



**CITY OF MIDDLETOWN  
PLANNING BOARD MEETING AGENDA  
JULY 8, 2026 - 7:00 PM**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES

3.1. Accept the Minutes of June 3, 2026

4. NEW BUSINESS

Request of Bell Flavors and Fragrances for a six-month extension of the approved site plan and special use permit dated 12/03/2025 for a building expansion/connection located at 12-18 Sprague Avenue

Request of William Arzillo, for a special use permit and site plan approval for a 3-family dwelling located at 138 West Main Street

Request of Gao Chun Yan, for a special use permit and site plan approval in order to have aromatherapy personal service located at 40-42 East Main Street

5. ADJOURNMENT

**CITY OF MIDDLETOWN  
PLANNING BOARD  
MINUTES**

**June 3, 2026**

A meeting of the Planning Board was held in the Common Council Chambers, City Hall, 16 James Street, Middletown, New York on June 3, 2026 at 7:00 P.M., Mr. Anthony Capozella presiding.

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

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

The Pledge of Allegiance was said.

Motion to accept the April 1, 2026 minutes.

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

Motion passed.

Resolution to change July Planning Board meeting date because the meeting date falls on a historical time for the City of Middletown as far as their celebration for the 250<sup>th</sup> anniversary, so we're going to move our meeting to July 8<sup>th</sup>. That's just for the record. It'll also be in the paper July 1<sup>st</sup>. It'll be moved to July 8<sup>th</sup>.

Motion by Mr. McCormack, seconded by Mr. Higbie.

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

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.

**Rosario Pupo**  
**21-23 Monhagen Avenue**  
**Plumbing shop, office, and storage**

Mr. Capozella: How you doing this evening, sir?

Mr. Pupo: I'm doing good.

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

Mr. Pupo: Rosario Pupo.

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

Mr. Pupo: I'm sorry?

Mr. Capozella: What do you intend on doing?

Mr. Pupo: Renting a plumbing shop which is just used for storage and a place to keep my van and get my mail.

Mr. Capozella: Great. Thank you.

Ms. Tu, do we have the mailings?

Ms. Tu: Yes, we do.

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

*The public hearing was opened.*

Mr. Capozella: Any comments from the board members, concerns? Nothing.

Mr. Croughan: Mr. Martinez, any comments?

Mr. Martinez: No comments.

Mr. Croughan: Mr. Witkowski, any comments?

Mr. Witkowski: I have nothing.

Mr. Croughan: Thank you.

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

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

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

Motion passed.

*The public hearing was closed.*

Mr. Capozella: I will go back to the board though one more time for any comments, questions, or concerns. None being had.

Resolution for Rosario Pupo, 21-23 Monhagen Avenue, plumbing shop, office and storage. Motion by Mr. Brito, seconded by Mr. Madden.

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

**Pho 65**

**65 Seward Avenue**

**Eating and drinking establishment with beer and wine**

Mr. Capozella: How you doing this evening?

Mr. Rubacek: Good.

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

Mr. Rubacek: David Rubacek.

Mr. Capozella: And what your intentions are.

Mr. Rubacek: I want to open a Vietnamese restaurant at 65 Seward Avenue in Middletown.

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

Ms. Tu: Yes, we do.

Mr. Capozella: In that case, I'll open the public hearing. Anyone here wishing to step forward and address this application.

*The public hearing was opened.*

Mr. Capozella: Any questions or concerns from the board?

Mr. Croughan: Mr. Martinez, any comments?

Mr. Martinez: None at the moment.

Mr. Croughan: Mr. Witkowski, any comments?

Mr. Witkowski: No.

Mr. Croughan: Thank you.

Mr. Capozella: Back to the public. Anyone wishing to address this application, please step forward. No one coming forward, I need a motion to close the public hearing.

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

Motion passed.

*The public hearing was closed.*

Resolution for Pho 65, 65 Seward Avenue, eating and drinking establishment with beer and wine. Motion by Mr. McCormick, seconded by Ms. Dupre.

Mr. Capozella: Do you have a question, Mr. Madden?

Mr. Madden: Has the parking been addressed in the site plan?

Mr. Capozella: Yes.

Mr. Madden: It has.

Mr. Capozella: Yeah. There should be -- they sent us a kind of was like a Google Earth type of thing.

Mr. Madden: Okay. So the 22 spots is sufficient for a 98-seat restaurant. I just have no idea.

Mr. Capozella: That is correct.

Mr. Madden: Okay. Thank you.

Mr. Capozella: Miss Witt.

Ms. Witt: I just have a question. Since there is a school nearby, what is the, and maybe Mr. Croughan, is there any particular with having liquor that's nearby?

Mr. Croughan: That's going to be governed by the SLA.

Ms. Witt: Okay.

Mr. Croughan: They'll make their application and -- or if they intend to do so.

Ms. Witt: Okay. Thank you.

Mr. Higbie: Do we do we need an owner's endorsement?

Mr. Capozella: Should be in there.

Mr. Higbie: It's not in my packet, but I don't know you have it from somebody else.

Mr. Capozella: I would assume we have it. That's why we're going forward, but if not, we will get one.

But to address the liquor issue, yes, they are fully aware of that situation. That's up to the SLA. They asked us, and we have no jurisdiction there. That's a good question. We asked the same question.

Anything else from the board?

Resolution for Pho 65, 65 Seward Avenue, eating and drinking establishment.  
Motion by Mr. Madden, seconded by Mr. Brito.

