

TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION MEETING HELD ON WEDNESDAY, JUNE 20, 2018.

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 9:33 a.m.

II. ROLL CALL

Edward Austin Cooney, Chairman	PRESENT
Richard Rene Silvin, Vice Chairman	PRESENT
Jacqueline Albarran, Member	PRESENT
Page Lee Hufty, Member	PRESENT
Patrick Segraves, Member	PRESENT
John T. Gannon, Member	PRESENT
Jacqueline Weld Drake, Alternate Member	PRESENT
Kim Coleman, Alternate Member	PRESENT
Sue Patterson, Alternate Member	PRESENT

Please note: Mr. Cooney noted that Ms. Drake would be voting in light of the resignation of Ms. Fairfax. Mr. Cooney thanked Ms. Fairfax for her service on behalf of the Commission members.

Staff Members present were:

John Lindgren, Planning Administrator
Kelly Churney, Secretary to the Landmarks Preservation Commission
John Randolph, Town Attorney
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 MAY 16, 2018 MEETING

Motion made by Mr. Silvin and seconded by Ms. Albarran to approve the minutes of the May 16, 2018 meeting. Motion carried unanimously.

V. APPROVAL OF THE AGENDA

Mr. Cooney requested to withdraw the following projects from the agenda: COA-022-2018, 224-246 Worth Avenue, COA-023-2018, 780 S. Ocean Blvd., COA-027-2018, 150 Bradley Place, Unit 805 and COA-006-2018, 305 Maddock Way.

Mr. Cooney asked Ms. Albarran about the status of her project at 323 Chilean Avenue. Ms. Albarran indicated that the owner would be returning and would like to attend the meeting, however he would not be in Town until July. She requested a one-month deferral for her project.

Mr. Cooney asked to defer the project COA-002-2018, 323 Chilean Ave. for one month to the July 18, 2018 meeting.

Motion made by Mr. Silvin and seconded by Mr. Gannon 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):

Amanda Skier, Preservation Foundation, spoke to the Commission about the importance of landmarking properties of different architectural styles in the Town.

Mr. Lindgren stated that the consultants would introduce potential properties at the end of the agenda but the Commission would not vote on any properties until the meeting in July.

VIII. PUBLIC HEARINGS

1. Application for Certificate of Appropriateness #007-2018

Address: 473 N. County Rd.

Owner/Applicant: Louwana Trust, c/o Leslie R. Evans

Professional: Thomas M. Kirchhoff, AIA/Kirchhoff & Associates

Project Description: This request is for a revision to the previously approved plans of COA-007-2018. The original approval was received as COA-042-2017. The request is to change the means and methods of restoring the roof, wall and foundations in the north wing of the residence. Exploratory demolition has exposed existing deficiencies that necessitated this request. 1. The northern wing of the house is exhibiting structural inadequacies that cannot be remedied without further intervention. In consultation with the Structural engineer, we are requesting that this portion of the home be demolished and rebuilt. 2. This wing was built with stucco on lath on wood studs. There is no exterior sheathing or waterproofing membrane. The extent of the inadequacy extends from the roof to the footings. The request also includes any associated changes.

Call for disclosure of ex parte communication: Disclosure by Mr. Cooney and Ms. Albarran and Hufty.

Mr. Kirchhoff presented the structural issues that were discovered during a renovation on the home.

Mr. Cooney asked if the intent was to rebuild the proposed wall by using concrete block. Mr. Kirchhoff confirmed that he was proposing to use concrete block. Mr. Cooney also asked Mr. Kirchhoff if he was confident that all reconstructions would be contained to the proposed area. Mr. Kirchhoff stated that he was confident that the reconstructions would be contained to the area in question.

Mr. Silvin inquired about the reconstruction. Mr. Kirchhoff replied. Mr. Silvin asked about the amount of reconstruction needed. Mr. Kirchhoff provided his explanation of the amount of reconstruction needed as well as a repair of three balconies.

Mr. Segraves asked for a percentage estimation of the reconstruction needed. Mr. Kirchhoff estimated about 10 to 15 percent of the home would need reconstruction. Mr. Segraves discussed the method of construction with Mr. Kirchhoff.

Mr. Gannon asked about the condition of the roof. Mr. Kirchhoff responded.

Ms. Stillings reminded the Commission that this was a tax abatement project and urged the Commission to ask for architectural details to be restored rather than replicated if possible. She recommended making this a condition of their approval. Mr. Kirchhoff agreed.

