: Mon. – Fri. 1st Shift 6:00am-3:00pm, 2nd Shift 3:30pm, Sat. 6:00am-3:00pm

SUBJECT TO: City of Middletown DPW and City of Middletown Fire Department inspections and approvals and, when necessary, approval of the Commissioner of Public Works.

The applicant will obtain all necessary permits and follow the permitting process, codes, and ordinances of the City of Middletown, County of Orange, and the State of New York, if applicable.

In addition, if throughout any of the review process the project is deemed to require Bulk Requirement Tables, the applicant will supply said tables through an architect or engineer licensed in the State of New York.

SUBJECT TO: Any items as stated in: submitted PB application, Public Hearing, Board discussion, City Inspectors' input, PB Engineer, and PB Attorney's recommendations. Information submitted within the application will become part of the record, and the applicant will follow through and be held to.

THEREFORE: The applicant is only allowed to use the space as designated in the application and resolution. Any changes in building structure and/or use, applicant will need to seek PB approval, if applicable. The applicant will be required to pay any outstanding fees, such as, application fees and professional fees, if any. If these remained unpaid after a 10-day notice to cure, the approval will be rescinded, and it will be a violation to continue to operate/rent/lease space.

WHEREAS, Pursuant to the City of Middletown Code, Chapter 475, Article 4, Administration and Enforcement, Chapter 475-53, Paragraph E-6, unless work is commenced and diligently prosecuted within six months and completed within two years of the date of granting a Special Use Permit, such Special Use Permit shall be null and void.

If no work is done in the next six months, the applicant will need to submit a request for a six-month extension of the Planning Board approval.

Prepared by:

Attachments:

1.	City of Middletown Planning Board Application - Signed
2.	Signed EAF
3.	11-13-25 - DREAMFIELDS

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 55 Midland Ave Ext

Section 9 Block 1 Lot 1 Current Zoning District I-2

Building Existing New _____

2. Owner of Property Mazel Midland, LLC

Owner's Address 23 Schunemunk Rd Unit 101

City Monroe State NY Zip 10950

Phone numbers: Home: _____

Business: _____

Cell: _____

3. Applicant name Dreamfields Inc.

If different from Owner

Applicants Address 65000 Two Bunch palms Trail

City Desert Hotspings State CA Zip 92240

Phone numbers: Home: _____

Business: 978-815-9925

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 # 475-25

Classification of Occupancy requested Manufacturing

Description of what you are requesting: Manufacturing of cannabis products and distrubtion
Not including retail of products

Uses currently in property: Vacant

Title	Section Number	Required Dimensions	Actual Dimensions
Lot area	475-25	15,000 SF	
Front yard	↓	20 ft	126.5 ft
Rear yard		10 ft	660 ft
Side yard		N/A	
Side yard		N/A	
Parking	475-33	1 per 400 SF of Floor Area	

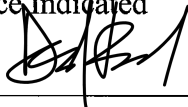
Answer this section only for multiple dwellings

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.

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:  _____

Printed Name and Title: Daniel Bouchard - National Expansion Director

Date: 5/1/2025

Short Environmental Assessment Form

Part 1 - Project Information

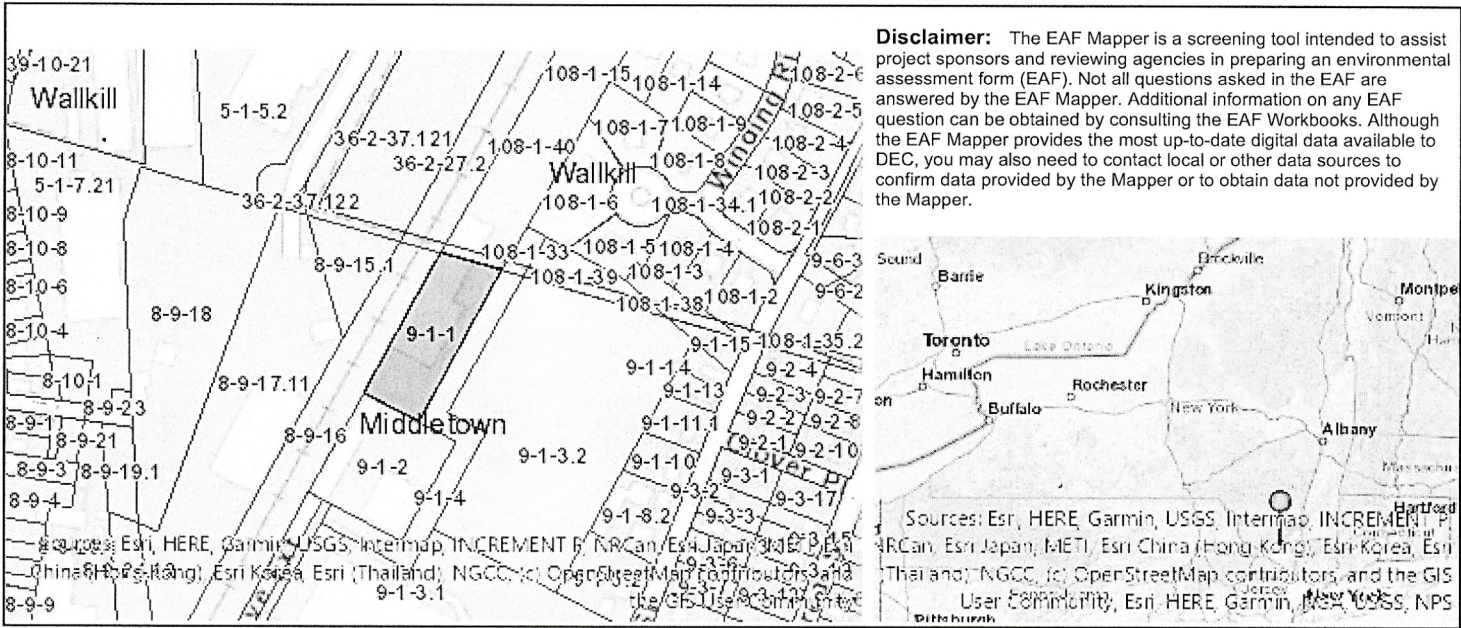
Instructions for Completing

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

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

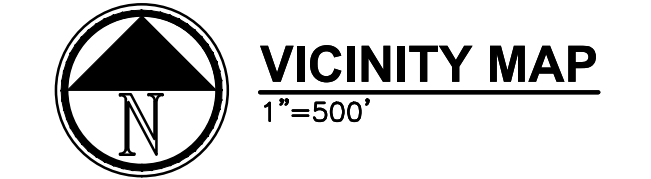
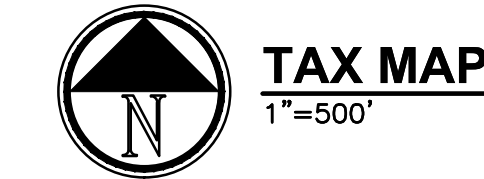
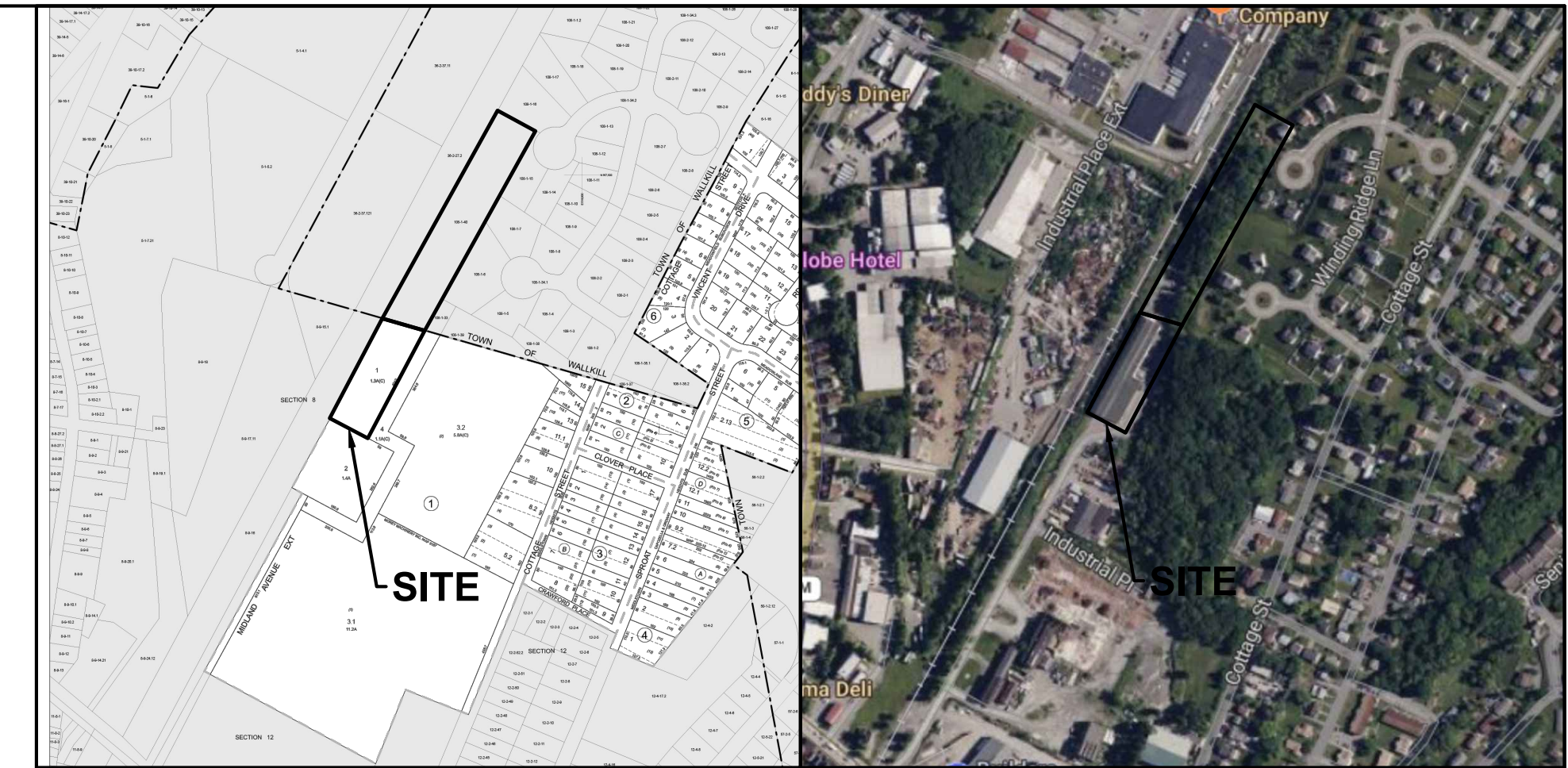
Part 1 – Project and Sponsor Information			
Name of Action or Project: Dreamfields Inc.			
Project Location (describe, and attach a location map): 55 Midland Ave Ext, Middletown, NY 10940			
Brief Description of Proposed Action: Existing 33,197 SF building will be used for manufacturing cannabis products. The lot is currently in the I-2 District (Heavy Industry). Proposed parking for employees will be provided per zoning, 1 parking space per 2 employees. A total of 60 employees over two shifts is anticipated with 30 Parking spaces being provided. A portion of the lot is within the Town of Wallkill and approval process will be coordinated with them.			
Name of Applicant or Sponsor: Dreamfields Inc.		Telephone: 978-815-9925	
		E-Mail: dbouchard@jeeter.com	
Address: 65000 Two Bunch Palms Trail			
City/PO: Desert Hotsprings		State: CA	Zip Code: 92240
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: City of Middletown Planning Board and City of Middletown Building Department			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ 3.77 acres	
b. Total acreage to be physically disturbed?		_____ 0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 3.77 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			



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

File Name: F:\2025\039 SITE PLAN APPROVAL FOR DREAMFIELDS_TS.dwg (Layout: _TS)
 Date: Thu, Nov 13, 2025 - 10:29 AM (Name: vmb)



DREAMFIELDS INC. – MANUFACTURING

55 MIDLAND AVE. EXT., MIDDLETOWN, NY

BULK REQUIREMENTS CITY OF MIDDLETOWN I-2 DISTRICT (HEAVY INDUSTRY)		
BULK TABLE REQUIREMENTS		
BULK ITEM	MINIMUM REQUIRED	
	REQUIRED	PROVIDED
LOT AREA (SF)	15,000	3.77 (TOTAL BETWEEN LOTS)
LOT WIDTH (FT)	100	142
FRONT SETBACK (FT)	20	126.5
REAR SETBACK (FT)	10	667
MAXIMUM PERMITTED		
BULK ITEM	PERMITTED	PROVIDED
BUILDING HEIGHT (STORIES)	2 OR 35FT	1 STORY
PROPERTY ADDRESS		
55 MIDLAND AVE. EXT. MIDDLETOWN, NY 10940		
TAX MAP		
CITY OF MIDDLETOWN 9-1-1 54,444.5 SQFT OR 1.3 ACRES +/-	TOWN OF WALLKILL 108-1-40 107,978.4 SQFT OR 2.5 ACRES +/-	
APPLICANT		
DREAMFIELDS INC. 55 MIDLAND AVE. EXT. MIDDLETOWN, NY 10940		
EXISTING USE		
WAREHOUSE		
PROPOSED USE		
WAREHOUSE		
REFERENCE		
SURVEY MAP FOR 55 MIDLAND AVE. EXT. & 61 INDUSTRIAL PL. EXT. DATED 8/18/16 BY CIVIL TEC ENGINEERING & SURVEYING PC 29 NORTH ARMONT ROAD, SUITE 25 SUFFERN, NY 10901		

DRAWINGS LIST:

PAGE	SHEET	SHEET TITLE
1.	TS	TITLE SHEET
2.	C-001	EXISTING CONDITIONS
3.	C-101	SITE PLAN
4.	C-601	LIGHTING PLAN
5.	C-901	DETAILS

REV #	DATE	REMARKS:	ISSUE #	DATE	ISSUED FOR:

REFERENCE SCALE

UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A
 LICENSED PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF
 SECTION 7209, SUB-DIVISION 2 OF THE N.Y. STATE EDUCATION LAW.
 CERTIFICATE OF AUTHORIZATION NUMBER 0017795

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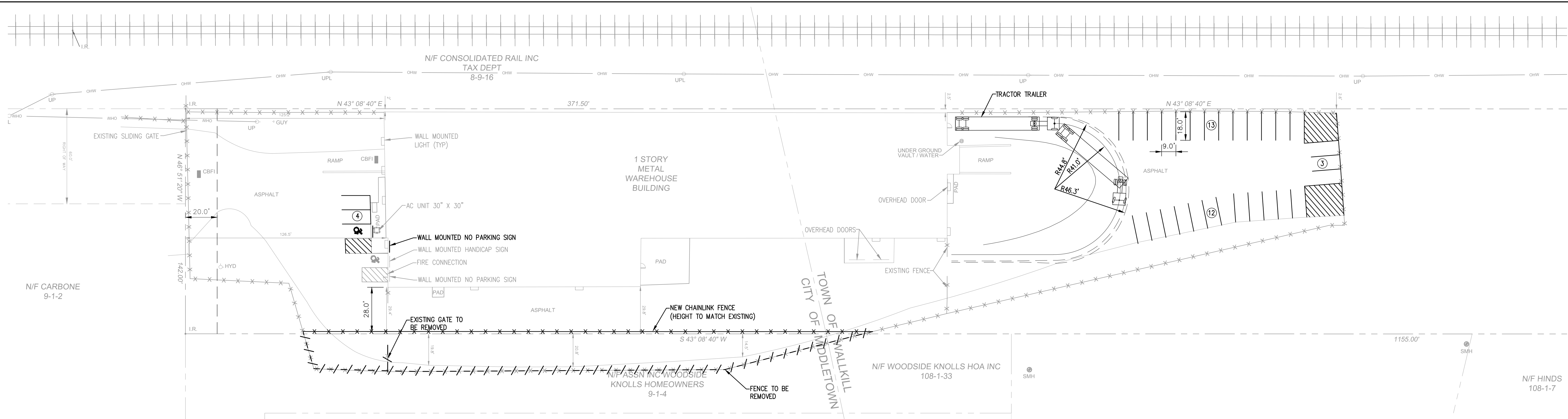
22 Mulberry St., Suite 2A, Middletown, NY 10940
 t 845-343-1481 fx 845-343-4986
 181 Church St., Suite 100, Poughkeepsie, NY 12601
 t 845-454-9704 fx 855-320-8735

STAMP: PROJECT TITLE: **DREAMFIELDS INC. SITE PLAN**
 DRAWING TITLE: 55 MIDLAND AVE. EXT., MIDDLETOWN, NY

TITLE SHEET				DRAWING #:
DESIGNED BY:	DRAWN BY:	APPROVED BY P.M.E.	APPROVED BY P.I.C.	
JB	VMB	RDF	MDF	TS
DATE:	SCALE:	FE PROJECT #:	PAGE	
4/1/2025	AS SHOWN	25-039	1 OF 5	



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PARKING SPACE CALCULATIONS

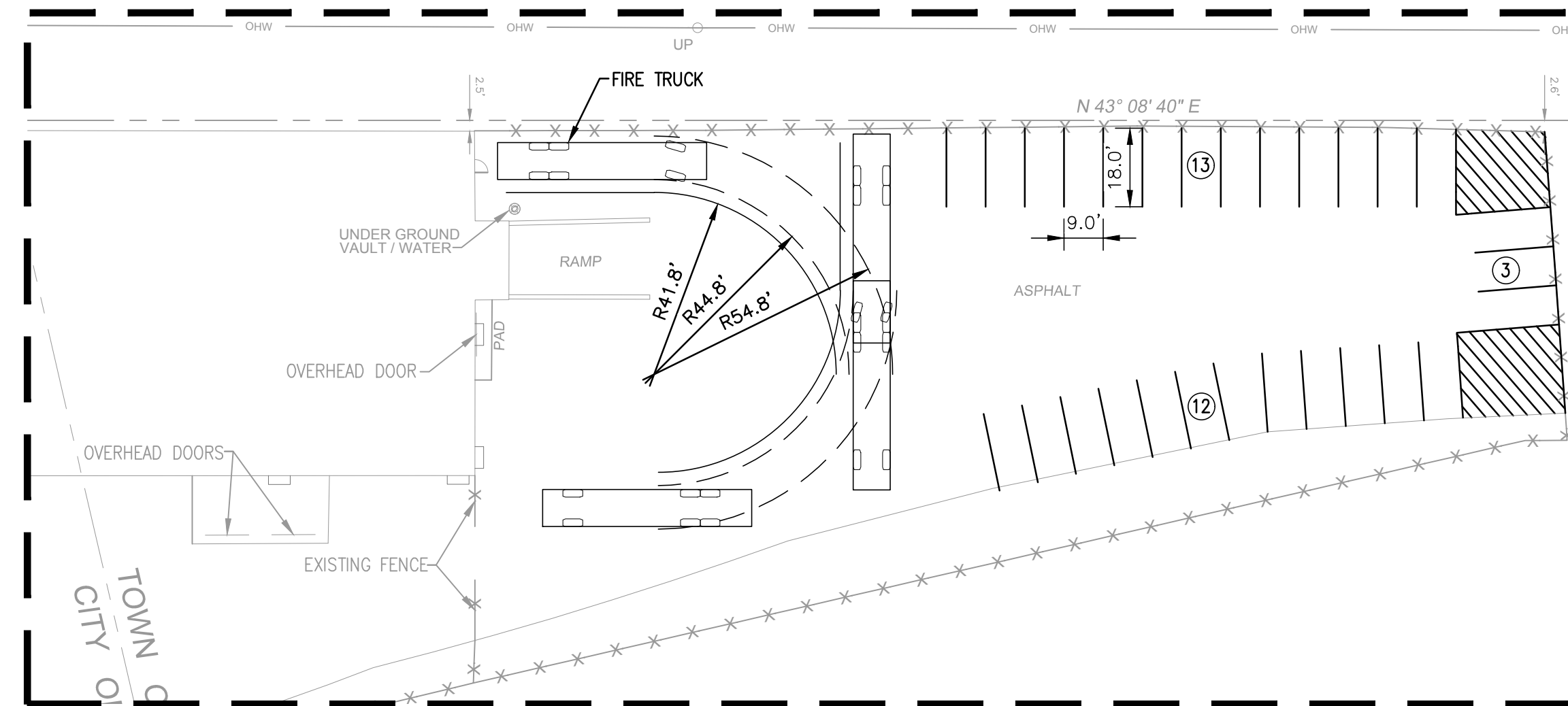
REQUIRED:
 MANUFACTURING: 1 PARKING SPACE / 2 EMPLOYEES = 60 EMPLOYEES / 30 PARKING SPACES REQUIRED
 MANUFACTURING LOADING BOOTHS = 25,000 SF TO 40,000 SF = 2 LOADING BOOTHS

PROVIDED:
 PARKING SPACES PROVIDED = 30
 LOADING BOOTHS REQUIRED = 2
 ADA PARKING SPACES: 2 MIN.

