



**CITY OF MIDDLETOWN
PLANNING BOARD MEETING AGENDA
MAY 6, 2026 - 7:00 PM**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
 - 3.1. Accept the Minutes of April 1, 2026
4. NEW BUSINESS
 - Presentation of Adapt of the Hudson Valley — offices for non-profit entities at 40 Mulberry Street
5. ADJOURNMENT

**CITY OF MIDDLETOWN
PLANNING BOARD
MINUTES**

April 1, 2026

A meeting of the Planning Board was held in the Common Council Chambers, City Hall, 16 James Street, Middletown, New York on April 1, 2026 at 7:00 P.M., Mr. Anthony Capozella presiding.

Members Present: Andy Britto, David Madden, Yasmin Dupre, Gretchen Witt.

Members Absent: Richard McCormack, Gretchen Witt, Dan Higbie.

Other Attendees: Sixto Martinez, Building Inspector, Andrew Witkowski, Fire Inspector, Christian Moore, Planning Board Engineer representing CPL, Alex Smith, Planning Board Attorney.

The Pledge of Allegiance was said.

Motion to accept the March 4, 2026 minutes by Mr. Madden, seconded by Mr. Britto.

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.

**Promenade Middletown LLC
60-78 Fulton Street
Lead Agency and Negative Declaration**

Mr. Capozella: It's an addition of a memory care unit to an existing adult care facility. Please step forward.

Mr. Belitsis: Good evening. My name is Paul Belitsis, and I'm here tonight to represent Promenade at Middletown. As a reminder to the Board, our project is to build an extension to the existing structure for a licensed memory care program, also known as a Special Needs Assisted Living Residence, or SNARL, and day care program.

Our project has already been approved, but we are here to affirm SEQRA. We are seeking a neg dec to close out SEQRA and final approval. Thank you.

Mr. Capozella: Thank you very much. I'm going to open the public hearing. Any presenting wishing to address this application, please step forward.

The public hearing was opened.

Mr. Capozella: No one coming forward, I will go to the Board. The gentleman was exact. This

project already has approval through their grant process or funding project. They ended up needing a lead agency and a negative declaration, and last time it didn't really meet the criteria, but since they needed it and required it, we put it under review, and they have met the criteria, and we will do those resolutions shortly.

If the Board has any questions? None being had, I'll go back to the public one more time. Anyone here wishing to address this application, please step forward.

No one stepping forward, I will close the public hearing.

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

Motion passed.

The public hearing was closed.

Mr. Capozella: I will go the Board one more time if they have any questions, comments, or concerns. None being had, I'm going to read our lead agency resolution.

WHEREAS, the City of Middletown Planning Board has received an application from Promenade Middletown LLC seeking a site plan amendment and special use permit approval for the addition of memory care unit to an existing adult care facility located at 60-78 Fulton Street, Middletown, New York, Section 40, Block 6, Lot 1 and 15, located in the DMU Zone which is a permitted use.

THEREFORE, be it resolved, that the City of Middletown Planning Board is declaring its intent to be 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.

Motion by Mr. Britto, seconded by Mr. Madden.

Roll Call Ayes: David Madden, Andy Britto, Yasmin Dupre, Anthony Capozella.

Mr. Capozella: Moving on to the negative declaration for the Promenade.

On motion of Mr. Madden and seconded by Mr. Britto, the Planning Board, based upon all of the evidence submitted by Promenade Middletown LLC seeking a site plan amendment and special use permit for the addition of memory care unit to an existing adult care facility, the Planning Board makes the following determination with respect to the environmental significance of the proposed project located at 60-78 Fulton Street in the City of Middletown, Section 40, Block 6, Lot 1 and 15.

Based upon a reasoned elaboration of the potential environmental impact of the project, and after a thorough review of the project's environmental elements by the City's Engineer and Planning Board, the Planning Board hereby determines that there will be no significant environmental

effect as a result of the completion of the proposed project and by this resolution, making a Negative Declaration of Environmental Impact as that term is defined in the Environmental Conservation Law and in Part 617 of the New York SEQRA regulations.

Motion by Mr. Britto, seconded by Mr. Madden.

Roll Call Ayes: David Madden, Andy Britto, Yasmin Dupre, Anthony Capozella.

Dreamfields, Inc.
55 Midland Avenue Extension
Special Use Permit and Site Plan Approval

Mr. Fellenzer: Good evening, Mr. Chairman, Members of the Board. My name is Ryan Fellenzer with Fellenzer Engineering representing Dreamfields, Inc. for the property at 55 Midland Avenue Extension.

The applicant is proposing to occupy the building for use as their cannabis processing distribution facility. This is strictly wholesale. There is no retail sales on the property at all.

I believe we were last here in January where we initiated our public hearing, and since then we have submitted a formal odor mitigation plan to CPL for review, and we also addressed comments that we had received that night from the Town of Wallkill with response letters from the according people that we needed to, and here we are for continuation of the public hearing and address any other concerns that the Board may have.

Mr. Capozella: Thank you. Ms. Tu, do we have the mailings? We didn't need them because the public hearing is already open. I'm sorry. I apologize.

Anyone from the public wishing to address this application, please step forward.

Mr. Masi: Yes. Good evening. My name is Joe Masi. I'm the alderman of the particular ward in which, if you approve this project, it will be situated.

I had the opportunity, along with several other people, Mayor DeStefano and Maria Bruni, to visit this site. I wanted to go because I had two ideas or maybe questions as to safety and to odor.