Ms. Hufty expressed her concern for the potential demolition in the realm of preservation. She stated she believed that other alternatives, rather than demolition, should be considered during the restoration.

Ms. Stillings spoke about mission of the Commission, demolition and reconstruction in preservation, restoration and tax abatement relating to demolition. She repeated that any distinctive features should be retained and restored.

A conversation ensued between Ms. Hufty and Mr. Cooney about demolition within preservation.

Ms. Drake asked Mr. Kirchhoff if he had explored all restoration options. Mr. Kirchhoff responded to the comments and explained his intent on the restoration.

Mr. Segraves suggested to Mr. Kirchhoff to bring a more concise plan with details of a materials removal plan.

Mr. Gannon responded to Ms. Hufty that the Commission made a philosophical statement that they would not be in favor of demolition. A conversation ensued on this topic.

Mr. Silvin stated he shared Ms. Hufty's concern. He asked to hear from the Commissioners who had visited the property.

Ms. Albarran explained what she learned from her site visit. A short discussion ensued on the proposed demolition.

Ms. Drake thought each property should be looked at individually and viewed on its own merit.

Ms. Coleman stated that most landmarked owners buy the homes to preserve them and at times, spend enormous amounts of money to restore them. A short discussion ensued about the portion of the home to be replaced.

Mr. Silvin asked about structural integrity of the remainder of the home. Mr. Kirchhoff responded.

Ms. Stillings recommended that the Commission consider asking that wood framing be used in the replacement rather than concrete block. Mr. Kirchhoff agreed.

Mr. Cooney reviewed some of the conditions discussed for a potential approval, which included a letter from the structural engineer, using wood frame and any retention of historic elements that can be saved, such as the columns on sleeping porch and all new windows in wood.

Motion made by Mr. Gannon and seconded by Ms. Drake to approve the project as presented with the caveats that a letter from the structural engineer is submitted to the Town, to use wood frame rather than concrete block, retention of historic elements that can be saved, such as the columns on sleeping porch and all new windows in wood. Motion carried unanimously.

2. Application for Certificate of Appropriateness #022-2018

***LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)* - Done**
4/18/18

Address: 224-246 Worth Avenue

Owner/Applicant: Palm V Associates Limited Partnership/Burton Handelsman

Professional: Roger Hansrote/ACI Consultants

Project Description: Remove existing non-Code compliant exterior concrete stair and railing and install new white aluminum Code compliant stair to second floor and extend to roof for mechanical equipment access.

A motion carried at the May meeting that implementation of the proposed variances will not cause architectural impact to the subject landmarked property with the caveat that the extra extension to the roof is removed and replaced with rungs on the wall, painted the same color as the building.

Please note: This item was withdrawn at the approval of the agenda, Item V.

3. Application for Certificate of Appropriateness #023-2018

Address: 780 S. Ocean Blvd.

Owner/Applicant: Terry Taylor

Professional: Jason P. Drobot/Brasseur and Drobot

Project Description: The project consists of removing two existing metal framed awnings and adding two new covered structures in their place. The first awning is located at an existing patio on the east facing elevation at the south side of the existing historic structure. The second awning is located at an existing patio on the west facing elevation at the center of the existing historic structure. The proposed covered structure for the existing patio on the east facing elevation is approx. 419 square feet. The proposed covered structure for the existing patio on the west facing elevation is approx. 351 square feet.

A motion carried at the May meeting to defer the project for one month to the June 20, 2018 meeting for a restudy of the project.

Please note: This item was withdrawn at the approval of the agenda, Item V.

4. Application for Certificate of Appropriateness #025-2018

Address: 434 Seaspray Ave.

Owner/Applicant: Brian Kelly for Seaspray Owner LLC

Professional: Stephen Roy/Roy & Posey Architects

Project Description: New landscape/hardscape design, new site walls and gates, exterior color change, modifications to the pool house, west elevation.

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

Mr. Roy presented the architectural modifications for the residence and accessory structures. He presented paint color samples proposed for the home.

Mr. Cooney asked about the proposed material garage doors. Mr. Roy responded. Mr. Segraves stated that the drawings indicate that the door material would be Cypress. Mr. Roy stated the plans were incorrect and they would be Dade County Pine to match the front door.

Mr. Roy presented alternate designs on the overhead projector for the muntin patterns for the windows and doors in the accessory structures.

