



MINUTES
LANDMARKS PRESERVATION COMMISSION
IN THE
TOWN COUNCIL CHAMBERS
2ND FLOOR, TOWN HALL
360 S. COUNTY ROAD, PALM BEACH

WEDNESDAY, JANUARY 21, 2015, 09:30 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 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: (09:30:11 AM)

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

II. ROLL CALL: (09:30:22 AM)

William O. Cooley, Chairman	PRESENT
Nikita Zukov, Vice Chairman	PRESENT
Jacqueline Albarran, Member	PRESENT
Edward Austin Cooney, Member	PRESENT
John T. Gannon, Member	PRESENT
Page Lee Hufty, Member	PRESENT
Rachel Lorentzen, Member	PRESENT
Richard Rene Silvin, Alternate Member	PRESENT
Carol N. Wyett, Alternate Member	PRESENT
William J. Strawbridge, Jr., Alternate Member	PRESENT

Let the record show that a court reporter, Dawn McConnell, was present for Item F., Public Hearings.

Staff Members Present: John S. Page, Director of Planning, Zoning and Building, John Lindgren, Planning Administrator, Janet Murphy and Emily Stillings, Staff Historic Preservation Consultants, and Cynthia Delp, Secretary to the Landmarks Preservation Commission. Town Attorney, John C. Randolph, was present.

III. PLEDGE OF ALLEGIANCE: (09:30:47 AM)

IV. APPROVAL OF THE MINUTES OF THE NOVEMBER 19, 2014 MEETING:
MOTION BY MRS. ALBARRAN FOR APPROVAL OF THE NOVEMBER MINUTES.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.

V. APPROVAL OF THE MINUTES OF THE DECEMBER 17, 2014 MEETING:(09:31:31 AM)
MOTION BY MRS. ALBARRAN FOR APPROVAL OF THE DECEMBER MINUTES.
MOTION SECONDED BY MRS. LORENTZEN.
MOTION CARRIED UNANIMOUSLY.

VI. APPROVAL OF THE AGENDA: (09:31:51 AM)
Mr. Cooley mentioned that there has been a request for deferral of the Tew & Taylor audit. As such, he requested that it be moved up on the agenda to follow the Designation Hearings, Item IX., as there has also been a request to defer the designation hearing of 233 Clarke Avenue.

MOTION BY MRS. LORENTZEN FOR APPROVAL OF THE AMENDED AGENDA.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.

VII. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY:
Mrs. Delp administered the oath at this time and throughout the meeting as necessary.

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

Mr. Page referenced the voting conflict forms filed by Mrs. Albarran relative to the December 17, 2014 meeting.

IX. DESIGNATION HEARINGS:(09:33:53 AM)

Item 1: 233 Clarke Avenue
Owner: Millicent Calicchio

Please be advised that the owner's attorney, Ronald Kolins, has requested a deferral to the February meeting.

MOTION BY MR. ZUKOV FOR DEFERRAL TO THE FEBRUARY MEETING.
MOTION SECONDED BY MR. COONEY.
MOTION CARRIED UNANIMOUSLY.

D. Review of Tew & Taylor Audit relative to 105 Clarendon Avenue
MOTION BY MR. ZUKOV FOR DEFERRAL TO THE FEBRUARY MEETING.
MOTION SECONDED BY MS. HUFTY.
MOTION CARRIED UNANIMOUSLY.

X. PUBLIC HEARINGS: (09:35:36 AM)

A. Application for Certificate of Appropriateness #058 - 2014

Fence

Owner/Applicant: Rehabilitation Center for Children & Adults Inc.

Address: 300 Royal Palm Way

Architect: Glidden Spina + Partners

Project Description: Request approval for fence which is further described as: Install white vinyl fence with gates at southwest side of property between parking lot and neighboring properties to south and west. Other associated changes as presented.

At the December meeting, a motion carried to defer to next month (to come up with other alternatives).