We were received very kindly by the group over there. They gave us complete access. When we showed up, we were in front of the building, and they said you can walk around the front of it, do whatever you want. Once we go in, they had complete security. In fact, they had to get us through, show ID, so we could view the facility inside.

We walked around. We had freedom. The safety issue was absolutely answered. In fact, if this facility goes through, there will be more safety in that over there they had an outside dock when the raw product was delivered. Here you'll have an inside one.

The odor was the next biggest thing because not only the people that live in my ward but throughout the City. We were there for a good 45 minutes, an hour, went through the whole process. As we were going, we had an opportunity to stop anywhere, speak to anyone we wanted to speak to. We could not smell anything whatsoever.

Then the gentleman leading it said, okay, now we're going to go to this other area. It was a fenced-in area. Inside it was a trailer. He said, okay, come to the front door of the trailer. Do you smell anything whatsoever, and we could not. He said okay. I am now going to open up that door. Once I open the door, you will smell it. And there's no question. When he opened the door in that area, you could smell the raw product. That was it. Once he closed that door, that was it.

That odor did not get out of that fenced-in area, did not permeate through the rest of the building.

Then he said let's go to the back of the building in case anyone was wondering if there's any ventilation that goes out back, will there be any smell. We went through the entire -- we went through the back of it again. I can tell you that this is a good project. It will help Middletown. It will add a number of jobs, and the two issues I had were completely satisfied, and I'm hoping that you will approve this. Thank you very much.

Mr. Capozella: Thank you, Mr. Masi. Anyone else from the public wishing to address this application, please step forward.

Any Board members have any questions, comments, or concerns?

I do have one thing that I'm going to read into the record. I also went on the trip, Ms. Dupre went on the trip, and Mr. McCormack went on the trip. And to match what Joe said, I had to give a detailed report, but just briefly for the record:

Members of the Board and City of Middletown conducted a site visit of applicant's other location in Peekskill, New York. We wanted to make sure the public's concerns were addressed concerning odor.

During our site visit, we noticed the security personnel were present at the site. The premises inside and out were odor-free of any odor, cannabis or otherwise. The property was maintained in an orderly fashion. We asked some questions, and all responses cleared any concerns that we had had. Overall, we were very impressed with the manner in which the operation ran.

CPL has reviewed and accepted the latest submission of plans by the applicant. Our DPW has reviewed and accepted plans. DPW has also reviewed their files and found that the use has been continuous and similar in nature to past uses of the building. The Middletown Fire Department and the Middletown Building Department have reviewed the plans and found them acceptable. The applicant has submitted an affidavit attesting to the continued use of the building as a warehouse.

Lastly, the Board, after meeting with applicant's review of submissions, have found the plans to be acceptable after conducting its due diligence. As Lead Agency, we have reviewed all the concerns raised and find that they have been addressed to the satisfaction of this Board as Lead Agent, and in accordance make the following resolution of approval, which we'll get to shortly.

Also keep in mind, in our main resolution for this property, because odor was always at issue on this applicant, was CPL, in the formal resolution, will conduct and oversee the installation of the odor mitigation plan. The escrow will continue. They'll pay CPL to do so. This way we can be assured, the City can be assured, that our engineer is overseeing their mitigation plan as given to them, and if any changes are needed can be taken care of. So we think we covered the odor issue as best we possibly can.

Do the Board members have any questions? Public, any questions?

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

Motion passed.

The public hearing was closed.

Mr. Capozella: Any other thoughts, Board, please share them.

Moving on, we're going to declare Lead Agency and negative declaration.

WHEREAS, the City of Middletown Planning Board has received an application from 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. Section 9, Block 1, Lot 1., located in the I-2 Zone which is a permitted use; and

WHEREAS, in accordance with the provisions of 6 NYCRR Part 617 (SEQRA), the City of Middletown Planning Board adopted a resolution on 12/03/2025 declaring its intent to act as Lead Agency for this Unlisted Action and circulated said intent to all Involved Agencies; and

WHEREAS, no Involved Agencies challenged the intent of the City of Middletown Planning Board to act as Lead Agency.

NOW THEREFORE BE IT RESOLVED that the City of Middletown Planning Board hereby designates itself as Lead Agency for the Proposed Action pursuant to 6 NYCRR Part 617.

BE IT FURTHER RESOLVED that based upon examination of the Environmental Assessment Form (EAF), its own independent analysis of the Proposed Action, and comparison with the criteria for determining significance under 6 NYCRR 617.7, the City of Middletown Planning Board finds that the Proposed Action will not have a significant environmental impact and hereby issues a Negative Declaration; and

BE IT FURTHER RESOLVED that this determination is based on the facts and conclusions as noted in the attached EAF.

Motion to accept resolution by Mr. Madden, seconded by Ms. Dupre.

Roll Call Ayes: David Madden, Andy Britto, Yasmin Dupre, Anthony Capozella.

