

PLANNING BOARD MEETING MINUTES  
TOWN OF BABYLON  
TOWN HALL  
200 EAST SUNRISE HWY, LINDENHURST  
MONDAY, JANUARY 12, 2026  
7:00 P.M.

PRESENT: PATRICK HALPIN, CHAIRPERSON  
JUAN LEON  
JULIANNE NOLAN  
GERALD O'NEILL  
FRANK SANTOS  
DANIEL TRUCHAN III  
EDWARD WYNN

PRESENT: RICHARD CASEY, COUNSEL FOR THE TOWN PLANNING BOARD  
MATTHEW ESPOSITO, SENIOR PLANNER  
GREG GAXIOLA, ENVIRONMENTAL CONTROL  
ANDREA MCGURK, SECRETARY

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The Planning Board shall have the right to rely on any information that is presented by the Applicant. If any such information is later found to be inaccurate or incorrect, the Planning Board may determine that any approvals, building permits or other actions previously granted in connection with the application are null and void.

**A. PUBLIC HEARING/ SITE PLAN REVIEW**

1. JOB# 23-38A; AV BX Group LLC  
Location: n/w/c/o Wellwood Ave. & Gear Ave., Lindenhurst  
SCTM: 0100-125-01-026.001  
Proposes: To legally maintain an industrial building for four tenants to include 2 warehouse tenants, a public garage tenant and an automobile sales tenant.  
Zone – G Industry  
SEQRA – Type II Action

**Motion to ADJOURN to March 2, 2026, by Gerald O'Neill, seconded by Julianne Nolan. Motion carried all members present voting "AYE".**

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### 2. JOB# 25-23A; Geraci Stone Gallery

Location: n/w/c/o New Highway & Dubon Court, Farmingdale

SCTM: 0100-003-01-004.015

Proposes: To demolish an existing structure in order to construct a 12,213.7sf single story industrial building, along with associated site improvements

Zone – GA Industry

SEQRA – Unlisted Action, Uncoordinated Review

Appeared

Christopher Labate – Engineer  
Lab Crew Engineering  
460 Hawkins Avenue,  
Ronkonkoma, NY

Mr. Halpin: Who's here on behalf of the applicant?

Mr. Labate: I'm the engineer on the project, sir. Christopher Labate.

Mr. Halpin: Okay, good. Thank you. Please.

Mr. Labate: Yes. they're not signed in, but I also have the architect present and the applicant.

Mr. Halpin: Well, if he's going to be speaking, he has to sign it.

Mr. Labate: Right now, we don't know if they're going to speak or not.

Mr. Halpin: Would you like them? All right. Well, make sure you don't leave until we have everything. But please proceed.

Mr. Labate: Okay. Good evening, Mr. Chairman, members of the Board. My name is

M. Halpin: I'm sorry. You're not an attorney, correct?

Mr. Labate: No, I'm not an attorney.

Mr. Halpin: Okay. Please raise your right hand. Do you swear to tell the truth, the whole truth, nothing but the truth?

Mr. Labate: Yes, I do.

Mr. Halpin: Okay, please proceed.

Mr. Labate: Okay. Again, my name is Christopher Labate of the firm Lab Crew Engineering.

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Mr. Halpin: I'm sorry. I forgot to do something. Before you begin, I have to read this statement before any public hearing.

Mr. Halpin: I'm sorry, please proceed.

M. Labate: Okay. Again, my name is Christopher Labate of the firm Lab Crew Engineering, residing at 460 Hawkins Avenue in Ronkonkoma, NY. This project is located on a .73-acre property with an existing dilapidated dwelling that is to be removed and we are proposing a 12,213 square foot industrial building to be constructed with site improvements from aerials. I believe this is one of the last dwellings in this industrial area. This site is surrounded by on all sides by industrial uses making this a perfect location for this use. This building will be used as a wholesale stone gallery which exhibits natural stone to the design community and the stone fabrication community. It will be strictly wholesale by appointment. It will be family-owned and operated by the applicant with just four employees including himself. On the site, there will be no work, meaning no stone cutting performed on this site, just display. The materials will be cut to order in Brooklyn and trucked out to site for the pickup. The building will mostly be displayed with a showroom area with a small 230-foot apartment on the second floor and a small storage basement. The site improvements required for the site are standard has in landscaping, paving, lighting, drainage and road improvements. All meeting the town requirements with sign off from engineering.

Mr. Halpin: Hold on a second. Matt, do we have the site plan? Okay. Okay. Please proceed.

Mr. Labate: The site improvements required for this project are standard and meet all the requirements. We do have engineering and highway signoff, but we do require three variances from the ZBA collide area parking requirements and a setback which will file for pending this Board's decision. The existing two curb cuts on site will be removed and replaced with two proposed curb cuts, excuse me, one on New Highway and the other on Dupont Court. Liro has already signed off on their comments. There were town comments from December 3rd which we did not resubmit due to the time frame of the board meeting being scheduled so fast. We had gotten comments on the third but spoken with staff and we had this board schedule but with the holidays everything we didn't want to resubmit and confuse the Board at all. So, I will address the comments from the third. There's really basically, just two comments. The rest of it was very standard. One of them was about the dumpster pickup. So, this will be clearly labeled. It is in the upper left-hand corner on sheet six on detail two. I don't know if you want to bring it up on the screen, but it was clearly asked to be labeled a little quicker. That yes, that one right there.

Mr. Halpin: A moment to catch up with you. Okay, there you go. Okay, so those will be labeled clearer, but it is that first one in the upper left corner of there. The SU truck turnaround will be more clearly shown. It is very close on the drawings with the parking souls for a turnaround on site, but with delivery time scheduling and a skilled driver and the parking, this will not be an issue. We will demonstrate it on the next set of plans that will be submitted. We've been working with planning staff and traffic engineers to meet town code requirements with applications into the health department and DPW on this project. They're all conditionally approved pending town approvals. We have reviewed the Town's memorandum dated January 7th and have no issues with any of them. We feel that this is a very straightforward application looking to build a business that will be family

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owned with more than 35 years' experience. At this time, I'd like to answer any questions that the Board may have.

Mr. Halpin: Okay. Are there any questions?

Mr. Leon: Thank you, Mr. Chairman.

Mr. Leon: With regards to the parking variance, how many parking spots are there now and how many are you required to have?

Mr. Labate: 22 is provided, 33 is proposed. Excuse me. 22, 33 is required, 22 are proposed.

Mr. Leon: Thank you. Okay.

Mr. Halpin: Are there any other questions? Julianne memo. Oh, thank you. All right. Thank you very much. As you know, the planning department issued a memorandum. the planning commissioner Denise Graziano issued a memorandum regarding this application on January 7th. there are a series of conditions and covenants and restrictions. Has your client had the opportunity to review these?

Mr. Labate: And yes, he has.

Mr. Halpin: Are there any issues that you have regarding any part of this memo that you want to bring to the attention of the Board?

Mr. Labate: No, there's not.

Mr. Halpin: There's not. Okay. So, let's get back to the parking. I heard you say that the appointments will be by people will visit the showroom by appointment. Is that correct?

Mr. Labate: Yes, sir.

Mr. Halpin: And you're going to be going you have to get a variance from the zoning board regarding the parking.

