

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

**MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION
MEETING HELD ON WEDNESDAY, DECEMBER 22, 2021.**

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

Chair Silvin called the 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
Kim Coleman, Member	ABSENT (unexcused)
Anne Fairfax, Member	PRESENT
Brittain Damgard, Member	PRESENT
Anne Metzger, Alternate Member	PRESENT
Fernando Wong, Alternate Member	PRESENT
Bridget Moran, Alternate Member	PRESENT

Staff Members present were:

Wayne Bergman, Director of Planning, Zoning and Building
James Murphy, Assistant Director of Planning, Zoning and Building
Sarah C. Pardue, Historic Preservation Planner
Jordan Hodges, Planner II
Kelly Churney, Board Secretary to the Landmarks Preservation Commission
Emily Stillings, Preservation Consultant
Janet Murphy, Preservation Consultant

Please note: It was noted that Ms. Metzger would be voting in the absence of Ms. Coleman.

III. PLEDGE OF ALLEGIANCE

Chair Silvin led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES OF THE NOVEMBER 17, 2021 MEETING

Motion made by Ms. Patterson and seconded by Ms. Metzger to approve the minutes of the November 17, 2021 meeting. Motion carried unanimously, 7-0.

V. APPROVAL OF THE AGENDA

Mr. Murphy requested the following modifications to the agenda:

- *The addition of Item VIII. A. Consent Agenda*
- *Project COA-038-2021, 127 Dunbar Road be moved to consent*
- *Project COA-21-015, 200 N. Ocean Blvd. be moved to consent*
- *Project COA-21-016, 100 El Bravo Way be moved to consent*
- *Project COA-21-020, (ZON-22-003) 127 Root Trail moved to consent*
- *The addition of Item IX. E. Items Pulled from Consent*
- *Designation Hearing of 1250 N. Ocean Blvd. be deferred to the February 16, 2022 Meeting*

Motion made by Mr. Segraves and seconded by Ms. Patterson to approve the agenda as amended. Motion carried unanimously, 7-0.

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

Ms. Churney swore in all professionals before each presentation and throughout the meeting as necessary.

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

Mr. Silvin addressed some procedural items for the meeting. Mr. Silvin discussed an event at 800 S. County Road by Ann DesRuisseaux, featuring the raising of her home. Mr. Silvin also touched on a film premiered by Betsy Shiverick, which featured the history and renovation of her home, Le Claridad, on Golfview Road. Mr. Silvin discussed the consent agenda and its intent. He also summarized the new staff memos, provided by staff, to assist the Commissioners in reviewing the projects.

Mr. Murphy discussed the new process for intake of new projects. He reviewed the staff memos provided and prepared by staff.

Ms. Patterson wished everyone a happy and safe holiday.

VIII. A. CONSENT AGENDA

1. Application for Certificate of Appropriateness #038-2021

Address: 127 Dunbar Road

Owner/Applicant: 127 Dunbar Trust (Maura Ziska, Trustee)

Professional: LaBerge & Menard Inc.

Project Description: Modify courtyard windows, remove projection of existing powder room, modification of windows. North elevation revision to windows, add 134 sq. ft. two-story addition for new stair and elevator. Add 204 sq. ft. one-story addition for electrical room, total 338 sq. ft. of new addition. Modification

to windows throughout. Removal of existing foam garden wall on South property line. New entry door & location on South elevation.

2. **COA-21-015 200 N OCEAN BLVD.** The Applicant, Timothy Rooney Jr., has filed an application requesting a Certificate of Appropriateness for review and approval for complete window and door replacement and fenestration alterations for Unit #5 in an existing multifamily building.

Please refer to staff memo for additional information on this project.

Please note: This item was pulled from consent and was not approved under the consent agenda.

3. **COA-21-016 100 EL BRAVO WAY** The applicant, Golden Crate LLC, has filed an application requesting a Certificate of Appropriateness for review and approval for modifications to a previously approved COA to demolish and reconstruct a portion of a two-story addition on the northwest corner of the residence.

Please refer to staff memo for additional information on this project.

4. **COA-21-020 (ZON-22-003) 127 ROOT TRAIL (COMBO)** The applicants, David and Catherine Brooker, have filed an application requesting a Certificate of Appropriateness for review and approval for modifications to a previously approved COA, including the removal of a subterranean parking level and variances from on-site parking requirements and the setback requirements for pool equipment. The variance portion of the application shall be reviewed by Town Council.

