



**CITY OF MIDDLETOWN
PLANNING BOARD MEETING AGENDA
JUNE 3, 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

Resolution to change the July Planning Board meeting date

Request of Roasario Pupo for a special use permit and site plan approval for a plumbing shop, office and storage located at 21-23 Monhagen Avenue

Request of Pho 65 for a special use permit and site plan approval for an eating and drinking establishment with a beer and wine license, located at 65 Seward Avenue

Request of Lincare for a special use permit and site plan approval for a medical supply sales office located at 125 Dolson Avenue

Request of Tasha Y. Crump for a special use permit and site plan approval in order to have an elective ultrasound studio specializing in 2D, 3D, 4D and HD live images of babies, photography and memorabilia, located at 157 Dolson Avenue

Request of Ji Hua Jiang for a special use permit and site plan approval for a tobacco shop located at 144-146 Dolson Avenue

Request of ADAPT of the Hudson Valley, for a special use permit and site plan approval in order to have offices for non-profit entities, located 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: June 3, 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: June 3, 2026

Richard P. McCormack

Resolution to change the July Planning Board meeting date

A RESOLUTION TO CHANGE THE DATE OF THE PLANNING BOARD MEETING

WHEREAS, the Planning Board of the City of Middletown scheduled regular meeting was to take place on July 1, 2026, at 7:00 p.m. in the Common Council Chambers, City Hall, Middletown, New York, and;

WHEREAS, due to the City of Middletown Stars and Stripes Celebration scheduled for July 1, 2026, it has become necessary to reschedule the meeting;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the City of Middletown hereby changes the date of the regular meeting from July 1, 2026, to July 8, 2026, at 7PM, to be held in the Common Council Chambers, City Hall, Middletown, New York

BE IT FURTHER RESOLVED, that proper notice of this change shall be provided in accordance with applicable laws and regulations.

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: June 3, 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: June 3, 2026

Richard P. McCormack

Request of Rosario Pupo for a special use permit and site plan approval for a plumbing shop, office and storage located at 21-23 Monhagen Avenue

WHEREAS, Rosario Pupo, 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 a plumbing shop, office and storage located at 21-23 Monhagen Avenue, Middletown. Section 34, Block 1, Lot 9.1, located in the I-1 Zone, which is a permitted use, and

WHEREAS, after due notice public hearing was held by the Planning Board on June 3, 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.

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

WHEREAS, 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 Rosario Pupo, for a special use permit and site plan approval in order to have a plumbing shop, office and storage located at 21-23 Monhagen Avenue, Middletown, New York.

Hours of operation are Monday through Friday 06:00 a.m. to 8:00 p.m. with 24/7 emergency service.

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 to 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.

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.	monhagen-004
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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 21-23 MONHAGEN AVE

Section 34 Block 1 Lot 9.1 Current Zoning District I-1

Building Existing New _____

2. Owner of Property Marjory Weimer, Cynthia Tava, Irrevocable Trust

Owner's Address 571 MULLOCK ROAD, PORT JERVIS NY 12771

City _____ State _____ Zip _____

Phone numbers: Home: _____

Business: _____

Cell: (845) 800-7325 MIFE WEIMER

3. Applicant name Rosario Pupo

If different from Owner

Applicants Address 2 MEADOWS RD APT 23

City MIDDLETOWN State NY Zip 10940

Phone numbers: Home: _____

Business: _____

Cell: (845) 978-6483

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: (SEE ATTACHED)

PLUMBING SHOP, OFFICE, STORAGE, & OUTSIDE VEHICLE PARKING
HOURS OF OPERATION: MONDAY-FRIDAY 6:00AM-8:00PM
WITH 24/7 EMERGENCY SERVICE

Uses currently in property: OWNER'S SHOP & STORAGE

(3) ROOMS TOTAL ROOM #1 25 FT x 15 FT
ROOM #2 15 FT x 10 FT
ROOM #3 15 FT x 10 FT

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.

(SEE ATTACHED)

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.

(SEE ATTACHED)

7. Sign at the Place Indicated

Signature:  PO

Printed Name and Title: ROSARIO PUPO / PLUMBER

Date: 04/09/26

OWNER'S ENDORSEMENT

COUNTY OF ORANGE
STATE OF NEW YORK

Cynthia Tava

being duly sworn, deposes and says that

he/she resides at 571 Mullock Road, Port Jervis NY 12771

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

owner in fee or Trustee of the Irrevocable Trust
OFFICIAL TITLE

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

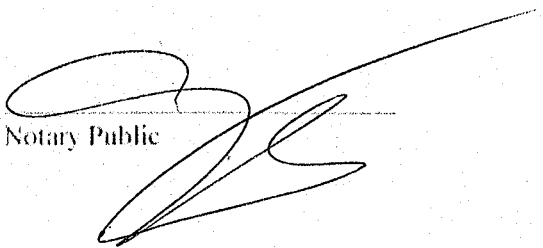
he/she has authorized Rosario Pupo to make the foregoing

application for approval as described herein.

