

**TOWN OF KIRKWOOD**  
**BUILDING AND CODE ENFORCEMENT DEPT.**

TELEPHONE: (607) 775-4313    MAILING ADDRESS: 70 CRESCENT DR.    LOCATION: 41 FRANCIS ST.    FAX: (607) 775-9924    E-MAIL: [bldecode@townofkirkwood.org](mailto:bldecode@townofkirkwood.org)  
KIRKWOOD, NY 13795

**PLANNING BOARD**

We welcome your interest in obtaining information for a Planning Board Site Plan Review in the Town of Kirkwood.

Please refer to the Town of Kirkwood Codes as follows (copies attached):

Town of Kirkwood  
Zoning Local Laws

Article V

Supplementary Standards

- Section 502 - Site Plan Review
- Section 502.1 - Submission of Site Plan
- Section 502.2 - Site Plan Action

Article XIV

Administration

Section 1407 - Application Fees (Make check payable to the Town of Kirkwood).

A. Site Plan Review

1. \$100.00 involving a new structure or new use, plus \$50.00 publication fee for legal notice in town newspapers.
2. \$50.00 involving an existing structure or existing use, plus \$50.00 publication cost for legal notice in the official town newspaper under subsections A(1) and (2) shall be \$50.00, unless otherwise provide by the Town Building Inspector.

Application for Site Plan Development (Site Plan Review) is attached. Requirements for a Site plan are listed on pages 1 and 2 of the application. Code Official will check off each item and will submit the application to the Planning Board when it is complete.

A Letter of Intent is needed from you describing your company's daily operations. Please include details such as hours of operation, how many people your company will employ, etc.

A copy of your Lease Agreement is required if you are not the owner of the property.

If you have any questions, please contact me at 775-4313.

*Scott Russell*

Building Inspector and Code Enforcement Officer

SR/sp

Attachments

**TOWN OF KIRKWOOD**  
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**PLANNING BOARD**  
**SITE DEVELOPMENT APPLICATION**

(Internal Use Only)

Planning Board meeting date: \_\_\_\_\_  
Planning Board #: \_\_\_\_\_  
Application Fee \$: \_\_\_\_\_ Cash/Check# \_\_\_\_\_ Dated: \_\_\_\_\_  
Publication Fee \$: \_\_\_\_\_ Cash/Check# \_\_\_\_\_ Dated: \_\_\_\_\_

Date: \_\_\_\_\_

Applicant's Name/Address/Telephone: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

Location: \_\_\_\_\_  
\_\_\_\_\_

Tax Map #: \_\_\_\_\_

Property Owner/Name/Address/Telephone: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

Name of proposed development: \_\_\_\_\_

(For Code Dept. Official)  
Date received/Initial

\_\_\_\_\_ Building Permit denied # \_\_\_\_\_ date \_\_\_\_\_  
(Reason for denial or exemption): \_\_\_\_\_ / \_\_\_\_\_

\_\_\_\_\_ Site Plan Application, dated and signed. \_\_\_\_\_ / \_\_\_\_\_

\_\_\_\_\_ Environmental Assessment Form, dated and signed;  
(Short \_\_\_\_\_ Long \_\_\_\_\_). \_\_\_\_\_ / \_\_\_\_\_

\_\_\_\_\_ 239 Review Submission Form necessary? YES \_\_\_\_\_ NO \_\_\_\_\_ / \_\_\_\_\_

Prior to issuance of a building permit, a signed plan for such lot or tract at a scale of 1"=50' or a scale less to the inch, prepared by a New York State licensed architect or engineer (unless, in view of the specific nature of that application, preparation by such a professional is expressly waived by the Planning Board) including thereon the following information shall be submitted to the Town Planning Board for approval:

\_\_\_\_\_ Preliminary New York State architectural or engineered stamped plans and specifications including elevations showing the use, location and dimensions of proposed building and also showing type of construction and finish color. Floor plan with room use identification. \_\_\_\_\_/\_\_\_\_\_

\_\_\_\_\_ A site plan showing the location of buildings, location and dimensions of driveways, driveway intersections with streets, parking areas with lines and maneuvering areas, open spaces, property lines and specifications. \_\_\_\_\_/\_\_\_\_\_

\_\_\_\_\_ A storm drainage and grading plan with analysis showing no increase in runoff of proposed handling of surface water runoff and erosion control including specifications and finished contours. \_\_\_\_\_/\_\_\_\_\_

\_\_\_\_\_ A plan showing utilities and utility easements including method of sewage disposal in detail. If a private disposal system is used, plans for the system shall bear the stamped approval of the Broome County Health Department. \_\_\_\_\_/\_\_\_\_\_

