

# Agenda

## City of Middletown Planning Board

May 5, 2021  
7:00 PM to 10:00 PM  
Common Council Chambers  
and via Digital Town Hall

**Meeting called by:** Anthony Capozella, Planning Board Chairman  
**Clerk:** Martina Tu, Clerk

**Members:** John Naumchik, Nicole Hewson, Dan Higbie, Gretchen Witt,  
Anthony Capozella, Andy Britto, Dave Madden

Approval of April 7, 2021 Planning Board minutes

108 Luquer Street, LLC  
9-29 Cannal Street  
Residential Apartments

Frank Villano  
25 Myrtle Avenue  
91 Prospect Avenue  
Commercial space/office and residential apartments

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*PRELIMINARY HEARINGS ONLY* - Not for any action but for future presentation and possible action at a date not yet determined.

Anthony Devos  
19 Preston Street  
Auto repair shop

**APPLICATION**  
**PLANNING BOARD**  
**City of Middletown, New York**

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

Date 1/5/2021

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

1. Address of Subject Property 9-29 Canal Street

Section 35 Block 3 Lot 24.1 Current Zoning District DMU-1

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

2. Owner of Property 108 Luquer Street, LLC

Owner's Address 2629 Route 302

City Middletown State NY Zip 10940

Phone numbers: Home: \_\_\_\_\_  
Business: \_\_\_\_\_  
Cell: \_\_\_\_\_

3. Applicant name 108 Luquer Street, LLC

*If different from Owner*

Applicants Address 2629 Route 302

City Middletown State NY Zip 10940

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 # 475-21.1(F)

Classification of Occupancy requested Mixed use residential apartments and commercial

Description of what you are requesting: Mixed use; apartment and commercial occupancies on the first floor, 1 & 2 bedroom apartments on the second and third floor.

Uses currently in property: Existing commercial storage facility.

| Title      | Section Number      | Required Dimensions | Actual Dimensions                   |
|------------|---------------------|---------------------|-------------------------------------|
| Lot area   | <u>475-21.1 (H)</u> | <u>7,500 s.f.</u>   | <u>61,805 s.f./1.419 ac (ext'g)</u> |
| Front yard | <u>475-21.1 (I)</u> | <u>0</u>            | <u>3.4 feet (ext'g)</u>             |
| Rear yard  | <u>475-21.1 (I)</u> | <u>0</u>            | <u>12.1 feet (ext'g)</u>            |
| Side yard  | <u>475-21.1 (I)</u> | <u>0</u>            | <u>7.9 feet (ext'g)</u>             |
| Side yard  | <u>475-21.1 (I)</u> | <u>0</u>            | <u>26.9 feet (ext'g)</u>            |
| Parking    |                     | <u>105 spaces</u>   | <u>105 spaces</u>                   |

*Answer this section only for multiple dwellings*

|                    |   |   |                                    |
|--------------------|---|---|------------------------------------|
| Lot coverage       |   | <u>Bldg-45,160 / Lot- 61,805 s.f. =</u> | <u>.73 lot coverage (73%)</u>      |
| Building height    | <u>475-21.1 (G)</u>   | <u>6 stories/90 feet</u>                | <u>4 stories/ +- 61'0" (ext'g)</u> |
| Open Space         |   | <u>950 s.f./1,125 s.f./525 s.f./DU</u>  | <u>3,924 s.f.</u>                  |
| Playlot            |   | <u>200 s.f./3,750 s.f./13,650 s.f.</u>  | <u>470 s.f.</u>                    |
| Livable floor area |   | <u>500 s.f./750 s.f./850 s.f.</u>       | <u>810/1,365 s.f.</u>              |
| Number of Bedrooms | <u>(15) one bedroom; (39) two bedroom; (54) apartments/ 93 bedrooms</u> |   |                                    |

**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.

N/A

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**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.

The existing site does not allow for on-site parking as required by zoning (105 parking spaces).

We are requesting to be permitted to provide off-site parking at nearby location of Acme Bus Site (11-31 Fulton Street).

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7. Sign at the Place Indicated

Signature: 

Printed Name and Title: Andrew Leider-Managing Member  
108 Luquer Street, LLC

Date: 1/9/2021

# 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 25 MYRTLE AVENUE & 91 PROSPECT AVENUE

SECT 36 BLK 4 LOT 18  
SECT 36 BLK 4 LOT 19

Current Zoning District C-1

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

2. Owner of Property Jean Mathias Riche'

Owner's Address 104 E. Main st

City Middletown State NY Zip 10940

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

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

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

3. Applicant name FRANK VILLANO, P.E.

*If different from Owner*

Applicants Address 35 EDGEHILL DRIVE

City WAPPINGERS FALLS State NY Zip 12590

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 #      § 475-18    C-1 Neighborhood Business District