Rent Space at 21 Little Montagen Ave.
Middletown NY 10940

Sworn before me this 16 day of April 2024

Notary Public



CHERYL PICHE
NOTARY PUBLIC STATE OF NEW YORK
ORANGE COUNTY
LIC. #01PI6432825
COMM. EXP. 05/09/2026

OWNER'S SIGNATURE

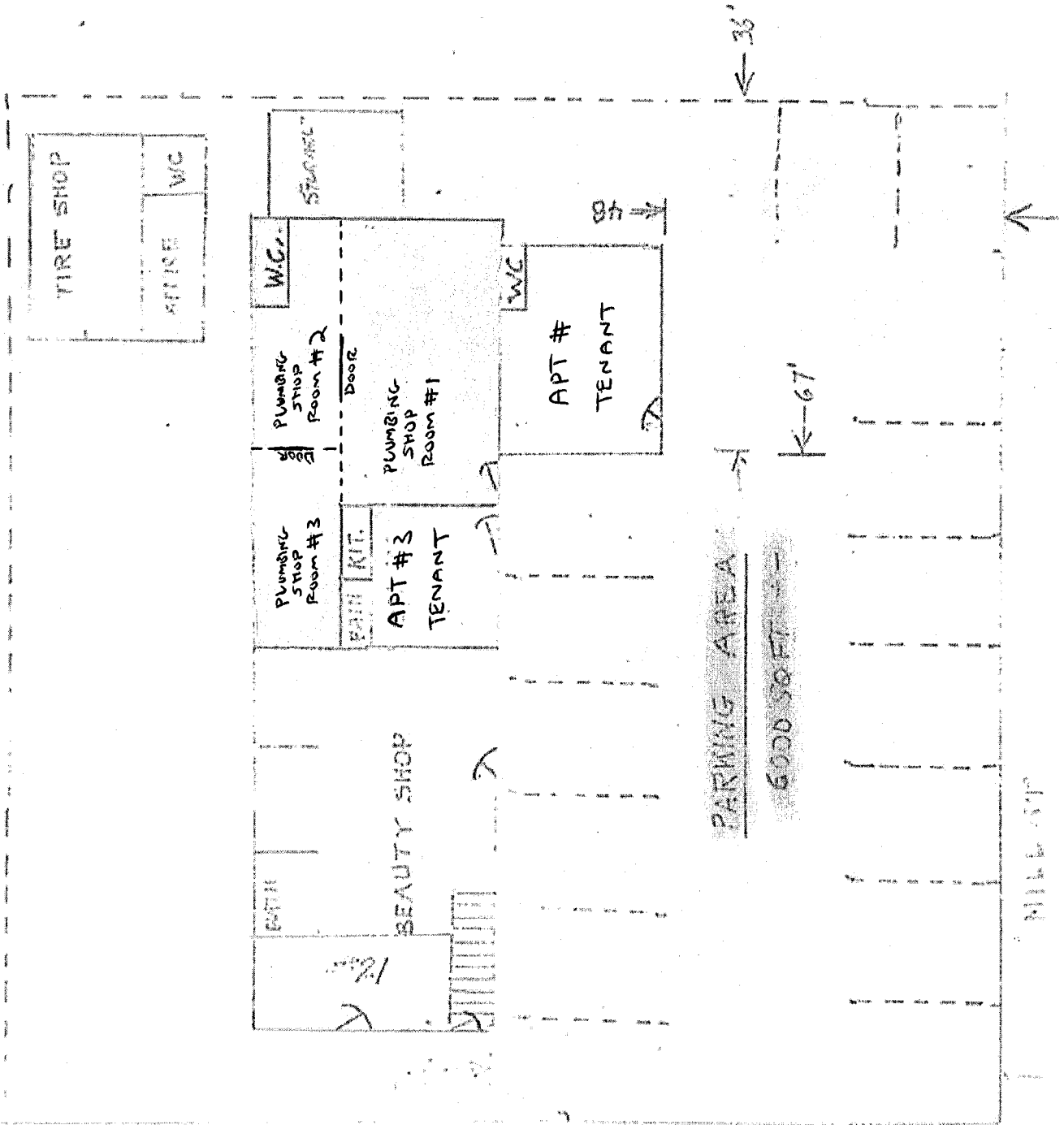


21-23 MONHAGEN AVE
MIDDLETOWN NJ 10940
SURVEY

04/08/26

ROSARIO PUPO

15 9/5' PARKING
SPACES





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

THE FOLLOWING WAS PRESENTED

By: None
 Seconded by: None
 Date of Adoption: June 3, 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: June 3, 2026

Richard P. McCormack

Request of Pho 65 for a special use permit and site plan approval for an eating and drinking establishment with a beer and wine license, located at 65 Seward Avenue

WHEREAS, Pho 65 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 beer and wine license, if approved by the NY State Liquor Authority, located at 65 Seward Avenue, Middletown. Section 21, Block 2, Lot 18, located in the C-3A Zone, which is a permitted use, and

WHEREAS, after due notice public hearing was held by the Planning Board on June 3, 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.

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

WHEREAS, 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 Pho 65 for a special use permit and site plan approval in order to have an eating and drinking establishment with beer and wine license, if approved by the NY

State Liquor Authority, located at 65 Seward Avenue, Middletown, New York. Parking area will be properly paved and maintained, have minimum 22 parking spaces properly painted, lined per the code and designated as the restaurant's parking.

Hours of operation are 11:00 a.m. to 9:00 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 to 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.