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Danny Brown, Glidden Spina + Partners

Mr. Brown presented revised plans pursuant to the LPC's comments last month. The revised plans, as submitted, change the originally proposed white vinyl fence to a grey/tan stained wood fence. The fence is located on the back side of the recently approved parking awning structure and on the north side of an existing utility easement, and will replace the existing chain link fence. Though there was still some discussion relative to the use of green or black vinyl, the LPC opted for the proposed wood fence.

MOTION BY MRS. LORENTZEN FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B. Application for Certificate of Appropriateness #039 - 2014

Addition, Rehabilitation, Reconstruction, Interior/Exterior Demolition

Owner/Applicant: David and Jeanne Daniel

Address: 322 Seaspray Avenue

Architect: The Pandula Architects, Inc.

Project Description: Demolish one-story addition to southeast corner of residence, wood deck, swimming pool and pool deck. Add two-story addition at rear of existing residence. Demolish existing one-story cabana and re-construct as new master bedroom so it is connected to main residence. Interior modifications. Install new roof finish, windows and repair existing stucco and details as required which will match existing.

At the December meeting, a motion carried that implementation of the proposed variances will not cause negative architectural impacts to the subject landmarked property.

Call for disclosure of ex parte communication: None

ARCHITECTURAL PRESENTATION BY: Eugene Pandula, The Pandula Architects

OTHERS WHO TESTIFIED: Leslie Shaw

Mr. Pandula explained that this is the fourth time that the LPC has seen this project. Town Council approvals were obtained last week relative to the revised design with the one story master bedroom suite addition which is connected to the main house. Mr. Pandula compared the existing condition to the original proposal and the current proposal, and briefly re-reviewed the design elements of the project, as described in the Project Description, for the benefit of the Commission. In addition: Front facade - screening will be replaced by one over one windows; the interior stair has been modified for better function; the three bedrooms on the second floor will now have baths and closets. Mr. Pandula noted that the original foundation has settled 6" to 1 ft. and must be shored up. Water damage and dry rot conditions were found on the roof framing. Landscaping is being finalized in the next few months and will return to the LPC for approval.

Commission Comments: Magnificent upgrade to a little jewel property; this is a great opportunity to show the public what can be done with a landmarked house...things can be added as long as they are historically correct; and, great project.

Leslie Shaw, 318 Seaspray Avenue, identified himself as the abutter to the east of this property. He stated that he has met with the architect and the owner's attorney, and appreciates the changes which were already implemented into the design in deference to the neighbors. Mr. Shaw had voiced his strong objections to the variances requested for the project at the Town Council meeting, but the variances were ultimately approved. It was Mr. Shaw's opinion that the project, as proposed, turns the original landmarked Bungalow into something else; that it has a massive west side; that there is too much going on at the property; the Bungalow style is not being carried forward; the house has been gutted and now they come to the Town with no alternative, but to do something different; since the house was sold, the property has been neglected; consider what you're allowing to happen to a Bungalow as it could set a precedent for other small landmarked houses; and, clarified that he is questioning, from a landmarking standpoint, if the connection of the master bedroom suite to the main building is appropriate.

Mr. Page reported that the Town Council reviewed the variances for this project. Several neighbors presented their objections to the project. He stated that the Town Council struggled with this issue, but ultimately approved the variances on a 4-1 vote.

Janet Murphy testified that the project, as proposed, still meets the standards for a Bungalow, and it would still qualify for landmarking as a Bungalow with the proposed changes.

Commission Comments: Concern regarding all of the interior demolition; fine balancing act to preserve that which is worthy and respect that people buy houses and expect to live in them; look at how it fits into the neighborhood...it's really in keeping, much smaller than many; the front is very respectful, and the latest rendition respects the neighbors' wishes; masterful job at keeping the Bungalow feeling; it's important to allow people to pull a house apart so a plan can be designed...you have to see what you're working with; you have worked with the neighbors and you have walked the line as best as you can.

Mr. Pandula reminded that the LPC does not review interior changes unless the project is a tax abatement project. This project is not a tax abatement project.

