



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

**MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION
MEETING HELD ON WEDNESDAY, FEBRUARY 16, 2022.**

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	PRESENT
Anne Fairfax, Member	PRESENT (Arrived at 10:10 a.m.)
Brittain Damgard, Member	PRESENT
Anne Metzger, Alternate Member	PRESENT
Fernando Wong, Alternate Member	PRESENT
Bridget Moran, Alternate Member	PRESENT

Staff Members present were:

James Murphy, Assistant Director of Planning, Zoning and Building
Sarah C. Pardue, Historic Preservation Planner
Jordan Hodges, Planner II
Kelly Churney, Deputy Town Clerk
Emily Stillings, Preservation Consultant
Janet Murphy, Preservation Consultant

III. PLEDGE OF ALLEGIANCE

Chair Silvin led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES OF THE JANUARY 19, 2022 MEETING

Motion made by Ms. Patterson and seconded by Ms. Coleman to approve the minutes of the January 19, 2022 meeting. Motion carried unanimously, 7-0.

V. APPROVAL OF THE AGENDA

Mr. Murphy requested the following modifications to the agenda:

- *Withdrawal of COA-22-006 210 Via Del Mar from the agenda*
- *Defer HSB-21-004 (ZON-21-018) 245 Barton Ave. to the March 16, 2022*
- *Defer HSB-22-003 (ZON-22-032) 594 N. County Rd. to the March 16, 2022*
- *Designation Hearing of 246 Atlantic Avenue deferred to the April 20, 2022 Meeting*
- *Designation Hearing of 1250 N. Ocean Blvd. deferred to the April 20, 2022 Meeting*

Motion made by Ms. Coleman and seconded by Ms. Damgard 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)

Mayor Moore, 277 Pendleton Lane, stated her thanks and appreciation for Rene Silvin for his service to the Town and as a leader in preservation.

Council President Maggie Zeidman, 229 Barton Avenue, thanked Rene Silvin for being a friend and an advocate for the Town.

VIII. COMMENTS FROM THE LANDMARKS PRESERVATION COMMISSION MEMBERS

Mr. Silvin congratulated James Murphy on his appointment to the Historic Planning Board in West Palm Beach. Mr. Silvin touched on the outdoor seating, specifically the request a from Cojimar, which was discussed at ARCOM and recently withdrawn. Mr. Silvin noted a recent ceremony at The Colony Hotel, which featured the first-time placement of their landmark plaque. Mr. Silvin announced that Zoning Manager Paul Castro was retiring from the Town after 27 years on March 11, 2022. Finally, he discussed the recent Ballinger Award presented to the homes on Golfview Road.

Ms. Coleman stated she was thrilled to see the temporary gates that hid the unsightly dumpsters at The Colony Hotel. She thought the Esplanade should install similar gates.

IX. PROJECT REVIEW

A. CERTIFICATES OF APPROPRIATENESS – OLD BUSINESS

None

B. CERTIFICATES OF APPROPRIATENESS – NEW BUSINESS

1. **COA-22-003 (ZON-22-018) 340 ROYAL POINCIANA WAY (COMBO)** The applicant, RPP Palm Beach Property LP, has filed an application requesting a Certificate of Appropriateness approval for review and approval for the construction of substantial site and architectural improvements including new one- and two-story additions to an existing two-story landmarked playhouse building including variances from height, open space, parking, length of building, rooftop

projections, and landscape open space requirements, and a floodplain variance from Chapter 50 for the required floor elevation for the new ground floor additions, in order to expand an existing commercial plaza. The variance portion of the application shall be reviewed by Town Council. The application will require Special Exception Request and Site Plan Review by Town Council.

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

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

Alexandra Clark, WS Development, provided an overview of the renovation of the plaza and touched on the importance of finding the right operator to revitalize the playhouse. Ms. Clark introduced Mr. Avie Glazer.

Avie Glazer, Chairman of the Board of Innovate, spoke about his initiative to renovate, and revitalize the Royal Poinciana Playhouse. He discussed the upcoming programming that the Town can expect to see at the theater.

