

PLANNING BOARD MEETING MINUTES
TOWN OF BABYLON
200 EAST SUNRISE HIGHWAY
LINDENHURST, NEW YORK
MONDAY APRIL 9, 2018
7:00 P.M.

PRESENT: GERALD O'NEILL, ACTING CHAIRPERSON
MICHAEL CAFARO
JULIANNE NOLAN
FRANK SANTOS
DANIEL TRUCHAN III
EDWARD WYNN

ABSENT: PATRICK HALPIN, CHAIRPERSON

PRESENT: RICHARD CASEY, COUNSEL FOR THE TOWN
RICH GROH, CHIEF ENVIRONMENTAL ANALYST
MATTHEW ESPOSITO, PLANNER, PLANNING AND DEVELOPMENT
DENISE GRAZIANO, SECRETARY

.....

A. ARCHITECTURAL REVIEW

1. APPLICATION # 124196; MICHAEL PASTERLA
RAISING OF AN EXISTING HOUSE
SCTM # 0100-181-01-060

Approved

2. APPLICATION # 125292; JASON & MELISSA FORSHEE
EXPANSION OF AN EXISTING HOUSE
SCTM # 0100-133-04-113

Approved

3. APPLICATION # 122274; EGBERT FAMILY TRUST (CHRIS EGBERT)
RAISING OF AN EXISTING WITH EXTENSION
SCTM # 0100-181-01-90

Approved

PLANNING BOARD MEETING MINUTES

B. COMMUNICATIONS

1. Letter dated March 5, 2018 from James F. Gaughran to Members of the Planning Board, Town of Babylon regarding PB Job # 16-33A; R Squared, LLC requesting a first extension of time.
2. Memo dated March 12, 2018 from Thomas Young, Commissioner, Planning & Development to Pat Halpin, Chairperson, Planning Board regarding PB Job # 16-33A; R Squared, LLC stating no objection to granting a first extension of time.

Approved. Julianne Nolan abstains.

3. Letter dated March 27, 2018 from Paul Della Univerita to Planning Board, Town of Babylon regarding PB Job # 15-41AE; Della Properties request a first extension of time.
4. Memo dated March 28, 2018 from Thomas Young, Commissioner, Planning & Development to Pat Halpin, Chairperson, Planning Board regarding PB Job # 15-41AE; Della Properties stating no objection to granting a first extension of time.

Approved

5. Letter dated March 23, 2018 from Eric J. Helman, Amato Law Group to Planning Board, Town of Babylon regarding PB Job # 12-27A; 7-Eleven requesting a first extension of time.
6. Memo dated April 3, 2018 from Thomas Young, Commissioner, Planning & Development to Pat Halpin, Chairperson, Planning Board regarding PB Job # 12-27A; 7-Eleven stating no objection to granting a first extension of time.

Approved

B. COMMUNICATIONS (CONT'D)

7. Letter dated April 2, 2018 from David P. Leno, Rivkin Radler, Attorneys at Law to Town of Babylon Planning Board regarding PB Job # 17-03AF; R&F Farmingdale requesting a first extension of time.
8. Memo dated April 4, 2018 from Thomas Young, Commissioner, Planning & Development to Pat Halpin, Chairperson, Planning Board regarding PB Job # 17-03AF; R&F Farmingdale stating no objection to granting a first extension of time.

Approved

PLANNING BOARD MEETING MINUTES

ACCEPTANCE OF MINUTES

March 12, 2018

Approved

RESERVED CALENDAR

August 13, 2012

1. JOB #11-33ACE; RANDY LAGONTERIE – ALBANY AVE. APARTMENTS
Location: w/s/o Albany Ave., 314.78' s/o Schlegel Blvd., N. Amityville
Proposes: to subdivide & rezone Parcel 1 to SCMR for 85 senior rentals
Zone: Residence B to SCMR
SEQRA Status: Unlisted Action – Coordinated Review
Record Extended to 4/9/18

Record Extended to 6/4/18

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 28th 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 to 5/7/18

May 8, 2017

1. JOB#16-36AE; Bunt Development Corp.
Location: w/s of Albany Av., 154.62' n/o Steele Pl., North Amityville
Proposes: To rezone seven (7) B Residence parcels to Multiple Residence to
construct 13 buildings for 98 one-bedroom rental apartments, a caretakers
building with a one-bedroom unit, an office and storage along with associated
site improvements
Zone: B Residence to Multiple Residence
SEQRA: Type I Action-Coordinated Review
Planning Board Recommended a Change of zone 6/5/17
Record Extended to 6/4/18

