

Town of
Brookhaven

Long Island, New York
One Independence Hill, Farmingville, NY 11738
Form PL-101 rev A 5/14/2020

COVID -19
SOCIAL DISTANCING
ACCOMMODATIONS

Application to assist existing businesses and places of worship in the Town of Brookhaven who have been authorized to re-open, but do not have the indoor area or facilities to accommodate COVID-19 social distancing requirements and wish to temporarily use existing outdoor areas, install pick-up windows or add parking lot signs.

NAME OF BUSINESS: _____

TYPE OF BUSINESS: _____

Street Address: _____

City/Hamlet: _____ **SCTM#** _____

Business has a Certificate of Occupancy? _____ Yes _____ No

Business has a Fire Prevention Place of Assembly Permit? _____ Yes _____ No

APPLICANT/CONTRACT VENDEE/LESSEE

Name: _____ Firm Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____

E-MAIL: _____ Phone: _____

I certify that all information is true an accurate and subject to a penalty for making a false statement subject to Penal Law 210.45. I attest that I will comply with all rules and approvals for the application herein.

Signature of Applicant/Contract Vendee/Lessee

Date:

PROPERTY OWNER CONSENT (If different from applicant). Be advised that I am the owner of record for the property referenced herein and having reviewed the proposal herein, hereby consent to this and approve this application. By this application, the owner does hereby authorize employees or agents of the Town of Brookhaven, in conjunction with this application, to enter and inspect the project site as necessary.

Name: _____ Firm Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____

E-MAIL: _____ Phone: _____

Date:

Signature of Owner/Officer

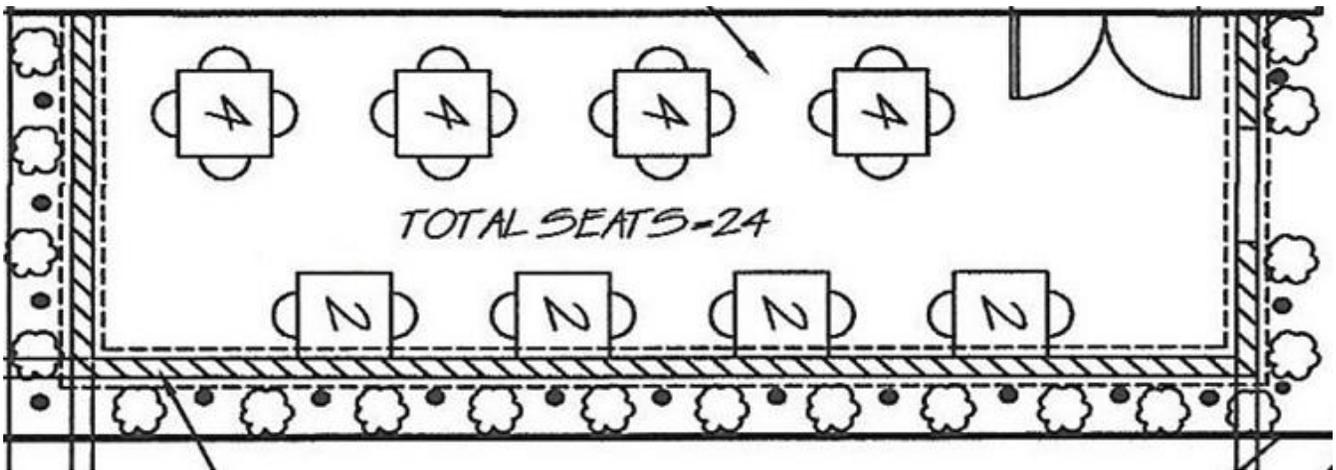
USE THIS APPLICATION ONLY FOR TEMPORARY COVID-19 ACCOMMODATIONS.

Any temporary accommodations granted herein will expire on November 1, 2020 and shall be removed by November 10, 2020. For permanent improvements or uses, please use standard Town permit applications.

Please check the box(es) of the type of Accommodations you wish to apply for:

COVID-19 OUTDOOR ACCOMMODATION AREAS. Review and/or approval required from Division of Building, Division of Planning and Division of Fire Prevention. **No fee required.**

- ✓ The following uses may be permitted to utilize COVID-19 Outdoor Accommodation Areas: Assembly and social recreation halls; delicatessens; health clubs; large commercial retailer, except those deemed essential business; lodges; major restaurants; non-degree-granting instruction/program except those associated with manufacturing or driver training; offices; personal service shops; places of worship; restaurants; retail sales establishments; shops and stores for the sale at retail of consumer merchandise and services; take-out restaurants; community or regional movie theatres; and tasting rooms as an accessory to a permitted principal farm brewery, cidery, distillery, or winery use.
- ✓ Submit a plan showing location of proposed tents, other membrane structures, and canopies, inclusive of support ropes and guy wires, outdoor seating, display areas, public assembly areas, equipment or other items. Plans can be hand drawn on existing survey, site plan or aerial map from Google Maps/Earth, Bing, etc.
- ✓ Illustrate the location within the COVID-19 Outdoor Accommodation Areas of outdoor seating tables and/or chairs, display racks and/or tables, equipment or other items, service/customers aisle and pathway from business to outdoor seating/area. (An example is provided below- add applicable dimensions). Those occupying separate dining tables within COVID-19 Outdoor Accommodation areas must be spaced at least six (6) feet apart. (Typically, this results in a minimum table separation of 10'.) All spacing within the outdoor areas must meet any other applicable current social distancing requirements.