WATER USAGE CALCULATIONS

DISTRIBUTION WAREHOUSE = 15 GPD PER EMPLOYEE / SHIFT
 = 15 GPD X 30 EMPLOYEES
 = 450 GPD

1 SITE PLAN
 1" = 30'-0"
 NOTE:
 1. NO RETAIL SALE ON SITE WILL BE PERMITTED AS PER CODE SECTION 475-28.2

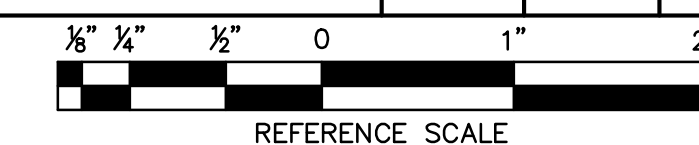


2 FIRE TRUCK TURNING RADIUS
 1" = 30'-0"

LEGEND:

- OHW
- EXISTING CHAIN LINK FENCE
- NEW CHAIN LINK FENCE
- SETBACK
- EXISTING PROPERTY LINE
- EXISTING CATCH BASIN
- EXISTING UNDERGROUND VAULT / WATER
- EXISTING HYDRANT
- EXISTING SEWER MANHOLE
- EXISTING UTILITY POLE
- EXISTING WALL MOUNTED LIGHT

REV #	DATE	REMARKS:	ISSUE #	DATE	ISSUED FOR:



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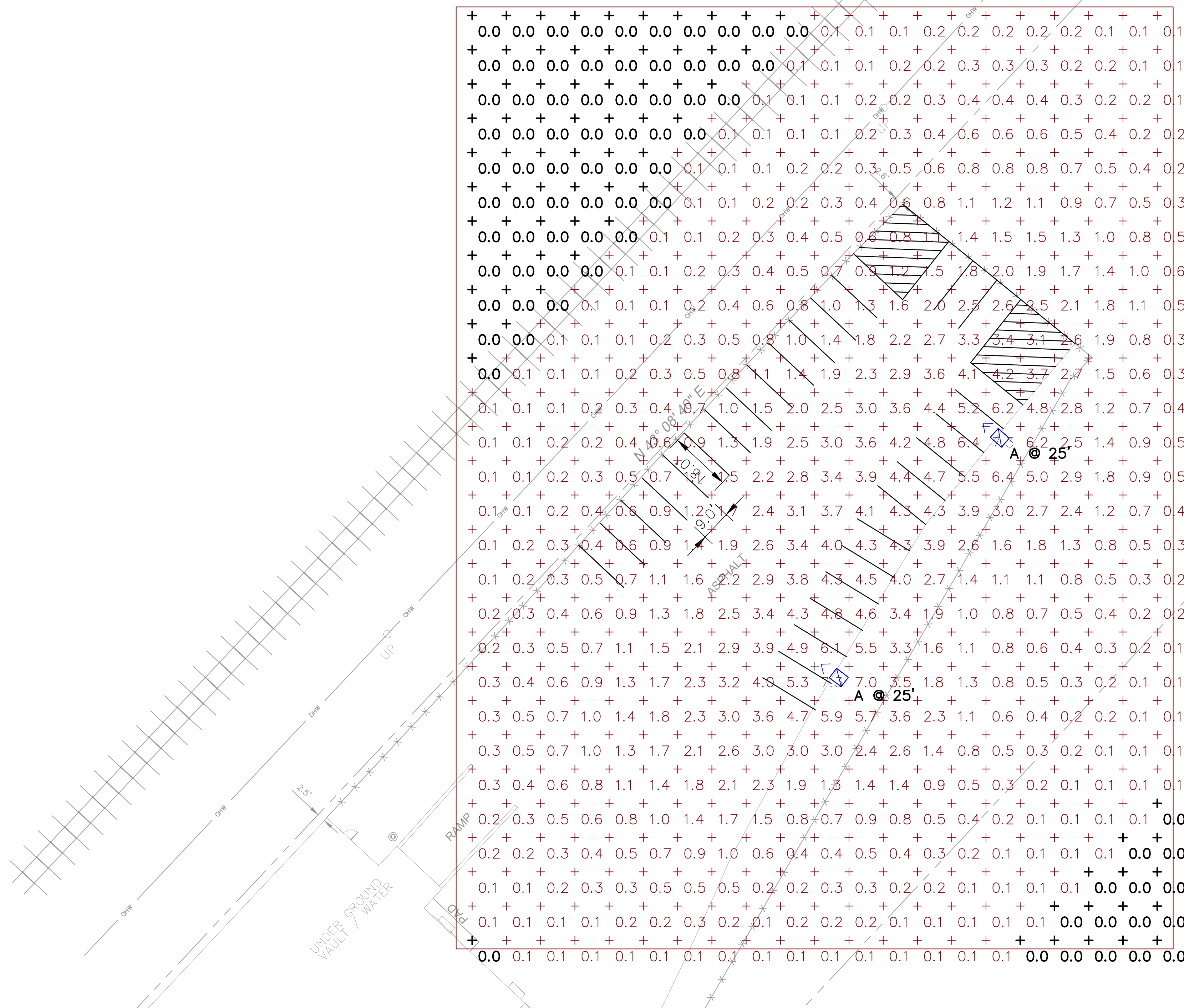
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 1845-454-9704 fx 855-320-8735

STAMP:		PROJECT TITLE: DREAMFIELDS INC. SITE PLAN			
DRAWING TITLE: SITE PLAN		PROJECT TITLE: 55 MIDLAND AVE. EXT., MIDDLETOWN, NY			
DESIGNED BY: JB	DRAWN BY: VMB	APPROVED BY P.M. RDF	APPROVED BY P.I.C. MDF	DATE: 4/1/2025	SCALE: AS SHOWN
FE PROJECT #: 25-039				DATE: 4/1/2025	DRAWING #: C-101



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File Name: F:\2025\05-039 SITE PLAN APPROVAL FOR DREAMFIELDS\C-601.dwg (Layout: C-601)
Date: Thu, Nov 13, 2025 - 10:29 AM (Name: vmb)



LEGEND:

- EXISTING OVERHEAD ELECTRIC
- EXISTING CHAIN LINK FENCE
- NEW CHAIN LINK FENCE
- SETBACK
- EXISTING PROPERTY LINE
- EXISTING CATCH BASIN
- EXISTING UNDERGROUND VAULT / WATER
- EXISTING HYDRANT
- EXISTING SEWER MANHOLE
- EXISTING UTILITY POLE
- EXISTING WALL MOUNTED LIGHT

1 LIGHTING PLAN
1" = 20'-0"

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Base Grid	+	1.0 fcd	7.3 fcd	0.0 fcd	N/A	N/A

Luminaire Locations										
Location							Aim			
No.	Label	X	Y	Z	MH	Orientation	Tilt	X	Y	Z
1	A	4797.00	6394.00	25.00	25.00	306.87	0.00	4797.00	6394.00	0.00
2	A	4844.00	6464.00	25.00	25.00	311.19	0.00	4844.00	6464.00	0.00

Schedule										
Symbol	Label	Quantity	MANUFACTURER	Catalog Number	Number Lamps	Lamp Output	Light Loss Factor	Total Output	Description	Input Power
	A	2	AMERICAN ELECTRIC LIGHTING	ATBO P605 R4 3K	1	20049	0.9	20049	Autobahn LARGE P605 Package Roadway Type IV 300K CCT	145

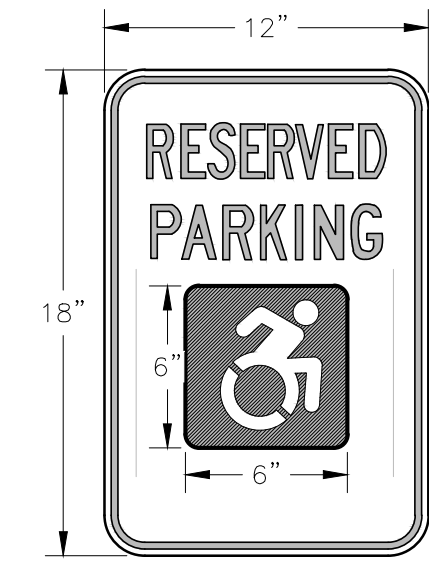
REV #	DATE	REMARKS:	ISSUE #	DATE	ISSUED FOR:				
<small>UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A LICENSED PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE N.Y. STATE EDUCATION LAW. CERTIFICATE OF AUTHORIZATION NUMBER 0017795</small>									
<h2 style="margin: 0;">FELLENER ENGINEERING LLP</h2> <p style="margin: 0; font-size: small;">www.felip.com</p>									
22 Mulberry St., Suite 2A, Middletown, NY 10940 t 845-343-1481 fx 845-343-4986			181 Church St., Suite 100, Poughkeepsie, NY 12601 t 845-454-9704 fx 855-320-8735						
STAMP:		PROJECT TITLE: DREAMFIELDS INC. SITE PLAN							
55 MIDLAND AVE. EXT., MIDDLETOWN, NY									
DRAWING TITLE: LIGHTING PLAN									
DESIGNED BY:	DRAWN BY:	APPROVED BY P.M.:	APPROVED BY P.I.C.:						
DATE:	SCALE:	FE PROJECT #:							
4/1/2025	AS SHOWN	25-039							
									C-601 PAGE 4 OF 5



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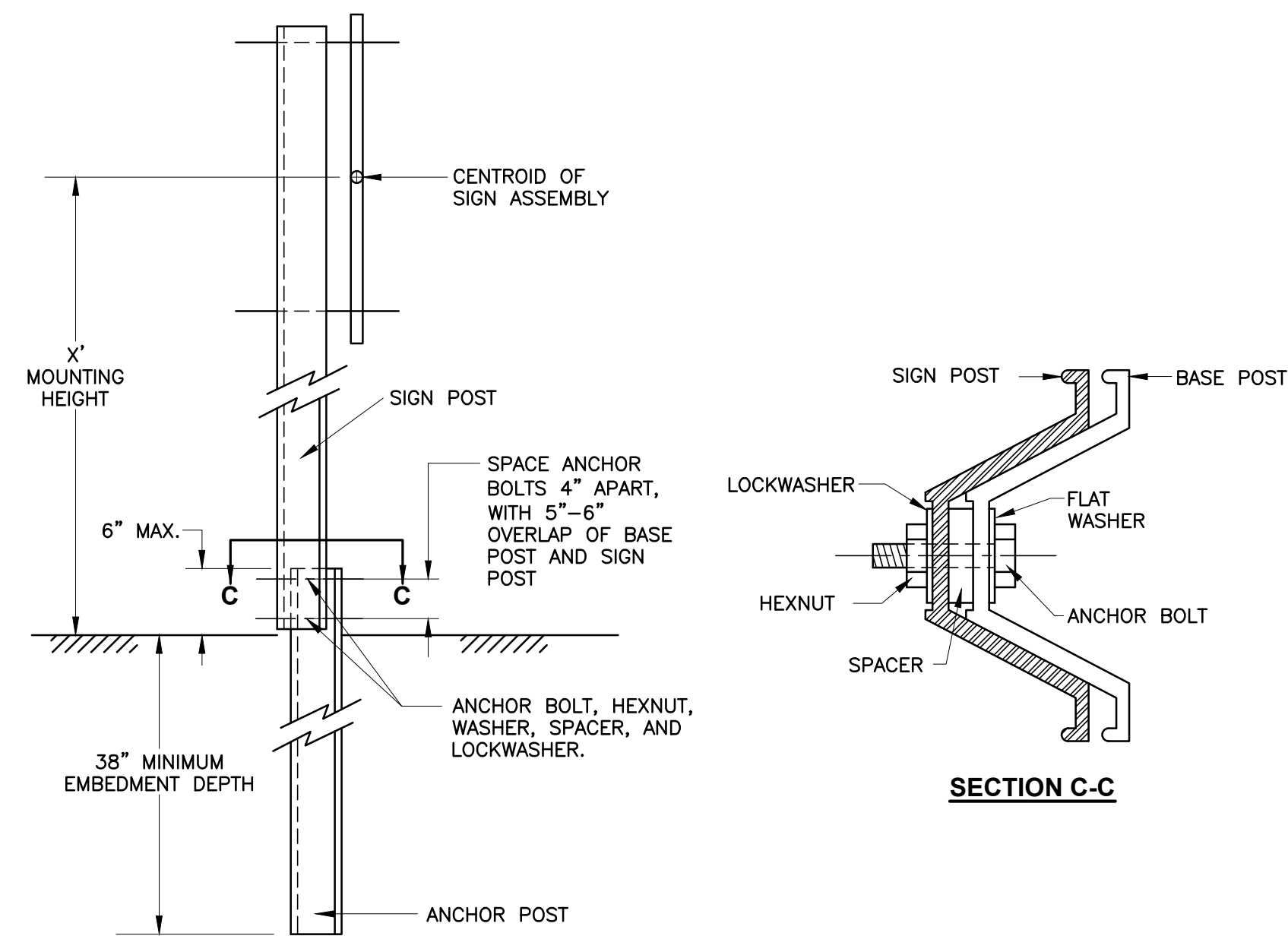


1 NO PARKING ANYTIME SIGN
N.T.S.

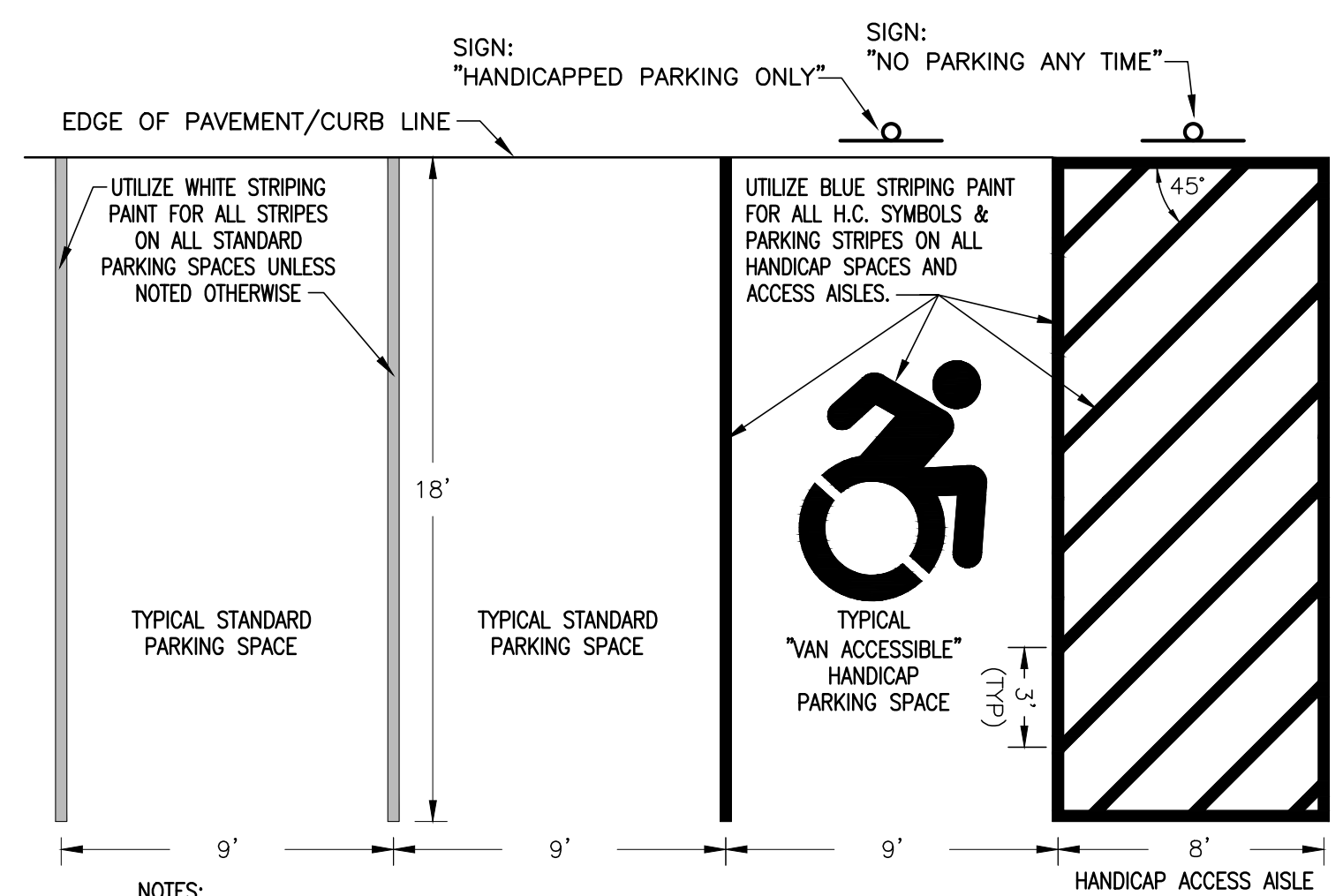


LETTERING AND BORDER: GREEN
SYMBOL: WHITE WITH BLUE FIELD
SIGN BACKGROUND: WHITE

2 HANDICAP RESERVED PARKING SIGN
N.T.S.

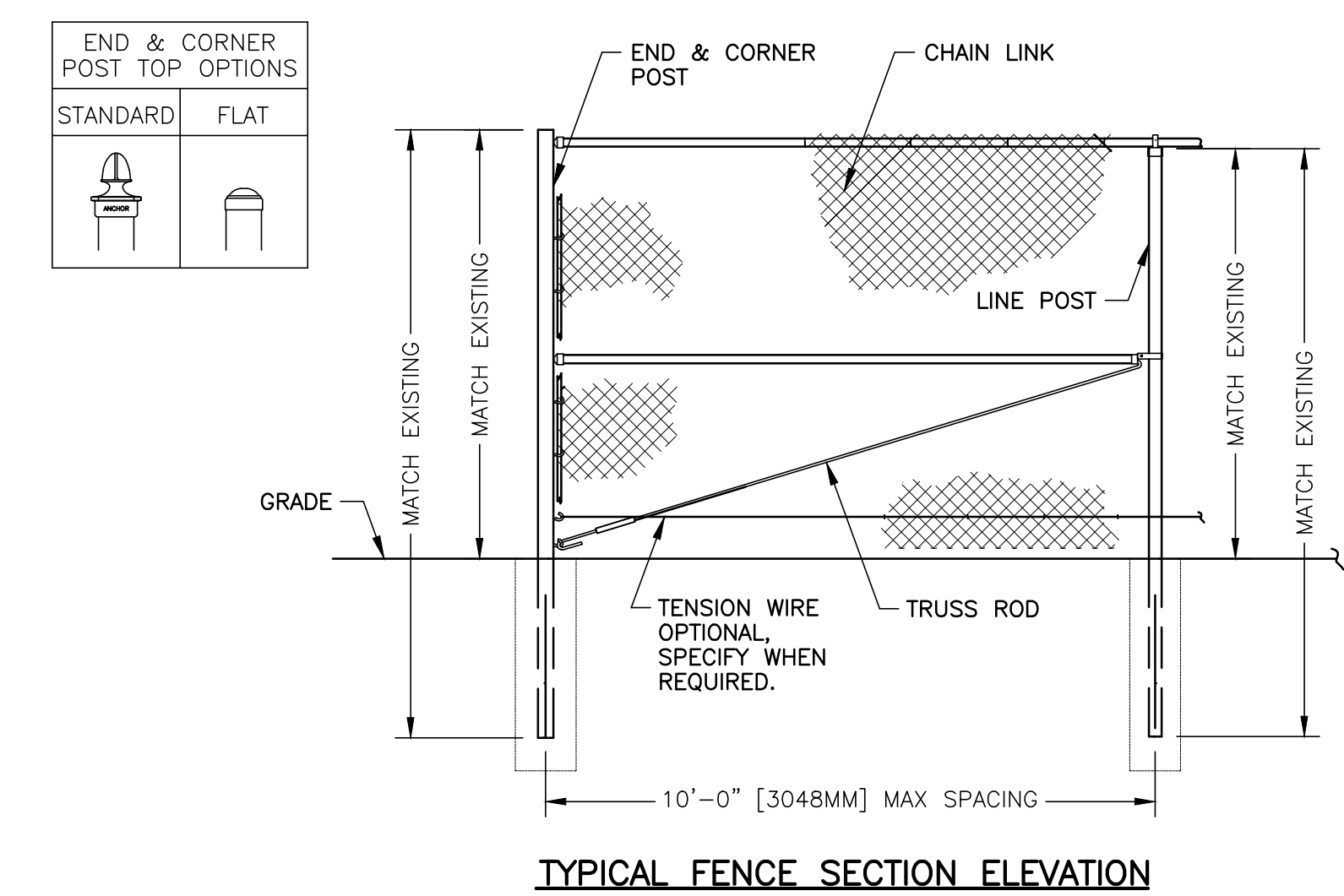
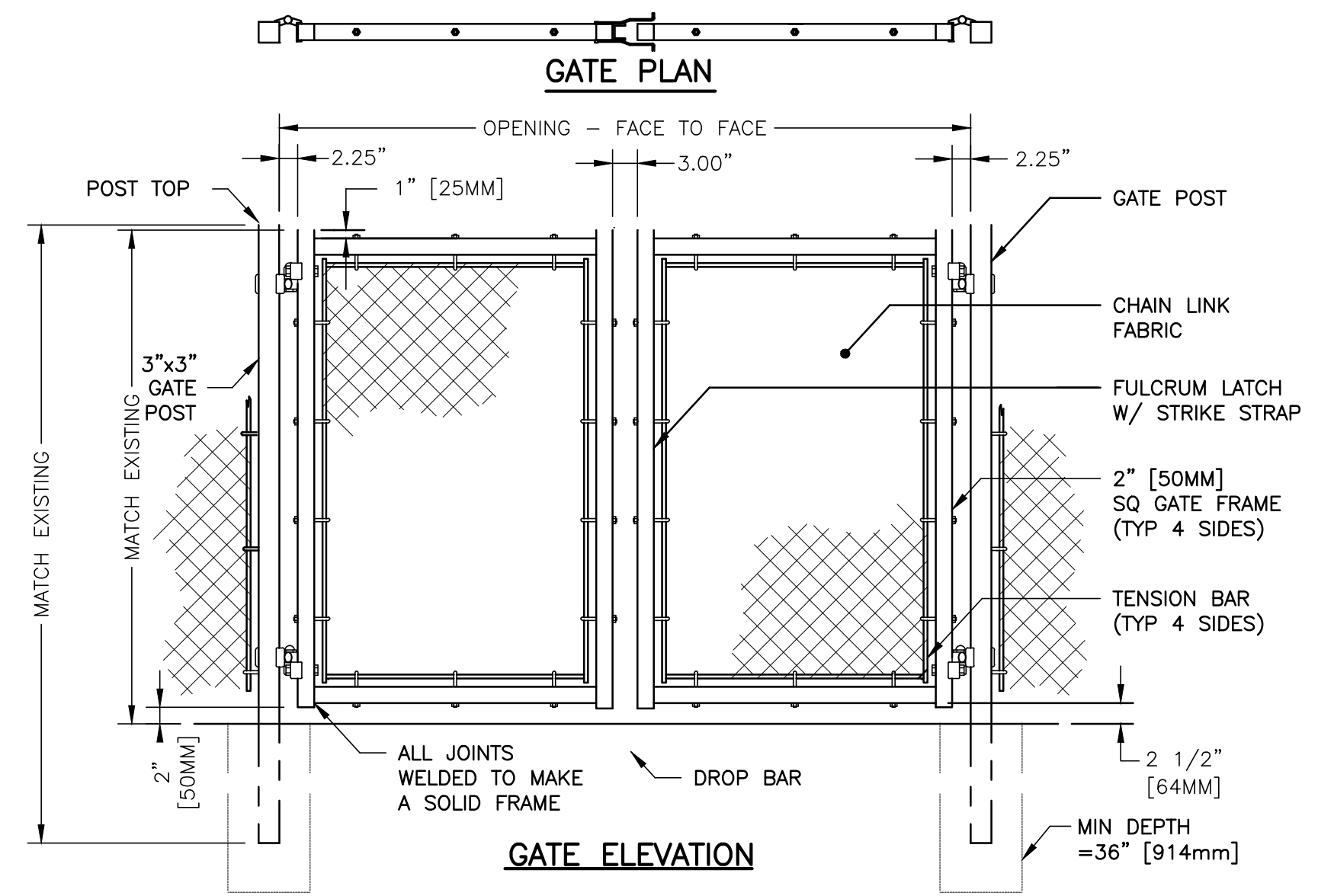


