

**CITY OF MIDDLETOWN
PLANNING BOARD
MINUTES**

October 04, 2017

A meeting of the Planning Board was held in the Common Council Chambers, City Hall, 16 James Street, Middletown, New York on October 4, 2017 at 7:00 P.M., Mr. Anthony Capozella presiding.

Members Present: Anthony Capozella, Dan Higbie, Steven Sisco, John Naumchik, Paul Thorn, Nicole Hewson.

Members Absent: None.

Other Attendees: Alex Smith, Assistant Corporation Counsel, Walter Welch, Building Inspector and Adam McCarey, Fire Inspector.

The Pledge of Allegiance was said.

On motion of Ms. Hewson and seconded by Mr. Thorn to appoint Mr. Capozella the temporary chairman for the October 4, 2017 Planning Board meeting.

Roll Call Ayes: Anthony Capozella, Dan Higbie, Steven Sisco, John Naumchik, Paul Thorn, Nicole Hewson.

Mr. Capozella: I'll also need to make a statement that if tonight is your first time here, it is considered a preliminary hearing and the Board may or may not chose to act or vote on your application this evening.

On motion of Mr. John Naumchik and seconded by Mr. Paul Thorn to approve the minutes of August 2, 2017 and September 6, 2017 as submitted.

Roll Call Ayes: Steven Sisco, Dan Higbie, Paul Thorn, Nicole Hewson, Anthony Capozella, John Naumchik.

**Hudson Transit Lines, Inc.
6-month extension**

On motion of Mr. John Naumchik and seconded by Mr. Steve Sisco to approve the application of Hudson Transit Lines, Inc. for a 6-month extension.

Roll Call Ayes Steven Sisco, Dan Higbie, Paul Thorn, Nicole Hewson, Anthony Capozella, John Naumchik.

Richard Quinn
200 East Main Street
parking lot

Mr. Capozella: And this is a continuation so there's no mailings and I believe the public hearing is still open, so please address the Board.

Mr. Quinn: Pretty much it's just like last time. We made the changes that you pointed out to us with the used car lot and parking for the car wash on the side for the customers and details and so on and so forth and that's pretty much you know, just for additional parking for the used car dealership.

Mr. Smith: All right, as I told you in the City Court, we have to get straight exactly what is approved here and had been approved in the past. You claimed couple of times that you got an approval for detailing. We searched back in the Planning Board records, found no approval from the Planning Board. We did find the building permit from 1998 which you showed on the building perming detailing spot and then I thought, well, maybe you came under the moratorium because in those days there was a moratorium in 1998 so Mr. Naumchik and I just checked and sure enough you did get an approval in 1998 at 200-206 East Main, not from the Planning Board, from the Council and I'm looking at it, for a carwash and laundromat. That's what the minutes say so, and I think as I mentioned in the Court, even if there was a previous approval, when you came to the Board I think it was 2002 for the carwash...

Mr. Quinn: Oh no, that was for the car dealership.

Mr. Smith: Ok, for the dealership?

Mr. Quinn: Yes, that was for the dealership and the carwash was already existing and then in 2002 we wanted to add a car dealership and then that's when we got an approval for 15 cars in the front.

Mr. Smith: Correct, and in those minutes I found absolutely nothing about the detailing. What I'm saying is, you have to have a comprehensive site plan, you can't have one site plan from 1998, another one from 2002. So we are going to fix that but you gonna have to show on the site plan where exactly the detailing is and are there parking spaces associated with the detailing. Do you understand what I'm

saying? And how many of those will there be as opposed to cars associated with the wash and the dealership.

Mr. Quinn: Yes, it would all show on this one. The detailing is in the building itself.

Mr. Smith: I understand, but you got to show it, is what I'm saying so that 10 years from now we don't go through this again.

Mr. Quinn: Well, that's part of the car wash business, the detailing. You bring your car in, sometimes you want it washed, other times you want it waxed. When you want it waxed that's when the detailing comes in.