Mr. Silvin asked if more future changes would be proposed for the accessory structures. Mr. Roy stated there would not be any additional changes. Mr. Silvin asked about the details of the garage proposed for the guesthouse. Mr. Roy responded. Mr. Silvin asked if a portion of the south wall had already been demolished. Mr. Roy responded.

Ms. Coleman asked about the proposed color for the home. Mr. Roy responded.

Ms. Albarran asked about the details of the front door. Mr. Roy responded.

John Haven, Leblanc Jones Landscape Architects, Inc., presented the proposed landscape and hardscape plans for the residence.

Ms. Hufty asked about the landscaping and fence on the south side. Mr. Haven responded.

Motion made by Ms. Albarran and seconded by Mr. Silvin to approve the project as presented to include the alternate muntin design for the accessory structures. Motion carried unanimously.

5. Application for Certificate of Appropriateness #027-2018

Address: 150 Bradley Place, Unit 805

Owner/Applicant: S. Daniel and Ewa Abraham

Professional: Smith and Moore Architects, Inc.

Project Description: Addition of 38" x 94" fixed window in exercise room.

Please note: This item was withdrawn at the approval of the agenda, Item V.

IX. OTHER BUSINESS

1. Informal Review - Application for Certificate of Appropriateness #002-2018

***LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)* - Done 1/17/18**

Address: 323 Chilean Ave.

Owner/Applicant: Ambassador Mark Gilbert

Professional: Jacqueline Albarran/SKA Architect + Planner, Inc.

Project Description: Demolition of existing deteriorated main house structure, patio and driveway (existing two story guest house to remain). Existing perimeter landscaping remains. New irrigated lawn as per code. New two story house to match previously approved but places at 8' NGVD finish floor elevation reworking some arches and roof slope as per original historic photo. Raise existing guest house to achieve an 8' NGVD finish floor elevation. Leave in existing footprint with new one story addition, trellis, pool, spa, fountain and patios as previously approved.

A motion carried at the January meeting that the implementation of the proposed special exception, site plan review and variances would not cause negative architectural impact to the subject landmarked property. A motion carried at the February meeting to defer the project for two months to the April 18, 2018 meeting at the request of the attorney. A motion carried at the April meeting to defer the project for one month to the May 16, 2018 meeting at the request of the attorney. A motion carried at the May meeting to defer the project for one month to the June 20, 2018 meeting.

Please note: This item was deferred to the July 18, 2018 meeting at the approval of the agenda, Item V.

2. Informal Review - Application for Certificate of Appropriateness #006-2018
***LPC TO MAKE RECOMMENDATION RELATIVE TO SITE PLAN REVIEW ***
Address: 305 Maddock Way
Owner/Applicant: Paul L. Maddock, Jr.
Professional: Keith Spina/Glidden Spina + Partners
Project Description: Demolition and modified reconstruction of existing two-story residence including the alteration and enlargement of floor plan. Interior alterations include the reconfiguration of spaces and restoration of existing architectural elements. Exterior alterations include the addition a changing room and pool on west side of property, removal and replacement of existing nonconforming garage with new two story garage, window replacement, restoration of existing architectural elements, and modified reconstruction of structure. Alterations to hardscape and landscape. *****This is a tax abatement project*****

SITE PLAN REVIEW INFORMATION: Section 134-843(b) An application for a Site Plan Review to construct new two-story 9,141 s.f. residence, swimming pool and pool cabana on a platted non-conforming lot with a lot width of 25 feet in lieu of the 100 foot minimum required in the R-B Zoning District.

A motion carried at the February meeting to defer the project for one month to the March 14, 2018 meeting to allow time for a peer review of the structural engineering report provided by the applicant. A motion carried at the March meeting to defer the project for one month to the April 18, 2018 meeting to allow time for a peer review of the structural engineering report provided by the applicant. A motion carried at the April meeting to defer the project to the June 20, 2018 meeting at the request of the attorney.

Please note: This item was withdrawn at the approval of the agenda, Item V.

3. Informal Review - Application for Certificate of Appropriateness #026-2018
LPC TO MAKE RECOMMENDATION RELATIVE TO SITE PLAN REVIEW WITH VARIANCE(S)
Address: 19 Golfview Rd.
Owner/Applicant: Francesco Galesi

Professional: M. Mark Marsh/Bridges, Marsh & Associates

Project Description: Single story addition to existing residence and relocation of existing garage door with associated hardscape/landscape.