3 BREAKAWAY STYLE SIGN POST DETAIL
N.T.S.



4 VAN ACCESSIBLE HANDICAP PARKING - STRIPING DETAIL
N.T.S.

NOTES:
1. ALL PARKING AREAS TO BE RESTRIPTED AT LEAST ONCE A YEAR.
2. ALL STRIPING TO BE 4" WIDE UNLESS NOTED OTHERWISE.
3. SEE SIGN DETAILS FOR SIGN MOUNTING AND SIGN HEIGHT REQUIREMENTS.
4. AT LEAST 1 (ONE) SPACE OF EVERY 8 (EIGHT) REQUIRED HANDICAP SPACES SHALL BE "VAN ACCESSIBLE", WITH A MINIMUM REQUIREMENT OF 1 (ONE) "VAN ACCESSIBLE" SPACE, IF LESS THAN 8 HANDICAP SPACES ARE REQUIRED.



NOTES:
1. METRIC DIMENSIONS ARE NOMINAL EQUIVALENTS TO U.S. DIMENSIONS.
2. FOOTING WIDTH TO BE (4)X POST WIDTH.
3. GATES MAY BE MANUALLY OR ELECTRICALLY OPERATED. HARDWARE WILL VARY FOR ELECTRICALLY OPERATED GATES.

5 TYPICAL CHAIN LINK FENCE AND GATE
N.T.S.

LAWN RESTORATION SCHEDULE & NOTES

	SPECIES	LBS / 1,000 SQFT
PERMANENT SEED MIXTURE	TALL FESCUE	1
	KENTUCKY BLUEGRASS	3
	PERENNIAL RYEGRASS	1

- NOTE: OPTIMUM PERMANENT SEEDING SCHEDULE: SPRING OR EARLY FALL
- REMOVE ALL DEBRIS (STICKS, STONES, ETC.) FROM AREA, AND PREPARE SOIL BY TILLING TO A 3"-4" DEPTH.
 - RAKE SURFACE LEVEL TO PREVENT WATER FROM POOLING IN ONE AREA. AREAS LOCATED ON A SLOPE SHALL BE RAKED PARALLEL WITH CONTOURS TO PREVENT MOISTURE RUN-OFF.
 - FERTILIZER SHALL BE APPLIED TO THE TILLED SOIL AT RATE OF 6 LBS. PER 1,000 sq.ft. FERTILIZER SHALL BE A COMMERCIAL 10-0-10 MIXTURE.
 - AREA SHALL BE LIGHTLY SPRAYED WITH WATER TO ALLOW SOIL TO SETTLE.
 - PERMANENT SEED MIXTURE SHALL BE SPREAD BY HAND, LAWN SPREADER OR MECHANICAL SEEDER (AS APPROPRIATE FOR SIZE OF AREA) AT A RATE OF 5 lbs. OF SEED MIXTURE PER 1,000 sq.ft. DO NOT OVERSEED, OR OVER CROWDING OF THE SEEDLINGS MAY OCCUR, AND HAMPER PROPER LAWN GROWTH.
 - LIGHTLY COVER SEEDED AREA WITH 1/4"-3/4" OF SOIL. (ROLLING OF SEEDBED TO PROMOTE SOIL TO SEED CONTACT IS OPTIONAL) AND COVER WITH A MULCH OF HAY OR STRAW AT A RATE OF 90 lbs (APPROX 2 BALES) PER 1,000 sq.ft.
 - SEEDED AREA SHALL BE COVERED WITH A MULCH OF STRAW OR HAY AT THE RATE OF 90 lbs. (APPROX. 2 BALES) PER 1,000 S.F. TO HELP MAINTAIN SOIL MOISTURE LEVEL.
 - LIGHTLY WATER SEED BED DAILY TO KEEP IT MOIST, WHILE TAKING CARE NOT TO SATURATE.
 - NEW GRASS SHALL NOT BE MOWED UNTIL IT HAS REACHED A MINIMUM HEIGHT OF 2"-2 1/2".
 - PRACTICE REGULAR MAINTENANCE & WATER REGULARLY AS CONDITIONS REQUIRE.

REV #	DATE	REMARKS:	ISSUE #	DATE	ISSUED FOR:

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STAMP: **PROGRESS PRINT 11/13/25 NOT FOR CONSTRUCTION**
 PROJECT TITLE: **DREAMFIELDS INC. SITE PLAN**
 55 MIDLAND AVE. EXT., MIDDLETOWN, NY
 DRAWING TITLE: **DETAILS**
 DESIGNED BY: JB DRAWN BY: VMB APPROVED BY P.M.: RDF APPROVED BY P.C.: MDF DRAWING #: **C-901**
 DATE: 4/1/2025 SCALE: AS SHOWN FE PROJECT #: 25-039 PAGE 4 OF 5





**CITY OF MIDDLETOWN, NEW YORK
PLANNING BOARD
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: None
 Seconded by: None
 Date of Adoption: December 3, 2025
 Resolution Number

Names	Ayes	Noes	Abstain	Absent
Mr. Madden				
Mr. McCormack				
Mr. Britto				
Mrs. Witt				
Mrs. Dupre				
Mr. Higbie				
Chairman Cappozella				
Total				

Filed with the Clerk of the City of Middletown on: December 3, 2025

Richard P. McCormack

Request of Middletown Commons LLC., seeking a special use permit and site plan approval for a development of 150 residential units and approximately 27,000 sq. ft. of commercial space, located at 203-231 Dolson Avenue, Middletown

WHEREAS, of Middletown Commons LLC., filed an application with the Planning Board of the City of Middletown seeking a special use permit and site plan approval for a mixed-use development of 150 residential units and approximately 27,000 sq. ft. of commercial space, located at 203-231 Dolson Avenue, Middletown. Section 49, Block 1, Lot 7.5, located in the C-3 Zone, which is a permitted use.

WHEREAS, after due notice, a public hearing was held by the Planning Board on December 3, 2025, at 7:00 p.m. in the Common Council Chambers, City Hall, Middletown, New York, and

WHEREAS, according to the SEQRA review, this is determined to be a Type I action as it is a project that is more likely to have a significant adverse environmental impact, and therefore requires a more extensive review. Therefore, a further review is necessary and Lead agency and Negative Declaration will be required at the appropriate time, and

WHEREAS, at said hearing, all those who desired to be heard were heard and their testimony

recorded, and all testimony has been carefully considered.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the City of Middletown hereby approves the application of Middletown Commons LLC., for a special use permit and site plan approval for a mixed-use development of 150 residential units and approximately 27,000 sq. ft. of commercial space, located at 203-231 Dolson Avenue, Middletown.

SUBJECT TO: City of Middletown DPW and City of Middletown Fire Department inspections and approvals and, when necessary, approval of the Commissioner of Public Works. The applicant will obtain all necessary permits and follow the permitting process, codes, and ordinances of the City of Middletown, County of Orange, and the State of New York, if applicable.

In addition, if, throughout any of the review process, the project is deemed to require Bulk Requirement Tables, the applicant will supply said tables through an architect or engineer licensed in the State of New York.

SUBJECT TO: Any items as stated in: submitted PB application, Public Hearing, Board discussion, City Inspectors' input, PB Engineer, and PB Attorney's recommendations. Information submitted within the application will become part of the record, and the applicant will follow through on and be held to.

THEREFORE: The applicant is only allowed to use the space as designated in the application and resolution. Any changes in building structure and/or use, the applicant will need to seek PB approval, if applicable. The applicant will be required to pay any outstanding fees, such as, application fees and professional fees, if any. If these remain unpaid after a 10-day notice to cure, the approval will be rescinded, and it will be a violation to continue to operate/rent/lease space.

WHEREAS, Pursuant to the City of Middletown Code, Chapter 475, Article 4, Administration and Enforcement, Chapter 475-53, Paragraph E-6, unless work is commenced and diligently prosecuted within six months and completed within two years of the date of granting a Special Use Permit, such Special Use Permit shall be null and void.

If no work is done in the next six months, the applicant will need to submit a request for a six-month extension of the Planning Board approval.

Prepared by:

Attachments:

1.	203-231 dolson
2.	MT Commons Planning Submission Drawings Updated 092420
3.	2025-04-04 Middletown Commons Full Set

AMENDED APPLICATION

~~17 JAN 2020~~

16 JUNE 2020

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 203-231 DOLSON AVENUE, MIDDLETOWN, N.Y.

Section 49 Block 1 Lot 7.5

Current Zoning District C-3

Building Existing New

2. Owner of Property 201 DOLSON AVENUE, LLC

Owner's Address 265 ROUTE 211 SUITE 111

City MIDDLETOWN State NY Zip 10940

Phone numbers: Home: _____

Business: 845 344 8000

Cell: 845 686 2399

3. Applicant name FRANCO FIDANZA

If different from Owner

Applicants Address SAME AS ABOVE

City _____ State _____ Zip _____

Phone numbers: Home: _____

Business: _____

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 # C-3/UR-3

Classification of Occupancy requested RETAIL - RESIDENTIAL

Description of what you are requesting: TO BUILD ^{ONE (1)} ~~TWO (2)~~ 6 STORY BUILDING~~S~~
THE
W/ RETAIL ON ~~BOTH~~ GROUND FLOOR~~S~~ and 5 STORIES OF 1+2+3
BEDROOM APTS.

Uses currently in property: VACANT LAND

ALL ZONING REQUIREMENTS LISTED ON DRAWING 'SP-1'

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.


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: 

Printed Name and Title: THOMAS KENTOP, SR. - PROJECT MANAGER

Date: 29 MAY 2019

AMENDED 17 JAN 2020 

MIDDLETOWN COMMONS

JTA
JOSEPH THOMPSON
ARCHITECT

Joseph G. Thompson Architect, PLLC
1006 Brown Street, Suite 212
Peekskill, New York 10566
PH: (845) 532-8156
EM: jgthompsonarchitect@gmail.com

NOTES:
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MIDDLETOWN COMMONS
Middletown Commons, LLC
193-201 Delson Avenue
Middletown, New York 10940
S-B-L: 49-1'-7.42"
City of Middletown - Orange County

FOR PLANNING BOARD REVIEW AND APPROVAL

Date: September 24, 2020

Revisions:

▲	
▲	
▲	
▲	
▲	

DRAWING INDEX:

G0.01	TITLE SHEET
AR1.01	ARCHITECTURAL RENDERINGS
A1.01	SCHEMATIC FIRST FLOOR PLAN
A1.02	SCHEMATIC UPPER FLOOR PLANS

G0.01





JTA
 JOSEPH THOMPSON
 ARCHITECT

Joseph G. Thompson Architect, PLLC
 1006 Brown Street, Suite 212
 Peekskill, New York 10566
 PH: (845) 532-8156
 EM: jgthompsonarchitect@gmail.com

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 Revisions:
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AR1

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S-B-L: 49-1-7.42
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FOR PLANNING BOARD REVIEW AND APPROVAL

Date: September 24, 2020

Revisions:

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A1.01

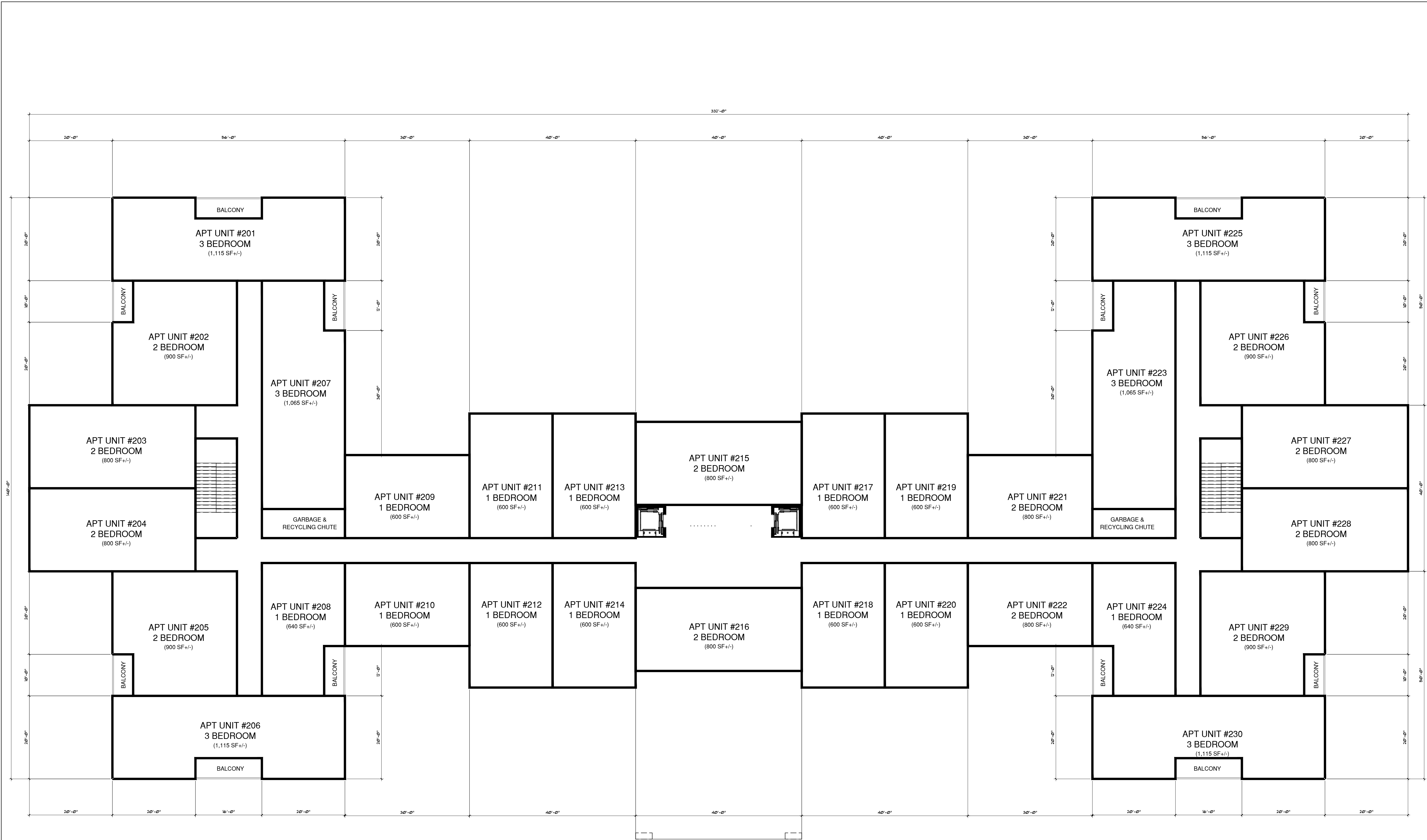


1 Schematic First Floor Plan (24,600 SF Footprint)
A1.01 Scale: 3/32" = 1'-0"

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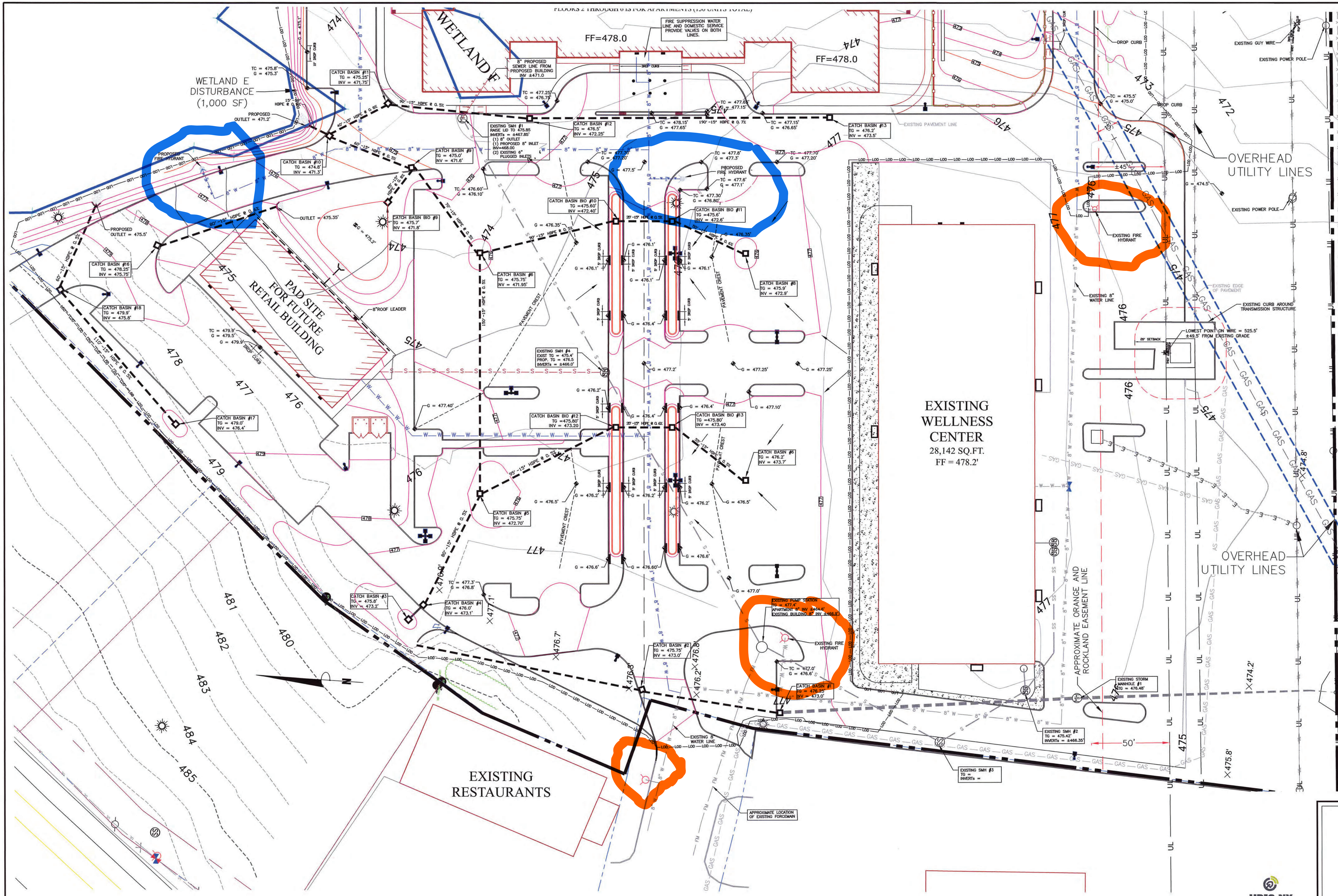
1 Typical Schematic Floor Plan Diagram Floors 2-6 (27,640 SF Footprint)
A1.02 Scale: 3/32" = 1'-0"

