



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

**MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION
MEETING HELD ON WEDNESDAY, SEPTEMBER 18, 2019.**

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 Cooney called the meeting to order at 9:31 a.m.

II. ROLL CALL

Edward Austin Cooney, Chairman	PRESENT
Richard Rene Silvin, Vice Chairman	PRESENT
Jacqueline Albarran, Member	PRESENT
Patrick Segraves, Member	PRESENT
John T. Gannon, Member	PRESENT
Kim Coleman, Member	PRESENT
Sue Patterson, Member	PRESENT
Anne Metzger, Alternate Member	PRESENT
Marcia M. Cini, Alternate Member	ABSENT (excused)
Fernando Wong, Alternate Member	PRESENT

Staff Members present were:

John Lindgren, Planning Administrator
Kelly Churney, Secretary to the Landmarks Preservation Commission
Josh Martin, Director of Planning, Zoning and Building
Emily Stillings, Preservation Consultant for the Town of Palm Beach
Janet Murphy, Preservation Consultant for the Town of Palm Beach

III. PLEDGE OF ALLEGIANCE

Chairman Cooney led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES OF THE AUGUST 21, 2019 MEETING

Motion made by Mr. Silvin and seconded by Ms. Coleman to approve the minutes of the August 21, 2019 meeting. Motion carried unanimously.

V. APPROVAL OF THE AGENDA

Mr. Lindgren asked the Commission to move item X. Discussion Item, 1. Town Council request to remove the “Sea” Streets from consideration as a historic district to the first place in the agenda.

Motion made by Mr. Silvin and seconded by Mr. Segraves to approve the agenda as amended. Motion carried unanimously.

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

Ms. Churney administered the oath at this time and throughout the meeting as necessary.

VII. COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes):

Mr. Silvin asked for an update on the basins in front of the Memorial Fountain.

Mr. Lindgren stated he had a conversation with staff in the Public Works Department, who indicated that they were working with a plumber to determine if new lines could be installed in the basin. If they are unable to get them operational, they will place potted plants in the basins.

Mark Marsh, Architect, spoke of the history of the fountain and his experience in trying to get the basins operational. Mr. Cooney inquired about the plumbing of the fountain. Mr. Marsh responded.

Mr. Lindgren stated that the roof had been completed at 323 Chilean Avenue. However, he indicated that the permit for the roof was still open, which indicated that the final inspection had not been completed. Therefore, he told Code Enforcement to proceed with the case until the permit is closed.

Mr. Lindgren concluded by indicating that he would update the Commission on both issues at the next meeting.

X. DISCUSSION ITEM

1. Town Council request to remove the “Sea” Streets from consideration as a historic district.

Town Attorney Randolph updated the Commission on the discussion that occurred at the September 11, 2019 Town Council Meeting regarding the proposed symposium to take place in December 2019 and the numerous emails received from concerned residents that live on the “Sea” Streets. He indicated that the Town Council asked the Landmarks Commission to reconsider the matter of placing the “Sea” Streets under consideration until a later date, subsequent to the approved symposium. Mr. Randolph instructed the Commission the actions necessary to reconsider their previous motion.

Mr. Segraves discussed the potential demolition of a property. He stated that the Landmarks Commission had the ability to deny the request opposed to ARCOM, who is unable to deny a demolition request. Mr. Segraves thought this was a benefit for the “Sea” Streets. Mr. Segraves added that some homes on the “Sea” Streets would be considered as not contributing and could be approved for demolition by the Landmarks Commission.

Mr. Randolph discussed a concern expressed at the Town Council meeting by an owner trying to sell their home. He stated the owner asked the Town Council for an exemption since they had already been considered for designation.

Mr. Lindgren asked the Commission to make a motion to reconsider the motion prior to any conversations. He also urged the Commission to remove the “Sea” Streets for consideration, without any prejudice.

Mr. Silvin offered his thoughts on the recommendation from the Town Council.

Motion made by Mr. Silvin to reconsider the previous motion to place the “Sea” Streets under consideration for designation as a historic district.

A short discussion ensued about the motion.

Mr. Segraves seconded by the motion. Motion carried unanimously.

Mr. Segraves thought it was unfortunate that the owners of the “Sea” Streets thought this was a penalty and the Commission was taking a right away from them. Mr. Segraves thought some education was necessary so that the owners would understand the privilege of a landmark designation.

Ms. Albarran inquired how the homes in the district would qualify as contributing or non-contributing. If contributing, Ms. Albarran wondered if they would receive the flood plain exemption. Mr. Cooney stated he believed they would receive the benefit.

Ms. Stillings stated she would need to look into the qualifiers for non-contributing buildings.