MOTION BY MR. GANNON FOR APPROVAL AS SUBMITTED.
MOTION SECONDED BY MRS. LORENTZEN.
MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness #001 - 2015

Addition with Interior/Exterior Demolition

Owner/Applicant: Jerry Shields

Address: 210 El Brillo Way

Architect: SKA Architect + Planner Inc., Jacqueline Albarran

Project Description: Two-story elevator addition with second story cantilevered enclosed balcony. Roof stucco color and all detailing to match existing.

Please be advised that this project represents a continuing voting conflict for Mrs. Albarran. Mr. Silvin will vote in her stead.

At the December meeting, a motion carried that implementation of the proposed variance will not cause negative architectural impacts to the subject landmarked property.

Call for disclosure of ex parte communication: None since the last meeting

ARCHITECTURAL PRESENTATION BY: Jacqueline Albarran, SKA Architect + Planner

Mrs. Albarran reported that the Town Council has granted the variances for the project for this elevator addition with balcony, all with detailing to match the residence. The plans remain unchanged since this was presented last month.

MOTION BY MR. COONEY FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

D. Application for Certificate of Appropriateness #002 - 2015

Gates

Owner/Applicant: Mrs. Pnina Apolonia Weisfisch

Address: 280 N. Ocean Boulevard

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

Project Description: Replacement of damaged and already removed driveway gates. New wrought aluminum gates to replicate Fatio's 1928 design to be installed in original location.

Please be advised that this project represents a continuing voting conflict for Mrs. Albarran. Mr. Silvin will vote in her stead.

At the December meeting, a motion carried that implementation of the proposed variances will not cause negative architectural impacts to the subject landmarked property.

Call for disclosure of ex parte communication: None since last month

ARCHITECTURAL PRESENTATION BY: Jacqueline Albarran, SKA Architect + Planner

Mrs. Albarran reported that the Town Council had granted the variance for this project for two sets of gates between existing coquina pillars. The gate design will replicate the original Fatio gates. There are no changes since last month's presentation.

MOTION BY MR. COONEY FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MRS. LORENTZEN.
MOTION CARRIED UNANIMOUSLY.

E. Application for Certificate of Appropriateness #003 - 2015

Restoration/Rehabilitation/Landscape/Hardscape

Owner/Applicant: Arthur and Jane Tiger

Address: 319 Brazilian Avenue

Architect: Design Phase Architecture, LLC, Laura Ella Wright

Project Description: Request approval for restoration, rehabilitation, and landscape/hardscape which is further described as: Proposed replacement of existing exterior windows and doors with new impact rated units in existing locations. Replacement of existing roof shingles with new roof shingles. Minor hardscape change at rear property. Other associated changes as presented.

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Laura Ella Wright, Design Phase Architecture

Ms. Wright presented the project in accordance with the submitted plans and as described above for alterations to this 1925 Bungalow style residence. She testified that the home has no hurricane protection whatsoever, thus, the request to replace all windows and doors with Colby impact wood windows and doors with aluminum cladding on the exterior. The project also includes the addition of a new window to a rear bath. The rotted wood deck will be replaced in Epay wood and will be carried across to incorporate the French doors off the back of the family room. The roof, now asphalt shingle, will be replaced with wood shingles. In addition, all window surrounds, now in different styles, will be restored to the original with flat stucco bands painted white.

MOTION BY MR. ZUKOV FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MR. COONEY.
MOTION CARRIED UNANIMOUSLY.

F. Application for Certificate of Appropriateness #005 - 2015

Exterior Demolition

Owner/Applicant: Cristina De Heeren Noble

Address: 473 and 475 N. County Road

Architect: Smith Architectural Group, Inc., Jeffery W. Smith

Project Description: Request approval for demolition of a structure which is further described as: Complete demolition of a 1,176 square-foot nonconforming wood slat house in the northwest corner of the property, which extends onto the property at 475 North County Road. Other associated changes as presented.

Call for disclosure of ex parte communication: Disclosures by Mr. Cooley and Mr. Silvin

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

ATTORNEY PRESENT: Paul Rampell, for the applicant.

