



**MINUTES**  
**LANDMARKS PRESERVATION COMMISSION**  
**IN THE**  
**TOWN COUNCIL CHAMBERS**  
**2<sup>ND</sup> FL, TOWN HALL**  
**360 S. COUNTY ROAD, PALM BEACH, FLORID**

**WEDNESDAY, AUGUST 21, 2013, 9:30 a.m.**

Please be advised that in keeping with a recent 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](http://www.townofpalmbeach.com) or may obtain an audio recording (CD) of the meeting by contacting Cynthia M. Delp, Secretary to the Landmarks Preservation Commission at (561) 227-6408. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

**I. CALL TO ORDER: (9:31:24 a.m.)**

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

**II. ROLL CALL: (9:31:28 a.m.)**

|                                              |                    |
|----------------------------------------------|--------------------|
| Edward Austin Cooney, Chairman               | PRESENT            |
| William P. Feldkamp, Vice Chairman           | PRESENT            |
| Dudley L. Moore, Jr., Member                 | PRESENT            |
| Jacqueline Albarran, Member                  | PRESENT            |
| William J. Strawbridge Jr., Member           | ABSENT (unexcused) |
| Elizabeth S. Murphy, Member                  | PRESENT            |
| Penelope D. Townsend, Member                 | PRESENT            |
| Elizabeth "Libby" Marshall, Alternate Member | PRESENT            |
| Anne Fairfax, Alternate Member               | PRESENT            |
| Patrick Killian, Alternate Member            | PRESENT            |

Staff members present: John S. Page, Director of Planning, Zoning & Building, John Lindgren, Planning Administrator, Janet Murphy and Emily Stillings, Staff Historic Preservation Consultants, and Cynthia Delp, Secretary to the Landmarks Preservation Commission.

Mr. Cooney announced that Ms. Marshall was a voting member today due to the absence of Mr. Strawbridge.

**III. APPROVAL OF THE MINUTES OF THE JULY 17, 2013 MEETING:(9:31:51 a.m.)**

**MOTION BY MR. MOORE FOR APPROVAL OF THE MINUTES.**

**MOTION SECONDED BY MR. FELDKAMP.**

**MOTION CARRIED UNANIMOUSLY.**

IV. APPROVAL OF THE AGENDA: (9:32:12 a.m.)

MOTION BY MR. FELDKAMP FOR APPROVAL OF THE AGENDA.

MOTION SECONDED BY MR. MOORE.

MOTION CARRIED UNANIMOUSLY.

V. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY: (9:32:21 a.m.)

Mrs. Delp administered the oath at this time and as necessary throughout the meeting.

VI. COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes): (9:32:32 a.m.)

Ms. Marshall asked Keith Williams of Nievera-Williams to come forward. She made a public apology to Mr. Williams relative to her comments made at the last meeting.

VII. OTHER BUSINESS(9:33:43 a.m.)

A. 159 Australian Avenue: Field Issues

Project Architect, Tom Kirchhoff, to present issues that have arisen during construction where some elements will have to be reconstructed, including the existing damaged and non-functional chimney and fireplace, and the master closet in order to address the existing load-bearing wall.

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Thomas M. Kirchhoff

Mr. Kirchhoff reviewed the areas of concern, as described above, relative to the closet in the master bedroom and the chimney/fireplace. It was noted that this is a tax abatement project, so LPC review was required. Mr. Lindgren requested authorization from the LPC to allow him to give administrative approval for the changes.

MOTION BY MR. MOORE THAT THE CHANGES BE APPROVED AS SUBMITTED.  
(I.E., WHICH PROVIDES THE "OK" FOR ADMINISTRATIVE APPROVAL).

MOTION SECONDED BY MS. MURPHY.

MOTION CARRIED UNANIMOUSLY.