WHEREAS, that 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 and on April 1, 2026 at 7:00 p.m. in the Common Council Chambers, City Hall, Middletown, New York, and

WHEREAS, at said Public Hearings, all those who desired to be heard were heard and their testimony recorded, and all testimony has been carefully considered. The Planning Board, being Lead Agency, has carefully reviewed the Site Plan, conducted a site visit to the Applicant's other NYS location located in Peekskill, NY, reviewed all the relevant documentation provided by the Applicant, DPW's review of their records, Affidavits of Owner, CPL's (Middletown City PB Engineer) comments, and therefore find that the proposed use is a continuation of an existing similar use of the existing facility and that said use had not been discontinued for a year, all issues raised during the review process have been adequately met by Applicant, and

WHEREAS, the Applicant has provided the Planning Board of the City of Middletown adequate proof of proper licensure from the New York State Office of Cannabis Management (OCM) for

the intended use as described in the application materials, and that the Applicant shall keep and maintain its licensure with OCM current and in good standing. Proof of licensure renewal shall be provided to the City of Middletown within thirty (30) days of said renewal. If there is a loss or suspension of licensure with OCM, the Applicant shall notify the City of Middletown immediately, and all project operations pertaining to the manufacturing of cannabis products as described in the application materials shall cease, and shall not resume unless and until the Applicant can provide adequate proof of licensure with OCM.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the City of Middletown hereby approves the application of Dreamfields, Inc., for site plan and special use permit approval for the manufacturing and distribution of cannabis products, no retail sales permitted on site, located at 55 Midland Avenue Ext., Middletown, hours of operation: Mon. – Fri. 1st Shift 6:00am-3:00pm, 2nd Shift 3:30pm-12:30am; Sat. 6:00am-3:00pm.

List of materials reviewed:

- Environmental Assessment Form, Short Form prepared by Fellenzer Engineering LP, as Agent, dated 5/2/2025.
- Site Plan entitled “Dreamfields, Inc. Site Plan” Prepared by Fellenzer Engineering, LLP, last revised 3/9/2026.
- Preliminary odor control plan prepared by DF New York One, Inc.

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 identified in: submitted PB application, Public Hearing, Board discussion, City Inspectors’ input, PB Engineer, and PB Attorney’s recommendations. Information submitted with the application will become part of the official record, and the Applicant will be required to comply with, and to be held to all requirements, conditions, notes, etc., contained therein. Retail sales are not permitted on site as per Code Section 475-28.2. CPL will assist the City Building Department in its review pertaining to odor control and mitigation provisions, and acceptance of same will remain subject to CPL’s approval. The New York State Office of Cannabis Management will oversee the site operations within their scope and jurisdiction, and any recommendations and/or proposed changes will require CPL and Planning Board Approval.

THEREFORE: The Applicant is only allowed to use the space as designated in the submitted application and this Conditional Resolution of Approval. If there are any changes in building structure and/or use, the Applicant will need to seek Planning Board approval, if applicable. The Applicant will be required to pay any outstanding fees, such as application fees, taxes, and professional consultant fees, if any. If these remained unpaid after 10-day notice to cure, this Conditional 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 (6) months and completed within two (2) years of the date of the granting of 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 Planning Board approval.

Motion to accept resolution by Mr. Madden, seconded by Mr. Britto.

Roll Call Ayes: David Madden, Andy Britto, Yasmin Dupre, Anthony Capozella.

Nasir J. Khanzada
144 Dolson Avenue
Eating and drinking establishment

Mr. Patel: Hi. My name is Vijesh Patel. I'm here regarding Adobo Mexican Grill. It used to be an existing TD Bank, and we're converting it into a restaurant.

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

Ms. Tu: Yes, we do.

Mr. Capozella: Okay. I'm going to open the public hearing. Anyone present wishing to speak on this application, I see there's a person in the back. Step forward, ma'am.

Ms. Palmer: Hi. My name is Regina Palmer, and I got a notice, so I'm assuming it's behind my house where the establishment is going to be, 144 Dolson, Middletown. I just wanted to make sure, because it said in the notice I received, that it's a special permit to have eating and drinking but without beer, wine, and liquor. So I'm assuming drinking is soft beverages.

Mr. Patel: Yes.

Ms. Palmer: I also wanted to know what the time your establishment was going to be open till.

Mr. Capozella: According to the resolution, 10:00 a.m. to 3:00 a.m. daily.

Ms. Palmer: 3:00 in the morning.

Mr. Capozella: Correct.

Ms. Palmer: Which means -- is there music and dancing, sir?

Mr. Patel: No. It's just a quick service restaurant.

Ms. Palmer: Okay. Because the last time I was here, it was for some kind of eating establishment, and they weren't supposed to be open till after 10:00, and I'm hearing very loud

music till 2:00 a.m. on Saturdays, so I just wanted to be here for this one to make sure that it is till 3:00 a.m., but there's no dancing, drinking alcohol, or loud music.

Mr. Patel: There is no dancing, no music, no alcohol at all, only soft drinks.

Ms. Palmer: That was my concern. Thank you.

Mr. Capozella: Just to be clear, that's the way our code reads. That's why we have to include eating and drinking, whether there's alcohol or not. That's just a code clarification.

Ms. Palmer: Okay. I thought it was a mistake of some sort.

Mr. Capozella: No, no. You got it. You understood it. That's good.

Ms. Palmer: Thank you.

Mr. Capozella: Anyone else from the public wishing to address this application, please step forward. No one coming forward, I'll go to the Board for any questions, comments, or concerns.

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

Motion passed.

The public hearing was closed.

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

Resolution for 144 Dolson Avenue, eating and drinking establishment. Motion by Mr. Britto, seconded by Ms. Dupre.

Roll Call Ayes: David Madden, Andy Britto, Yasmin Dupre, Anthony Capozella.

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

Motion passed.