Mr. Labate: Yes, we do.

Mr. Halpin: Okay. So, just so we're clear, I noticed that what will be the hours of which this operation will be?

Mr. Labate: 9 to5.

Mr. Halpin: 9 to5. Okay. All right. And as you said, people are just not going to be wandering in there.

M. Labate: Correct.

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Mr. Halpin: Come in by appointment.

Mr. Labate: Wholesale only by appointment

Mr. Halpin: And wholesale only. Okay. Very good. Thank you. Any other questions?  
Il right. Let's take a look at this. Talk to us about what we're looking at right here.

Mr. Labate: If you like, if it's about the architecture, I'll ask the architect to step up.

Mr. Halpin: Oh, that would be even be better.

Mr. Halpin: Okay. Where is the architect?

### APPEARED

Raymond Caliendo  
Artform Architectural Services PLLC  
159 Broadway  
Amityville, NY 111701

Good evening, Mr. Chairman, members of the Board, Raymond. Thank you.

Mr. Halpin: So, speak directly into that microphone if you don't mind.

Mr. Caliendo: Good evening, Mr. Chairman, members of the Board. Raymond Caliendo,  
Artform Architectural Services PLLC.

Mr. Halpin: Okay. Do you swear to tell the truth, the whole truth, nothing but the truth?

Mr. Caliendo: I do.

Mr. Halpin: Okay. Please proceed.

Mr. Caliendo: The building is intended to be approximately 30 feet in height. It is as mentioned  
12,213 square feet in size. It'll be sheathed in stone. It's a dark stone finish. 30 feet high,  
combination stone and glass and, that's pretty much it.

Mr. Halpin: Okay. Any questions about that? It's going to be a very attractive addition to that  
part of New Highway based on that render.

Mr. Caliendo: You feel so sure, too.

Mr. Halpin: So, and so you talk to me about the  
would you how do you how did you characterize the stone? What type of not the material, but is  
this you said it's a sheathing? Is that what you said?

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Mr. Caliendo: It's a stone it'll be a stone sheathing over a skeleton frame.

Mr. Halpin: Okay. All right. Very good. Any questions?

Mr. Halpin: Make sure you sign. Well, you didn't sign your card. Oh, you have it up there.

Mr. Caliendo: This card? Yeah.

Mr. Halpin: Well, you don't have to do it right now. You better do it before you leave. Okay. Are there any other questions? Okay. Is there anything else you want? What do you have there?

Mr. Halpin: Oh, no. These are just plans. I'm just Oh, okay. Does anybody have any other questions? No. Okay. But don't leave without filling out and give it to them.

Mr. Caliendo: I will.

Mr. Halpin: You can take that clipboard with you and sit down. All right. Is there anyone from the public that would like to address the Board regarding this application?

No. Okay, sir. Thank you very much.

Thank you. Have a good evening. Okay, I'm going to request a motion from the Board to close the hearing and to reserve decision. Can I have a motion?

Motion by Frank Santos, seconded by Daniel Truchan III. All in favor? The public hearing is now closed.

Thank you. Have a nice evening.

Thank you. You too.

Take care.

Mr. Halpin stated this decision has been reserved in order for us to review the feedback we have received this evening and any open-site plan issues. The record will remain open for written comments. To follow up on the status of the application or to submit additional written comments, you can contact the Planning Department in either of the following methods:

- In person. The Planning Department is located on the west wing of Babylon Town Hall. Applications, documents and plans are available for inspection between the hours of 9 A.M. and 4 P.M.
- Via phone at 631.957.3103
- Via email at [planningcomments@townofbabylonny.gov](mailto:planningcomments@townofbabylonny.gov)

### **A. INFORMATIONAL HEARING**

1. JOB# 25-46A; Winters 19 Nancy LLC

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Location: e/s/o Nancy St., 283' n/o Edison Ave., W. Babylon

SCTM: 0100-078-01-031 & 046

Proposes: Demolish existing building to construct a 28,800sf (footprint) pre-engineered transfer station and 720sf (footprint) scale house and employee office trailer.

Zone – GB Industry

SEQRA – Unlisted Action, Coordinated Review

### APPEARED

Michele M. Pfeiffenberger, Esq.  
434 New York Avenue  
Huntington, NY 11743

Hi, my name is Michelle Pfeiffenberger, and this evening I'm representing Winters 19 Nancy LLC. I am an attorney. I'm representing the owner of the property located at 19 Nancy Street, West Babylon, New York. The previous council of record was Mr. Mark Cuthbertson, who you might know was recently appointed as a Suffolk County Supreme Court judge. So now I'm handling the matter for our client.

Mr. Halpin: Nice to meet you. Okay, is there a memorandum?

Ms. Pfeiffenberger: Yes. I'm just trying to find it in my packet.

Mr. Halpin: All right. As you know, there are series of conditions as well as this application. Have you had the opportunity to review this with your client?

Ms. Pfeiffenberger: I have had the opportunity.

Mr. Halpin: Are there any objections, any concerns, anything that they would like to bring, you would like to bring on their behalf to our attention regarding any of the covenants and restrictions or conditions outlined.

Ms. Pfeiffenberger: Yes, Mr. Kemp is going to address I think one of Yes, he's going to address that in his presentation.

Mr. Halpin: Okay, that's fine.

Ms. Pfeiffenberger: Okay. As you know, our client operated a transfer station at this location and the transfer station was destroyed by a fire and deemed irreparable. In September of 2025, we submitted an application to this Board requesting permission to demolish the existing building and construct basically an incind replacement transfer station. The proposed project includes a 28,800 ft pre-engineered transfer station and a 720-square-foot scale house and employee trailer. Your office has sent us a list of questions and requests for further information on October 15,

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2025. Kempey Engineering, who is here tonight, has since provided comprehensive responses, written responses to your offices, and they have responded to all the requested items and will address open ones this evening. Our goal in this application is simply to replace the former building with an incind building replacement and to continue the same business operations on that location. The only notable difference outlined in our response is that the new building will require a height of 44 feet 6 inches, which is an increase from the previously approved 35 ft. And this is to accommodate what we call a clear span design building, which means the building will have no interior columns, which is the sole reason for the change. We intend to apply for this variance as soon as possible. All other variances and used permits are currently in place, and I wanted to introduce basically the main speaker this evening but our whole team that's here. We have Mr. Jay Kaplan, who's in charge of environmental protection and construction for waste management. Mr. Peter Casserly from Bay Village Consultants, Inc. consultant to Winters Nancy 19 LLC. We have Mr. Eugene Kempey. Mr. Kempey has already registered to speak this evening, as you know. He's from Kempey Engineering, who's our consulting engineer. We also have Steven Kempey from Kempey Engineering here as well. Mr. George Baitman is here. He's the senior district manager for the Ally transfer stations for waste management. And Don Schaefer, the manager of our public affairs. At this point, unless you have further questions for me, I'm going to turn it over to Mr. Kampey.  
Thank you.

Mr. Halpin: Please state your name and address. Eugene G. Kempey, PE, Kempey Engineering, 1569 East Beecher Hill Rd. Oswego, NY .

Mr. Halpin: Do you swear to tell the truth, the whole truth? Nothing but the truth?

