



**TOWN OF PALM BEACH
PLANNING, ZONING AND BUILDING
DEPARTMENT**

**MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION
MEETING HELD ON WEDNESDAY, DECEMBER 16, 2020.**

Please be advised that in keeping with a directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com.

I. CALL TO ORDER

Chairman Silvin called the Zoom Webinar meeting to order at 9:30 a.m.

II. ROLL CALL

Richard Rene Silvin, Chairman	PRESENT
Sue Patterson, Vice Chairman	PRESENT
Jacqueline Albarran, Member	PRESENT
Patrick Segraves, Member	PRESENT
John T. Gannon, Member	PRESENT (arrived at 9:35 a.m.)
Kim Coleman, Member	PRESENT
Anne Fairfax, Member	PRESENT
Anne Metzger, Alternate Member	PRESENT
Fernando Wong, Alternate Member	PRESENT (arrived at 9:32 a.m.)
Brittain Damgard, Alternate Member	PRESENT

Staff Members present were:

Wayne Bergman, Director of Planning, Zoning and Building
Paul Castro, Zoning Manager
Laura Groves van Onna, Historic Preservation Planner
Kelly Churney, Board Secretary to the Landmarks Preservation Commission
Emily Stillings, Preservation Consultant
Janet Murphy, Preservation Consultant

III. PLEDGE OF ALLEGIANCE

Chairman Silvin led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES OF THE NOVEMBER 18, 2020 MEETING

Motion made by Ms. Coleman and seconded by Ms. Albarran to approve the minutes of the November 18, 2020 meeting. Motion carried unanimously.

V. APPROVAL OF THE AGENDA

Ms. Churney noted that a request had been made to hear project COA-054-2020, 1820 S. Ocean Blvd before noon. She also noted that Spina O'Rourke had requested that the two projects on Phipps Plaza be heard consecutively. Finally, she noted the deferral request of the designation hearing of 300 Clarke Avenue to the March 17, 2021 meeting.

Motion made by Ms. Patterson and seconded by Ms. Coleman to approve the agenda as amended. Motion carried unanimously.

VI. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY

Ms. Churney swore in all professionals before each presentation.

VII. COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)

There were no comments heard at this time.

VIII. COMMENTS FROM THE LANDMARKS PRESERVATION COMMISSION MEMBERS

Ms. Coleman was thrilled to see the article in the Shiny Sheet. Ms. Coleman inquired about incentives for having a landmarked home.

Ms. Fairfax stated if a home was landmarked in Hawaii, the owner did not pay property taxes. She believed that keeping landmarked homes was a common good.

Mr. Gannon thanked Ms. Patterson for writing the letter to the Town Council to allow the Commission to meet in person. He added that he was proud to be on Landmarks. He thought the Commission needed aggressive incentives to offer homeowners so that they would want to landmark their home.

Mr. Wong inquired if it was possible for our consultants to reach out to homeowners at the beginning of the landmark stage to help assuage fears of being landmarked.

Mr. Silvin provided a year-end review of the Commission. He thanked the commissioners for their help in running an orderly meeting. He informed the Commission that the meeting would be virtual in January.

Ms. Metzger spoke about her contact with the owners at 137 Clarendon to explain the landmark program. After her conversation, they supported the designation of their home. She urged other Commissioners to contact homeowners when appropriate.

IX. PROJECT REVIEW

REGULAR AGENDA

Please note: This project was moved to this position in the agenda during the approval of the agenda.

1. Application for Certificate of Appropriateness #054-2020

Address: 1820 S. Ocean Blvd.

Owner/Applicant: White Birch Farm, Inc. (Peter M. Brant)

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Interior demolition and renovation. Addition of window and doors. Landscape and hardscape to remain.

Call for disclosure of ex parte communication: Disclosure by several members.

Please note: Patrick Segraves declared a conflict of interest for the project and left the meeting. It should be noted that Anne Metzger voted in his absence.

Daniel Clavijo, SKA Architect + Planner, presented the architectural modifications proposed for the existing, landmarked home.