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.	seward-002
2.	65-Proposal-Phase3-2025-KitchenPlan-1
3.	65-Proposal-Phase3-2025-Parking

APPLICATION

PLANNING BOARD

City of Middletown, New York

Date deemed complete _____
Accepted by _____

Date 04/08/2026

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 65 Seward Ave, Middletown NY

Section 21 Block 2 Lot 18

Current Zoning District C3A

Building Existing New _____

2. Owner of Property Fei Tian College Middletown

Owner's Address 1 Ashley Ave

City Middletown State NY Zip 10940

Phone numbers: Home: _____

Business: _____

Cell: 718-704-9280

3. Applicant name Pho 65

If different from Owner

Applicants Address 1 Ashley Ave

City Middletown State NY Zip 10940

Phone numbers: Home: _____

Business: _____

Cell: 845-699-8481

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 A2 Restaurant

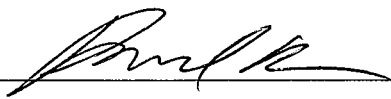
Description of what you are requesting: Commercial kitchen / Restaurant
Beer & Wine From 11:00 am - 9:00 pm

Uses currently in property: Under construction

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

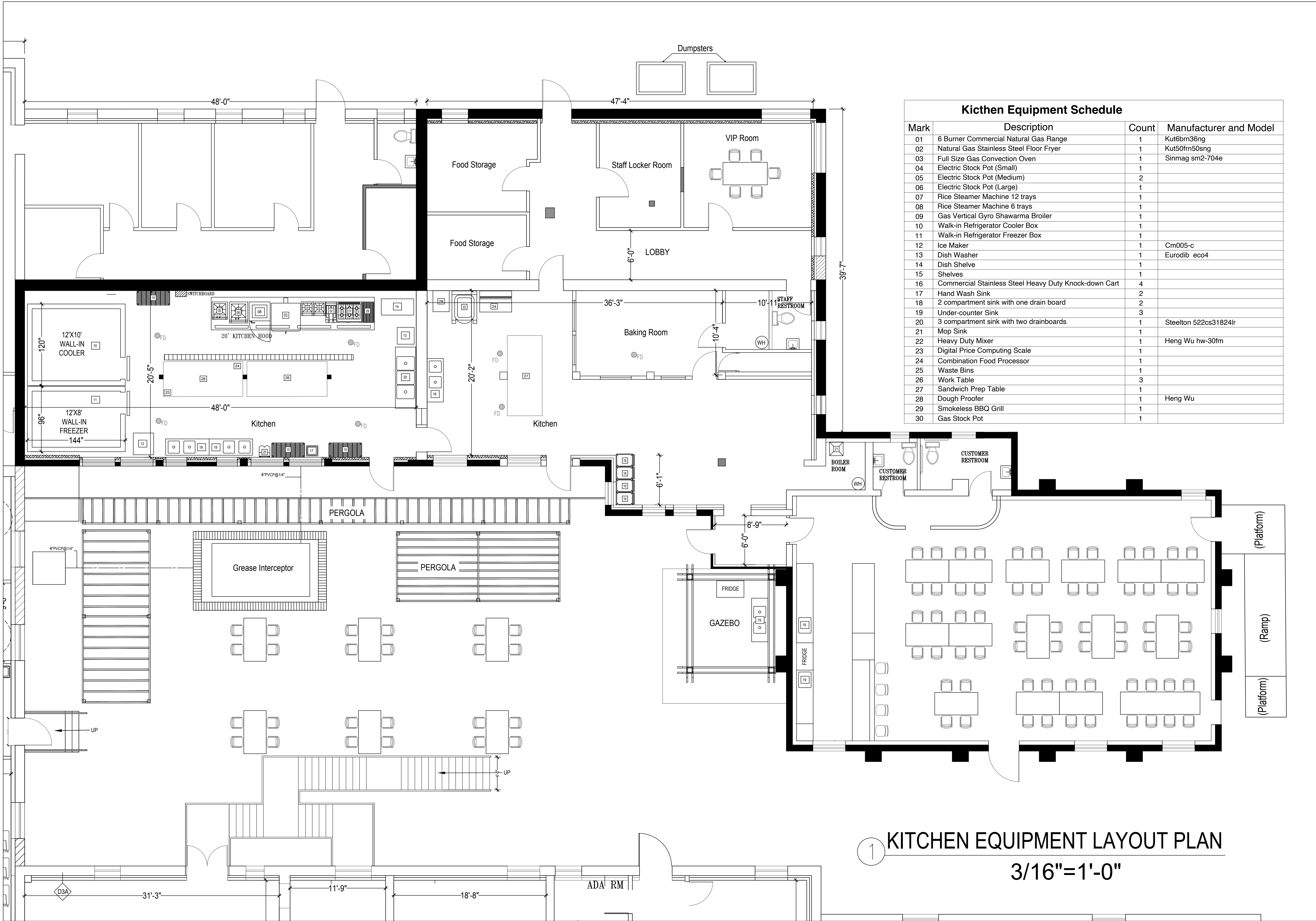
Answer this section only for multiple dwellings

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

Signature: 

