



INCORPORATED VILLAGE OF PORT JEFFERSON

121 West Broadway Port Jefferson, NY 11777

Ph (631) 473-4724 Fax (631) 473-8799 www.portjeff.com

Instructions for: **SEASONAL OUTDOOR DINING PERMIT APPLICATION**

Pursuant to Code of the Village of Port Jefferson §250-58

A complete application shall consist of the following:

1. Application Fee (\$200.00 for new applications, \$100.00 for renewals) per §250 *Attachment 1:1 Table of Fees*
2. Permit Fee- \$100.00 per table per annum upon approval
3. Three (3) hard copies of Application and Certificate(s) of Occupancy/Certificate(s) of Existing Use
4. Three (3) hard copies of floor plan including indoor table locations, indoor space adjoining entrances/exits
5. Three (3) hard copies of current survey with scaled layout of location and proposed outdoor dining area and access to outdoor dining
6. Color photographs of the area to be converted to outdoor dining and existing dumpster location (new applications only)
7. Original Signed and Notarized Owner's Endorsement form if applicant is other than the owner. If ownership is held jointly or in partnership, each owner and/or partner must sign a separate owner's endorsement.
8. Disclosure Affidavit

Upon submission of a complete application, the Board of Trustees will schedule it for a public hearing. **Public hearings are required for all new applications and, at the discretion of the Board of Trustees for renewals.** The procedure and requirements are outlined below:

- a) An applicant is required to notify the surrounding property owners no later than ten (10) days prior to the hearing. A list of all property owners within a 200 foot radius from each corner of the property or within a distance of five lots from the property line(s) whichever is the greater distance must be prepared and submitted by the date of the hearing. The list must be prepared from current tax records of the Village of Port Jefferson or of the Town of Brookhaven.



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Instructions for Seasonal Outdoor Dining Permit Contd.

- b) Posters, not more than 200 feet apart along the street line of the property which is the subject of the application, not less than 24 inches by 36 inches in size, must be conspicuously posted along the entire length of each street frontage of the property which is the subject of the appeal at least 10 days prior to the date set for the public hearing before the Board of Trustees. The applicant shall pay a fee of \$25 for each poster. Posters are available at the Building and Planning Department, 88 North Country Road. Such poster(s) shall contain the following information:
 - (1) The current zoning and the proposed use (Seasonal Outdoor Dining)
 - (2) That a public hearing will be held before the Board of Trustees at a specified date, time and place with regard to the proposed application.
- c) After the applicant has mailed the notification letters and posted the PUBLIC NOTICE signs on the property, the applicant shall submit an Affidavit of Mailing and Posting with attached photograph of posted sign and proof of mailing to the Village Clerk. A copy of this Affidavit is enclosed within this package.



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SEASONAL OUTDOOR DINING PERMIT APPLICATION

Pursuant to Code of the Village of Port Jefferson §250-58

___ **NEW APPLICATION** ___ **RENEWAL**

SCTM# _____

PROPERTY ADDRESS _____

APPLICANT (Must be the party in interest. If applicant is a corporation, provide the name and title of the responsible officer)

NAME _____

COMPANY NAME (if applicable) _____

ADDRESS _____

PHONE(S) _____

EMAIL _____

If the applicant does not own the property, please prepare the endorsement at the end of this form establishing owner's authorization of the applicant's proposed outdoor dining plan.

OWNER(S) Please list all property owners on the current deed

NAME _____

ADDRESS _____

PHONE(S) _____

EMAIL _____

AUTHORIZED AGENT (All communications with regard to this application shall be addressed to the following until further notice)

NAME _____

ADDRESS _____

PHONE _____

EMAIL _____



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DESCRIPTION OF PROJECT _____

Existing Days and Hours of Operation _____
Proposed Days and Hours of Operation _____
Existing Number of Seats/Tables Indoors _____
Proposed Number of Seats/Tables Outdoors _____

Name of Carting/Refuse Removal Company _____
Existing Pick-up Schedule (weekly) _____
Proposed Pick-up Schedule (weekly) _____
Dumpster and/or compactor and /or grease barrel locations must be clearly indicated on survey

Do other property owners/tenants/businesses have rights/access to the proposed outdoor dining area?
Yes _____ No _____ If yes, please provide copies of easement agreements and Property Owner's
Consent