Mr. Silvin called for public comments. There were no comments heard at this time.

Mr. Silvin called for staff comments. Ms. Van Onna provided staff comments.

Ms. Patterson questioned the removal of the smaller windows. Mr. Clavijo responded. Ms. Patterson also inquired about the windows that were proposed to be changed to doors. Mr. Clavijo responded and provided an explanation for the change.

Ms. Albarran inquired if the owners would be willing to keep the windows on the stone wall on the north elevation, while dry walling the inside of the home. She also requested changing the muntin pattern of the smaller door to the left of the larger three doors on the west elevation. Mr. Clavijo agreed with the muntin change. She was in favor of the remainder of the changes.

Ms. Coleman was in favor of Ms. Albarran's suggestion to keep the windows on the north elevation, while covering them up on the inside.

Ms. Damgard thought this home was a great example of renovating the interior of a home to the owners' wishes while keeping the exterior landmarked facades.

Ms. Fairfax inquired about the architects of the home as well as historic photographs of the home. Mr. Clavijo responded. Ms. Fairfax was supportive of the changes but was sad to see the interiors renovated.

Mr. Gannon was in favor of the changes.

Ms. Metzger inquired if the two windows on the north elevation could be kept and if the owners would support the request. Mr. Clavijo stated he believed that was acceptable.

Mr. Silvin stated that while the project was ambitious, he was supportive. He agreed with the suggestion to keep the windows while filling them in on the inside.

Aimee Sunny, The Preservation Foundation of Palm Beach, urged the Commission to keep the windows on the exterior. She also expressed some concern for the loss of some of the interior details.

Motion made by Ms. Patterson and seconded by Ms. Albarran to approve the project as presented with the condition that the two small windows on the south and north facades will remain on the exterior and that the muntins will be changed on the smaller door on the west façade as discussed. Motion carried unanimously.

A. OLD BUSINESS

1. Application for Certificate of Appropriateness #006-2020

Address: 320 S. Lake Dr.

Owner/Applicant: Town of Palm Beach

Professional: W.F. Baird & Associates LTD

Project Description: Rebuild the Lake Trail at a slightly higher elevation, rebuild Peruvian building in the same location, mill and resurface existing parking lots, minor landscape improvement near the three dock buildings and screening around the parking lots.

A motion carried at the March meeting to defer the project to the May 20, 2020 meeting. A motion carried at the May meeting to defer the project to the June 17, 2020 meeting at staff's request. A motion carried at the June meeting to defer the project to the August 19, 2020 meeting at staff's request. A motion carried at the August meeting to defer the project to the October 21, 2020 meeting at staff's request. A motion carried at the October meeting to defer the project to the December 16, 2020 meeting at staff's request.

Call for disclosure of ex parte communication: Disclosure by Mses. Coleman, Fairfax and Mr. Silvin.

Jay Boodheshwar, Deputy Town Manager, provided a history and overview of the marina project.

Paul Brazil, Director of Public Works, updated the Commission on the construction timeline.

Gordon Thomson, Baird, presented the proposed plans for Lake Drive Park. Mr. Boodheshwar indicated that some of the plant choices may change when Nievera Williams begin their design of the park.

Mr. Silvin called for public comments. There were no comments heard at this time.

Ms. Patterson thought the changes would be a huge improvement.

Ms. Albarran was supportive of the project.

Ms. Coleman inquired about the elevation change and confirmed there would not be problems using a hand cart. Mr. Silvin confirmed this statement. She also inquired about the difference between the two offices. Mr. Thomson responded.

Ms. Damgard was supportive of the project and hoped the feeling of the park did not change.