Printed Name and Title: DAVID R. CACEK - MANAGER

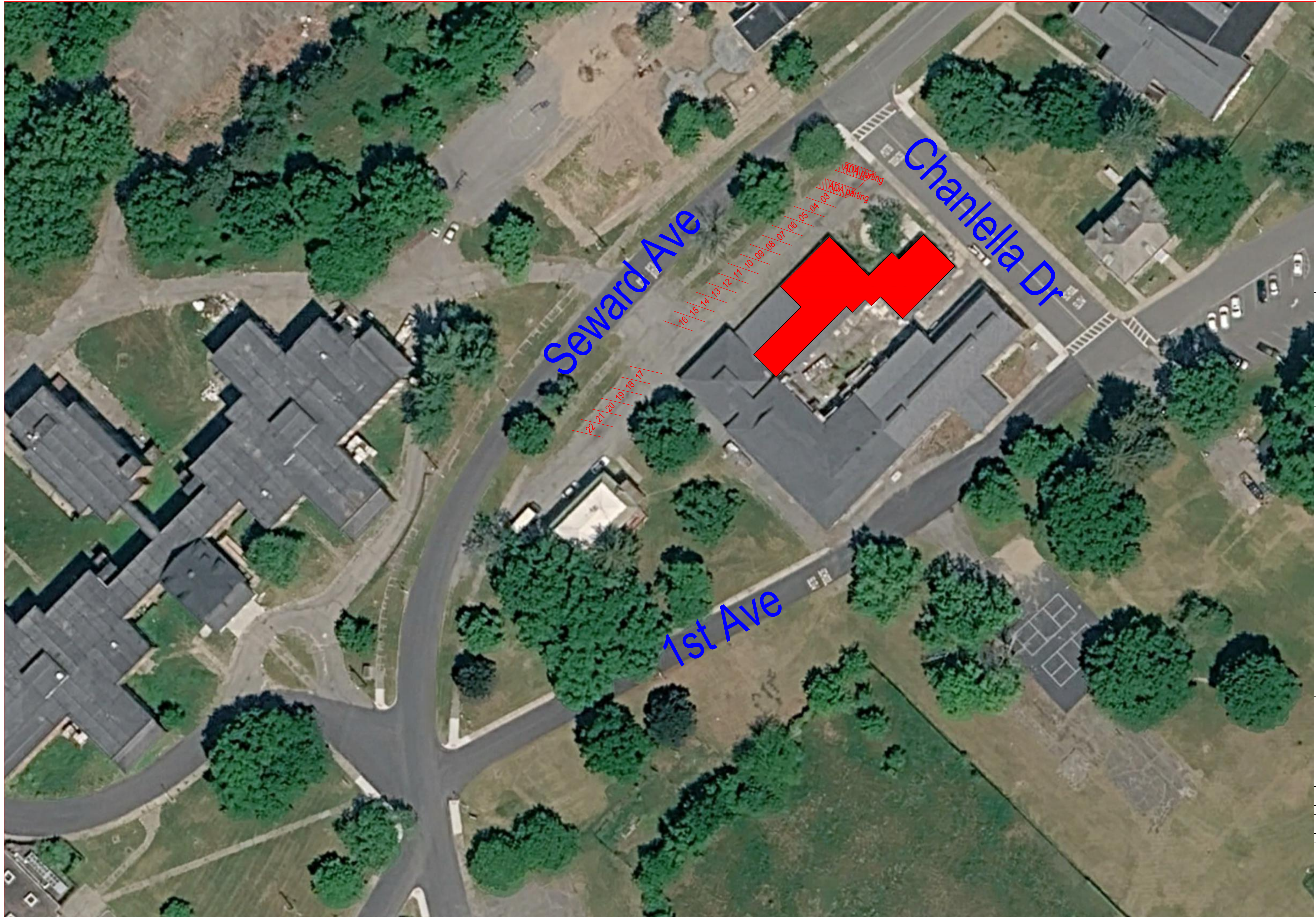
Date: 04/08/2026



Revisions	Date	Description

Drawing Name:
Kitchen Layout
Date : 7-21-2025
Scale: As shown
Drawn By: Larry Li
Checked By:
Job No. :
SHEET NO.

1 KITCHEN EQUIPMENT LAYOUT PLAN
3/16"=1'-0"



SHEET NAME
RESTAURANT PARKING PLAN

PHASE
FINAL

Restaurant Pho 65
65 Seward Ave, Middletown, NY
Prepared by David Rubacek 03/05/2026

STAMP

Revisits	By	Date	Description

Drawing Name:
Kitchen Parking Layout
Date : 5-14-2026
Scale: As shown
Drawn By: Larry Li
Checked By:
Job No. :
SHEET NO.

001



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

THE FOLLOWING WAS PRESENTED

By: None
 Seconded by: None
 Date of Adoption: June 3, 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: June 3, 2026

Richard P. McCormack

Request of Lincare for a special use permit and site plan approval for a medical supply sales office located at 125 Dolson Avenue

WHEREAS, Lincare 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 a medical supply sales office located at 125 Dolson Avenue, Middletown. Section 48, Block 2, Lot 1.1, located in the C-3 Zone, which is a permitted use, and

WHEREAS, after due notice public hearing was held by the Planning Board on June 3, 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.

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

WHEREAS, 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 Lincare, for a special use permit and site plan approval in order to a medical supply sales office, located at 125 Dolson Avenue, Middletown, New York. There will be no storage of and/or refilling of

oxygen tanks at the premises.

Hours of operation are 8:30 a.m. to 5:00 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, SLA approval, and PB Attorney's recommendations. Information submitted within the application will become part of the record, and the applicant will follow through on and to 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.