Mr. Kampey: Yes, I do.

Mr. Halpin: Please proceed

Mr. Kempey: as was mentioned by the at our attorney, we're replacing the fire damage building inkind with a new pre-engineered building, clear span building as all basically the only site improvements that will be done or really repairs to the existing site, which would be repairing about 4,000 square feet of concrete pavement along the the Otis Street property line replacing curbs full length on Nancy Street and Otis Street and any curb repair interity repairs also new repair and replacement of fences landscaping buffer materials that have been damaged by the fire, damaged by the use of the property and have deteriorated over years just by being as it was pointed previously and pointed out there was uh slight changes from the original construction uh approved construction of the expanded building that was approved by this the Board in the Town in 2008 2009. The total area of the building and site coverage has reduced slightly due to the

removal of a mezzanine from the transfer station building. Even though the scale house has increased slightly from being 680 square feet to 720 square feet due to manufacturing requirements of the modular building. The issue that you, Mr. Chairman, raised about the covenants and restrictions. Yes, we do have one issue that issue is the hours of material receipt, which is, I assume was the standard requirements from industrial facilities in the Town, which do not mirror transfer station operations. The trucks are on routes at 5:00 in the morning. So we had previously had an exception to we would need 5:00 in the morning as a starting point because

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that's the nature of the operations and would really request that the Board and the Town consider just maintaining the existing covenants and restrictions that were applied with the special permit that the Town has granted in the last renewal back in for the operation of the transfer station back in 2023. The only other issue I want to address is there's been issues about including a refuge enclosure on the site. We've asked for relief from that due to the fact that this is a municipal solid waste transfer station. All the refuge that would be generated would just go on the pile for the pile. So there's really no need. And in the 25 years that I've been working with Winter Brothers in West Babylon in the Town of Babylon, we have never we have never supplied a a refuge enclosure and the Town has always granted relief due to the nature of their business. So we would request that relief also. That's pretty much it. Any questions from the Board? I'd be very happy to answer.

Mr. Halpin: Are there any questions from board members?

Mr O'Neill: The nature of this business can very often lead to offensive odors. What do you have now? What did you have before?

Mr. Kempey: What we have before was an interior odor control system consisting of a roof mounted, ceiling mounted spray system over the tipping area, which will be maintained, which will be installed as in this under this application. Plus, they originally had hispelon with the smaller building. The original building, which was the 16,000 ft northern building they had a Hispalon system around the doors, but the reason the building was expanded was to deal with the odor complaints.

M. O'Neill: What is a Hispalon system?

Mr. Kempey: It's a system that sprays an odor counteracting. It's instead of a head, it's a pipe system. Okay. And also, there'll be uplast ventilation plans which are required in all transfers, all municipal solid waste transfer stations by the DEC, and we are expanding the original building had two we're now expanding that to six.

Mr. O'Neill: You had a fire there. What are you going to do about not another one?

Mr Kempey: Excuse me.

Mr. O'Neill: What are you going to do about fire prevention? You had a fire.

Mr. Kempey: It'll be a fully sprinkled building.

Mr. O'Neill: It wasn't before.

Mr. Kempey: Yeah, it was before. I don't know what the nature why the sprinkler system issue, but it will be, and that's currently under design, but to meet the code, town code, and the building code. I not responsible for that design, so I'm not sure exactly how the fire protection engineer is going to address that.

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Mr. Halpin: Okay. Thank you.

Mr. Leon: Thank you, Mr. Chairman. If it's all right, Matt, would you be able to just pull up the aerial on this? And my question is, how close is this site to residential properties?

Mr. Kempey: I believe the residential properties are under on on basically on Perry Street. So that would be about 500 ft. But this, you know, this facility, unfortunately, is it at the border of the Town's transfer station zone, which is Otis Street, but it is within the transfer station zone.

Mr Leon: Very good. Thank you.

Mr. Halpin: Any other questions? I want to go back to the hours of operation. Council, perhaps you can assist me with this. I notice that it says there shall be no truck deliveries or entry into the site for the purposes of truck deliveries between the hours of 11:00 P.M. and 6:00 A.M. Monday through Friday or between the hours of 8:00 P.M. and 8 A.M. on Saturday and Sunday. Is that what they write? Okay, that's exactly what it is. Number 17. All right. So, who grants that relief?

Mr. Casey: Is it the special exception?

Mr. Halpin: Okay. So that's my question. Matt, is that your understanding of how that special exception given the nature of their business that they have gotten before?

Okay. So that's not something that would go to the zoning. Correct.

Mr.Esposito: Mr. Chairman, we advise applicants to make any requests for amendments to covenants to the Board for their consideration, and we can discuss with planning further in work session.

Mr. Halpin: Okay, that's fine. All right. Let's get back to that for a second.

So the prior just so we're I'm clear, and it's clear in the record. So the prior operation had that exception that that you're requesting be part of the covenants and restrictions that we would approve.

Mr. Kempey: Correct.

Mr. Halpin: Okay. All right. Fine. Thank you very much. Any other questions regarding that? Let's go back to one of the issues that came up as it's outlined here, regarding on-site parking and the parking requirements. Am I reading that properly?

Mr. Kempey: Yeah. Yes.

Mr. Halpin: The Planning Board would have in the event that there was an issue the

Mr. Kempey: the memorandum is my understanding, Mr. Chairman, is that if there was an issue

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with parking that if it became problematic to the community, the the Board could seek other relief, i.e. the you know parking offsite and the to my knowledge of the operations in this facility is operated in this configuration since 2009 there has not been a significant issue with parking.

Mr. Halpin: Have there been any issues with parking?

Mr. Kempey: Not to my knowledge

Mr. Halpin: Okay. All right. You're starting to sound like you're testifying before Congress.

Mr. Kempey: Yeah. but I'll say sometimes they don't tell me everything, too.

Mr. Halpin: Okay. Well, I only want you to, as you know, speak to the truth of what you know and don't make claims that you can't validate. All right. So, there would be an opportunity to appeal that, back here, right? And, to your knowledge, has there been a significant parking problem? Is there sufficient parking on the overall on all of the winters?

Mr. Kempey: There should be parking in front. They have a site where they could move overflow to at 128 Gleam Street in the area, which is not being to which as far as I'm aware not being was approved to be a container storage facility several years ago by this Board and to my knowledge they're not using it at all.

Mr. Santos: How many employees?

Mr. Kempey: eight employees. Eight employees on site. On-site.

Mr. Santos: Thank you.

Mr. Halpin: All right. Are there any other questions?  
All right. Thank you.

Mr. Kempey: You're welcome very much.

Mr. Halpin: Is there anyone from the public who's here that would like to address the Board regarding this application? I know this is anformational hearing, but is there anybody here We're just be happy to hear from but it is anformational hearing. All right. So with that, I will request a motion to close the informational hearing.

A motion by Frank Santos, seconded by Juan Leon. All in favor, "AYE" hearing is closed. Thank you very much.

Thank you, Mr. Chairman.

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You're welcome.

Okay. So that concludes our hearings as well as the informational hearing.

### **B. COMMUNICATIONS**

1. Letter dated January 6, 2026 from Nicole Blanda to the Planning Board regarding PB Job # 23-38A; AV BX Group, LLC requesting an adjournment of the hearing to a future date.

