

**CITY OF MIDDLETOWN
PLANNING BOARD MEETING AGENDA
FEBRUARY 4, 2026 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

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
 - 3.1. Accept the Minutes of 01/07/2026
4. NEW BUSINESS

Request of Jian Hu for a six-month extension of the approved site plan and special use permit for a Phase 1 Hotel located at 9-29 Canal Street

Request of Angel Gonzalez for a special use permit and a site plan approval for an eating and drinking establishment located at 79 West Main Street

Request of Ilseon Son, for a special use permit and site plan approval for a hairdressing and beauty training school and a licensed esthetics salon located at 71-79 Railroad Avenue

5. ADJOURNMENT

**CITY OF MIDDLETOWN
PLANNING BOARD
MINUTES**

January 7, 2026

A meeting of the Planning Board was held in the Common Council Chambers, City Hall, 16 James Street, Middletown, New York on January 7, 2026 at 7:00 P.M., Mr. Anthony Capozella presiding.

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

Members Absent: Andy Britto.

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

Attendees Absent: Andrew Witkowski, Fire Inspector

The Pledge of Allegiance was said.

Motion to Accept the December 3, 2025 minutes by Ms. Witt, seconded by Mr. Madden.

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
20 Preston Street
Law office (continuation from November 5, 2025 meeting)**

Mr. Capozella: Good evening, Mr. Sobo.

Mr. Sobo: Good evening. Gary Sobo for Sobo & Sobo. As you will recall, we came here once before. We needed a setback variance. So we've gone to the ZBA. We have gotten that 9.7-foot setback variance, and we are back.

What we wish to do is to convert this to actually an adjunct to our law office which is on the same street. It's actually at 1 Dolson Avenue. We are going to put our mail operation in there, which is eight people, and also our building maintenance operation, which is several buildings, Monticello and New City also.

If they're there, although there are two people, if they're there, they're not working, so basically it's eight to 10 people that are going to go in the building.

Mr. Capozella: Fantastic.

Mr. Sobo: We are going to eliminate, as you'll know from the plans, the two bay doors on the left. We're going to keep the one on the right because we do have a truck that we want to put in there.

If there are any questions, I'd be happy to take them.

Mr. Capozella: Since this is a continuation, the public hearing is still open, so anyone from the public wishing to address this application, please step forward.

No one coming forward, the Board, any questions, comments, or concerns from the Board?

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

No one coming forward, I'm going to ask for a motion to close the public hearing.

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

Motion passed.

The public hearing was closed.

Mr. Capozella: I'll go on to the resolution then for Sobo & Sobo.

Resolution for Sobo & Sobo, 20 Preston Street, law office. Motion by Mr. McCormack, seconded by Mr. Madden.

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

Elizabeth Hilario
37 North Street
Nail salon

Ms. Severino: I'll translate for her.

Mr. Capozella: Okay.

Ms. Severino: This is Elizabeth.

Mr. Capozella: Okay. Please state your name for the record.

Ms. Severino: My name?

Mr. Capozella: Yes.

Ms. Severino: Geily Severino.

Mr. Capozella: And her name.

Ms. Hilario: Elizabeth Hilario.

Mr. Capozella: Thank you. So what do you plan on doing?

Ms. Severino: She's planning on putting in a nail salon, just a nail salon.

Mr. Capozella: Okay.

Ms. Severino: For pedicure and manicure.

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

Ms. Tu: Yes, we do.

Mr. Capozella: In that case, I'll open the public hearing. Anyone present 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: And did you have the opportunity to speak to Mr. Witkowski?

Mr. Martinez: He has no concerns either.

Mr. Croughan: Thank you.

Mr. Capozella: Great. Thank you. Back to the public hearing. Anyone here wishing to address this application, please step forward.

No one stepping forward, I need a motion to close the public hearing.

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

Motion passed.

The public hearing was closed.

Mr. Capozella: I will go to the Board one more time if anybody has any questions, comments, or concerns. None.

Resolution for Elizabeth Hilario, 37 North Street, nail salon. Motion by Ms. Witt, seconded by Mr. Higbie.

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

Sen Wang
4-8 Franklin Street
12-14 Union Street
Residential-commercial mixed-use building

Mr. Hu: Good evening, Chairman and Board Members. Happy New Year by the way.

Mr. Capozella: Thank you.

Mr. Hu: My name is Jian Hu with JH Architecture. I will be presenting this mixed-use project. The project is located in the -- at the corner of Union Street and Franklin Street. Basically it's a mixed-use project existing situation. I hope everyone has our package here. If you see the first page, which is a survey, you can see existing condition for this lot. The lot is about 0.885 acre with two existing buildings sitting on the southwest and the northeast. Two existing buildings there.

Smaller on the southwest is a three-story existing building, residential building. That one we propose to preserve that one. That's a (inaudible) building.

Another one which is bigger, about 9,000 sq.ft., one story (inaudible) building and a warehouse building on the northeast will be demoed. We propose a five-story mixed-use (inaudible) here with retail space on the ground floor which you can see from the (inaudible).

Along Union Street, that's facing south facing the (inaudible), also the library which is a very nice location.

Our goal is to activate this pedestrian area.

Basically the ground floor is a retail space as you can see. Behind that is a rear yard with all the parking, required parking, and the ADA parking (inaudible).

You can see the footprint property line along this lot. It's like an irregular shape. We tried to utilize all the square footages for the parking use.

The frontage, all activity for urban connection, pedestrian connection.

The main entrance, parking entrance, you can see the driveway from here and also from Franklin Street. Two exits. Actually, that was two existing entrances we tried to utilize for the potential parking entrance, also for firetrucks and trash truck exits from both sides.

The building itself, proposed building, is L-shaped, but the driveway can cross through, so basically, the firetruck can cross through this lot from this way.

Regarding the retail spaces on the first floor, it's about 7,350 sq.ft. retail spaces plus existing space which is around 1,000 sq.ft. you can see from the ground floor plan.

Second floor, from the second to fifth floor is all residential above that. Basically that's 9,300 sq.ft. includes total nine units per floor, four one-bed, five two-beds, nine units per floor. That gave us a total of 36 units for the whole building plus two units for existing building. So that will deliver a total of 38 units.