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.	APPLICATION PANNING BOARD - Lincare
2.	Lincare OWNER'S ENDORSEMENT
3.	Lincare Simplified Floor Plan_001 - 5.13.26 update

APPLICATION

PLANNING BOARD

City of Middletown, New York

Date deemed complete _____
Accepted by _____

Date 5/5/26 _____

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 125 Dolson Ave Unit 33B Middletown, NY 10940

Section ___ Block ___ Lot ___ Current Zoning District _____

Building Existing ___ x ___ New _____

2. Owner of Property Kale Realty Corp – Cambell Plaza Mgt

Owner's Address PO BOX 200 MONSEY, NY 10952

City _____ State _____ Zip _____

Phone numbers: **Home:** _____

Business: 845-343-5614

Cell: 845-381-0208

3. Applicant name Lincare

If different from Owner

Applicants Address 19387 US Highway 19 N Clearwater, FL 33764

City _____ State _____ Zip _____

Phone numbers: **Home:** _____

Business: 800-284-2006

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: Medical Supply Sales, specifically CPAP devices.
(Continuous Positive Airway Pressure). We will have 4 employees on site in the office. We perform in home and in office set up and service for this equipment.

Uses currently in property: Vacant

Title	Section Number	Required Dimensions	Actual Dimensions
Lot area			
Front yard	n/a		
Rear yard	n/a		
Side yard	n/a		
Side yard	n/a		
Parking		Yes, >6 parking spots available, as needed.	

Answer this section only for multiple dwellings

Lot coverage _____

Building height _____

Open Space _____

Playlot _____

Livable floor area _____

Number of Bedrooms _____

Signature: Brian Jones

Printed Name and Title: Brian Jones – Lincare Area Manager 570-350-2372

Date: 5/5/26

OWNER'S ENDORSEMENT

COUNTY OF ORANGE
STATE OF NEW YORK

Stacy Bryant Babcock being duly sworn, deposes and says that

he/she resides at 125 Dolson Ave Middletown NY 10940

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

owner in fee or Manager of the Campbell Plaza Shopping Center (Kale Realty Corp.)
OFFICIAL TITLE

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

he/she has authorized Lincare Inc to make the foregoing application for approval as described herein.

Sworn before me this 5th day of May 2026

[Signature]

Notary Public

VICKI ORDWAY
Notary Public, State of New York
REG # 615715071442
Qualified in Orange County
Commission Expires January 13, 2027