VII. PUBLIC HEARINGS: (9:38:39 a.m.)

A. Application for Certificate of Appropriateness #035 - 2013

Landscape/Hardscape

Owner/Applicant: Penny & Marion Antonini

Address: 920 South Ocean Boulevard

Architect: Nievera Williams Design

Project Description: Request approval for landscape/hardscape which is further described as: Landscape improvements. Replace brick driveway paving. New swimming pool and fountains in central courtyard. Reduce height of garden wall along South Ocean Boulevard and Via Bellaria. Re-grade lawn and revisions to landscaping. Fire pit at the ocean beach house. Other associated changes as presented.

At the July meeting, a motion carried for deferral to the August meeting with the request that the applicant go back and look at this issue of patterning and space on the ground (the hardscape).

Call for disclosure of ex parte communication: Disclosures by several members

LANDSCAPE PRESENTATION BY: Mario Nievera, Nievera Williams Design

Mr. Nievera presented the revised plans pursuant to the comments made last month, and in accordance with the submitted revised plans. Some changes include: New layout in a quatrefoil inspired shape with an emphasis to the east terrace being the main view; creation of a separation between the pool and the courtyard; the entrance to the pool area was defined with two large antique Italian terra cotta pots; much of the Bougainvillea, originally planned for the coral and brick facades, has been deleted from the plan; open up views around west fountain; east landscape: reduced prominence of pathway, reduced size of terrace, and added stepping stones; reduced height of entire east site wall so that no part of it will exceed 30" in height; and, associated landscape changes.

**MOTION BY MR. FELDKAMP FOR APPROVAL OF CERTIFICATE OF APPROPRIATENESS #035 – 2013 AS PRESENTED.**

**MOTION SECONDED BY MRS. ALBARRAN.**

**MOTION CARRIED UNANIMOUSLY.**

**B. Application for Certificate of Appropriateness #036 - 2013**

Landscape/Hardscape

Owner/Applicant: Thomas A.N. Miller and Catherine Marie Desser Miller c/o M. Timothy Hanlon

Address: 270 Queens Lane

Architect: Dustin Mizell Landscape Architecture

Project Description: Request approval of landscape/hardscape which is further described as: Request for modification to Certificate of Appropriateness 034-2012, by adding a white powder coated aluminum gate in previously approved eight foot high hedge in the southeast corner of property. In addition, the owners/applicants request approval to install cut flowers, an herb garden and a five foot high powder coated aluminum fence in the open area inside of the hedge, none of which will be visible to the street or any of the neighbors. Other associated changes as presented.

Call for disclosure of ex parte communication: No disclosures

ATTORNEY PRESENT: M. Timothy Hanlon, for the applicant

LANDSCAPE PRESENTATION BY: Dustin Mizell

Mr. Hanlon made some introductory remarks relative to the revised project, prior to turning the presentation over to Mr. Mizell. He stated that the previously opposing neighbor and his attorney had been notified of these changes, and Mr. Hanlon was unaware of any objections.

Mr. Mizell presented the project pursuant to the submitted revised plans and as described above. He mentioned the landscaping on the south side of the fountain wall. The owner is not happy with the outcome, so the proposed Podocarpus hedge will be replaced with assorted trees to

provide privacy and to match the character of the rest of the landscaping. At the east lawn, a small white gate will be added for access and will be inserted in the existing Podocarpus hedge. The proposed fence, described above, will be black and the hedge will grow through it.

Mr. Lindgren read a letter into the record from the Conroys at 266 Colonial Road which outlines their concerns relative to the project. He also explained the code requirements relative to screening of walls with hedges.

**MOTION BY MR. FELDKAMP FOR APPROVAL OF CERTIFICATE OF APPROPRIATENESS #036 – 2013 AS PRESENTED.**

**MOTION SECONDED BY MS. MARSHALL.**

**MOTION CARRIED UNANIMOUSLY.**

C. Application for Certificate of Appropriateness #037 - 2013

New Accessory Structure

Owner/Applicant: 700 North Lake Way LLC

Address: 700 North Lake Way (324 Cherry Lane)

Architect: Smith Architectural Group

Project Description: Request approval for new accessory structure which is further described as: Construct two new folly pavilions. The larger sculpture pavilion shall be 529 square feet, and the smaller light sculpture pavilion shall be 324 square feet. Other associated changes as presented.