Please refer to staff memo for additional information on this project.

Motion made by Ms. Albarran and seconded by Ms. Metzger to approve the consent agenda as amended. Motion carried unanimously, 7-0. Please note: this approval did not include COA-21-015, 200 N. Ocean Blvd.

IX. PROJECT REVIEW

A. CERTIFICATES OF APPROPRIATENESS – OLD BUSINESS

NONE

B. CERTIFICATES OF APPROPRIATENESS – NEW BUSINESS

1. **COA-21-013 (ZON-21-023) 235 SUNRISE AVE (COMBO)** The applicant, New Synagogue of Palm Beach, Inc. (Brad Bleefeld – VP Treasurer), has filed an application requesting a Certificate of Appropriateness for review and approval for the exterior modifications including partial window, door, and storefront replacement, roof alterations, and landscape alterations to an existing 4-story condominium hotel, including variances from height and landscape open space

requirements. The Special Exception with Site Plan Review and Variance portion of the application will be reviewed by the Town Council.

Please refer to staff memo for additional information on this project.

Call for disclosure of ex parte communication: Disclosure by Mses. Metzger and Moran.

Maura Ziska, Attorney for the applicant, presented an overview of the project and explained the variances requested. She advocated for a positive recommendation to the Town Council.

Dan Lobitz, Robert A.M. Stern Architects, presented the architectural modifications proposed for the project.

Cory Meyer, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the site.

Mr. Silvin called for staff comments. Mr. Murphy provided staff comments for this project.

Mr. Silvin called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, thanked the professional for working with her on this project. She added her support for the project.

A representative for two residents on Park Avenue, (242 Park Avenue and 231 Park Avenue), expressed concern for trash and garbage pickup and requested that there would not be any changes to the landscape plans that would change the garbage pickup location.

Mr. Meyer presented the location of the proposed garbage pickup location on Sunrise Avenue.

Dr. Rhonda Nasser, 242 Park Avenue, discussed the recycle bins at the rear of the hotel and the noise associated with the pickup of the garbage. She expressed concern for the noise of the pickup and requested that the activity cease in this location.

Mr. Murphy provided further comments on this issue.

Ms. Fairfax indicated that it would be helpful to review the historic elevations and photographs when reviewing new proposals. She inquired if the new windows and doors would be impact rated. Mr. Lobitz confirmed the replacements would be impact rated.

Ms. Albarran inquired about the existing window material. Mr. Lobitz responded. Ms. Albarran stated that the Commission would prefer a wood replacement.

Ms. Metzger inquired if Ms. Albarran was requesting them to change the windows to a wood material.

Ms. Albarran responded and explained her request.

Mr. Lobitz stated his preference was to use wood windows.

Mr. Segraves thanked the professional and thought the changes were moving in the right direction.

Ms. Albarran inquired about the changes to the interiors. Mr. Lobitz responded.

Ms. Damgard wondered about the other tenants that were making the changes to their property. Mr. Lobitz stated that the synagogue was the applicant of the project. Ms. Damgard inquired how the remainder of the changes to the condominium could be made in concert with these changes. Mr. Lobitz responded. A discussion ensued on the upcoming changes to the building.

Motion made by Mr. Segraves and seconded by Ms. Patterson that implementation of the proposed variances will not cause negative architectural impact to the subject, landmarked property. Motion carried unanimously, 7-0.

A second motion made by Mr. Segraves and seconded by Ms. Patterson to approve the project with the strong recommendation to use a wood material to replace the windows and doors. Motion carried unanimously, 7-0.

Ms. Damgard inquired about the integrity of the roof structure with the proposal of planters to be placed on the roof. Mr. Meyer responded.

2. **COA-21-017 (ZON-22-005) 720 S OCEAN BLVD (COMBO)** The applicant, 720 South Ocean Boulevard Land Trust (Paul A Krasker, Trustee), is requesting approval of a Certificate of Appropriateness for review and approval for the demolition of an existing beach cabana and associated hardscape and the construction of a new beach cabana, pool, and hardscape and landscape improvements east of South Ocean Boulevard, and hardscape and landscape alterations west of South Ocean Boulevard. The Special Exception with Site Plan Review portion of the application will be reviewed by Town Council.

Please refer to staff memo for additional information on this project.