Adjourned 7:30 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: May 6, 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: May 6, 2026

Richard P. McCormack

Presentation of Adapt of the Hudson Valley — offices for non-profit entities at 40 Mulberry Street

Prepared by:

Attachments:

1.	Application to Planning Board- Signed
2.	Owner's Endorsement
3.	SEAF
4.	40 Mulberry- Narrative Summary 3.23.26
5.	Floor Plan for ADAPT 11.10.25
6.	ADAPT Special Permit Plan 3.20.26

APPLICATION
PLANNING BOARD
City of Middletown, New York

Date deemed complete _____ Date _____
Accepted by _____

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 40 Mulberry Street

Section 34 Block 2 Lot 1.1 Current Zoning District DMU

Building Existing X New _____

2. Owner of Property Elish Gardens LLC

Owner's Address 1 Executive Blvd., Suite 201

City Suffern State NY Zip 10901

Phone numbers: Home: _____

Business: _____

Cell: _____

3. Applicant name ADAPT of the Hudson Valley

If different from Owner

Applicants Address 420 Schutt Road Ext.

City Middletown State NY Zip 10940

Phone numbers: Home: _____

Business: 845-692-4444

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 # 475-21.1 (F)(15)(c)

Classification of Occupancy requested Offices for non-profit entities.

Description of what you are requesting: See attached narrative summary.

Uses currently in property: Vacant office building

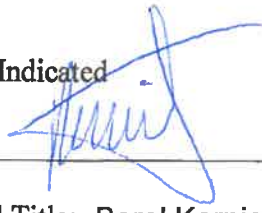
Title	Section Number	Required Dimensions	Actual Dimensions
Lot area			
Front yard			
Rear yard			
Side yard			
Side yard			
Parking			

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: _____

A handwritten signature in blue ink, appearing to be 'Berel Karniol', written over a horizontal line.

Printed Name and Title: Berel Karniol, Member

Date: _____

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

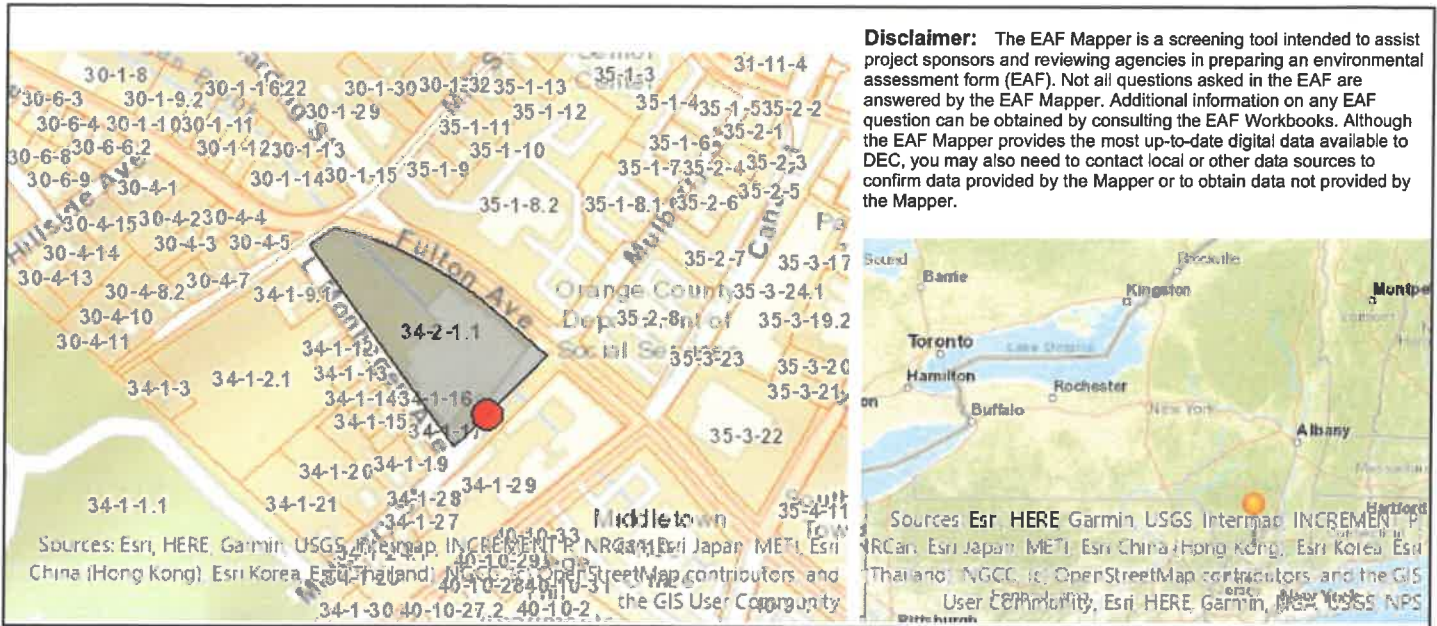
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: ADAPT of the Hudson Valley			
Project Location (describe, and attach a location map): 40 Mulberry Street, Middletown, NY 10940 (S/B/L: 34-1-1.1)			
Brief Description of Proposed Action: Internal improvements to existing office building for use by ADAPT as offices and day habilitaion program			
Name of Applicant or Sponsor: Elish Gardens LLC		Telephone: 845-367-9420 Ext. 117	
		E-Mail: pbaum@sbnewyorklaw.com	
Address: 1 Executive Blvd. Suite 201			
City/PO: Suffern		State: NY	Zip Code: 10901
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: Special Permit- City of Middletown Planning Board			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? 2.85 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? 2.85 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 type="checkbox"/> Industrial <input checked="" 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? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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?	NO	YES	
	<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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" 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 checked="" 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 checked="" 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 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? 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 checked="" type="checkbox"/>	
	<input checked="" 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?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