PLANNING BOARD MEETING MINUTES

June 12, 2017

1. JOB # 16-47A; PIPING ROCK HEALTH PRODUCTS, LLC
Location: s/s/o Executive Bl., 653' w/o of Broadhollow Rd., Farmingdale
Proposes: To maintain 52,381gfa of an existing industrial building, to construct a 25,322sf 1st floor addition, a 15,297sf 2nd floor addition for a total 93,000gfa and to construct three (3) 14'x70' loading bays
Zone: G Industry
SEQRA: Unlisted Action-Uncoordinated Review
Record Extended to 4/16/18

June 26, 2017

1. JOB # 17-16A; DAVID NUNEZ
Location: n/s of Oak Street, and east of Pine Street, Copiague
Proposes: To demolish an existing 808sf 1-story vinyl house with office use and construct a new 1,016sf 2-story frame building with office use.
Zone: DC Zoning District
SEQRA: Type II Action
Record Extended to 3/26/18

Record Extended to 5/14/18

November 20, 2017

1. JOB # 16-38AE; WAGSTAFF PARTNERS, LTD.
Location: n/e/c of Old Country Road & Deer Park Av., Deer Park
Proposes: Change of zone to E Business and to construct a 3,719.75sf office building along with associated site improvements.
Zone: B Residence to E Business
SEQRA: Unlisted Action, Uncoordinated Review
Open: Comments from Traffic Safety. Revisions needed for planning and engineering – Have public safety look into illegal fencing area. Correct square footage for rec. to TB
Record Extended to 04/16/18

PLANNING BOARD MEETING MINUTES

February 5, 2018

1. JOB # 17-38AF; CHICK-FIL-A
Location: e/s/o NYS Route 110, 129.7' north of Gazza Blvd., E. Farmingdale
Proposes: To demolish an existing building, erect site work, and construct a one-story 5,042.25sf Chick-Fil-A restaurant with 118 seats (102 indoor, 16 outdoor) with a drive thru.
Zone: G Industry
SEQRA: Unlisted Action-Uncoordinated Review
Open: Minor revisions from planning needed.
Record Extended to 4/9/18

Record Extended to 4/30/18

March 5, 2018

1. JOB # 17-11ABE; 60 SCHMEELK PLACE, LLC
Location: s/s of Schmeelk Pl., 435.68' east of Great Neck Rd., Copiague
Proposes: to subdivide a parcel, zone A-Residence, and rezone an approximately 12,705sf portion of it to SCMR-Senior Citizen Multiple Residence, in order to construct 30 additional parking spaces for an existing, adjacent SCMR development.
Zone: From A Residence to SCMR
SEQRA: Unlisted Action-Uncoordinated Review
Open: Planning to look @ condition #7 (merger), change to c&r #4 – appropriate items listed for parking lot. DEC to look into condition #8 still needs T.B. recommendation Steve Kretz to go over merger w/Rich Casey
Record Extended to 3/26/18

Record Extended to 5/7/18. Gerry O'Neill abstains. Dan Truchan-Chairman.

March 12, 2018

1. JOB# 17-35AE; LINDENHURST GATE, LLC
Location: s/s/o Montauk Hwy., between Deauville Pkwy and Venetian Blvd, Lindenhurst
Proposes: To rezone 3 parcels from C Residence to E Business and construct a 5,036sf multi-tenant, retail building along with associated site improvements.
Zone: E Business and C Residence to E Business
SEQRA: Unlisted Action-Uncoordinated Review
Open: Minor planning revisions, Recommendation to T.B. for change of zone;
Question regarding needing a traffic study.
Condition- temporary fence not to obstruct view
Record Extended to 4/16/18

PLANNING BOARD MEETING MINUTES

ADDENDUM

A. WORK SESSION/RECOMMENDATION TO THE TOWN BOARD FOR CHANGE OF ZONE

1. JOB # 17-11ABE; 60 SCHMEELK PLACE, LLC
Location: s/s of Schmeelk Pl., 435.68' east of Great Neck Rd., Copiague
Proposes: to subdivide a parcel, zone A-Residence, and rezone an Approximately 12,705sf portion of it to SCMR-Senior Citizen Multiple Residence, in order to construct 30 additional parking spaces for an existing, adjacent SCMR development.
Zone: From A Residence to SCMR
SEQRA: Unlisted Action-Uncoordinated Review

B. RESOLUTION/RECOMMENDATION TO THE TOWN BOARD FOR CHANGE OF ZONE

1. JOB # 17-11ABE; 60 SCHMEELK PLACE, LLC
Location: s/s of Schmeelk Pl., 435.68' east of Great Neck Rd., Copiague
Proposes: to subdivide a parcel, zone A-Residence, and rezone an Approximately 12,705sf portion of it to SCMR-Senior Citizen Multiple Residence, in order to construct 30 additional parking spaces for an existing, adjacent SCMR development.
Zone: From A Residence to SCMR
SEQRA: Unlisted Action-Uncoordinated Review