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

**Lincare**  
**125 Dolson Avenue**  
**Medical equipment sales office**

Mr. Capozella: How are you doing tonight, sir?

Mr. Jones: Good. How are you?

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

Mr. Jones: Brian Jones.

Mr. Capozella: And what you intend on doing.

Mr. Jones: Opening a medical supply store, specifically PAP supplies, CPAP  
supplies.

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

Ms. Tu: Yes, we do.

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

*The public hearing was opened.*

Mr. Capozella: I'll go to the board next. Anyone from the board that has any  
concerns, questions.

Mr. Croughan: Mr. Martinez, any concerns?

Mr. Martinez: No comments.

Mr. Croughan: Mr. Witkowski, any concerns?

Mr. Witkowski: No concerns.

Mr. Croughan: And there's no storage of oxygen tanks or anything there, right?

Mr. Jones: As we've met, and that was the understanding, that it was only supposed to be medical supplies and not onsite oxygen tanks.

Mr. Croughan: Thank you. And that's part of the resolution as well, that you're not allowed to have those.

Mr. Jones: Yeah. There's going to be no oxygen.

Mr. Capozella: Okay. No one coming from forward from the public, I'm going to close the public hearing.

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

Motion passed.

*The public hearing was closed.*

Mr. Capozella: Board, second chance. Any questions or concerns?

Resolution for Lincare, 125 Dolson Avenue, Medical equipment sales office.  
Motion. Mr. Brito, seconded by Ms. Dupre.

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

**Tasha Crump**  
**157 Dolson Avenue**  
**Ultrasound**

Mr. Capozella: Good evening.

Ms. Crump: Good evening, everybody.

Mr. Capozella: How you doing?

Ms. Crump: Good, and yourself?

Mr. Capozella: Good, thank you. Please state your name for the record.

Ms. Crump: Tasha Crump.

Mr. Capozella: And what's your intentions?

Ms. Crump: My intentions are to do 3D, 4D imaging, taking pictures of the baby in utero, as well as selling memorabilia, like, you know, pictures and picture frames and things like that for the babies.

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

Ms. Tu: Yes, we do.

Mr. Capozella: Great. We're going to open the public hearing. Anyone present wishing to address this application, please step forward.

*The public hearing was opened.*

Mr. Capozella: I'll go to the board. Questions, comments or concerns? None being had, I'll go back to the public. Anyone wishing to address this application, please step forward. No one coming forward, I'll need a motion to close the public hearing.

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

Motion passed.

*The public hearing was closed.*

Mr. Capozella: We'll go back to the board one more time for any questions comments or concerns.

Mr. Croughan: Mr. Martinez, any concerns?

Mr. Martinez: No concerns.

Mr. Croughan: Mr. Witkowski, any concerns?

Mr. Witkowski: No concerns.

Mr. Croughan: Thank you.

Resolution for Tasha Crump, 157 Dolson Avenue, ultrasound. Motion Mr. McCormack, seconded by Ms. Dupre.

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

**Ji Hua Jiang**  
**144-146 Dolson Avenue**  
**Tobacco shop**

Mr. Capozella: Good evening. Please state your name.

Ms. Jiang: Ji Hua Jiang.

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

Ms. Jiang: I'm sorry, because for the language. For me, the English is not too many, so some things I don't understand.

Mr. Capozella: Okay. What business are you doing?

Ms. Jiang: Tobacco shop.

Mr. Capozella: Okay. Thank you. We have to do that for the record.

Ms. Tu, do we have the mailings?

Ms. Tu: Yes, we do.

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

*The public hearing was opened.*

Mr. Capozella: All right. No one stepping forward, we will go to the board for any questions, comments, or concerns

Mr. Croughan: Mr. Martinez, any concerns?

Mr. Martinez: A tobacco license.

Mr. Capozella: Right.

Mr. Croughan: Mr. Witkowski, any concerns?

Mr. Witkowski: No concerns.

Mr. Croughan: The resolution would be subject to the applicant obtaining the tobacco license.

Mr. Capozella: Do you understand that, that you have to go to the City and get a tobacco license before you can sell any tobacco in your shop? Do you understand that?

Ms. Jiang: I have the tobacco license from the State.

Mr. Croughan: This is from the City.

Mr. Capozella: You need to go to the City.

Ms. Jiang: Oh, from the City.

Mr. Capozella: Yes. Also.

Ms. Jiang: I need an application. Oh, yeah. Yes. Yes.

Mr. Capozella: Okay. So, Mr. Martinez, you've given her the license or the permit to apply?

Mr. Martinez: Permit.

Mr. Capozella: Permit. Okay.

Mr. Croughan: And until you're approved by the City, you cannot sell tobacco products.

Ms. Jiang: Yes. Okay.

Mr. Capozella: Okay? All right.

Ms. Jiang: The store can open, right? I don't understand.

Mr. Capozella: You can open, but you can't sell any tobacco products.

Ms. Jiang: I can open, but not the tobacco products.

Mr. Capozella: Right. Okay.

Mr. Higbie: What else do you intend on selling there besides tobacco? Only tobacco?

Ms. Jiang: Yeah. Only tobacco.

Mr. Higbie: Only tobacco.

Ms. Jiang: And then lighters or something. Yeah. Just the regular tobacco.

Mr. Higbie: And the lighters. Okay.

