



TOWN OF PALM BEACH PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION MEETING HELD ON WEDNESDAY, FEBRUARY 21, 2024.

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 Patterson called the meeting to order at 9:30 a.m.

II. ROLL CALL

Sue Patterson, Chair	PRESENT
Brittain Damgard, Vice Chair	PRESENT
Jacqueline Albarran, Member	PRESENT
Anne Fairfax, Member	PRESENT
Bridget Moran, Member	PRESENT
Julie Herzig Desnick, Member	PRESENT
Alexander Hufty Griswold, Member	PRESENT
Anne Metzger, Alternate Member	PRESENT
Fernando Wong, Alternate Member	ABSENT (Unexcused)
Alexander Ives, Alternate Member	PRESENT

Staff Members present were:

Friederike Mittner, Design and Preservation Manager
Abraham Fogel, Design and Preservation Planner
Bradley Falco, Design and Preservation Planner
Kelly Churney, Acting Town Clerk
Janet Murphy, Preservation Consultant
Emily Stillings, Preservation Consultant
Town Attorney Lainey Francisco

III. PLEDGE OF ALLEGIANCE

Chair Patterson led the Pledge of Allegiance.

IV. APPROVAL OF MINUTES

A. Minutes of the Landmarks Preservation Commission Meeting of January 17, 2024

A motion was made by Ms. Damgard and was seconded by Ms. Albarran to approve the minutes of the January 17, 2024, meeting as presented. The motion was carried unanimously, 7-0.

V. **APPROVAL OF THE AGENDA**

A motion was made by Ms. Damgard and was seconded by Ms. Moran to approve the agenda as presented. The motion was carried unanimously, 7-0.

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

Ms. Churney swore in all those intending to speak and continued to do so throughout the meeting as necessary.

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

John David Corey, 426 Australian Avenue, inquired about the possibility of designating A1A on the island's south end as a historic vista or historic corridor. He recommended a study of Sloan's curve down to South Palm Beach, excluding the Town of Lake Worth Beach.

VIII. **COMMENTS FROM THE LANDMARKS PRESERVATION COMMISSION MEMBERS**

Ms. Patterson introduced an ongoing issue at 70 Middle Road, a landmarked property. She discussed the ongoing construction and the items displayed on the property and showed pictures taken recently of the property. She asked the Commission if they would like to place the item on next month's agenda for a discussion and to allow staff to invite the owner to attend the discussion; the Commission concurred.

Town Attorney Francisco asked the Commission to hold all comments on the subject until the next meeting when the item will have been noticed and the owner invited to join.

Ms. Fairfax raised the issue of properties brought forward for landmarking, some she thought were worthy and some not. She asked if they could review the items in MurphyStillings's queue. She felt the small, multi-family buildings were essential and should be examined to determine if any were worthy of placing under consideration.

Ms. Stillings stated she could provide the Commission with a list of the concepts they reviewed. The official list will be offered to the Commission in May. She recommended that if any member had a property they felt was worth investigating, provide the address to her or Ms. Murphy.

IX. **COMMENTS OF THE LANDMARKS COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT**

No comments were heard at this time.

X. **PROJECT REVIEW**

A. **DEMOLITIONS AND TIME EXTENSIONS**

1. **COA-23-009 235 BANYAN RD – EXTENSION OF TIME** The applicant, Richard Kurtz, has filed an application requesting a Certificate of Appropriateness for the review and approval for the construction of an approximately 245 SF second floor addition in the rear of the structure of an existing three-story landmarked residence. (ORIGINALLY APPROVED AT THE MARCH 22, 2023, LPC MEETING)

Ms. Mittner introduced the project and the applicant's request for a one-year extension.

A motion was made by Ms. Damgard and seconded by Ms. Albarran to approve the requested time extension. The motion was carried unanimously, 7-0.

B. CERTIFICATES OF APPROPRIATENESS-OLD BUSINESS

1. **COA-23-043 (ZON-23-117) 235 BANYAN RD (COMBO)** The applicant, Richard Kurtz, has filed an application requesting a Certificate of Appropriateness for the review and approval of a new two-story, approximately 1,072 SF accessory structure with hardscape and landscape. This request also requires three (3) variances in accordance with Section 134-201 for: 1. building height plane requirement found in Section 134-843(7), which would allow relief from a building height plane requirement of two feet of front setback for each one foot of building height per the R-A Zoning District., 2. exemption of the building height of approximately 32.13' NAVD proposed vs. 25' NAVD permitted per Section 134-841(b)(1), and 3. exemption of the number of guest houses permitted per property Section 134-841 (5). The Town Council shall review the application as it pertains to the zoning relief/approval. The applicant will be requesting a two-month deferral at the February 21, 2024, meeting.