Ms. Fairfax requested to see the handcarts, the number of handcarts and the location for the handcarts. Carolyn Stone, Director of Business Development and Operations, responded to Ms. Fairfax's question. Ms. Fairfax inquired about the new infrastructure that was proposed to be added. Mr. Thomson responded and explained the new equipment. Ms. Fairfax was not in favor of adding signage on the Lake Trail and thought it was unnecessary. Ms. Fairfax inquired about the proposed material for the seating. Ms. Thomson responded. Ms. Fairfax cautioned that a final approval from Landmarks would limit any future changes. Mr. Brazil suggested the Commission hold off on a final approval but added that his team was seeking input so that a direction could be finalized.

Mr. Gannon was in favor of the access between the boats and the parking lot. He recommended adding a flair of Palm Beach around the flagpole area.

Ms. Metzger was in favor of the project and the Compass Rose.

Mr. Segraves questioned the asphalt but understood the material choice. He questioned the interaction of the golf carts, pedestrians, parking and hoped it would work out with the increase number of boats but keeping the same number of parking spots.

Mr. Wong thought the previous presentation had more beautiful features and thought much was lost with the new presentation.

Mr. Silvin inquired about the management of the docks going forward in the marina, which would be of the caliber of many world class marinas.

Mr. Silvin inquired if a motion was required. Mr. Boodheshwar stated that no motion was required and that the project would come back to the Commission with further details.

Gordon McCoun, 434 Chilean Ave. and representing Royal Park Homeowners Association, appreciated the calming of the traffic from the bridge, was delighted that Nievera Williams would be working on the plans, and thanked the Town Council and Staff for working with the association.

Please note: A short break was taken at 12:01 p.m. The meeting resumed at 12:09 p.m.

Please note: The next project was moved later in the agenda.

2. Application for Certificate of Appropriateness #043-2020

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S) -

DONE 11/18/20

Address: 323 Chilean Avenue

Owner/Applicant: Ambassador Mark Gilbert

Professional: Tod E. Sikkenga/Wadia Associates

Project Description: Raise house from 3.73' NAVD to 7.0' NAVD; build new poured concrete foundation. Raise grade adjacent to existing and new construction. Move house south 5' to front setback. Move house east 2' 4" to allow wider driveway at west property line. Partial demo of first and second floor at north elevation. New two-story addition at north and east elevation, including new one-story loggia. New terracotta barrel tile roofing to replace existing wood shingles. New insulated, impact-rated exterior doors and windows. New swimming pool. Convert first floor guest house to garage; recondition second floor guest suite. *****Please note: This is a tax abatement project*****

A motion carried at the November meeting that implementation of the proposed variances would not cause negative architectural impact to the subject landmarked property. A second motion carried to approve the project as presented with the following caveats: the historical photo shown by The Preservation Foundation of Palm Beach is used to redesign the southern façade and that clay tile is used to substitute cement tile for the roof material.

Call for disclosure of ex parte communication: Disclosure by Ms. Albarran.

Tod Elliot, Wadia Associates, presented the architectural modifications proposed for the existing landmarked home.

Keith Williams, Nievera Williams Design, presented a landscape and hardscape plan and indicated his plans had not changed since the last presentation.

Mr. Silvin called for public comments. There were no comments heard at this time.

Mr. Silvin called for staff comments. Ms. Van Onna presented staff comments.

Mr. Silvin inquired about the tax abatement request. Ms. Stillings thought that many of the proposed changes met the Secretary of Interior Standards and would help preserve the home.

Ms. Patterson appreciated the change in the roof and thought the change helped preserved the character.

Ms. Albarran thought the new muntin pattern for the windows was acceptable. She questioned the addition of the middle column. Mr. Elliot responded.

Ms. Coleman was support of all of the changes.

Ms. Damgard was supportive of the changes to the roof and balcony.

Ms. Metzger inquired about the proposed windows. Mr. Elliot responded. She was supportive of the project.

Mr. Segraves was supportive of the project but recommended lowering the chimney. Mr. Elliot agreed to the change.

The Commissioners were very supportive of the project.

Amanda Skier, Preservation Foundation of Palm Beach, offered support for the modifications and the project. She showed the historic photograph of the home.

Motion made by Ms. Albarran and seconded by Ms. Patterson to approve the project as presented with the chimney being lowered to Code. Motion carried unanimously.