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 <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> 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 checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" 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 checked="" 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 checked="" 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? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Fish Gardens LLC</u> Date: _____		
Signature: <u></u> Title: _____		



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]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes

NARRATIVE SUMMARY
ADAPT of the Hudson Valley Inc.
40 Mulberry Street
Tax Lot 34-2-1.1

This narrative summary is submitted in support of the application by Elish Gardens LLC, the building owner, for special permit approval to permit a portion of the existing office building located at 40 Mulberry Street for to be used for offices and day habilitation program for ADAPT of the Hudson Valley Inc. The property is located in the DMU Zoning District. Offices for nonprofit entities are a special permit use in the zone pursuant to Section 475-21.1((F)(15)(c) of the Zoning Code subject to approval by the Planning Board.

The building was formerly occupied by the Times Herald Record. No changes are being made to the site. All modifications are internal improvements of the existing office space. Floor plans of the proposed modifications are submitted with the application.

ADAPT is a non-profit provider in New York State that supports people with disabilities. ADAPT runs a community habilitation program. The program is a recreational and life skill building program for adults with intellectual and developmental disabilities. These courses are taught both in the community and on site through traditional instruction. The program will also host our supported work department and work readiness space where we provide job skill training to people with intellectual and developmental disabilities.

HOURS OF OPERATION

The office will operate Monday through Friday. The office will provide programming for 61 individuals and will have 31 staff members.

The day program staff of approximately 30 arrive around 7:00 AM and begin to come inside to get the keys for the passenger minivans that are used to transport the participants. Vehicles depart any time between 7:15 and 7:45 AM depending on the route. Our entire fleet of 15 vehicles are in use during this time, coming and going until approximately 8:30-9:00 AM. During this time, we have approximately another 10 vehicles dropping people supported off at various times.

By 9:15 AM the 15 program vehicles then depart for the community program activity of the morning. These activities range from anywhere from 1 to 3 hours, at which point all vehicles return to the site for lunch. During this 1 to 3 hour period, additional programming is provided on site such as life skill building and recreational instruction. At any point in time, 1 or 2 additional teachers may be on site to teach these courses.

After lunch, our fleet of 15 vehicles depart anywhere between 1:30 and 2:00 PM to drop the people we support back to their homes. The additional 10 vehicles that drop people off in the morning return to pick up the folks they dropped off.

After the 15 vehicles return back to program, staff return to complete their paperwork prior to leaving between 3:30 to 5:00 PM. Around this time, additional people supported, who assist with our cleaning through supported employment, may be on site with their job coaches until about 8:00 PM. About 5 people are present.

In addition to these programs, ADAPT may offer a wide range of recreational activities for the people that we support and training opportunities for the staff on weekends or evenings, based on the needs of the program and interests of the people we support. The regularity and frequency of these weekend and night programs are not set in stone but will occur from time to time. Weekend programs may occur once or twice a month with approximately 30 people. Evening programs may occur once or twice a week for approximately 30 people. The exact times these evening programs will run cannot be stated with any certainty. However, it would not be after 8:00 PM on weekdays and could be anywhere from 8:00 AM to 8:00 PM on weekends.

PARKING

The property contains a total of 124,197 square feet of land and is improved with an existing one-story building of approximately 53,000 square feet with parking for 110 vehicles plus 5 handicapped parking spaces. The building is currently vacant. ADAPT has signed a lease for 13,295 square feet of space within the building. A floor plan of the leased space is attached. Based on discussion held at pre-preliminary, 50 parking spaces will be allocated to ADAPT with 5 dedicated parking spaces located in the parking lot on Mulberry Street. The remainder of parking will be located in the parking area along Monhagen Avenue.

SEQRA

The project should be classified as a Type II Action pursuant to 6 NYCRR 617.5(c)(1), (2), or (18). These actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review. A short form EAF Part I has been submitted.

GML

The property is within 500 feet of a state road (Route 17M). Referral is required to the Orange County Department of Planning pursuant to General Municipal Law Sections 239-m.