ATTORNEY PRESENT: Roy Fitzgerald, for Christopher Kellogg

OTHERS WHO TESTIFIED: Christopher Kellogg, and Ralph Cantin for Mr. Kellogg

First, Attorney Paul Rampell requested that Mr. Cooley recuse himself in light of Mr. Rampell being on opposite sides from Mr. Cooley relative to two active litigations. Mr. Randolph clarified that a member is required to recuse themselves if the project inures to the private gain or loss of the member. He asked Mr. Cooley to make that determination. Additionally, if Mr. Cooley did not feel he could act fairly with regard to an application, he could recuse himself. Mr. Cooley stated he would not recuse himself.

Mr. Smith submitted the 1980 Designation Report for 473 N. County Road and his resumé for the record, and then discussed his experience and achievements. Mr. Rampell later submitted a copy of an e-mail from Attorney L. Louis Mracheck, who represents Christopher Kellogg of 475 N. County Road. Mr. Smith stated that he was asked by his client to analyze the slat house which is the subject of this application. He recommended that the slat house should be demolished because: it has no historic or architectural value; it is non-contributing to the landmark at 473 N. County Road; demolition of this structure is permitted by the Town's code; the slat house is so insignificant it was not even mentioned in the designation report; it is an eyesore and detracts from the landmarked house; structurally unsound and a threat to safety due to collapse or fire; it does not conform to the building or zoning code; and, it is simply a handyman special.

Mr. Cooley clarified that the property line runs through this property, and there is an agreement on file that gives either owner the right to take the structure down. Mr. Page added that this is a private agreement dating back to 1960 which specifies that either of the property owners has the right to demolish the slat house with proper notice to the other. Mr. Page noted that only one of the parties signed the Application for Certificate of Appropriateness. Mr. Rampell confirmed that this agreement is still in effect, and the neighbors were notified. He added that he has been in communication with the lawyer for the neighbor and they are anticipating the demolition.

Mr. Randolph stated that the Town bases its decisions on Town Code, rather than private agreements between property owners. He did believe, however, that both property owners should have signed the Application for Certificate of Appropriateness. So, he recommended that either the other property owner verbalize his agreement to the demolition for the record today, or perhaps, the matter should be deferred.

Mr. Rampell stated that these neighbors have various disputes, but the one concerning the slat house is that the neighbor claims that he has been denied access to the east side of the slat house because of a new gate that has been installed. For this reason and others which have been stated, Mr. Rampell, Mr. Smith and the client believe demolition of the slat house is the best solution.

Attorney Roy Fitzgerald stated Mr. Kellogg's objection to this project. He stated that if the slat house is demolished, the structural integrity of the tool shed on Mr. Kellogg's property will be negatively affected because of a beam linking the slat house and tool shed on Mr. Kellogg's property. Mr. Fitzgerald acknowledged the 1960 easement agreement which allows either party to demolish the slat house, but since that time a shed was attached to the slat house via a beam.

Christopher Kellogg stated that his property is not landmarked, so the LPC does not have jurisdiction over his property. As such, he questioned how the LPC could approve demolition on his property. Mr. Kellogg asked that he be able to take down his side of the slat house, rather than the neighbor, to avoid unnecessary damage to his property.

Ralph Cantin showed a document via the Elmo projector. He maintained that the shed pre-dates the footing for the slat house. Mr. Cantin had no objection to the demolition of the slat house, but was concerned about the tool shed. He stated that if demolition is approved, Mr. Kellogg's team would like to take down the portion on the Kellogg property in a manner to safeguard the tool shed.

Mr. Zukov stated that the LPC is not a court of law. He believed that any application such as this should be signed by both property owners. An architect should show the LPC how one part of the slat house would be demoed and the other part left alone. Ultimately, he recommended for deferral to allow the lawyers to work it out. Other members also agreed that the matter must be worked out legally first.

Mr. Randolph advised that if the matter is to be deferred, both parties should be sent away with direction. His concern is that one applicant is applying for demolition on two properties. The Town cannot get in the middle of a lawsuit. There should be an agreement, even verbally, from Mr. Kellogg if this application is to move forward.