Call for disclosure of ex parte communication: There were no disclosures made for this project. *Please note: Ms. Patterson declared a conflict of interest for the project and left the dais. It was noted that Mr. Wong would vote in her absence.*

Keith Williams, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the site.

Mr. Silvin called for staff comments. Mr. Murphy provided staff comments for this project.

Michael Perry, MP Design & Architecture, presented the architectural plans for the proposed beach cabana. He indicated that Ms. Sunny had asked him to add detailing to the west side of the cabana. Mr. Perry showed a photograph of a section of the existing home to demonstrate the detailing that he could add to the cabana. He added that he would be happy to do so if it was the will of the Commission.

Mr. Silvin called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, stated she spoke to Mr. Perry about the possibility of adding some details on the west elevation. She thought the location change of the cabana was appropriate as well as the landscape changes.

Mr. Segraves was in favor of the proposed landscaping plan. He thought the cabana was a bit flat and suggested it be more of a folly. However, he thought the landscaping and pool were an improvement.

Ms. Albarran agreed with Ms. Sunny and thought some detailing should be added to the west elevation. She suggested a window or something to add interest. Mr. Perry stated he could add a window to the elevation. Ms. Albarran inquired about an item on the renderings. Mr. Williams stated that while the item was on the rendering, it was not a proposed, architectural detail. Ms. Albarran inquired if the columns would be added to the cabana on the north elevation. Mr. Perry further explained the details in the design. Ms. Albarran requested that the professional match the Fatio detailing in the main home.

Ms. Fairfax agreed with Ms. Sunny for the west elevation. She thought the cabana could use more whimsy and charm. She stated she supported the design but wished it were a bit more whimsical. She questioned the sill height of the windows. Mr. Perry responded and stated the sill heights could be lowered.

Ms. Albarran agreed that the change in windowsill heights would be nice.

Ms. Metzger agreed that the cabana would be a bit better if it was not so bland.

Mr. Silvin inquired about the removal of the pool on the east side. Mr. Williams responded. Mr. Silvin inquired if the pool was original to the home. Messrs. Williams and Perry responded.

Ms. Sunny agreed that the pool was not original to the 1934 design. She estimated that the pool was added between 1934 and 1950's.

Mr. Segraves thought the size and scale of the rafter tails in the main house would be more appropriate for the cabana. He wondered if the changes to the details, such as the rafter tails and windowsills, should be brought back to the Commission for approval.

Ms. Albarran agreed with Mr. Williams. As a previous architect for the home, Ms. Albarran thought the pool's location on the east side of the home never made sense.

Motion made by Ms. Damgard and seconded by Ms. Metzger to approve the project with the exception of the detailing on the beach cabana, which shall return to the February 16, 2022 meeting for approval. Motion carried unanimously, 7-0.

3. **COA-21-018 172 S OCEAN BLVD.** The applicant, Bayhigh LLC (C/O M. TIMOTHY HANLON), has requested approval for a Certificate of Appropriateness for review and approval for alterations to the existing structure including partial window and door replacement, façade alterations, and the installation of a new generator and landscaping.

Please refer to staff memo for additional information on this project.

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

Daniel Kahan, Smith and Moore Architects, presented the architectural modifications proposed for the existing, landmarked home.

Keith Williams, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the site.

Mr. Kahan passed out an alternate site plan that indicated the location of the proposed generator.

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

Mr. Stillings thought that the Commission should consider retaining arches in the gallery at the west elevation.

Mr. Silvin called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, stated she spoke to Mr. Kahan and thought the Commission should consider the alternate design, which helped the owners make some changes but still retain some of the historic nature of the home.

Ms. Metzger asked for clarification on which design Ms. Sunny endorsed. Mr. Kahan stated she supported the new sheet that showed west elevation option B. Mr. Kahan also indicated the owner requested option A, however understood the concern; therefore, he provided option B.

Ms. Albarran thought the proposed changes to the west side were big. She indicated that she leaned toward option B. She expressed concern for the pedestrian gate design with the adjacent, low columns. She thought that the columns should be increased to add structural support the gate design.

Ms. Fairfax agreed with Ms. Albarran. She agreed with option B as well as Ms. Albarran's assessment of the gate and thought the gate needed some structural support.

Ms. Damgard thought the plan would enhance the home. She also agreed option B would be the best choice.

Ms. Patterson agreed with Ms. Albarran and Fairfax on the gate design. She also agreed that option B would be the better choice and option A would be a departure from the historic nature of the home.