Mr. Smith: Is there parking associated with that?

Mr. Quinn: Yes, they are right there where the cars come in.

Mr. Smith: All right, then you have to... see you have to explain to us what is associated with the detailing...

Mr. Quinn: It should be on there, when they approved it last and they had us put signs up, parking for customers or parking for detailing.

Mr. Smith: Forget the last one, we got to straighten this out now, it's got to be on this site plan.

Mr. Quinn: Well, pretty much, yes, right in here is for the customers and the details right in here, I got it box in right here. That's why we curbed it as well, even the City didn't require us to curb it but we took it upon ourselves to curb it in.

Mr. Smith: So how many parking spaces are there going to be for detailing and car wash?

Mr. Quinn: Probably about 7 or 8 for detailing.

Mr. Smith: Well, don't say about, let's...

Mr. Quinn: Ok, we get it straight. We'll do about 8.

Mr. Smith: And how many parking spaces for the dealership?

Mr. Quinn: About 52 on here I show.

Mr. Smith: So it's 52 plus 8, so you are talking 60 altogether.

Mr. Quinn: 52, yes, we have 8 on the side here and then obviously if customers pull in we have extra spaces here for them to park and walk inside if they wanted to.

Mr. Smith: Ok, but you see you are saying here and we need to see it on that map.

Mr. Quinn: Yes, it's right here.

Mr. Smith: All right, but I mean it's got to be labeled on the map.

Mr. Quinn: Oh yes, customer parking is these four right there.

Mr. Smith: Ok, but are they labeled?

Mr. Quinn: We didn't label them, no.

Mr. Smith: You got to label them so that like I said 10 years from now the inspector goes out there he knows what he is looking for. Now, are any of these cars going to be unregistered?

Mr. Quinn: They will all be unregistered, correct.

Mr. Smith: You said all; you mean all for the detailing or all of the cars for sale?

Mr. Quinn: Well, the 52 are going to be all no plates on them because...

Mr. Smith: Because they are for sale.

Mr. Quinn: Exactly. As far as detailing, there's going to be some, because dealers drop off that aren't registered yet to get them detailed and customers drop off that obviously there are plates on them for them to be ... some will have and some won't, a certain number I can't because it's on day to day operations.

Mr. Smith: I don't know how the Planning Board feels about the number of cars, that's up to them but you've got to show on the map exactly where and label them clearly...

Mr. Quinn: Yes, that's maybe that's my... I should have just said these 4 right here as you pull in, right to the front, that's what I was taking in perspective for the

customers parking, they want to get detailed or going into show room, you know that they can, you know?

Mr. Sisco: Mr. Smith, I recall in 2002 when they were approved for I believe 15 cars...

Mr. Smith: Fifteen spaces, yes.

Mr. Sisco: Now, has it been increased since then?

Mr. Smith: No.

Mr. Sisco: You know, they are talking 52.

Mr. Smith: I know, that's what I'm saying, that's up to the Planning Board, I'm not commenting on numbers, I'm just commenting on we had some confusion about what approval they had 20 years ago and I think I just cleared that up so now it's up to the Planning Board as to the number of spaces and arrangements of spaces too. It's totally up to the Planning Board.

Mr. Capozella opened public hearing. No one came forward.

Mr. Capozella: I now open it up to the Planning Board members.

Mr. Naumchik: These 16... I'm assuming that's 16 feet in between those spaces...

Mr. Quinn: Yes, correct.

Mr. Naumchik: Is that enough for 2 cars to get through there? That seems kind of tight.

Mr. Quinn: Well, right now we are approved for these two rows, this one and this one and that's exactly I have about 15 feet in there. The cars are just sitting there parked, you know if someone wants to look at it I'll pull it out you know they can look at it. I mean it's definitely more than enough room to pull in and out, to back in and out of each spot.

Mr. Naumchik: How about the fire truck or something that has to get through there.

Mr. Quinn: There's plenty of room there, 15 feet.