Mr. Cooley allowed both parties to meet immediately, outside the Chambers, to hopefully reach an agreement. The matter will return today at such time as the parties are ready to reconvene the matter.

Later in the meeting, both parties returned to discuss this application. (11:13:44 AM)

All parties returned to the Chambers. Mr. Rampell testified that they have reached an agreement, that is, that both parties agree that the Certificate of Appropriateness can be issued, but that each party will demolish the portion of the slat house which is on their property only. Mr. Fitzgerald asked that Mr. Kellogg be permitted to take down his portion of the slat house first, and Mr. Rampell agreed to that.

Mr. Randolph stated that according to Mr. Lindgren, Mr. Kellogg does not have to go to ARCOM for approval of the demolition on his property because it cannot be seen from the street.

MOTION BY MRS. ALBARRAN TO APPROVE COA #005 – 2015 SUBJECT TO (1) HAVING BOTH PARTIES SIGN THE APPLICATION; AND (2) HAVING MR. KELLOGG DEMOLISH HIS PART OF THE SLAT HOUSE FIRST, AND GIVING HIM 3 WEEKS TO DEMOLISH IT.

MOTION SECONDED BY MS. HUFTY.

MOTION AMENDED BY MRS. ALBARRAN ADDING THAT THE MR. KELLOGG MUST SUBMIT HIS APPLICATION FOR DEMOLITION WITHIN 3 WEEKS FROM TODAY, AND MUST ACT UPON IT IN A TIMELY FASHION.

Staff reminded that there is a prohibition on demolition from December 1 through February 28th.

MOTION AMENDED BY MRS. ALBARRAN THAT DEMOLITION IS TO BE STARTED BY MARCH 1ST, AND COMPLETED WITHIN THE MONTH OF MARCH. AMENDED MOTION ACCEPTED BY MS. HUFTY.

MOTION CARRIED UNANIMOUSLY.

XI. DESIGNATION HEARINGS: (Continued)(11:03:16 AM)

Item 2: 17 Middle Road

Owner; Cynthia Kellogg & Sadrian Lee Kellogg

Call for disclosure of ex parte communication: No disclosures

Mr. Cooley brought up the subject of notice of this hearing, since the Certified Mailing green card had not been returned to the Town indicating receipt of the notice of this hearing. Mr. Page responded that the Town has followed all of the necessary notification procedures relative to this hearing, but the property owner has not picked up this certified mail from the Post Office. Janet Murphy visited the site to attempt to connect with the property owner. Instead, she met with the property manager, and forwarded another copy of the designation report to him so that he might forward it to the property owners. She noted that Michael Perry, MP Design and Architecture, completed a major project at this site. Mr. Perry has informed Ms. Murphy that the owners are in favor of the designation. Mr. Perry, present in the Chambers, testified that he has spoken to the Kelloggs, and they are fully aware of the landmark designation and have no objection.

Janet Murphy testified to the architecture, history, and architect for this Colonial Revival Fatio designed residence which was built in 1934. She stated that this property meets the following criteria for landmark designation:

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 for the study of a period, style, method of construction or use of indigenous materials or craftsmen; 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 has influenced his age.

MOTION BY MR. GANNON TO MAKE THE DESIGNATION REPORT PART OF THE RECORD.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. ZUKOV THAT 17 MIDDLE ROAD BE RECOMMENDED TO THE TOWN COUNCIL FOR DESIGNATION AS A LANDMARK OF THE TOWN OF PALM BEACH, AND THAT THE CRITERIA, AS PRESENTED, BE MADE A PART OF THE RECORD.

MOTION SECONDED BY MR. GANNON.

Ms. Hufty spoke to the beauty of this residence, with the changes recently done. Mr. Cooney called attention to the fact that the changes made to this home are in keeping with the original architecture.

MOTION CARRIED UNANIMOUSLY.