Mr. Cooney discussed how he felt the piecemeal approach to landmarking was not working for the Town and did not feel that it was preserving the core of the neighborhoods. He stated that by placing the “Sea” Streets under consideration, it was a method for the area as a whole could be studied. Mr. Cooney discussed the meetings with staff to conduct the symposium. He understood the concern of the owners on the “Sea” Streets but thought education would help to eliminate confusion. Mr. Cooney stated that he had discussions with staff to make sure there were minimal obstacles for individuals that needed minor changes to their home. He reviewed the Town Council’s conversation on the issue. Mr. Cooney believed that it was too early to abandon the historic district, especially since there had not

been any education on the issue. He recommended that the Commission continue with the historic district until everyone could make an informed decision. He spoke of the hazards in abandoning the historic district before the matter was resolved. He urged the Commission to continue with the initial motion.

Mr. Silvin asked about the upcoming symposium. Mr. Cooney spoke about the educational process that would be held in December 2019. Mr. Cooney stated that the symposium was given approval by the Town Council.

Ms. Coleman stated that she thought there was a gross misunderstanding of the landmark program and thought education was necessary.

A discussion ensued about the residents' concerns, the symposium and education, and the ordinance relating to landmarks.

Mr. Gannon thought this was an opportune time to change the image of landmark designations.

Town Attorney Randolph discussed the potential risks of the Commission's decisions. Mr. Randolph also discussed the potential motions on the issue.

A discussion ensued about the possible motions to be made by the Commission. Town Attorney Randolph offered language for a potential motion.

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

Mr. Cooney passed the gavel to Mr. Silvin.

Motion made by Mr. Cooney and seconded by Mr. Gannon to place Seaview Avenue, Seaspray Avenue and Seabreeze Avenue, between the Intercostal waterway and Atlantic Ocean under consideration as a Historic District. Motion carried 5-2, with Messrs. Silvin and Segraves opposed.

VIII. INFORMAL PRESENTATION

1. Palm Beach Hotel Renovation Project

Rick Gonzalez, REG Architects, commended the Commission on their motion for the placing the "Sea" Streets under consideration as a Historical District. He stated he had been hired by the homeowner's association to look at the building for renovation. Mr. Gonzalez provided an overview of the upcoming modifications.

Mr. Cooney was delighted to see the condominium owners moving forward with a holistic approach for the renovations.

Ms. Albarran asked about the timing of the renovations. Mr. Gonzales stated he believed these changes would occur over two summers.

Mr. Silvin inquired if the owners understood the realistic cost of the renovations. Mr. Gonzalez responded.

Mr. Cooney encouraged the professional not to use the low energy glass. Mr. Gonzalez agreed and stated they would be using clear glass.

Mr. Coleman asked about the use and zoning of the building. Mr. Gonzalez responded.

The Commission offered positive feedback in the direction proposed by the professional.

IX. PUBLIC HEARINGS

1. Application for Certificate of Appropriateness #049-2018
*LPC TO MAKE RECOMMENDATION RELATIVE TO SITE PLAN
REVIEW WITH VARIANCE(S)* - Done 10/17/18
Address: 280 Sunset Ave.
Owner/Applicant: Bradley Park Owner LLC
Professional: Keith Spina/Glidden Spina + Partners
Project Description: The Bradley Park Hotel, also known as Bradley House and originally built under the name The Algomac Hotel, was constructed in 1923 by Colonel F.T. Bradley. The architect is unknown. The Hotel was constructed immediately adjacent to F.T. Bradley's famous Beach Club gambling casino as a private hotel for his friends and guests. The hotel is now separated from Bradley Park where the casino stood. It is one of the earliest hotels designed in the Mediterranean motif in Palm Beach. The building is "U" shaped with the center being 4 stories and the wings three stories with a Belvedere on the northwest wing. Site improvements include: Reconfiguration of the central courtyard to accommodate a new pool and patio; redesign of the parking lot; relocated exterior approach to entrance. Parking lot improvements include new landscaping, paving materials and drainage. The proposed changes to the building interior include demolition of interior partitions, as required, to accommodate the reconfiguration of guest rooms, support space and lobby. Proposed exterior alterations include replacement of doors and windows; removal of wall mounted A/C units; reinstallation of rooftop equipment and removal of adjacent unsightly metal mesh screen; and alteration to elevator penthouse. Redesign of these roof elements results in a well-balanced architectural treatment to the top of the building and can be seen as one enters into Palm Beach. All mechanical equipment will be screened from view.
****Please note this is a tax abatement project****

Project History:

October 2018 – Motions carried that implementation of the proposed site plan review with variances will not cause negative architectural impact to the subject

landmarked property, that the proposed development will not preclude the building's continued designation as a historic building, and the variance is the minimum necessary to preserve the historic character and design of the building.