Mr. Segraves agreed with Ms. Patterson's comments. He thought the sides of the gates needed to be increased in size.

Mr. Wong thought the windows could be changed to bronze or metal in the loggia, but he thought the loggia should remain as existing. He explained the reasons for his beliefs.

Ms. Patterson tended to agree with Mr. Wong. She wondered what the change would add to the space.

Mr. Kahan explained the reasoning for the requested change, and added it was primarily for circulation in the space. Mr. Williams provided further explanation on his portion of the design.

A discussion ensued on this issue.

Mr. Silvin inquired on the material choice for the change to the openings. Mr. Kahan responded.

Mr. Silvin commended the owners for the changes. He liked option A out of the two choices. However, he added he would support option B.

Motion made by Mr. Segraves and seconded by Ms. Metzger to approve the project as presented with the alternate plan B for the gallery, and with the condition that the pedestrian gate frame shall be made more substantial in

metal, and will be submitted for review and approval as a staff approval. Motion carried unanimously, 7-0.

Mr. Kahan presented a material sample for the new roof tile.

4. **COA-21-019 360 SEASPRAY AVE.** The applicants, Mr. and Mrs. Justin Besikof, have filed an application requesting a Certificate of Appropriateness for review and approval for the replacement and the installation of new fencing, gates, landscaping and installation of new roof material from asphalt shingle to cedar shake composite tile along with the K-style copper gutter.

Please refer to staff memo for additional information on this project.

Call for disclosure of ex parte communication: There were no disclosures at this time. *Please note: Mr. Segraves declared a conflict of interest for the project and left the dais. It was noted that Mr. Wong would vote in his absence.*

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

Steve West, Parker Yannette Design Group, presented the landscape and hardscape modifications proposed for the site. Mr. West passed out an alternate design for the vehicular and pedestrian gates

Mr. Silvin called for staff comments. Mr. Murphy provided staff comments.

Mr. Silvin called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, stated she spoke to Mr. Segraves about the gutter and design proposed. She recommended using a half-round gutter rather than the proposed.

Mr. Clavijo responded and explained why the half-round gutter would not work on this home.

Ms. Stillings clarified that the picture of the home shown for the example of the roofing material was not a landmarked home.

Mr. Clavijo showed the Commission a sample of the roofing material. He explained why the material had been chosen.

Ms. Damgard supported the proposed change in the gate design. She thought the proposed shingles would appear as real shingles.

Ms. Fairfax objected to the roof material. She discussed the reasons she could not support the material and added that she could not support the project as well. Mr. Clavijo further explained the request.

A discussion ensued on the roof material proposed.

Motion made by Ms. Fairfax to approve the project as presented with the following exceptions: the alternate gate design and K-style copper gutter shall be approved and an asphalt or natural wood style wood shingle shall be used as the roofing material. Motion failed for a lack of a second.

Motion made by Ms. Damgard and seconded by Ms. Albarran to approve the project as presented, to include the proposed alternate gate design. Motion carried 4-3, with Ms. Fairfax and Messrs. Silvin and Wong opposed.

C. HISTORICALLY SIGNIFICANT BUILDINGS – OLD BUSINESS

1. **HSB-21-004 (ZON-21-018) 245 BARTON AVENUE (COMBO)** The applicant, Elizabeth Sorrel, has filed an application requesting Landmarks Preservation Commission review and approval for the construction of a new 35 SF covered ground floor entry addition to a historically significant building including variances from the setback, CCR and lot coverage requirements. The variance portion of the application shall be reviewed by Town Council.

Please refer to staff memo for additional information on this project.

Call for disclosure of ex parte communication: Disclosure by Mses. Albarran and Metzger.

Michael Perry, MP Design & Architecture, Inc., presented the modifications proposed to the front entrance for the existing historically significant building.

Mr. Silvin called for staff comments. Mr. Murphy provided staff comments for this project.

Mr. Silvin called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, did not believe a change to the front entrance was appropriate. She stated that Mr. Perry provided three different awning choices, which she believes would be more appropriate.

Mr. Perry indicated that if an awning were approved, the change would still need a variance. Mr. Perry provided three different awning choices.

Ms. Albarran thought it was hard to determine the awning when a balcony railing that the Commission did not approve is located on the plans. Mr. Perry responded.