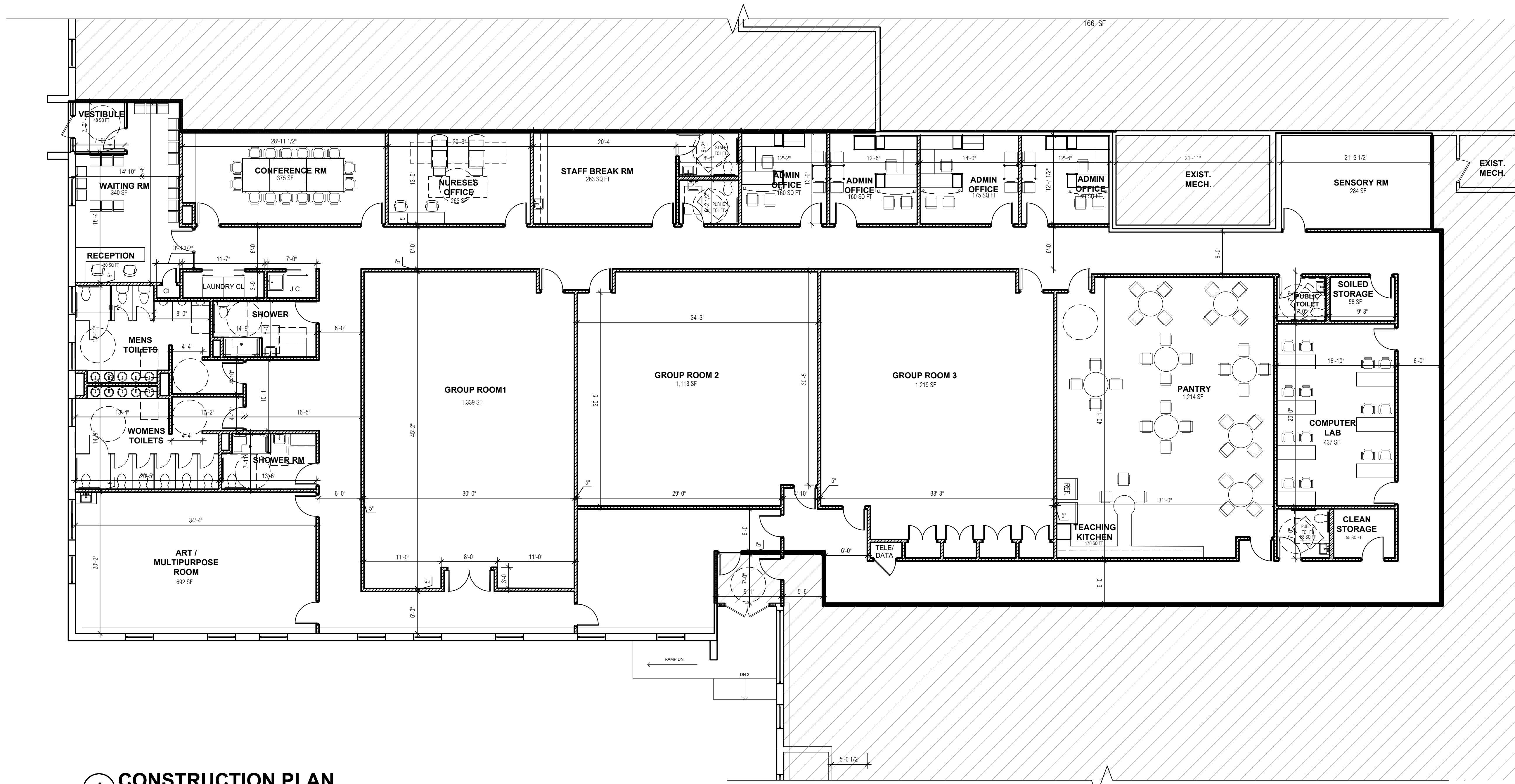
CONCLUSION

It is respectfully requested that the Planning Board grant special permit approval for ADAPT to occupy the building for its programming.