\_\_\_\_\_ Plans for all signs to be erected including dimensions, elevations and sign locations. \_\_\_\_\_/\_\_\_\_\_

\_\_\_\_\_ A landscape plan, prepared by a professional landscape architect or other competent person employed by a commercial garden center, showing landscaping to be installed and maintained in front, side and rear yards as developed, including shade trees, deciduous shrubs, evergreens, defined areas of well-kept grassed areas and ground cover. All such landscaping, grassed areas and ground cover areas shall be maintained in a healthy growing condition at all times. \_\_\_\_\_/\_\_\_\_\_

\_\_\_\_\_ Plan of lighting of any interior roadway, driveway, parking area and off-street loading area. \_\_\_\_\_/\_\_\_\_\_

\_\_\_\_\_ In all cases where the Planning Board shall deem it advisable to determine whether or not the facility will be in conformation with the applicable performance standards or other provisions of this ordinance, the Planning Board shall require adequate testing procedures and shall utilize expert assistance at the expense of the applicant. \_\_\_\_\_/\_\_\_\_\_

## SITE DEVELOPMENT APPLICATION

(To be completed by applicant)

Fifteen (15) copies of plans, maps, bound material, color brochures, and any extra pertinent information must be supplied by applicant and be received by the Building Code Officer at LEAST 35 days prior to the scheduled Planning Board meeting. The Planning Board meets the second Monday of each month.

Applicant's Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Plans Prepared by (name): \_\_\_\_\_  
Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Owner of Property: \_\_\_\_\_  
Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

(If more than one owner, provide information for each.)

Location of site: \_\_\_\_\_  
\_\_\_\_\_

Ownership intentions, (purchase options, proposed uses of site, etc.):  
\_\_\_\_\_

Current zoning classification: \_\_\_\_\_

State and Federal permits needed (list type and appropriate department):  
\_\_\_\_\_

Total area of site (feet or acres): \_\_\_\_\_

Anticipated construction time: \_\_\_\_\_

Will development be staged? \_\_\_\_\_

Current land use of site (agriculture, commercial, undeveloped, etc.):  
\_\_\_\_\_

Current condition of site (buildings, brush, etc.):  
\_\_\_\_\_

Character of surrounding lands (suburban, agriculture, wetlands, etc.):  
\_\_\_\_\_

Estimated cost of proposed improvement: \$ \_\_\_\_\_

Anticipated increase in number of residents, shoppers, employees, etc.: \_\_\_\_\_

Is property located within 500 ft. (1500 ft. for cell tower): (check all which apply)

- |   | YES   | NO    |
|---|-------|-------|
| a) Any Town of Kirkwood Municipal boundary  | _____ | _____ |
| b) State/County Road  | _____ | _____ |
| c) Under Article 25AA of the County Law, a farm located in an Agricultural District | _____ | _____ |
| d) State/County Park or Other Recreation Area                                       | _____ | _____ |
| e) State/County Drainage way/Watercourse  | _____ | _____ |
| f) State/County-owned land on which a public building or institution is located     | _____ | _____ |

**Please describe the following items below:**

Described proposed use including primary use, ground floor area, height and number of stories for each building.

For residential buildings include number of dwelling units by size (efficiency, one bedroom, two bedrooms, three or more bedrooms) and number of parking spaces to be provided.

For non-residential buildings, include total floor area, total sales area, number of automobile and truck parking spaces.

Other proposed structures. Use separate sheet if needed.

Application Fees:

Zoning Local Law

Article XIV

Administration

Section 1407 - Application Fees

A. Site Plan Review:

1. **\$100.00 involving a new structure or new use**, plus cost of publication of legal notice in official town newspapers.
2. **\$50.00 involving an existing structure or existing use**, plus the cost of publication of legal notice in official town newspapers.
3. **\$50.00 publication cost for legal notice in the official town newspaper** under subsections A(1) and (2) shall be \$50.00, unless otherwise provided by the Town Building Inspector.

The forgoing certification as well as the contents of this entire application is hereby subscribed by the applicant and is hereby affirmed by the applicant as true under the penalties of perjury.

Date: \_\_\_\_\_

Applicant **Print** Name: \_\_\_\_\_

Applicant **Sign** Name: \_\_\_\_\_

**617.20**  
**Appendix B**  
**Short Environmental Assessment Form**

**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<b>NO</b>	<b>YES</b>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<b>NO</b>	<b>YES</b>
3.a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations?	<b>NO</b>	<b>YES</b>	<b>N/A</b>
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<b>NO</b>	<b>YES</b>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ _____	<b>NO</b>	<b>YES</b>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<b>NO</b>	<b>YES</b>	
b. Are public transportation service(s) available at or near the site of the proposed action?			
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<b>NO</b>	<b>YES</b>	
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing potable water: _____ _____	<b>NO</b>	<b>YES</b>	
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing wastewater treatment: _____ _____	<b>NO</b>	<b>YES</b>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	<b>NO</b>	<b>YES</b>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<b>NO</b>	<b>YES</b>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<b>NO</b>	<b>YES</b>	
16. Is the project site located in the 100 year flood plain?	<b>NO</b>	<b>YES</b>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____ <input type="checkbox"/> NO <input type="checkbox"/> YES	<b>NO</b>	<b>YES</b>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: _____ Date: _____ Signature: _____		

**Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2.** Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

TOWN OF KIRKWOOD  
ZONING LOCAL LAW

ARTICLE V  
SUPPLEMENTARY STANDARDS

SECTION 502 Site Plan Review

Building permits shall be issued pursuant to Rules for Building in the Town of Kirkwood for any building on any lot or tract of land in a "R-M," "B-1," "B-2," "B-2-E," "B-3" "I-D," "ID-R," "ID-PPF," "PUD", "AP", "M", "C" or "CE" District, for non-residential uses in an "R", "R-1", and "A/R-R" Districts and for any underground dwelling unit only in compliance with a site plan for such lot or plot duly approved by the Planning Board in accordance with the following procedure. However, site plan review shall not be required for the first single-family residence constructed in an R-M District.

Whether or not a site plan review is needed, site plan review shall be required prior to:

A. Any new business commencing operation within the Town unless in the judgment of the Building Inspector or the Town Code Enforcement Officer the new business is substantially the same as the prior business being operated at that location and the existing business is in full compliance with Town Local Laws and local laws, or

B. Any excavating, cutting, filling, or grading of land within the Town. However, no such site plan review shall be required:

1. On properties within a "R", "R-1" or "A/R-R" District where:

a. the area so affected is less than one acre, or

b. the area so affected is more than one acre and:

(i) only brush hogging is to be performed, or

(ii) agricultural best management practices are being performed which do not require a SPDES General Permit for Storm Water Discharges from Construction Activity set forth in a Memorandum of Understanding between NYS Department of Environmental Conservation, New York State Department of Agriculture and Markets and NYS Soil and Water Conservation Committee for Implementation of Agricultural Best Management Practices in Conformance with the SPDES General Permit for Storm Water Discharges from Construction Activity, GP-02-01, dated September, 2003.

2. Before the area is disturbed, it must be protected so that soil or other debris cannot leave the property through erosion. Best Management Practices as set forth in the New York State Storm Water Design Manual shall be utilized. The property owner must reclaim the area affected by seeding, planting, rip-rap or other means to prevent soil erosion within 60 days from the start of the disturbance. If the project is to last more than 60 days, it should be completed in stages to allow for the timely reclamation.

SECTION 502.1 Submission of Site Plan

Prior to the issuance of a building permit, a site plan for such lot or tract at a scale of 1"= 50' or a scale less to the inch, prepared by an architect, landscape architect, civil engineer, surveyor, land planner or other competent person, (unless, in view of the specific nature of that application, preparation by such a professional is expressly waived by the Chairperson of the Planning Board) including thereon the following information shall be submitted to the Town Planning Board for approval:

A. Preliminary architectural or engineering plans including elevations showing the use, location and dimensions of proposed building and open spaces.

B. A site plan showing the location of buildings, location and dimensions of driveways, driveway intersections with streets, parking areas and maneuvering areas. The site plan shall also include the adjacent property lines, names of the adjacent property owners, and the adjacent land uses.

C. A storm drainage and grading plan for analysis of proposed handling of surface water runoff and erosion control.

D. A plan showing utilities and utility easements including method of sewage disposal in detail. If a private disposal system is used, plans for the system shall bear the stamped approval of the Broome County Health Department.

E. Plans for all signs to be erected including dimensions, elevations and sign locations.

F. A landscape plan, prepared by a professional landscape architect or other competent person employed by a commercial garden center, showing landscaping to be installed and maintained in front, side and rear yards as developed,

TOWN OF KIRKWOOD  
ZONING LOCAL LAW

ARTICLE V  
SUPPLEMENTARY STANDARDS

including shade trees, deciduous shrubs, evergreens, defined areas of well-kept grassed areas and ground cover. All such landscaping, grassed areas and ground cover areas shall be maintained in a healthy growing condition at all times.

G. Plan of lighting of any interior roadway, driveway, parking area, and off-street loading area.

H. In all cases where the Planning Board shall deem it advisable to determine whether or not the facility will be in conformation with the applicable performance standards or other provisions of this Local Law, the Planning Board shall require adequate testing procedures and shall utilize expert assistance at the expense of the applicant.

I. Rescinded 7-7-09. (Relating to oil separators to be installed and maintained if more than 10 parking spaces are provided in a site plan submitted to the Town Planning Board for approval.)