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

ARCHITECTURAL PRESENTATION BY: Jeffery W. Smith, Smith Architectural Group

Mr. Smith explained that the property owners have recently purchased additional land to the south where they intend to construct the two new art pavilions, one for sculpture and one for light sculpture, and extend their park-like landscape plan into that area. He indicated that the owners intend to do a unity of title to unite the parcels, if approval is obtained for the pavilions. The simple pavilions are similar in design, with one larger than the other. The light sculpture pavilion windows will be blacked out to facilitate the specific type of sculpture inside. Mr. Smith noted that the landscape plan for this south parcel will be presented next month under a different certificate of appropriateness.

**MOTION BY MR. FELDKAMP FOR APPROVAL OF CERTIFICATE OF APPROPRIATENESS #037 – 2013 AT 700 NORTH LAKE WAY AS PRESENTED.**

**MOTION SECONDED BY MS. MURPHY.**

**MOTION CARRIED UNANIMOUSLY.**

D. Application for Certificate of Appropriateness #039 - 2013

Doors

Owner/Applicant: Palm Beach Orthodox Synagogue Inc.

Address: 120 North County Road

Architect: The Pandula Architects, Inc.

Project Description: Request approval to replace existing doors which is further described as: Replace total of 5 existing exterior doors within existing openings as follows: (3) facing North County Road, (1) at corner of North County Road/Sunset Avenue and (1) at rear of building facing parking area. Other associated changes as presented.

Call for disclosure of ex parte communication: Disclosures by several members

ARCHITECTURAL PRESENTATION BY: Eugene Pandula, The Pandula Architects, Inc.

Mr. Pandula presented the project in accordance with the submitted plans and as described above for replacement of five existing doors in five existing openings. He explained that doors #1 and #2, currently aluminum and glass storefront doors, are proposed as two-panel solid cypress doors. Door #3, under the new pediment, is currently glass and one panel, and is proposed as a solid 8 panel door. The doors on the corner, will be replaced to match the existing design with the exception that they will be done in cypress. Door #5, in the rear, will be replaced in cypress and the filigree in the openings will be changed to a new design.

Under commission comments, there were several comments/suggestions relative to the design of Door #3, as proposed.

**MOTION BY MR. FELDKAMP FOR APPROVAL OF CERTIFICATE OF APPROPRIATENESS #039 – 2013 AT 120 NORTH COUNTY ROAD AS PRESENTED, WITH THE 8 PANEL DOOR ALSO PRESENTED, AND WITH THE PROVISIO THAT THE ARCHITECT LOOK INTO DOING THE DOOR ARCHED, AND REVISE THE DRAWINGS TO REFLECT THE INTENT.**

**MOTION SECONDED BY MRS. ALBARRAN.**

**MOTION CARRIED UNANIMOUSLY.**

**VIII. OTHER BUSINESS: (10:19:59 a.m.)**

A. Informal Review: 240 Worth Avenue (Combo project)

**\*LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE\***

Project Description: Request approval for addition to historic structure which is further described as: The existing building is occupied by Hermes retail on the first floor (2,790 sf) and Hermes support space (1,066 sf) on the second floor. An existing stair from the second floor has a ground level landing which is within a few feet from an existing rear door serving the first floor space. The proposed project is to construct a ground level enclosure of 37 sf at the existing landing so that the existing first and second floors have an interior connection. This allows Hermes' employees to move from floor to floor in secure interior space. The first floor stair landing enclosure will be finished with stucco walls and terra cotta barrel tile roof material to match the existing structure. Other associated changes as presented.

Call for disclosure of ex parte communication: No disclosures

ATTORNEY PRESENT: Maura Ziska, for the applicant  
ARCHITECTURAL PRESENTATION BY: James Paine, Architect

Ms. Ziska stated that this project is on the next Town Council agenda for special exception approval, together with a variance for lot coverage. Mr. Paine explained that the impetus for the project is to provide for an enclosure to address weather conditions and general security in an area where Hermes employees access the second floor space. The project includes the removal of two existing exterior doors (one of which is an arched top door), and the installation of one plain hollow metal door inserted into the new enclosure.

