

**VILLAGE OF KENMORE
PLANNING BOARD
April 22, 2014**

PRESENT: Bruce Shearer
Noreen Flynn
Thomas Fleming
Marcia Brogan

Kathleen P. Johnson, Clerk/Treasurer
Michael Berns, Building Inspector

ABSENT: Frederick Frank
Michael Foster

2935 DELAWARE AVENUE – KIMBERLY CREEK

Kimberly Salt of Kimberly Creek was present and stated that she was unaware that she had to get a permit beforehand and that her sign was already up. The sign is plywood with a vinyl banner. Ms. Salt also stated that the Landlord was not helpful in giving her direction.

Thomas Fleming stated that the graphics are fine but the materials are not compliant. The materials the applicant has used is more in keeping with what the Board would see in a temporary sign. The materials here are not meant for long term use. Mr. Fleming notes that you can see folds in wrap of the sign already.

Bruce Shearer added that the material is wavy and that makes it look temporary.

Clerk/Treasurer Kathleen Johnson and Building Inspector Michael Berns reviewed Section 25-230 of the Kenmore Municipal Code and reiterate that no materials are specified in the Code so the Board is referring to past practice.

Mr. Shearer stated that the Planning Board would have never approved the sign if Ms. Salt would have come in before the installation. Typically what the Planning Board approves are aluminum signs or mounted letters (channel lettering). Mr. Shearer stated that he feels that this is a temporary sign and can only be up for only sixty (60) days from the time the permit is obtained. Mr. added that he feels the words “Pure Romance” should be taken off the sign. The applicant stated that it’s a product line name, that she is discontinuing so she has no problem removing that from the sign.

Mr. Fleming motioned to table the permanent sign application to allow for legal clarification on materials and whether Reiki is an allowable use in a restricted district.

Seconded by Mr. Shearer and adopted by a full vote of all members present.

2872 DELAWARE AVENUE – CHRUSCIKI BAKERY

Bruce Shearer had no objection to an outdoor dining permit and motioned to approved as presented.

Seconded by Marcia Brogan and adopted by a full vote of all members present.

2878 DELAWARE AVENUE – BROOKLYN ROOM

Business owner Paul Tsouflidis and General Manager Renee Caputi would like an awning on the front of their business. The Board notes that the proposed awning will cover diamond detail on the building.

Marcia Brogan questioned as to whether the awning could be lowered so the diamonds show. Another rendering was presented which shows the diamonds. The awning material is all weatherproof. There will be no lighting, soffit lights will light it along with side lights.

The Brooklyn Room is a Mediterranean style banquet facility which seats 125 people and 225 people standing.

Mr. Shearer approved the front awning as per rendering submitted on April 22, 2014 - with all four diamonds showing and which doesn't include a valance on the awning.

Seconded by Marcia Brogan and adopted by a full vote of all members present.

Mr. Berns added that the back awning is black. A barrier seen along the restaurant's back wall marks the boundary between the business and Village owned property, which means that the tent is on Village property and the Planning Board can't approve.

Mr. Tsouflidis stated that they need a cocktail area, and that to be competitive they need to make the back entry attractive. He added that he does this at the Acropolis and it is temporary for Summer parties.

Mr. Tsouflidis wants to attract people and notes, that for most of their patrons, that's the main entrance. 25-30 people standing could fit under tent and there will be no music, just a nice entrance. The Brooklyn Room is not a restaurant, many groups come in and it needs to be competitive. He also notes that handicap parking is not well placed. In Buffalo they got a side walk permit and Planning Board approval, that's what they are looking for in Kenmore.

Clerk/Treasurer Kathleen Johnson explained public benefit for private use and the legality involved. The Planning Board can't make approval. Ms. Johnson will address the applicant's request with the Board of Trustees, but notes she also needs to clear this with the attorney. She also suggests that the applicant make a written request for the tent to the Board.

Submittal of back awning, without valance, dated April 22, 2014 is presented.

Thomas Fleming approved the design as presented.

Seconded by Bruce Shearer and adopted by a full vote of all members present.

OTHER BUSINESS

The meeting was adjourned and the next meeting will be July 22, 2014.

Kathleen P. Johnson
Clerk/Treasurer