B. NEW BUSINESS

1. Application for Certificate of Appropriateness #051-2020

Address: 435 Seaspray Avenue

Owner/Applicant: 435 Seaspray LLC (Nicole Hanley Pickett)

Professional: Dustin Mizell/Environment Design Group

Project Description: A new driveway is being proposed. Existing concrete pavers will be removed and replaced with old, Chicago brick and Florida coral. Interior courtyard gardens to be refreshed. Associated landscape improvements will be made to accommodate proposed hardscape changes.

Call for disclosure of ex parte communication: None.

Mr. Mizell presented the landscape and hardscape modifications proposed for the existing home.

Mr. Silvin called for public comments. There were no comments heard at this time.

Mr. Silvin called for staff comments. Ms. Van Onna presented staff comments.

Ms. Patterson inquired about the front gate design. Mr. Mizell responded. Ms. Patterson requested that the gate design is shown to staff once finalized.

Ms. Albarran inquired about the pergola design. Mr. Mizell responded and thought the pergola had already been approved. Ms. Albarran was happy with the changes.

Many of the Commissioners thought the changes were a nice improvement. Ms. Metzger inquired about the minimum requirement for native materials. Mr. Mizell responded.

Mr. Silvin inquired about the positioning of the fountain in the pool area. Mr. Mizell responded.

Ms. Van Onna stated she could not find an approval for the pergola element. Mr. Mizell stated he could return to the Commission to seek approval for the gate as well as the pergola.

Motion made by Ms. Albarran and seconded by Ms. Patterson to approve the project as presented with the condition that the gate and pergola design return to the Commission for approval once finalized. Motion carried unanimously.

Please note: A lunch break was taken at 12:55 p.m. The meeting resumed at 1:25 p.m. Upon roll call, all members were found to be present with the exception of Mses. Damgard, Coleman and Mr. Gannon. Ms. Damgard arrived at 1:28 p.m. Ms. Coleman arrived at 1:33 p.m. Mr. Gannon arrived at 1:39 p.m.

3. Application for Certificate of Appropriateness #040-2020

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Address: 236 Phipps Plaza

Owner/Applicant: Phipps Plaza Properties Partners LLC (Joshua Levy, Director)

Professional: Keith Spina/Spina O'Rourke + Partners

Project Description: Modifications to previously approved plans including: removal of exterior stairs and construction of interior stairs and elevator; construction of new balconies with corbel and railing details to match previously approved; construction of new columns and corbels with details to match previously approved exterior; construction of new spa in courtyard. *****Please note: This is a tax abatement project*****

ZONING INFORMATION: Section 134-9452(4): Request for a modification to the existing multi-family site plan (4 units) to allow applicant to undertake a renovation of a 3 story nonconforming landmarked residence located in the R-C Zoning District in Phipps Plaza. Modifications include: Removal of existing 70 SF non-conforming bike storage shed; Removal of existing exterior stair leading from second floor to third floor; New balconies (3) with corbel and railing details to match existing exterior stair; New infill and enclosure of existing 38 SF second floor covered porch; New infill and enclosure of existing 134 SF third floor covered porch (variance requested); New spa in existing ground level courtyard; New spa equipment (1) in housing at ground level (variance requested); New 6' tall ac units (3) at ground level (variance requested); New elevator within existing building footprint; Revised interior floor plans. The variances being requested are as follows: 1) Section 134-948(8): To allow the enclosure of a porch on the existing nonconforming third floor of a three story building in lieu of the two-story building maximum allowed in the R-C Zoning District. 2) 134-1728(0): to allow the three (3) air-conditioning units in a required rear setback to be 6 feet in height in lieu of the 4 foot maximum allowed. 3) 134-1728(a): to allow three (3) air-conditioning units in a required setback where only maximum of two are allowed. 4) 134-1728(a): to allow the west two (2) air-conditioning