XII. OTHER BUSINESS:(11:19:11 AM)

A. Discussion Relative to Placing Additional Properties Under Consideration for Landmark Designation:

Mr. Cooley stated that he would like to place 207 Royal Poinciana Way (the Nick & Johnnie's building) and 100 N. County Road (the Evelyn and Arthur building) "under consideration" for landmarking. The property where the Evelyn and Arthur Building is placed extends up to Sunset. Mr. Cooley was not in favor of including the two buildings to the west of the Sunset Ave. corner piece of that property. Emily Stillings clarified that there are actually 3 properties being suggested today: 207 Royal Poinciana, 212 Sunset Avenue, and a sliver of property (known as lot 35.1) on Royal Poinciana Way.

There was discussion relative to the appropriateness of placing these properties under consideration today since some members did not realize that they could make suggestions today, as well, for properties to be placed "under consideration." Other members spoke in favor of acting on these suggested properties today because, they stated, that it was clear that persons on both sides of the PUD issue agreed that this block should be preserved.

MOTION BY MR. COOLEY TO PLACE 207 ROYAL POINCIANA WAY AND 212 SUNSET AVENUE "UNDER CONSIDERATION" FOR LANDMARK DESIGNATION. MOTION SECONDED BY MRS. LORENTZEN.

Alexander Ives, Preservation Foundation, cautioned that the LPC should anticipate a legal challenge by placing these properties "under consideration". He recommended that Mr. Cooley pass the gavel to make the motion. He recalled that the Nick and Johnnie's building was proposed to be placed "under consideration" last fall, and that motion failed. He cautioned against repeatedly going after the same properties for landmarking, in consideration of the property owners involved. He advocated for patience in moving forward to avoid opportunities to landmark a building being lost forever.

Chairman Cooley stated that according to Roberts Rules of Order, the Chairman has the same ability to make motions as any other member. It should be noted that there was extensive discussion prior to the vote.

MOTION AMENDED TO INCLUDE THE SMALL STRIP OF LAND (KNOWN AS LOT 35.1) ON ROYAL POINCIANA WAY. AMENDMENT ACCEPTED BY SECONDER. MOTION CARRIED 6-1, WITH MR. ZUKOV OPPOSED.

(It should be noted that at least 3 of the members who supported the motion did so with the understanding that these 3 properties will be reviewed separately for designation.)

B. Discussion Relative to Royal Poinciana Way Historic District National Register Nomination

Mr. Cooney stated that such a nomination requires an extensive report. He stated that he would like to review that report prior to taking any action in this regard.

Mr. Page provided an update to the LPC relative to this issue. In March of 2014, the Town Council allocated funds to allow our consultants to explore the possibility of designating the Royal Poinciana Way block as a district and placing it on the National Register of Historic Places.

There is a prescribed and lengthy process which must be followed to accomplish this goal. The consultants presented their findings to the Town Council in December, and the Town Council felt favorably about it, recommending that the Town move forward to place the entire block on the National Register as a district, but the endorsement of the LPC is required. The State has already reviewed the work which has been done, and supports it. The State seeks the endorsement of the LPC as the LPC has Certified Local Government status.

Emily Stillings stated that a National Register designation is an honorary designation which could provide Federal tax benefits to the property owners. There are no restrictions whatsoever, according to Ms. Stillings.

Mr. Cooney called for deferral since the members had not had the opportunity to review the report. Mr. Page responded that staff will forward the report to the members prior to the next LPC meeting.

Eugene Pandula suggested that perhaps the LPC should consider casting a wider net to include all of the important landmarks in that general area of Town for a really powerful district. Staff reminded that the Town Council only authorized moving forward with the district in the originally proposed boundaries: Royal Poinciana Way to Sunset, and Bradley Place to N. County Road, including the structures on the east side of North County between Main Street and Sunrise, which includes the old Post Office.

MOTION BY MR. COONEY TO DEFER TO THE FEBRUARY MEETING TO PROVIDE AN OPPORTUNITY FOR EVERYONE TO READ THE REPORT.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED 4-3, WITH MS. HUFTY, MRS. LORENTZEN AND MR. COOLEY OPPOSED.