Ms. Jiang: And the cigarettes.

Mr. Capozella: So she'll be very limited sales until she gets her permit. Okay.  
Yes, Mr. McCormack.

Mr. McCormack: I just want to -- you know that the City of Middletown prohibits the sale of cannabis inside the City limits; correct?

Ms. Jiang: I understand.

Mr. McCormack: Okay.

Ms. Jiang: I understand. No (inaudible).

Mr. McCormack: Okay. Thank you.

Ms. Jiang: Thank you.

Mr. Capozella: Okay. Anyone else from the public wishing to address this application? Okay. None being had, I'm going to close the public hearing.

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

Motion passed.

Mr. Capozella: Public hearing being closed, I will go back to the board if you have any more questions or comments. All right.

Resolution for 144-146 Dolson Avenue, tobacco shop. Motion by Ms. Witt, seconded by Mr. Madden.

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

**ADAPT of the Hudson Valley  
40 Mulberry Street  
Day habilitation program**

Mr. Capozella: Good evening, gentlemen.

Mr. Baum: Good evening. How you doing?

Mr. Capozella: Good.

Mr. Baum: Good evening, Mr. Chairman, members of the board. My name is Paul Baum. I'm an attorney with Sarajian & Baum, 155 North Main Street, New City, New York. I'm here on behalf of ADAPT of the Hudson Valley. ADAPT is a provider of programs and services to support people with disabilities.

They're seeking to occupy about 13,000 square feet of space in the former Times Herald-Record office building on 40 Mulberry Street.

With me next to me is Michah DeVries and Bobbi Jo Yeager, the director of the organization, is sitting down. I also have Mr. Carniol, the owner's representative here.

We've met in pre-preliminary a few times. We've submitted you the Special Use Permit map. The map shows that the premises has 115 existing parking spaces, including five handicapped spaces. 50 spaces have been allocated for ADAPT, with five dedicated spaces in the front of the building along Mulberry Street, and the rest will be in the rear. And based upon discussions in pre-preliminary, it was determined that that would be adequate to meet the needs of the organization.

We've also, pursuant to your request, submitted a lighting plan that will beef

up the lighting around the building and is proposing to add a new light pole in the rear parking area.

We've provided the updated floor plans showing access to the mechanical room as requested at pre-preliminary. We believe this is a Type II action on the SEQRA and not subject to any further environmental review.

As the chairman had requested, we had our SHPO consultant that's working on the building across the street, 33 Mulberry, reach out to SHPO. The property is not listed or flagged as being eligible for historic designation, and the interior work will not have any impact on the property across the street, so there was -- felt there was no need to file a formal application with SHPO on this, and we're here to answer any questions the board has, and we request the Board approve the Special Use Permit and Special Permit for ADAPT.

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

Ms. Tu: Yes, we do.

Mr. Capozella: In that case, we will open the public hearing. Anyone here from the public wishing to address this application, please step forward.

*The public hearing was opened.*

Mr. Capozella: Anyone from the board, any questions, comments or concerns?

Mr. Croughan: Mr. Baum, your lighting site plan was pretty impressive, so thank you for that.

Mr. Baum: You're welcome. I was trying for that.

Mr. Croughan: Mr. Martinez?

Mr. Baum: He heard your concerns, and he wanted to please.

Mr. Capozella: Okay.

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

Mr. Martinez: No concerns.

Mr. Croughan: Thank you. Mr. Witkowski?

Mr. Witkowski: No concerns.

Mr. Croughan: Has the mechanical room been addressed to your satisfaction?

Mr. Witkowski: Yes. It is occupied -- occupiable now from their space as well as any future. The tenants of the building can have access to that room.

Mr. Croughan: Great. Thank you.

Mr. Capozella: Any questions from the board? Yes, Mr. McCormack.

Mr. McCormack: Are you planning to do any exterior site work on the building?

Mr. Baum: Just for the installation of the light pole, but other than that, we're not changing anything. They might have to fix up and restripe some of the spaces and maybe improve some of the parking areas, but no really substantial changes outside.

Mr. McCormack: So the building is located in the Business Improvement District, so any changes outside, exterior have to go through the Architectural Review Board. So I guess my question is then, does the light pole selection and type have to go through ARB as well?

Mr. Croughan: Ms. Bruni could probably address that.

Ms. Bruni: Yes. Any light fixtures would have to go to the Architectural Board of Review. Any signage for the exterior would as well. Get my card before you leave.

Mr. Croughan: Thank you.

Mr. Capozella: Thank you, Ms. Bruni. Anything else from the board members?

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

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

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

Motion passed.

*The public hearing was closed.*

Mr. Capozella: I will go back to the board one more time. Any questions, comments or concerns?

Resolution for ADAPT of the Hudson Valley, 40 Mulberry Street, Day Habilitation Program. Motion by Mr. Britto, seconded Mr. Higbie.

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

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

Motion passed.