For Office Use

New _____ Renewal _____

Application Name and Number _____

SCTM No. _____ Date Received _____ Zoning District _____

**Conditions and/or restrictions, if any, set by the Board of Trustees directly related to and
incidental to the special use permit for seasonal outdoor dining per VPJ Code §250-58-D
(7)(l):**



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OWNER'S ENDORSEMENT

STATE OF NEW YORK)

SS:

COUNTY OF SUFFOLK)

_____, being duly sworn,
deposes and says:

I am: (check one)

- ☐ 1. the sole owner in fee
- ☐ 2. a part owner in fee
- ☐ 3. an officer of the corporation
which is the owner in fee of the
premises
- ☐ 4. designated party authorized
to act pursuant to a trust or other
legal document
- ☐ 5. member/owner(s) of Limited
Liability Corporation (LLC)

If you check #3, #4, or #5, please provide proof of legatee (i.e. Corporate Resolution; Surrogate Letter; Executor of the Will; Certified Letter of Testamentary; Letter of Administration; Attorney-Opinion Letter; Letter of Probate; Power of Attorney, etc.)

I reside at _____

I have authorized _____
to make the foregoing application to the Incorporated Village of Port
Jefferson for approval as described herein.

Signature

(If owner is a corporation, please indicate name of
corporation and the title of the corporate officer
whose signature appears above)

Sworn before me this _____
day of _____, 20 _____

Notary Public



INCORPORATED VILLAGE OF PORT JEFFERSON

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DISCLOSURE AFFIDAVIT:

For the purpose of this disclosure, an official or employee of the State of New York, The Town of Brookhaven, the Village of Port Jefferson or the County of Suffolk shall be deemed to have an interest in the applicant or owner when that official or employee, their spouse, brothers, sisters, parents, children, grandchildren, or the spouse of any of them:

1. is the applicant or owner,
2. is an officer, director, partner, or employee of the applicant or owner,
3. legally or beneficially owns or controls stock of a corporate applicant or owner, or is a member of a partnership or association applicant or owner, or
4. is a party to an agreement with the applicant or owner, express or implied, whereby said official or employee may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application.

Ownership of less than five per cent of the stock of a corporation whose stock is listed on the New York Stock or American Stock Exchanges shall not constitute an interest for the purposes of this disclosure.

_____, being by me duly sworn, disposes and says:

1. I am an applicant for a project or an owner of the land which is the subject of a pending application before the Incorporated Village of Port Jefferson.
2. The project name is: _____
3. I (applicant and/or owner) reside at _____
4. The officers of the applicant's corporation or owner corporation are as follows: (if applicable)
President _____ Secretary _____
Vice President _____ Treasurer _____
5. I make and complete this affidavit under the penalty of perjury and swear to the truth herein.
6. I am aware that this affidavit is required by General Municipal Law 809 and that I shall be guilty of a misdemeanor as provided by General Municipal Law 809 should I knowingly or intentionally fail to make all disclosures herein.



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Seasonal Outdoor Dining Application Packet Contd.

DISCLOSURE AFFIDAVIT CONTD.

YOU MUST ANSWER THE FOLLOWING QUESTIONS EITHER YES or NO

Do any of the following individuals have an interest in the applicant or owner, as defined above?

1. any official of New York State YES NO
2. any official or employee of the Village of Port Jefferson or Suffolk County? YES NO

Being so informed and warned, my response to the above question is: YES or NO (please circle)

If the answer above is yes, General Municipal Law Section 809 requires that you disclose the name and residence and the nature and extent of the interest of said individual(s) in the applicant owner:

| NAME | RESIDENCE | NATURE OF INTEREST |
|-------|-----------|--------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Signature _____

Print name _____

Sworn to before me this _____ day of _____ 20 _____

Notary Public



INCORPORATED VILLAGE OF PORT JEFFERSON
Seasonal Outdoor Dining Application Packet Contd.

AFFIDAVIT OF MAILING & POSTING

This affidavit certifies that the subject property was posted in accordance with the Code of the Village of Port Jefferson ten days prior to the public hearing date and I have sent by certified mail return receipt requested a copy of the Public Notice to all owners of property within 200 feet of each corner of the property or within a distance of five lots from the property line(s) whichever is the greater distance.

| | | |
|-----------|------------|------|
| Signature | Print Name | Date |
|-----------|------------|------|

Sworn to before me this _____ day of _____ 20_____

Notary Public