MIDDLETOWN COMMONS
Middletown Commons, LLC
193-201 Delson Avenue
Middletown, New York 10940
S-B-L: 49-1-7.42
City of Middletown - Orange County

FOR PLANNING BOARD REVIEW AND APPROVAL

Date: September 24, 2020

Revisions:



- Orange and Rockland Utilities Easement Notes:**
- All work and equipment within the Orange and Rockland Utilities Easement shall maintain the proper clearance from the high voltage energized facilities in accordance with the New York State High Voltage Proximity Act, OSHA Regulations and Orange and Rockland's Field Safety Guide.
 - The Orange and Rockland Extra High Voltage Supervisor must be notified a minimum of one week prior to any construction activity within the Orange and Rockland Easement.
 - Appropriate clearance from the lowest conductor shall be maintained at all times. Note: Conductor's sag and swing change due to changes in temperature and weather.
 - Signs indicating "High Voltage Above" shall be displayed throughout construction.
 - Stockpiling of debris, soil, snow or any construction materials within the Orange and Rockland Easement is prohibited.
 - No excavation shall be made within 50' of any Orange and Rockland Transmission Structure without prior permission from Orange and Rockland.
 - Construction activities that have been consented to by Orange and Rockland which consist of grade increases within the easement shall be conducted by placement of fill outside the easement and moved into the easement by bulldozer. Cranes, dump trucks, excavators and equipment that could potentially come in contact with Orange and Rockland's Overhead Transmission Facilities shall not operate within the easement.
 - All equipment operating within Orange and Rockland's easement shall be grounded.
 - Grounding components, such as above and below grade ground wires and driven ground rods are located at the base of each Transmission Structure and/or between Transmission Structures within the easement. Extreme care shall be undertaken during all construction activities to avoid damaging the grounding components. If any Orange and Rockland facility is damaged, Orange and Rockland shall be immediately notified so that repairs can be implemented. All costs associated with repair or replacement of damaged facilities shall be the sole responsibility of the Contractor.
 - Final grading within the Orange and Rockland Easement shall not result in ponding of water, erosion or storm water routing that would prevent or impede access along the right-of-way or erode a structure's foundation or pole's embedment depth.
 - Landscaping within the easement shall be in accordance with Orange and Rockland's list of approved vegetative plantings. Orange and Rockland reserves the right to trim and/or clear cut all growth within the easement in order to conduct maintenance activities and maintain proper electrical clearance.
 - Light poles are not permitted within the Orange and Rockland Easement.
 - Blasting is not permitted in the Orange and Rockland Easement without submission of a detailed blasting plan and written approval from Orange and Rockland.
 - An Orange and Rockland inspector shall be on site to witness all work performed within 25ft. of the gas main.
 - The contractor shall maintain and protect the gas main where it is exposed during construction.
 - Where the gas easement crosses through the construction area developer shall dig test pits at 20 ft. intervals to confirm the location and depth of the gas main. A minimum clearance of 12 in. shall be maintained between the gas main and any new underground utilities or structures. The gas main shall be exposed by hand at crossing points before storm drains are installed.
 - Heavy construction equipment (cranes, etc.) shall not be parked above the gas main.
 - Where concrete curbs must be installed above the gas main a minimum clearance of 12 in. shall be maintained between the top of the gas main and bottom of the curb.
 - Permanent Playground equipment shall not be installed in the gas easement.
 - No building footings or foundations shall be built in the gas easement.
 - All grading and installation of drainage facilities shall be kept a minimum of 25' from the existing poles and towers.
 - All contractors shall review the Orange and Rockland's Field Safety Guide prior to any work within the easement areas.

- Drainage:**
- All storm sewer pipe shall be smooth interior HDPE pipe unless noted otherwise.
 - HDPE end sections shall be provided on all drainage pipe inlets or outlets not connected to catch basins or other drainage structures. All outlets shall also be stabilized with rip-rap as per plans.
 - All concrete chambers shall be pre cast concrete to the specifications and dimensions shown hereon. Frames and grates shall be gray iron or ductile iron. Gray iron shall conform with ASTM A 48, Class 30b and ductile iron shall conform with ASTM A 536 and be of a grade appropriate to its intended use to the dimensions and specifications as shown hereon. Any structures subject to vehicle loads shall be able to withstand an H20 loading. Shop drawings shall be submitted to the design engineer for approval prior to construction.
 - The gutters and ditches shall be kept open at all times for surface drainage. No damming or ponding of water, in gutters or other waterways will be permitted except where the engineer shall consider it necessary.
 - The transport of soils to the drainage system shall be avoided during and after construction.
 - All exposed soils shall be stabilized with vegetation, stone or as directed by the engineer.
 - Methods used to control soil erosion and sediment control shall be in accordance with the approved soil erosion and sediment control plan or as directed by the engineer. Contractor shall comply with all the requirements of the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-25-001). A current copy of the Stormwater Pollution Prevention Plan (SWPPP) shall be kept on site at all times. Contractor is responsible for conducting weekly inspections (must be qualified by NYSDEC) or retaining a qualified inspector such as the design engineer to perform such inspections.

GRADING AND UTILITY PLAN #1
OF
PROPOSED MULTIPLE DWELLING HOUSING AND MIXED-USE
FOR
MIDDLETOWN COMMONS, LLC
CITY OF MIDDLETOWN
ORANGE COUNTY - NEW YORK

Scale: 1" = 30'
MAY 17, 2021

MEDENBACH & EGGERS
CIVIL ENGINEERING & LAND SURVEYING, P.C.
STONE RIDGE, NEW YORK (845) 687-0947
WWW.MEELS.COM

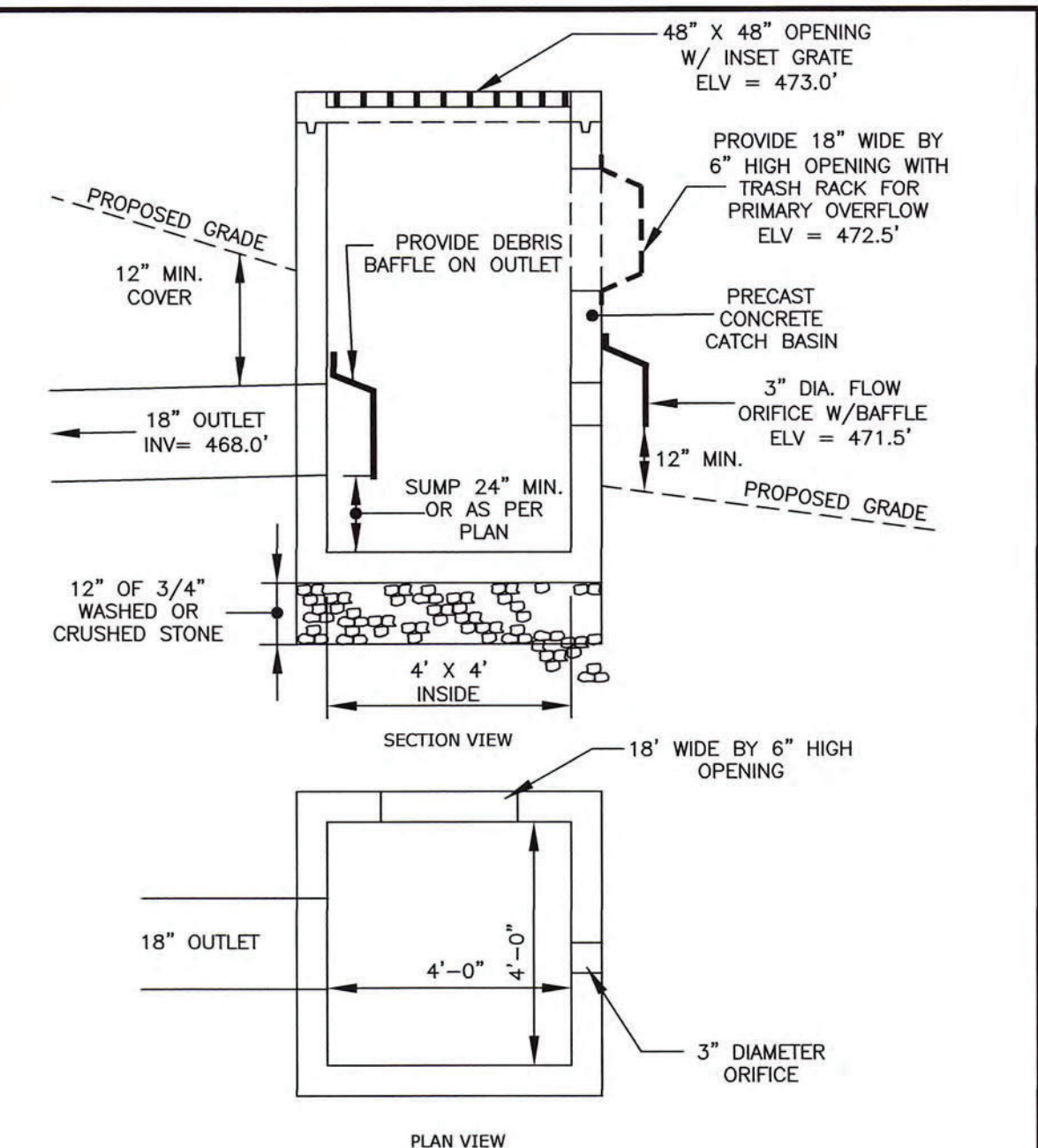
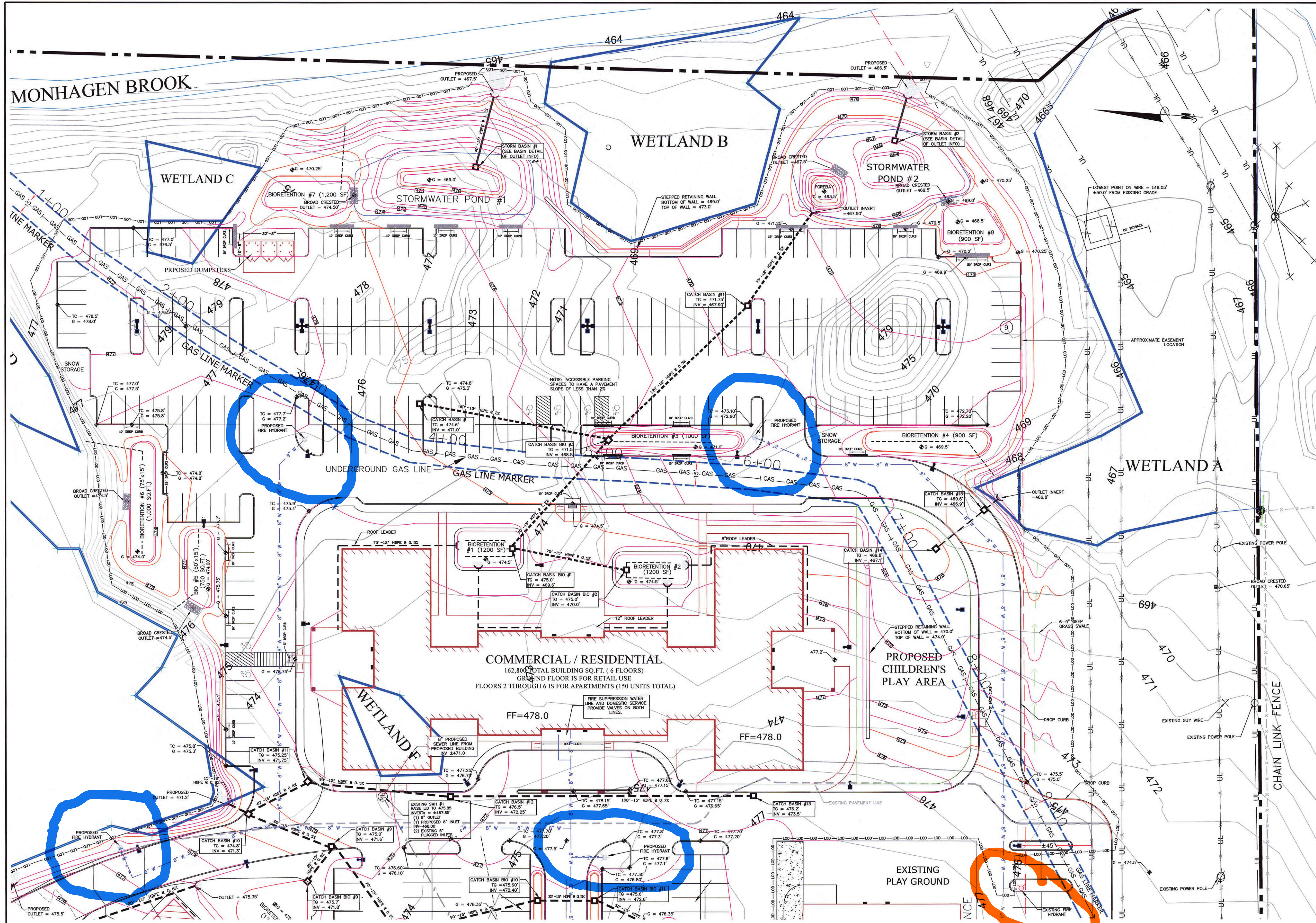
CALEB CARR, P.E.
NEW YORK LIC. NO. 102177

GP-1
E19 100
SHEET 4 OF 19

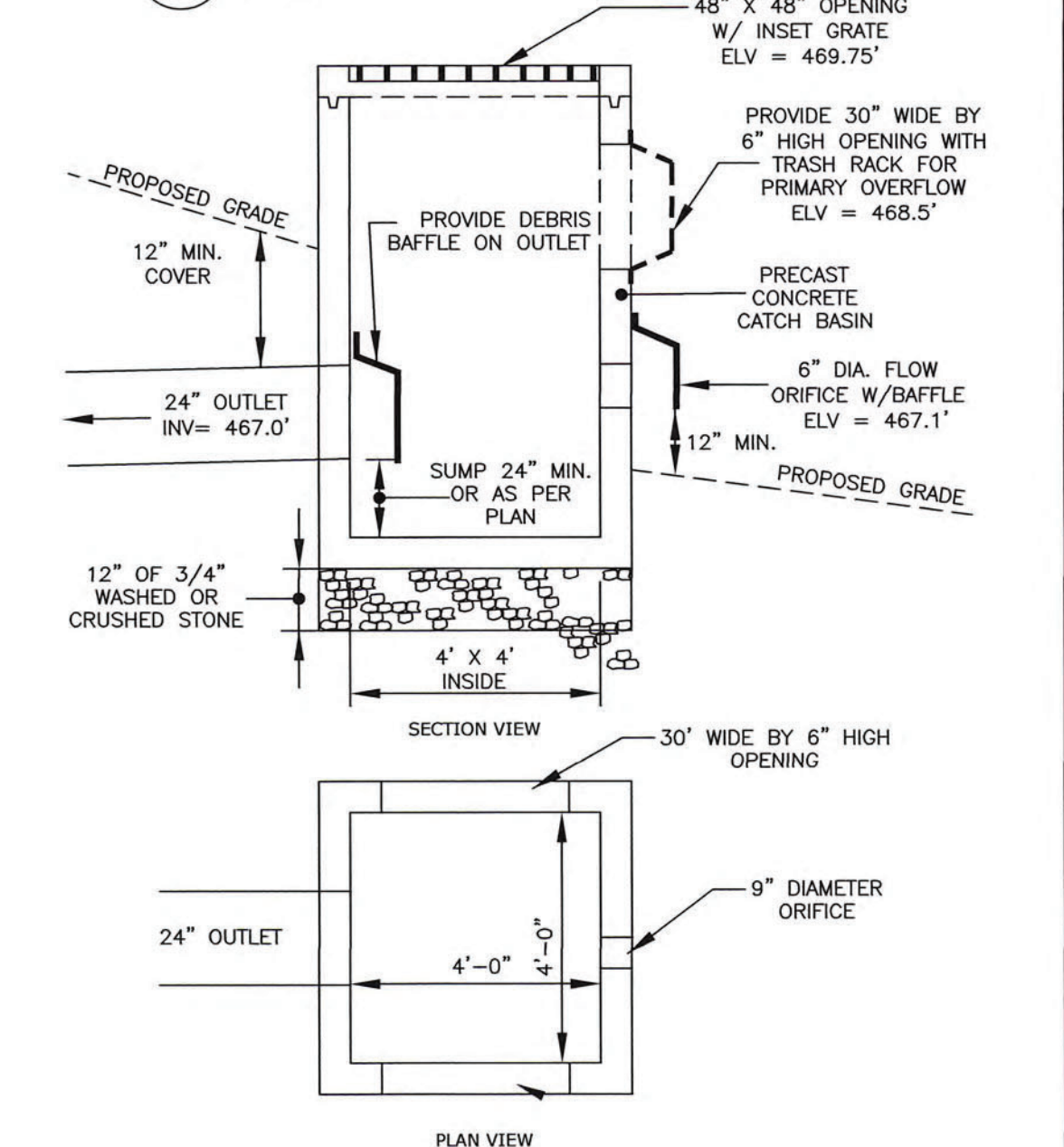
UDIG-NY
Call Before You Dig
Wait The Required Time
Confirm Utility Response
Respect The Marks
Dig With Care
CALL 811
www.udign.org

MAP REVISION DATES		
DATE	REVISION	BY
10/07/2021	REVISED PLAN PER TOWN'S ENGINEER'S COMMENTS	CC
17 AUG 2022	SITE PLAN REDESIGN PER ORANGE AND ROCKLAND	TPFK
17 APRIL 2023	SITE PLAN REDESIGN UPDATED	TPFK
21 JUNE 2023	REVISED PLAN PER TOWN'S ENGINEER'S COMMENTS	TPFK
10 OCT 2023	UPDATE SET - SUBMIT FOR APPROVAL	TPFK
23 OCT 2024	REVISED PER ORANGE AND ROCKLAND COMMENTS	CC
04 APR 2025	REVISED PER TOWN ENGINEERS COMMENTS	CC

Any unauthorized alteration or addition to this plan is a violation of Sect. 7209, Subdivision 2 of N.Y.S. Education Law.