Approved. Gerry O'Neill abstains. Dan Truchan-Chariman

RESOLUTION NO. 2018-041
RECOMMENDATION TO THE TOWN BOARD
TO APPROVE A CHANGE OF ZONE
60 SCHMEELK PLACE, LLC
P.B. JOB NO. 17-11ABE
MONDAY, APRIL 9, 2018

WHEREAS, pursuant to the code of the Town of Babylon, Chapter 213, Article IV, Sections 30 – 35 a formal application for a change of zone from A Residence to Senior Citizens Multiple Residence has been submitted to the Planning Board of the Town of Babylon for review and recommendation to the Town Board and a \$ 2,700.00 has been paid;

WHEREAS, pursuant to the Code of the Town of Babylon, Chapter 186, Sections 1-17, a formal application for site plan review has been submitted to the Planning Board and a \$ 600.00 fee has been paid; and

WHEREAS, said subject site, more specifically a change of zone from A Residence to

PLANNING BOARD MEETING MINUTES

Senior Citizens Multiple Residence, is located on the south side of Schmeelk Place, 435.68' east of Great Neck Road, in the hamlet of Copiague, and is identified by Suffolk County Tax Map Nos. 0100-192-03-07 & 0100-192-03-06; and

WHEREAS, a informational/public hearing was held on said site plan application at Babylon Town Hall in North Lindenhurst, New York on March 5, 2018; and

WHEREAS, the Planning Board has reviewed the revised site plan, dated February 9, 2018, and requirements and recommendations of Highway, Engineering, Building, Fire Prevention, Environmental Control, Traffic Safety and Planning at the meetings of March 5, 2018 and April 9, 2018;

NOW, THEREFORE, be it

RESOLVED, that the Planning Board hereby recommends to the Town Board that the application of 60 Schmeelk Place PB Job No. 17-11ABE, change of zone from Residence A to Senior Citizens Multiple Residence be approved; and

AND FURTHER BE IT,

RESOLVED that the Planning Board hereby recommends the following covenants and restrictions and conditions of granting be adopted;

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. No outdoor speakers or paging systems.
4. 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.
5. Owner/applicant shall comply with all NYS regulations for handicapped accessibility, including but not limited to handicapped ramps and handicapped parking spaces.
6. 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.
7. 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.
8. No further development of the site without planning board approval.
9. 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

PLANNING BOARD MEETING MINUTES

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.

10. 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.
11. 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.
12. 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.
13. The SCMR complex parking lot is to be utilized by the residents of the complex and their guests only.

RESOLVED, that this application would be subject to the following conditions:

PLANNING BOARD MEETING MINUTES

1. Subject to SCPC referral.
2. Subject to ZBA approval for any associated variances.
3. 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 on-site to Engineering requirements.
4. 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.
5. 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.
6. SCTM# 100-192-3-6 and the remainder of SCTM#100-192-3-7 shall be merged.
7. The newly created parcel shall be merged with SCTM# 100-192-3-76.002.
8. Subject to the applicant obtaining a NYSDEC Tidal Wetlands permit or a letter of no jurisdiction, if applicable.
9. Subject to the standards for Environmental Quality of Fill, as per Town Board Resolution No. 368, April 26, 2017.

VOTES: (6) AYES: (5) NAYS: (0) ABSTAINED (1)

Daniel Truchan	X		
Edward Wynn	X		
Frank Santos	X		
Michael Cafaro	X		
Gerald O’Neill			X
Julianne Nolan	X		

The resolution was thereupon declared duly adopted.
 Dated April 9, 2018, Town of Babylon New York.

C. ARCHITECTURAL REVIEWS

1. APPLICATION # 121095; THOMAS & MARIE ROGERS
 RAISING OF AN EXISTING HOUSE WITH EXPANSION
 SCTM # 0100-181-01-016

Approved

2. APPLICATION # 124531; JOSEPH SOUSA
 EXPANSION OF AN EXISTING HOUSE
 SCTM # 0100-214-01-08

Approved

PLANNING BOARD MEETING MINUTES

3. APPLICATION # 120313; ZBIGNIEW JAKUBIAK
CONSTRUCTION OF A NEW HOUSE
SCTM # 0100-186-01-118

Approved

C. ARCHITECTURAL REVIEWS

4. APPLICATION # 123880; VINCE CORTAZAR
CONSTRUCTION OF A NEW HOUSE
SCTM # 0100-55-01-034

Approved

5. APPLICATION # 124298; WILLIAM HOLLAND
RAISING OF AN EXISTING HOUSE WITH EXPANSION
SCTM # 0100-226-04-113

Approved

There being no further business to appear before the Board, a motion was made by Ms. Nolan, seconded by Mr. Truchan, all members present voting aye, to adjourn the meeting 7:30 p.m.