J. Grading drainage plan, pertinent soil characteristics and watercourses, or, if applicable, a Stormwater Pollution Prevention Plan consistent with the requirements of Articles 1 and 2 of the Town of Kirkwood Stormwater Management and Erosion & Sediment Control Local Law (Local Law No. 7 of 2007). The approved site plan shall be consistent with the requirements of Articles 1 and 2 of the Town of Kirkwood Stormwater Management and Erosion & Sediment Control Local Law (Local Law No. 7 of 2007).

K. A detailed environmental assessment form pursuant to Article 8 of the Environmental Conservation Law of the State of New York which shall include a description and evaluation of the nature of the probable environmental impact including specification of the predictable adverse impacts on the natural environment and an evaluation of measures to mitigate adverse effects. Any Environmental Impact Statement required shall be submitted on electronic media in Microsoft Word format.

SECTION 502.2 Site Plan Action

A. The Town Planning Board shall review said site plan and additional information and shall approve, approve with modifications or disapprove said site plan with regard to achieving without limitations there to the following objectives:

1. A harmonious relationship between such uses and uses located in adjacent districts as reflected in the Comprehensive Plan.
2. The maximum safety of vehicular access and egress from the site to existing and prospective streets and highways.
3. The maximum adequacy of interior circulation and parking facilities with particular attention to vehicular and pedestrian safety.
4. The adequacy of transitional landscaping and setbacks in regards to achieving maximum compatibility and protection to adjacent property.

B. Any approval of site plan review by the Planning Board pursuant to this article shall be valid only for so long as the premises which are the subject of site plan approval are used for the specific use and purposes stated in that application; therefore, if at any future time the applicant or a successor in interest, assignee or lessee shall wish to dedicate the premises to any other use, he shall make a new application for site plan review in accordance with the provisions of this section. Should any previously approved site plan activity be discontinued for a period of more than 180 consecutive days (except for businesses that typically close on a seasonal basis), such prior site plan approval shall lapse, and an application shall be made for re-issuance of said approval prior to the reopening of said activity.

**ZONING LOCAL LAW  
TOWN OF KIRKWOOD**

**ARTICLE XIV  
ADMINISTRATION**

**SECTION 1407 Application Fees**

Any person applying for a site plan review pursuant to section 502 of this Local Law or for a variance of the provisions of this Local Law or a special permit or interpretation hereunder shall pay to the Town Building Inspector an application fee required in this section before the matter is referred to the Town Planning Board or Zoning Board of Appeals as follows:

**A. Site Plan Review:**

1. \$100.00 involving a new structure or new use, plus cost of publication of legal notice in official town newspaper
2. \$50.00 involving an existing structure or existing use, plus cost of publication of legal notice in official town newspaper
3. The publication cost for legal notice in the official town newspaper under subsections A(1) and (2) shall be \$50.00, unless otherwise provided by the Town Building Inspector (Added 11/3/14)

# 2015

## PLANNING AND ZONING BOARD MEETING DATES AND SUBMISSION DEADLINES

<u>PLANNING BOARD</u>	<u>2015</u>	
	Date of Meeting	Last day for submittal of application/plans
JANUARY	01/12/15	12/03/14
FEBRUARY	02/09/15	12/31/14
MARCH	03/09/15	01/28/15
APRIL	04/13/15	03/04/15
MAY	05/11/15	04/01/15
JUNE	06/08/15	04/29/15
JULY	07/13/15	06/03/15
AUGUST	08/10/15	07/01/15
SEPTEMBER	09/14/15	08/05/15
OCTOBER	10/13/15**	09/03/15
NOVEMBER	11/09/15	09/30/15
DECEMBER	12/14/15	11/04/15
<u>ZONING BOARD OF APPEALS</u>	<u>2015</u>	
	Date of Meeting	Last day for submittal of application/plans
JANUARY	01/19/15	12/10/14
FEBRUARY	02/17/15*	01/08/15
MARCH	03/16/15	02/04/15
APRIL	04/20/15	03/11/15
MAY	05/18/15	04/08/15
JUNE	06/15/15	05/06/15
JULY	07/20/15	06/10/15
AUGUST	08/17/15	07/08/15
SEPTEMBER	09/21/15	08/12/15
OCTOBER	10/19/15	09/09/15
NOVEMBER	11/16/15	10/07/15
DECEMBER	12/21/15	11/10/15

\*President's Day is on Monday, 02/16/15. The Town is off that day. ZBA meeting has not been scheduled on President's Day in the past.

\*\*Columbus Day is on Monday, 10/12/15. The Town is off that day. The PLANNING BOARD has not been scheduled on Columbus Day in the past.