1 STORMWATER POND #1 BASIN
SCALE: N.T.S.



2 STORMWATER POND #2 BASIN
SCALE: N.T.S.

MAP REVISION DATES		
DATE	REVISION	BY
10/07/2021	REVISED PLAN PER TOWN'S ENGINEER'S COMMENTS	CC
17 AUG 2022	SITE PLAN REDESIGN PER ORANGE and ROCKLAND	TPFK
17 APRIL 2023	SITE PLAN REDESIGN UPDATED	TPFK
21 JUNE 2023	REVISED PLAN PER TOWN'S ENGINEER'S COMMENTS	TPFK
10 OCT 2023	UPDATE SET - SUBMIT FOR APPROVAL	TPFK
23 OCT 2024	REVISED PER ORANGE and ROCKLAND COMMENTS	CC
04 APR 2025	REVISED PER TOWN ENGINEERS COMMENTS	CC

GRADING AND UTILITY PLAN #2

OF
PROPOSED MULTIPLE DWELLING HOUSING and MIXED-USE
FOR
MIDDLETOWN COMMONS, LLC
CITY OF MIDDLETOWN
ORANGE COUNTY - NEW YORK

Scale: 1" = 30'

MAY 17, 2021

MEDENBACH & EGGERS
CIVIL ENGINEERING & LAND SURVEYING, P.C.
STONE RIDGE, NEW YORK (845) 687-0047
WWW.MEELS.COM

CALEB CARR, P.E.
NEW YORK LIC. NO. 102117

UDIG-NY

Call Before You Dig
Wait The Required Time
Confirm Utility Response
Respect The Marks
Dig With Care

CALL 811
www.udig.ny.org

GP-2
E19 100
SHEET 5 OF 19

PROPOSED WATER USAGE

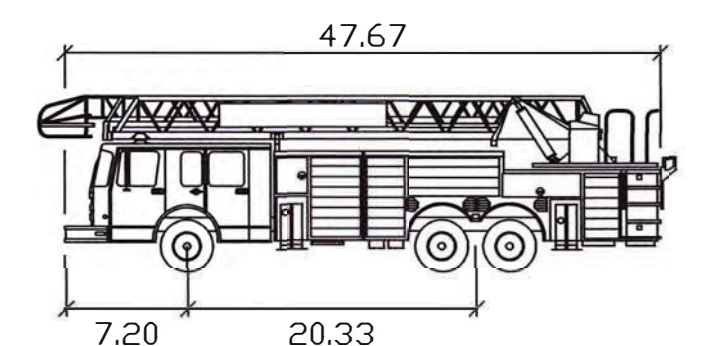
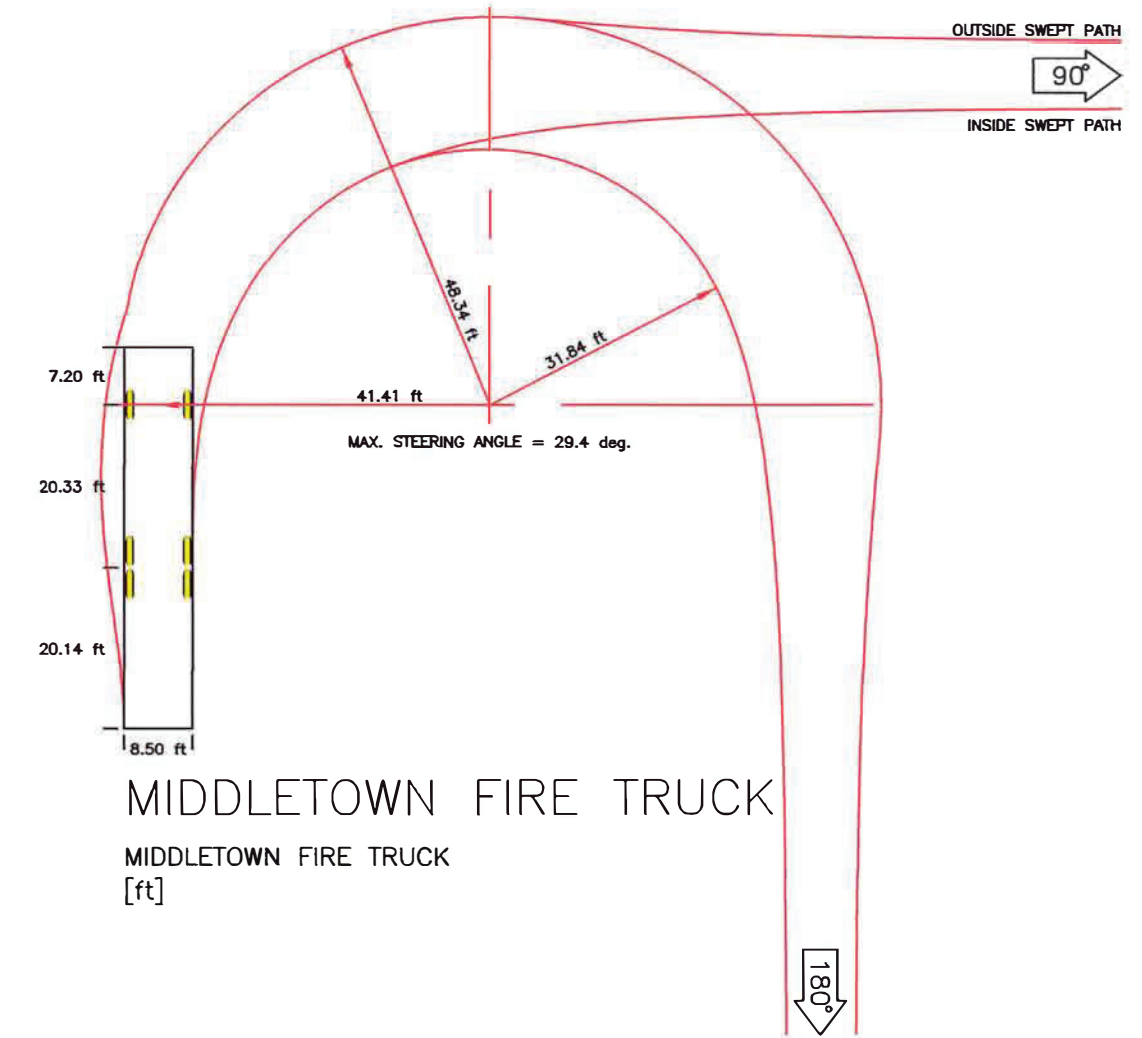
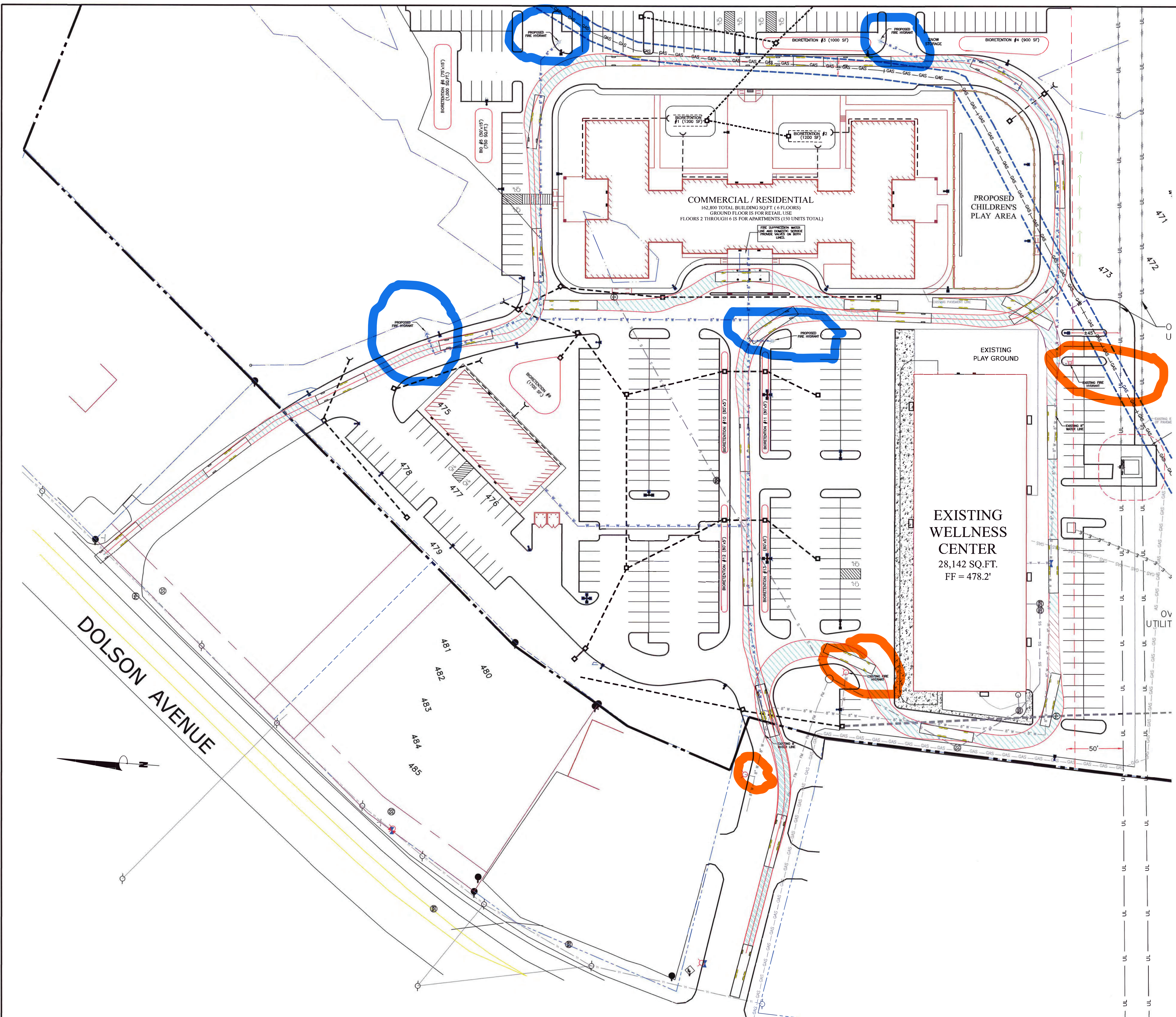
TOTAL AVERAGE DAILY FLOW - SEWAGE and WATER

RESIDENTIAL:
52 BEDROOMS PER FLOOR x 110 GPD;
52 x 5 x 110 = 28,600 GPD.

COMMERCIAL:
FIRST FLOOR RETAIL SPACE = 10,500 SF
10,500 SF X 0.1 GALLONS PER DAY PER SF = 1,050 GPD

TOTAL AVERAGE DAILY FLOW = 29,650 GPD

Any unauthorized alteration or addition to this plan is a violation of Sect. 7209, Subdivision 2 of N.Y.S. Education Law.



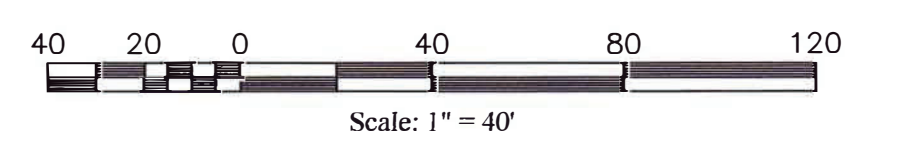
MIDDLETOWN FIRE TRUCK
feet

- Width : 8.50
- Track : 8.00
- Lock to Lock Time : 6.00
- Steering Angle : 40.00

MAP REVISION DATES		
DATE	REVISION	BY
17 AUG 2022	SITE PLAN REDESIGN PER ORANGE and ROCKLAND	TPFK
21 JUNE 2023	SITE PLAN REDESIGN UPDATED	TPFK
10 OCT 2023	UPDATE SET - SUBMIT FOR APPROVAL	TPFK
23 OCT 2024	REVISED PER ORANGE AND ROCKLAND COMMENTS	CC
04 APR 2025	REVISED PER TOWN ENGINEERS COMMENTS	CC

FIRETRUCK MOVEMENT

OF
PROPOSED MULTIPLE DWELLING HOUSING AND MIXED-USE
FOR
MIDDLETOWN COMMONS, LLC
CITY OF MIDDLETOWN
ORANGE COUNTY - NEW YORK



OCTOBER 7, 2021

MEDENBACH & EGGERS

CIVIL ENGINEERING & LAND SURVEYING, P.C.
STONE RIDGE, NEW YORK (845) 687-0847
WWW.MEELS.COM



CALEB CARR, P.E.
NEW YORK LIC. NO. 102177

Any unauthorized alteration or addition to this plan is a violation of Sect. 7209, Subdivision 2 of N.Y.S. Education Law.



**CITY OF MIDDLETOWN, NEW YORK
PLANNING BOARD
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: None
 Seconded by: None
 Date of Adoption: December 3, 2025
 Resolution Number

Names	Ayes	Noes	Abstain	Absent
Mr. Madden				
Mr. McCormack				
Mr. Britto				
Mrs. Witt				
Mrs. Dupre				
Mr. Higbie				
Chairman Cappozella				
Total				

Filed with the Clerk of the City of Middletown on: December 3, 2025

Richard P. McCormack

Request of Sarah Bauersachs, seeking a site plan approval and a special use permit to have an eating and drinking establishment (acai/smoothie shop) located at 23-27 West Main Street, Middletown

WHEREAS, Sarah Bauersachs filed an application with the Planning Board of the City of Middletown seeking a special use permit and site plan approval in order to have an eating and drinking establishment (acai/smoothie shop), located at 23-27 West Main Street, Middletown, Section 31, Block 10, Lot 15, located in the DMU Zone, which is a permitted use.

WHEREAS, after due notice, a public hearing was held by the Planning Board on December 3, 2025 at 7:00 p.m. in the Common Council Chambers, City Hall, Middletown, New York, and

WHEREAS, according to the SEQRA review, this is determined to be a Type II action as it falls under the maintenance/repair and upgrade section. Therefore, no further review is necessary and Lead agency and Negative Declaration is not required, and

WHEREAS, at said hearing, all those who desired to be heard were heard and their testimony recorded, and all testimony has been carefully considered.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the City of Middletown hereby approves the application of Sarah Bauersachs for a special use permit and site plan approval for an eating and drinking establishment (acai/smoothie shop), located at 23-27 West Main Street, Middletown. There will be no cooking on the premises and no beer, wine or liquor served.

Hours of operation are 8:00 a.m. to 6:00 p.m. daily.

SUBJECT TO: City of Middletown DPW and City of Middletown Fire Department inspections and approvals and, when necessary, approval of the Commissioner of Public Works.

The applicant will obtain all necessary permits and follow the permitting process, codes, and ordinances of the City of Middletown, County of Orange, and the State of New York, if applicable.

In addition, if throughout any of the review process, the project is deemed to require Bulk Requirement Tables, the applicant will supply said tables through an architect or engineer licensed in the State of New York.

SUBJECT TO: Any items as stated in: submitted PB application, Public Hearing, Board discussion, City Inspectors' input, PB Engineer, and PB Attorney's recommendations. Information submitted within the application will become part of the record, and the applicant will follow through and be held to.

THEREFORE: The applicant is only allowed to use the space as designated in the application and resolution. Any changes in building structure and/or use, applicant will need to seek PB approval, if applicable. The applicant will be required to pay any outstanding fees, such as, application fees and professional fees, if any. If these remain unpaid after a 10-day notice to cure, the approval will be rescinded, and it will be a violation to continue to operate/rent/lease space.

WHEREAS this application is located in the DMU Zone, applicants must submit and receive approval from the Department of Public Works according to Chapter 407 Solid Waste, Article II Collection, §407-3, Collection, and comply with this section and any other sections enacted by the Common Council from this date forward.

WHEREAS this application is located in the DMU Zone, applicants must submit and receive approval on all façade work, exterior work in general and exterior signage from the Architectural Review Board.

WHEREAS this application is located in the DMU Zone, the Planning Board waives parking requirements as per the code.

WHEREAS, Pursuant to the City of Middletown Code, Chapter 475, Article 4, Administration and Enforcement, Chapter 475-53, Paragraph E-6, unless work is commenced and diligently prosecuted within six months and completed within two years of the date of granting a Special Use Permit, such Special Use Permit shall be null and void.

If no work is done in the next six months, the applicant will need to submit a request for a six-month extension of the Planning Board approval.

Prepared by:

Attachments:

1.	23-27 west main-004
----	---------------------

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 27B^W main street middletown ny 10040

Section 31 Block 10 Lot 15

Current Zoning District DMU

Building Existing _____ New _____

2. Owner of Property HB Developers LLC

Owner's Address 6 Forest Ave

City Paramus State NJ Zip 07652

Phone numbers: Home: 201 881 0975

Business: _____

Cell: _____

3. Applicant name Sarah Bauersachs

If different from Owner

Applicants Address 187 monahan rd

City Pftjervis State NY Zip 12771

Phone numbers: Home: 845-421-0587

Business: Sabauersachs@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 # 31-10-15.

Classification of Occupancy requested acai / smoothie shop.

Description of what you are requesting: Cold food prep. open 7 days
8am-6pm. we will not be cooking, serving
alcohol, or smoking.

Uses currently in property: The property used to be a
restaurant, but right now it's empty.

Title	Section Number	Required Dimensions	Actual Dimensions
Lot area			
Front yard			
Rear yard			
Side yard			
Side yard			
Parking <u>municipal</u>			
<i>Answer this section only for multiple dwellings</i>			
Lot coverage			
Building height			
Open Space			
Playlot			
Livable floor area			
Number of Bedrooms			

Signature:  _____

Printed Name and Title: Sarah Bauersachs

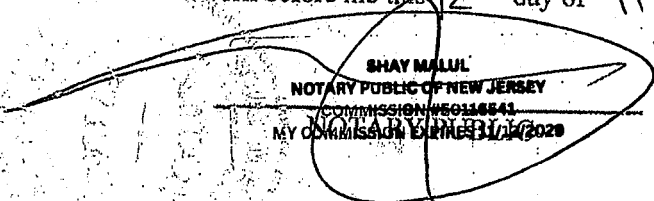
Date: 11/13/2025

OWNERS ENDORSEMENT

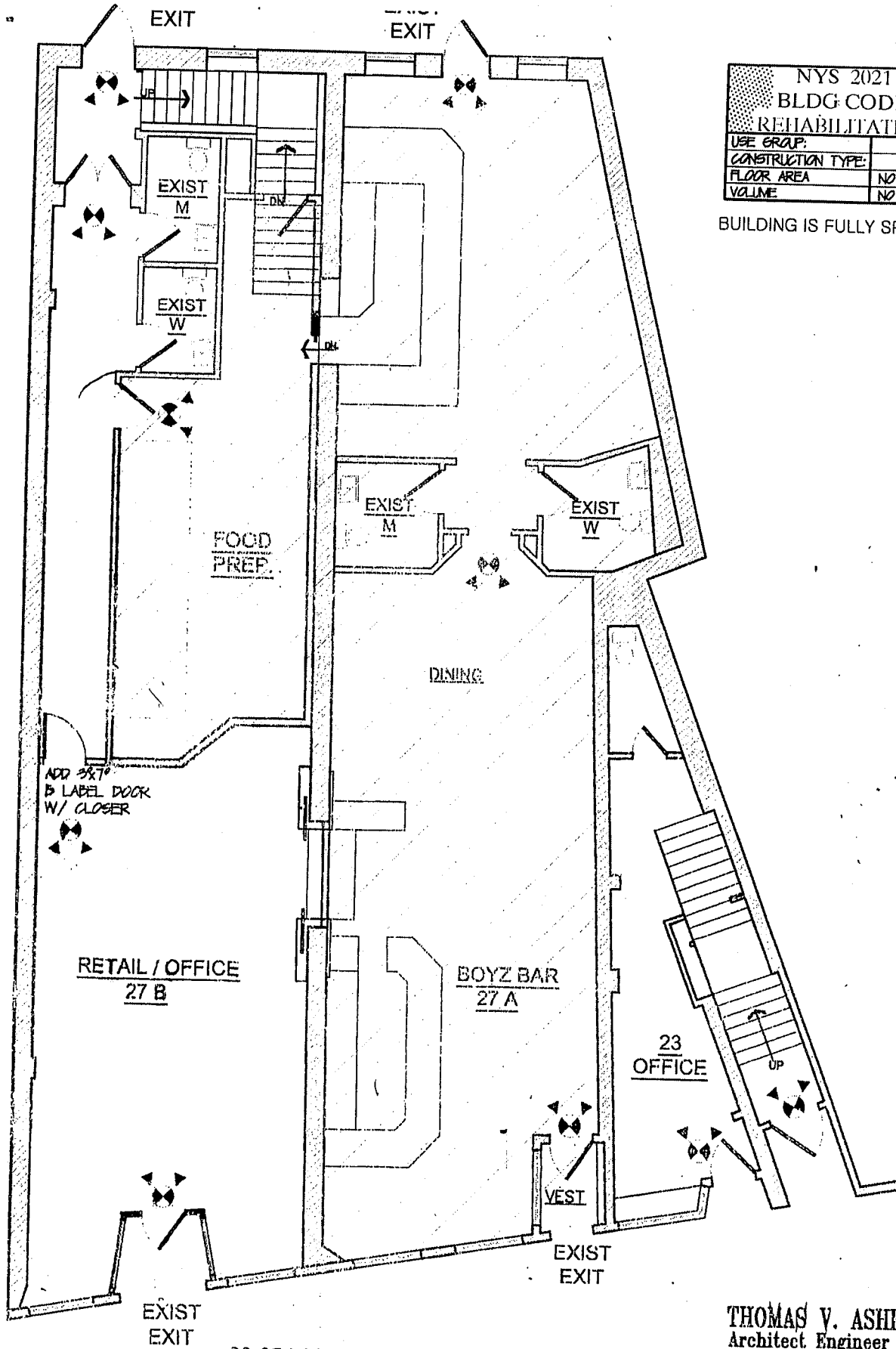
COUNTY OF ORANGE
STATE OF NEW YORK

Sarah Bauersachs being duly sworn, deposes and
says that he/she resides at 23-27^B E Main Street Middletown unit B
in the County of Orange and State of Ny and that he is the
owner in fee or owner of the _____
Sunrise Bows Inc OFFICIAL TITLE Corporation which is the owner
in fee of the premises described in the foregoing application and that he has authorized
Maor Shelli to make the foregoing application for
approval as described herein.