units to be 9 inches and 3 feet, respectively, from the rear property line in lieu of the 5 foot minimum required. 5) 134-1728(a): to allow the east air-conditioning unit and pool equipment to be 1 inch from the east side property line in lieu of the 5 foot minimum required. 6) 134-1728(a): to allow the east air-conditioning unit and pool equipment to be 9 inches and 3 feet from the rear property line, respectively, in lieu of the 5 foot minimum required. 7) 134-1729: to allow the proposed spa pump and filter equipment to be 9 inches from the rear property line in lieu of the five foot minimum setback required. 8) 134-1729: to allow the proposed spa pump and filter equipment to be 1 inch from the east property line in lieu of the five foot minimum setback required.

A motion carried at the October meeting to defer the project to the December 16, 2020 meeting at the request of the professional.

Call for disclosure of ex parte communication: Disclosure by Ms. Albarran, Damgard and Mr. Gannon.

Nelo Freijomel, Spina O'Rourke, presented the architectural modifications proposed for the existing landmarked building.

Jedidiah Hall, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the existing landmark building.

Mr. Silvin called for public comments.

Aimee Sunny, Preservation Foundation of Palm Beach, recommended that the architect look at the Secretary of Interior Standards for the replacement of windows. She recommended keeping the windows in the existing locations, particularly if the applicant was seeking a Federal Rehabilitation Tax Credit. She also encouraged to keep any original materials, particularly the interior fireplaces, since this was a tax abatement project.

Mr. Freijomel responded to Ms. Sunny's comments and stated they had a historical tax abatement consultant on board with the project, who had reviewed all of the plans presented.

Ms. Sunny expressed concern for the relocation of many of the windows on the west façade.

Mr. Silvin called for staff comments. Ms. Van Onna provided staff comments.

Ms. Patterson inquired about the window changes on the west elevation. Mr. Freijomel showed the west elevation and discussed the proposed change. Ms. Patterson thought the remainder of the changes were acceptable.

Ms. Albarran expressed concern for the relocation of the three windows on the west elevation next to the corner of the building. She thought the remainder of the changes were acceptable.

Ms. Coleman agreed with Ms. Albarran.

Ms. Damgard inquired about the air conditioning units proposed. Mr. Freijomel responded and explained the units.

Ms. Fairfax agreed with Ms. Albarran that the three windows were too close to the edge but questioned if the façade was visible from the right of way. Mr. Freijomel thought that the façade had a diminished view. She thought the windows were acceptable and stated she would support the project.

Ms. Metzger thought the changes were appropriate.

Mr. Gannon was in full support of the project.

Mr. Segraves was torn on the windows on the west elevation but was in favor of all of the changes.

Mr. Wong welcomed the changes.

Mr. Silvin inquired about the square footage of the units. Mr. Freijomel responded. Mr. Silvin recommended moving the windows in from the edge, by 7 inches. Mr. Silvin inquired about the potential ownership of the units. Mr. Freijomel responded.

Motion made by Ms. Patterson and seconded by Ms. Coleman to approve the project as presented with the condition that the three windows on the west elevation and moved away from the edge by 6 inches. Motion carried unanimously.

Motion made by Mr. Segraves and seconded by Ms. Coleman that implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property. Motion carried unanimously.

2. Application for Certificate of Appropriateness #053-2020

Address: 238 Phipps Plaza

Owner/Applicant: Phipps Plaza Properties Partners LLC (Joshua Levy, Director)

Professional: Keith Spina/Spina O'Rourke

Project Description: Modifications to previously approved plans including: revise interior floor plan to accommodate 3 bedrooms in lieu of 2 on second floor; change a window to a door. *****Please note: This is a tax abatement project*****

Call for disclosure of ex parte communication: Disclosure by Ms. Damgard.

Nelo Freijomel, Spina O'Rourke, presented the architectural modifications proposed for the existing landmarked home.

Jedidiah Hall, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the existing landmark home.

Mr. Silvin called for public comments. There were no comments heard at this time.

Mr. Silvin called for staff comments. Ms. Van Onna provided staff comments.