Under commission comments: Do a better door...one that is more ornate and in keeping with the courtyard; preference for an arched top door; suggest a change to the roof slope so that it slopes from south to north; respect the pilasters; suggest that the enclosure be recessed by at least 2-3 inches from the south facade; suggest that the new door be recessed at least 2 inches so it is not absolutely flush; and, preference to find a round top door that meets wind load requirements.

**MOTION BY MR. FELDKAMP RECOMMENDING TO THE TOWN COUNCIL THAT IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT PROPERTY.  
MOTION SECONDED BY MR. MOORE.  
MOTION CARRIED UNANIMOUSLY.**

*Let the record show that there was a short recess from 10:45 a.m. to 11 a.m.*

B. 253 Oleander Avenue: Consultant's preliminary report

Janet Murphy provided a preliminary report for this 1925 Mediterranean Revival style 8 unit apartment building, which originally had six units. Though there was no named architect found to date, Ms. Murphy uncovered information about the original owners. She indicated that the new owners want to landmark the property and restore it.

Under commission comments, the commission was divided as to whether this property should be placed "under consideration" for landmarking: I don't see anything outstanding about it; what makes it unique?; it's an example of what was built in that era; there is a tax advantage that we need to consider that has some impact on the town; what designation criteria would it meet?; this is a 1920's multi-family building...we don't have many of these; it contributes to the urban landscape; it meets a lot of the criteria that could not be built today...the owners deserve the protection of landmarking; it is indicative of an era...we should encourage the restoration; a property does not always have to be grand to be considered for landmarking; it has the feeling of an old resort...one of the few we have left; and, we have owners who are passionate about restoring it.

**MOTION BY MRS. ALBARRAN TO PLACE 253 OLEANDER AVENUE "UNDER CONSIDERATION" FOR LANDMARK DESIGNATION.  
MOTION SECONDED BY MS. MARSHALL.  
MOTION CARRIED 5-2 WITH MESSRS. MOORE AND FELDKAMP OPPOSED.**

C. 267 Atlantic Avenue: Consultant's preliminary report

Janet Murphy provided a preliminary report for this 1923 Mission style residence with Mediterranean details. It was originally built as a single family dwelling, but during the 1970's, it became multi-family. The new owner wants to restore it to a single family dwelling and is excited to restore it.

Virginia Dadey, who identified herself as the owner of the property, discussed her plans for the property and clearly revealed her excitement to restore the property.

Under commission comments: It's a really charming classic 20's house...this could be a real gem; very special house and it's amazing that it's still there; have reservations about it...not sure if it will ever return to what it once was; concern regarding restoration of something under flood level; by offering landmarking and the ability to get tax abatements, we are having an effect on the town; by not landmarking, there is a visual impact on the town, and that is our charge; and, the most important aspect of it is the architecture.

**MOTION BY MRS. ALBARRAN THAT 267 ATLANTIC AVENUE BE PLACED  
"UNDER CONSIDERATION" FOR LANDMARKING.**

**MOTION SECONDED BY MS. MURPHY.**

**MOTION CARRIED 6-1, WITH MR. FELDKAMP OPPOSED.**

D. Discussion: 2013/2014 Designation Season (continued from July meeting)

Ms. Murphy and Ms. Stillings provided brief preliminary research information relative to the top 10 properties as previously ranked by the commission members. They are as follows:

|         |                      |               |      |                 |
|---------|----------------------|---------------|------|-----------------|
| 8 votes | 267 Dunbar Road      | Monterey      | 1936 | Bruce Kitchell  |
| 8 votes | 1545 N. Ocean Way    | Georgian Rev. | 1937 | Fatio           |
| 7 votes | 120 Clarke Avenue    | (not stated)  | 1924 | unknown         |
| 7 votes | 324 Barton Avenue    | (not stated)  | 1939 | Volk            |
| 7 votes | 124 Brazilian Avenue | Med-Revival   | 1923 | Wyeth           |
| 7 votes | 315 Tangier Avenue   | Neo-Classical | 1939 | Volk            |
| 7 votes | 209 Banyan Road      | Monterey      | 1934 | Treanor & Fatio |
| 6 votes | 261 Sanford Avenue   | Monterey      | 1945 | Chilton         |
| 5 votes | 177 Clarendon Avenue | (not stated)  | 1929 | Wyeth           |
| 5 votes | 337 Brazilian Avenue | (not stated)  | 1924 | unknown         |