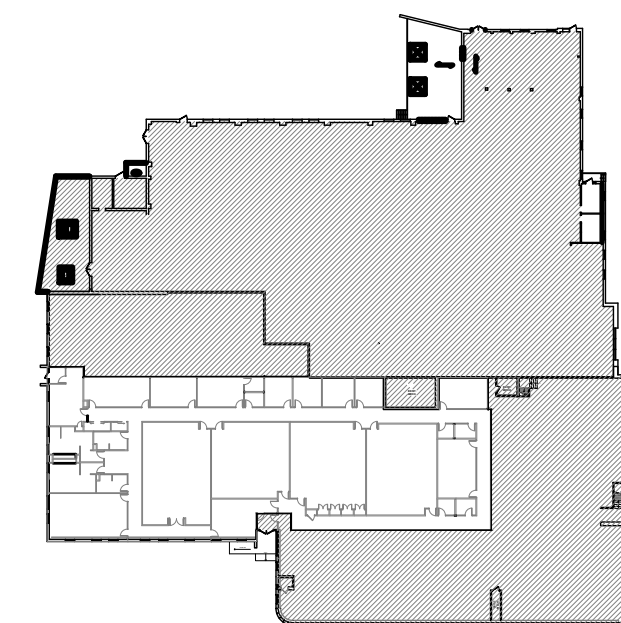
Dated: March 23, 2026

Respectfully submitted,

SARAJIAN & BAUM PLLC



1 CONSTRUCTION PLAN
1/8"=1'-0"



KEY PLAN

□ AREA OF WORK
▨ AREA OF NO WORK

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SEAL & SIGNATURE _____

PROJECT ADDRESS: _____

40 MULBERRY ST
MIDDLETOWN, NEW YORK

PROJECT INFORMATION: _____

DRAWING TITLE: _____

CONSTRUCTION PLAN

DRAWN BY: _____

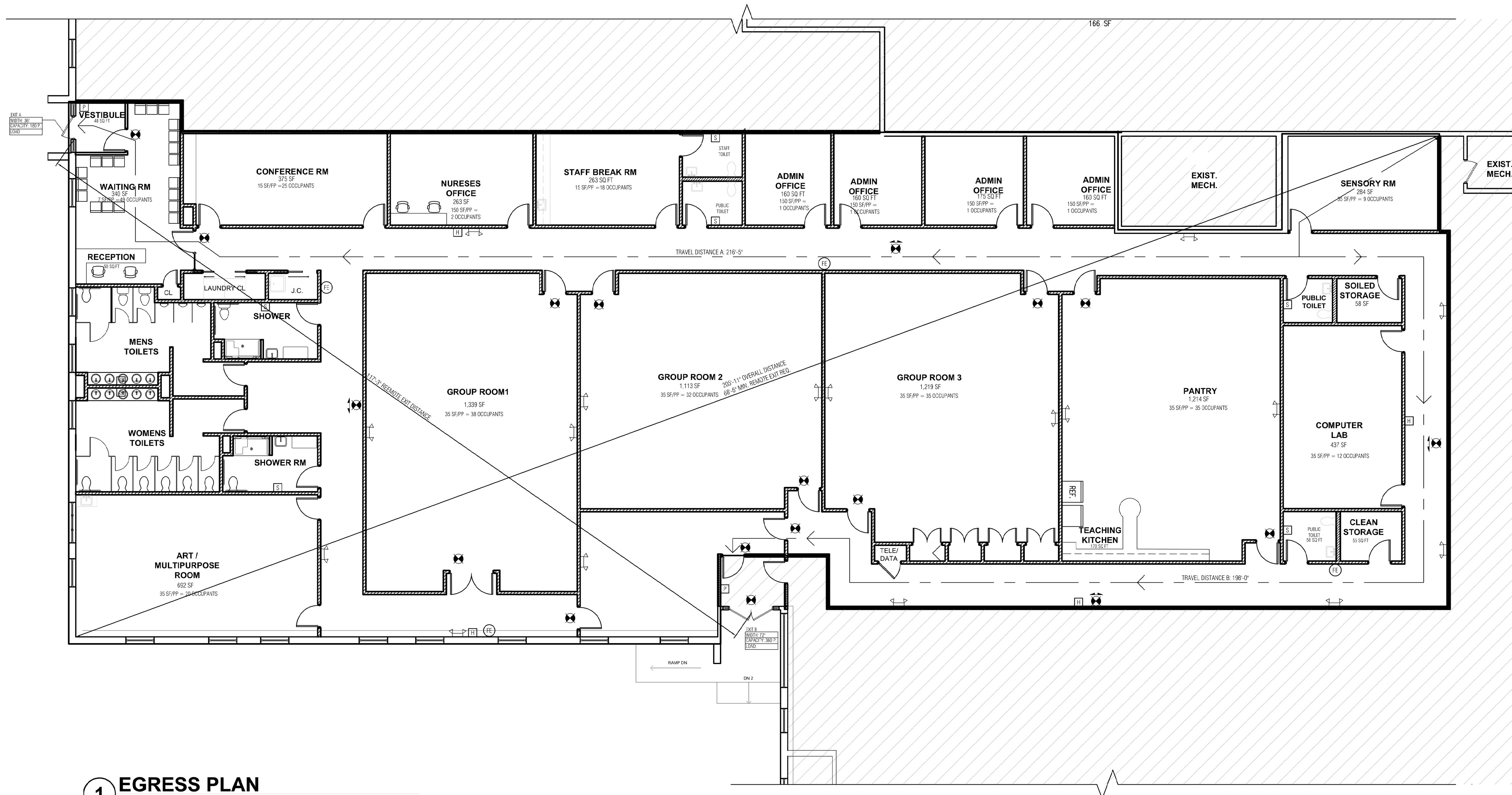
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REVIEWED BY: _____

RB

DATE: _____

11/10/25

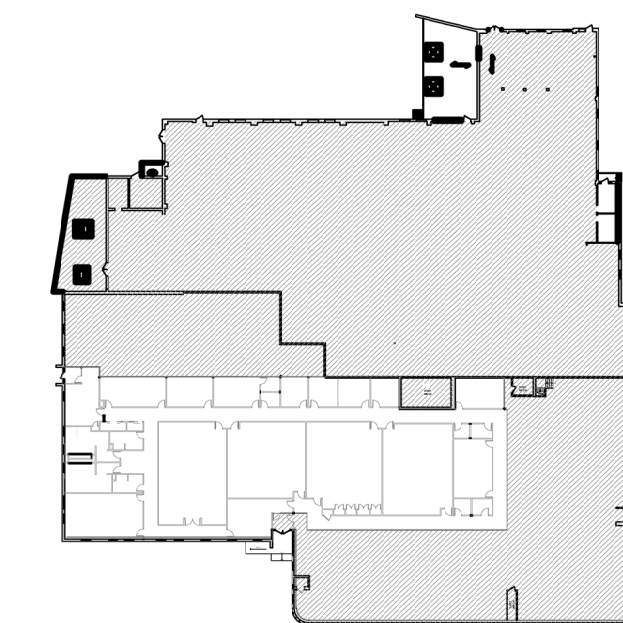


1 EGRESS PLAN
1/8" = 1'-0"

FIRE / EGRESS SYMBOL LEGEND	
TYPE	DESCRIPTION
	LIGHTED EMERGENCY EXIT SIGN & INTEGRATED LIGHTING WITH BATTERY BACKUP. EMERGENCY EXIT SIGNS SHALL HAVE DIRECTIONAL ARROWS POINTING TO THE DIRECTION OF EGRESS.
	EMERGENCY LIGHTING WITH BATTERY BACKUP.
	STROBE
	PULL STATION
	HORN STROBE
	FIRE EXTINGUISHER

OCCUPANCY LOAD:	
BUILDING CODE OCCUPANCY GROUP	14 - DAY CARE FACILITY
NET FLOOR AREA	13,297
# OCCUPANTS (35 SF/NET)	380
EXIT DOOR (2"/OCCUPANT)	76"
PROVIDED WIDTH OF EXIT DOORS	108"
# EXITS REQUIRED (TABLE 1015.1)	2
# EXITS PROVIDED	2
MAX. TRAVEL DISTANCE (TABLE 1017.2)	200'
ACTUAL MAX. TRAVEL DIST.	198'-0"
MIN. CORRIDOR WIDTH	44"