Classification of Occupancy requested OFFICE/COMMERCIAL & RESIDENTIAL

Description of what you are requesting: \_\_\_\_\_

GROUND FLOOR LEVEL (25 MYRTLE AVE) TO REMAIN OFFICE/COMMERCIAL  
REQUESTING TO CHANGE FIRST FLOOR (81 PROSPECT AVE ACCESS) TO THREE  
RESIDENTIAL APARTMENTS, REGULSTED BY C-1 ZONE AND UR-3 SUBSECTION 8 & 9  
FOR MULTIPLE FAMILY DWELLINGS ON THE TOP FLOOR (FIRST FLOOR)

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

DENTIST OFFICE ON GROUND FLOOR LEVEL, FIRST FLOOR LEVEL  
IS A ADULT DAY CARE FACILITY

| Title      | Section Number | Required Dimensions | Actual Dimensions                  |
|------------|----------------|---------------------|------------------------------------|
| Lot area   |                |                     | COMBINED LOTS 15,674 SF (0.359 AC) |
| Front yard |                | 25'                 | 18' EXIST NON-CONFORMING           |
| Rear yard  |                | 20'                 | 48' CONFORMING                     |
| Side yard  |                | 25' Myrtle Ave      | 20.3'                              |
| Side yard  |                | 5'                  | 11.1 EXIST NON-CONFORMING          |
| Parking    |                |                     | 14 SPACES PROVIDED                 |

*Answer this section only for multiple dwellings*

Lot coverage \_\_\_\_\_

Building height \_\_\_\_\_

Open Space \_\_\_\_\_

Playlot \_\_\_\_\_

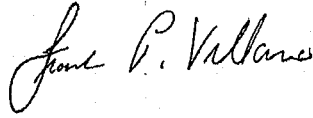
Livable floor area \_\_\_\_\_

Number of Bedrooms \_\_\_\_\_





7. Sign at the Place Indicated

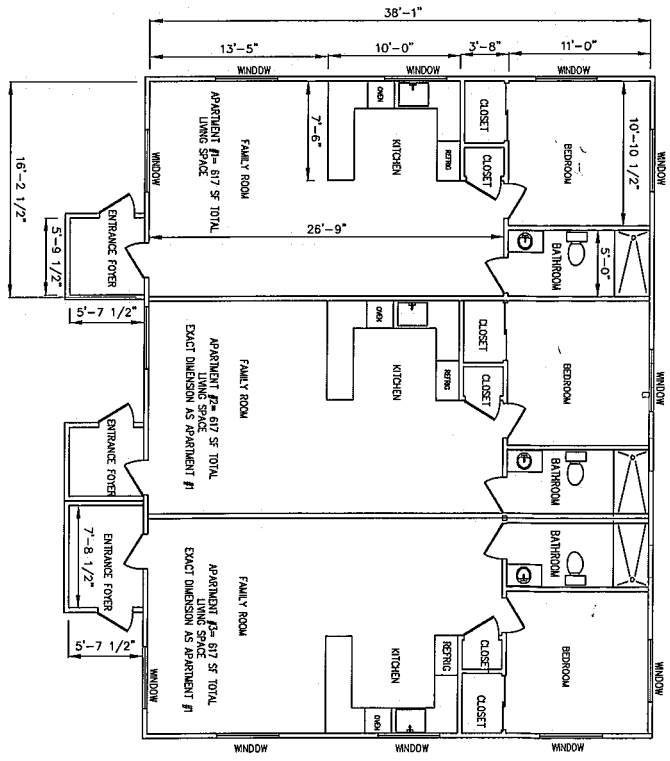
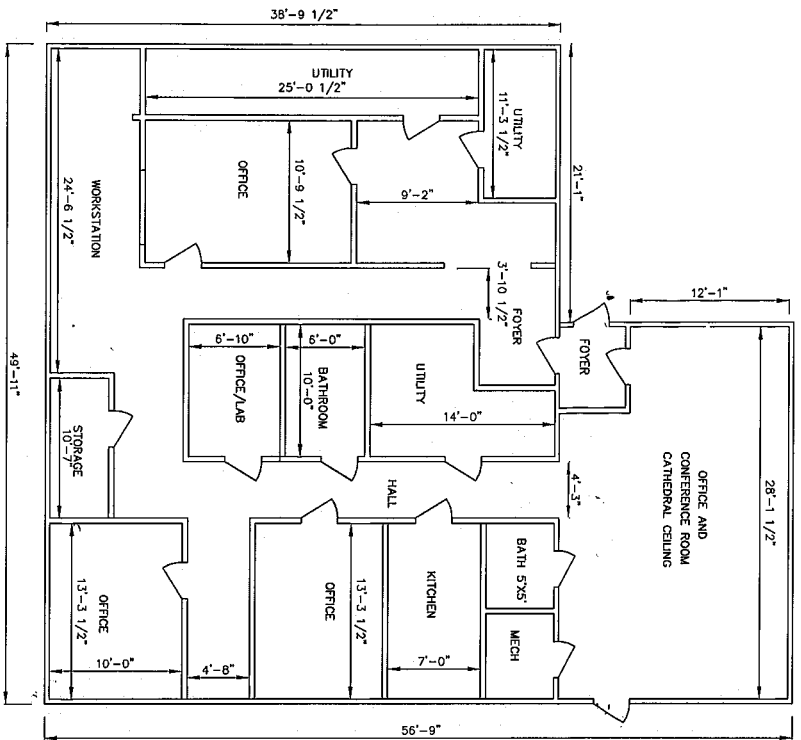