Adjourned 7:25 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: July 8, 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: July 8, 2026

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Richard P. McCormack

**Request of Bell Flavors and Fragrances for a six-month extension of the approved site plan and special use permit dated 12/03/2025 for a building expansion/connection located at 12-18 Sprague Avenue**

WHEREAS, Bell Flavors and Fragrances requested a six-month extension of the approved site plan and special use permit dated 12/03/2025 for a building expansion/connection located at 12-18 Sprague Avenue, Middletown. Section 36, Block 1, Lot 9. This is the project's first extension request, and

WHEREAS, after due notice, a public hearing was held by the Planning Board on July 8, 2026, at 7:00 p.m. in the Common Council Chambers, City Hall, Middletown, New York, and

**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 grants the request of Bell Flavors and Fragrances for a six-month extension of the approved site plan and special use permit, as permitted by Code, for a building expansion/connection located at 12-18 Sprague Avenue, Middletown. This is the project's first extension request granted.**

Prepared by:

**Attachments:**

|    |          |
|----|----------|
| 1. | bell-002 |
|----|----------|

## Martina Tu

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**From:** Kenneth Beecher  
**Sent:** Tuesday, June 30, 2026 9:01 AM  
**To:** Martina Tu  
**Cc:** Paul Bromley  
**Subject:** Request for Extension

Good Morning

City of Middletown Planning Board:

Bell Flavors and Fragrances is requesting an extension of the approval for a building expansion/connection located at 12-18 Sprague Avenue.

Plan development has not been completed.

Thank You  
Kenneth F. Beecher III  
Director of Manufacturing

**\*\*We will be Closed on Friday, July 3<sup>rd</sup> in honor of the Independence Holiday\*\***

**Kenneth Beecher**  
Director, Manufacturing  
☎ 845-342-1233  
☎ 224-817-5891



🌐 [www.bellff.com](http://www.bellff.com)



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

THE FOLLOWING WAS PRESENTED

By: None  
 Seconded by: None  
 Date of Adoption: July 8, 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: July 8, 2026

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Richard P. McCormack

**Request of William Arzillo, for a special use permit and site plan approval for a 3-family dwelling located at 138 West Main Street**

WHEREAS, William Arzillo, filed an application with the Planning Board of the City of Middletown seeking a special use permit and site plan approval for a 3-family dwelling located at 138 West Main Street, Middletown. Section 29, Block 8, Lot 8., located in the UR-3 Zone, which is a permitted use, and

WHEREAS, after due notice, a public hearing was held by the Planning Board on July 8, 2026, at 7:00 p.m. in the Common Council Chambers, City Hall, Middletown, New York, and

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

WHEREAS, all testimony has been carefully considered.

WHEREAS, at said hearing, the Planning Board referred the matter to the Zoning Board of Appeals for the applicant to obtain area variances needed for the proposed 3-family dwelling.

Prepared by:

**Attachments:**

|    |            |
|----|------------|
| 1. | 138 w main |
|----|------------|

**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 138 West Main Street

Section 29 Block 8 Lot 8 Current Zoning District UR-3

Building Existing  New

2. Owner of Property Moshe Sternhill

Owner's Address 56 Mariner Way

City Monsey State NY Zip 10952

Phone numbers: Home: \_\_\_\_\_

Business: \_\_\_\_\_

Call: 845-323-1792

3. Applicant name William Arzillo

*If different from Owner*

Applicants Address 21 Irwin Avenue

City Middletown State NY Zip 10940

Phone numbers: Home: \_\_\_\_\_

Business: \_\_\_\_\_

Cell: 845-421-3681

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 # 29

Classification of Occupancy requested Multifamily (3 family)

Description of what you are requesting: Conversion of the former main living area of dwelling from an existing vacant office to a third dwelling unit.

Uses currently in property: Converted residence (currently two family with mixed use occupancy) including two occupied apartments and a vacant multi room office space.

| Title      | Section Number | Required Dimensions | Actual Dimensions |
|------------|----------------|---------------------|-------------------|
| Lot area   |                | 4,000 sf /DU        | 2,890 sf /DU      |
| Front yard |                | 30'                 | 31'-0"            |
| Rear yard  |                | 35'                 | 64'-4"            |
| Side yard  |                | ---                 | 13'-0"            |
| Side yard  |                | ---                 | 7'-0"             |
| Parking    |                | 2 spaces/DU         | 2 spaces/DU       |

*Answer this section only for multiple dwellings*

|                     |                       |                       |
|---------------------|-----------------------|-----------------------|
| Lot coverage        | <u>25% (2,168 sf)</u> | <u>21% (1,820 sf)</u> |
| Building height     | <u>35'</u>            | <u>31'</u>            |
| Open Space          | <u>1,125 sf / DU</u>  |                       |
| Playlot             | <u>125 sf / DU</u>    |                       |
| Liveable floor area | <u>700 sf / DU</u>    | <u>1,024 sf / DU</u>  |
| Number of Bedrooms  | <u>2</u>              | <u>2</u>              |



7. Sign at the Place Indicated

Signature:



Printed Name and Title: William Arzillo

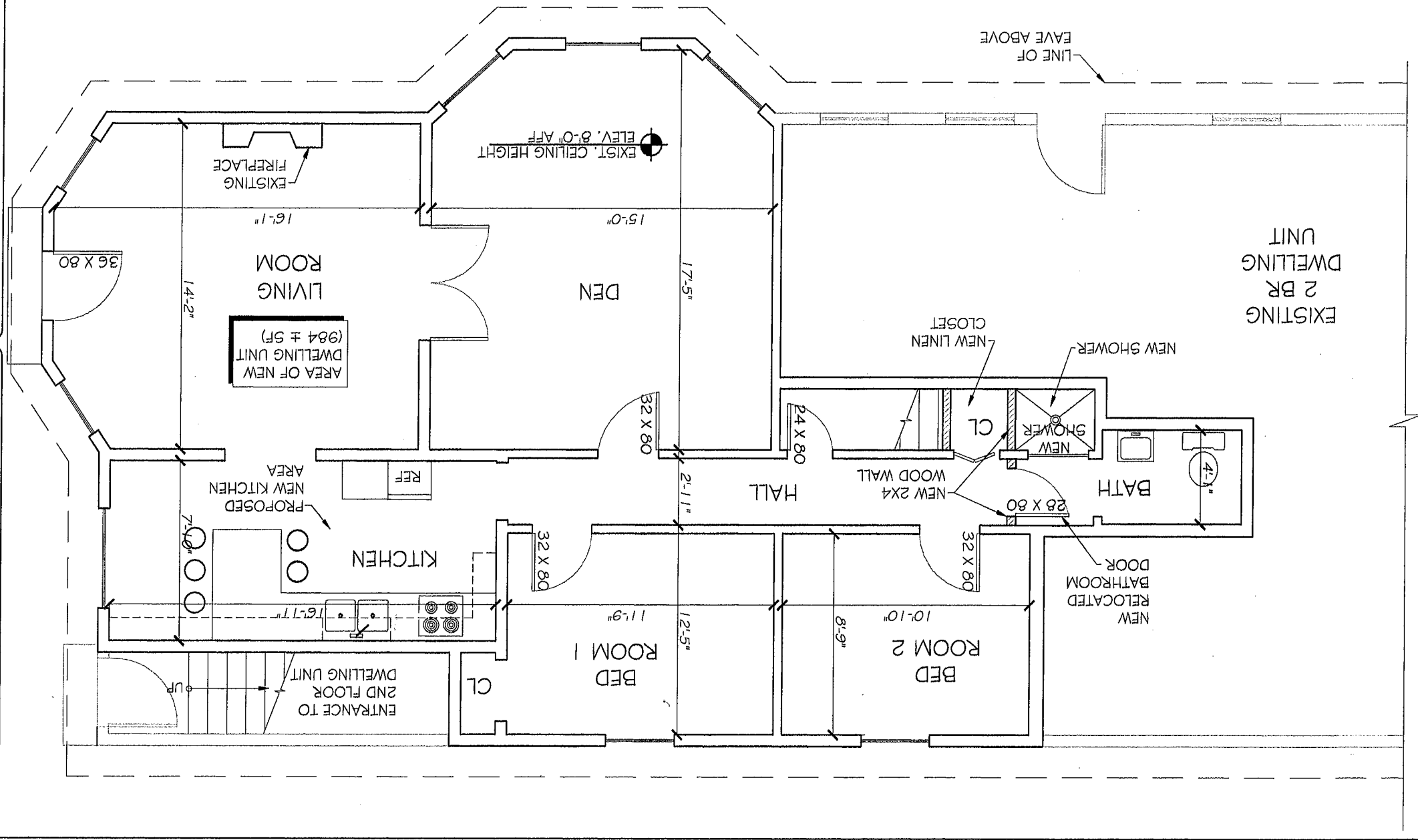
Date:

04/06/26



A-3

1  
A3  
3/16" = 1'-0"  
PROPOSED FLOOR PLAN

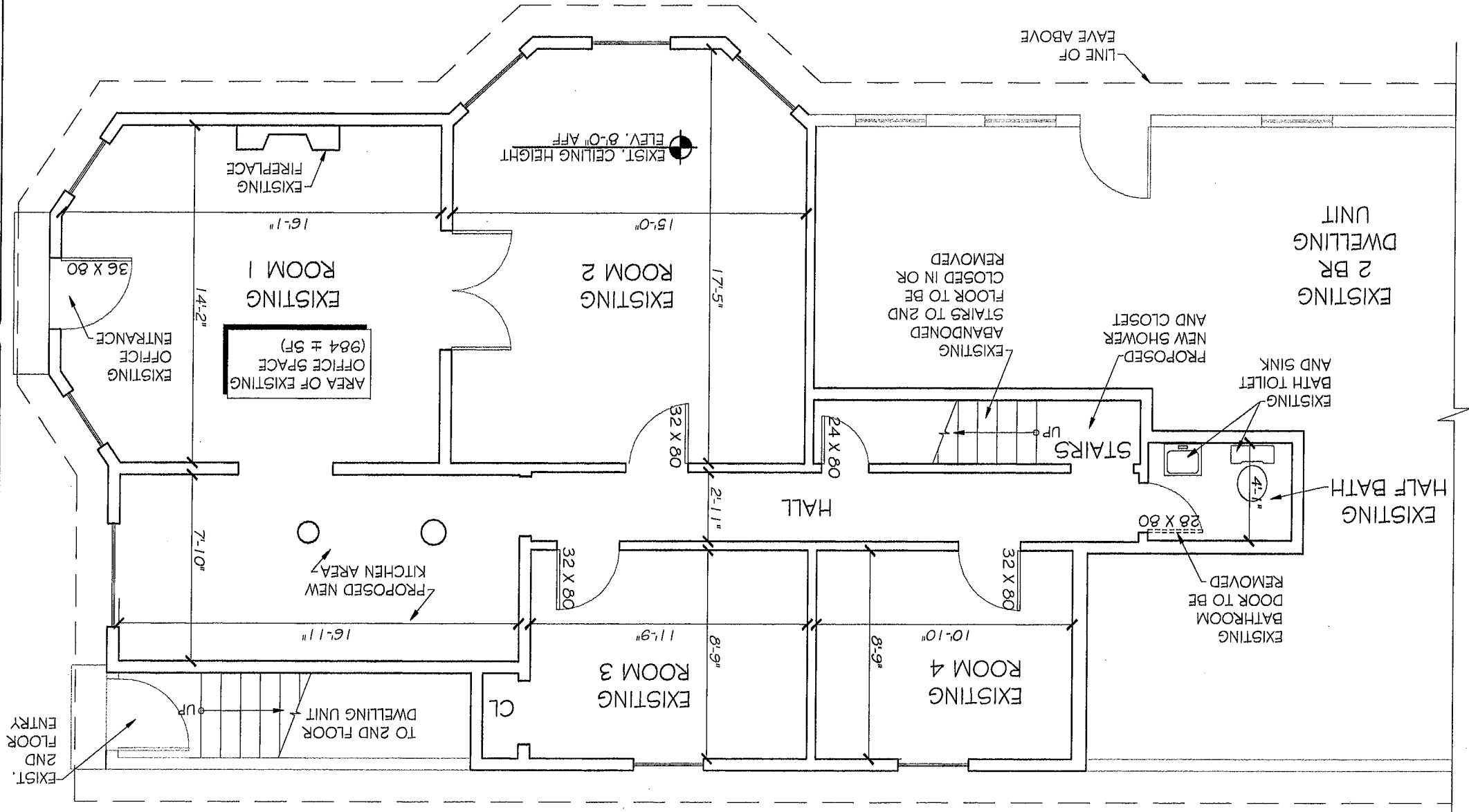


APARTMENT CONVERSION FOR:  
D&S NY REALTY LLC  
138 WEST MAIN ST. MIDDLETOWN, NY  
PROPOSED FLOOR PLAN  
Project No: 0401-26 Date: 04/01/26 Scale:

**VIZTEK**  
• Project Planning  
• CAD Drafting  
21-23 Irwin Avenue Middletown, NY 10940  
Ph: (845) 381-5466 Fax: (845) 381-5466

A-2

1  
A2  
3/16" = 1'-0"  
EXISTING FLOOR PLAN



APARTMENT CONVERSION FOR:  
DES'NY REALTY LLC  
138 WEST MAIN ST. MIDDLETOWN, NY  
EXISTING FLOOR PLAN  
Project No: 0401-26 Date: 04/01/26 Scale:

**VIZTEK**  
• Project Planning  
• CAD Drafting  
21-23 Irwin Avenue Middletown, NY 10940  
Ph. (845) 381-5466 Fax: (845) 381-5466

# D&S NY Realty LLC

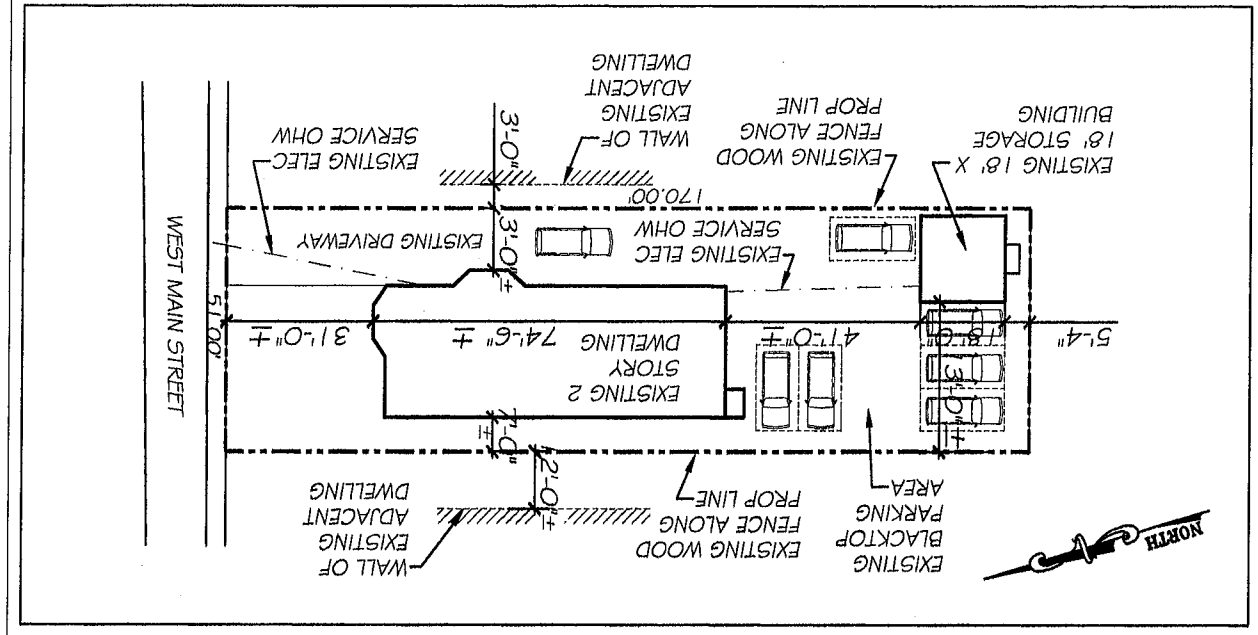
## Apartment Conversion

138 West Main Street Middletown, NY

### Site Information

| REQUIRED | ACTUAL                  |
|----------|-------------------------|
| 50'      | 51' +/-                 |
| 150'     | 170' +/-                |
| 1 ACRE   | 8,670 SF (.2 ACRES) +/- |
| N/A      | 31' +/-                 |
| N/A      | 64'-4" +/-              |
| N/A      | 13'-0" +/-              |
| 15'      | 20'-0" +/-              |
| 30'      | BOTH SIDE YARDS.....    |