Jamie Crowley, attorney for the applicant, reviewed the zoning history of the playhouse. He also reviewed the legal hardship for the zoning requests, particularly the variances.

Brian Kelly, Senior Traffic Engineer with Simmons with White, reviewed the traffic study performed in coordination with the application, specifically relating to circulation, valet, and parking.

Peter Papadopoulos, Smith and Moore Architects, presented an historical architectural overview of the playhouse.

Nelo Freijomel, Spina O'Rourke, presented the architectural modifications proposed for the landmarked building.

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

Ms. Clark summed up the presentation, thanked staff, and the community for their feedback and collective partnership.

Mr. Silvin called for staff comments. Mr. Hodges provided staff comments on the application.

Mr. Silvin called for public comment.

Margaret Savoya, Palm Beach Towers, offered support for the proposed project.

Richard Sammons, architect and resident, offered support for the architecture and plans.

Eileen Bresnan, 202 Angler Avenue, offered support for the proposed project.

Amanda Skier, Preservation Foundation of Palm Beach, provided supportive comments for the project.

Aimee Sunny, Preservation Foundation of Palm Beach, provided supportive comments for the project.

Laurel Baker, Palm Beach Chamber of Commerce, offered support for the proposed project.

Guy Clark, Palm Beach Towers, offered support for the proposed project.

Virginia Philip, business owner in the Royal Poinciana Plaza, offered support for the proposed project.

Michael Reiner, resident, offered support for the proposed project.

Brian Cantor, business owner in the Royal Poinciana Plaza, offered support for the proposed project.

Vice President of Sant Ambrose offered support for the proposed project.

Doug Duke, Cancer Alliance of Health and Hope, offered support for the proposed project.

John J. McGirk, business owner in the Royal Poinciana Plaza, offered support for the proposed project.

Blair Corban, business manager in the Royal Poinciana Plaza, offered support for the proposed project.

Stacy Ansanelli, director for a business in the Royal Poinciana Plaza, offered support for the proposed project.

Tori Keller, manager for a business in the Royal Poinciana Plaza, offered support for the proposed project.

Barbara Yuriko, general manager for a business in the Royal Poinciana Plaza, offered support for the proposed project.

James Rosen, Regional Manager for Douglas Elliman in the Royal Poinciana Plaza, offered support for the proposed project.

Bill Metzger, 277 Esplanade Way, offered support for the proposed project.

Ms. Coleman thought the project was fabulous. She inquired about the ingress to the theater on the south side of the property and wondered if this area would be beautified. Ms. Clark responded. Mr. Williams stated he would address this area. Ms. Coleman wondered if the Sotheby's building would be included in the renovation. Ms. Clark stated this building would not be included in the current proposal. Ms. Coleman inquired about a potential dock for the west side of the playhouse. Ms. Clark responded. Ms. Coleman inquired if access to the water would be available from the plaza. Mr. Williams responded.

Ms. Patterson thanked the Glazers for their dedication for this project. She believed this would be a jewel box for the Town. She believed the design enhanced this historical design of the building.

Ms. Fairfax was excited about creating this beacon for the Town. She offered support for the project as presented. Ms. Fairfax inquired about the native plantings proposed and wondered if more shade could be added to the site. She also was worried about the west side and lack of shade for that façade. Mr. Williams responded about the number of trees proposed for the site as well as the percentage of native plantings proposed. Ms. Fairfax asked Mr. Williams to study the shade canopies around the parking area. Mr. Freijomel reviewed the fenestration proposed for the west façade, which he indicated would address the acoustics and energy efficiency. A discussion ensued on the west fenestration. Ms. Fairfax offered her firm's support for the detailing in the architecture, should the professional ever need a second opinion.

Ms. Damgard thought the plan was exciting and elegant. She stated she was concerned for the reduction of parking. Mr. Crowley responded and discussed the plans for the valet parking system.

Mr. Segraves thanked the team and thought the project was excellent.

Ms. Albarran thought the project was very impressive and was excited about the changes.