Sworn before me this 21st day of 11 2025

A circular notary seal for Shay Malul, Notary Public of New Jersey. The seal contains the text: SHAY MALUL, NOTARY PUBLIC OF NEW JERSEY, COMMISSION #50116641, MY COMMISSION EXPIRES 11/11/2028. A large handwritten signature is written over the seal.
SHAY MALUL
NOTARY PUBLIC OF NEW JERSEY
COMMISSION #50116641
MY COMMISSION EXPIRES 11/11/2028

Maor Shelli
OWNERS SIGNATURE

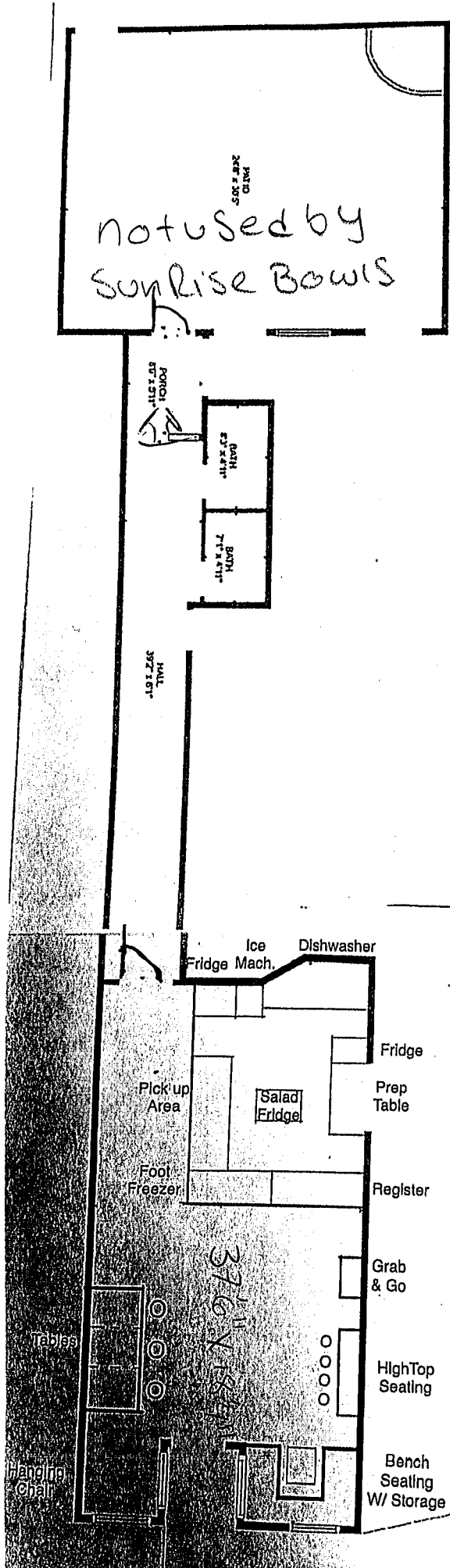


NYS 2021	
BLDG CODE	
REHABILITATION	
USE GROUP:	A
CONSTRUCTION TYPE:	SB
FLOOR AREA	NO CHANGE
VOLUME	NO CHANGE

BUILDING IS FULLY SPRINKLER

23-27 MAIN ST - MIDDLETOWN
TENANT DESIGNATION

THOMAS V. ASHBAHIAN
Architect Engineer Planner
39 Spring Street
Ramsey, New Jersey 07446
Tel: (908) 264-1000



72-77 east main street middletown ny 10940



**CITY OF MIDDLETOWN, NEW YORK
PLANNING BOARD
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: None
 Seconded by: None
 Date of Adoption: December 3, 2025
 Resolution Number

Names	Ayes	Noes	Abstain	Absent
Mr. Madden				
Mr. McCormack				
Mr. Britto				
Mrs. Witt				
Mrs. Dupre				
Mr. Higbie				
Chairman Cappozella				
Total				

Filed with the Clerk of the City of Middletown on: December 3, 2025

Richard P. McCormack

Request of BDK Masonry and Construction Corp. seeking a special use permit and site plan approval for an eating and drinking establishment with beer and wine, located at 101 North Street, Middletown

WHEREAS, BDK Masonry and Construction Corp. filed an application with the Planning Board of the City of Middletown seeking a special use permit and site plan approval in order to have an eating and drinking establishment with a beer and wine license in accordance with the SLA regulations under OP 252, located at 101 North Street, Middletown. Section 31, Block 2, Lot 12, located in the DMU Zone, which is a permitted use.

WHEREAS, after due notice, a public hearing was held by the Planning Board on December 3, 2025, at 7:00 p.m. in the Common Council Chambers, City Hall, Middletown, New York, and

WHEREAS, according to the SEQRA review, this is determined to be a Type II action as it falls under the maintenance/repair and upgrade section. Therefore, no further review is necessary and Lead agency and Negative Declaration is not required, and

WHEREAS, at said hearing, all those who desired to be heard were heard and their testimony recorded, and all testimony has been carefully considered.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the City of Middletown hereby approves the application of BDK Masonry and Construction Corp. for a special use permit and site plan approval for an eating and drinking establishment with beer and wine, located at 101 North Street, Middletown. Subject to SLA approval.

Hours of operation are 6:00 a.m. to 10:00 p.m. daily.

SUBJECT TO: City of Middletown DPW and City of Middletown Fire Department inspections and approvals and, when necessary, approval of the Commissioner of Public Works.

The applicant will obtain all necessary permits and follow the permitting process, codes, and ordinances of the City of Middletown, County of Orange, and the State of New York, if applicable.

In addition, if throughout any of the review process, the project is deemed to require Bulk Requirement Tables, the applicant will supply said tables through an architect or engineer licensed in the State of New York.

SUBJECT TO: Any items as stated in: submitted PB application, Public Hearing, Board discussion, City Inspectors' input, PB Engineer, and PB Attorney's recommendations. Information submitted within the application will become part of the record, and the applicant will follow through and be held to.

THEREFORE: The applicant is only allowed to use the space as designated in the application and resolution. Any changes in building structure and/or use, applicant will need to seek PB approval, if applicable. The applicant will be required to pay any outstanding fees, such as, application fees and professional fees, if any. If these remain unpaid after a 10-day notice to cure, the approval will be rescinded, and it will be a violation to continue to operate/rent/lease space.

WHEREAS this application is located in the DMU Zone, applicants must submit and receive approval from the Department of Public Works according to Chapter 407 Solid Waste, Article II Collection, §407-3, Collection, and comply with this section and any other sections enacted by the Common Council from this date forward.

WHEREAS this application is located in the DMU Zone, applicants must submit and receive approval on all façade work, exterior work in general and exterior signage from the Architectural Review Board.

WHEREAS this application is located in the DMU Zone, the Planning Board waives parking requirements as per the code.

WHEREAS, Pursuant to the City of Middletown Code, Chapter 475, Article 4, Administration and Enforcement, Chapter 475-53, Paragraph E-6, unless work is commenced and diligently prosecuted within six months and completed within two years of the date of granting a Special Use Permit, such Special Use Permit shall be null and void.

If no work is done in the next six months, the applicant will need to submit a request for a six-month extension of the Planning Board approval.

Prepared by:

Attachments:

1.	101 north-001
----	---------------

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 101 North street middletown NY

Section 31 Block 2 Lot 12

Current Zoning District DMU

Building Existing X New _____

2. Owner of Property Jorge E. Quezada

Owner's Address 35 E. Summit Midland Park, NY 07432

City Midland Park State NJ Zip 07432

Phone numbers: Home: _____

Business: _____

Cell: (551) 804-9108

3. Applicant name BDK Masonry and Construction Corp

If different from Owner

Applicants Address 17 Rensselaer Ave

City Monsey State NY Zip 10952

Phone numbers: Home: _____

Business: 845-821-8343 Benedicto corado 53csgmical.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 # _____

Classification of Occupancy requested _____

Description of what you are requesting: RESTAURANT beer and wine
HOURS OF OPERATIONS 7 days 6 PM TO 10 PM

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	

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.

on the back of building is use as a parking
space, we would like to add a cooler box,
Install all a.c machinery on roof.
new restaurant will be in this location.

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: 

Printed Name and Title: _____

Date: 9/3/25



**CITY OF MIDDLETOWN, NEW YORK
PLANNING BOARD
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: None
 Seconded by: None
 Date of Adoption: December 3, 2025
 Resolution Number

Names	Ayes	Noes	Abstain	Absent
Mr. Madden				
Mr. McCormack				
Mr. Britto				
Mrs. Witt				
Mrs. Dupre				
Mr. Higbie				
Chairman Cappozella				
Total				

Filed with the Clerk of the City of Middletown on: December 3, 2025

Richard P. McCormack

Request of Kai Lee and Courtenay Irving, seeking a site plan approval and a special use permit to have an art studio located at 41 Fulton Street, Middletown

WHEREAS, Kai Lee and Courtenay Irving, seeking a special use permit and site plan approval in order to have an art studio/ Theater Scenery/ Theater Props, located at 41 Fulton Street, Middletown, Section 35, Block 3, Lot 22, located in the DMU Zone which is a permitted use.

WHEREAS, after due notice, a public hearing was held by the Planning Board on December 3, 2025, at 7:00 p.m. in the Common Council Chambers, City Hall, Middletown, New York, and

WHEREAS, according to the SEQRA review, this is determined to be a Type II action as it falls under the maintenance/repair and upgrade section. Therefore, no further review is necessary and Lead agency and Negative Declaration is not required, and

WHEREAS, at said hearing, all those who desired to be heard were heard and their testimony recorded, and all testimony has been carefully considered.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the City of Middletown hereby approves the application of Kai Lee and Courtenay Irving, for a special use permit and

site plan approval in order to have an art studio/Theater Scenery/ Theater Props, located at 41 Fulton Street, Middletown.

Hours of operation are 8AM-6PM daily.

SUBJECT TO: City of Middletown DPW and City of Middletown Fire Department inspections and approvals and, when necessary, approval of the Commissioner of Public Works.

The applicant will obtain all necessary permits and follow the permitting process, codes, and ordinances of the City of Middletown, County of Orange, and the State of New York, if applicable.

In addition, if throughout any of the review process the project is deemed to require Bulk Requirement Tables, the applicant will supply said tables through an architect or engineer licensed in the State of New York.

SUBJECT TO: Any items as stated in: submitted PB application, Public Hearing, Board discussion, City Inspectors' input, PB Engineer, and PB Attorney's recommendations.

Information submitted within the application will become part of the record, and the applicant will follow through and be held to.

THEREFORE: The applicant is only allowed to use the space as designated in the application and resolution. Any changes in building structure and/or use, the applicant will need to seek PB approval, if applicable. The applicant will be required to pay any outstanding fees, such as, application fees and professional fees, if any. If these remain unpaid after a 10-day notice to cure, the approval will be rescinded, and it will be a violation to continue to operate/rent/lease space.

WHEREAS this application is located in the DMU Zone, applicants must submit and receive approval from the Department of Public Works according to Chapter 407 Solid Waste, Article II Collection, §407-3, Collection, and comply with this section and any other sections enacted by the Common Council from this date forward.

WHEREAS this application is located in the DMU Zone, applicants must submit and receive approval on all façade work, exterior work in general and exterior signage from the Architectural Review Board.

WHEREAS this application is located in the DMU Zone, the Planning Board waives parking requirements as per the code.

WHEREAS, Pursuant to the City of Middletown Code, Chapter 475, Article 4, Administration and Enforcement, Chapter 475-53, Paragraph E-6, unless work is commenced and diligently prosecuted within six months and completed within two years of the date of granting a Special Use Permit, such Special Use Permit shall be null and void.

If no work is done in the next six months, the applicant will need to submit a request for a six-month extension of the Planning Board approval.

Prepared by:

Attachments:

1.	41 fulton-001
----	---------------

APPLICATION

PLANNING BOARD

City of Middletown, New York

Date deemed complete _____
Accepted by _____

Date 09.15.25

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 41 Fulton Street; Middletown, NY 10940

Section 35 Block 3 Lot 22 Current Zoning District DMU

Building Existing X New _____

2. Owner of Property Brian Hechler

Owner's Address 419 Grant Avenue

City Cresskill State NJ Zip 07626

Phone numbers: Home: _____

Business: 845-344-3535

Cell: 914-391-0792

3. Applicant name Kai Lee & Courtenay Irving

If different from Owner

Applicants Address 182 Highland Avenue

City Middletown State NY Zip 10940

Phone numbers: Home: _____

Business: _____

Cell: 917-733-0594 / 424.280.0472

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 N/A

Description of what you are requesting: Planning Board Approval

Uses currently in property: Set design and artwork for the arts & entertainment industry.

Create artistic designs and perform light fabrication such as temporary scenery.

art objects and custom props. Hours - 8AM - 6PM DAILY (BUT DEPENDS ON PROJECTS)
NOT OPEN TO THE PUBLIC

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 _____

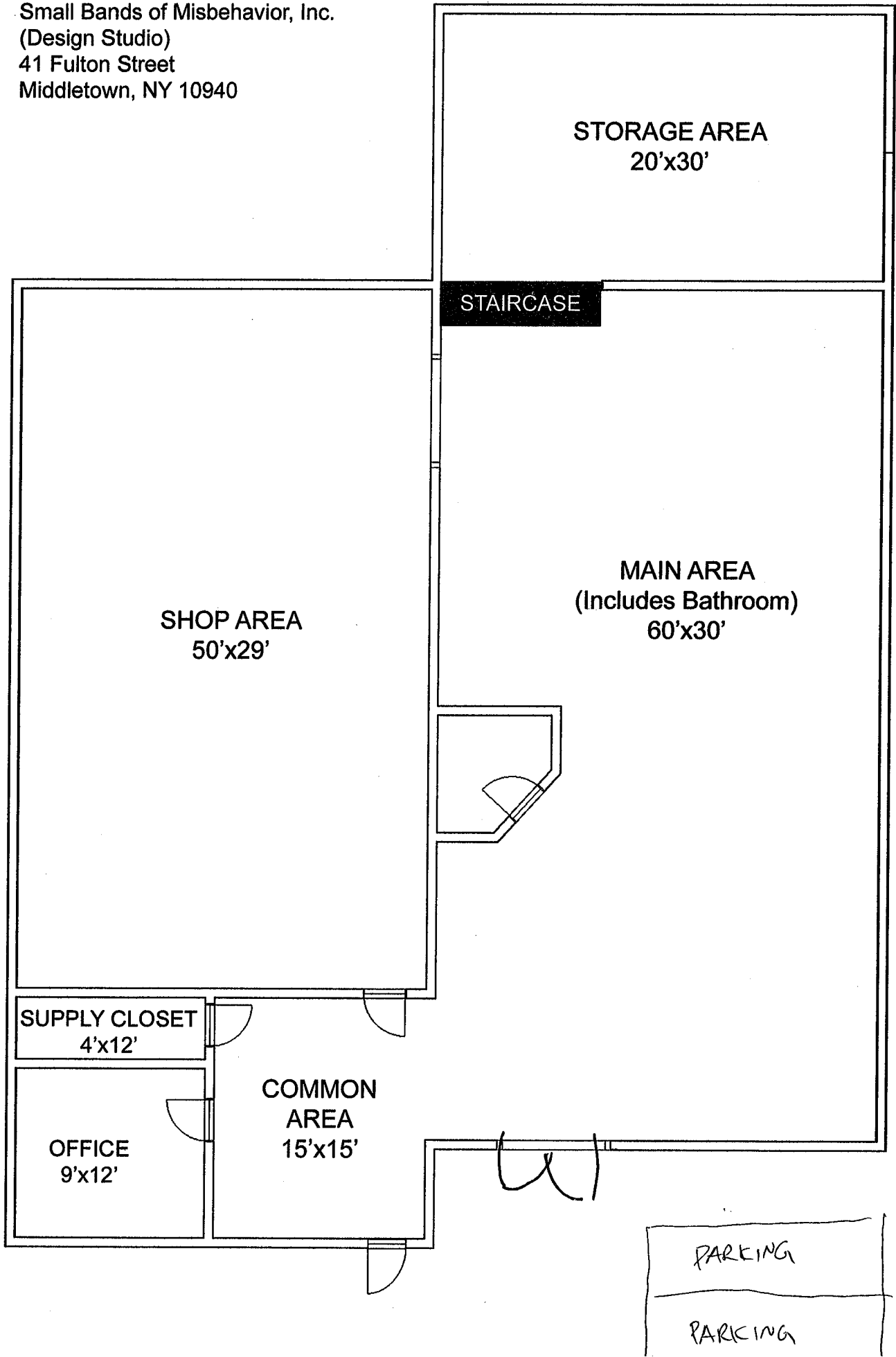
7. Sign at the Place Indicated

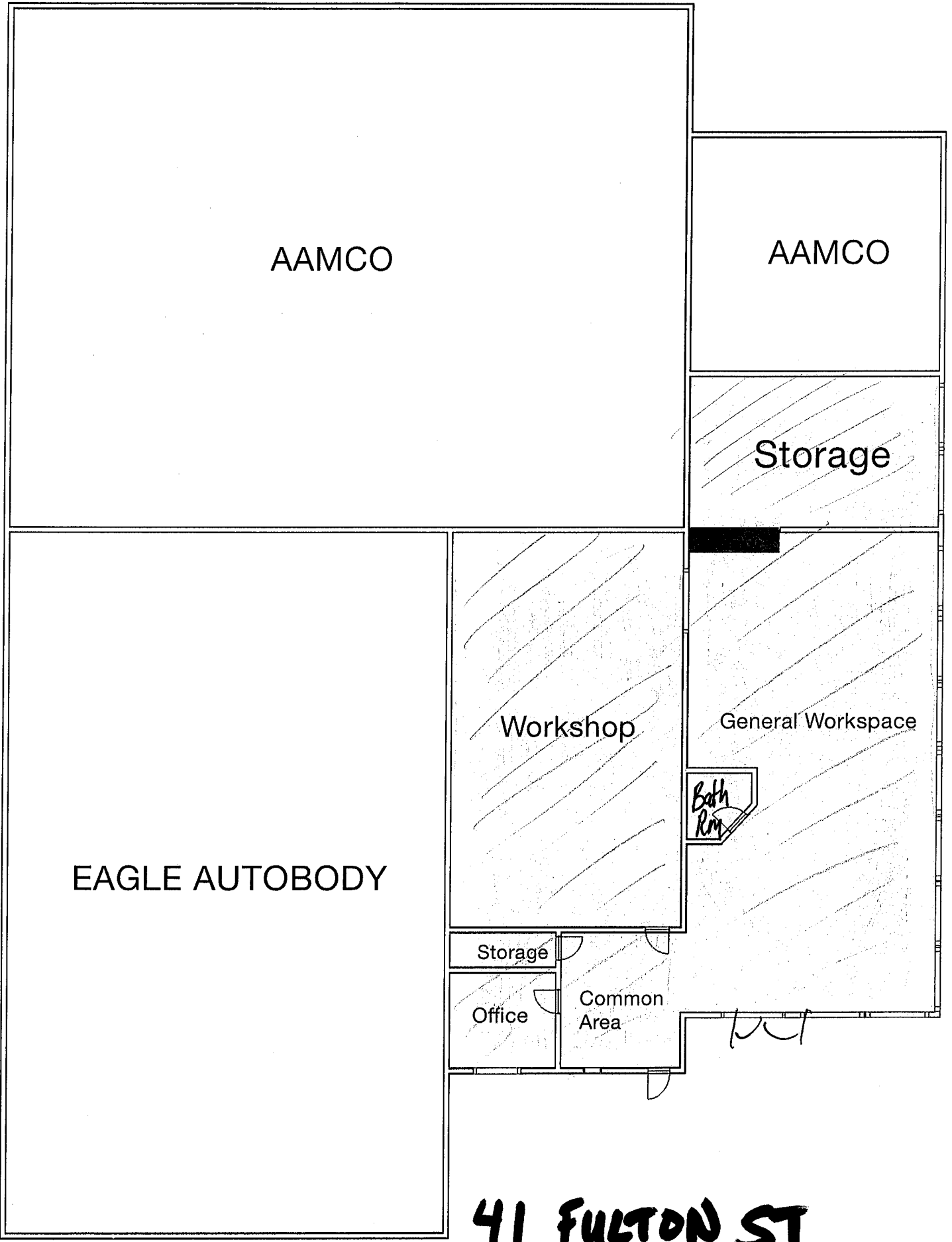
Signature: *Kai Lee & Courtenay W. Irving*

Printed Name and Title: Kai Lee & Courtenay W. Irving

Date: 09.15.25

Small Bands of Misbehavior, Inc.
(Design Studio)
41 Fulton Street
Middletown, NY 10940





41 FULTON ST



**CITY OF MIDDLETOWN, NEW YORK
PLANNING BOARD
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: None
 Seconded by: None
 Date of Adoption: December 3, 2025
 Resolution Number

Names	Ayes	Noes	Abstain	Absent
Mr. Madden				
Mr. McCormack				
Mr. Britto				
Mrs. Witt				
Mrs. Dupre				
Mr. Higbie				
Chairman Cappozella				
Total				

Filed with the Clerk of the City of Middletown on: December 3, 2025

Richard P. McCormack

Request of Allen Alvarez Gonzalez, seeking a special use permit and site plan approval for grocery, deli, coffee shop, UPS and Amazon drop off and Western Union service, located at 154 Wickham Avenue, Middletown

WHEREAS, Allen Alvarez Gonzalez filed an application with the Planning Board of the City of Middletown seeking a special use permit and site plan approval for grocery, deli (with cooking on premises), coffee shop, UPS and Amazon drop off and Western Union service, located at 154 Wickham Avenue, Middletown. Section 26, Block 5, Lot 1., located in the C-1A zone, which is a permitted use.

WHEREAS, after due notice, a public hearing was held by the Planning Board on December 3, 2025, at 7:00 p.m. in the Common Council Chambers, City Hall, Middletown, New York, and

WHEREAS, according to the SEQRA review, this is determined to be a Type II action as it falls under the maintenance/repair and upgrade section. Therefore, no further review is necessary and Lead agency and Negative Declaration is not required, and

WHEREAS, at said hearing, all those who desired to be heard were heard and their testimony recorded, and all testimony has been carefully considered.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the City of Middletown hereby approves the application of Allen Alvarez Gonzalez for a special use permit and site plan approval for grocery, deli (with cooking on premises), coffee shop, UPS and Amazon drop off and Western Union service, located at 154 Wickham Avenue, Middletown. There will be no beer, wine or alcohol served.

Hours of Operation: 5:00 a.m. to 11:00 p.m. daily.