By the way, we did the calculation. It complies with the Zoning Code parking requirements. We need to deliver 59 cars, which we did, also including three handicapped spaces. You can see the ADA parking is somewhat close to the back entrance of the lobby area.

So the design is in compliance with the existing zoning and the regulations. For example, the setback, 11 feet from the curblin. Curblin is located somewhere here. You can see the colored page setback 11 feet, even more for the proposed building footprint.

Also the height. Ground floor is 15 feet high for retail spaces. Above that is 10 feet for each floor, so totally to the roof structure is about 50 feet -- I'm sorry -- 55 feet total height, so that will comply with the existing zoning code.

That's about all of that. We got comments before, right before the meeting. Actually, we also did the firetruck and the trash truck study, but will provide update sheet. Maybe I can give to Sixto after the meeting.

So the (inaudible) through the feedback from the fire inspector is yes, we can accommodate the firetruck driveway through the whole building from there. We even have the pass through on the ground floor underneath. We can still make that because we have 15 feet on the first floor. So we can meet all the requirements.

And then we propose a fence. Based on the Zoning Code, it's a 6-foot maximum fence and the existing masonry wall along the property and to the back to provide privacy, and the (inaudible) civil drawing set to engineer for review, and the owner has met with a local utility company regarding relocating two electrical poles here and here to give better urban experience on the frontage for the retail spaces.

That's about all, and we believe this project will bring vibrance to this community while maintaining very good existing character of this.

I can show you. This is a rendering, just a conceptually, preliminary conceptual idea, but you can see we tried to respect the existing masonry wall by, you know, just a picture, but regarding the color, regarding the height of the existing retail spaces, we tried to match whatever in our existing neighborhood to have better -- really try to activate this pedestrian and the commercial area, especially facing the park, (inaudible) park, also our very historic library.

So we believe that we'll be very successful and we're looking forward to feedback from the Planning Board and also hoping to get your approval. We're open for any questions and suggestions. Thank you.

Mr. Capozella: Thank you.

Ms. Tu, do we have the mailings?

Ms. Tu: Yes, we do.

Mr. Capozella: Great. Then I'm going to open the public hearing. Anyone present wishing to step forward and address this application.

The public hearing was opened.

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

Mr. McCormack: Good evening. Thank you very much. This is a very exciting project.

On the rendering that we're looking at, is that a rooftop venue on the top right?

Mr. Hu: Actually, we don't have (inaudible) or living units on or above the fifth floor. That's showing something character to hide, a mechanical unit behind it.

Mr. McCormack: Okay. So no plan for any kind of rooftop access or --

Mr. Hu: No plan. That's confirmed. No.

Mr. McCormack: You mentioned that you're demoing the current building?

Mr. Hu: Yeah. We have concern for structure integrity for the existing warehouse, so also, the owner told me that it has some water leaking from the door and there's severe damage for that existing building, so we do propose to demo that.

Mr. McCormack: I guess my next question is for Mr. Martinez. In terms of environmental concerns of the demo, you know, just maybe for the public and for the Board, what's the process for demoing a building like that in downtown?

Mr. Martinez: They will have to get a demo permit along with an asbestos report indicating what's inside the building basically, which they know about.

Mr. McCormack: Okay. And last question. Have you been working with the Architectural Review Board in your design concepts to make sure that it fits the character of the neighborhood downtown?

Mr. Hu: Not yet, but we discussed with (inaudible) and other officers before. After getting approval from the Planning Board, we have the plan to meet with them right away.

Mr. McCormack: All right.. Thank you.

Mr. Hu: Thank you.

Mr. Capozella: Anyone else from the Board?

Mr. Croughan: That's not a drive-thru is it through the building?

Mr. Hu: If you're talking about the lobby, no.

Mr. Croughan: Yeah.

Mr. Hu: That's a lobby area for pedestrians only.

Mr. Croughan: Okay.

Mr. Hu: We do have a drive-thru from the back of the building.

Mr. Capozella: Ms. Witt, did you have a question?

Ms. Witt: No. I just wanted to make a suggestion. This is a very exciting project. I would suggest that when you're doing a drawing like this to make it really accurate of the spot of where it's going to be because the road, as you know, is a narrow road, and there's other things on the right side of that building, so I would be more accurate for your engineer to make it a little bit more accurate as where it's going to be, you know, because right now it looks really nice, but that's not really an actual representation of that location, of that lot.

Mr. Hu: I agree with that. Thank you.

Ms. Witt: So I would just recommend it.

Mr. Hu: I will revise that part. Thank you.

Ms. Witt: You're welcome.

Mr. Capozella: Yes, Mr. Madden.

Mr. Madden: Did you discuss what your proposed plans are for the existing three story structure that's going to remain?

Mr. Hu: You're talking about on the left side?

Mr. Madden: Yes.

Mr. Hu: That will remain. The existing is vacant, but it was used for residential. We'll keep it as residential use, basically about two floors, three bedrooms, for each floor. That keeps that at the counting parking too into this project.

Mr. Madden: Tell me again the numbers. What's the residential in that building?

Mr. Hu: The footprint is 1,180 sq.ft. per floor, two stories.

Mr. Madden: So it's just two residential units.

Mr. Hu: Only two.

Mr. Madden: And that's how you go from 36 to 38?

Mr. Hu: Exactly.

Mr. Madden: Thank you.

Mr. Hu: Exactly. And they're counting this as a separate building. That means firewall between the two buildings to certify -- I mean to meet the requirements for fire code.

Mr. Higbie: And first floor commercial on that building as well?

Mr. Hu: Yeah. Definitely.

Mr. Higbie: Yeah. First floor commercial.

Mr. Hu: Yes. Yes.

Mr. Croughan: Mr. Martinez, does that building have a violation on it?

Mr. Martinez: The existing building has a violation, but we are in touch with the engineers to try to come to some kind of remedy for it.

Mr. Croughan: And I know the project just went to our engineer, CPL, so we're awaiting their comments as well.

Mr. Hu: Understood.

Mr. Higbie: You're going to be paving a lot more area, right, behind where the parking lot is. I'm assuming there's going to be stormwater --

Mr. Hu: Yes. Yes. We did a civil engineer (inaudible) and submitted it to the engineer for review. We're waiting for feedback.

Mr. Higbie: Okay. I'm sure that'll come up.