Signature: \_\_\_\_\_

Printed Name and Title: FRANK P. VILLANO, P.E. PRINCIPAL  
F.P. VILLANO CONSULTING ENGINEER, LLC

Date: 3/1/2021

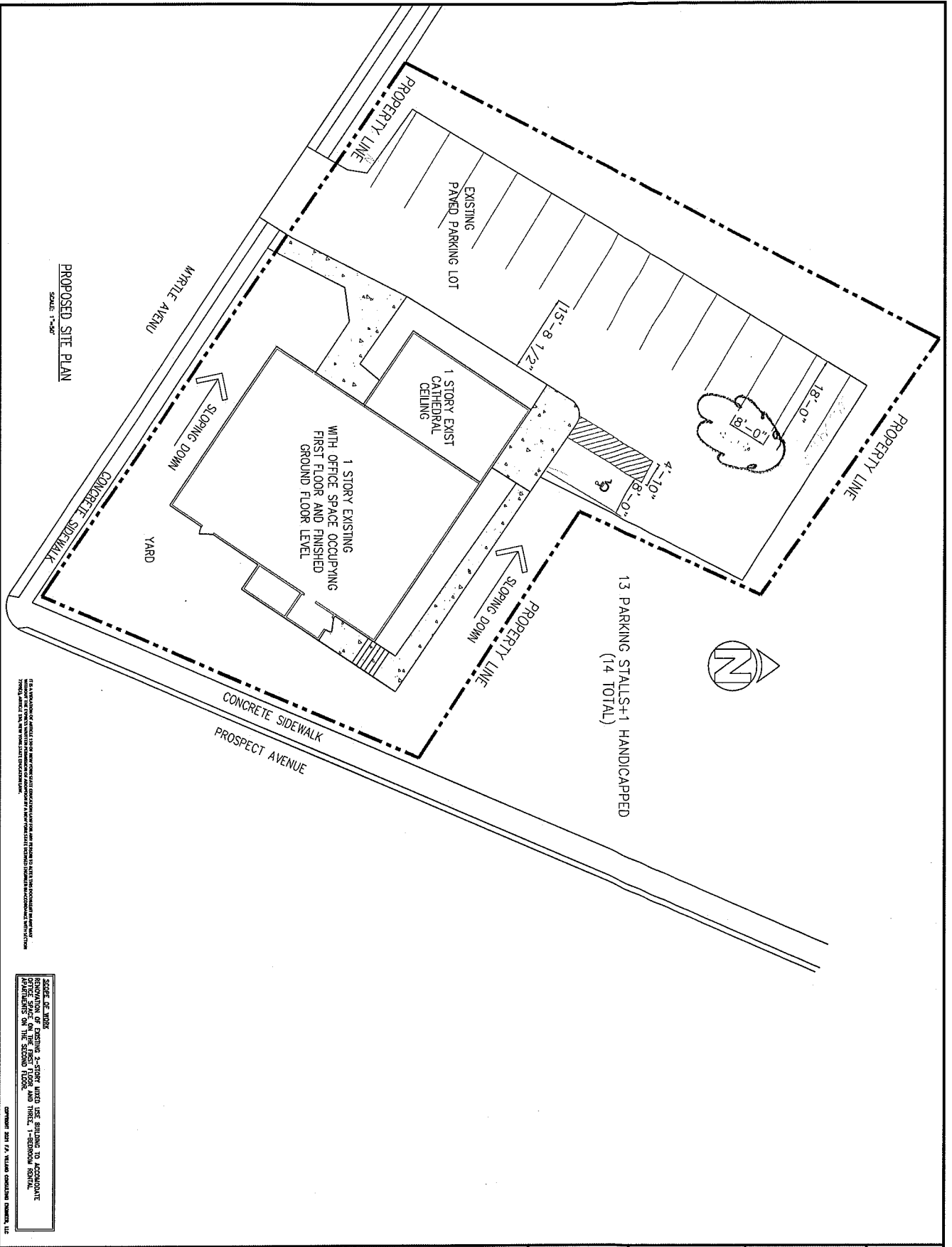
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IT IS THE POLICY OF THE STATE OF NEW YORK TO ENCOURAGE THE REHABILITATION OF EXISTING BUILDINGS AND TO PROVIDE FOR THE CONVERSION OF EXISTING BUILDINGS TO RESIDENTIAL USE. THE REHABILITATION OF EXISTING BUILDINGS IS ENCOURAGED BY THE STATE OF NEW YORK THROUGH THE PROVISION OF FINANCIAL INCENTIVES AND OTHER BENEFITS. THE REHABILITATION OF EXISTING BUILDINGS IS A KEY COMPONENT OF THE STATE'S ECONOMIC DEVELOPMENT STRATEGY. THE REHABILITATION OF EXISTING BUILDINGS IS A KEY COMPONENT OF THE STATE'S ECONOMIC DEVELOPMENT STRATEGY.