Mr. McCarey: That actually gonna have to be drawn on the plan, with the turning radius and I have that information in my office, you can contact me for that.

Mr. Smith: Yes, while you are redoing that map and labeling it, take the Fire Inspector's suggestion and contact him for the emergency turnaround.

Mr. Higbie: How big are those spot sizes?

Mr. Quinn: 9 by 18.

Mr. Capozella: Is this drawing that we have to scale, because I try to figure it out and I...

Mr. Quinn: Yes.

Mr. Capozella: What scale is it?

Mr. Quinn: Every inch on here is 20 feet.

Mr. Naumchik: What you have right now, are there 52 spots now, 52 cars there now on the lot?

Mr. Quinn: No, there isn't, I'm just requesting 52 and it's in your discretion how many you are willing to approve, that's just what I laid out there. If I get approved for the 52 that would be great but that's just you know, it's in your discretion; you know how many I'm allowed there.

Mr. Naumchik: I think 52 is kind of high, I would go with 42. I don't know how the other Board members feel.

Mr. Sisco: That's the main thoroughfare on East Main Street where people are traveling through, to see 50 cars, I mean it's not on the side street or something you know? There was a problem at the beginning when you wanted more than 15.

Mr. Quinn: You know they are just pretty much siting there parked. I mean if you want to approve 42, I'll accept that.

Mr. Capozella: Well, before we approve a number you ought to sit with Mr. McCarey and try to work out some turning radiuses and some safety isles because that may limit that number or increase it depending upon the layout so I have no issue if the Board has no issue with a number and then sit with Mr. McCarey to finalize this plan and you know it needs to be labeled to come back to us for

approval.

Mr. Higbie: And you are not changing the lighting, right?

Mr. Quinn: Changing the lighting?

Mr. Higbie: Are you adding any lighting or any...

Mr. Quinn: No, we have flood lights on each corner.

Mr. Higbie: And you are not adding any or changing any?

Mr. Quinn: No, it lights it up pretty, when we got them on, it's pretty light up at night.

Mr. Capozella: In your previous applications I didn't hear anything about hours of operation. Were they addressed in the previous applications?

Mr. Quinn: No.

Mr. Capozella: Ok, we probably should do that too, then.

Mr. Naumchik: What are your hours of operation?

Mr. Quinn: 9-5 Monday through Saturday, Sunday 9 to 3. But usually the car sales, that's usually Monday through Friday. Carwash has been pretty busy during the weekends there.

Mr. Naumchik: And you took the cars away that were way up front on East Main Street.

Mr. Quinn: Yes, we pulled them.

Mr. Naumchik: Yes, I noticed that, it's much better.

Mr. Quinn: Yes, we cleaned it up.

Ms. Hewson: I found my notes from the last time you guys were here back in March of this year and it says that the parking spaces were 10 by 20. So you guys changed that in this one?

Mr. Quinn: Yes, yes we did.

Ms. Hewson: And at that time you had only 54 spots?

Mr. Quinn: Correct, because I did each one 10 by 20. I pretty much tried to clean it up, make it look more organized, so...

Ms. Hewson: Sure, ok, just wanted to make sure.

Mr. Capozella: And the utility shed or that large structure you had, has been removed, I noticed that.

Mr. Quinn: Yes, we moved that next day after we left here, we moved it.

Mr. Capozella: I don't know if that was on the original site plan, I don't know.

Mr. Quinn: No, it wasn't on it, it was just a temporary building.

Mr. Thorn: Our copy is a little bit faded here, whatever the ground surface, whether it's a pavement or gravel or whatever it is, is that shown on the final plan?

Mr. Quinn: It's asphalt and gravel.

Mr. Thorn: Yes, I would just clearly show what part is either asphalt or gravel.

Mr. Quinn: Label it, you mean?

Mr. Thorn: Yes.

Mr. Quinn: Ok.

Mr. Capozella: It didn't come out very clear on the sketch.

Mr. Quinn: Ok.