### **RESERVED CALENDAR**

May 1, 2017

1. JOB#17-04ADE; Gustave J. Wade, Carol E. Wade, Gustave J. Wade Family 2012 Irrevocable Trust and Colonial Springs Farms, LLC  
Location: n/e/c/o Colonial Springs Rd & N 28<sup>th</sup> St. W.H.  
Proposes: Change of zone from A residence to Multiple Residence to construct 264 (228 one-bedroom, 36 two-bedroom) rental units, a 6,475sf community building, a 228sf pump station, two (2) 750sf entrance booths, an outdoor recreation area with a 25'x45' pool along with associated site improvements, to amend previously imposed covenants and restrictions.  
Zone: A Residence to MR  
SEQRA Status: Type I Action-coordinated review  
PB Recommendation to TB on 5/8/17  
Record Extended – Decision Reserved

June 27, 2022 & October 2, 2023

1. PB JOB # 19-52AE; Robert Amendola  
Location: n/s/o Sunrise Highway, 344' w/o Bayview Avenue, N. Amityville  
Proposes: To rezone 10 parcels from EB Business and B Residence to G Industry, in order to legally maintain the expansion of a building and site for warehousing and outdoor storage, along with associated site improvements for an existing fencing company retail store, warehouse and storage yard.  
Zone: Eb Business & B Residence  
SEQRA: Unlisted Action, Uncoordinated Review  
Record Extended – Decision Reserved

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### August 21, 2023

1. JOB# 22-52A; Bobby Lau  
Location: n/s/o Sunrise Highway, 209' east of Albany Avenue, Amityville  
Proposes to construct a 15,927sf single story retail center with partial second floor storage over one unit, as well as a proposed parking lot and associated site improvements.  
Zone: E Business and EB Business  
SEQRA: Unlisted Action, Uncoordinated Review  
Record Extended – Decision Reserved

### January 8, 2024

1. JOB# 23-03A; 875-999 Conklin Street, LLC  
Location: n/s/o Conklin Street, 1,425' west of NYS Route 110, East Farmingdale  
Proposes: To demolish all structures in order to construct a 121,931sf (footprint), one-story warehouse building and outdoor storage of tractor trailers, along with associated site improvements.  
Zone: G Industry  
SEQRA: Unlisted Action, Uncoordinated Review  
The Planning Board is no longer accepting public comments.  
Record Extended – Decision Reserved for applicant's response and Town review

### August 12, 2024

1. JOB# 22-43D; Marcus Tepper  
Location: e/s of North 20<sup>th</sup> Street, 150' south of Lee Avenue, Wheatley Heights  
Proposes: Applicant is requesting permission to lift previously imposed Planning Board Covenants and Restrictions in order to legally maintain an existing outside cellar entrance and finished basement.  
Zone: A Residence  
SEQRA: Type II Action  
Record Extended – Decision Reserved

### January 14, 2025

1. JOB# 23-41C; MR Property Builders LLC  
Location: n/s/o 45<sup>th</sup> Street, 17.45' e/o Prospect Street, Copiague  
Proposes: To subdivide two (2) parcels into nine (9) in order to construct nine (9) new single-family dwellings.  
Zone: Residence B  
SEQRA: Unlisted Action, Uncoordinated Review  
Record Extended – Decision Reserved

### March 3, 2025

1. JOB# 24-30ABE; Pinello Estates 109 LLC

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Location: south side of NYS Route 109, 83.07' east of East Drive, West Babylon  
Proposes: To subdivide an 89,532sf lot into two lots. On proposed Lot 1, which is to be 6,882sf, the applicant will maintain an existing 2,062sf office building, along with associated site improvements. On proposed Lot 2, which is to be 82,650sf, the applicant proposes a change of zone from G-Industry to MR-Multiple Residence, in order to construct 7 buildings for a total of fourteen (14), three-bedroom condominium units, along with associated site improvements  
Zone: G Industry to G Industry and MR-Multiple Residence  
SEQRA – Unlisted Action, Uncoordinated Review  
Record Extended – Decision Reserved

### April 14, 2025

1. JOB# 23-25A; Khalid Enterprises Inc.  
Location: n/e/c/o Poplar Street and Deer Park Avenue, North Babylon  
Proposes: To demolish the existing one-story building in order to construct a new 4,437sf (building foot print) two-story building with basement for medical use.  
Zone – E Business  
SEQRA – Unlisted Action, Uncoordinated Review  
Record Extended – Decision Reserved

### April 28, 2025

1. JOB # 23-27A; NYCC1, LLC  
Location: w/s/o Route 109, 120' w/o SSP, E. Farmingdale  
Proposes: Change of use from on auto repair shop to an adult use retail cannabis dispensary, along with associated site improvements.  
Zone: G Industry  
SEQRA: Type II Action  
Record Extended – Decision Reserved

### July 28, 2025

1. JOB# 24-51AE; LAG Associates, LLC  
Location: n/w/c/o Long Island Avenue & Irving Avenue, Deer Park,  
Proposes: To demolish existing structures and requests a change of zone from E Business and C Residence to G Industry, in order to construct a 17,048sf (footprint), 2-story (above grade) with basement, self-storage facility, along with associated site improvements.  
Zone – E Business and C Residence to G Industry:  
SEQRA- Unlisted Action, Uncoordinated Review  
Record Extended – Decision Reserved

## PLANNING BOARD MEETING MINUTES

### August 11, 2025

1. JOB# 23-26AE; G&R Building Corp.  
Location: s/s/o Cedar Road, 573' w/o Center Street/Columbus Boulevard, Amityville  
Proposes: To demolish existing structures and requests a change of zone from B-Residence to SCMR-Senior Citizen Multiple Residence, in order to construct four (4), two-story buildings for a total of 24 one-bedroom apartments with dens, along with associated site improvements  
Zone – Residence B to SCMR-Senior Citizen Multiple Residence  
SEQRA – Unlisted Action, Uncoordinated Review  
Record Extended – Decision Reserved

### September 8, 2025

1. JOB# 24-57A; 45 N. Industry Court Partners, LLC  
Location; n/w/c/o N. Industry Court and W. Industry Court, Deer Park  
Proposes: To construct a second building on site for a 22,632sf warehouse and 11,290sf canopy addition to an existing warehouse building along with associated site improvements for expansion of an existing building around an existing railroad spur.  
Zone- GA Industry  
SEQRA – Unlisted Action, Uncoordinated Review  
Record Extended – Decision Reserved

### October 27, 2025

1. JOB# 24-55ABE; West Babylon Manor, Inc.  
Location: n/s/o Elmwood Road, 295' west of NYS Route 109, West Babylon  
SCTM# - 0100-213-01-005 & 0100-213-01-004.003  
Proposes: To subdivide an existing A –Residence zoned parcel into two, in order to maintain an existing single-family dwelling on Lot 1; On Lot 2, rezone to SCMR-Senior Citizen Multiple Residential, in order to construct a garage and merge with an adjacent SCMR complex.  
Zone – Senior Citizen Multiple Residence (SCMR) and A Residence  
SEQRA – Unlisted Action, Uncoordinated Review  
Record Extended – Decision Reserved