### Site Plan



### Legal Description

SECTION 29 BLOCK 8 LOT 8 ZONE: UR-3  
 PROPERTY CLASS: CONVERTED RESIDENCE  
 D&H REALTY LLC 138 WEST MAIN STREET  
 CITY OF MIDDLETOWN, ORANGE COUNTY, NEW YORK  
 CURRENT USE: EXISTING 2 FAMILY WITH ADDITIONAL UNIT

### Drawing Index

| SHEET NO. | DESCRIPTION                               |
|-----------|---|
| A-1       | TITLE, GENERAL INFO, SITE INFO, SITE PLAN |
| A-2       | EXISTING FLOOR PLAN                       |
| A-3       | PROPOSED FLOOR PLAN                       |

### General Information

|   |                               |
|---|-------------------------------|
| FLOOR AREA (SF) 1st FLOOR.....                | 1,816 +/-                     |
| 2nd FLOOR.....                                | 1,256 +/-                     |
| TOTAL FLOOR AREA ABOVE GRADE.....             | 3,072 +/-                     |
| FLOOR AREA OF EXISTING UNIT.....              | 984 +/-                       |
| PROPOSED FLOOR AREA OF NEW DWELLING UNIT..... | 984 +/-                       |
| PROPOSED # OF BEDROOMS IN NEW DWELLING UNIT.. | 2                             |
| BUILDING TYPE.....                            | CONVERTED RESIDENCE           |
| NUMBER OF STORY.....                          | 2 STORY ABOVE GRADE           |
| BUILDING HEIGHT.....                          | 31'+/- - BUILDING LENGTH..... |
| CONSTRUCTION TYPE.....                        | WOOD FRAME                    |
| BASEMENT TYPE.....                            | FULL (UNFINISHED)             |

A-1

APARTMENT CONVERSION FOR:  
 D&S NY REALTY LLC  
 138 WEST MAIN ST. MIDDLETOWN, NY

TITLE SHEET  
 Project No: 0401-26 Date: 04/01/26 Scale:

**VIZTEK**  
 • Project Planning  
 • CAD Drafting

21-23 Irwin Avenue Middletown, NY 10940  
 Ph. (845) 381-5466 Fax: (845) 381-5466



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

THE FOLLOWING WAS PRESENTED

By: None  
 Seconded by: None  
 Date of Adoption: July 8, 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: July 8, 2026

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Richard P. McCormack

**Request of Gao Chun Yan, for a special use permit and site plan approval in order to have aromatherapy personal service located at 40-42 East Main Street**

WHEREAS, Gao Chun Yan, 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 aromatherapy personal service located at 40-42 East Main Street, Middletown. Section 35, Block 6, Lot 1., located in the DMU Zone, which is a permitted use, and

WHEREAS, after due notice, a public hearing was held by the Planning Board on July 8, 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 the 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 Gao Chun Yan, for a special use permit and site plan approval in order to have aromatherapy personal service located at 40-42 East Main Street, Middletown. There will be no massage or use of any other products that are placed, rubbed, rolled or held by

clients. It is strictly for the use of a diffuser with different scents.

Hours of operation are 08:00 a.m. to 10:00 p.m. daily.

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

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

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

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

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

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

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

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

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

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

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

Prepared by:

**Attachments:**

|    |                  |
|----|------------------|
| 1. | 40-42 e main-001 |
|----|------------------|

# APPLICATION

## PLANNING BOARD

### City of Middletown, New York

Date deemed complete \_\_\_\_\_  
Accepted by \_\_\_\_\_

Date \_\_\_\_\_

*Items 1, 2 and 3 are required to be completed*

1. Address of Subject Property 40-42 E Main St. #1ST. Floor, Middletown, NY 10940

Section 35 Block 6 Lot 1

Current Zoning District DMU

Building Existing X New \_\_\_\_\_

2. Owner of Property Sen Wang

Owner's Address 20 Lewist St.

City Otisville State NY Zip 10963

Phone numbers: Home: \_\_\_\_\_

Business: \_\_\_\_\_

Cell: 646-287-6569

3. Applicant name Gao, ChunYan

*If different from Owner*

Applicants Address 4170 Main St. # B316 D

City Flushing State NY Zip 11355

Phone numbers: Home: \_\_\_\_\_

Business: \_\_\_\_\_

Cell: \_\_\_\_\_

Fax: \_\_\_\_\_

Answer 4, 5 or 6

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

Section # \_\_\_\_\_

Classification of Occupancy requested \_\_\_\_\_

Description of what you are requesting: 1. ~~Aromatherapy for massage therapist~~ (Relax, Relieve Fatigue)

2. ~~Acupressure hypnosis Relaxation~~ (Promote physical and mental health) *Gao chun Yan*

