

PLANNING BOARD MEETING MINUTES  
TOWN OF BABYLON  
TOWN HALL  
200 EAST SUNRISE HWY, LINDENHURST  
MONDAY, JANUARY 5, 2026  
7:00 P.M.

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

ABSENT:

PRESENT: RICHARD CASEY, COUNSEL FOR THE TOWN PLANNING BOARD  
MATTHEW ESPOSITO, SENIOR PLANNER  
EMILY MOLL, PLANNER  
GREG GAXIOLA, ENVIRONMENTAL CONTROL  
DIANE HALL, 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/BAR/RESTAURANT/CHANGE OF ZONE**

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  
**Hearing Closed, Decision Reserved**

Appeared

## PLANNING BOARD MEETING MINUTES

Allison LaPointe, Esq.  
Certilman Balin  
100 Motor Parkway  
Hauppauge, New York 11788

Mr. Halpin stated Counsel, have you had a chance to review the memo from the Planning Commissioner Denise Graziano dated the 29th December, 2025 regarding this application?

Ms. LaPointe stated yes, I have.

Mr. Halpin stated and have you reviewed the Conditions and Covenants and Restrictions with your client?

Ms. LaPointe stated yes, I have.

Mr. Halpin stated are there any issues, anything that you would like to bring to the attention of the Board regarding this memorandum, especially any of the, any of the matters that I just referenced?

Ms. LaPointe stated no, my client is comfortable with the Conditions and Covenants and Restrictions. Good evening, everyone. For the record we delivered the affidavit of posting to the Planning Department on December 23, 2025. I should note that there is a traffic and parking and now impact analysis that is part of the record by TBD Inc. dated August 13, 2025. It is our understanding that we have responded to all agency and department comments to date, and again, we have reviewed the draft Conditions and Covenant and Restrictions and have no objection to the language found there in. As mentioned, we are seeking approvals for demolishing two existing structures on the west side of Broadhollow Road and then constructing an 1800sf, one-story restaurant with a drive-through. Bringing a little bit of light to the blight that is in that location.

This will house the very first Caribou Coffee in the Northeast. We're very excited about bringing this new business to this region. You can check them out online. Full menu of signature coffees and beverages as well as all-day breakfast, bagels, sandwich offerings are things you can get there. They have some bakery items as well.

So, the location of the subject site is currently two lots on the west side of Route 110 between Great Neck Road and Southern State Parkway. These are lots number 13.1, and 14.2. To the north of the site, there is a BP, to the north, you can see there is a BP gas station and auto repair location. To the south, there is also an auto repair location. To the east is Rte. 110, and across the street, there's another BP gas station as well as a car wash and a multi-tenant commercial building. To the west, there is a residential development.

The subject site will have but three properties, I'm sorry, two properties, no, three properties that are residentially occupied. Again, the plan, the subject site, and configuration were laid out with the greatest concern for functionality, as well as with sensitivity to the residential neighborhood to the west. After numerous revisions and coordination with the departments of the Town, the subject configuration you have before you today, we believe, will be the best functioning again, both for the utilization of the site, as well as protecting the neighboring property owners.

So today, we are seeking a site plan and special exception from the Planning Board for the bar restaurant, even though it's not a bar; that's how it's written under your code for the special exception. From here, we will have to proceed to get a change of zone, as one of the two lots is not zoned E Business, and we will seek that from the Town Board. And then after that, we will require some variance relief from the ZBA.

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As mentioned, the site will house a structure measuring 1800sf, 30 indoor seats, six outdoor seats, and a 7-cue drive-through with a separate bypass lane. It's a bit of a shallow site, but we were able to find a way to configure that, most importantly, making sure we had that bypass lane included for site functionality.

We're also proposing new everything, new lighting, new drainage. New plantings on this site, both the streetscape plantings as well as the screening plantings to the rear of the property. We feel this is going to make the site quite beautiful. In terms of screening the properties to the rear, it's a buffer between five feet and 10 feet. Many of the plantings in there include Arborvitaes and other screening. There's also a fence, which is a privacy fence, a six-foot privacy fence, which will separate the residential structures from this use.