SUBJECT TO: City of Middletown DPW and City of Middletown Fire Department inspections and approvals and, when necessary, approval of the Commissioner of Public Works. The applicant will obtain all necessary permits and follow the permitting process, codes, and ordinances of the City of Middletown, County of Orange, and the State of New York, if applicable.

In addition, if throughout any of the review process the project is deemed to require Bulk Requirement Tables, the applicant will supply said tables through an architect or engineer licensed in the State of New York.

SUBJECT TO: Any items as stated in: submitted PB application, Public Hearing, Board discussion, City Inspectors' input, PB Engineer, and PB Attorney's recommendations. Information submitted within the application will become part of the record, and the applicant will follow through on and be held to.

THEREFORE: The applicant is only allowed to use the space as designated in the application and resolution. Any changes in building structure and/or use, applicant will need to seek PB approval, if applicable. The applicant will be required to pay any outstanding fees, such as, application fees and professional fees, if any. If these remain unpaid after a 10-day notice to cure, the approval will be rescinded, and it will be a violation to continue to operate/rent/lease space.

WHEREAS, Pursuant to the City of Middletown Code, Chapter 475, Article 4, Administration and Enforcement, Chapter 475-53, Paragraph E-6, unless work is commenced and diligently prosecuted within six months and completed within two years of the date of granting a Special Use Permit, such Special Use Permit shall be null and void.

If no work is done in the next six months, the applicant will need to submit a request for a six-month extension of the Planning Board approval.

Prepared by:

Attachments:

1.	154 wickham-002
----	-----------------

APPLICATION

PLANNING BOARD

City of Middletown, New York

Date deemed complete 9/19/25
Accepted by _____

Date 9/19/25

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 154 Wickham Ave 10940

Section 26 Block 5 Lot 1 Current Zoning District G/A

Building Existing _____ New _____

2. Owner of Property Allen J Alvarez Gonzalez

Owner's Address 154 Wickham Ave

City Middletown State NY Zip 10940

Phone numbers: Home: _____

Business: _____

Cell: 945 649-5337

3. Applicant name _____

If different from Owner

Applicants Address _____

City _____ State _____ Zip _____

Phone numbers: Home: _____

Business: _____

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 # _____

Classification of Occupancy requested Grocery deli coffee shop

Description of what you are requesting: Grocery deli cooking
on premises

Uses currently in property: grocery deli hours 5am to 11pm
7 days a week

Title	Section Number	Required Dimensions	Actual Dimensions
Lot area			
Front yard			1500
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 _____

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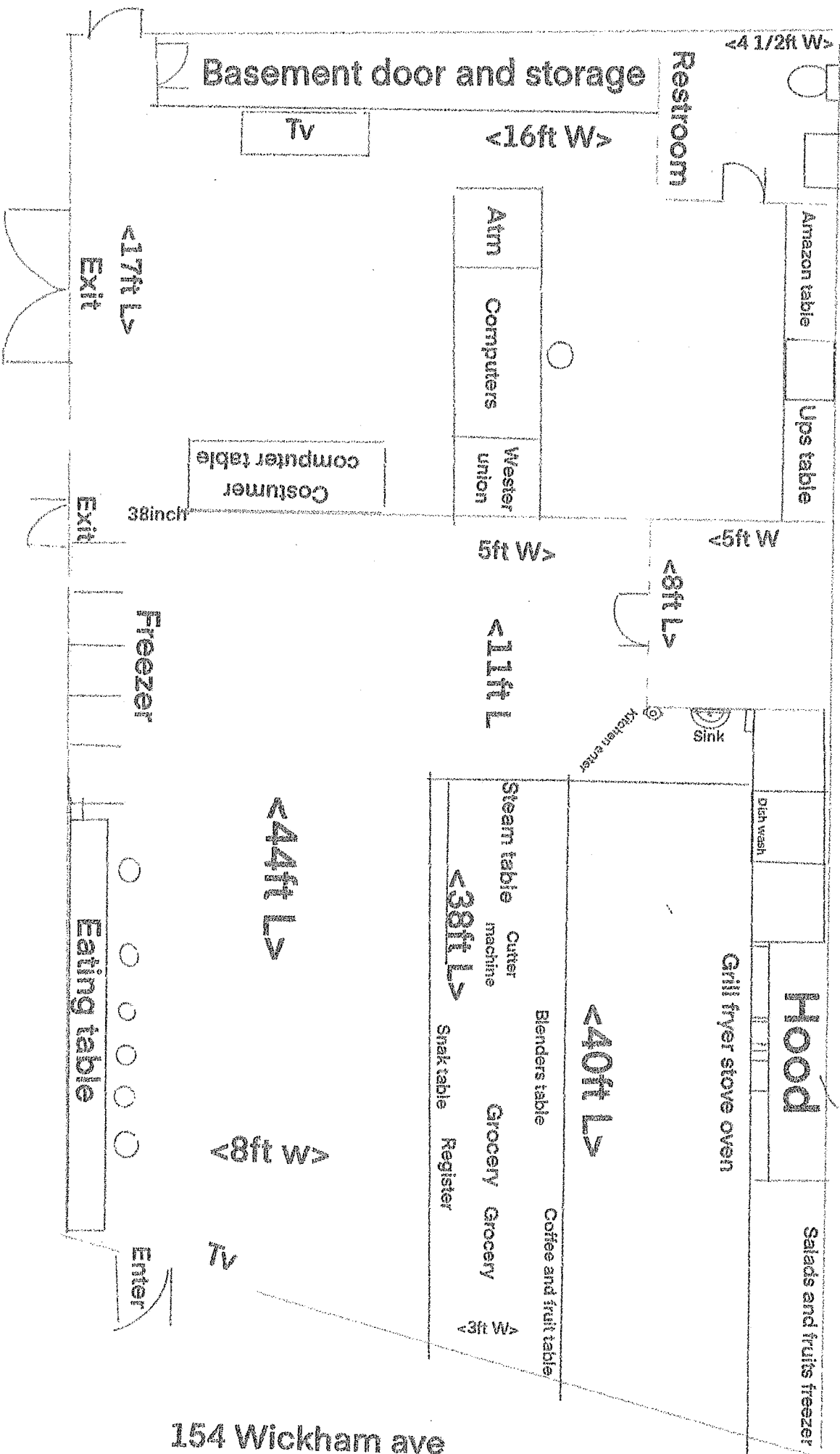
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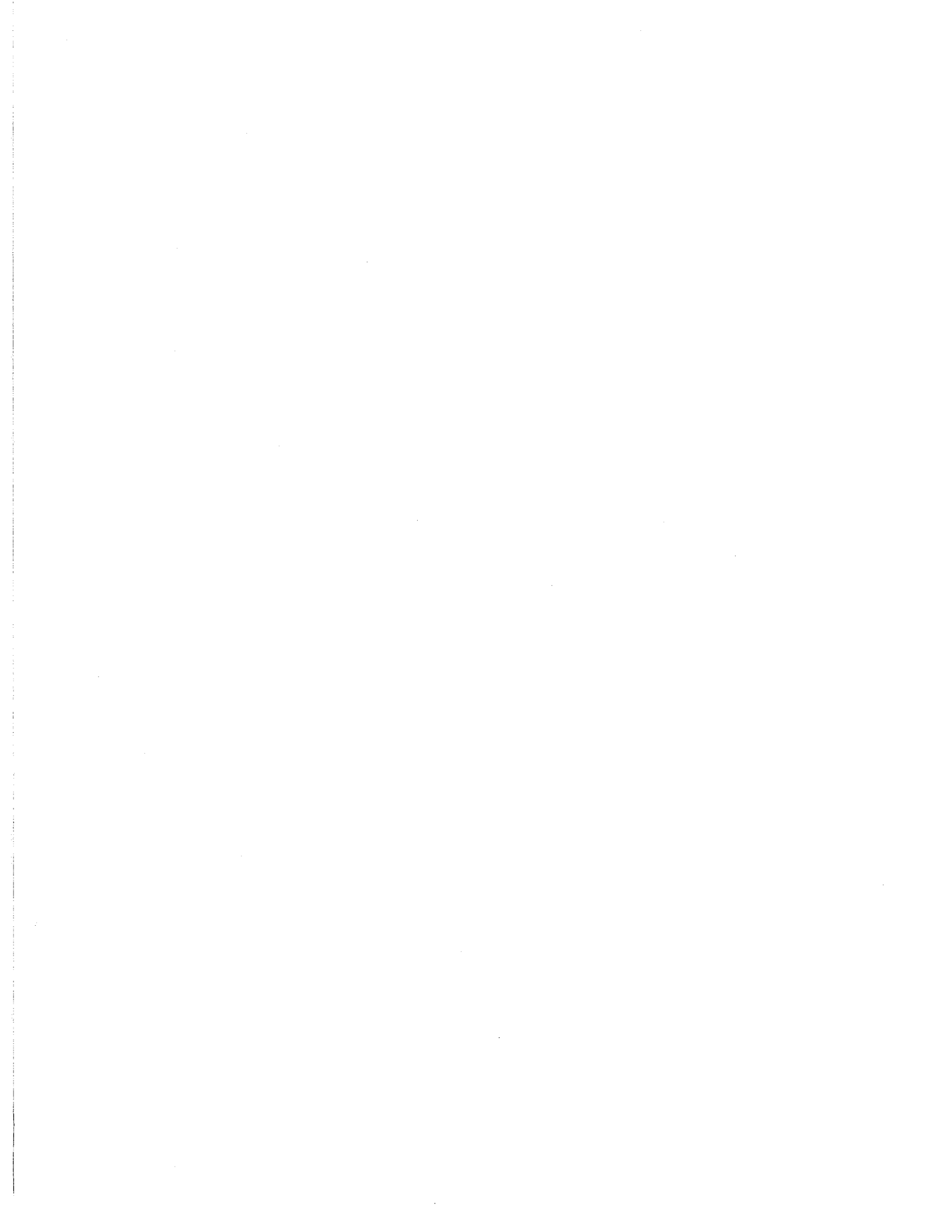
Wills barber shop #1



To be determined

Albert st

154 Wickham ave





**CITY OF MIDDLETOWN, NEW YORK
PLANNING BOARD
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: None
 Seconded by: None
 Date of Adoption: December 3, 2025
 Resolution Number

Names	Ayes	Noes	Abstain	Absent
Mr. Madden				
Mr. McCormack				
Mr. Britto				
Mrs. Witt				
Mrs. Dupre				
Mr. Higbie				
Chairman Cappozella				
Total				

Filed with the Clerk of the City of Middletown on: December 3, 2025

Richard P. McCormack

Request of Jean Ketlet Clerger, seeking a special use permit and site plan approval for a barbershop, located at 30-32 East Main Street, Middletown

WHEREAS, Jean Ketlet Clerger, seeking a special use permit and site plan approval in order to have a barber shop, located at 30-32 East Main Street, Middletown. Section 35, Block 5, Lot 7.2., located in the DMU Zone, which is a permitted use.

WHEREAS, after due notice, a public hearing was held by the Planning Board on December 3, 2025, at 7:00 p.m. in the Common Council Chambers, City Hall, Middletown, New York, and

WHEREAS, according to the SEQRA review, this is determined to be a Type II action as it falls under the maintenance/repair and upgrade section. Therefore, no further review is necessary, and Lead agency and Negative Declaration is not required, and

WHEREAS, at the said hearing, all those who desired to be heard were heard and their testimony recorded, and all testimony has been carefully considered.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the City of Middletown hereby approves the application of Jean Ketlet Clerger, for a special use permit and site plan

approval in order to have a barber shop, located at 30-32 East Main Street, Middletown.

Hours of operation are 10AM-8PM daily.

SUBJECT TO: City of Middletown DPW and City of Middletown Fire Department inspections and approvals and, when necessary, approval of the Commissioner of Public Works.

The applicant will obtain all necessary permits and follow the permitting process, codes, and ordinances of the City of Middletown, County of Orange, and the State of New York, if applicable.

In addition, if throughout any of the review process the project is deemed to require Bulk Requirement Tables, the applicant will supply said tables through an architect or engineer licensed in the State of New York.

SUBJECT TO: Any items as stated in: submitted PB application, Public Hearing, Board discussion, City Inspectors' input, PB Engineer, and PB Attorney's recommendations.

Information submitted within the application will become part of the record, and the applicant will follow through on and be held to.

THEREFORE: The applicant is only allowed to use the space as designated in the application and resolution. Any changes in building structure and/or use, the applicant will need to seek PB approval, if applicable. The applicant will be required to pay any outstanding fees, such as, application fees and professional fees, if any. If these remain unpaid after a 10-day notice to cure, the approval will be rescinded, and it will be a violation to continue to operate/rent/lease space.

WHEREAS this application is located in the DMU Zone, applicants must submit and receive approval from the Department of Public Works according to Chapter 407 Solid Waste, Article II Collection, §407-3, Collection, and comply with this section and any other sections enacted by the Common Council from this date forward.

WHEREAS this application is located in the DMU Zone, applicants must submit and receive approval on all façade work, exterior work in general and exterior signage from the Architectural Review Board.

WHEREAS this application is located in the DMU Zone, the Planning Board waives parking requirements as per the code.

WHEREAS, Pursuant to the City of Middletown Code, Chapter 475, Article 4, Administration and Enforcement, Chapter 475-53, Paragraph E-6, unless work is commenced and diligently prosecuted within six months and completed within two years of the date of granting a Special Use Permit, such Special Use Permit shall be null and void.

If no work is done in the next six months, the applicant will need to submit a request for a six-month extension of the Planning Board approval.

Prepared by:

Attachments:

1.	30-32 east main
----	-----------------

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 30-32 east main St Middletown NY 10940

Section 35 Block 5 Lot 7.2

Current Zoning District D.M.U

Building Existing New _____

2. Owner of Property Shmuel Moskowitz

Owner's Address 1 melitz st unit 202

City Monroe State NY Zip 10950

Phone numbers: Home: _____

Business: _____

Cell: 845 796 9661

3. Applicant name Jean Kettel Clesger

If different from Owner

Applicants Address 664 silver lake slathtown Rd.

City Middletown State NY Zip 10941

Phone numbers: Home: _____

Business: _____

Cell: 516 271 5876

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 21

Description of what you are requesting: Permit to operate a Barber Shop. 6 employees
Sunday - Saturday from 10am - 8pm

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 _____

Signature: Clerger

Printed Name and Title: Jean Kettel Clerger

Date: 6/30/2025

OWNER'S ENDORSEMENT

COUNTY OF ORANGE
STATE OF NEW YORK

Samuel Moskowitz being duly sworn, deposes and says that

he/she resides at 1 Melitz Street, Unit No. 202, Monroe, New York 10950

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

owner in fee or Manager of the Middletown Housing LLC
OFFICIAL TITLE

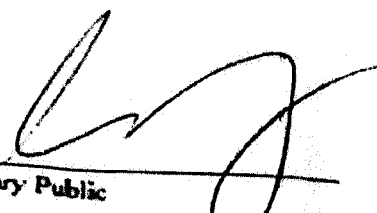
Corporation which is the owner in fee of the premises described in the foregoing application and that

he/she has authorized Jean Kietkat Clesger to make the foregoing

application for approval as described herein.

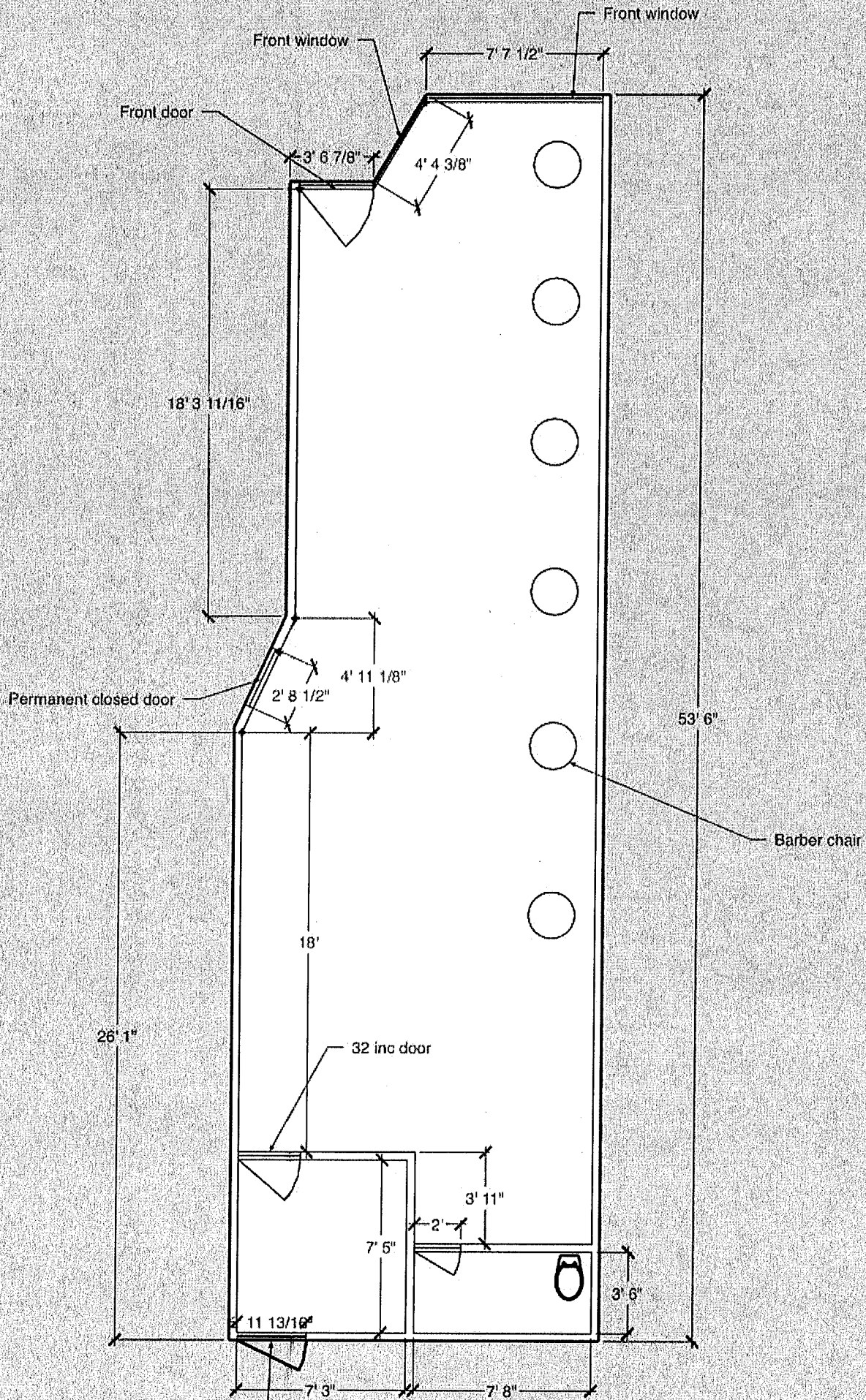
Sworn before me this 18 day of 6

20 25


Notary Public

ABRAHAM MARKOWITZ
Notary Public, State of New York
Reg. No. 01MA0003270
Qualified in Orange County
Commission Expires March 21, 2027


OWNER'S SIGNATURE



UNIQUE ID NUMBER

AEB-25-01073

STATE OF NEW YORK
Department of State
DIVISION OF LICENSING SERVICES

Pursuant to the provisions of

ARTICLE 27 OF GENERAL BUSINESS LAW

ATTACH
PHOTO
HERE

JP MIDDLETOWN BARBERSHOP INC.
30 EAST MAIN ST
MIDDLETOWN NY 10940-5716

EFFECTIVE DATE		
MO.	DAY	YR.
05	20	2025

EXPIRATION DATE		
MO.	DAY	YR.
05	20	2029

HAS BEEN DULY LICENSED TO OPERATE AN APPEARANCE
ENHANCEMENT BUSINESS. THIS LICENSE DOES NOT PERMIT
HOLDER TO PERFORM SERVICES

In Witness Whereof, The Department of State has
issued its official seal to be hereunto affixed.

WALTER T. MOSLEY
SECRETARY OF STATE



**CITY OF MIDDLETOWN, NEW YORK
PLANNING BOARD
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: None
 Seconded by: None
 Date of Adoption: December 3, 2025
 Resolution Number

Names	Ayes	Noes	Abstain	Absent
Mr. Madden				
Mr. McCormack				
Mr. Britto				
Mrs. Witt				
Mrs. Dupre				
Mr. Higbie				
Chairman Cappozella				
Total				

Filed with the Clerk of the City of Middletown on: December 3, 2025

Richard P. McCormack

Request of Colin M. Smith, seeking a site plan approval and a special use permit to have an eating and drinking establishment with a full liquor license located at 28-30 West Main Street, Middletown

WHEREAS, Colin Smith, seeking a special use permit and site plan approval in order to have an eating and drinking establishment with a full liquor license, in accordance with the SLA regulations under OP 252, located at 28-30 West Main Street, Middletown, Section 35, Block 3, Lot 1, located in the DMU Zone which is a permitted use.

