

**VILLAGE OF KENMORE  
PLANNING BOARD  
June 24, 2025**

PRESENT: Bruce Shearer  
Michael Foster  
David McLaughlin  
Robert Ruml  
Colleen Donovan  
Karen Phillips

Kathleen Johnson, Clerk/Treasurer  
Michael Berns, Building Inspector

ABSENT: Sara Schumacher-Marks

**3109 DELAWARE AVENUE – NIRVANA YOGA SIGNAGE**

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The applicant, Matthew Monte, was present. He is seeking approval for a window sign only. No wall sign is requested. The sign meets all applicable rules and regulations.

Robert Ruml moved to approve, as presented.

Seconded by Karen Phillips and approved by all members present.

**160 DELAWARE ROAD – KENMORE PUBLIC LIBRARY MURAL**

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The applicant, Mary Muscarella (Director), was present, along with members of the library mural committee. The library received a grant from NYS Assemblyman, Bill Conrad for a mural. The committee met with several artists, and they are submitting the selected artist's design for Planning Board approval. It consists of two separate designs – "A" which is a design for the front wall, including the inset panels, and "B" which would be for the two inset walls, one of which can be seen from the front, but is not a continuation of the "A" wall.

Clerk/Treasurer Kathleen Johnson reviewed, for the record, that Ms. Muscarella had previously shown her Design "B" and that she had informed Ms. Muscarella that the design could not be approved, as it included words which are not allowed under the Municipal Code. She had also told Ms. Muscarella that murals, under the Code are limited to one wall per building and that the design appears to be on two front-facing west walls, and another wall which is north facing. One of the front facing walls is set back, with the north facing wall joining the two. She noted that she had also forwarded a copy of the Village Code to Ms. Muscarella.

Robert Rumble was concerned that the “squiggle lines” (ribbons) would be distracting in the residential neighborhood. He likes book idea on panels.

Ms. Muscarella said that the lines represent the library’s interconnectedness to the community and that the library is more than just books. She thinks the lines add to the mural’s vibrancy.

Mr. Ruml stated that he feels the mural is out of character with the residential community. Member Phillips added that she, too, does not like the ribbons.

Evan Bennett, representing Mr. Conrad’s office, read a section of the Town of Tonawanda Code that allows for minimal words on a mural. The Planning Board noted that the library is in Kenmore and follows the Kenmore Code, which does not allow words.

Marney Klein, a library trustee, stated that the library is all about words and that they want to include words on the mural.

Ms. Johnson stated that the Planning Board cannot approve a mural, which is not allowed under the Municipal Code. She also noted that she will need to check with legal as to whether the two separate mural designs, can in any way be considered as one design, on one wall, as is required under the Code. She asked the applicant to provide a photograph showing the entire front elevation. She also suggested that the two separate designs be merged or connected so that the design is seen as one, not two, separate submittals.

Suggestions were made as to how this might be accomplished. For example, the ribbons could run through to the “B” design, or replacing the words with more book designs, like those on the front panels, or moving up the silhouette piece.

Building Inspector Michael Berns repeated that the Planning Board cannot approve a design that isn’t code-compliant. He added that a variance is very difficult to get, and that any revision to the Code would take time. That it would be up to the Board of Trustees to decide if they wanted to make any amendments. The best option, he feels, is to revise their design so that it is code compliant.

It was noted that the fact that they are submitting an “A” and “B” design, demonstrates that they are looking at the two locations as two different walls. Unless legal says that the front elevation constitutes one wall, the Planning Board will need to approve either “A” or “B”, not both.

Ms. Muscarella will forward a photo of the front elevation and talk with the artist about revising her mural design. The Village will check with legal to see if the entire front elevation can be considered as one wall, even if part of this is set back, and one part of “B” is not visible to the front.

### **1615 KENMORE AVENUE – KENMORE FOOD MARKET SIGNAGE**

The applicant is not present. The sign presented is a wall sign with lit channel letters. There are also additional channel pieces with words, although it is unclear if these are also lit. It is also unclear if there are actually 2 different signs requested. The rendering also shows a separate sign for “Halal Bites”. This sign is in a different color and font and also includes two word panels under the channel letter letters. This sign also includes a logo.

Mr. Berns stated that the sign/signs appear to be code compliant, size-wise.

Ms. Phillips wants the same font between the two signs.

The Board also wants confirmation as to whether the small signs will be lit. The Board feels that these added words “crowd” the sign and are repetitive, to some degree.

Michael Foster moved to table.

Seconded by David McLaughlin and approved by all members present.

### **2878 DELAWARE AVENUE - SURGE – OUTDOOR DINING**

No applicant was present.

Mr. McLaughlin questioned whether approval can be given as this location is in back of the restaurant, not the front.

Clerk Johnson stated that the Board of Trustees had recently passed legislation which would allow businesses to place outdoor dining in other locations, with the approval of the Village Board.

Mr. Ruml notes that dimensions have not been provided. The code requires that a site plan be given, showing the space dimensions and placement of all furnishings, to scale. It was noted that no trash can has been included in the space and should be included.

The Board is concerned about cars backing in and out and safety of patrons. They would like to see planters included on the north side in order to visually separate the space and to alert drivers that this space is not available for parking.

The Board feels that concrete barriers, or some other barricade, may be needed to ensure safety.

Questions were also raised as to whether there is ample space to make deliveries to the restaurant with the patio area in place.

### **OTHER BUSINESS**

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Clerk Johnson stated that the Village will soon be putting forward an RFP for a person to coordinate the development of the Comprehensive Plan. She noted that the County has provided funding to help in this process and that the County will require that the Planning Board be included on the committee developing the Comprehensive Plan.

As there was no other business, the meeting was adjourned. The next meeting is scheduled for July 22, 2025 at 6:00 P.M.

Kathleen P. Johnson, Clerk/Treasurer