



TOWN OF MANCHESTER - BUILDING INSPECTION DIVISION

494 MAIN STREET • P.O. BOX 191 • MANCHESTER, CT 06045-0191 • PHONE: 860-647-3052 • FAX: 860-647-3144

Certificate of Use Permit Application – Seasonal Vestibule

This is an application for a Certificate of Use Permit to erect a Seasonal Vestibule in accordance with the Town of Manchester Zoning Regulations – Article IV, Section 23. This application shall be reviewed for compliance of said regulations and a Certificate of Use Permit will be issued only after authorizing signature by the Town of Manchester Zoning Enforcement Officer.

PLEASE TYPE OR PRINT:

Applicant: _____ Property Owner: _____

Proposed Sign Address: _____ Business Address: _____

Mailing Address: _____ Address: _____

Telephone: _____ Telephone: _____

Signature: _____ Signature: _____

THE FOLLOWING INFORMATION MUST BE SUBMITTED WITH THE APPLICATION:

1. A site plan drawn to scale with dimensions showing:
 - a. The proposed location of the Seasonal Vestibule, not more than three (3) feet into the public sidewalk.
 - b. The unobstructed four (4) foot (*minimum*) concrete sidewalk, required for pedestrian travel.
2. An elevation of the proposed seasonal vestibule drawn to scale and showing proposed design, colors, materials and anchoring method.

3. A certificate of liability insurance in the amount of two (2) million dollars with the Town of Manchester named as additional insured must be submitted *before* a permit is issued and be effective for the full term of the permit.

Permit #: _____ **Date Issued:** _____ **Expiration Date:** _____

This permit is issued in accordance with Article IV, Section 23 of the Town of Manchester Zoning Regulations and on the information submitted in your application. A copy of the seasonal vestibule regulations is on the reverse side of this form to help you in completing the application.

Manchester Police Department - Approval

Building Inspection Division - Approval

Department of Public Works - Approval

Fire Marshal's Office - Approval

Manchester Health Department - Approval

PERMIT REQUIREMENTS

- 1) Seasonal vestibules may be located on public sidewalks adjacent to or abutting an indoor restaurant. The vestibule shall extend no further than the actual street frontage of the operating restaurant.
- 2) Seasonal Vestibules shall provide not less than four (4) contiguous feet of sidewalk clear of obstructions to allow unimpeded pedestrian traffic. At street corner intersections there shall be a minimum of eight (8) feet of unobstructed sidewalk. Obstructions shall include but not be limited to light poles, traffic signal poles, fire hydrants, utility structures and street signs. Further, the location of the cafe cannot obstruct the clear sight distance for vehicles nor access or crossings for the disabled.
- 3) The area of the sidewalk reserved for pedestrian traffic shall consist of concrete only. Any textured pavement, such as brick, cobblestone, bituminous and similar treatment shall not be considered sidewalk for pedestrian traffic.
- 4) Seasonal vestibules shall not encroach more than 3 feet beyond the lot line and into the public sidewalk.
- 5) Seasonal vestibules shall conform to Article II Section 15.04.02 (Conformance with Downtown Architectural Guidelines).
- 6) Seasonal vestibules shall not be erected prior to December 1 and shall be removed by March 31 each year.
- 7) Anyone wishing to erect a seasonal vestibule must file an application with the zoning enforcement officer for a Certificate of Use permit. An application form prescribed must be completed and any fee required must accompany the application. Fees may be established by the Planning and Zoning Commission at a public meeting.
- 8) Seasonal vestibule permits shall be issued for an operating period of one year. Thereafter the zoning enforcement officer may issue a renewal application on an annual basis provided a request is made for the renewal and after the zoning enforcement officer has made an inspection of the premises. The zoning enforcement officer may deny a permit to operate a seasonal vestibule if the operator has a history of violations of any of the requirements governing sidewalk cafes, seasonal vestibules or a failure to correct violations when duly noticed by the zoning enforcement officer.
- 9) The zoning enforcement officer shall be empowered to notify the owner of a seasonal vestibule that their permit has been revoked. If the zoning enforcement officer finds that the provisions of the regulations are not being met by the operator, the operator shall correct the violations within one week of receiving written notice of violation. If the violations are not corrected within that time the permit will be revoked.
- 10) In addition to meeting the requirements of these regulations the “applicant” will route the application to the Town of Manchester Police Department, Department of Public Works, Health Department, Building Inspection Division and Fire Marshal’s Office for their review and approval (sign-off). Any permit requirements of other agencies which regulate restaurants or the public right-of-way must be adhered to and the zoning enforcement officer may not issue a certificate of use if the applicant has not received approvals for the operation from other agencies having any jurisdiction on its operation.
- 11) The owner must also provide liability insurance in an amount determined by the director of finance, and must name the Town an additional insured in that policy. A certificate of use shall not be issued until the insurance certificate is provided.
- 12) Any operator aggrieved by any action of the zoning enforcement officer shall have a right to appeal to the Zoning Board of Appeals as set forth in Article V Section 5 of these regulations.

The town reserves the right and power, acting through the General Manager or a designee, to prohibit seasonal vestibules at any time because of anticipated or actual problems or conflicts in the use of the sidewalk area. These situations include but are not limited to festivals, parades, marches, road races, repairs to the street or sidewalk, or any other emergencies occurring in the area. To the extent possible the permittee shall be given prior written notice of the time period during which the vestibule will not be permitted by the Town but failure to give notice shall not affect the right and power of the Town to prohibit the café’s operation at any particular time.

Permittee Signature

Zoning Enforcement Officer