Open hours: 8 am-10 pm 7 days a week, Mon. to Sun. \_\_\_\_\_

Uses currently in property: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

*Answer this section only for multiple dwellings*

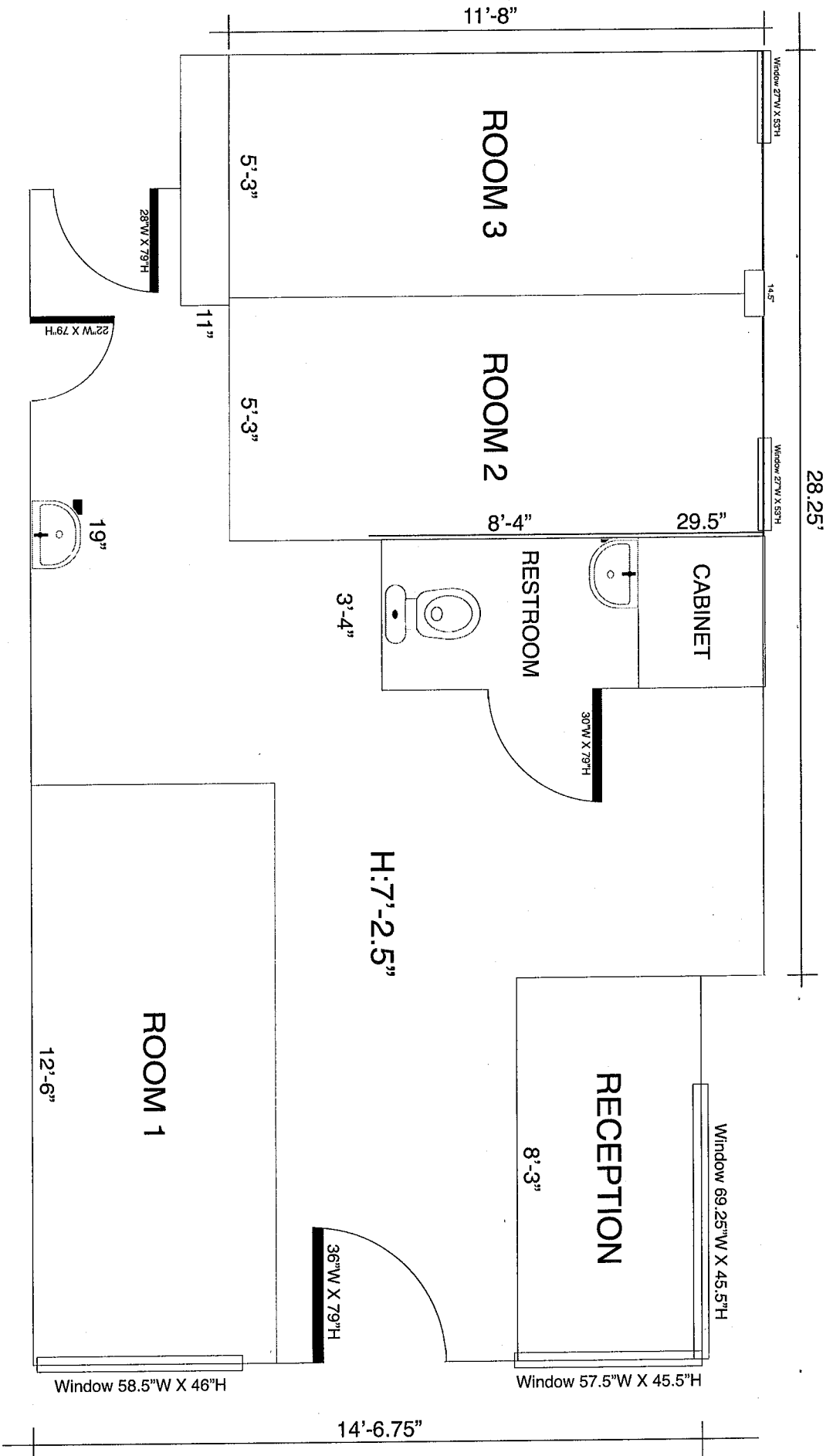
Lot coverage \_\_\_\_\_  
Building height \_\_\_\_\_  
Open Space \_\_\_\_\_  
Playlot \_\_\_\_\_  
Livable floor area \_\_\_\_\_  
Number of Bedrooms \_\_\_\_\_



Signature: Gao chun yan

Printed Name and Title: Gao, ChunYan

Date: 5/15/26



40-42E MAIN ST. FIRST FLOOR,  
 MIDDLETOWN, NY 10940  
 SECTION, BLOCK, LOT: 35-6-1

**FLOOR PLAN**  
 SCAL: 1' = 1.4'

American Institute of Hypnosis and Natural Medicine

# Certificate of Completion

*Aromatherapy For Massage Therapists*

This is to certify that

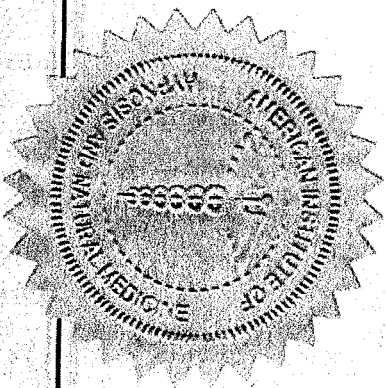
*Chudhan Gao*

Has successfully completed 100 hours of online education  
Aromatherapy For Massage Therapist Course  
On December 16th, 2024.

*Dr. Linda Fong*

Instructor, CA, CH#57333

American Institute of Hypnosis and Natural Medicine



This certificate is  
Non-transferable