

**TOWN OF HUNTINGTON  
ZONING BOARD OF APPEALS**

100 Main Street, Room 212, Huntington, NY 11743  
Phone: (631) 351-3196 Fax: (631) 351-3257

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**APPLICATION FOR TEMPORARY OUTDOOR DINING PERMIT FOR  
ESTABLISHMENTS SEEKING OUTDOOR DINING  
NOT LOCATED IN A TOWN RIGHT OF WAY OR STREET  
SUBMIT BY EMAIL TO: [Planning@Huntingtonny.gov](mailto:Planning@Huntingtonny.gov)**

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**Applicant Information**

Business Name \_\_\_\_\_

E-mail address \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

By execution hereof, the applicant certifies all information submitted herein is true and correct.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Title/Position

\_\_\_\_\_  
Date

**Property Owner Consent**

The undersigned, owner of the above captioned property have reviewed the proposal herein and consent to the within Application.

I Authorize Town of Huntington personnel to inspect the within premises.

Name: \_\_\_\_\_ Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Owner/Authorized Representative Signature & Title: \_\_\_\_\_

The Temporary Outdoor Dining Permit expires on December 31, 2020 unless terminated earlier by local municipal or State action and is intended to assist existing food service establishments who have been authorized by the Governor to re-open but do not have sufficient indoor area to both maintain social distancing and be able to afford to reopen at reduced service loads.

**Checklist of Required Items:**

MET      NOT MET      N/A

\_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      Two copies of this Form and attachments.

MET      NOT MET      N/A

\_\_\_\_\_

Applicable Plans showing location of proposed outdoor seating with dimensions demonstrating compliance with social distancing guidelines.

How many seats are presently approved for your business location? \_\_\_\_\_

How many seats are proposed? \_\_\_\_\_  
(Total seats may not exceed those previously approved for the Business location.)

MET      NOT MET      N/A

\_\_\_\_\_

Submit a copy of the License issued to your business from the State Liquor Authority,

Will a tent be proposed:      \_\_\_\_\_ YES      \_\_\_\_\_ NO

If yes, provide dimensions \_\_\_\_\_

**Any tent, while not requiring a permit, must comply with the annexed Office of the Fire Marshal, Rules and Regulations for the Installation of Tents with the required documents to be submitted as part of the application.**

MET      NOT MET      N/A

\_\_\_\_\_

Has the required NY Forward Safety Plan been completed?

\_\_\_\_\_ YES      \_\_\_\_\_ NO

The requirements annexed hereto are part of the Application process and must be complied with to continue to maintain the permit. The Zoning Board of Appeals shall maintain continuing jurisdiction.

Should State Guidelines change regarding re-opening by any Executive Order issued by the Governor may form a basis for alteration or revocation of the Permit rights granted herein.

By submitting the within Application and attachments the Applicant Certifies that they will meet the Code Requirements of Town Code Section 198-66(A) and (B) for issuance of a Special Use Permit and the Requirements for outdoor tents if one is requested.

**Determination:**

\_\_\_\_\_  
Approved

\_\_\_\_\_  
Denied

By: \_\_\_\_\_

Date: \_\_\_\_\_

# **TOWN OF HUNTINGTON**

## **OFFICE OF THE FIRE MARSHAL**

### **RULES AND REGULATIONS FOR THE INSTALLATION OF TENTS**

- Submit a site plan (diagram) including: (A) distances to structures, outdoor occupancies and roadways (B) tent dimensions (C) exit and entrance locations if applicable (D) aisle widths if applicable (E) location of emergency lighting if the tent will be occupied during hours of darkness.
- Submit Certificates of Flame Resistance for all tents listed on the application.
- These certificates shall indicate that the tent material has been treated and tested in accordance with N.F.P.A. Standard 701.
- Submit an Electrical Underwriter Certificate if electric is to be used under the tent(s).
- Ground enclosed by the tent and not less than ten (10) feet of the outside perimeter of the tent shall be cleared of all flammable and combustible material and vegetation.
- Fire extinguishers shall be provided as necessary in accordance with N.F.P.A. Standard 10.
- Exit location signs shall be provided if applicable. Smoking shall be prohibited within the tent.
- Flammable liquid/flammable gas fired heat producing equipment shall be prohibited within the tent.
- Open-flame cooking devices shall be prohibited within tents.

# TOWN OF HUNTINGTON

## PERMIT REQUIREMENTS

### TEMPORARY OUTDOOR DINING PERMIT FOR FOOD ESTABLISHMENTS NOT SEEKING TO USE TOWN RIGHT OF WAY OR STREETS

Submit a plan showing the location of proposed outdoor seating. Plan can be hand drawn on existing survey, site plan or aerial map from Google Maps/Earth, Bing, etc. Illustrate the location of outdoor seating tables and/or chairs in accordance with the social distancing guidelines as set by the State of New York. The total number of seats for the outdoor dining area shall be indicated on the plan. The total number of seats, indoor plus outdoors, shall not exceed the total permitted by Suffolk County of Department of Health Services. There must be a physical barrier or separation to protect customers from vehicle traffic, such as bollards, substantial planter boxes or equivalent. Barriers shall not exceed four(4) feet in height. Designated Food Service areas in parking lots shall be established in such a manner as to provide adequate parking for patrons on premises or in adjoining areas.

The Town may request a parking analysis to ensure that adequate parking for facility is always provided.

COVID-19 outdoor dining area must meet Fire Code standards, including points of egress, access to fire extinguishers, and tent and awning ratings, if applicable. Seating shall not block entrances, exits, fire lanes, hydrants, sprinkler connection points, drive aisles, back-up areas, pedestrian, or handicapped access.

COVID-19 outdoor dining areas shall not be located within 100 feet of a structure used for residential purposes, shall only be utilized between the hours of 8:00 am and 10:00 pm and shall expire on December 31, 2020. All items located within the outdoor dining area shall be removed no later than December 31, 2020.

COVID-19 outdoor areas must be maintained and free of trash and other debris and trash receptacles provided. Establishments with a liquor license must have any required approval from the State to serve alcohol in an outdoor area. Nothing herein shall permit Establishments that do not sell food.

Any electrical work to be performed must be completed by a licensed and insured electrician.

Tents or canopies are included in this application and shall comply with the annexed standards of the Town Fire Marshall.

The COVID-19 Temporary Outdoor Dining Permit and Layout Plan shall be posted in the business window and be visible at all times for inspection.

DO NOT use handicap/ADA parking stalls for outdoor seating. DO NOT block handicap/ADA routes (path from ADA parking stalls to sidewalk curb ramps to store entrances. DO NOT reduce sidewalk widths to less than 36".

No outdoor music or loudspeakers.

Fire Marshall reserves the right to conduct an inspection if required.

New York Forward Safety Plan must be completed and maintained on premises and operator must comply with the terms thereof.

Town Permit must be displayed on premises.