Mr. Capozella: This project has been a while in developing with meetings and with the Planning Board and other officers. We finally got a plan, so that's in front of our engineer.

Mr. Higbie: Gotcha.

Mr. Capozella: As soon as we get the comments back, and I know our fire department has also made comments, so as soon as we get everything back, then these gentlemen can --

Mr. Higbie: And you're hoping to do the floor to ceiling windows like you're showing?

Mr. Hu: Sorry.

Mr. Higbie: The floor to ceiling windows like the big glass frontage?

Mr. Hu: Yes. We try to use glass with (inaudible) but have the same dialogue with the existing neighborhood. We talk about texture and the color, try to match, to create something. Even you'll see dark green color with something related with the library. If you remember the column and the window frame, they use green too. We tried to have a dialogue to better merge into this neighborhood.

Mr. Capozella: And the ARB will also help them.

Mr. Hu: Yeah. The ARB will help to improve the look.

Mr. Higbie: And your future plans will show how many two-bedroom apartments, how many one-bedroom. Are they mostly one- and two-bedroom apartments?

Mr. Hu: For now, each floor, we have four one-bed, five two-bed, so totally --

Mr. Higbie: Okay. Four one-bed and two --

Mr. Hu: Yeah. Total they give us 16 one-bed, 19 two-bed, plus two existing three-beds.

Mr. Higbie: That's the other building.

Mr. Hu: That's the other building, so total is 38 units.

Mr. Madden: Who do you intend to market these residential units to? Is this going to be market rate housing?

Mr. Hu: That's where we rent out. Luxury.

Mr. Madden: Thank you.

Mr. Capozella: So I'm hearing that the Board would like a more detailed floor -- apartment --

Mr. Higbie: Yeah. Apartment, you know, showing the floor plans of the --

Mr. Hu: Do you have the -- if you can see sheet number -- can you A2?

Mr. Capozella: No. I don't believe we --

Mr. Hu: You don't. Okay.

Mr. Capozella: I don't believe we have that.

Mr. Hu: Oh.

Mr. Higbie: Not yet.

Mr. Hu: Sorry for that. I didn't print large size, but I have here --

Mr. Higbie: It's going to be an elevator building?

Mr. Hu: One elevator, two egress staircases.

Mr. Higbie: One elevator and two -- okay.

Mr. Hu: Yeah.

Mr. Higbie: Yeah. So we don't have any of those internal plans yet.

Mr. Capozella: And we'll be expecting those when he makes another round here.

Mr. Hu: Again, it's a conceptual design for now, but upon approval from Planning Board, we'll dig deeper to get something more realistic, including square footages.

Right now, it meets all the requirements based on the zoning size, required size.

Mr. Capozella: So that's our intention tonight, to introduce the project so that everyone out here can see what's been taking place in the last couple years almost so everybody can see what's happening because our plan this evening is we're going to keep the public hearing open, number one.

Number two, we as a Board have to declare our intent to serve as lead agency. That's

what we're going to do this evening. This way once we get CPL's comments back, we can deal with any environmental issues and move forward to a lead agency and a NegDec.

Do you want to take a look at this before we vote or -- go ahead.

Mr. McCormack: You said we're declaring our intent to declare lead agency.

Mr. Capozella: Yes.

Mr. McCormack: Who else would have an interest in it that we couldn't just declare lead agency? I thought usually -- I thought there was only an intent if there were overlapping jurisdictions.

Mr. Capozella: According to our engineer, we have to declare intent first, and then they have to send out notifications to whatever agencies may be involved. Maybe DEC might be involved.

Mr. McCormack: That's what I was -- okay.

Mr. Capozella: We don't know; okay?

Mr. Croughan: Yeah. CPL is still reviewing, so they have to review the EAF and determine if there are any other agencies involved in this.

Mr. McCormack: Right.

Mr. Capozella: That seems to be what our engineer would like us to do on any plan that says lead agency. We have to do the intent first and then follow the process.

Mr. McCormack: Gotcha. Thank you.

Mr. Capozella: Yeah. No problem. We used to do lead agency like on a project like this because it's in the City. No Wawayanda, no Wallkill, no nothing, but not anymore. It wants us to follow that process.

That being said, I will go back to the public. Anyone wishing to address this application, please step forward.

All right. None coming forward, the public hearing is going to remain open; all right?

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

Motion passed.

The public hearing was kept open.

Resolution for declare intent to serve as Lead Agency. Motion by Mr. McCormack, seconded by Mr. Higbie.

SEQRA NOTICE OF INTENT TO SERVE AS LEAD AGENCY

On Motion of Mr. McCormack and seconded by Mr. Higbie, the following resolution was

adopted by the City of Middletown Planning Board:

WHEREAS, the City of Middletown Planning Board has received an application from Sen Wang, tax map designation Section 31, Block 1, Lot 9.2 and Section 31, Block 1, Lot 14.2 and located in the DMU zone, for a site plan and special use permit for a 5-story commercial and residential building with 38 apartments. The project is located at 12-14 Union Street and 4-8 Franklin Street in the City of Middletown.

WHEREAS, in accordance with the provisions of 6 NYCRR Part 617 (SEQRA), the City of Middletown Planning Board intends to serve as Lead Agency for SEQRA review of this action, yet to be determined by our engineers, and will determine if the proposed action will have a significant effect on the environments; and

WHEREAS, the Lead Agency will undertake a coordinated review of this proposed action.

NOW THEREFORE, be it resolved, that the City of Middletown Planning Board is declaring its intent to serve as Lead Agency with respect to the proposed action under the State Environmental Quality Review Act; and,

BE IT FURTHER RESOLVED, that the City of Middletown Planning Board is authorizing the applicant to distribute the Lead Agency Coordination Request in accordance with Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617 to all interested and involved agencies.

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

Promenade Middletown LLC
60-78 Fulton
Negative Declaration

Mr. Capozella: The Promenade has resubmitted plans. They have changed some of their building square footage. They are kind of like in a cost savings mode. They did some reduction in the size of their building. Environmentally, literally nothing has changed, but because they have notified us of the change, we ended up sending it back to our engineer to make sure that everything was on the up and up so that we could make the right SEQRA determination and the right NegDec determination; all right?