A motion was made by Ms. Damgard and was seconded by Ms. Albarran to defer the project to the meeting on April 17, 2024. The motion was carried unanimously, 7-0.

C. CERTIFICATES OF APPROPRIATENESS-NEW BUSINESS

1. **COA-24-007 (ZON-24-028) 124 VIA BETHESDA (COMBO)** The applicant, Smith Architectural Group, Inc. design professional and represented by Maura Ziska, Esq., has filed an application requesting a Certificate of Appropriateness for the review and approval of three (3) new vehicular gates including a variance from required backup. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

Mr. Fogel provided staff comments for this project.

Mr. Ives and Ms. Metzger disclosed ex-parte communications.

Maura Ziska, the applicant's attorney, explained the requested variances and advocated for a favorable recommendation to the Town Council.

Sophia Bacon, Smith Architectural Group, presented the architectural modifications proposed for the landmarked residence.

Ms. Patterson wondered why the gates were not designed to swing in, allowing a car to enter the property. Ms. Bacon stated that the option was studied but felt that option would render the motor court unusable.

Ms. Fairfax asked to see the tree that would be removed. Ms. Bacon showed a picture of the Seagrape tree that would be moved 3 to 5 feet to the south. There was a discussion about the gates' operation and the different functionality options. Ms. Fairfax stated she could support the project.

The number of gate proposals in the Town saddened Mr. Ives. He added that he did not believe the proposed gates would harm the landmarked property.

Ms. Albarran supported the project and stated that the proposed gates were beautiful.

Ms. Moran thought the gates were pretty and agreed with Mr. Ives. She expressed concern about the number of vehicular gates being brought to the Commission for approval.

Ms. Fairfax thanked the architect for designing the gate without the weight in the middle of the gate.

A motion was made by Ms. Fairfax and was seconded by Ms. Albarran to approve the project as presented. The motion was carried unanimously, 7-0.

A motion was made by Ms. Fairfax and was seconded by Ms. Albarran that the implementation of the proposed variances will not cause a negative architectural impact to the subject landmarked property. The motion was carried unanimously. 7-0.

D. HISTORICALLY SIGNIFICANT BUILDINGS - OLD BUSINESS

1. **HSB-24-001 311 PENDLETON LN.** The applicant, Starr Haymes Kempin for Pendleton Lane Trust has filed an application requesting a Certificate of Appropriateness review and approval for a modified front entry, addition of shutters, relocation of a few windows in addition to hardscape modifications changing the driveway and reducing the paver pool deck to an existing two-story historically significant building. *This project has been deferred to March 20, 2024, Landmarks Preservation Commission meeting.*

A motion was made by Ms. Albarran and was seconded by Ms. Damgard to defer the project to the meeting on March 20, 2024. The motion was carried unanimously, 7-0.

E. HISTORICALLY SIGNIFICANT BUILDINGS - NEW BUSINESS

1. **HSB-23-007 (ZON-23-095) 124 PARC MONCEAU (COMBO)** The applicant, Parc Monceau Ltd (Peter Brooks, Representative), has filed an application requesting Landmarks Preservation Commission review and approval of a flood plain variance for improvements/rehabilitation of a designated historic building and approval for additions and renovations to an existing nonconforming historically significant building requiring town council variances required to retest existing non-conformities. Town Council shall review the application as it pertains to zoning relief/approval.

Mr. Falco provided staff comments for this project. He responded to the concerns in the letter sent on behalf of the neighbors, Mr. and Mrs. Eyckeler.

All members disclosed ex-parte communications.

Maura Ziska, the applicant's attorney, explained the requested variances and advocated for a favorable recommendation to the Town Council.

Michael Perry, with MP Design & Architecture, presented the architectural modifications proposed for the landmarked residence.

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

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, complimented Mr. Perry for collaborating with the town consultants and herself to preserve and restore the residence. She thought the front façade was being restored to the original design. She felt the rear demolition was acceptable but recommended considering a more Regency-styled railing design. She thought the second-floor master bedroom was also acceptable.