SITE PLAN REVIEW WITH VARIANCE(S) INFORMATION: Applicants request site plan approval to construct a 491 square foot one room addition on a platted lot that is 130' deep in lieu of the 150' minimum required and with a lot area of 17,165 square feet in lieu of 20,000 square feet minimum required in the R-A district. 2. Applicants request a variance to permit construction of a one room addition in the street side yard with a setback of 27.5' in lieu of 35' minimum required in the R-A district.

Call for disclosure of ex parte communication.

M. Tim Hanlon, attorney for the applicant, explained the zoning requests and advocated for a positive recommendation to the Town Council.

Mr. Marsh presented the proposed architectural plans for the residence.

Mr. Cooney suggested using original brick and painting the brick white in the event that any future owner would want to return to the original brick color. Mr. Marsh agreed.

Mr. Segraves was in favor of the changes. He recommended adding landscaping to camouflage the addition. Mr. Marsh agreed.

Mr. Cooney asked Mr. Segraves his thoughts about the proposed garage change. Mr. Segraves responded.

Ms. Albarran stated that the south elevation, existing and proposed, would actually not look that different. Ms. Albarran suggested adding a second window on the garage, east elevation, to match the proposed addition. Mr. Marsh responded.

Ms. Coleman asked how the proposed change would affect the front façade. Mr. Marsh stated it would not be seen.

Sean Twomey, Environment Design Group, presented the proposed landscape and hardscape plans for the residence.

Ms. Drake recommended changing the garage door to a different material. Mr. Marsh responded.

A short discussion ensued about the proposed garage facing Golfview Rd.

Mr. Cooney asked if Mr. Marsh could bring historic photographs at the next meeting.

Ms. Patterson was in favor of the change but liked Ms. Albarran's suggestion of the addition of the window and recommended upgrading the garage door.

Ms. Hufty asked for a nicer garage door and asked about the landscaping next to the pool. Mr. Twomey responded.

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

A second motion made by Ms. Albarran and seconded by Mr. Gannon that implementation of the proposed site plan review will not cause negative architectural impact to the subject landmarked property. Motion carried unanimously.

Please note: A short break was taken at 11:15 a.m. The meeting resumed at 11:29 a.m.

4. Informal Review - Application for Certificate of Appropriateness #028-2018
LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION

Address: 363 S. County Rd.

Owner/Applicant: Ocean Sandwiches, Inc./Michael R. Cohen, President

Professional: David Miller/David Miller & Associates, P.A.

Project Description: Four new 2-seater tables and chairs for outdoor dining installed in the courtyard per the plans.

SPECIAL EXCEPTION INFORMATION: Section 134-1111(b)-An application for a Special Exception to add 8 outdoor seats to Ocean Sandwiches, which is a merchant retail take-out only business. The proposed seats would be in the courtyard area in front of the store. See Exhibit "D" for conditions.

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

Peter Broberg, attorney for the applicant, explained the zoning requests and advocated for a positive recommendation to the Town Council.

Mr. Cooney asked about the placement of the tables. Mr. Broberg responded.

Ms. Albarran asked about the placement of the table near the ramp. Mr. Broberg responded. A short discussion ensued.

Mr. Coleman was in favor of the change and asked about the design of the tables. Mr. Broberg stated that he believes they would look like the ones at Pastry Heaven.

Mr. Silvin asked if the tables were fixed. Mr. Broberg stated that they were not fixed.

Motion made by Ms. Albarran and seconded by Ms. Hufty that implementation of the proposed special exception will not cause negative architectural impact to the subject landmarked property. Motion carried unanimously.

5. Informal Review - Application for Certificate of Appropriateness #029-2018
LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)
Address: 8 S. Lake Trail
Owner/Applicant: Old Kapok LLC
Professional: Fernando Wong Outdoor Living Design
Project Description: Relocate the spa to the north side of the exercise room.
****This is a tax abatement project****

VARIANCE(S) INFORMATION: A variance request to allow a jacuzzi/spa (and related equipment) to the north of the existing pool cabana/gym that will have a front yard setback of 2.75 feet in lieu of the 35 foot minimum required in the R-A Zoning District.

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

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

Tim Johnson, Fernando Wong Outdoor Living Design, presented the proposed spa on the site.

A long discussion ensued regarding the spa location in relation to the surrounding homes. Many commissioners were in favor of the proposed spa location and thought the maintenance equipment location was acceptable.