In terms of the elevations that we circulated; we believe this building is going to be quite beautiful. The applicant has taken the time and detail to make sure that all four faces of the building are beautifully designed. I know Matt's not scrolling as fast as I talk, I'm sorry. I would like to note, however, as well, that there's one elevation there that has just the white on it. That is the portion where we are facing the residential area. Again, taking into consideration the residential neighborhoods and sensitively designing the site so as to make sure that it's not as impactful to the residents behind. In terms of height, it's 20. So that's the rear. That'll be the rear wall of the building.

Mr. Halpin stated what do you think, Jerry?

Mr. O'Neill stated that faces the houses?

Ms. LaPointe stated yes. In terms of height, it's a one-story structure, 20 feet up to the parapet. And again, in coordination with the various agencies and departments, we believe the site will function beautifully with minimal impact to the surrounding community, and again, bring vibrancy and light and a new business to the Town of Babylon.

Further, as it was laid out in the parking and traffic analysis, there are no anticipated negative impacts from the proposed. We are expecting this to be a fully functioning site where, again, it's one right in, one right out onto Route 110. There are no negative impacts in terms of parking, and none are anticipated in terms of traffic. And with that, we respectfully request that the application be approved, and I'm available for any questions.

Mr. Halpin stated thank you. What are the variances you're seeking from the ZBA?

Ms. LaPointe stated in terms of the variance relief that is going to be sought, so there's a front yard setback of 3.5 feet, and that's to the canopy for the front yard setback. While that does feel like a substantial number, if you look at the overall corridor of this business community, pretty much all of the buildings are right up there against the front property line. And again, we pushed the building further, as far away from the residential properties as we could get. There's a rear yard variance of 43 feet and seven inches, where 50 feet are required, and parking variance relief of 15 stalls, where 21 are required.

Mr. Halpin stated all right, do any of the Board members have any questions?

Mr. Leon stated thank you, Mr. Chairman. I did have a question about parking, which was just answered. To hear you correctly, the site plan has 15 but requires 21 currently?

Ms. LaPointe stated that is correct.

Mr. Leon stated okay, and can you just tell us your hours of operation, please?

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Ms. LaPointe stated we don't have hours of operation set at this time. Again, as it is a new business coming into a new market. We aren't at a place where that has been determined.

Mr. Halpin stated do you have a range?

Ms. LaPointe stated I'm assuming. That is somewhere in normal business hours. But again, I don't know what the anticipation is as we break into a new market. Again, I would hesitate to put something strictly on record.

Mr. Halpin stated we appreciate that, given that this is the record.

Ms. Nolan stated how many other locations across the country?

Ms. LaPointe stated oh, that's a fun question. So, there are 600 locations across the country. I believe the vast majority of those are in the Midwest.

Ms. Nolan stated and this is the first on the East Coast, in the Northeast.

Ms. LaPointe stated yes.

Ms. Nolan stated and what are those hours for the other businesses?

Ms. LaPointe stated I don't know. I don't know what the hours are, and I would assume that they would also vary depending on the markets.

Ms. Nolan stated well, welcome to the Town of Babylon. Can you tell me about the cars that are in queue? How long are they sitting there approximately?

Ms. LaPointe stated I don't have an approximate timeline for how long the cars are waiting in the queue. I'm sorry, I don't have that answer. But again, both based upon the traffic study and from the internal market analysis, the 7 cars in cue are anticipated to be more than sufficient to operate at this site.

Mr. Truchan stated how many employees do you plan on having on-site in one shift?

Ms. LaPointe stated I don't know. I can say that it doesn't have a full kitchen. It operates a bit, I mean, not to bring in another entity into the conversation, more like a Dunkin Donuts. It's a microwave, cook very quick, hot microwaves to heat up the food. I would expect it to be staffed a little bit closer to that type of use than something that would have a full kitchen.