- ✓ The total number of seats for take-out restaurants, restaurants, or major restaurants shall be indicated on the plan. The County of Suffolk Guidance Memorandum for Outdoor Seating in Food Establishments must be complied with:
 - “The Department of Health Services regulates the number of dining seats in food establishments, the maximum allowable number of which is indicated on a facility’s operating permit. Approved indoor seating may be temporarily relocated outside of the establishment without requiring a new application or review of plans, provided the total number of seats on the permit is not increased. The following conditions must also be met:
 - No food preparation is permitted in exterior dining areas.
 - The facility does not undergo substantial remodeling or make significant structural changes such as adding building square footage or modifications that affect external water supply/wastewater management infrastructure.
 - Relocation of dining seats must be compliant with all state and local codes.
 - Relocated exterior seating is subject to all COVID-19 recovery/reopening requirements, such as social distancing and capacity reductions, that are issued by the New York State Department of Health or by executive order issued by the Governor.”
- Parking spaces may be used for COVID-19 Outdoor Accommodation Areas without penalty for loss of parking stalls, however, a physical barrier or separation to protect customers from vehicle traffic, such as bollards, substantial planter boxes or similar barrier (samples below), must be installed. Provide a depiction or narrative of the steps to be taken to ensure overall site circulation is safe for vehicles, occupants and staff which may need to traverse drive aisles to access accommodation areas i.e.: pedestrian markings or signage.



- The Commissioner of the Department of Planning, Environment and Land Management may request a parking analysis to ensure that adequate parking for facility is always provided.
- COVID-19 outdoor accommodations must meet Fire Code standards, including points of egress, access to fire extinguishers, and tent and awning ratings, if applicable. Nothing shall block entrances, exits, fire lanes, hydrants, sprinkler connection points, drive aisles, back-up areas, pedestrian or handicapped access.
- COVID-19 outdoor accommodation areas, including generators used for said areas, shall not be located within 250 feet of a structure used for residential purposes, shall only be utilized between the hours of 8:00 AM and 9:00 PM and shall expire on November 1, 2020. All items located within the COVID-19 Outdoor Accommodation Area shall be removed no later than November 10, 2020.
- COVID-19 outdoor areas must be maintained, free of trash and other debris, and trash receptacles provided.
- Take-out restaurants, restaurants and major restaurants utilizing COVID-19 Outdoor Accommodation Areas must comply with all New York State Liquor Authority licenses, permits, approvals, guidance,

and/or applicable laws. Nothing herein shall permit outdoor bars, taverns or nightclubs. Nothing herein shall be construed as to amend, repeal, supersede, override or alter the Alcoholic Beverage Control Law.

- If a tent or canopy is to be used see additional requirements for tent and membrane structure below.
- ✗ DO NOT use handicapped/ADA parking stalls for Outdoor Accommodation Areas. Do not block handicapped/ADA routes (path from ADA parking stalls to sidewalk curb ramps to store entrances). Do not reduce sidewalk widths to less than 36”.
- ✗ DO NOT remove existing natural areas or required buffers.

COVID-19 PICK-UP WINDOW INSTALLATION. Review and approval required from Division of Fire Prevention, the Division of Planning and the Division of Building. HDAC referral if within an Historic District or Transition Zone. **No fee required.**

- ✓ Submit plans showing location of proposed pick-up window.
- ✓ Submit one set of professional, detailed, dimensioned plans in a digital format.
- ✓ Workers Compensation and Disability Insurance for the contractor. The only Certificates of Insurance forms accepted are: Workers Compensation - C-105.2, SI-12, U-26.3, GSI-12, WC/DB-100, WC/DB-101.
- ✓ Disability - DB-120.1, DB-155. Town of Brookhaven must be named as Certificate Holder. Accord Form! 101 will not be accepted. For additional information call Walter Peretti at NYS W/C Board.

COVID-19 SIGNAGE FOR CURB SIDE/PARKING LOT PICK-UP. Review and approval required from Division of Planning only. **No fee required.**

- ✓ Submit plan showing location of proposed sign.
- ✓ Plans can be hand drawn on existing survey, site plan or aerial map from Google Maps/Earth, Bing, etc.
- ✓ Signs should not be larger than 4 square feet per sign face (i.e. 2’ x 2’, 1’ x 3’).
- ✗ DO NOT use handicap/ADA parking stalls for curb side/parking lot pick-up.
- ✗ 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”.

