

Department of  
Transportation & Traffic Safety  
Town Hall • 100 Main Street  
Huntington, NY 11743-6991



Phone: (631) 351-3053  
Fax: (631) 351-3066

**TEMPORARY OUTDOOR PARKLET DINING ON THE NEW YORK STATE (NYSDOT)  
RIGHT-OF-WAY PARKING LANE/SHOULDER AREA**

**FOR 2021 ONLY**

Business Name (legal/dba): \_\_\_\_\_

Business Owner's Name (Individual): \_\_\_\_\_

Business Address (Specific Location): \_\_\_\_\_

E-Mail: \_\_\_\_\_ Home Phone: \_\_\_\_\_

Work Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

- The building in which the restaurant is located shall have a certificate of occupancy for the current establishment before applying for the New York State Department of Transportation (NYSDOT) COVID-19 Temporary Use Permit .

**Those submitting applications to NYSDOT shall:**

1. Send copy of NYSDOT application materials, including but not limited to plan and permit application materials and any NYSDOT comments, to the Town of Huntington's Director of Transportation & Traffic Safety. In order for the Town to support an application to NYSDOT, and to ensure public safety and health and welfare, the Town's Director of Transportation & Traffic Safety shall, in consultation with other Town Departments, consider and may impose any special requirements for the control of traffic, noise, lighting, littering or hours of operation which are found necessary for the protection of surrounding properties.
2. The NYSDOT may ask applicants for Town processes and outreach plan materials. To assist applicants with getting NYSDOT permit approval, the Town has developed the attached **Town of Huntington Operations & Safety Plan in connection with NYS COVID-19 Temporary Use Permit Applications** document which applicants may submit to NYSDOT.
3. After the applicant receives NYSDOT approval and provides the Town with a copy of approved permit application materials including but not limited to approved plan materials, a fully executed NYSDOT Special Use Permit (PERM33a) and insurance documents, the applicant will, as appropriate, enter into a contract with the Town and agree to pay a fee of one hundred dollars (\$100) per metered parking space per month that is no longer accessible as a result of the proposed use. This fee will be required starting the first day of the month during which the metered parking space is not accessible.



**Only after all of the above are satisfactorily completed will the applicant be permitted to implement any elements of its proposed parklet along State roadways.**

- Submit a certificate of insurance, along with the application, evidencing the following coverage: a) : General Liability Insurance with limits of no less than \$1,000,000.00 per occurrence/\$2,000,000.00 in the aggregate; b) Liquor Liability Insurance with limits of \$2,000,000.00 per occurrence; c) and NYS Workers Compensation and Disability Insurance for the restaurant’s employees (statutory limits). The Town of Huntington must be included as the certificate holder and as an “additional insured, by endorsement.” A copy of the endorsement must be provided with the certificate of insurance. All insurance coverage is required to remain in full force and effect for the term of the permit.
- Submit a check made payable to the Town of Huntington in the amount of \$100.00 per month for each metered parking space (or part thereof) that is used by the applicant for the parklet.

**Please initial each statement after reading and agreeing to terms:**

\_\_\_\_\_ I hereby certify I have received approval from the NYSDOT under their COVID-19 Temporary Use Permit to place a temporary parklet in the State right-of-way.

\_\_\_\_\_ I hereby certify that I am the owner of a small business located at the address set forth herein, that there is a Certificate of Occupancy for its use as a dining facility and I make this application for a temporary outdoor dining on the State’s right-of-way (parking lane/shoulder area).

\_\_\_\_\_ I acknowledge as a condition of granting of the temporary outdoor dining permit, the Applicant shall be required to sign an Hold Harmless and Indemnification Agreement which shall include provisions requiring the Applicant to defend, indemnify and hold the Town of Huntington, its officers, agents and/or employees harmless from any liability and attorneys’ fees, imposed upon or incurred by the Town of Huntington, its officers, agents and/or employees arising from the negligence, gross negligence, recklessness, malpractice, or intentional tort of the Applicant arising out of or in connection with the Applicant's use and occupancy of the State’s right-of-way as contemplated by the permit herein described.

**FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO §210.45 OF THE NEW YORK STATE PENAL LAW**

\_\_\_\_\_  
**SIGNATURE**                      **DATE**

\_\_\_\_\_  
**PRINT NAME**

\_\_\_\_\_  
**SIGNATURE**                      **DATE**

\_\_\_\_\_  
**PRINT NAME**

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**Submit this completed form and all other necessary documents, to the Town of Huntington Department of Transportation & Traffic Safety at [Traffic@HuntingtonNY.gov](mailto:Traffic@HuntingtonNY.gov), Huntington Town Hall (Room 109), 100 Main Street, Huntington, NY 11743, phone (631) 351-3053, fax (631) 351-3066**





**TOWN OF HUNTINGTON OPERATIONS & SAFETY PLAN  
IN CONNECTION WITH  
NYS DOT COVID-19 TEMPORARY USE PERMIT  
APPLICATIONS**

Through the following operations and safety plan and outreach plan activities, the Town and referenced departments and agencies will be able to monitor social distancing practices and proposed delineation methods, speeds, emergency safety issues, and the installation and removal of the improvements. The Town will coordinate any specific proposed regulatory changes (speed limits, parking restrictions, etc.) which will follow typical NYS DOT and Town procedures.

1. The Town will coordinate to have the applicant's information distributed to various Town Departments.
2. The Town's Planning Department will add the applicant's information (that will include a NYS DOT review/approval status statement) to the Town's GIS Mapping system.
3. The Town's GIS Mapping system will be accessible by all Town Departments including Public Safety and the Department of Transportation & Traffic Safety, local enforcement (SCPD 2nd Precinct) and emergency service agencies, State and local highway agencies, freight companies and other private property owners.
4. No food/beverage shall be served and no patrons shall be present in the parklet after 11:00 p.m. so as not to disturb any residents, except food/beverage can be served until 12:00 a.m. on Friday and Saturday nights if permitted by New York State.
5. The Town of Huntington Departments of Transportation & Traffic Safety and Public Safety will monitor social distancing practices and proposed delineation methods, speeds, emergency safety issues, and the installation and removal of the improvements.
6. Any identified speeding or emergency or safety issues will be brought to the attention of the appropriate local enforcement (SCPD 2nd Precinct), emergency service agencies and/or State and local highway agencies.
7. The Town of Huntington Departments of Transportation & Traffic Safety and Public Safety will monitor the outdoor dining areas to enforce provisions of the Town Code, including but not limited to, noise control and open container ordinances.

  
SIGNATURE

03/25/2021  
DATE

SCOTT R. SPITAL / DIR. TRANSPORTATION & TRAFFIC SAFETY  
PRINT NAME / TITLE

## **Links to New York State Department of Transportation**

### **NYSDOT Special Use Permits**

<https://www.dot.ny.gov/divisions/operating/oom/transportation-systems/traffic-operations-section/special-permit>

*A PERM 33-g is required when a COVID-19 reopening-related event/activity is planned to take place on state highway right-of-way, involving the alternate temporary use (not to exceed 120 days) of State-owned sidewalks, parking areas, highway shoulders, travel lane or any other state right-of-way for the direct purposes of facilitating social distancing and other reopening phase requirements.*

PERM 33g Application for COVID-19 Recovery Temporary Use Permit 

<https://www.dot.ny.gov/divisions/operating/oom/transportation-systems/repository/PERM33G.pdf>

COVID-19 Recovery Temporary Use Permit - Letter from NYSDOT Commissioner Marie Therese Dominguez 

<https://www.dot.ny.gov/divisions/operating/oom/transportation-systems/repository/PERM33gCoverLetter.pdf>

COVID-19 Recovery Temporary Use Permit - Temporary Use Guidelines - Operations and Safety Plan 

<https://www.dot.ny.gov/divisions/operating/oom/transportation-systems/repository/PERM33gSafetyPlan.pdf>

NYSDOT Regional Contacts 

<https://www.dot.ny.gov/divisions/operating/oom/transportation-systems/repository/NYSDOT%20Regional%20Contacts.pdf>