Mr. Truchan stated okay, and then I know my other question is from what I can see, you already have, you're seeking a variance for parking. 1, 2, 3, 4, 5 spots are on the southern side of this, and the only way for those people, should anyone park there, besides employees, would be to walk along the sidewalk, and we are the Northeast, and there's a ton of snow at times. So, my concern is, are you really going to be managing that sidewalk so that it's not a hazard for anyone walking from their parking lanes, since there's no other way to get into the building?

Ms. LaPointe stated I would say certainly yes. I mean, from the very basis of the business model, if you need people to be able to access your site, and if you want to have a strong business model, you'd better make sure you're maintaining your sidewalks and that you're maintaining your space so people can traverse it safely. Yes, absolutely.

Mr. Casey stated I have a question Mr. Chairman. In reviewing the site boring logs of August 24, 2025, the Town DEC has identified the finding of a petroleum odor at a depth of 22 to 24 feet. For the record, can you amplify on this finding?

## PLANNING BOARD MEETING MINUTES

Ms. LaPointe stated yes. So, our engineering team had reached out to, I believe it was Whitestone, to get some clarification on that. They indicated that there was no visible evidence of spillage in the boring itself, and therefore, we put forth that no further exploration is necessary at this time.

Mr. Halpin stated any other questions? No, thank you. Is there anyone from the public that's here that would like to address the Board regarding this application? Okay, all right, I'm going to request a motion from the board to close the hearing and to reserve decision. Let's see a motion by Ms. Nolan, second by Mr. Leon, all in favor, aye. The record is closed and we're going to reserve decision.

### **B. WORK SESSION/MODIFIED SITE PLAN REVIEW**

1. JOB#: 23-05AIN; 1185 Straight Path Road, LLC.  
Location: s/e/c/o Straight Path & Fulton St., West Babylon  
SCTM: 0100-081-02-036, 0100-081-02-037 & 0100-081-02-067  
Proposes: Relocate EV Charging stations/stalls and associated equipment and update to curb cut design type in accordance with SCDPW inspection.  
E Business  
SEQRA: Unlisted Action, Uncoordinated Review

### **C. RESOLUTION/MODIFIED SITE PLAN REVIEW**

1. JOB#: 23-05AIN; 1185 Straight Path Road, LLC.  
Location: s/e/c/o Straight Path & Fulton St., West Babylon  
SCTM: 0100-081-02-036, 0100-081-02-037 & 0100-081-02-067  
Proposes: Relocate EV Charging stations/stalls and associated equipment and update to curb cut design type in accordance with SCDPW inspection.  
E Business  
SEQRA: Unlisted Action, Uncoordinated Review  
**Approved**

RESOLUTION NO. 2026-001  
APPROVING MODIFICATION OF APPROVED SITE PLAN  
1185 STRAIGHT PATH ROAD, LLC.  
JOB # 23-05AIN  
MONDAY, JANUARY 5, 2026

WHEREAS, pursuant to the Code of the Town of Babylon, Chapter 186, Sections 1-17 a formal application for a site plan review entitled 1185 Straight Path Road, LLC, was submitted to the Planning Board of the Town of Babylon on November 13, 2025 and an application fee of \$ 600.00 was paid; and

WHEREAS, said site development, is to demolish all existing structures in order to construct a 2,492sf, one-story gas station convenience store, a 3,006sf canopy over 5 pump islands, and a 1,092sf canopy over 3 diesel pump islands, along with associated site improvements, for

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premises located on the southeast corner of Straight Path and Fulton Street, in the hamlet of West Babylon, and identified by Suffolk County Tax Map No. 0100-081-02-036, 0100-081-02-037 and 0100-081-02-067; and

WHEREAS, a public hearing was held on said application at the Town Hall in Lindenhurst, New York on April 15, 2024; and

WHEREAS, a Negative Declaration was adopted by the Planning Board on August 12, 2024 by Resolution No. 2024-078 and it has been determined that the Negative Declaration does not require amending; and

WHEREAS, the site plan review was approved by the Planning Board on August 12, 2024 by Resolution No. 2024-079; and

WHEREAS, the applicant has submitted a revised site plan prepared by Christopher Mark Tartaglia, Licensed Professional Engineer, License No. 078209, dated December 9, 2025 (revised) which reflect the following changes to the approved site plan:

- 1. Change the location of the proposed EV Charging Stations/Stalls and associated transformers and equipment. Additionally, the type of curb cut openings on Straight Path were revised as per direction from SCDPW.