SCOPE OF WORK  
RENOVATION OF EXISTING 2-STORY MILD USE BUILDING TO ACCOMMODATE APARTMENTS ON THE SECOND FLOOR AND MECH. 1<sup>ST</sup> FLOOR. RESIDENTIAL RENOV.

|  |  |   |  |
|--|--|---|--|
| <b>ALTERATION</b><br>25 MYRTLE AVE<br>RENOVATIONS<br>Project Type: |  | <b>F.P. WILANO</b><br>CONSULTING ENGINEER, LLC<br>33 EIGHTH AVENUE, NEW YORK, NY 10013<br>Phone: (212) 512-1111 |  |
| 25 MYRTLE AVE<br>AND<br>81 PROSPECT AVE<br>MIDDLETOWN, NY          |  | PROJECT NO.: 4020<br>SCALE: AS SHOWN<br>DATE: MARCH 17, 2021  |  |
| CONCEPT PLAN<br>FIRST FLOOR<br>AND<br>SECOND FLOOR                 |  | ARCHITECT:<br>J. P. WILANO, P.E.<br>NEW YORK, N.Y. 10014  |  |
| PROFESSIONAL ENGINEER'S CERTIFICATE<br>NO. DATE:                   |  | STATE OF NEW YORK<br>OFFICE OF THE STATE ENGINEER   |  |
| A-002.0  |  | 1000  |  |



THIS PLAN AND ALL INFORMATION HEREON IS THE PROPERTY OF THE ENGINEER AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.

SCALE OF WORK  
 1"=40' FOR STAIRS, 1"=20' FOR YARD, 1"=20' FOR STAIRS TO ADJACENT LEVELS, 1"=40' FOR OTHER AREAS.  
 DIMENSIONS ON THE SECOND FLOOR AND INSIDE 1-LEVELS ARE SHOWN AT THE SCALE OF 1"=40' UNLESS OTHERWISE NOTED.

| <p><b>F.P. VILLANO</b><br/>CONSULTING ENGINEER, LLC<br/>ONE GARDEN CITY PLAZA, SUITE 200<br/>GARDEN CITY, NEW YORK 11530<br/>PHONE: (516) 466-2711</p>  |                                  |          |          |  |  |  |  |  |  |  |  |  |  |  |  |  |
|---|----------------------------------|----------|----------|--|--|--|--|--|--|--|--|--|--|--|--|--|
| <p>Project Title:<br/> <b>25 MYRTLE AVE RENOVATIONS</b></p>   |                                  |          |          |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <p>Project Type:<br/> <b>ALTERATION</b></p>   |                                  |          |          |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <p>Address:<br/> <b>25 MYRTLE AVE AND 81 PROSPECT AVE MIDDLETOWN, NY</b></p>  |                                  |          |          |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <p>Sheet Title:<br/> <b>CONCEPT PLAN PARKING LAYOUT</b></p>   |                                  |          |          |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table> | NO.                              | DATE     | REVISION |  |  |  |  |  |  |  |  |  |  |  |  | <p>PROFESSIONAL ENGINEER CERTIFICATION</p> <p> </p> <p> <b>Frank P. Villano, P.E.</b><br/>         NEW YORK U.C. NO. 078540       </p> |
| NO.   | DATE                             | REVISION |          |  |  |  |  |  |  |  |  |  |  |  |  |  |
|   |                                  |          |          |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|   |                                  |          |          |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <p>Project No.: 4220</p> <p>Date: 05/20/01</p> <p>Scale: 1"=40'</p> <p>March 17, 2001</p>   | <p>Sheet No.: <b>A-004.0</b></p> |          |          |  |  |  |  |  |  |  |  |  |  |  |  |  |