Mr. Thorn: It looks like there are some details that are just... maybe it's a bad copy or it's faded or something, so I just...

Mr. Quinn: Ok, so label where I have gravel, where I have pavement.

Mr. Thorn: Yes, that would be great.

Mr. McCarey: And that's a C-2, right?

Mr. Quinn: Yes, it is.

Mr. McCarey: The carwash is the services that they use in C-2 zone but would it allow for auto sales?

Mr. Smith: I don't have the book with me, I will have to double check that.

Mr. McCarey: Because it just says gasoline or filling stations and convenience stores and then it references service establishments such as car wash but it doesn't say car sales or anything like that.

Mr. Smith: Does not say car sale?

Mr. McCarey: No.

Mr. Quinn: I have this paper here for the used car, the approval for the used car dealership. That was back in 2002.

Mr. Smith: We'll take a look, yes.

Mr. Capozella: It was approved?

Mr. Quinn: Yes, that's approved, I have it here.

Mr. McCarey: I thought it was approved outside of the zone. That's ok, it wasn't supposed to be approved; it's out of the zone.

Mr. Smith: We'll check that.

Mr. Capozella: All right, so what I'm understanding here is that you are going to take one more shot at this, you are going to come back with a cleaned up copy of this, you are going to meet with Mr. McCarey, the Fire Inspector, before you clean it up, obviously, so you can write number of spaces in the right spot, the C-2 zoning needs to be double-checked to make sure that they got the approval back at that point in time which you would still have, make sure we have it all in place and at that point in time, next time we can finalize the number of cars, the hours of operation, verification of safety and C-2 zoning, ok?

Mr. Quinn: Ok.

On motion of Ms. Hewson and seconded by Mr. Naumchik that the Middletown

Planning Board hereby adjourns for future consideration the application of Richard Quinn for a site plan approval in order to have a parking lot located at 200 East Main Street, Middletown, New York.

Roll Call Ayes: Dan Higbie, Paul Thorn, Anthony Capozella, Nicole Hewson, John Naumchik, Steve Sisco.

Mr. Capozella: So meet with Mr. McCarey first, make sure you don't double your work, this way you can come back with the final plan.

Mr. Quinn: I'll be right on it, all right, thank you guys, I appreciate it, thank you.

MSL Properties, LLC.
126 Sprague Avenue
Car sales

Mr. Capozella: Just so the public knows, one of the items on the agenda has been removed tonight, MSL Property, LLC, 126 Sprague Avenue – it's not on our agenda, will not be discussed, I do see some people here, so sorry to make you wait but it's not on the agenda tonight, will not be discussed. Sorry about that.

Jaime Gonzalez
14-20 Cottage Street
Welding Shop

Mr. Gonzalez: Good evening.

Mr. Capozella: How are you doing? Do you have your mailings, sir?

Mr. Gonzalez: I'm sorry, my English is so-so, he help me with that.

Mr. Gonzalez handed in mailings.

Mr. McCarey: Alex, before you start on this, that zone is DMU and there is nothing in there for that type of welding work, because that's considered hazard. They shouldn't be even...

Mr. Smith: I was going to bring that up. Well, the understanding I have, and you guys can correct me if I'm wrong, you've been making some inquiries about ... you are interested in another property?

Mr. Cezar Guiza identified himself as an interpreter for Mr. Gonzalez.

Mr. Smith: So are you interested in this property or another property?

Mr. Gonzalez: Now I'm interested in that property because I'm working for 15 years with this business at Clemson Brothers building. I started at #16 Cottage Street but the building, the ceiling collapsed and the Clemson Bothers building is a big building and sometimes I use other space for storage and when the ceiling collapsed I moved to the new place and I use it now for that.

Mr. Smith: When you say new place, in the same building?

Mr. Gonzalez: Same building, yes, because the building is...

Mr. McCarey: It's a different building. Same property but it's actually different building.

Mr. Guiza: Same property, different building, yes.