WHEREAS, the Commissioner of Planning and Development has reviewed said submission and has found it to be acceptable;

NOW, THEREFORE, be it

RESOLVED, that the application of 1185 Straight Path Road, LLC for approval of said revised site plan prepared by Christopher Mark Tartaglia, Licensed Professional Engineer, License No. 078209, dated December 9, 2025 (revised) be approved.

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 5, 2026 Town of Babylon New York.

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### **D. ARCHITECTURAL REVIEW**

1. APPLICATION # 152637; LORRAINE MORANT  
EXPANSION OF AN EXISTING HOUSE  
SCTM: 0100-105-03-013  
**Approved**

2. APPLICATION # 151168; CUIPING FENG  
EXPANSION OF AN EXISTING HOUSE  
SCTM: 0100-055-01-034  
**Approved**

### **E. COMMUNICATIONS**

1. E-mail dated December 15, 2025 from Amanda Crispino in regards to PB Job# 25-17A; Petracca Design, expressing concern in changing the aesthetics of the landscape at the dead end.  
**Read and Filed**

### **ACCEPTANCE OF MINUTES**

December 15, 2025 - **Approved**

### **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

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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**

### 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.

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**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  
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**

## PLANNING BOARD MEETING MINUTES

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**

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

**PLANNING BOARD MEETING MINUTES**  
**Record Extended – Decision Reserved**

September 15, 2025

1. JOB# 24-43A; Cuda Realty, LLC  
Location: n/w/c/o of Edison Avenue and Mahan Street, West Babylon  
Proposes: To demolish an existing 8,491sf two story diesel mechanic shop that was compromised due to wind damage, and construct a proposed 11,790sf mechanic shop with a partial second floor and basement storage area, along with associated site improvements. Additionally, the applicant is seeking to maintain barbed wire around the perimeter of the property  
Zone – GA Industry  
SEQRA – Unlisted Action, Uncoordinated Review  
Record Extended – Decision Reserved  
**Closed**

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**

1. 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

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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**

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**

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.

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3. JOB # 2025-002BW; NY State Solar  
Location: s/w/c/o New Hwy and Dubon Ct. East Farmingdale  
Proposes: To erect fencing around the parking lot of existing industrial building and legally maintain outdoor storage of vehicles.  
Zone: GA Industry  
SCTM#: 0100-030-01-004.010  
**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**

**Addendum**

**A. WORK SESSION/SITE PLAN REVIEW**

1. JOB# 24-43A; Cuda Realty, LLC.  
Location: n/w/c/o Edison Avenue & Mahan St., West Babylon  
Proposes: to demolish an existing 8,491sf diesel auto repair shop with a 1,433sf partial second story office area, and propose an 8,789sf diesel auto repair shop with a 1,507sf second story office area and 1,507sf basement, along with associated site improvements.

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SCTM: 0100-078-01-010.001

Zone – GA Industry

SEQRA – Unlisted Action, Uncoordinated Review

### **B. RESOLUTION/NEGATIVE DECLARATION/SITE PLAN REVIEW**

1. JOB# 24-43A; Cuda Realty, LLC.

Location: n/w/c/o Edison Avenue & Mahan St., West Babylon

Proposes: to demolish an existing 8,491sf diesel auto repair shop with a 1,433sf partial second story office area, and propose an 8,789sf diesel auto repair shop with a 1,507sf second story office area and 1,507sf basement, along with associated site improvements.