So unfortunately I now have to do a SEQRA Notice of Intent to Serve as Lead Agency while we're waiting for our engineers to complete the new review of the new structure; okay?

So I'm going to need a motion again for this Notice of Intent to Serve as Lead Agency.

Resolution for declare intent to serve as Lead Agency. Motion by Ms. Witt, seconded by Ms. Dupre.

Mr. Capozella: Ms. Tu, did we receive additional mailings for this?

Ms. Tu: No.

Mr. Capozzella: Okay. So I can't open the public hearing.

Mr. Croughan: Well, this was a project that came before us, previously got approved. They then amended the site plan to reduce the size, and that's why it's back before us. So it's on an amendment of an approved plan, so I think that we could probably proceed with just doing the intent to declare, but we're not opening the public hearing for the notice as of yet.

Mr. Capozzella: Okay. Just checking. All right.

SEQRA NOTICE OF INTENT TO SERVE AS LEAD AGENCY

On Motion of Ms. Witt and seconded by Ms. Dupre, the following resolution was adopted by the City of Middletown Planning Board:

WHEREAS, the City of Middletown Planning Board has received an application from Promenade Middletown LLC, tax map designation Section 40, Block 6, Lot 15 and located in the DMU zone, for a site plan and special use permit an addition of memory care unit to an existing adult care facility. The project is located at 60-78 Fulton Street in the City of Middletown.

WHEREAS, in accordance with the provisions of 6 NYCRR Part 617 (SEQRA), the City of Middletown Planning Board intends to serve as Lead Agency for SEQRA review of this type Unlisted Action and will determine if the proposed action will have a significant effect on the environments; and

WHEREAS, the Lead Agency will undertake a coordinated review of this proposed action.

NOW THEREFORE, be it resolved, that the City of Middletown Planning Board is declaring its intent to serve as Lead Agency with respect to the proposed action under the State Environmental Quality Review Act; and,

BE IT FURTHER RESOLVED, that the City of Middletown Planning Board is authorizing the applicant to distribute the Lead Agency Coordination Request in accordance with Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617 to all interested and involved agencies.

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

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

Motion passed.

Adjourned 7:45 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: February 4, 2026
 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: February 4, 2026

Richard P. McCormack

Request of Jian Hu for a six-month extension of the approved site plan and special use permit for a Phase 1 Hotel located at 9-29 Canal Street

WHEREAS, Jian Hu requested a six-month extension of the approved site plan and special use permit dated 04/03/2024 for a Phase 1-Hotel, including a banquet hall and restaurant with full liquor license, on a portion of the 1st, 2nd and 3rd floor of the premises located at 9-29 Canal Street, Middletown Section 35, Block 3, Lot 24.1. This is the project's 3rd extension request, and

WHEREAS, a meeting was held by the Planning Board on February 4, 2026, at 7:00 p.m. in the Common Council Chambers, City Hall, Middletown, New York to consider granting the extension, and

WHEREAS, at said meeting the board discussed the request for the extension, and

WHEREAS, all concerns have been carefully considered.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the City of Middletown hereby grants the request of Jian Hu for a six-month extension of the approved site plan and

special use permit for Phase 1-Hotel located at 9-29 Canal Street, Middletown. This is the project's 3rd extension request granted.

Prepared by:

Attachments:

None



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

THE FOLLOWING WAS PRESENTED

By: None
 Seconded by: None
 Date of Adoption: February 4, 2026
 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: February 4, 2026

Richard P. McCormack

Request of Angel Gonzalez for a special use permit and a site plan approval for an eating and drinking establishment located at 79 West Main Street

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

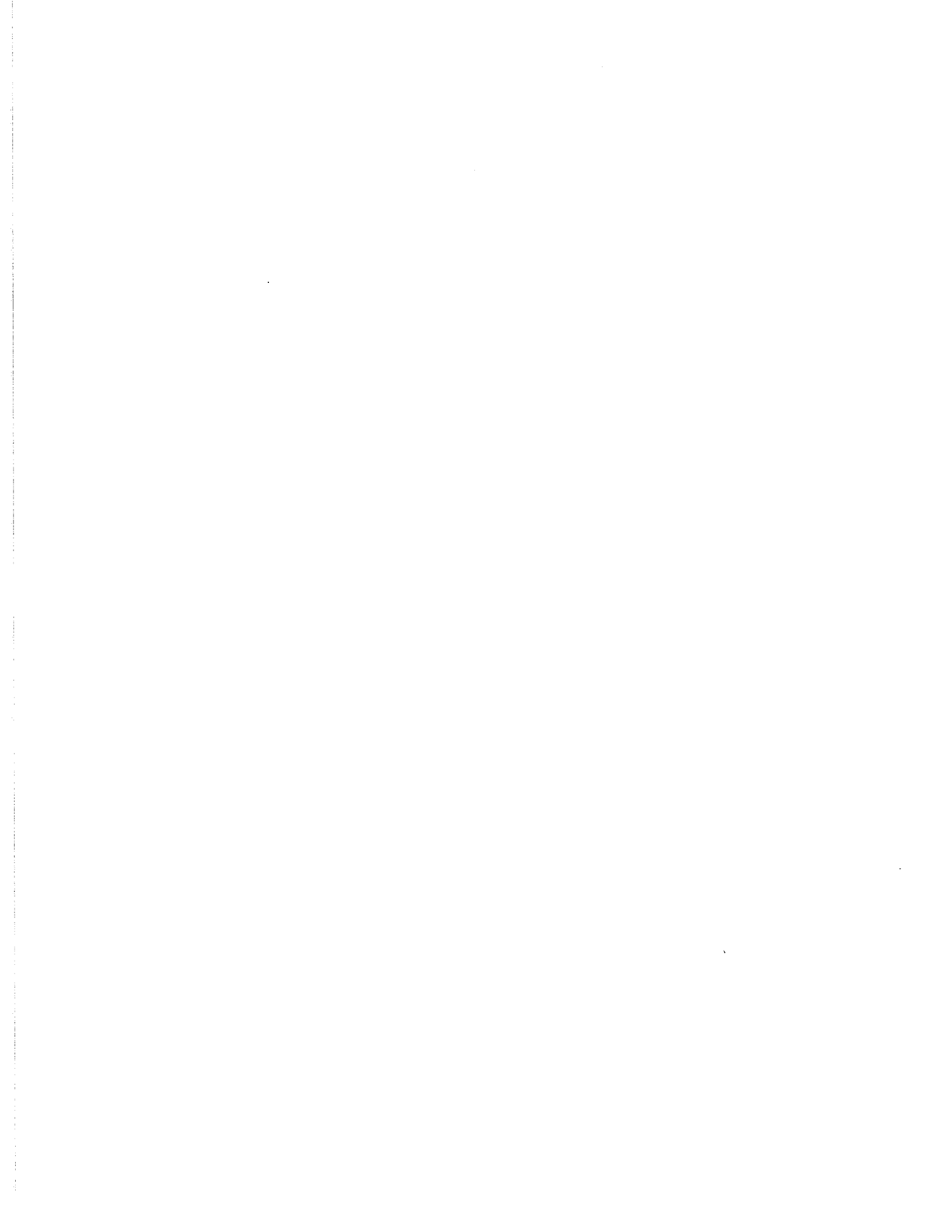
application for approval as described herein.

