

**VILLAGE OF KENMORE  
PLANNING BOARD  
July 24, 2018**

PRESENT: Thomas Fleming  
Bruce Shearer  
Noreen Flynn  
Marcia Brogan  
Andrew Ross  
Michael Foster

Kathleen Johnson, Clerk/Treasurer  
Michael Berns, Building Inspector

ABSENT: Frederick Frank

**2853 DELAWARE AVENUE – RIVERSIDE CREDIT UNION**

Bruce Shearer asks Michael Foster if he owns the property next door to the subject property. Mr. Foster responds in the affirmative. Mr. Shearer explains that he feels that Mr. Foster should let the Planning Board members know that from the start. Mr. Foster states that he will be recusing himself from any votes concerning this application.

Thomas Fleming thanks Mr Tom Shelberg for providing the revised site plan.

Dave Kazmierczak reviews the site plan:

1. Trees added to the right of way. Kathleen Johnson reminds the Board that this is Village-owned property and that the Village ultimately will determine whether additional trees can be planted.
2. White vinyl fence along the back “park area” will include a shrubs in front
3. No landscaping by the entrances due to concerns for safety.
4. Planting at fence to north fence replaced with white vinyl.
5. Planting will be included in the interior island located in parking lot. They are proposing a low masonry wall with low plants, such as day lilies
6. The applicant is no longer pursuing closure of the Warren Avenue driveway.

Mr. Shearer reviews revised buffering requirements in the zoning code. He feels the east side has sufficient space to allow a twenty foot drive and still have four and a half feet of green space for tall shrubs.

Mr. Kazmierczak prefers to not include any additional landscape so as to allow maximum space for drivers to navigate the turn.

Mr. Fleming stated that he used the drive thru in the past and recalls it was difficult and that he is concerned about the survivability of any plantings for the corner.

Mr. Shearer wants a third tree in the right of way, understanding that the Village of Kenmore ultimately has to approve. Mr. Shearer stated that there are several mature trees north of the fence.

Mr. Kazmierczak stated he was concerned about the leaves.

Marcia Brogan questioned the snow removal. The Planning Board reminded her that they previously discussed this and that snow will be removed from the site.

Conversation continued pertaining to the merits and problems with implementation of a landscape buffer in front of the fence. Ms. Johnson suggested that the Board review individual elements to the application and give approvals where there is no dispute. She suggested first making approvals connected with the building and then addressing issues pertaining to the landscaping.

The Board inquired about the hours of the ATM. Ms. Johnson stated that there are currently no restrictions on use, hours and the time of operation with respect to ATMs in the Code. Mr. Shearer and Mr. Fleming feel the ATM won't get used much at night.

Melissa Foster is in attendance and asked to be heard. She stated that she is speaking to the board under two hats: Kenmore Village Improvement Society and as the owner of 16/18 Warren Avenue – the property located next door, which is also owned by her husband, Michael Foster. She and Mr. Foster also recently purchased 7 Warren Avenue for office space.

She has some concerns about the landscape buffering and the ATM.

1. She doesn't want the ATM open 24 hours a day. She wants the applicant to be a good neighbor and not have the ATM opened during sleeping hours.
2. Traffic – she feels it's very easy turn in and out of driveway and therefore wants the additional landscape buffer included in the approval.

She feels that the Planning Board needs to include as much greenery as possible.

Mrs. Foster read a prepared statement noting that the KVIS cancelled its “Kenmore in Bloom” program and received many complaints. She feels that this indicates that Village residents want more greenery. She further stated that the KVIS is supporting a “Save the bees” initiative which supports more flowers to help address the decline of bee populations.

Mr. Shearer feels that detailing KVIS initiatives is not relevant to the discussion.

Mrs. Foster continues, stating that they purchased the property next door with the expectation that at some point there would be a green buffer added.

Mr. Shearer stated that the Planning Board needs to weigh the desire for additional buffering against the needs of the applicant and the benefit of taxes from a business which helps the entire community.

Stephanie Rue and Mr. Shelberg consulted and agreed to include the buffer, however they may not use tall shrubs for security reasons. She notes that she is in support of more green space, as long as it doesn't impair the function of parking and drive through.

Thomas Fleming moved to approve plans as presented with respect to building, parking lot, sidewalk on north side green park area, not inclusive any landscaping plan.

Seconded by Noreen Flynn and adopted by a full vote of all members present.

Michael Foster abstained.

Mr. Fleming moved to approve the landscaping as presented noting that a 30” saw cut at the east fence with 6” curb with upright shrubs to match the “park area” will be added; and also approving the additional trees in the right of way, subject to Village of Kenmore’s approval.

Seconded by Noreen Flynn and adopted by a full vote of all members present.

Michael Foster abstained.

## **OTHER BUSINESS**

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The meeting was adjourned, the next meeting is scheduled for August 28, 2018 at 6:00 P.M.

Kathleen P. Johnson  
Clerk/Treasurer