Many of the Commissioners were supportive of the project.

Ms. Metzger inquired about the lack of window on the exterior wall in bedroom number two on the second floor. Mr. Freijomel responded.

Mr. Silvin inquired about the change of the window on the north elevation. Ms. Patterson agreed. Mr. Segraves stated that the windows were not original because he put the windows in many years ago. Mr. Segraves stated that he thought the change in the windows was acceptable.

Motion made by Mr. Segraves and seconded by Ms. Coleman to approve the project as presented. Motion carried unanimously.

3. Application for Certificate of Appropriateness #052-2020

Address: 800 S. County Rd.

Owner/Applicant: Ann DesRuisseaux

Professional: Jacqueline Albarran/SKA Architect + Planner

Project Description: The client is respectfully requesting the following revisions to the previously approved site plan: A 1,464 square foot dock extending west from the seawall to replace the existing dock. A 525 square foot marginal dock located adjacent to the seawall. Rotation of the proposed pool 90 degrees and associated adjustments to the adjacent hardscape. Addition of an approximately 76'-4" long site wall along County Road to match the existing wall, extending it North and terminating it at the South entry gate post of the main driveway. The addition of steps at the tennis court and other minor hardscape revisions as shown on the plans. *****Please note: This is a tax abatement project*****

Call for disclosure of ex parte communication: Disclosure by Messrs. Silvin and Segraves.

Please note: Fernando Wong and Jacqueline Albarran declared a conflict of interest for the project and left the meeting. It was noted that Ms. Metzger would be voting in her absence.

Ann DesRuisseaux, owner, provided an overview of the condition of her home, the issue with the neighbors and the inability to pull permits for construction work. She discussed the possibility of demolishing the home and rebuilding.

Ms. Fairfax was of the opinion that Ms. DesRuisseaux could tear down the house and rebuild the home, keeping the design of the home.

Town Attorney Randolph thought the discussion was off topic and should only include the application. He indicated that the owner had the option for de-designating the property. He also discussed the fines that could occur should the Town be made aware of any damage to the landmarked property.

Mr. Silvin asked for confirmation from the owner that no damage to the home would occur without approval. Ms. DesRuisseaux provided confirmation.

Mr. Segraves discussed a landmarked home that he rebuilt after a fire. He thought reconstruction was a legitimate avenue for the owner.

Rafael Portuondo, Portuondo Perotti, presented the architectural modifications proposed for the existing landmarked home.

Mr. Silvin called for public comments. There were no comments heard at this time.

Mr. Silvin called for staff comments. Ms. Van Onna provided staff comments.

Many of the Commissioners expressed remorse for the owner's situation and thought the current proposal was acceptable.

Motion made by Mr. Segraves and seconded by Ms. Patterson to approve the project as presented. Motion carried unanimously.

X. DESIGNATION HEARINGS

Item 1: 300 Clarke Avenue

Owner: Desmond and Dorothy Ann Heathwood

Please note: This item was deferred at the Approval of the Agenda, Item V.

Item 2: 255 Seaspray Avenue

Owner: Julia S. Hansen

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Silvin asked for confirmation on proof of publication. Ms. Churney provided confirmation.

Emily Stillings, MurphyStillings, LLC, testified to the architecture and history for this Mediterranean Revival style home. Ms. Stillings pointed out the design features of this building. Ms. Stillings testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction or use of indigenous materials or craftsmanship; and,

Sec. 54-161 (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

Motion made by Ms. Albarran and second by Ms. Patterson to make the designation report for 255 Seaspray part of the record. Motion carried unanimously.

Maura Ziska, attorney for Julia Hansen, discussed the owner's strong opposition to the landmark designation. Ms. Ziska introduced Gene Pandula, architect, as an expert witness.

Mr. Pandula presented the history of the home and photographs of the current home. He pointed out all of the changes that had been made to the home and discussed the current issues and problems with the home.

Ms. Ziska asked Mr. Pandula if he felt the home was worthy of landmark designation. Mr. Pandula responded that he believed it was unfair to place that burden on the current homeowner.