- C. Discussion/consideration of placing the designation of Memorial Park (including Mizner Fountain) on the National Register of Historic Places, including potential recommendation of same to the Town Council

Mr. Cooley had asked that this be placed on today's agenda with the goal that the Memorial Park and Fountain might also be placed on the National Register of Historic Places. The matter must be forwarded to the Town Council for approval to move forward. Mr. Cooney hoped that undertaking this matter would not negatively impact the budget allowance for local designations.

MOTION BY MRS. LORENTZEN THAT WE RECOMMEND TO THE TOWN COUNCIL THAT THEY CONSIDER THE PROCESS OF PLACING THE MEMORIAL PARK AND MIZNER FOUNTAIN ON THE NATIONAL REGISTER OF HISTORIC PLACES.

MOTION SECONDED BY MRS. ALBARRAN.

MOTION CARRIED UNANIMOUSLY.

- D. Review of Tew & Taylor Audit relative to 105 Clarendon Avenue
Earlier in the meeting, this was deferred to the February meeting.

XIII. COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING ZONING & BUILDING DEPARTMENT DIRECTOR: (12:08:45 PM)

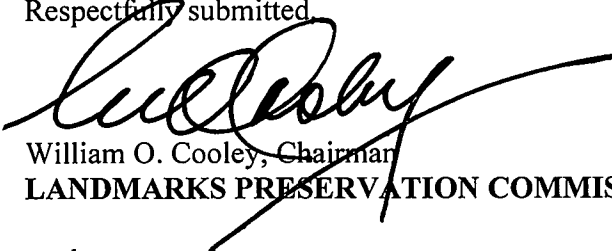
Mr. Page reported that the Town's Ordinance, Rules and Standards Committee has reviewed the recently proposed procedure relative to demolition as it pertains to landmarked properties, and has recommended it to move forward to the Town Council. The matter is moving through the approval process.

XIV. ADJOURNMENT: (12:09:58 PM)

**MOTION BY MR. COONEY TO ADJOURN THE MEETING AT 12:10 P.M.
MOTION SECONDED BY MR. GANNON.
MOTION CARRIED UNANIMOUSLY.**

The next meeting of the Landmarks Preservation Commission will be held on February 18, 2015 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road, Palm Beach.

Respectfully submitted,



William O. Cooley, Chairman
LANDMARKS PRESERVATION COMMISSION

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FORM 8B MEMORANDUM OF VOTING CON COUNTY, MUNICIPAL, AND OTHER LOCAL PUB

FOR
MINUTES

77

NAME—FIRST NAME—MIDDLE NAME ALBARAN JACQUELINE		NAME OF BOARD, COUNCIL, COMMISSIC LANDMARKS PARK	
MAILING ADDRESS 324 ROYAL PALM WAY # 227		THE BOARD, COUNCIL, COMMISSION, AT WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY PALM BEACH	☐ CITY	☐ COUNTY
DATE ON WHICH VOTE OCCURRED 1/21/15		NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, JACQUELINE ALBARRAN, hereby disclose that on 1/21, 20 15:

(a) A measure came or will come before my agency which (check one or more)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

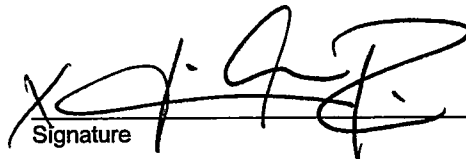
COA-001-2015 210 EL BRILLO WAY
(CONTINUING CONFLICT)

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

1/21/2015

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME ALBARAN JACQUELINE		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LANDMARKS PRESERVATION COMMISSION	
MAILING ADDRESS 324 ROYAL PALM WAY #227		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: Town	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 1/21/15		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

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PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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APPOINTED OFFICERS (continued)

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- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

CoA - 002-2015 280 N. OCEAN BLVD.
(CONTINUING CONFLICT)

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

1/21/2015

Signature

X [Signature]

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