## PLANNING BOARD MEETING MINUTES

2. JOB# 25-54DI; Nevada Street Properties, Inc.  
Location: e/s/o Teddy Place, 65' s/s/o Sunrise Highway South Service Road,  
West Babylon  
SCTM# - 0100-159-03-027.007 and 0100-159-03-027.008  
Proposes: To lift a Covenant and Restriction that limits the lots to "owner-occupied  
use only":  
Zone – D Residence  
Record Extended – Decision Reserved

### November 17, 2025

1. JOB # 25-33AF; RAISING CANE'S RESTAURANT, LLC  
Location: e/s/o Broadhollow Rd., 1,600' n/o Southern State Pkwy., Farmingdale  
SCTM # 0100-071-01-004.003  
Proposes: Demolish existing Houlihan's restaurant in order to construct a one-  
story 4,054sf (footprint) Raising Cane's counter service restaurant with two drive-  
thru lanes, 72 indoor and 15 outdoor seats, and associated site improvements.  
Zone: G Industry  
SEQRA: Unlisted Action, Uncoordinated Review  
Record Extended – Decision Reserved

### December 1, 2025

1. JOB # 25-13B; John Porchia  
Location: w/s/o Brookside Ave., 1,405.66' south of Deer Park Ave., N. Babylon.  
SCTM# 0100-146-01-001, 002, 003 and 004  
Proposes: To subdivide four (4) parcels into three (3) parcels in order to erect a new  
two-story, single-family dwelling on Lot #2 and legally maintain the existing  
dwellings on Lot #1 and 3. The cottage on Lot #1 is to be removed.  
Zone - Residence B  
SEQRA – Unlisted Action, Uncoordinated Review.  
Record Extended – Decision Reserved

Record Closed

### December 8, 2025

1. JOB# 25-19A; Dominic Associates, LLC  
Location: southerly terminus of Lucon Drive, 796.5' s/o Grand Blvd., Deer Park  
SCTM# - 0100-067-01-010.002  
Proposes: Applicant proposes to construct two (2) 7,043sf single story industrial  
buildings, along with associated site improvements.  
Zone: G Industry  
SEQRA: Unlisted Action, Uncoordinated Review  
Record Extended – Decision Reserved

## PLANNING BOARD MEETING MINUTES

2. JOB# 23-44AI; Inter-County Realty, LLC

Location: n/s/o/ Long Island Avenue, approximately 393' e/o Commack Road, Deer Park

SCTM: 0100-045-01-002, 0100-045-01-003, 0100-045-01-005.002, 0100-045-01-009

Proposes: Applicant proposes to construct a 40,041sf (GFA) addition with four (4) new loading docks to an existing 111,477sf (GFA) warehouse building, along with associated site improvements and to lift Town Board Covenants and Restrictions.

Zone: G Industry

SEQRA: Unlisted Action, Uncoordinated Review.

Record Extended – Decision Reserved

### December 15, 2025

1. JOB#: 25-17A; Petracca Design

Location: s/s/o Sunrise Highway, approximately 324.69' west of Golding Ave., West Babylon.

Proposes: Applicant proposes to demolish an existing 7,000sf single story building to create additional parking area, as well as interior alterations to an existing 18,471sf three story office building, all in connection with a change of use from office to medical office, along with associated site improvements.

SCTM#: # 0100-156-04-001 and 003.001

Zone: E Business

SEQRA: Type II Action

Record Extended – Decision Reserved

2. JOB# 24-16A; T. Trap Realty LLC

Location: n/e/c/o New York State Route 110 (N. Broadway) & Nathalie Avenue

Proposes: Applicant is proposing interior alterations and site improvements for a change of use to an existing 4,116sf (GFA) building, for a physical therapy and chiropractor office.

SCTM# 0100-164-02-006

Zone: E Business

SEQRA: Type II Action

Record Extended – Decision Reserved

Record Closed

### January 5, 2026

## PLANNING BOARD MEETING MINUTES

1. JOB#: 25-39AFE; GC- 2L, LLC.

Location: w/s/o Route 110, 350' s/o Great Neck Rd., Farmingdale

SCTM# - 0100-121.00-01.00-13.001 & 14.002

Proposes: To demolish existing structures to construct a 1,800sf (footprint) one-story restaurant with drive-thru and 30 indoor & 6 outdoor seats, along with associated site improvements

Zone – E Business & B Residence to E Business

SEQRA – Unlisted Action, Uncoordinated Review

Record Extended – Decision reserved

### ADDENDUM

#### **A. WORK SESSION/MINOR SUBDIVISION**

1. JOB# 25-13B; John Porchia

Location: w/s/o Brookside Ave., 1,405.66' south of Deer Park Ave., N. Babylon.

SCTM# 0100-146-01-001, 002, 003 and 004

Proposes: To subdivide four (4) parcels into three (3) parcels in order to erect a new two-story, single-family dwelling on Lot #2 and legally maintain the existing dwellings on Lot #1 and 3. The cottage on Lot #1 is to be removed.

Zone - Residence B

SEQRA – Unlisted Action, Uncoordinated Review.

#### **B. RESOLUTION/NEGATIVE DECLARATION/ MINOR SUBDIVISION**

1. JOB# 25-13B; John Porchia

Location: w/s/o Brookside Ave., 1,405.66' south of Deer Park Ave., N. Babylon.

SCTM# 0100-146-01-001, 002, 003 and 004

Proposes: To subdivide four (4) parcels into three (3) parcels in order to erect a new two-story, single-family dwelling on Lot #2 and legally maintain the existing dwellings on Lot #1 and 3. The cottage on Lot #1 is to be removed.

Zone - Residence B

SEQRA – Unlisted Action, Uncoordinated Review.

**Motion to approve by Juliane Nolan, seconded by Frank Santos. Motion carried all members present voting "AYE".**

## PLANNING BOARD MEETING MINUTES

RESOLUTION NO. 2026-007  
DETERMINING THAT PLANNING BOARD JOB NO. 25-13B  
JOHN PORCHIA  
WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT  
MONDAY, JANUARY 12, 2026

WHEREAS, the Planning Board of the Town of Babylon hereby declares its intent to be the lead agency for the application of John Porchia, located on the west side of Brookside Avenue, 1,405.66' south of Deer Park Avenue in the hamlet of North Babylon, identified by Suffolk County Tax Map No. 0100-146-01-001, 0100-146-01-002, 0100-146-01-003 and 0100-146-01-004 in accordance with the State Environmental Quality Review Act (SEQRA) and the Town of Babylon Environmental Quality Review Act (TOBEQRA); and

WHEREAS, the Department of Environmental Control is assisting the Planning Board in fulfilling its responsibilities under SEQRA and TOBEQRA; and

WHEREAS, in accordance with the requirements of 6NYCRR Sections 617.6 and 617.7, and Sections 114-6 and 114-7 of Chapter 114 of the Code of the Town of Babylon, the Department of Environmental Control has reviewed the Environmental Assessment Form with respect to the subdivision plat, prepared by Thomas J. Bremen, Licensed Land Surveyor, License No. 051045 dated December 29, 2025; and

WHEREAS, based upon review of the information submitted, the Department of Environmental Control has recommended a NEGATIVE DECLARATION be adopted; and

WHEREAS, the Planning Board has reviewed the available information and the recommendation of the Department of Environmental Control; and

WHEREAS, that the Planning Board classifies the action as an Unlisted Action with an uncoordinated review having been conducted; and

WHEREAS, that the Planning Board hereby independently determines the following:

1. The applicant has provided a NYSDEC Freshwater Wetlands Permit, mitigating impacts to nearby wetlands.
2. The proposed dwelling will be connected to Southwest Sewer District 3 mitigating impacts to groundwater.
3. The dwelling density meets the local zoning requirements for B-Residence.
4. This application will not result in a substantial adverse change to air quality, water quality, noise, traffic or community character.