[Signature]
OWNER'S SIGNATURE Manager

RECEIVED

NOV 19 1954

NOV 19 1954

NOV 19 1954

2

NOV 19 1954

NOV 19 1954

NOV 19 1954

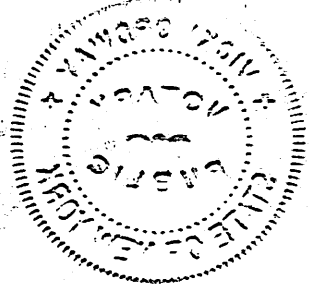
NOV 19 1954

NOV 19 1954

OK

NOV 19 1954

NOV 19 1954

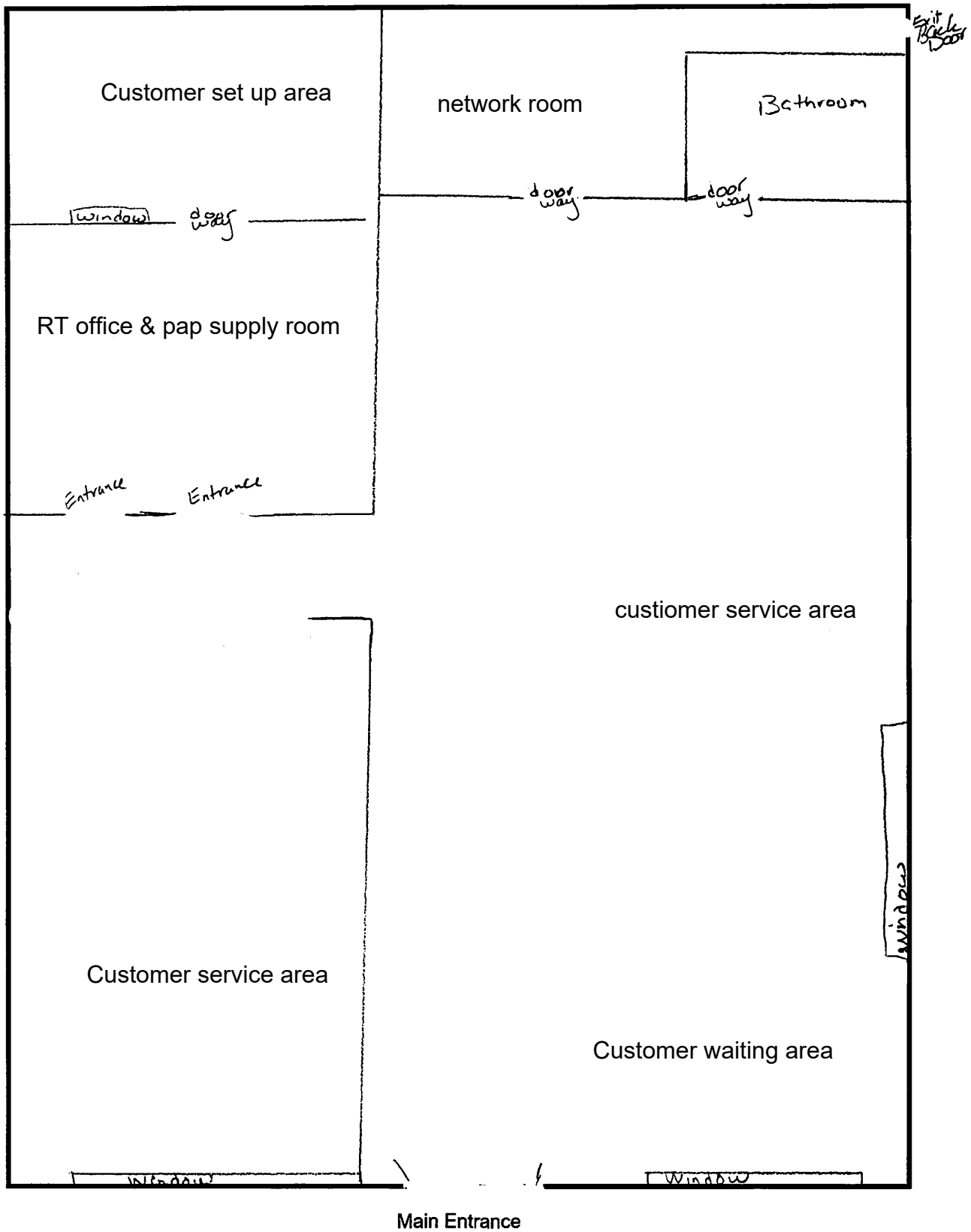


PC

LINCARE INC **Simplified Floor Plan**

Floor plan is for reference only and not to scale

Approx 1,360 Sq Ft





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

THE FOLLOWING WAS PRESENTED

By: None
 Seconded by: None
 Date of Adoption: June 3, 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: June 3, 2026

Richard P. McCormack

Request of Tasha Y. Crump for a special use permit and site plan approval in order to have an elective ultrasound studio specializing in 2D, 3D, 4D and HD live images of babies, photography and memorabilia, located at 157 Dolson Avenue

WHEREAS, Tasha Y. Crump 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 elective ultrasound (not a diagnostic medical ultrasound) studio specializing in 2D, 3D, 4D and HD live images of babies, photography and memorabilia located at 157 Dolson Avenue, Middletown. Section 49, Block 1, Lot 2.21., located in the C-3 Zone, which is a permitted use, and

WHEREAS, after due notice public hearing was held by the Planning Board on June 3, 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.

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

WHEREAS, 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 Tasha Y. Crump for a special use permit and site plan

approval in order to have an elective ultrasound (not a diagnostic medical ultrasound) studio specializing in 2D, 3D, 4D and HD live images of babies, photography and memorabilia located at 157 Dolson Avenue, Middletown, New York. The provider will capture images only and will not diagnose, analyze or interpret medical findings. Applicant confirms she has a license to use ultrasound and training, if any required, to use said equipment and anyone utilizing said equipment in office will have said licenses and training.

Hours of operation are Monday-Friday 9:00 a.m. to 9:00 p.m., Wednesday 10:00 a.m. to 10:00 p.m., Saturday 09:00 a.m. to 06:00 p.m. and Sunday 10:00 a.m. to 03:00 p.m.

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 to 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.

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.	157 dolson-007
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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 157 Dolson Ave Middletown NY 10940 Suite 36

Section 49-1 Block 1 Lot 221

Current Zoning District Middletown C-3

Building Existing X New _____

2. Owner of Property Kale Realty Corp

Owner's Address 125 Dolson Ave

City Middletown State NY Zip 10940

Phone numbers: Home: _____
Business: 845-343-5614
Cell: 845-381-0208

3. Applicant name Tasha Crump

If different from Owner

Applicants Address 68 Kensington Manor

City Middletown State NY Zip 10941

Phone numbers: Home: 347-852-3093

Business: 845-394-0295

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 2B, 3D, 4B and HD Live Imaging

Description of what you are requesting: Elective ultrasounds of babies in utero, photography and memorabilia. The hours of operation is Mon-Fri 9am to 9pm. Saturday 9-6pm and Sundays 10am to 3pm

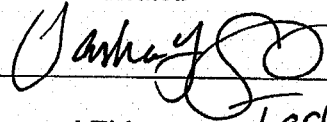
Uses currently in property: _____

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 _____

7. Sign at the Place Indicated

Signature: 

