



TOWN OF GROTON

PLANNING AND DEVELOPMENT SERVICES

Groton Guide to Temporary Certificate for Outdoor Dining

On May 12, 2020 an Executive Order Number 7MM was signed by Governor Lamont that allows for expedited approvals of temporary outdoor dining for restaurants that are looking to open during the COVID-19 Emergency Declaration. In order to provide for a quick and comprehensive approach staff has developed this document to help assist applicants.

Frequently Asked Questions

Are permits required?

Yes, the Temporary Certificate for Outdoor Dining (TCOD) is temporary in nature and requires staff review and sign off on the plans submitted. Building Permits may also be required depending on the proposal.

The TCOD will be reviewed by the Planning Department, Building Official and the Fire Marshal for code compliance if applicable and will be forwarded to the Ledge Light Health District and Groton Police Department.

You should also check with the requirements from the State of Connecticut for Re-Opening Your Business: https://portal.ct.gov/-/media/DECD/Covid_Business_Recovery/CTReopens_Restaurants_C5_V1.pdf?la=en
These are separate requirements from the Town of Groton permit for a TCOD.

What is the fee?

There are no fees associated with a request for a TCOD.

What if we already have an outdoor dining area approved by the Town and do not wish to expand it?

No TCOD permit or review is required. You may use your existing outdoor dining area but will have to comply with separation guidelines issued by the Ledge Light Health District or the State of Connecticut, whichever are more restrictive.

What if we want to create new or expand outdoor dining areas?

A TCOD review will be required for new or expanding outdoor dining areas.

Do I need professionally drawn plans for submission?

No. Although a survey is preferred, it is likely that there is a plan on file with the Office of Planning & Development services that you can use. If one does not exist, a sketch/drawing would be required. The drawing must conform to the requirements listed on the application form. Plans and written narrative should allow staff to determine the following:

1. The exact location and dimensions of the dining area.
2. The proximity of the dining area to adjacent uses will help staff determine if screening/fencing is required.
3. The number of tables and how they will be spaced.
4. The illustrated pathway that will be taken to and from the kitchen by wait staff.
5. Location of waste receptacles.
6. Location of any temporary structures, including tents.
7. Where required by size, tents must meet construction, wind load, and installation standards.
8. Where required, tent construction and fire ratings shall be reviewed by the Fire marshal.

Do I need a permit from Ledge Light Health District?

Outdoor Dining is typically not regulated by Ledge Light Health District. However, if outdoor cooking is proposed a review by Ledge Light Health District is required.

Can I use areas of my parking lot, lawn, or other designated outdoor areas?

Yes, provided all health guidelines from the State of Connecticut and/or Ledge Light Health District are met. For temporary dining areas to be in parking lots, barriers for the protection of patrons will be required. The applicant should provide types barriers that can effectively separate and protect patrons and workers from vehicles navigating their way through the parking areas. The property owner and applicant have the ultimate responsibility of worker and patron safety within this temporary patio. Applicants should review Section 5.1-1.E Outdoor Patio, Commercial, On-Site, of the Zoning Regulations as all requirements not superseded by the executive order will be required to be met. For areas located in parking areas, outdoor seating areas cannot interfere with pedestrian vehicular travel or sight-lines and also cannot interfere with handicap access as required by the Americans with Disabilities Act.

Can I use public outdoor seating in public sidewalks?

You may be allowed to put outdoor dining areas in public sidewalks provided that at least 6' of pedestrian passage remains between the outdoor areas and the travel lane. In cases where the sidewalk is located in the town right of way, proposals will be sent to the Department of Public Works for their review. For proposals located within the state right of way, the Connecticut Department of Transportation is the reviewing authority.

Can I use an adjacent property for outdoor dining?

Yes as long as you have written permission from the owner of the adjacent property and all other requirements are met. Applicants seeking offsite outdoor dining should submit the written approval from the property owner with the TCOD application.

Am I required to cover my dining area (example tent or table umbrellas)?

No, you are not required to cover the temporary dining area.

Can I install tents within temporary dining areas?

While a tent is not required, you can install tents in conformance with Building Official and Fire Marshal review and approval. Details must be submitted with the application and the Building Official and Fire Marshal should be consulted before submitting plans to avoid delays.

Can I serve alcohol?

If you have a permit from the State of CT to serve alcohol on your existing patio with no modifications proposed, yes.

If you are asking for a TCOD for a modification, or a new patio, The State Liquor Commission will require a permit and you must obtain local approval on the State's form. They have told the town that the process will be expedited. Once your TCOD is approved at the town level, you may apply to the state. Town will sign off on the required forms as quickly as possible.

If you do not have a current liquor license, you will not be able to serve alcohol on the patio unless you obtain one.

The TCOD is for dining with ancillary alcohol service as permitted by the State of CT. Outdoor bars are not permitted.

How long will my TCOD be valid?

This is a fluid situation involving zoning, building, fire and health approvals. However, it is important to know that these approvals are temporary.

1. TCOD's will be valid until the Governor's Executive Order No. 7MM is lifted. Once expired, businesses will need to revert back to previous approvals for the site unless formal applications are reviewed and approved by the town.
2. Approvals from the Building and Fire Officials may have varying expiration dates. These shall be noted in any decision letter authorizing you to proceed. The applicant must ensure that all aspects of the approvals are kept up to date.
3. All TCODs are subject to revocation for failure to follow safety protocol and/or the creation of any nuisance.

What if I would like to permanently create or expand my outdoor dining patio?

A request for a permanent patio will require either an Administrative Site Plan approval or Site Plan approval by the Planning and Zoning Commission. Those seeking permanent approvals should not apply for the TCOD.