ENTIRE BUILDING TO BE FULLY SPRINKLERED IN ACCORDANCE TO THE NFPA 101&202 AND NY BUILDING CODE



KEY PLAN
 AREA OF WORK
 AREA OF NO WORK

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CONSTRUCTION PLAN

DRAWN BY:

TZ

REVIEWED BY:

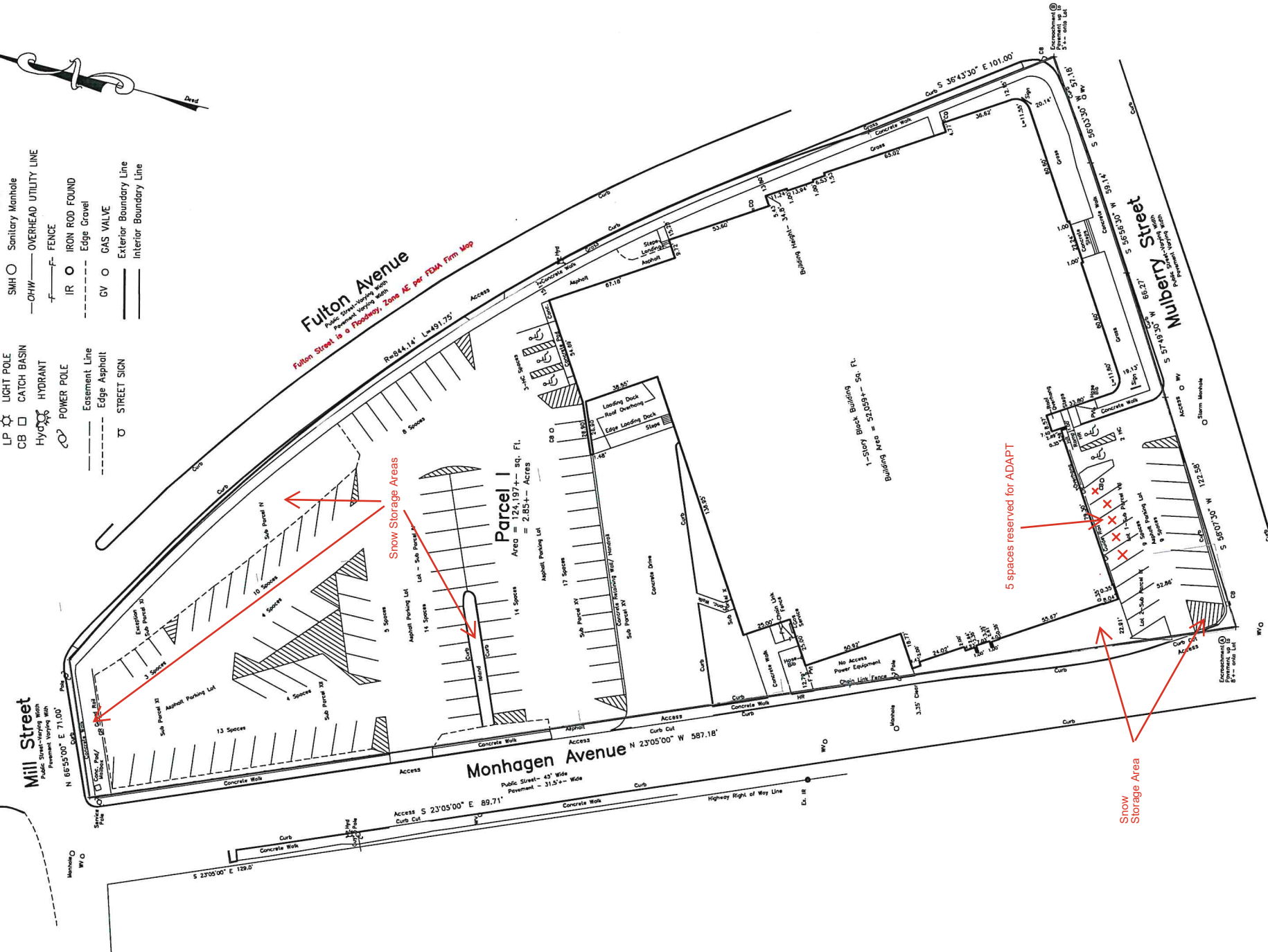
RB

DATE:

11/10/25

Legend of Symbols & Abbreviations

- IP ○ IRON PIN FOUND
- LP ☆ LIGHT POLE
- CB □ CATCH BASIN
- Hydrant
- Power Pole
- WV ○ WATER VALVE
- SMH ○ Sanitary Manhole
- OHW — OVERHEAD UTILITY LINE
- FENCE
- IR ○ IRON ROD FOUND
- Edge Gravel
- GV ○ GAS VALVE
- Edge Asphalt
- Street Sign
- — — Easement Line
- — — Exterior Boundary Line
- — — Interior Boundary Line



Owner: Elish Gardens LLC
 Applicant: ADAPT of the Hudson Valley, Inc.

Vicinity Map—not to scale



ADAPT of the Hudson Valley, Inc.
 Special Permit Plan
 Dated: 3/20/26

Zoning Information
 DMU Zone

Parking Spaces
 Total of 115 Parking Spaces (including 5 handicapped spaces)
 50 Parking Spaces Allocated for Use by ADAPT of the Hudson Valley Inc.