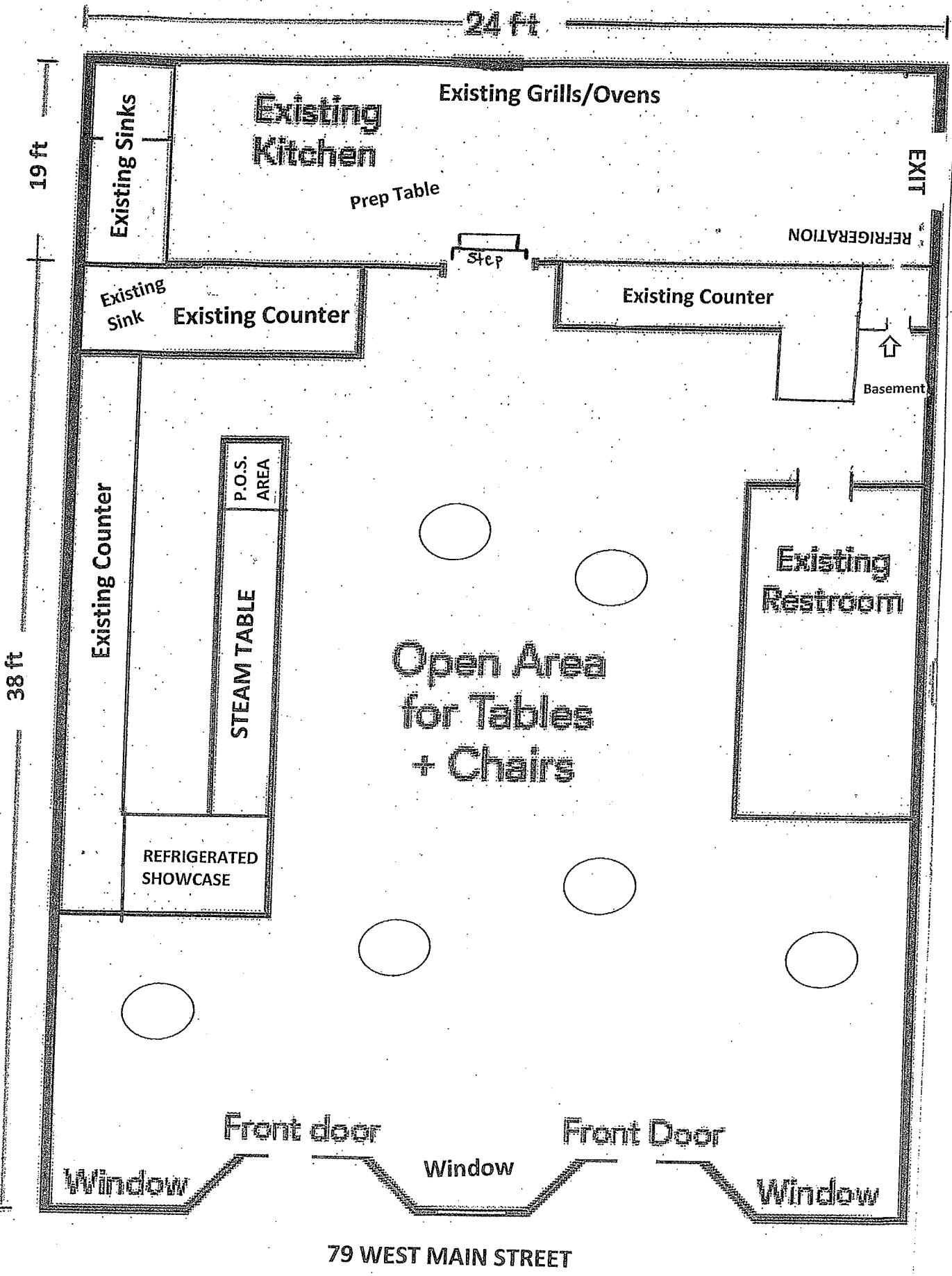
Sworn before me this 16th day of October 2025

