

Bedford Hills, New York
May 17, 2011

A public hearing was held by the Town Board of the Town of Bedford on May 17, 2011 to consider the application from GSJ Restaurant, 63 Katonah Avenue, Katonah, New York for a Special Use Permit for outdoor dining. The meeting was called to order at 7:35 P.M. by Deputy Supervisor Chryssos.

Present:	Peter Chryssos	: Deputy Supervisor
	Chris Burdick	: Councilman
	David Gabrielson	: Councilman
	Lisbeth Fumagalli	: Town Clerk
	Joel H. Sachs	: Town Attorney
	Jeffrey Osterman	: Director of Planning
Absent:	Lee V. A. Roberts	: Supervisor
	Francis Corcoran	: Councilman

and approximately ten (10) residents/observers.

Proof of publication was presented and ordered filed. The public notice was published in the Bedford Pound Ridge Record Review on May 6, 2011.

Attorney Richard Genett was present on behalf of the applicants GSJ Restaurant and explained that his clients wished to serve beer and wine at 7 outdoor tables that would have 24 chairs, between the hours of 7 am and 10 pm, 7 days a week, from April to November. He asked for a five (5) year term on the permit.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Chryssos, Gabrielson, Burdick
Nays: None
Absent: Roberts, Corcoran

RESOLVED that the Town Board does hereby close the public hearing to consider the application from GSJ Restaurant, 63 Katonah Avenue, Katonah, New York for a Special Use Permit for outdoor dining.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Chryssos, Gabrielson, Burdick
Nays: None
Absent: Roberts, Corcoran

WHEREAS, GSJ Restaurant aka Katonah Restaurant., a domestic corporation, maintaining its principal place of business at 63 Katonah Avenue, Katonah, County of Westchester and State of New York has submitted an application to amend the Permit dated June 15, 1987 granted to The Katonah Restaurant; and

WHEREAS, on May 17, 2011, the Town Board of The Town of Bedford held a public hearing on the issuance of a special permit to The Katonah Restaurant; and

WHEREAS, the Town Board wishes to grant the Special Permit subject to certain conditions;

NOW THEREFORE, BE IT RESOLVED THAT In consideration of permission from THE TOWN for THE KATONAH RESTAURANT is to maintain outdoor tables for use of its customers, on the sidewalk adjacent to THE KATONAH RESTAURANT, the Special Permit is granted to the THE KATONAH RESTAURANT subject to the following conditions:

- (1) THE KATONAH RESTAURANT will include THE TOWN as an additional insured on its policy of liability insurance, with limits of ONE MILLION (\$1,000,000.00) DOLLARS, and will provide proof thereof to the Town Clerk of THE TOWN every year of this agreement.
- (2) THE KATONAH RESTAURANT may serve alcoholic beverages at said tables, but must be contained and proper license in effect through New York State Alcohol and Beverage Control. A copy of which should be provided to the Town Clerk.
- (3) That THE KATONAH RESTAURANT hereby agrees to hold THE TOWN, its agents, servants or employees, harmless and indemnify said TOWN in full, for any claim for death, injuries to person or injuries to property, arising out of the use of the foregoing tables.
- (4) That THE KATONAH RESTAURANT hereby consents to full and complete safety inspections by THE TOWN, its agents, servants or employees, at any time.
- (5) That THE KATONAH RESTAURANT hereby agrees to allow full pedestrian access.
- (6) The hours of operation for the maintenance of these outdoor tables are as follows: 7:00 a.m. to 10:00 p.m. 7 days a week. THE KATONAH RESTAURANT is permitted to have seven (7) outdoor tables.
- (7) Flower boxes as presented in the sketch included with THE KATONAH RESTAURANT application will be used to define the outside area and alcohol must be contained to this area.

FURTHER RESOLVED, that this special permit shall be valid for five (5) years from the date listed below.

Dated: May 18, 2011

There being no further discussion an on a motion duly made and seconded the hearing was adjourned at 7:45 pm.

Lisbeth Fumagalli, Town Clerk