## PLANNING BOARD MEETING MINUTES

NOW, THEREFORE, BE IT RESOLVED that the Planning Board as lead agency hereby determines that the proposal by John Porchia will not have a significant adverse impact on the environment.

AND FURTHER, be it

RESOLVED, that based upon the foregoing determination, the Planning Board of the Town of Babylon hereby adopts a NEGATIVE DECLARATION, as required by the SEQRA AND TOBEQRA.

VOTES: (7)                      AYES: (7)    NAYS: (0)    ABSTAINED (0)

Patrick Halpin	X
Edward Wynn	X
Julianne Nolan	X
Gerald O'Neill	X
Daniel Truchan	X
Frank Santos	X
Juan Leon	X

The resolution was thereupon declared duly adopted.  
Dated January 12, 2026 Town of Babylon New York.

### **C. RESOLUTION/ MINOR SUBDIVISION**

1. **JOB# 25-13B; John Porchia**

Location: w/s/o Brookside Ave., 1,405.66' south of Deer Park Ave., N. Babylon.

SCTM# 0100-146-01-001, 002, 003 and 004

Proposes: To subdivide four (4) parcels into three (3) parcels in order to erect a new two-story, single-family dwelling on Lot #2 and legally maintain the existing dwellings on Lot #1 and 3. The cottage on Lot #1 is to be removed.

Zone - Residence B

SEQRA – Unlisted Action, Uncoordinated Review

**Motion to approve by Daniel Truchan, seconded by Gerald O'Neill. Motion carried all members present voting "AYE".**

PLANNING BOARD MEETING MINUTES  
RESOLUTION NO. 2026-008  
APPROVAL OF SUBDIVISION PLAT  
JOHN PORCHIA  
PB JOB # 25-13B  
MONDAY, JANUARY 12, 2026

WHEREAS, pursuant to Town Law, Article 16, Section 276, a formal application for the approval to subdivide four (4) parcels into three (3) in order to erect a new single-family dwelling on Lot 2, legally maintain existing dwelling on Lot 3 and legally maintain existing dwelling on Lot 1, entitled John Porchia, was submitted to the Planning Board of the Town of Babylon on March 17, 2025, and an application fee of \$ 1,700.00 was paid; and

WHEREAS, the proposed subdivision for premises is located on west side of Brookside Avenue, 1,405.66' south of Deer Park Avenue, in the hamlet of North Babylon and is identified by Suffolk County Tax Map No. 0100-146-01-001, 0100-146-01-002, 0100-146-01-003 and 0100-146-01-004; and

WHEREAS, a public hearing was held on said subdivision application and plat at the Babylon Town Hall in Lindenhurst, New York on December 1, 2025; and

WHEREAS, upon the recommendation of the Department of Environmental Control, it has been determined that in accordance with the State Environmental Quality Review Act (SEQRA) and the Town of Babylon Environmental Quality Review Act (TOBEQRA), the proposed action is a Unlisted Action, Uncoordinated Review and a review having been conducted and a Negative Declaration was adopted by the Planning Board on January 12, 2026 by Resolution No. 2026-008; and

WHEREAS, the Planning Board reviewed the surveys and the recommendations of Public Works, Department of Planning and Development, Divisions of Engineering, Building, Fire Prevention, Traffic Safety and the Department of Environmental Control at the meetings of December 1, 2025 and January 12, 2026; and

NOW, THEREFORE, be it

RESOLVED that the application of John Porchia, for approval of the subdivision prepared by Thomas J. Bremen, Licensed Land Surveyor, License No. 051045 dated December 29, 2025 is hereby, APPROVED and that the applicant shall record new deeds in accordance with the subdivision adjustment and that the applicant be advised that a building permit must be obtained within one hundred and eighty (180) days of FINAL approval and that the Chairperson of the Planning Board be authorized to endorse approval on said subdivision plat subject to the following conditions;

The requirements of the Town of Babylon Planning Board Site Improvement and Subdivision Specifications will be compulsory when the Plat of the property is filed with the Town for

## PLANNING BOARD MEETING MINUTES

development; and

The following Declaration of covenants and restrictions must be filed in the Office of the Suffolk County Clerk:

### Restrictive Covenants for Lot 1:

1. Dwelling to be maintained as a single-family dwelling;
2. Owner-occupied use only;
3. No accessory apartments;
4. No enclosure of front porch;
5. No conversion of garage space to living space;
6. No side yard decks;
7. No further subdivision of the lot;
8. The planting of bamboo is strictly prohibited; said condition must be noted on the front of the Certificate of Occupancy;

### Restrictive Covenants for Lot 2:

1. Dwelling to be maintained as a single-family dwelling;
2. Owner-occupied use only;
3. No accessory apartments;
4. No second-story decks;
5. No outdoor stairs to second story;
6. No high ranch style homes;
7. No enclosure of front porch;
8. No basement permitted;
9. No conversion of garage space to living space;
10. No side yard decks;
  
11. No further subdivision of the lot;
12. The planting of bamboo is strictly prohibited; said condition must be noted on the front of the Certificate of Occupancy;
13. Height of proposed homes is not to exceed 30 feet from grade to ridge.

### Restrictive Covenants for Lot 3:

1. Dwelling to be maintained as a single-family dwelling;
2. Owner-occupied use only;
3. No accessory apartments;
4. No enclosure of wood decks;
5. No conversion of garage space to living space;
6. No further subdivision of the lot;
7. The planting of bamboo is strictly prohibited; said condition must be noted on the front of the Certificate of Occupancy;

## PLANNING BOARD MEETING MINUTES

And be it further,  
RESOLVED, that the approval of this subdivision is subject to the following conditions:

Lots 1-3

1. Subject to SCDPW Sewer Office approvals for new dwellings;
2. Subject to SCPC referral;
3. Subject to applicant obtaining a NYSDEC Freshwater Wetlands Permit or a Letter of No Jurisdiction.
4. Each house must be finished differently (siding, roofing, shutters, etc.);
5. The house must be built according to the plans as approved with any modifications required by the restrictive covenants;
6. Prior to clearing, a survey markout of the proposed foundations and driveways must be performed, showing trees over 6" in diameter to be preserved. An approval to proceed to clear is required from the Planning Division;
7. Town of Babylon Engineering to determine if street trees of 2.5" – 3" diameter are to be planted every 30 feet;
8. Water-saving plumbing fixtures must be utilized;
9. House must be connected to the sewer district;
10. The developer must adhere to the standard offsite requirements imposed by the Highway Division, Department of Public Works;
11. Recreation fee of \$2,500 is required;
12. Address number to be placed in a position visible from the street;
13. Preserve natural vegetation to the greatest extent practicable;
14. Roof leaders to be connected to drainage structures;
15. Owner/applicant shall comply with the Town of Babylon Stormwater Code (Chapter 189);
  