SCTM: 0100-078-01-010.001

Zone – GA Industry

SEQRA – Unlisted Action, Uncoordinated Review

**Approved**

RESOLUTION NO. 2026-005

DETERMINING THAT PLANNING BOARD JOB NO. 24-43A

CUDA REALTY LLC

WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT

MONDAY, JANUARY 5, 2026

WHEREAS, the Planning Board of the Town of Babylon hereby declares its intent to be the lead agency for the application of Cuda Realty LLC., located at northwest corner of Edison Avenue & Mahan Street in the hamlet of West Babylon, identified by Suffolk County Tax Map No. 0100-078-01-010.001 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 site plan, prepared by James L. German, Registered Architect, License No. 038727, dated December 2, 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

PLANNING BOARD MEETING MINUTES

uncoordinated review having been conducted; and

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

- 1. The project will not result in and adverse change in existing air quality.
- 2. The project will not result in a substantial adverse change in existing ground or surface water quality or quantity.
- 3. The project will not result in a substantial adverse change in traffic or noise levels.
- 4. The project will not result in a substantial increase in solid waste production.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board as lead agency hereby determines that the proposal by Cuda Realty LLC, 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 5, 2026 Town of Babylon New York.

**C. RESOLUTION/SITE PLAN REVIEW**

- 1. JOB# 24-43A; Cuda Realty, LLC.  
 Location: n/w/c/o Edison Avenue & Mahan St., West Babylon  
 Proposes: to demolish an existing 8,491sf diesel auto repair shop with a 1,433sf partial second story office area, and propose an 8,789sf diesel auto repair shop with a 1,507sf second story office area and 1,507sf basement, along with associated site improvements.  
 SCTM: 0100-078-01-010.001  
 Zone – GA Industry  
 SEQRA – Unlisted Action, Uncoordinated Review  
**Approved**

## PLANNING BOARD MEETING MINUTES

RESOLUTION NO. 2026-006  
APPROVAL OF SITE PLAN  
CUDA REALTY LLC  
P.B. JOB NO. 24-43A  
MONDAY, JANUARY 5, 2025

WHEREAS, pursuant to the Code of the Town of Babylon, Chapter 186, Sections 1-17, a formal application for site plan review, entitled, Cuda Realty LLC, was submitted to the Planning Board of the Town of Babylon, on July 25, 2024 and an application fee of \$ 650.00 was paid; and

WHEREAS, said proposed site development, proposes to demolish an existing 8,491sf two story diesel mechanic shop that was compromised due to wind damage, and construct a proposed 11,790sf mechanic shop with a partial second floor and basement storage area, along with associated site improvements, is located on the northwest corner of Edison Avenue & Mahan Street, in the hamlet of West Babylon, and is identified by Suffolk County Tax Map No. 0100-0100-078-01-010.001, and

WHEREAS, a public hearing was held on said site plan application at Babylon Town Hall in Lindenhurst, New York on September 15, 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 an Unlisted Action, Uncoordinated Review and a Negative Declaration was adopted by the Planning Board on January 5, 2026 by Resolution No. 2026-005; and

WHEREAS, the Planning Board has reviewed the site plan and requirements and recommendations of the 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 September 15, 2025, and January 5, 2026; and

WHEREAS, the property must be maintained pursuant to Babylon Town Code Section 213-367, Property Maintenance, and Signs, Article XXXIII must be complied with;

NOW, THEREFORE, be it

RESOLVED that the application of Cuda Realty LLC, for approval of the site plan prepared by James L. German, Registered Architect, License No. 038727 dated December 2, 2025, is hereby APPROVED 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 site plan subject to the following conditions;

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

## PLANNING BOARD MEETING MINUTES

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. Owner/applicant shall comply with all NYS regulations for handicapped accessibility including, but not limited to, handicapped ramps and handicapped parking spaces.
5. 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.
6. 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.
7. Truck idling is only permitted during emission testing, as required by NYSDOT.
8. No further development of the site without Planning Board approval.
9. No outdoor speakers or paging systems.
10. All refuse shall be contained within the perimeter and height of the refuse enclosure as approved by the site plan.
11. Maintenance access shall be in accordance with Section 189-9 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.
12. Maintenance after construction shall be in accordance Section 189-9 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 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.