Chairman Cooney called for some restraint as to how many properties are placed "under consideration" at this juncture so the workload of the consultants remains manageable. Mr. Lindgren noted that there are already five properties "under consideration" for the next season. Those are:

North County Road Canopy  
322 Seaspray Avenue  
284 Monterey Road  
253 Oleander Avenue  
267 Atlantic Avenue

Alexander Ives, Executive Director of the Preservation Foundation, addressed the commission encouraging more thorough designation reports on fewer properties (5-8), rather than ten (10) properties. Chairman Cooney responded that the commission expects the same level of research on all properties placed "under consideration".

Mr. Feldkamp advocated for the possible establishment of historic districts on streets such as Pendleton Avenue, Sanford Avenue, Middle Road, Polmer Park, and Regent Park.

Mr. Lindgren read an e-mail from Mr. Strawbridge wherein he noted his support of 337 Brazilian Avenue, 315 Tangier Avenue and 124 Brazilian Avenue to be placed "under consideration".

**MOTION BY MRS. ALBARRAN TO PLACE 1545 N. OCEAN WAY "UNDER CONSIDERATION" FOR LANDMARK DESIGNATION.**

**MOTION SECONDED BY MR. FELDKAMP.**

**MOTION CARRIED UNANIMOUSLY.**

At this point, there was more discussion relative to historic districts. Mr. Page stated that he will ask Mr. Randolph to attend the next meeting to discuss this issue.

The commission prioritized the list of 10 properties listed above via a show of hands. A raised hand indicated interest in placing the property "under consideration". That prioritization resulted in the following motion:

**MOTION BY MR. FELDKAMP THAT THE FOLLOWING THREE PROPERTIES BE PLACED "UNDER CONSIDERATION": 315 TANGIER AVENUE, 337 BRAZILIAN AVENUE, AND 177 CLARENDON AVENUE.**

**MOTION SECONDED BY MS. TOWNSEND.**

**MOTION CARRIED UNANIMOUSLY.**

**IX. COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING ZONING & BUILDING DEPARTMENT DIRECTOR: (11:46:59 a.m.)**

Mr. Page stated that staff is working to improve the letter which is sent to a property owner when a property is placed "under consideration. He displayed the most current draft of that letter on the Elmo projector and asked for comment. After brief discussion, members were asked to forward any comments to staff during the next week so that they might be incorporated into the letter.

Mr. Feldkamp stated that the concept of historic districts might be more attractive to a group of owners if one or more of the affected owners would advocate the district to their neighbors. Districting will be discussed next month.

Mr. Page distributed three versions of the newly created landmark map. Members preferred the version which outlines the landmarked property, rather than those shown with bullets. It was suggested that it would be nice for the map to include the house numbers and to make the map larger.

Ms. Marshall had previously announced that this would be her last meeting of the LPC since she will be moving out of town. She revised that statement advising that she will be attending the September LPC meeting, but that will be her last meeting.



X. **ADJOURNMENT: (12:15:00 p.m.)**

The meeting was adjourned at 12:15 p.m. without benefit of a motion.

**The next meeting of the Landmarks Preservation Commission will be held on Wednesday, September 18, 2013 at 9:30 a.m. in the Town Council Chambers, 2<sup>nd</sup> floor, Town Hall, 360 S. County Road, Palm Beach.**

Respectfully submitted,

Edward Austin Cooney, Chairman

**LANDMARKS PRESERVATION COMMISSION**

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