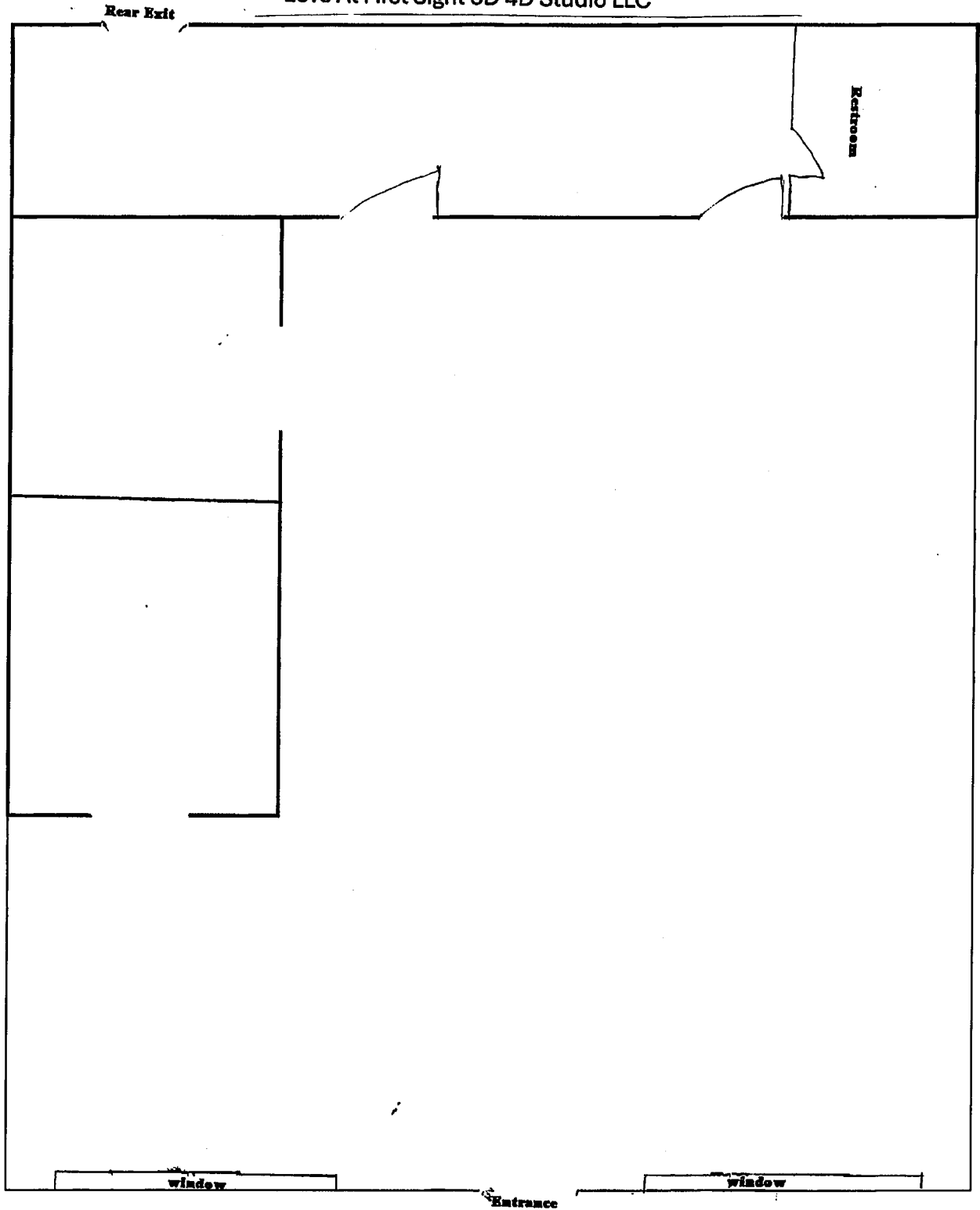
Printed Name and Title: Tasha Y. Crump

Date: 5/4/26

Floor Plan is for reference only and not to scale

Approx 1,000 Sq Ft

Love At First Sight 3D 4D Studio LLC



157 Dolson Ave
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: June 3, 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: June 3, 2026

Richard P. McCormack

Request of Ji Hua Jiang for a special use permit and site plan approval for a tobacco shop located at 144-146 Dolson Avenue

WHEREAS, Ji Hua Jiang 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 a tobacco shop located at 144-146 Dolson Avenue, Middletown. Section 48, Block 1, Lot 8, located in the C-3 Zone, which is a permitted use, and

WHEREAS, after due notice public hearing was held by the Planning Board on June 3, 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.

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

WHEREAS, 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 Ji Hua Jiang, for a special use permit and site plan approval in order to have a tobacco shop located at 144 Dolson Avenue, Middletown, New York.

Hours of operation are 09:00 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, SLA approval, and PB Attorney's recommendations. Information submitted within the application will become part of the record, and the applicant will follow through on and to be held to. Any sale of tobacco related products requires a City of Middletown Tobacco License, such application is handled by City of Middletown Public Works. If applicant is caught selling tobacco products without said license then this use is revoked for this applicant.

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.

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.	smoke shop
----	------------

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 144 - 146 Dolson Ave Unit 15 Rear Middletown
Section 48 Block 1 Lot 8 Current Zoning District C3
Building Existing New _____

2. Owner of Property _____

Owner's Address 144 - 146 Dolson Ave Unit 15 Rear

City Middletown State NY Zip 10940

Phone numbers: Home: 917 815 8933
Business: 845 281 0208
Cell: _____

3. Applicant name Ji Hua Jiang

If different from Owner

Applicants Address 626 Mount Airy Rd

City New Windsor State NY Zip 12553

Phone numbers: Home: 917 815 8933
Business: 845 281 0208
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: Tobacco shop