Mr. Smith: Ok. All right but...

Mr. McCarey: But they shouldn't be operating on that...

Mr. Smith: The problem is the zoning has been changed.

Mr. McCarey: Yes, I mean even under the old zoning it wouldn't allow the welding shop.

Mr. Smith: It would not be grandfathered, I suppose?

Mr. McCarey: Maybe but they moved so it's not grandfathered anymore because they moved the place so they should actually cease business and then tomorrow we'll have that conversation.

Mr. Smith: Cezar, the Council changed the zone.

Mr. Gonzalez: But I am there for 15 years.

Mr. Smith: In another building.

Mr. Gonzalez: No, same building.

Mr. Guiza: It's the same property but it's different building. Now, the question

is... so you are saying that the zone changed in the last 15 years?

Mr. Smith: They no longer allow...

Mr. Guiza: In the last 15 years?

Mr. Smith: Right.

Mr. Guiza: Even though when he start working it was already... I mean was that allowed at the time when the business started?

Mr. Gonzalez: I'm starting in 2003.

Mr. Smith: Did you get an approval from the Planning Board?

Mr. Gonzalez: In that time no, because I work under Norman Keelson, is the owner of the building, at that time he say you can work under me.

Mr. Smith: You might have been operating illegally, I don't know but the reality now is the zoning has been changed and you are seeking to move the business to another location and I agree with the Fire Inspector, you can't do it. I'm happy to review it for you and check with the zoning but I think you ought to have a meeting with the Fire Inspector to determine what's going to happen there. I don't think it could be in front of the Planning Board.

Mr. Gonzalez: Now, we saw other building but I don't know it's the same problem, it's #12, same street, Cottage Street.

Mr. Smith: I don't know.

Mr. McCarey: No, it would still be the DMU.

Mr. Gonzalez: But my business is no really like, I don't have employees, it's only me.

Mr. Smith: Well, that doesn't really matter.

Mr. Gonzalez: It's more like craftsman, manufacturing, more manufacturing; you know I don't have...

Mr. Smith: I'm happy to sit down with you and the Fire Inspector but I don't think you can be in front of the Planning Board. My suggestion is we adjourn this to

allow him to meet with us and we'll determine what the zoning allows and doesn't allow. There is no sense to go ahead with the public hearing if you are not allowed to be in that zone but we will meet with you, ok?

Mr. Gonzalez: Ok, thank you.

Mr. Smith: Call Martina and make an appointment, all right?

Mr. Capozella: Did you hear that, sir? Make sure you call Martina and make an appointment to get everybody together.

Mr. Gonzalez: Ok.

On motion of Mr. Higbie and seconded by Mr. Thorn that the Middletown Planning Board hereby adjourns for future consideration the application of Jamie Gonzalez for a special use permit and site plan approval in order to have a welding shop located at 14-20 Cottage Street, Middletown, New York.

Roll Call Ayes: Dan Higbie, Paul Thorn, Anthony Capozella, Nicole Hewson, John Naumchik, Steve Sisco.

Mr. Smith recused himself on the application of Eddie Miranda.

Eddie Miranda
240 Wickham Avenue
an eating and drinking establishment

Mr. Miranda: Good afternoon.

Mr. Capozella: How are you doing? Do you have your mailings, sir?

Mr. Miranda: Yes.

Mr. Capozella: Ok, thank you. Please describe what you want to do, sir.

Mr. Miranda: Well, we want to put a restaurant in, drinking and eating place there. It was approved once by the Planning Board, different type of restaurant, we are switching it over to a Mexican restaurant now. Basically serving lunch and dinner. We have hours of operation from Monday through Saturday from 10 to 10, Sundays from 11 to 10, open 7 days and we'll approximately sit 10-15 people, take out place at the same time.

Mr. Capozella opened public hearing. No one came forward.

Mr. Capozella: Does anyone from the Board have any questions?

Mr. Naumchik: Are you going to have a liquor license?

