

**CITY OF MIDDLETOWN, NEW YORK  
COMMON COUNCIL  
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. Sommers

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Sec'd by Ald. Ramkissoon

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Date of Adoption: 02-04-14

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Index No: 47-14

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NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Kleiner	X			
Ald. Witt	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Sommers	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

**RESOLUTION AMENDED ON 5/6/14**

Whereas, the Architectural Board of Review has submitted proposed Design Review Guidelines (“Guidelines”) to the Common Council for its review and potential approval, and Whereas, a copy of the Guidelines is attached to this resolution, and Whereas, the Legislative Committee of the Common Council has recommended that the Common Council approve the Guidelines and incorporate the Guidelines into the existing Chapter 166 of the City Code, entitled Architectural Review, and

Whereas, pursuant to 6 NYCRR Section 617 (5) (c) (27), this action is considered a Type II action for purposes of SEQRA, and no environmental review is required. Now, therefore, be it resolved by the Common Council of the City of Middletown that the Common Council hereby approves the adoption of the Guidelines as submitted and amends Section 166-4 of the Code of the City of Middletown to add Subsection H in its entirety as follows, and to add the Guidelines as an appendix to Chapter 166:

Section 166-4 Application; hearing; certificate of appropriateness.

H. All applications submitted in accordance with this Section 166-4 and in accordance with this Chapter must comply with the Design Review Guidelines (“Guidelines”) approved from time to time by the Architectural Board of Review and the Common Council. All decisions of the Architectural Review Board must take into account the Guidelines and must determine whether the requirements set forth in the Guidelines have been satisfied by the applicant. A copy of the Guidelines is attached as an Appendix to this Chapter.

Be it further resolved that this resolution shall take effect immediately.