Ms. Metzger asked Ms. Sunny if her concerns for the west side fenestration had been answered. Ms. Sunny responded.

Ms. Moran thought the application was fantastic. She thought the proposed plans enhanced the current building. She also agreed and supported Mr. Sammons's recommendation of adding a usable dock.

Mr. Wong congratulated the professionals. He thought they did a wonderful job.

Mr. Silvin complimented the team on the proposal. He thought the project was a wonderful gem.

Motion made by Ms. Patterson and seconded by Ms. Damgard to approve the project as presented. Motion carried unanimously, 7-0.

Samantha David, President of WS Development and UpMarkets, introduced herself and thanked the Commission and Town for their support.

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

Council Member Lew Crampton, 2335 S. Ocean Blvd., thanked Rene Silvin for his service to the Town.

Please note: A short break was taken at 11:36 a.m. The meeting resumed at 11:50 a.m.

2. **COA-22-006 210 VIA DEL MAR** The applicant, 210 Via Del Mar LLC (Todd Glaser), has filed an application requesting a Certificate of Appropriateness approval for the replacement of windows and doors on the existing Landmark structure.

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

3. **COA-22-007 130 BARTON AVE.** The applicant, Brett & Meaghan Barakett, has filed an application requesting a Certificate of Appropriateness approval for minor adjustments to previously approved COAs, including changes to building finishes and details, and the landscape plan.

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

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

Laura Ella Wright, architect for the applicant, presented the architectural modifications proposed for the landmarked residence.

Peter Wirtz, Wirtz International, presented the landscape and hardscape modifications proposed for the site.

Mr. Silvin called for staff comments. Ms. Pardue provided staff comments on the application.

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

Ms. Metzger inquired about the proposed rill. Ms. Wright responded and pointed out the location. Ms. Metzger inquired about the length and the material. Mr. Wirtz responded.

Ms. Coleman inquired if the pool was enclosed and adhered to the Code. Ms. Wright responded and explained the enclosures.

Ms. Fairfax thought the changes were minor changes and was in favor of the proposed.

Ms. Patterson agreed with Ms. Fairfax.

Mr. Silvin inquired if there was a rendering of the pedestrian gate that was adjacent to the main vehicular gate. Ms. Wright responded.

Ms. Moran inquired about the proposed vehicular gate. Mr. Wirtz stated that the gates would remain the same as the approved gate. Ms. Wright stated that the gate for the alley was changing from open lattice to a solid panel gate.

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

Mr. Silvin thanked the owners and stated the Town was excited for them to move into the area.

C. HISTORICALLY SIGNIFICANT BUILDINGS – OLD BUSINESS

1. **HSB-21-004 (ZON-21-018) 245 BARTON AVE. (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. Town Council shall review the variance portion of the application.

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

D. HISTORICALLY SIGNIFICANT BUILDINGS – NEW BUSINESS

1. **HSB-22-003 (ZON-22-032) 594 NORTH COUNTY RD (COMBO)** The applicant, George and Sandra Marucci, has filed an application requesting Landmarks Preservation Commission review and approval for the construction of three, one-story additions to a historically significant one-story building totaling approximately 430 SF, including variances from both side setback requirements and including a variance from Chapter 50 for the required floor elevation for the new ground floor addition. Town Council shall review the variance portion of the application.

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

X. DESIGNATION HEARINGS

ITEM 1: 4 Ocean Lane

Owner: 4 Ocean Lane LLC

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

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

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this Monterey 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; 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.

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

Elizabeth Ailes, owner, stated she was delighted that her home contributed to the Town of Palm Beach. She was happy to offer her home as a landmark to the Town.

Michelle Poisson, previous resident of 4 Ocean Lane, was appreciative to Ms. Ailes stewardship of her family home.

Many of the Commissioners were supportive to landmark the home.

Motion made by Ms. Damgard and seconded by Ms. Coleman to make the designation report for 4 Ocean Lane part of the record. Motion carried unanimously, 7-0

Motion made by Ms. Damgard and seconded by Ms. Patterson to recommend 4 Ocean Lane 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 2: 246 Atlantic Avenue

Owner: Teddys Land Joint Venture LLC

Please note: This item was deferred to the April 20, 2022 meeting at the approval of the agenda, Item V.