Mr. Miranda: It's beer and wine license.

Mr. Naumchik: Just beer and wine?

Mr. Miranda: Yes, beer and wine, no hard liquor.

Mr. Naumchik: It's a new license then?

Mr. Miranda: It's a new license, yes.

Mr. Naumchik: Did you put an application in already?

Mr. Miranda: We haven't. We have another business in Monroe which we have the same type of license, beer and wine, it's just a matter of having the paperwork ...to submit everything for the beer and wine license.

Mr. Naumchik: Because the copy has to go to the City Clerk for the City for the new license.

Mr. Miranda: Yes.

Mr. McCarey: Is it going to be a commercial cooking, like commercial cooking tops, deep fat fryers?

Mr. Miranda: Yes.

Mr. McCarey: Is there stuff there already now or...?

Mr. Miranda: No. I have a hood company that's doing the installation.

Mr. Naumchik: What were the hours of operation again during the week? I got Sunday 11 to 10PM.

Mr. Miranda: Yes, Sunday 11 to 10PM, Monday through Saturday from 10 to 10.

Mr. Naumchik: 10AM to 10PM?

Mr. Miranda: Yes.

Mr. Naumchik: Make sure that those are in the resolution.

Mr. Capozella: Absolutely.

Mr. Naumchik: There is plenty of parking there.

Mr. Miranda: Yes.

Mr. Capozella: Occupancy would be 10 to 15 people?

Mr. Miranda: Yes, 10 to 15.

Mr. McCarey: This was at one time Dunkin Donuts.

Mr. Capozella: Yes. They were here, not this applicant, but previously for another restaurant, we approved them back then. So I assume, Mr. Welch, by the site plan, they have ample parking for 10 to 15 people. Do we still waive parking just in case they have a party or something and it has to spill into the street?

Mr. Welch: I would.

Mr. Capozella: Ok. Anyone else? Anyone else from the public?

No one came forward and Mr. Capozella closed public hearing.

On motion of Ms. Hewson and seconded by Mr. Sisco that the Middletown Planning Board hereby approves the application of Eddie Miranda for a special use permit and site plan approval in order to have an eating and drinking establishment located at 240 Wickham Avenue, Middletown, New York. The hours of operation will be Monday through Saturday 10AM to 10PM, Sunday 11AM to 10PM. Occupancy of the restaurant will be 10 to 15 people. Liquor license will be sought after by the applicant for beer and wine only. Planning Board waives parking requirement. This approval is contingent upon the approvals of the Department of Public Works and Fire Department if necessary.

Roll Call Ayes: Dan Higbie, Paul Thorn, Anthony Capozella, Nicole Hewson, John Naumchik, Steve Sisco.

Mr. Capozella: Thank you very much, meet with Mr. Welch when you start your work.

Mr. Miranda: Thank you.

Milagro Picon
86-90 Wickham Avenue
Beauty shop

Ms. Peralta: Hi, my name is Addys Peralta and I'm translating for Milagro.

Mr. Capozella: I'm sorry Martina, did you say the mailings are on the file?

Clerk: Yes.

Mr. Capozella: Thank you. Please describe what you want to do.

Ms. Peralta: It's a beauty shop she's gonna have there where she's gonna set, wash and cut hair.

Mr. Capozella: Anything else?

Mr. McCarey: Nails?

Ms. Peralta: No nails.

Mr. Capozella: No nails, just the hair.

Ms. Hewson: No massage?

Ms. Peralta: No massage.

Mr. Capozella opened public hearing. No one came forward.

Mr. Capozella: All right, I'll open questions up for the Board.

Mr. Thorn: What will the hours of operation be?

Ms. Peralta: From Monday to Saturday 9 to 7.

Mr. Capozella: Monday to Saturday 9 to 7, off on Sunday.

Ms. Peralta: Yes, and she say when she open she's gonna work on Sundays too if it's approved just till she get her customers to come in and then after a month or

two she's gonna start closing on Sundays.