COVID-19 ERECTION OF TENTS AND OTHER MEMBRANE STRUCTURES. This application is for tents or other membrane structures within COVID-19 OUTDOOR ACCOMMODATION AREAS. Review and approval of the Division of Fire Prevention may be required. **No fee required.**

- Tents or other membrane structures having an area of 400 square feet or less do not need a permit from the Division of Fire Prevention. However, said tent or membrane structure, inclusive of support ropes and guy wires, must be depicted on your COVID-19 Outdoor Accommodation Areas plan, as required above.
- Individual tents or other membrane structures having an area of 401 square feet up to 700 square feet do not need a permit from the Division of Fire prevention so long as:
 1. The tent or other membrane structure is open on all sides; AND
 2. The total area of multiple tents placed side by side without a fire break clearance of twelve (12) feet that does not exceed 700 sq. / ft. and a minimum of twelve (12) feet clearance to all structures

and other tents. NOTE: For the purposes of determining required distances, support ropes and guy wires shall be considered as part of the tent or other membrane structure.

- Tents or other membrane having an area of 701 square feet or more must obtain a permit from the Division of Fire Prevention, subject to the following:

Submission Requirements:

- A) Diagram shall be submitted - If not to scale, dimensions shall be indicated. If to scale, not less than 1/8 scale. Plans do not require a design professional stamp / seal.
- B) Location of tent and membrane structures with respect to the property lines and other structures (requirements vary based on size), as well as other facilities nearby that utilize flammable liquids, gases, explosives or readily combustible materials.
- C) Name, address and contact information of tent or membrane structure manufacturer
- D) Size of the subject tent or membrane structure.
- E) Means of egress (exiting), including dimensions of same.
- F) Floor plan showing seating, tables, aisle widths, etc. (Plans submitted for outdoor accommodation areas, above, will be deemed to meet this requirement so long as all information herein is indicated thereon.)
- G) Intended use of the tent or membrane structure (assembly, sales, etc.)
- H) Type of heating and electrical equipment, to be installed, if any.
- I) Any stages or platforms located within the footprint or within twenty (20) feet of the tent or membrane structure.
- J) Certificate of Flame Resistance” for the fabric material of the tent or membrane structure that will be erected. This certificate shall comply with the requirements of Chapter 31, Section 3104.2 of the Fire Code of New York State (2020).
- K) Workers Compensation and Disability Insurance for the contractor. The only Certificates of Insurance forms accepted are: Workers Compensation - C-105.2, SI-12, U-26.3, GSI-12, WC/DB-100, WC/DB-101.
- L) Disability - DB-120.1, DB-155. Town of Brookhaven must be named as Certificate Holder. Accord Form! 101 will not be accepted. For additional information call Walter Peretti at NYS W/C Board.

Certification:

- A) An affidavit shall be submitted with the following information:
 - 1) Name, address, phone number and email of the owners of the tent or membrane structure.
 - 2) Date the fabric was last treated with flame-retardant solution.
 - 3) Trade name or kind of chemical used in treatment.
 - 4) Name of person or firm treating the material
 - 5) Name of agency and test standard by which the fabric was treated.
 - 6) Please note: Certificates stitched to or printed on the fabric of the tent or membrane structure indicating acceptance by the California State Fire Marshal does not comply with this requirement. Certificates shall indicate flame resistance testing in compliance with National Fire Protection Association (NFPA) Standard 701 Test method 1 or 2, as applicable.

Compliance Inspection:

Once the tent or membrane structure is erected, an inspection, prior to the event or use by the public, will be required.

- A) Documentation attesting to the structural stability of the subject tent or membrane structure shall be prepared by a NYS licensed Architect or Engineer after he / she has conducted an inspection of the erected tent or membrane structure. Said Architect or Engineer shall ensure the erection of the tent or membrane structure is in compliance with the manufacturer's design requirements and the applicable sections of the Fire Code of New York State (2020). Said affidavit shall bear the stamp / seal of the Architect or Engineer. This document shall be submitted to the Town at the time of inspection.
- B) The following shall be complied with:
 - 1) Approved previously submitted layout matches current layout.
 - 2) Ground enclosed by the tent or other membrane structure and not less than twenty (20) feet outside the tent or other membrane structure shall be cleared of all combustible materials and vegetation.
 - 3) Fire extinguishers shall be provided in accordance with Fire Code of New York State (2020).
 - 4) Electrical installations shall be in accordance with NFPA 70.
 - 5) Open flame cooking devices shall be prohibited in tents or membrane structures utilized for public assembly.
 - 6) Heat producing equipment shall be prohibited, except that approved temporary heaters may be provided in accordance with the Fire Code of New York State (2020).
 - 7) Exit signage and emergency lighting shall be installed (if utilized after dark).
 - 8) No smoking signs shall be installed conspicuously through the tent or other membrane structure.
 - 9) Any generators shall be a minimum of twenty-five (20) feet from any tent or other membrane structure and be appropriately grounded utilizing grounding rods.
 - 10) Spare fuel associated with the generator shall be stored in an approved container and located in a secure location.