Ms. Albarran knew the current state of the home and was happy that the owner was willing to take on the restoration. She thought the changes were good and agreed that the railings should return to the Commission. She questioned the access to the mechanical equipment. Mr. Perry stated he would investigate options for access to the equipment.

Mr. Griswold asked if shutters would be placed at the rear of the home. Mr. Perry responded. Mr. Griswold was supportive of the project.

Ms. Moran thanked the owner for saving the home. She thought the house would be beautiful. She asked about the replacement of the seawall. Mr. Perry discussed the replacement. She also agreed that the professional should return to the Commission with the plan for the railings.

Mr. Ives thought it was great that the owners were taking on the project. He asked about the faux treatment of the garages; he wondered if the Secretary of Interior Standards would support the faux garages but added that he did. Mr. Perry responded and discussed the treatment of the garages.

Ms. Fairfax asked about the railing height on the west elevation; she thought they should be installed at domestic rather than commercial height. Ms. Fairfax asked if the railing would be in the Chippendale style, to which Mr. Perry stated no. Mr. Perry said he would return with different options.

Ms. Damgard thought the plan was good. She thanked the professional for showing past, present, and proposed plans.

Ms. Herzig-Desnick asked about the plan for the garage. Mr. Perry showed

the plans for the garage.

Ms. Patterson thought the plan was great. She thanked the owners for restoring the home. She expressed concern about the window in the kitchen but left it up to the owners to decide.

Ms. Damgard asked about the background material for the infinity pool. Mr. Meyer responded. Ms. Damgard wondered whether the professional would return to the Commission with the material for the overflow.

A motion was made by Ms. Damgard and was seconded by Ms. Moran to approve the project as presented, with the condition that the professional return to the Commission on March 20, 2024, with different options for the railings and the material proposed for the pool overflow. The motion was carried unanimously, 7-0.

A motion was made by Ms. Albarran and was seconded by Ms. Fairfax that the implementation of the proposed variances will not cause a negative architectural impact to the subject landmarked property. The motion was carried unanimously. 7-0.

A motion was made by Ms. Albarran and was seconded by Ms. Fairfax that the proposed development will not preclude the building's designation as a historic building, and the variance is the minimum necessary to preserve the historic character and design of the building. The motion was carried unanimously. 7-0.

XI. DESIGNATION HEARINGS

There were no designations presented.

XII. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

A. Staff and Commissioners

Ms. Moran asked if the Commissioners were interested in acting on Mr. Corey's suggestion to research A1A. Ms. Mittner questioned whether south of Sloan's Curve would meet the criteria for designation due to the changes. A discussion ensued regarding the merits of pursuing the designation. Ms. Mittner advised against this suggestion as she did not believe it met the criteria.

Mr. Griswold suggested that the Commission have an open dialogue with The Breakers to understand their intentions for the future of Main Street, especially since they owned many of the buildings on the street.

Ms. Damgard raised the issue of landmarking more buildings on Worth Avenue. A short discussion ensued about the issue and the possibility of the proliferation of second and third stories on Worth Avenue.

Aimee Sunny, Preservation Foundation of Palm Beach, thought the discussion was good and suggested the board develop a comprehensive plan on what the Commission would like to landmark over time.

Ms. Murphy stated that MurphyStillings was working on the list of properties designated on Worth Avenue. She welcomed input from the Commissioners on properties they would like studied for possible designation.

Ms. Mittner discussed the National Alliance of Preservation Commissions Conference in West Palm Beach, FL, on July 31-August 4, 2024. She indicated that Palm Beach would be featured and encouraged the Commissioners to attend.

B. Public

Aimee Sunny, Preservation Foundation of Palm Beach, discussed the National Alliance of Preservation Commissions' training of Commissions. She addressed the training sessions hosted by the organization and thought they were beneficial. She stated that the Preservation Foundation had established a training session for the Landmarks Commission. She discussed possible dates for the training.

These unscheduled item discussions lasted for 34 minutes. Use this [link](#) to listen to the entire discussion.

XIII. **NEXT MEETING DATE:** Wednesday, March 20, 2024

XIV. **ADJOURNMENT**

A motion was made by Ms. Albarran and was seconded by Ms. Damgard to adjourn the meeting at 11:23 a.m. The motion was carried unanimously, 7-0.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, March 20, 2024, at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'S. Patterson', with a long horizontal flourish extending to the right.

Sue Patterson, Chair

LANDMARKS PRESERVATION COMMISSION

kmc