Mr. Johnson presented material samples for the hardscape. Some of the commissioners were not in favor of the removal of the coral stone in the garden areas but thought the proposed tabby was acceptable for the driveway and motor court areas.

Mr. Silvin expressed concern for the plumbing needed for the pool and spa and wanted to confirm it would not interrupt the root system of the Kapok tree.

Motion made by Ms. Albarran and seconded by Ms. Hufty that implementation of the proposed variance will not cause negative architectural impact to the subject landmarked property and with the caveats that the proposed tabby concrete is used in the driveway and motor court areas only, that the coral stone in the garden is replaced with the same material and that the Town's arborist is consulted to confirm

that the root system of the Kapok tree will not be disturbed. Motion carried unanimously.

6. Informal Review - Application for Certificate of Appropriateness #030-2018
LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION AND SITE PLAN REVIEW

Address: 347 Worth Ave.

Owner/Applicant: Everglades Club Inc.

Professional: Jason Drobot/Brasseur & Drobot Architects P.A.

Project Description: A request for special exception approval with site plan review to install a 750 KW generator within a 525 square foot second floor addition and add a 256 square foot one-story addition at ground level to construct an electrical equipment building to support the generator.

SPECIAL EXCEPTION AND SITE PLAN REVIEW INFORMATION: A request for special exception approval with site plan review to install a 750 KW generator within a 525 square foot second floor addition and add a 256 square foot one story addition at ground level to construct an electrical equipment building to support the generator.

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

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

Mr. Lindgren reminded the Commission to forward any correspondence they receive to the repository email address set up by the Town.

Mr. Drobot presented the proposed addition of a generator at the property.

Mr. Silvin asked if the noise from the generator would be heard. Mr. Drobot and Ms. Ziska responded.

Ms. Albarran suggested adding a trellis on the proposed building. Mr. Cooney questioned whether the trellis was necessary. A short discussion ensued about the possibility of a trellis.

Mr. Silvin asked about the current power source for the buildings in the event of a storm. Mr. Drobot responded.

Motion made by Ms. Hufty and seconded by Mr. Segraves that implementation of the proposed special exception and site plan review will not cause negative architectural impact to the subject landmarked property. Motion carried unanimously.

X. DISCUSSION ITEM

1. Presentation of potential properties to consider for Landmark Designation.

Ms. Murphy presented the following properties to consider for future landmark designation: 127 Kings Rd., 137 Kings Rd., 343 El Brillo Way, 215 El Bravo Way, 34 Island Dr., 249 Peruvian Ave., 128 Australian Ave., 150 Australian Ave., 232 Cocoanut Rd., 255 Seaspray Ave., 300 Seabreeze Ave., 124 Clarke Ave., 120 Everglade Ave., 211 Dunbar Rd., 302 Via Linda and 244 Nightingale Ln. The consultants answered the Commissioners questions about the homes proposed.

Mr. Cooney suggested to the Commission that they look at the proposals and return with comments as well as other properties that could potentially warrant Landmark Designation.

Amanda Skier, Preservation Foundation, urged the Commission to consider homes from the mid-century era for Landmark Designation to preserve this time in Palm Beach. A short discussion ensued on this topic.

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

Mr. Lindgren stated that Ms. Albarran declared a conflict for the Landmark Designation of 323 Chilean Ave. at the May 16, 2018 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Silvin stated he noticed a Four Arts sculpture was on the next Code Enforcement agenda and asked Mr. Lindgren for information. Mr. Lindgren provided an explanation of the statue and stated it would be coming to the Commission for approval.

Mr. Silvin reviewed a discussion about a home owned by Alex Griswold at the last Town Council meeting. Mr. Cooney responded.

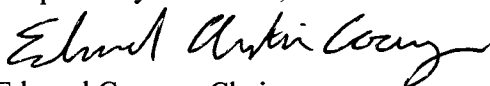
Mr. Silvin asked about the new Director for the Planning, Zoning and Building Department. Messrs. Cooney and Lindgren responded.

XII. ADJOURNMENT

A motion made by Mr. Gannon and seconded by Ms. Albarran to adjourn the meeting at 12:59 p.m. Motion carried unanimously.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, July 18, 2018 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Rd. Palm Beach.

Respectfully submitted,



Edward Cooney, Chairman
LANDMARKS PRESERVATION COMMISSION
kmc