Susan Cummings
Notary Public

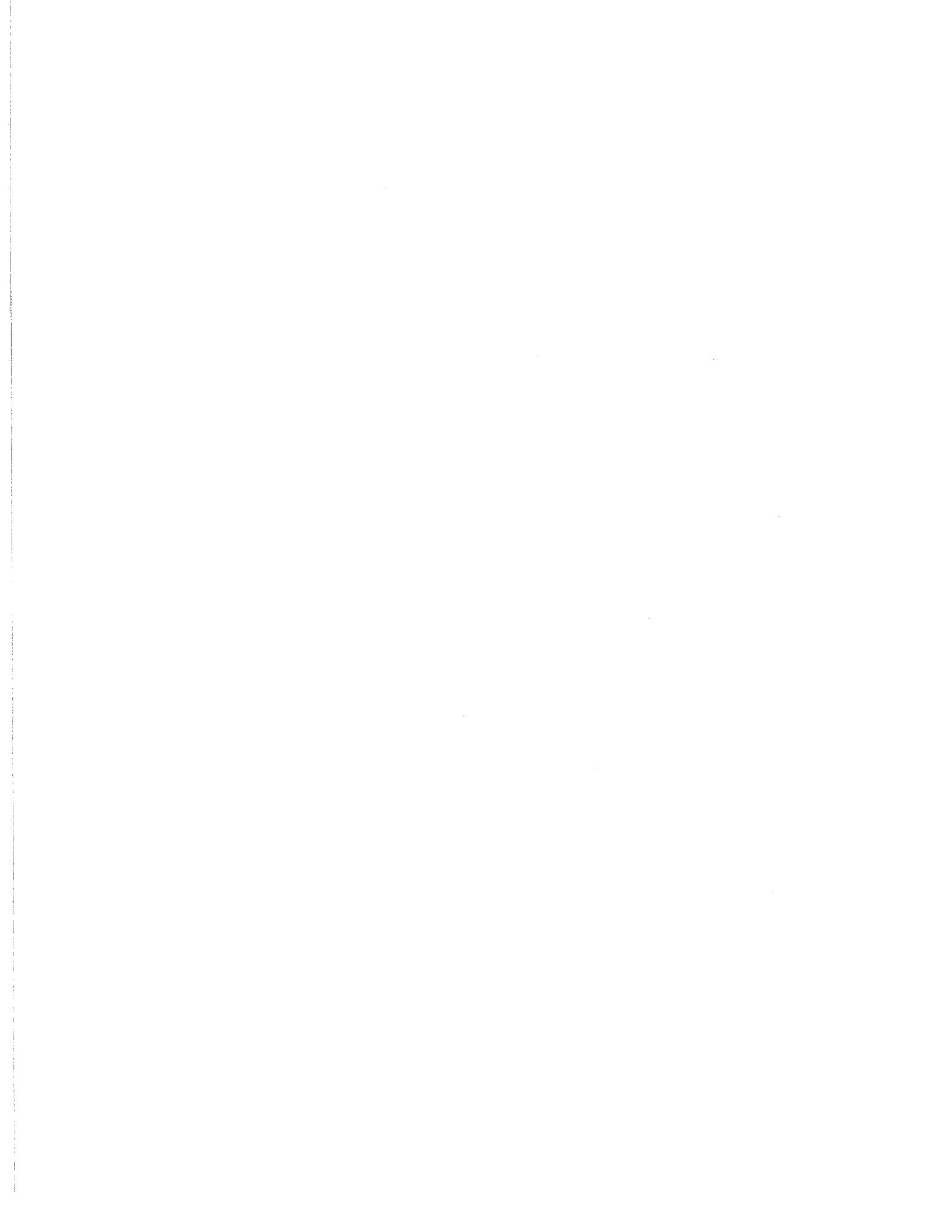
SUSAN CUMMINGS
Notary Public - State of New York
No. 01CU6225383
Qualified in Orange County
My Commission Expires July 19, 2026

Ramon A. Colon
OWNER'S SIGNATURE





West Main Street





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

THE FOLLOWING WAS PRESENTED

By: None
 Seconded by: None
 Date of Adoption: February 4, 2026
 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: February 4, 2026

Richard P. McCormack

Request of Ilseon Son, for a special use permit and site plan approval for a hairdressing and beauty training school and a licensed esthetics salon located at 71-79 Railroad Avenue

WHEREAS, Ilseon Son, seeking a special use permit and site plan approval in order to have a hairdressing and beauty training school and a licensed esthetics salon located at 71-79 Railroad Avenue, Section 26, Block 10, Lot 21.22, located in the DMU Zone which is a permitted use.

WHEREAS, after due notice, a public hearing was held by the Planning Board on February 4, 2026, 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 Ilseo Son, for a special use permit and site plan approval in

order to have a hairdressing and beauty training school and a licensed esthetics salon, located at 71-79 Railroad Avenue, Middletown. The personnel must have a proper NYS license(s).

Hours of operation are:

School: Monday -Friday 9AM-5PM

Salon: Monday - Saturday 10AM-7PM

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, 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.	railroad-008
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2.	75 Railroad Ave Site Plan 01162026 Sealed
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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 75 Railroad Ave

Section 26 Block 10 Lot 21,22 Current Zoning District DMU

Building Existing New _____

2. Owner of Property ILSEON SON

Owner's Address 75 Railroad Ave

City Middletown State NY Zip 10940

Phone numbers: Home: _____

Business: 434-365-5555

Cell: 908-947-8934

3. Applicant name ILSEON SON

If different from Owner

Applicants Address _____

City _____ State _____ Zip _____

Phone numbers: Home: _____

Business: _____

Cell: 64 _____

Fax: _____

son)
9

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 # 26-10-21.22

Classification of Occupancy requested Group-B

Description of what you are requesting: _____

We are going to turn the existing Korean restaurant to a hairdressing and beauty training school.

Uses currently in property: Vacant

Title	Section Number	Required Dimensions	Actual Dimensions
Lot area	26-10-21.22	82 x 104	82 x 104
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: ILSEON SON CEO of AC BEAUTY SCHOOL

Date: Dec. 16, 2025

AC BEAUTY SCHOOL RENOVATION PROJECT

SITE PLAN

$\frac{1}{16}'' = 1'-0''$

BUILDING DATA

ADDRESS: 75 RAILROAD AVE, MIDDLETOWN, NY 10940
 LOT: 26-10-21.22
 ZONING: DMU
 BUILDING TYPE: TYPE III - B
 OCCUPANCY CLASSIFICATION: GROUP B
 EXISTING RESTAURANT GROSS AREA: 5,773 SF
 EXISTING APARTMENTS GROSS AREA: 3,897 SF
 PROPOSED SCHOOL GROSS AREA: 7,464 SF
 TOTAL REQUIRED PARKING SPACE: 2 (APARTMENTS)X2=4