Mr. Segraves inquired if he could see an east west elevation of the front entrance. Mr. Perry responded and explained the design.

Ms. Fairfax supported the proposed change to the front entrance and thought it would be easy to change it back to the original condition. She supported the request.

Ms. Albarran clarified the request, which included a door above the front door. Mr. Perry confirmed that was his request.

Motion made by Ms. Fairfax and seconded by Ms. Albarran to approve the project as presented with the second story door change above the front entrance. Motion failed 2-5, with Mses. Patterson, Damgard, Metzger and Messrs. Segraves and Silvin opposed.

Motion made by Ms. Albarran and seconded by Ms. Patterson to defer the project to the January 19, 2022 meeting with the direction to return with an alternate design of an awning and the removal of the second story railing. Motion carried unanimously, 7-0.

D. HISTORICALLY SIGNIFICANT BUILDINGS – NEW BUSINESS

None

E. ITEMS PULLED FROM CONSENT

1. **COA-21-015 200 N OCEAN BLVD.** The Applicant, Timothy Rooney Jr., has filed an application requesting a Certificate of Appropriateness for review and approval for complete window and door replacement and fenestration alterations for Unit #5 in an existing multifamily building.

Please refer to staff memo for additional information on this project.

Call for disclosure of ex parte communication: There was no disclosures at this time.

Jason Drobot, Brasseur & Drobot Architects, presented the architectural modifications proposed for the existing, landmarked building.

Mr. Silvin called for staff comments. Mr. Murphy provided staff comments for this project.

Mr. Silvin called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, stated that the Foundation held an easement over this property and had a legal position in the proposed changes. She stated she worked with the professional to make changes that were acceptable to the Foundation.

Ms. Fairfax questioned if the multi-family building had specific standards when replacing the windows and doors. Mr. Drobot responded.

Motion made by Ms. Fairfax and seconded by Mr. Segraves to approve the project as presented with the amended elevation to include the transoms over the two new doors. Motion carried unanimously, 7-0.

Please note: The Commission took a lunch break at 12:48 p.m. The meeting returned at 1:40 p.m. Mses. Metzger and Fairfax returned at 1:41 p.m. Ms. Albarran returned at 1:44 p.m. Ms. Moran returned at 1:46 p.m.

X. DESIGNATION HEARINGS

ITEM 1: 1250 N. Ocean Blvd.

Owner: Marsha C. Beeson

Please Note: This item was deferred to the February 16, 2022 meeting at the approval of the agenda, Item V.

ITEM 2: 2155 Ibis Isle Road

Owner: Tower Vallencay of Ibis Isle at 2155 Ibis Isle Road, and each owner of each individually owned condominium unit.

Call for disclosure of ex parte communication: Disclosure by Ms. Metzger and Mr. Silvin.

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 Modern style condominium building. 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. Metzger and seconded by Ms. Damgard to make the designation report for 2155 Ibis Isle Road part of the record. Motion carried unanimously, 7-0

Mr. Silvin called for any public comment on the designation.

Gardiner Hempel, Board Treasurer for 2155 Ibis Isle Road, spoke in support for the landmark designation of their condominium.

Ms. Patterson thanked Mr. Hempel for his kind words and added she was happy to see homeowners supporting the designation.

Bobbie Litowitz, 2155 Ibis Isle Road, spoke in support for the landmark designation of their condominium.

Ms. Fairfax inquired about the tangible benefits to receiving the landmark designation.

Ms. Stillings responded and reviewed the tangible benefits.

Ms. Metzger inquired if the Town still provided a plaque for landmarked home. Staff confirmed this still occurred if the homeowner requested the plaque.

Ashley O'Neill, 2155 Ibis Isle Road, supported the designation. However, she expressed a concern for the railings on the roof where she lived and described the condition. She believed this was a safety issue. Mr. Silvin responded.

Ms. Stillings added that changes could be made to the buildings; however, the Landmarks Preservation Commission would need to review them.

Motion made by Mr. Segraves and seconded by Ms. Patterson to recommend 2155 Ibis Isle Road to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3 and 4 in Section 54-161. Motion carried unanimously.

ITEM 3: 215 Seaspray Avenue
Owner: 215 Seaspray Ave LLC

Call for disclosure of ex parte communication: There were no disclosures at this time.