16. Applicant/owner must comply with the NYS Energy Code;
17. During construction, the developer is responsible to keep the roadways free of dirt and mud;
18. Any tree removal must be performed by individuals certified to work in the Asian Long Horned Beetle quarantine area;
19. Subject to Engineering and Highway Engineering requirements;
20. The proposed elevations and finished floor elevations shown on the survey are to be field verified and approved by the Town of Babylon Engineering Division prior to foundation installation. Any remediation required to retain stormwater runoff shall be the responsibility of the applicant/owner at their expense;
21. The applicant shall record new deeds in accordance with the subdivision prior to issuance of Certificate of Occupancy.
22. Existing cottage and driveway on Lot #1 to be removed prior to issuance of a Certificate of Occupancy for any of the lots.
23. All open applications on any of the subject parcels must be completed or the property owner must submit a letter to close out files prior to issuance of a Certificate of Occupancy for any lot.

## PLANNING BOARD MEETING MINUTES

VOTES: (7)

AYES: (7)

NAYS: (0)

ABSTAINED (0)

Patrick Halpin	X
Edward Wynn	X
Julianne Nolan	X
Gerald O'Neill	X
Daniel Truchan	X
Frank Santos	X
Juan Leon	X

The resolution was thereupon declared duly adopted.  
Dated January 12, 2026 Town of Babylon New York

### **D. WORK SESSION/SITE PLAN REVIEW**

1. JOB# 24-16A; T. Trap Realty LLC

Location: n/e/c/o New York State Route 110 (N. Broadway) & Nathalie Avenue  
SCTM# 0100-164-02-006

Proposes: Applicant is proposing interior alterations and site improvements for a change of use to an existing 4,116sf (GFA) building, for a physical therapy and chiropractor office.

Zone: E Business

SEQRA: Type II Action

### **E. RESOLUTION/SITE PLAN REVIEW**

1. JOB# 24-16A; T. Trap Realty LLC

Location: n/e/c/o New York State Route 110 (N. Broadway) & Nathalie Avenue  
SCTM# 0100-164-02-006

Proposes: Applicant is proposing interior alterations and site improvements for a change of use to an existing 4,116sf (GFA) building, for a physical therapy and

## PLANNING BOARD MEETING MINUTES

chiropractor office.

Zone: E Business

SEQRA: Type II Action

**Motion to approve by Juan Leon, seconded by Edward Wynn. Motion carried all members present voting "AYE".**

RESOLUTION NO. 2026-009  
APPROVAL OF SITE PLAN  
T. TRAP REALTY, LLC.  
P.B. JOB NO. 24-16A  
MONDAY, JANUARY 12, 2026

WHEREAS, pursuant to the Code of the Town of Babylon, Chapter 186, Sections 1-17, a formal application for site plan review, entitled T. Trap Realty, LLC., was submitted to the Planning Board of the Town of Babylon on March 13, 2024, and an application fee of \$ 650.00 was paid; and

WHEREAS, said proposed site development, is for interior alterations and site improvements for a change of use to an existing 4,116sf (GFA) building, for a physical therapy and chiropractor office. The upper level will be for the medical services, while the lower level is proposed as storage use only; this development is located on the Northeast corner of NYS Route 110 & Nathalie Avenue, in the hamlet of North Amityville and is identified by Suffolk County Tax Map No.0100-164-02-006; and

WHEREAS, a Site plan review was held on said site plan application at Babylon Town Hall in Lindenhurst, New York on December 15, 2025

WHEREAS, upon the recommendation of the Department of Environmental Control, it has been determined that in accordance with the State Environmental Quality Review Act (SEQRA) and the Town of Babylon Environmental Quality Review Act (TOBEQRA), the proposed action is a Type II Action; and

WHEREAS, the Planning Board has reviewed the site plan and requirements and recommendations of Department of Public Works, Divisions of Engineering, Building, Environmental Control, Fire Prevention, Traffic Safety and the Department of Planning and Development at the meetings of December 15, 2025 and January 12, 2026; and

WHEREAS, the property must be maintained pursuant to Babylon Town Code Section 213-342, Property Maintenance, and regarding signs, Article XXXIII must be complied with;

NOW, THEREFORE, be it

RESOLVED that the application of T. Trap Realty, LLC for approval of the site plan prepared by James L. DeKoning, Licensed Professional Engineer, License No. 073071, dated December 29, 2025 (revised), is hereby APPROVED and that the applicant be advised that a

## PLANNING BOARD MEETING MINUTES

building permit must be obtained within one hundred and eighty (180) days of FINAL approval and that the Chairperson of the Planning Board be authorized to endorse approval on said site plan subject to the following conditions;

The following declaration of COVENANTS and RESTRICTIONS must be filed in the Suffolk County Clerk's Office:

1. No exterior-mounted steel security gates or shutters permitted. Only interior-mounted mesh type security gates permitted.
2. All site lighting to be contained on site and must conform to dark-sky lighting regulations.
3. The owner/developer is responsible for maintaining all applicable site development improvements including, but not limited to, the following: fire and smoke detection system, automatic fire sprinkler system, building, drainage, curbs, sidewalks, fencing, asphalt, landscaping, etc.
4. No outdoor speakers or paging systems.
5. Fire and smoke detection systems and carbon monoxide detectors should be installed in accordance with NFPA 72.
6. Owner/applicant shall comply with all NYS regulations for handicapped accessibility, including but not limited to handicapped ramps and handicapped parking spaces.
7. All noise generating equipment on-site including but not limited to heating ventilation and air conditioning (HVAC), chillers, refrigeration units, and compressors shall operate in conformance with Chapter 156 Town of Babylon Noise Code. In the event that any such equipment exceeds Chapter 156 standards immediate steps shall be taken to mitigate those noise levels.
8. All buildings, structures, signs, fences, and landscaping shall be maintained in accordance with all applicable codes and ordinances of the Town of Babylon, and violations thereof may be prosecuted and enforced in the same manner as provided therein.
9. No further development of the site without planning board approval.
10. No truck idling is permitted at any time. Owner to post signs "No idling of Engines – No Exceptions".
11. All refuse shall be contained within the perimeter and height of the refuse enclosure as approved by the site plan.
12. Maintenance access shall be in accordance with Section 189-8 of the Code of the Town of Babylon. The Town of Babylon shall be provided with access to the stormwater infrastructure at reasonable times for periodic inspection by the Town of Babylon and its officers to ensure that the infrastructure is maintained in proper working condition to meet design standards and any other provisions established by Chapter 189. This agreement shall be binding on all subsequent landowners.
13. Maintenance after construction shall be in accordance with Section 189-8 of the Code of the Town of Babylon. Stormwater management practices installed in accordance with Chapter 189 shall be operated and maintained to ensure that the goals of Chapter 189 are fully achieved. Proper operation and maintenance includes, at minimum, the following:
  - a. A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by

## PLANNING BOARD MEETING MINUTES

the owner or operator to achieve the goals of Chapter 189. A written record of stormwater management system maintenance activities shall be established and maintained on site and be available for review by the Town of Babylon upon request.