November 2018 – Motion carried at the November meeting to approve the project as presented with the caveat that the details for the balcony railings, fencing and gates will return at the December 19, 2018 meeting.

December 2018 – Motion carried to approve the remaining items with the exception of the pedestrian entry gate, which was deferred to the January 16, 2019 meeting.

January 2019 – Motion carried to defer the pedestrian entry gate to the February 20, 2019 meeting at the request of the attorney.

February 2019 – Motion carried to defer the project to the April 17, 2019 meeting.

April 2019 – Motion carried to approve the remainder of the project.

August 2019 – Revisions were presented informally, and the Commission directed the applicant to return with a formal presentation (revise/amend the previously approved COA).

The applicant is now seeking to revise/update their approval to include the following:

- 1) Finalizing west façade
- 2) Removing mechanical penthouse
- 3) Removing entrance awning
- 4) Maintaining historic courtyard fence and reconfiguration of pool

Call for disclosure of ex parte communication: None.

Ned Grace, Ausmerica, stated he was requesting a formal approval after the informal presentation of the changes. Mr. Grace reviewed the requested changes.

Mr. Cooney asked about depth of the recess of the door on the west elevation. Mr. Grace explained the design. Mr. Cooney thought the redesign was improved. Mr. Grace stated that the door would not be used as a public entrance.

Ms. Albarran recommended using one less horizontal muntin on the door on the west facade so that it matched the windows. Mr. Grace stated he could not agree to the change and explained the reason he wanted to keep the design as proposed. Ms. Albarran recommended changing the half circle in the arched window so that it aligned with the vertical muntins in the door. Mr. Grace stated he could agree to the change.

Mr. Silvin inquired about the proposed covering of the west door. He also asked about the location for the generator. Mr. Grace responded.

Mr. Silvin asked if the changes proposed met the State Historic Preservation Officer's request. Mr. Grace stated that it was his understanding that the changes met the request.

Mr. Gannon stated he stayed at the White Elephant in Nantucket and was very impressed with the operation.

Ms. Stillings stated that she believed the State Historic Preservation Officer would have an issue with the change in the horizontal muntins. She thought the changes presented were good.

Motion made by Mr. Silvin to approve the project as presented.

Mr. Grace pointed out the canvas awnings proposed on the west façade.

Mr. Segraves seconded the motion. Motion carried unanimously.

Please note: A short break was taken at 11:11 a.m. The meeting resumed at 11:22 a.m.

2. Application for Certificate of Appropriateness #022-2019

Address: 264 & 270 S. County Rd.

Owner/Applicant: Carriage House Properties Partners LLC

Professional: Glidden Spina + Partners

Project Description: The scope of work includes a rehabilitation of two existing commercial structures at 264 South County Road and 270 South County Road. The rehabilitation includes removing and replacing exterior windows, exterior doors, gutters, downspouts, terra cotta tile roofing, and exterior light fixtures. All previously painted pecky cypress architectural elements will be stripped of paint and restore. All existing historical features such as cast stone columns, entry surrounds, corbels, lintels, terracotta soffit, coquina banding and pecky cypress wood craved beams are to remain as existing. The scope also includes demolition of interior walls, doors, and plumbing fixtures while keeping interior historical features such as, exposed pecky cypress and hand painted tiles, as existing to remain. Further, the scope includes rehabilitation of the landscape and hardscape of the front yard, side yards, and interior courtyard. *****Please note: this is a tax abatement project. *****

A motion carried at the July meeting to approve the project as presented with the following caveats: the use of steel windows on the 264 building, to use La Finestra windows on all other areas, the deletion of any espalier on the 264 coquina, to hide the wall between 264 and 270 with landscaping, and to return to the August 21, 2019 meeting with photographs and the relocation of the fireplace in the 264 building.

A motion carried at the August meeting to approve the project as presented with the final selection of the steel windows to be presented to the Commission at the September 18, 2019 meeting.

Call for disclosure of ex parte communication: None.

Keith Spina, GliddenSpina, stated that they had begun the process of applying for the Historic Tax Credit. Mr. Spina presented different window samples for the proposed project. He discussed the costs for the CGI, La Finestra and steel windows.

Mr. Segraves stated he thought the steel windows in the 264 building were an important part of the character and charm of the building. Mr. Spina stated that his client did not want to pay the extra money for the steel windows and requested to use CGI or La Finestra.

Mr. Cooney stated that since the building was a significant structure in town and the owner was pursuing tax abatement and federal tax credits, the Commission would hold the renovations to a higher standard. He felt that the steel windows were important for the 264 building.

Mr. Silvin asked about the price negotiations. Mr. Spina responded.

A discussion ensued about the windows on the 264 building and the potential replacements.

Mr. Segraves stated that a window with a thinner muntin was most important.