## PLANNING BOARD MEETING MINUTES

13. Upon completion of construction, any stormwater control structures impacted during construction shall be cleaned by the owner or operator. Routine maintenance of stormwater infrastructure on the site will include the following:
  - a. Monitoring of 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 structures 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.
14. 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.
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. Location of outdoor storage of vehicles/trucks shall be in conformance with the approved site plan.
17. Outdoor storage of trucks is limited to 11 vehicles, as per the site plan.
18. All delivery vehicles servicing this location must be contained on-site so as to not impede pedestrian or vehicular traffic off-site.
19. The owner/operator is responsible for the implementation of pest control measures, which may include but not be limited to, retaining the services of a licensed exterminator, in order to prevent pest infestation on site or dispersion into surrounding areas.

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 SCDHS approval for removal of underground fuel storage tanks.
5. Any used oil waste and or regulated liquids must be properly disposed in accordance to NYSDEC regulations.
6. Subject to the requirements of Highway, Engineering, and the Fire Marshal.
7. 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.

## PLANNING BOARD MEETING MINUTES

- c. Contain all stormwater runoff on-site to Engineering requirements.
8. A rodent control plan will be implemented prior to construction in order to remove rodent populations from the site. Additionally, the adjacent landowners will be notified prior to the commencement of construction.
9. Fire and smoke detection systems and carbon monoxide detectors should be installed in accordance with NFPA 72.
10. Fugitive dust generation shall be controlled by appropriate means such as watering.
11. Address number, building number, or approved building identification to be placed in a position visible from the street.
12. 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.
13. During construction, owner/applicant is responsible to sweep access streets and keep the roadways free of dirt and mud.
14. 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.
15. Water saving plumbing fixtures to be utilized.
16. All regulatory 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.
17. 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 \$1,000.00.
18. 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 site shall be in strict conformance with Chapter 156-9D of the Noise Code of the Town of Babylon.
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. 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 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. Because of the deficiency in parking, if substantiated complaints regarding spillover parking or parking in areas not designated for parking are received by the Planning Department, the Commissioner of the Town of Babylon Planning Department shall notify the property owner by certified mail to rectify any such parking problems. If the property owner fails to correct said overflow parking issue after thirty (30) days from the date of such mailing, the Planning Board reserves the right, after a duly noticed public hearing, to impose additional conditions of site plan approval including, but not limited to: requiring the property owner to lease unoccupied and/or unused off-site parking spaces to lawfully accommodate overflow parking and/or to obtain use of additional parking spaces by means of a cross-access agreement. Such additional condition(s) of approval shall relate to parking only and shall not be unreasonably imposed. The property owner shall have the opportunity to implement the above item or prepare and/or implement a

PLANNING BOARD MEETING MINUTES

spillover parking plan for peak parking periods acceptable to the Commissioner of Planning and Development prior to having a public hearing before the Planning Board.

- 21. An automatic/manual fire detection/notification system shall be installed.
- 22. 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. 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 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.

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 5, 2026 Town of Babylon New York.

**D. ARCHITECTURAL REVIEW**

- 1. APPLICATION # 152886; MARIO A. SANCHEZ  
EXPANSION OF AN EXISTING HOUSE  
SCTM: 100-056-01-071  
**Approved**

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 9am and 4pm.
- Via phone at 631.957.3103
- Via email at [planningcomments@townofbabylonny.gov](mailto:planningcomments@townofbabylonny.gov)

## PLANNING BOARD MEETING MINUTES

There being no further business to appear before the Board, a motion was made by Ms. Nolan seconded by Mr. O'Neill all members present voting aye, to adjourn the meeting at 7:25 p.m.