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

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this Mediterranean Revival style home. Ms. Murphy pointed out the design features of this building. Ms. Murphy 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 of 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. Damgard and seconded by Ms. Metzger to make the designation report for 215 Seaspray Avenue part of the record. Motion carried unanimously, 7-0

Ms. Patterson agreed that the home fit into the fabric of the neighborhood.

Mr. Segraves discussed the renovation for this home that the Commission recently approved.

Motion made by Ms. Damgard and seconded by Ms. Patterson to recommend 215 Seaspray Avenue to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3 and 4 in Section 54-161. Motion carried unanimously.

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

ITEM 4: 12 Lagomar Road
Owner: Dahlia Associates LLC

Call for disclosure of ex parte communication: There were no disclosures at this time.

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

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this Mediterranean Revival style home. Ms. Murphy pointed out the design features of this building. Ms. Murphy 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 of use of indigenous materials or craftsmanship.

Motion made by Ms. Damgard and seconded by Ms. Patterson to make the designation report 12 Lagomar Road part of the record. Motion carried unanimously, 7-0

Ms. Patterson thought the home was beautiful.

Motion made by Ms. Damgard and seconded by Ms. Patterson to recommend 12 Lagomar Road to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1 and 3 in Section 54-161. Motion carried unanimously.

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

ITEM 5: 1568 South Ocean Boulevard
Owner: Gary Knapp

Call for disclosure of ex parte communication: There were no disclosures at this time. *Please note: Anne Fairfax declared a conflict for this designation hearing and left the dais. It was noted that Mr. Wong would vote in the absence of Ms. Fairfax.*

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

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this Mediterranean Revival style home. Ms. Murphy pointed out the design features of this building. Ms. Murphy 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.

Motion made by Ms. Damgard and seconded by Ms. Patterson to make the designation report for 1568 S. Ocean Blvd. part of the record. Motion carried unanimously, 7-0

Mr. Segraves inquired whether the roof deck was original. Ms. Murphy responded.

Mr. Silvin inquired if Mr. Knapp been informed of the designation. Ms. Murphy stated that the owner provided plans to the she and Ms. Stillings.

Motion made by Ms. Damgard and seconded by Ms. Patterson to recommend 1568 S. Ocean Blvd. to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1 and 3 in Section 54-161. Motion carried unanimously, 7-0.

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

XI. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

1. Public

There were no comments heard at this time.

2. Staff

Mr. Murphy reviewed the Landmark projects and issues presented at the December 2021 Town Council Meetings.

Ms. Churney stated that Patrick Segraves declared a continuing conflict of interest for the project at 1095 N. Ocean Blvd. at the November 17, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

Ms. Churney stated that Jacqueline Albarran declared a continuing conflict of interest for the project at 271 El Vedado Road at the November 17, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

3. Commission

There were no comments heard at this time.

XII. NEXT MEETING DATE: Wednesday, January 19, 2022

XIII. ADJOURNMENT

Motion made by Ms. Patterson and seconded by Mr. Segraves to adjourn the meeting at 2:40 p.m. Motion carried unanimously, 7-0.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, January 19, 2022, at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

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>Segraves, Patrick W.</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>	COUNTY <i>Palm Beach</i>	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>December 22, 2021</i>		NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</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 22, 20 21:

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

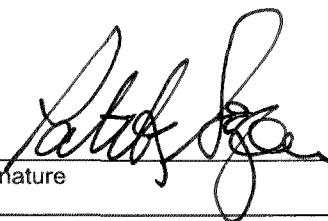
- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of Justin Besikof, by whom I am retained; or
- ☐ inured to the special gain or loss 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:

COA-21-019
360 Seaspray Avenue
Continuing Conflict

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.

12.22.21
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>Fairfax, Anne</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Landmarks Preservation Commission</i>	
MAILING ADDRESS <i>455 Worth Ave., # 303</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 22, 2021</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, Chase Fairfax, hereby disclose that on December 22, 20 21:

(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 Gary Knapp, 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:

Designation Hearing
1568 South 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.

Dec 22, 2021
Date Filed

Chase Fairfax
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>Patterson, Sue</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Landmarks Preservation Commission</i>
MAILING ADDRESS <i>710 S. Ocean Blvd</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 22, 2021</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, Sue Patterson, hereby disclose that on December 22, 20 21:

(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:

COA-21-017 (20N-22-005)
720 S. Ocean Blvd.
Continuing conflict

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.

12/22/21
Date Filed

S. Patterson
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.