- b. Written procedures for operation and maintenance and training new maintenance personnel shall be prepared and maintained on site and will be available for review by the Town of Babylon upon request.
  - c. Discharges from SMPs shall not exceed design criteria or contribute to water quality standard violations in accordance with § 189-8B of the Code of the Town of Babylon.
14. Upon completion of construction, any stormwater control structures impacted during construction shall be cleaned by the owner or operator. Routine maintenance of the stormwater infrastructure on the site will include the following:
- a. Monitoring of the drainage inlets (catch basins) will be completed routinely, particularly after larger storm events and must be kept free from obstruction by leaves, trash, and other debris.
  - b. Drainage grates must be kept free from obstruction by leaves, trash, and other debris.
  - c. Drainage structure shall be inspected annually to determine if sediment removal is necessary to ensure that the drainage structures are properly functioning and that they permit adequate conveyance throughout the system. If applicable, the manufacturer's specifications for maintenance procedures and frequency must be strictly followed.
  - d. The drainage structures must be routinely monitored for the removal of surface sediment and trash.
  - e. Street sweeping of the parking areas shall be conducted at least four times annually to remove sediment that may impact the drainage infrastructure and additionally, as necessary due to storm events.
  - f. The grounds and parking area shall be inspected for litter monthly and any litter shall be removed as necessary.
15. The Town of Babylon is not responsible for any damage to the curbs or light poles on site in connection with solid waste pick up.
16. All delivery vehicles servicing this location must be contained on-site so as to not impede pedestrian or vehicular traffic off-site.
17. The first floor/lower level to be used for storage only; should the space be modified to office or medical use, additional Planning Board and or Zoning Board approval would be required.
18. The entire building is to have a fully automatic fire sprinkler system installed pursuant to NFPA 13 and Section 213-235 of the Town Zoning Code and as required by the Fire Marshal.
19. The owner/operator of the subject premises is responsible for maintaining clear access to the refuse enclosure for solid waste pickup. The Town of Babylon is not responsible for any missed pickups due to the refuse enclosure being blocked and therefore not be accessible for solid waste pickup. Where additional garbage pickup is required due to inaccessibility, it will be the financial responsibility of the owner/operator.

## PLANNING BOARD MEETING MINUTES

RESOLVED, that the approval of this site plan is subject to the following conditions:

1. Subject to ZBA approval for any associated variances.
2. Subject to SCPC referral.
3. Subject to SCDHS approval.
4. Subject to NYSDOT approval for any work conducted within the NYSROW.
5. Subject to SCDPW sewer office approval.
6. Owner/applicant shall comply with the Town of Babylon Stormwater Code (Chapter 189).
  - a. An Industrial Agreement must be signed.
  - b. Stormwater application fee must be submitted.
  - c. Contain all stormwater runoff on-site to Engineering requirements.
7. Fugitive dust generation shall be controlled by appropriate means such as watering.
8. Fire and smoke detection systems and carbon monoxide detectors should be installed in accordance with NFPA 72.
9. Address number, building number, or approved building identification to be placed in a position visible from the street.
10. As a minimum measure to reduce noise levels, applicant/owner to install sound insulation panels around all air-conditioning units, chillers, refrigeration units and sound insulation blankets around all air-handling units if required by the Town.
11. During construction, owner/applicant is responsible to sweep access streets and keep the roadways free of dirt and mud.
12. Owner to contribute to the fund for the installation and maintenance of emergency vehicle optical pre-emption equipment on traffic signals in the area. Estimated cost to be \$1,500.00.
13. All regulatory and warning signs are to adhere to the Manual of Uniform Traffic Control Devices for Streets and Highways specifications. All signs must also be fabricated using high-intensity retro reflective sheeting.
14. Construction will be conducted between the hours of 7am and 8pm on weekdays and between the hours of 9am and 4pm on Saturdays. No exterior construction will be permitted on Sundays, only interior construction. Construction activities on the site shall be in strict conformance with Chapter 156-9D of the Noise Code of the Town of Babylon.
15. The location of new transformers and water service devices shall be approved by the Town of Babylon Planning Department prior to installation and shall not be located adjacent to any roadways.
16. Sewer district connection required and water saving plumbing fixtures to be utilized.
17. Subject to the requirements of Highway, Engineering, and the Fire Marshall.
18. An automatic/manual fire detection/notification system shall be installed.
19. Any site signage proposed must be located so as to not adversely impact site plan functionality and is subject to further review by the Town of Babylon Planning Department. Sign package and permit application to match elevations, renderings, and plans provided and approved by Planning Board. Upon filing proposed sign package with sign inspector, applicant shall simultaneously submit a copy to the Planning Department for review of location and suitability of proposed signage. Should proposed

**PLANNING BOARD MEETING MINUTES**

signage conflict with approved site plan, the Commissioner of the Planning Department reserves the right to require the applicant to file for a site plan modification.

- 20. Parking calculations and parking variances are based, in part, on the number of medical office employees as indicated on the site plan. Discrepancies between the approved number of employees and the actual number of employees on-site when the medical use is eventually operating, may result in the revocation of site plan approval if a parking problem should arise and not be adequately rectified. Further, the Planning Board’s review of parking and the Zoning Board of Appeals’ review of parking variances, are independent of one another and approval from one board does not constitute an approval from the other. Should a parking variance be granted by the Zoning Board, the Planning Board reserves the right to review the parking regarding site plan circulation and overall site operation and function.
- 21. Any regulated medical waste must be properly disposed in accordance with NYSDEC regulations.

VOTES: (7)                      AYES: (7)    NAYS: (0)    ABSTAINED (0)

Patrick Halpin	X
Edward Wynn	X
Julianne Nolan	X
Gerald O’Neill	X
Daniel Truchan	X
Frank Santos	X
Juan Leon	X

The resolution was thereupon declared duly adopted.  
Dated January 12, 2026 Town of Babylon New York.

**F. COMMUNICATIONS**

- 1. Memo dated January 12, 2026 from Denise Graziano, Commissioner to Patrick Halpin, Chairperson, regarding PB JOB #24-36; 42 Schlegel Blvd, LLC stating no objection to granting the first extension of time.

Read and Filed

## PLANNING BOARD MEETING MINUTES

2. Letter dated January 9, 2026 from Brian W. Kennedy to Denise Graziano regarding PB JOB #24-36;42 Schleigel Blvd, LLC requesting first extension of time.

**Motion to approve by Daniel Truchan, seconded by Juan Leon. Motion carried all members present voting "AYE".**

3. Memo dated January 12, 2026 from Denise Graziano, Commissioner to Patrick Halpin, Chairperson, regarding PB JOB #24-49B; Belle Terre Developers, Inc. stating no objection to granting the first extension of time.

Read and Filed

4. Letter dated January 12, 2026 from Luis E. Rodriguez to Denise Graziano regarding PB JOB #24-49B; Belle Terre Developers, Inc. requesting first extension of time.

**Motion to approve by Daniel Truchan, seconded by Frank Santos. Motion carried all members present voting "AYE".**