Mr. Capozella: That's why we bring it up because if she wants to be open on Sunday we'll have to put it in resolution so consider what hours you would want to be open on Sunday.

Ms. Peralta: From 10 to 4 on Sundays.

Mr. Capozella: And she doesn't have to be open, we just make sure we leave that open for her.

Ms. Peralta: Right.

Mr. Capozella: 10 to 4?

Ms. Peralta: Yes, sir.

Mr. Capozella: And you already stated no nails.

Ms. Peralta: No nails, no.

Mr. Capozella: Ok. Is there anything else we need to be wary of, Mr. McCarey or Mr. Welch? We definitely have to waive parking, I don't believe you have any parking lot, right?

Ms. Peralta: No.

Ms. Hewson: How many employees will you have?

Ms. Peralta: Just her.

Mr. Capozella: For now.

Ms. Peralta: For now, yes.

Mr. Naumchik: I don't see any chairs for people to sit down to have their hair done. I just see baseboard, radiator, sink, closet, faucet, bathroom. Where is she gonna do the hair. It's like a triangle, the shape.

Ms. Peralta: She does...

Mr. Naumchik: How many chairs you gonna have?

Ms. Peralta: Two.

Mr. Naumchik: They are not on this plan, right?

Ms. Peralta: She doesn't have it yet, she is waiting for approval to bring her stuff in.

Mr. Naumchik: Oh, ok.

Mr. Capozella closed public hearing.

Mr. Capozella: I'll give the Board members one last shot.

Mr. Higbie: I was just going to mention, her being in the...like for signage and whatever, she is in the business district, she has to get permission and that type of thing...

Mr. Capozella: Good point. Is she in the downtown business district?

Mr. Naumchik: I don't think she is.

Mr. Capozella: I'm not sure she is.

Mr. Higbie: At North and Wickham?

Mr. Naumchik: 86-90 Wickham, it's close.

Mr. Capozella: We can add it to the resolution that if she is in that district, she'll have to verify that she is in BID district, if she is, she'll have to get permission to put a sign up or go to Architectural Board...

Mr. Welch: Architectural Review Board, yes.

Mr. Capozella: We'll put that in the resolution so that it's clear to her and anybody that reads a resolution can follow up.

Mr. Naumchik: And just a note for Martina, Martina like current zoning district, if we knew what zone it was, if we knew then we would know it's in the BID. It's blank so if it was the new DMU then we know it's in the BID.

On motion of Mr. Higbie and seconded by Ms. Hewson that the Middletown

Planning Board hereby approves the application of Milagro Picon for a special use permit and site plan approval in order to have a beauty salon located at 86-90 Wickham Avenue, Middletown, New York. Hours of operation are Monday through Saturday 9AM to 7PM, Sunday 10AM to 4PM. No nails will be done at the shop. Planning Board waives parking requirement. There will be two chairs within the business. If they are truly in the BID district, they will have to go for signage permit to Architectural Review Board for signage. This approval is contingent upon the approvals of the Department of Public Works and Fire Department if necessary.

Roll Call Ayes: Dan Higbie, Paul Thorn, Anthony Capozella, Nicole Hewson, John Naumchik, Steve Sisco.

Ms. Peralta: Thank you.

Mr. Capozella: Get with Mr. Welch and Mr. McCarey, and they help you through the process.

Ms. Peralta: Thank you so much. Have a good night.

Xia Yang - PRELIMINARY HEARING
83-91 Linden Avenue
School

Mr. R.J. Smith appeared on behalf of the applicant, Amy Yang, to present proposed project involving multiple language, arts, cultural, music, dance, meditation, philosophy and religion programs for youth and adults as well as youth after school programs, tutoring and business training programs for local business individuals in the community, extensive weekend program for children and extensive summer program. The Board asked that the applicant provide an updated site plan, plans in general to express proposed use of the building and property, as well as environmental study.

Adjourned 8:00PM

Respectfully Submitted,

Martina Tu, Clerk