

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Smith

Date of Adoption 04-17-12

Index No: 108-12

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Amodio	X			
Ald. Burr	X			
Ald. Ramkissoon	X			
Ald. Smith	X			
Ald. Sommers				X
Ald. Masi	X			
Ald. Sabnis	X			
Ald. Sierra	X			
Pres. Rodrigues	X			
TOTAL	8			1

WHEREAS, the Common Council desires to add health and fitness clubs and amusement centers to certain parcels in one of the City's I-1 Light Industrial Districts.

Now, therefore be it Resolved, and be it Ordained, by the Common Council of the City of Middletown, New York, as follows:

Section 1. The Code of the City of Middletown, N.Y., Chapter 123, Zoning, as adopted March 27, 1967 and amended, be and is hereby further amended by adding Paragraph (28) to Subsection B (Uses requiring issuance of both a special use permit and site plan approval by the Planning Board) of Section 475-23 (I-1 Light Industrial District) as follows:

(28) Health Club or Fitness Facility or Amusement Center which may include such facilities as weight-lifting equipment, indoor running tracks, swimming pools, tennis, squash or racquetball courts, exercise machines, such as treadmills and rowers, skating, roller or boxing rinks, children's rides and amusements, and accessory facilities such as saunas, showers and locker rooms, but excluding any facility involving the use or discharge of firearms, and but only in the following parcels:

SBL	#	Street Name
26-17-2	6	School Street
26-17-4	49	Montgomery Street
26-17-5	47	Montgomery Street
26-17-6	45	Montgomery Street
26-17-7.2	32-48	Cottage Street
26-17-8	39-47	Railroad Avenue
26-2-19.1	49 1/2	Cottage Street & Rear
26-2-20	49	Cottage Street
26-2-21	47-47 1/2	Cottage Street
26-2-22	45	Cottage Street
26-2-23	41-43	Cottage Street
26-2-28.2	33-35	Railroad Avenue
31-3-1	22-26	Montgomery Street
31-3-13	12	Montgomery Street
31-3-14	12 1/2	Montgomery Street
31-3-15	14-16	Montgomery Street
31-3-16	18-20	Montgomery Street
31-3-11	10	Montgomery Street
31-3-12	10 1/2	Montgomery Street
31-2-20.11	50-60	Railroad Avenue

Section 2. This Ordinance shall take effect immediately.