WHEREAS, after due notice, a public hearing was held by the Planning Board on December 3, 2025, at 7:00 p.m. in the Common Council Chambers, City Hall, Middletown, New York, and

WHEREAS, according to the SEQRA review, this is determined to be a Type II action as it falls under the maintenance/repair and upgrade section. Therefore, no further review is necessary and Lead agency and Negative Declaration is not required, and

WHEREAS, at the said hearing, all those who desired to be heard were heard and their testimony recorded, and all testimony has been carefully considered.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the City of Middletown hereby approves the application of Colin Smith, for a special use permit and site plan approval in order to have an eating and drinking establishment with full liquor license, located at 28-30 West Main Street, Middletown. Subject to SLA approval.

Hours of operation are Sunday-Thursday 12PM-12AM, Friday and Saturday 12PM-2AM. Applicant will comply with DMU hours of operation.

SUBJECT TO: City of Middletown DPW and City of Middletown Fire Department inspections and approvals and, when necessary, approval of the Commissioner of Public Works.

The applicant will obtain all necessary permits and follow the permitting process, codes, and ordinances of the City of Middletown, County of Orange, and the State of New York, if applicable.

In addition, if throughout any of the review process the project is deemed to require Bulk Requirement Tables, the applicant will supply said tables through an architect or engineer licensed in the State of New York.

SUBJECT TO: Any items as stated in: submitted PB application, Public Hearing, Board discussion, City Inspectors' input, PB Engineer, SLA approval for full liquor license, and PB Attorney's recommendations. Information submitted within the application will become part of the record, and the applicant will follow through and be held to.

THEREFORE: The applicant is only allowed to use the space as designated in the application and resolution. Any changes in building structure and/or use, the applicant will need to seek PB approval, if applicable. The applicant will be required to pay any outstanding fees, such as, application fees and professional fees, if any. If these remain unpaid after a 10-day notice to cure, the approval will be rescinded, and it will be a violation to continue to operate/rent/lease space.

WHEREAS this application is located in the DMU Zone, applicants must submit and receive approval from the Department of Public Works according to Chapter 407 Solid Waste, Article II Collection, §407-3, Collection, and comply with this section and any other sections enacted by the Common Council from this date forward.

WHEREAS this application is located in the DMU Zone, applicants must submit and receive approval on all façade work, exterior work in general and exterior signage from the Architectural Review Board.

WHEREAS this application is located in the DMU Zone, the Planning Board waives parking requirements as per the code.

WHEREAS, Pursuant to the City of Middletown Code, Chapter 475, Article 4, Administration and Enforcement, Chapter 475-53, Paragraph E-6, unless work is commenced and diligently prosecuted within six months and completed within two years of the date of granting a Special Use Permit, such Special Use Permit shall be null and void.

If no work is done in the next six months, the applicant will need to submit a request for a six-month extension of the Planning Board approval.

Prepared by:

Attachments:

1.	28-30 west main-006
----	---------------------

APPLICATION

PLANNING BOARD

City of Middletown, New York

Date deemed complete _____
Accepted by _____

Date 11/6/2025

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 28-30 W Main Street

Section 35 Block 3 Lot 1 Current Zoning District DMW

Building Existing X New _____

2. Owner of Property Kevin J Gould

Owner's Address 1470 Greenville Turnpike

City Port Jervis State NY Zip 12771

Phone numbers: Home: _____

Business: _____

Cell: 845-551-4529

3. Applicant name Colin M Smith

If different from Owner

Applicants Address 502 Raymondskill Rd

City Milford State PA Zip 18337

Phone numbers: Home: _____

Business: _____

Cell: 845-649-4954

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 am requesting to open a bar/saloon
in the former Empty Bottle Saloon. I intend to use the space
for live music performances, DJ performances, country line dancing,
comedy, open mic nights and private events

Uses currently in property: Vacant

Hours of Operation: Sun-Thurs 12:00 PM - 12:00 AM
Fri/Sat 12:00 PM - 2:00 AM

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 _____

7. Sign at the Place Indicated

Signature: 

Printed Name and Title: Colin Smith, President

Date: 11/6/23

OWNERS ENDORSEMENT

COUNTY OF ORANGE
STATE OF NEW YORK

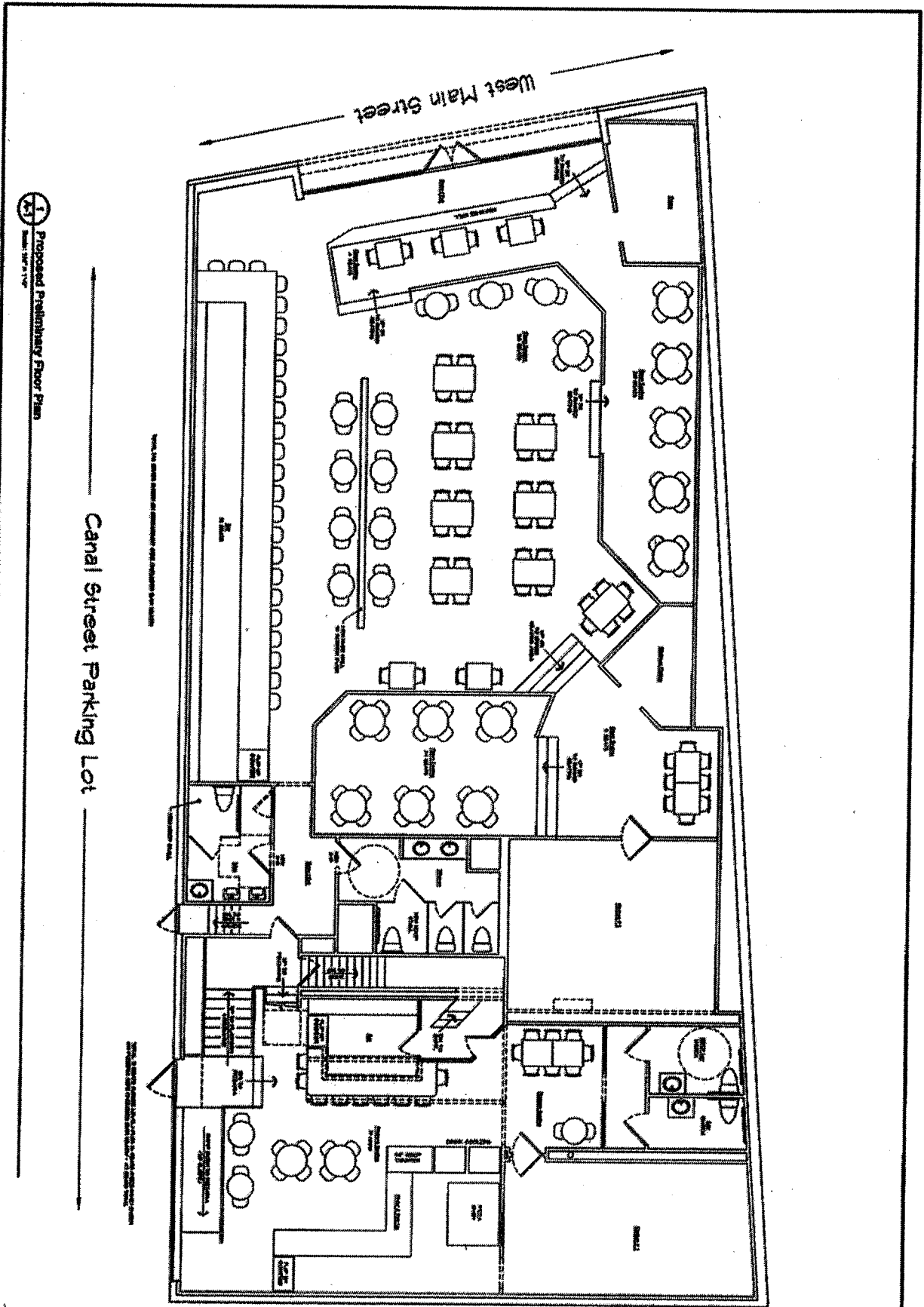
Kevin J. Gould being duly sworn, deposes and
says that he/she resides at 1470 Greenville Lake Port Jervis NY 12771
in the County of Orange and State of New York and that he is the
owner in fee or _____ of the KG Deliveries
OFFICIAL TITLE
_____ Corporation which is the owner
in fee of the premises described in the foregoing application and that he has authorized
Colin Smith to make the foregoing application for
approval as described herein.

Sworn before me this 4th day of NOV 2025

Nicole R. James
NOTARY PUBLIC

NICOLE R. JAMES
NOTARY PUBLIC STATE OF NEW YORK
ORANGE COUNTY
LIC. #01JA5075720
COMM. EXP. April 7, 2027

Kevin J. Gould
OWNERS SIGNATURE



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**Kathleen
Rifkin
Architect**
1100 14th Street, NW
Washington, DC 20005
Tel: 202-462-1100
Fax: 202-462-1101
www.kathleenrifkin.com

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**CITY OF MIDDLETOWN, NEW YORK
PLANNING BOARD
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: None
 Seconded by: None
 Date of Adoption: December 3, 2025
 Resolution Number

Names	Ayes	Noes	Abstain	Absent
Mr. Madden				
Mr. McCormack				
Mr. Britto				
Mrs. Witt				
Mrs. Dupre				
Mr. Higbie				
Chairman Cappozella				
Total				

Filed with the Clerk of the City of Middletown on: December 3, 2025

Richard P. McCormack

Request of Angel Gonzalez, seeking a site plan approval and a special use permit to have an eating and drinking establishment located at 79 West Main Street, Middletown. Section 31, Block 12, Lot 2.

WHEREAS, Angel Gonzalez filed an application with the Planning Board of the City of Middletown seeking a special use permit and site plan approval in order to have an eating and drinking establishment located at 79 West Main Street, Middletown. Section 31, Block 12, Lot 2, located in the DMU Zone, which is a permitted use.

WHEREAS, after due notice, a public hearing was held by the Planning Board on December 3, 2025, at 7:00 p.m. in the Common Council Chambers, City Hall, Middletown, New York, and

WHEREAS, according to the SEQRA review, this is determined to be a Type II action as it falls under the maintenance/repair and upgrade section. Therefore, no further review is necessary and Lead agency and Negative Declaration is not required, and

WHEREAS, at the said hearing, all those who desired to be heard were heard and their testimony recorded, and all testimony has been carefully considered.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the City of Middletown hereby approves the application of Angel Gonzalez for a special use permit and site plan approval for an eating and drinking establishment, located at 79 West Main Street, Middletown. There will be no beer, wine or liquor served.

Hours of operation are 7:00 a.m. to 10:00 p.m. daily.

SUBJECT TO: City of Middletown DPW and City of Middletown Fire Department inspections and approvals and, when necessary, approval of the Commissioner of Public Works.

The applicant will obtain all necessary permits and follow the permitting process, codes, and ordinances of the City of Middletown, County of Orange, and the State of New York, if applicable.

In addition, if throughout any of the review process, the project is deemed to require Bulk Requirement Tables, the applicant will supply said tables through an architect or engineer licensed in the State of New York.

SUBJECT TO: Any items as stated in: submitted PB application, Public Hearing, Board discussion, City Inspectors' input, PB Engineer, and PB Attorney's recommendations. Information submitted within the application will become part of the record, and the applicant will follow through on and be held to.

THEREFORE: The applicant is only allowed to use the space as designated in the application and resolution. Any changes in building structure and/or use, the applicant will need to seek PB approval, if applicable. The applicant will be required to pay any outstanding fees, such as, application fees and professional fees, if any. If these remain unpaid after a 10-day notice to cure, the approval will be rescinded, and it will be a violation to continue to operate/rent/lease space.

WHEREAS this application is located in the DMU Zone, applicants must submit and receive approval from the Department of Public Works according to Chapter 407 Solid Waste, Article II Collection, §407-3, Collection, and comply with this section and any other sections enacted by the Common Council from this date forward.

WHEREAS this application is located in the DMU Zone, applicants must submit and receive approval on all façade work, exterior work in general and exterior signage from the Architectural Review Board.

WHEREAS this application is located in the DMU Zone, the Planning Board waives parking requirements as per the code.

WHEREAS, Pursuant to the City of Middletown Code, Chapter 475, Article 4, Administration and Enforcement, Chapter 475-53, Paragraph E-6, unless work is commenced and diligently prosecuted within six months and completed within two years of the date of granting a Special Use Permit, such Special Use Permit shall be null and void.

If no work is done in the next six months, the applicant will need to submit a request for a six-month extension of the Planning Board approval.

Prepared by:

Attachments:

1.	79 west main
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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 79 West Main Street
Section 31 Block 12 Lot 2 Current Zoning District DMU
Building Existing New _____

2. Owner of Property Ramon Colon
Owner's Address 76 Reservoir RD
City Middletown State NY Zip 10940
Phone numbers: Home: 76 Reservoir
Business: Self Employed
Cell: 845-551-5830

3. Applicant name Angel Gonzalez
If different from Owner
Applicants Address 26 Horseshoe Way
City Middletown State NY Zip 10940
Phone numbers: Home: _____
Business: _____
Cell: 845-281-4964
Fax: _____

Classification of Occupancy requested Spanish Restaurant

Description of what you are requesting: Food only. No Beer/wine.

Sit down and takeout. Monday-Saturday

11 AM to 8pm to start. Then will move to
7days a week 7AM to 10pm.

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	_____

Signature:  _____

Printed Name and Title: Angel Gonzalez (owner)

Date: 10-16-25

OWNER'S ENDORSEMENT

COUNTY OF ORANGE
STATE OF NEW YORK

Ramon Colón being duly sworn, deposes and says that

he/she resides at 76 Reservoir RD owner (79. W. Main St)

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

owner in fee or owner of the 79 West Main St
OFFICIAL TITLE

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

he/she has authorized Angel Gonzalez to make the foregoing

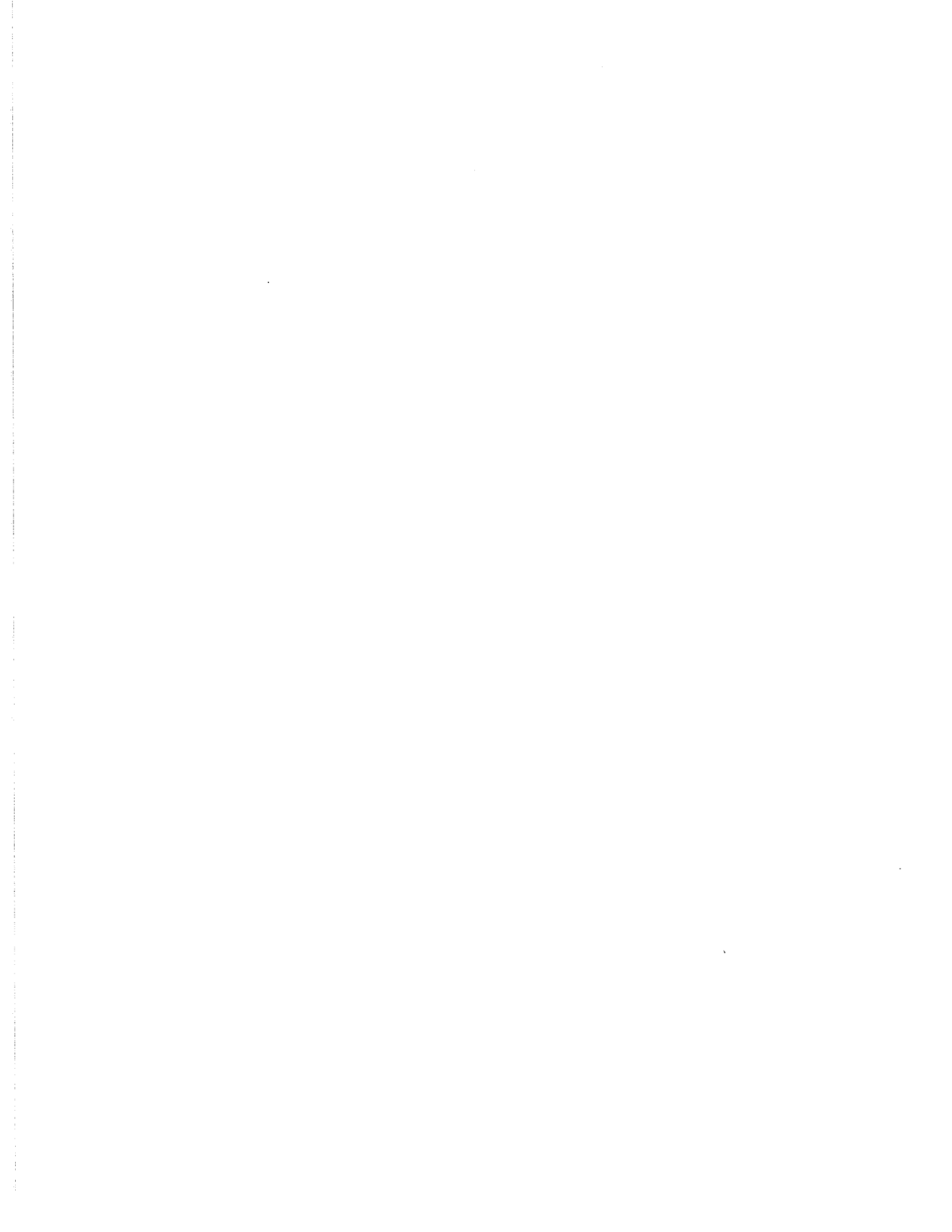
application for approval as described herein.

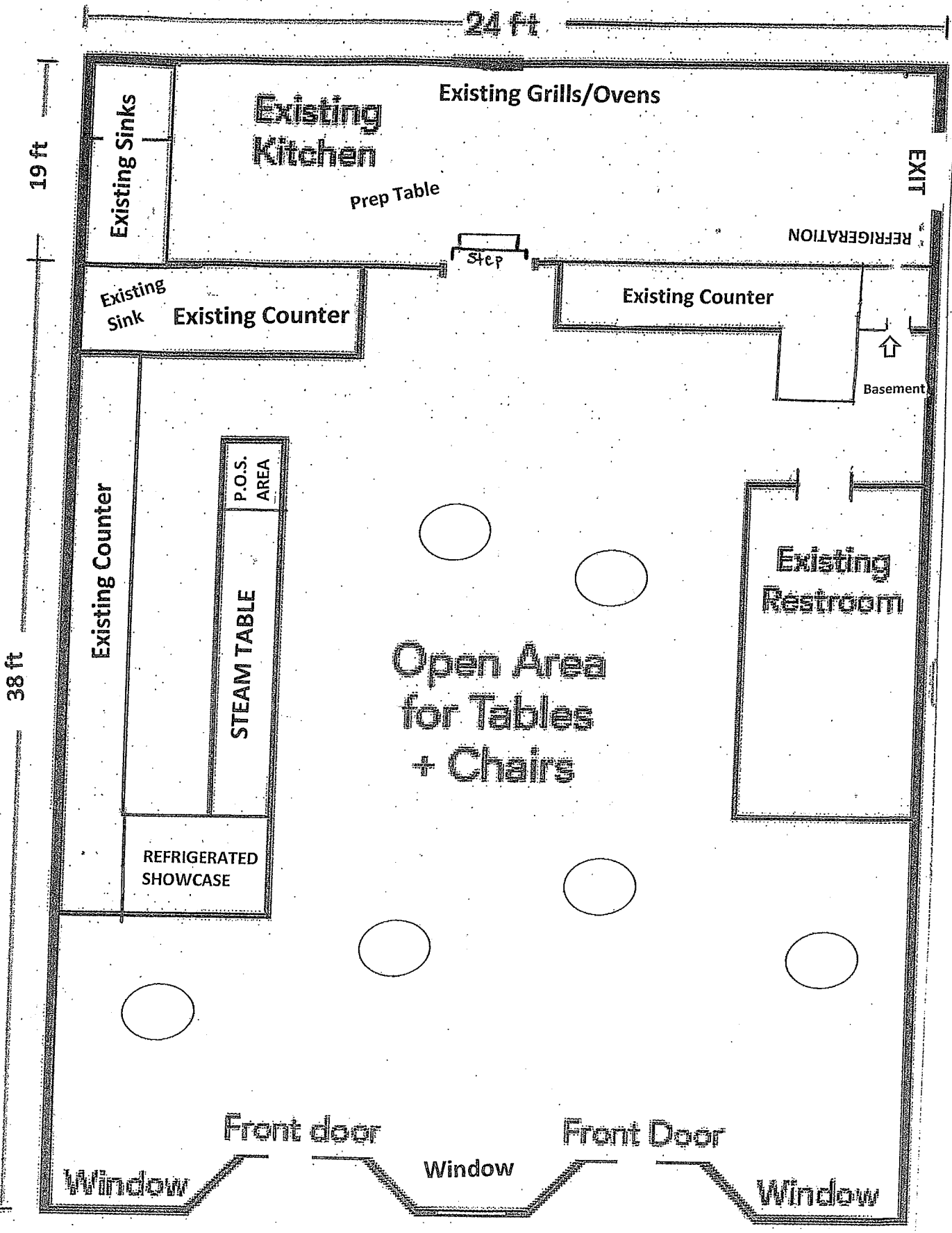
Sworn before me this 16th day of October 2025

Susan Cummings
Notary Public

SUSAN CUMMINGS
Notary Public - State of New York
No. 01CU6225383
Qualified in Orange County
My Commission Expires July 19, 2026

Ramon A. Colon
OWNER'S SIGNATURE





79 WEST MAIN STREET

West Main Street

