

**BUSINESS**

# Sonic site plan approved with conditions by Smithtown town board



Long Island's only Sonic restaurant, at 1380 Deer Park Ave. in North Babylon, may soon be joined by another restaurant location in Smithtown after town board members approved with conditions a site plan for the fast-food establishment. Photo Credit: James Carbone

**By Lauren R. Harrison**

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Smithtown town board members unanimously approved a site plan with conditions for a Sonic in Nesconset, paving the way for the fast-food eatery to obtain construction permits.

Smithtown board members voted 5-0 at a Tuesday board meeting to approve Serota Smithtown LLC's plans to construct a more than 2,100 square-foot Sonic drive-in with a canopy of 22 loudspeakers at the corner of Middle Country Road and Alexander Avenue.

The votes came more than a year after the Smithtown Board of Zoning Appeals reached a legal settlement with Serota and Cinos LLC, the franchisee, following a legal battle in which state Supreme Court Judge Daniel Martin vacated the BZA's rejection of the company's special exception request. Martin wrote in his decision that the BZA "improperly bowed to community pressure."

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On Tuesday, board members split hairs about the site plan's traffic design at a work session held hours before the board meeting. Councilman Thomas McCarthy



entrance to the site at Alexander Avenue, making it a right-turn, exit-only onto Middle Country Road. His proposal then eliminated a roadway behind Sonic, near residential homes, that would allow drivers to cut-through to a nearby Costco.

But Councilman Edward Wehrheim said that he was OK with the site plan as it was submitted, adding that he didn't think the

roadway in the rear would be heavily used as a cut-through and that cross-access in commercial areas "makes a lot of sense."

Town planning director David Flynn said that the town planning and traffic safety departments, as well as the state Department of Transportation, recommended the plan.

"You're not going to reduce the amount of traffic on Alexander by closing a curb cut, but you are going to make more people go out into the intersection, which is less safe," he said.

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In the end, Sonic's Melville-based attorney, Bram Weber, agreed to a condition to prohibit ingress into the property from Alexander Avenue and allow only a right-turn exit onto Middle Country Road, officials said. That condition was among nine others that the board adopted, ranging from the company shielding all proposed on-site lighting with tops and sides and direct it straight downward, to obtaining necessary building

permits from the town before construction.

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