

## NOTICE OF ADOPTION OF RESOLUTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Babylon, County of Suffolk, State of New York, at a regular meeting thereof held on the 14<sup>th</sup> day of January, 2026 duly adopted a resolution, an abstract of which is as follows:

**RESOLUTION NO. 90 JANUARY 14, 2026**  
**GRANTING REZONING APPLICATION OF WEST BABYLON MANOR, INC. (PB JOB #24-55ABE)**  
**FOR THE PREMISES IDENTIFIED AS P/O SCTM#: 0100-213-01-005 LOCATED ON THE N/S/O**  
**ELMWOOD RD2, 295' W/O NYS RTE. 109, WEST BABYLON**

WHEREAS, West Babylon Manor, Inc. (the "Petitioner") has heretofore petitioned this Board for a change of zone of certain property which is located on the n/s/o Elmwood Rd, 295' w/o NYS Rte. 109, West Babylon, New York, identified as part of SCTM No. 0100-213-01-005, and further described on the annexed Schedule A, from A-Residence to SCMR-Senior Citizen Multiple Residence; and

WHEREAS, more specifically, the proposal is to subdivide an existing A-Residence parcel into two, in order to maintain an existing single-family dwelling on Lot 1 and on Lot 2, rezone to SCMR-Senior Citizen Multiple Residence, in order to construct a garage and merge with an adjacent SCMR complex; and

WHEREAS, a public hearing was held on said petition on the 5<sup>th</sup> day of January, 2026; and

WHEREAS, in accordance with Section 617.5(c)(9) State Environmental Quality Review (SEQR), this proposal involves a subdivision and change of zone in order to construct a garage, and the Board has adopted a Negative Declaration and no further action is required pursuant to SEQR; and

WHEREAS, this proposed change of zone conforms to the Town of Babylon Comprehensive Plan,  
NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that the application of West Babylon Manor, Inc. for Job No. 24-55ABE for a change of zone from A-Residence to SCMR-Senior Citizen Multiple Residence District for the premises described in the attached Schedule A, be and the same hereby is granted, and further that the Zone Map of the Town of Babylon be and the same hereby shall be amended to reflect the zone change subject to the following conditions:

1. Subject to final site plan and subdivision approval from the Planning Board.
2. Subject to ZBA approval for any associated variances.
3. If the use or construction as contemplated herein, is not commenced within three (3) years of the date of the site plan approval and subdivision resolution from the Planning Board, the zoning of the subject premises shall revert back to A-Residence and this resolution will be of no further force or effect.

BE IT FURTHER RESOLVED, that in case of any violation or attempted violation of any of the conditions of approval or covenants and restrictions by the owners or their lessees, heirs, successors, and assigns and failure of said parties to remedy any such violation within thirty (30) days after written notice by the Town, the Town shall have the right, on its own motion and after notice, to rescind said change of zone and the subject premises shall revert from SCMR-Senior Citizen Multiple Residence to A-Residence, and be it further

RESOLVED, that if the owners hereto, or any owner, its lessees, heirs, successors, or assignees shall violate or attempt to violate any of the conditions or covenants and restrictions required by the granting of this permit, it shall be lawful for the Town of Babylon to prosecute any proceedings at law or in equity, including but not limited to enforcement by way of injunctive relief; any remedies chosen by the Town Board to enforce any condition, covenant, or restriction herein shall be cumulative and at the discretion of the Town Board as to how best to enforce such condition, covenant, or restriction; the pursuit of one method of enforcement shall not constitute a bar to pursuing any other method of enforcement permitted by law; and be it further,

RESOLVED, that the Town Clerk of the Town of Babylon be and hereby is authorized to publish a notice of said change of zone in one of the official newspapers of the Town of Babylon.

**SCHEDULE A**

**Legal Description**

631 Elmwood Road  
Lot 2  
West Babylon, New York  
(SCTM # District 0100 Section 213 Block 1 P/O Lot 5)

ALL that certain plot, piece or parcel of land, with buildings and improvements thereon erected, situated, lying, and being in West Babylon, Town of Babylon, County of Suffolk and State of New York, being more particularly bounded and described as follows:

Commencing at a point at the intersection of the northerly line of Elmwood Road with the westerly line of Babylon-Farmingdale Road (N.Y. State Rte. 109) Running thence the following three courses and distances: (1) along the arc of a 15 foot radius curve to the right an arc length of 30.44 feet, (2) South 51 degrees 09 minutes 11 seconds West 251.79 feet along the Northerly line of Elmwood Road (3) North 42 degrees 45 minutes 48 seconds West 142.73 feet to the Point of Beginning.

RUNNING THENCE South 47 degrees 14 minutes 22 seconds West 49.04 feet;

RUNNING THENCE North 42 degrees 24 minutes 49 seconds West, 147.34 feet;

RUNNING THENCE North 60 degrees 35 minutes 40 seconds East, 49.48 feet;

RUNNING THENCE South 42 degrees 45 minutes 48 seconds East, 135.91 feet; to the Point or Place of Beginning.

Dated: January 14, 2026, Town of Babylon

BY ORDER OF THE TOWN BOARD, TOWN OF BABYLON  
GERALDINE COMPITELLO, TOWN CLERK