7 days a week

Hour 9am - 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: JIHUA LIANG

Printed Name and Title: _____

Date: May 5 2026

Restroom

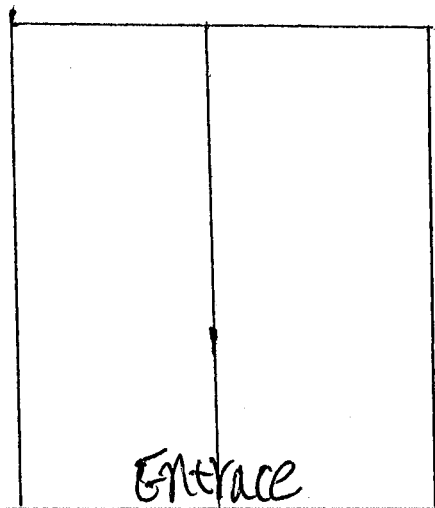
≡

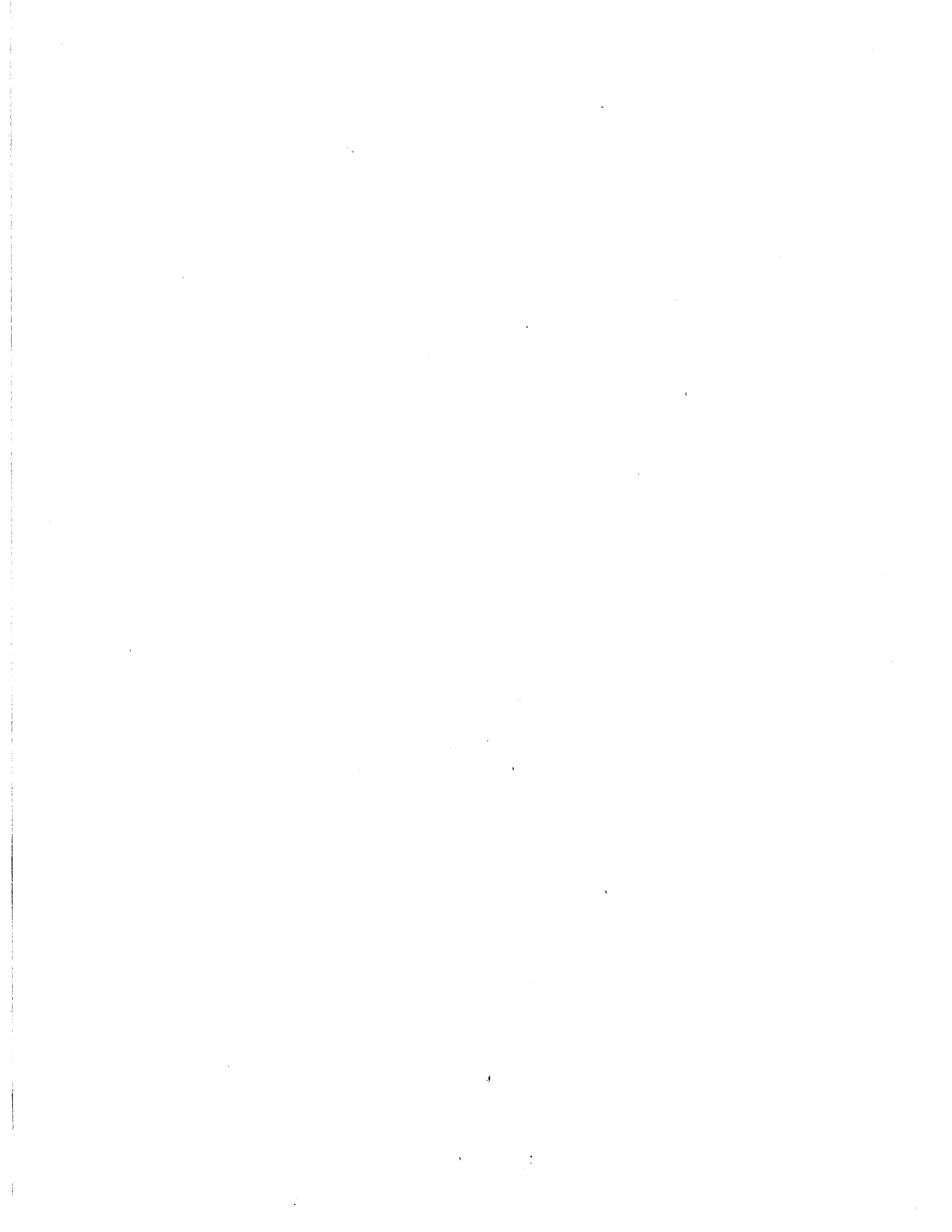
EXIT.
Back door

Length 35 F.

Total
900 sq F.

width 15.5 F.







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

THE FOLLOWING WAS PRESENTED

By: None
 Seconded by: None
 Date of Adoption: June 3, 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: June 3, 2026

Richard P. McCormack

Request of ADAPT of the Hudson Valley, for a special use permit and site plan approval in order to have offices for non-profit entities, located at 40 Mulberry Street

WHEREAS, ADAPT of the Hudson Valley, seeking a special use permit and site plan approval in order to have offices for non-profit entities, located at 40 Mulberry Street, Middletown.

Section 34, Block 2, Lot 1.1, located in the DMU Zone which is a permitted use.

WHEREAS, after due notice public hearing was held by the Planning Board on June 3, 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 ADAPT of the Hudson Valley, for a special use permit and site plan approval in order to have offices for non-profit entities, located at 40 Mulberry Street, Middletown.

Parking spaces must be painted as per code and designated for ADAPT use.

Hours of operation are Monday-Friday 8:00AM-4:00PM.

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 on and to 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 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:

None