ITEM 3: 1250 N. Ocean Blvd.

Owner: Marsha C. Beeson

Please note: This item was deferred to the April 20, 2022 meeting at the approval of the agenda, Item V.

ITEM 4: 357 Crescent Drive

Owner: Juliette De Marcellus

Please note: The item was continued from the 01/19/22 LPC meeting.

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

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

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this Neo-Classical Revival style home. 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.

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

Juliette De Marcellus, owner, discussed the reasons she objected to the proposed designation. She recommended that her home be designated as a historically significant building rather than a landmark.

Aimee Sunny, Preservation Foundation of Palm Beach, agreed that the home did meet the criteria for designation. She encouraged the Commission to designate the home.

Mr. Segraves inquired about the procedure to demolish the home if it were designated historically significant. Ms. Murphy responded.

Mr. Murphy provided a clarification on the historically significant building program and process.

Ms. Fairfax argued that a historically significant building could be held to a tighter standard than a landmark, particularly since the changes to a historically significant building needed to meet the Secretary of Interior's Standards.

Again, Ms. De Marcellus requested that the Commission not landmark the home as she had no plans to renovate the home. She discussed the fact that the land was worth much more than the actual home.

Ms. Metzger inquired if a historically significant building could eventually become a landmark, to which Mr. Murphy confirmed it could.

Ms. Patterson empathized with the owner. However, she stated that if she removed the personal component of her decision, she thought the home should be landmarked.

Ms. Moran stated that she did not believe the value of the land was a consideration of the Commission. She also thought this home should be a landmarked.

Ms. Albarran thought the decision was difficult. She reviewed her tour of the home and the issues with the home. However, she discussed her love of the home and thought the issues with the home could be fixed.

Mr. Segraves asked which landmarked criteria the home met. Ms. Murphy restated the two criteria in which she believed the home met to become a landmark.

Mr. Silvin stated that while he understood the homeowner's concern, the Commission took an oath to protect the architectural fabric of the Town. He indicated to the owner that she would have an opportunity to speak to the Town Council about this decision.

Ms. De Marcellus discussed the flooding issues with the home and added that she was unsure whether the water had caused any structural damage to the home. She stated her objection to the designation as she did not want her heirs to have to deal with the designation.

Motion made by Ms. Damgard and seconded by Ms. Patterson to 357 Crescent Drive 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.

XI. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

1. Public

Robert Versteeg, 422 Australian Avenue, discussed and celebrated Rene Silvin's wonderful tenure on the Landmarks Preservation Commission.

2. Staff

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

Ms. Churney stated Anne Fairfax declared a continuing conflict of interest for the project at 1568 S. Ocean Blvd. at the January 19, 2022 meeting and had correctly completed the 8B form in accordance with State Law.

Janet Murphy introduced the property at 345 Pendleton Lane and requested that the Commission place the property under consideration for landmark status.

Ms. Metzger inquired about the first owner. Ms. Murphy responded.

Ms. Damgard provided the history on the first owner.

Motion made by Mr. Segraves and seconded by Mr. Patterson to place 345 Pendleton Lane under consideration for landmark status. Motion carried unanimously, 7-0.

3. Commission

Ms. Patterson told Mr. Silvin what an honor it was to serve with him on the Commission.

Mr. Silvin delivered his last remarks as Chairman, indicating how rewarding it was to serve on the Commission. He thanked his fellow Commissioners for their work as well on the Commission.

XII. NEXT MEETING DATE: Wednesday, March 16, 2022

XIII. ADJOURNMENT

Motion made by Ms. Patterson and seconded by Ms. Albarran to adjourn the meeting at 1:28 p.m. Motion carried unanimously, 7-0.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, March 16, 2022, at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully submitted,

RS Patterson

Richard Rene Silvin, Chairman
LANDMARKS PRESERVATION COMMISSION

*vice chair
LPC*

kmc