RAILROAD AVE

EAST MAIN STREET

75 RAILROAD AVE
(WORK AREA)

EXISTING PARKING SPACE: 7

Lot: 26-10-21.22

PROPOSED PARKING SPACE: 6

Apartment 1
Apartment 1
Apartment 2
Apartment 2

101

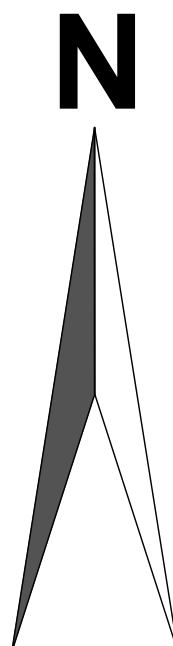
134.6

99.2

66

10

67



SITE PLANS AND NOTES

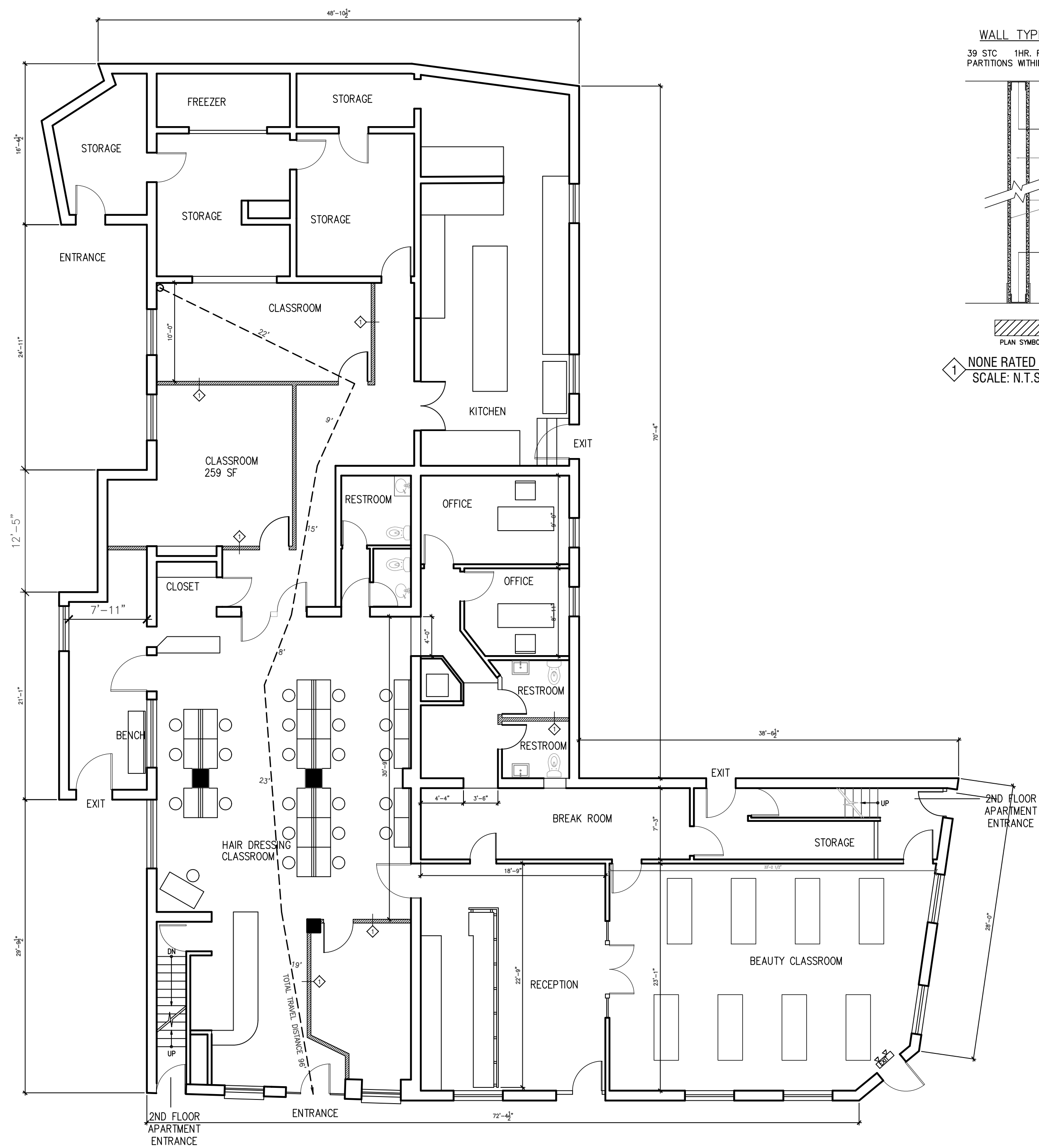
AC BEAUTY SCHOOL
RENOVATION PROJECT

BUILDING RENOVATION
75 RAILROAD AVE,
MIDDLETOWN NY 10940

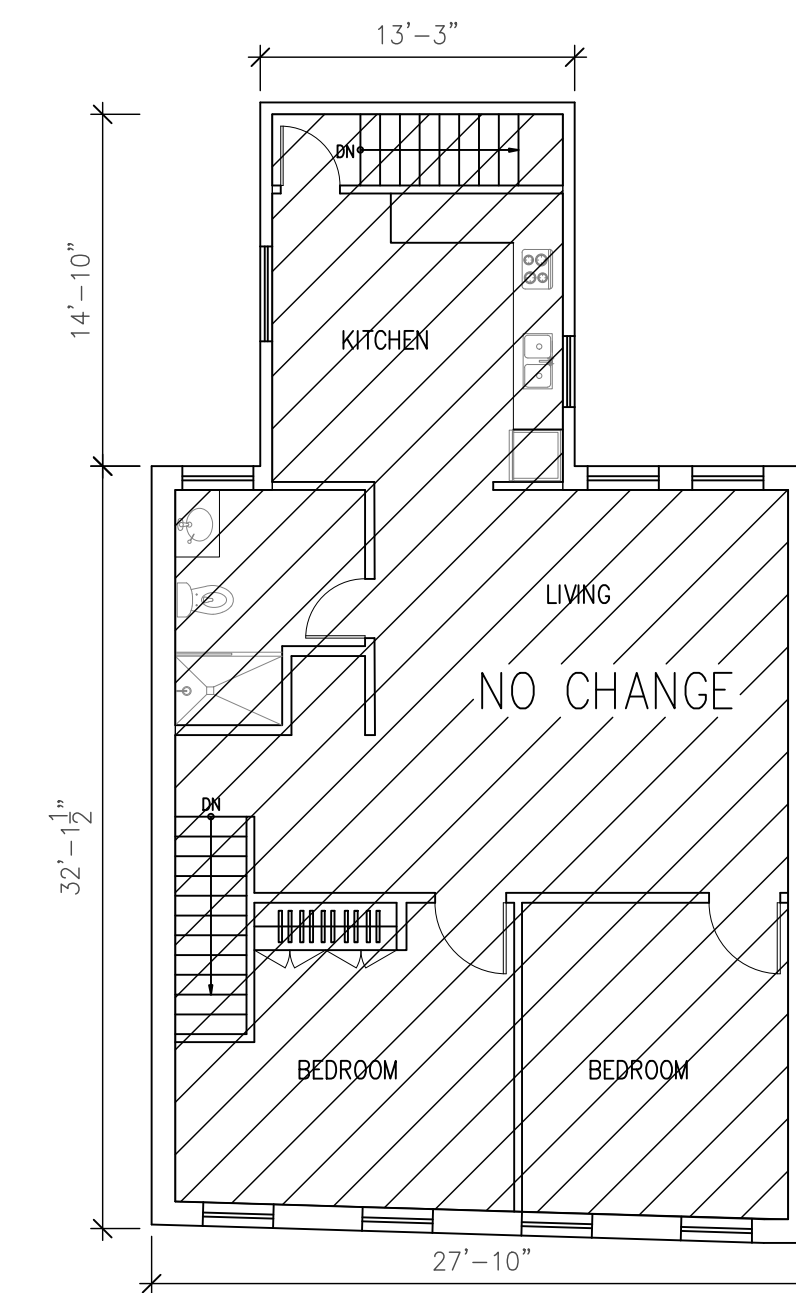
Revisions	Description

Date: 1/16/2026
 Scale: As shown
 Drawn By: Z. J.
 Checked By: X. T.
 Job No. :

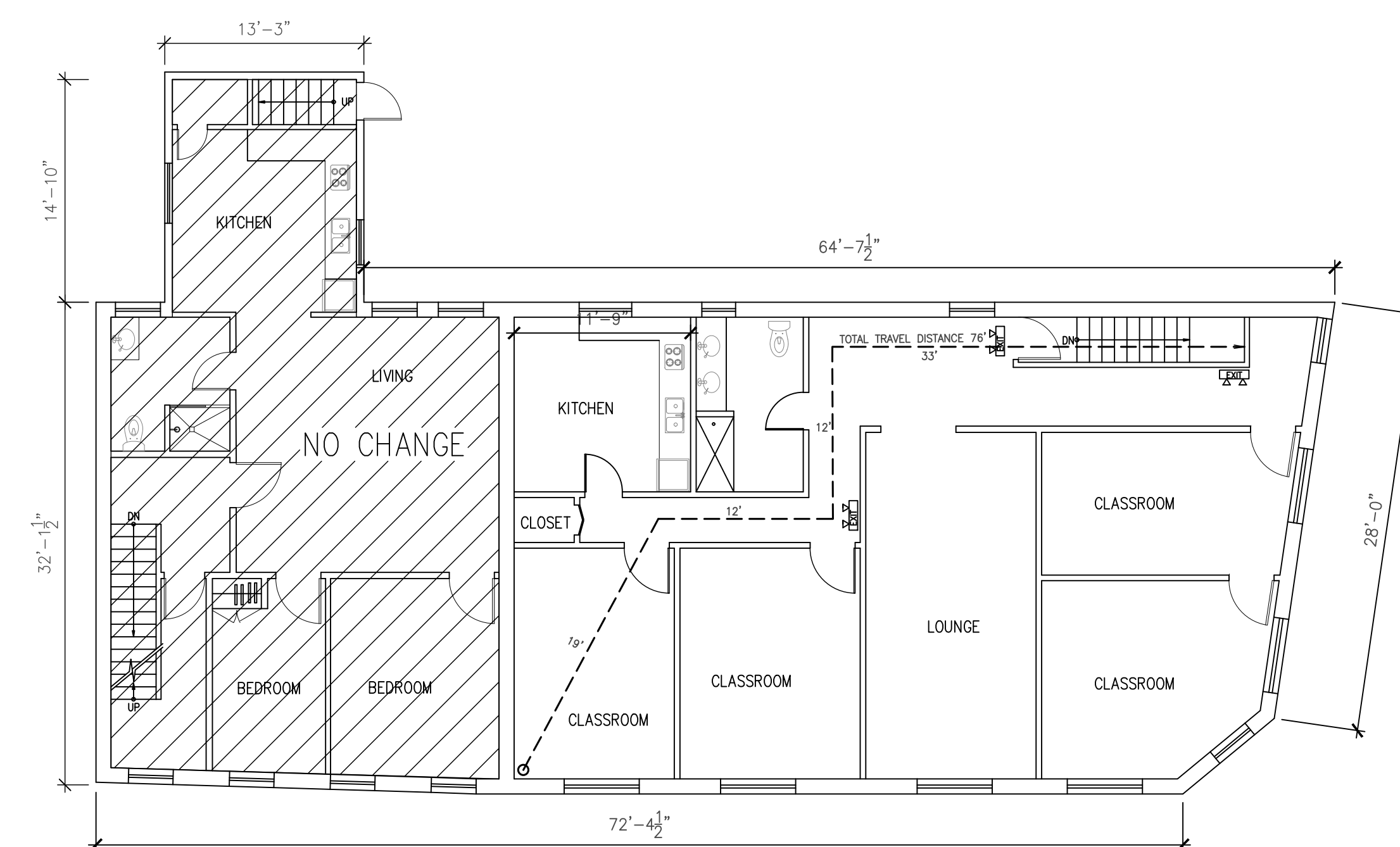
Sheet
A-0



4 PROPOSED FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



6 PROPOSED THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"



5 PROPOSED SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

LEGEND

NEW NONE RATED PARTITION

EXIT SIGN WITH EMERGENCY LIGHT (BATTERY BACK-UP)

H/S HORN & STROBE

SD/CO 2 IN 1 SMOKE AND CARBON MONOXIDE DETECTOR

EGRESS CALCULATION:

1. OCCUPANCY LOAD:
TEACHER: 6
STUDENT: 80 SEATS
TOTAL: 86

2. EXIT WIDTH: $86 \times 0.2 = 17.2$ " (REQUIRED WIDTH OF EXIT), ACTUAL PROVIDED: 36" OK

3. TRAVEL DISTANCE FOR OCCUPANCY B: 200' (WITHOUT SPRINKLERS). PROVIDED: 96'. OK

