

## 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 11<sup>th</sup> day of March, 2026 duly adopted a resolution, an abstract of which is as follows:

**RESOLUTION NO. 218 MARCH 11, 2026**  
**GRANTING REZONING APPLICATION OF GC-2L, LLC. (PB JOB #25-39AFE) FOR THE**  
**PREMISES IDENTIFIED AS SCTM#: 0100-121-01-13.001 & 14.002 LOCATED ON THE W/S/O**  
**ROUTE 110, 350' S/O GREAT NECK ROAD, FARMINGDALE**

WHEREAS, GC-2L, LLC. (the "Petitioner") has heretofore petitioned this Board for a change of zone of certain property which is located on the w/s/o Route 110, 350' s/o Great Neck Road, Farmingdale, New York, identified as SCTM No. 0100-121-01-014.002, and further described on the annexed Schedule A, from B-Residence to E-Business; and

WHEREAS, more specifically, the proposal is to rezone one of the two subject parcels (SCTM# 0100-121-01-014.002) from B-Residence to E-Business and demolish the existing structures in order to construct a 1,800sf (footprint) one-story Caribou Coffee restaurant with a drive-thru and 30 indoor and 6 outdoor seats, along with associated site improvements; and

WHEREAS, a public hearing was held on said petition on the 25<sup>th</sup> day of February, 2026; and

WHEREAS, in accordance with Section 617.5(c)(9) State Environmental Quality Review (SEQR), this proposal involves a change of zone in order construct a 1,800sf (footprint) one-story Caribou Coffee restaurant with a drive-thru and 30 indoor and 6 outdoor seats, along with associated site improvements 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 GC-2L, LLC., for Job No. 25-39AFE for a change of zone from B-Residence to E-Business 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 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 resolution from the Planning Board, the zoning of the subject premises shall revert back to B-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 E-Business to B-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

### Description

#### **Tax Map #100-121-01-14.2**

**ALL** that certain plot, piece or parcel of land situated in Farmingdale, Town of Babylon, County of Suffolk and State of New York, more particularly described as follows:

BEGINNING at a point on the westerly side of Broadway where it intersects the northerly line of land now or formerly of Patricia Naso, which said point is distant the following two courses and distances from the corner formed by the old westerly side of Broadway with the northerly side of Parkway Court:

- 1) Northerly along the old westerly side of Broadway a distance of 349.92 feet; and
- 2) South 86°06'20" West along the northerly side of land now or formerly of Patricia Naso, 12.88 feet to the true point of beginning;

**RUNNING THENCE** from the true point of beginning along said land of Patricia Naso, South 86°06'20" West 113.31 feet to land now or formerly of Noor Ellahi and Farida Noor Ellahi;

**THENCE** along said land North 06°42'20" East 125.50 feet to land now or formerly of 1100 Route 110 LLC:

**THENCE** said land North 86°06'20" East 104.45 feet to the new westerly side of Broadway;

**THENCE** along the new westerly side of Broadway South 02°41'03" West 124.18 feet to the point or place of beginning.

Dated: March 11, 2026, Town of Babylon

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