Mr. Cooney suggested replacing the windows on the 264 building that face east and north, that wrap the corner with steel windows. He thought that the remaining replacements could be in a different material. Mr. Spina thought this was a good compromise but would have to ask his client.

Ms. Stillings agreed that Mr. Cooney's suggestion was a good compromise. She added that because of the federal tax credit, she thought the state preservation officer would look for the steel replacements as well.

Motion made by Mr. Segraves and seconded by Mr. Silvin to approve the project with the caveat that steel windows will be used on the north and east facades of the 264 building, while the windows on the other facades could be replaced with either La Finestra or CGI Estate Series. Motion carried unanimously.

3. Application for Certificate of Appropriateness #024-2019
Address: 1 S. County Rd.
Owner/Applicant: The Breakers Palm Beach
Professional: Peacock & Lewis Architects (Steve Pollio)

Project Description: This project consists of replacing the existing 1929 windows of the Circle dining room to hurricane impact windows that are mahogany on the inside and bronze toned aluminum on the outside to match the appearance of what it is currently. In this project, we plan to also remove the existing atrium located below in the basement and replace the 1985 windows with impact rated ones and a barrel tile roof to match the rest of the hotel.

*****Please note: this is a tax abatement project.*****

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

Mr. Pollio presented the proposed modifications for the project. Mr. Pollio discussed the material to be used in the modifications.

Mr. Cooney inquired about the manufacturing of the protrusion in the window element. Mr. Pollio responded and further explained the design.

Mr. Cooney inquired if there would be similar projects forthcoming. Mr. Pollio responded. Mr. Cooney requested that the proposed windows did not contain low e glass.

Mr. Segraves asked if the glass was tinted bronze. Mr. Pollio responded. Mr. Segraves stated he was in favor of the project.

Ms. Metzger inquired about the manufacturing of the windows. Mr. Pollio explained the proposed materials.

Mr. Silvin spoke in favor of the project.

Mr. Cooney asked about the change in door on the north elevation. Mr. Pollio responded and stated he would fix the drawing.

Ms. Stillings suggested an all-wood window would be more appropriate, particularly since the project was seeking a tax abatement. Mr. Pollio addressed the suggestion of Ms. Stillings and expressed concern for the expense and maintenance of all-wood windows. Mr. Pollio advocated for the material he proposed.

Mr. Segraves thought the proposed windows were appropriate. Mr. Cooney agreed and expressed the reasons he felt the same.

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

4. Application for Certificate of Appropriateness #026-2019
LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)
Address: 322 Clarke Avenue
Owner/Applicant: Jay C. & Katherine B. Horgen

Professional: Bridges, Marsh & Associates

Project Description: Demolish existing pool pavilion and construct a new enclosed cabana, which was previously approved, but without a recommendation regarding the FEMA flood variance.

VARIANCE INFORMATION: A request for a variance in order to demolish and rebuild a 373 square-foot accessory structure on the south side of a landmarked property with a finished floor elevation of 5 feet North American Vertical Datum ("NAVD") in lieu of the finished floor elevation that would be required under the FEMA regulations.

Call for disclosure of ex parte communication: Disclosure by Mr. Cooney.

Mr. Marsh presented the proposed modifications for the project.

Mr. Cooney touched on the variance requested by the applicant.

Maura Ziska, attorney for the applicant, explained the zoning request and advocated for a positive recommendation to the Town Council.

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

Motion made by Mr. Segraves and seconded by Mr. Gannon to approve the project as presented. The motion also stated that the proposed development will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. Motion carried unanimously.

X. DISCUSSION ITEM

1. Town Council request to remove the "Sea" Streets from consideration as a historic district.

Please note: This item was moved to the beginning of the agenda with the approval of the agenda, Item V.

2. Discussion of potential properties to consider for Landmark Designation during the 2019-2020 season.

Please note: This item was not discussed at the meeting.

XI. COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING, ZONING & BUILDING DEPARTMENT DIRECTOR.

Mr. Silvin reviewed the Landmark projects presented at a previous Town Council Meeting.

Mr. Lindgren reminded the Commissioners that the next meeting in October is on a Friday, rather than Wednesday. The next meeting is on October 18, 2019. Mr. Lindgren also handed out the meeting dates for 2020.

Gigi and Bill Tylander, 225 South County Road, expressed their frustration and disappointment that the discussion item regarding the “Sea” Streets was moved in the agenda without any comments from the affected residents.

XII. ADJOURNMENT

A motion made by Mr. Silvin and seconded by Mr. Segraves to adjourn the meeting at 12:10 p.m. Motion carried unanimously.

The next meeting of the Landmarks Preservation Commission will be held on Friday, October 18, 2019 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Rd. Palm Beach.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edward Cooney".

Edward Cooney, Chairman
LANDMARKS PRESERVATION COMMISSION

kmc