Ms. Ziska read a portion of Lindley Hoffman's letter into the record, which indicated that the home was not worthy of landmark designation.

Julia Hansen, owner, discussed the reasons for her request not to landmark her home.

Mr. Silvin called for staff comments. Ms. Van Onna provided staff comments.

Mr. Silvin called for any public comment on the designation. There were no comments heard at this time.

Motion made by Ms. Albarran and seconded by Mr. Segraves to not recommend 255 Seaspray Avenue to the Town Council for designation as a Landmark of the Town of Palm Beach. Motion carried unanimously.

XI. STAFF APPROVALS

Ms. Van Onna inquired if there were any questions on the staff approvals sent to the Commission. There were no questions on the staff approvals by the Commission.

XII. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

1. Public

There were no public comments heard at this time.

2. Staff

Mr. Bergman reviewed the Landmark projects and issues presented at the December 2020 Town Council Meetings.

Mr. Bergman stated that Jacqueline Albarran declared a continuing conflict for her project at 800 S. County Road at the October 21, 2020 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Bergman stated that Jacqueline Albarran declared a continuing conflict for her project at 127 Dunbar Road at the October 21, 2020 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Bergman stated that Patrick Segraves declared a conflict for his project at 1095 N. Ocean Blvd. at the October 21, 2020 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Bergman stated that Jacqueline Albarran declared a conflict for her project at 220 Via Bellaria at the November 18, 2020 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Bergman stated that Fernando Wong declared a continuing conflict for his project at 800 S. County Road at the November 18, 2020 meeting and had correctly completed the 8B form in accordance with State Law.

3. Commission

There were no Commissioner comments heard at this time.

XIII. ADJOURNMENT

Motion made by Ms. Albarran and seconded by Ms. Coleman to adjourn the meeting at 5:15 p.m. Motion carried unanimously.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, January 20, 2021 at 9:30 a.m. via the Zoom platform.

Respectfully submitted,



Richard Rene Silvin, Chairman
LANDMARKS PRESERVATION COMMISSION

kmc

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Albarran, Jacqueline</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Landmarks Preservation Commission</i>	
MAILING ADDRESS <i>324 Royal Palm Way # 221</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF	
CITY <i>Palm Beach</i>	COUNTY <i>Palm Beach</i>	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>December 14, 2020</i>		NAME OF POLITICAL SUBDIVISION <i>Town of Palm Beach</i>	
		MY POSITION IS ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

Jaqueline Obarra hereby disclose that on December 16, 2020:

(a) A measure came or will come before my agency which (check one or more)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Continuing Conflict
Certificate of Appropriateness #052-2020
800 S. County Road

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

1-11-2021

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Wong, Fernando</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Landmarks Preservation Commission</i>	
MAILING ADDRESS <i>201 Seaview Ave., #2</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Palm Beach</i>	COUNTY <i>Palm Beach</i>	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>December 16, 2020</i>		NAME OF POLITICAL SUBDIVISION <i>Town of Palm Beach</i>	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Fernando Wong, hereby disclose that on December 16, 20 20:

(a) A measure came or will come before my agency which (check one or more)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Continuing Conflict
Certificate of Appropriateness # 052-2020
800 S. County Rd.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

December 17, 2020
Date Filed

Fernando Wong
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME: <i>Segraves, Patrick</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE: <i>Landmarks Preservation Commission</i>	
MAILING ADDRESS: <i>2500 S. Ocean Blvd. #2A1</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY: <i>Palm Beach</i>		☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
COUNTY: <i>Palm Beach</i>		NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>	
DATE ON WHICH VOTE OCCURRED: <i>December 16, 2020</i>		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTEE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Patrick Segraves, hereby disclose that on December 16, 20 20:

(a) A measure came or will come before my agency which (check one or more)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Certificate of Appropriateness # 054-2020
1820 S. Ocean Blvd.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

12-18-20
Date Filed

Patrick Segraves
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.