



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

**MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION
MEETING HELD ON WEDNESDAY, JANUARY 18, 2023.**

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
Kim Coleman, Vice Chair	PRESENT
Jacqueline Albarran, Member	PRESENT (Arrived at 9:35 a.m.)
Patrick Segraves, Member	PRESENT
Anne Fairfax, Member	PRESENT (Arrived at 9:33 a.m.)
Brittain Damgard, Member	PRESENT (Arrived at 9:50 a.m.)
Bridget Moran, Member	PRESENT
Anne Metzger, Alternate Member	PRESENT
Fernando Wong, Alternate Member	ABSENT (Excused)
Julie Herzig Desnick, Alternate Member	PRESENT

Staff Members present were:

James Murphy, Assistant Director of Planning, Zoning and Building
Sarah C. Pardue, Design & Preservation Planner
Jordan Hodges, Design & Preservation Planner
Kelly Churney, Deputy Town Clerk
John C. Randolph, Town Attorney
Janet Murphy, Preservation Consultant
Emily Stillings, Preservation Consultant

III. PLEDGE OF ALLEGIANCE

Chair Patterson led the Pledge of Allegiance.

IV. APPROVAL OF MINUTES OF THE DECEMBER 21, 2022, MEETING

Motion made by Ms. Moran and seconded by Ms. Coleman to approve the minutes of the December 21, 2022, meeting. Motion carried unanimously, 6-0.

V. APPROVAL OF THE AGENDA

Ms. Pardue announced the following modifications to the agenda:

*COA-22-055 (ZON-23-025), 210 Via Del Mar deferred to February 17, 2023
COA-23-002 (ZON-23-019), 363 Cocoanut Row would be heard following the consent agenda.
HSB-22-003 (ZON-23-032), 594 N. County Road deferred to February 17, 2023
Designation Hearing for 316 S. County Road deferred to March 22, 2023
The next meeting date would be Friday, February 17, 2023*

Motion made by Ms. Coleman and seconded by Ms. Moran to approve the agenda as amended. Motion carried unanimously, 6-0.

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)

No one indicated a desire to speak.

VIII. PROJECT REVIEW

A. CONSENT AGENDA OF MINOR PROJECTS

1. **COA-23-006 (ZON-23-030) 130 BRAZILIAN AVE (COMBO)** The applicant, 145 Clarendon LLC, has filed an application requesting a Certificate of Appropriateness for the installation of new awning in an interior courtyard of an existing Landmarked structure including a variance from the side setback requirements. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Motion made by Mr. Segraves and seconded by Ms. Moran to approve the consent agenda as presented, which included COA-23-006 (ZON-23-030), 130 Brazilian Avenue. Motion carried unanimously, 7-0.

At this time, the Commission heard project COA-23-002, (ZON-23-019), 363 Cocoanut Row.

B. CERTIFICATES OF APPROPRIATENESS - OLD BUSINESS

1. **COA-22-055 (ZON-23-025) 210 VIA DEL MAR (COMBO)** The applicant, BEACHBOYZ DEVELOPMENT LLC., has filed an application requesting a Certificate of Appropriateness for roof replacement, window and door replacement, exterior paint, and site alterations including new landscape, hardscape, a free-standing trellis, and vehicular gates with reduced setbacks, requiring Special Exception with Site Plan Review, for the Landmarked property. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Please note: This item was deferred to the February 17, 2023, meeting at the Approval of the Agenda, Item V.

Please note: The Commission took a short break at 11:16 a.m. The meeting resumed at 11:32 a.m. Ms. Damgard did not return to the meeting.

C. CERTIFICATES OF APPROPRIATENESS–NEW BUSINESS

1. **COA-22-054 (ZON-22-153) 125 VIA DEL LAGO (COMBO)** The applicant, Todd Glaser, has filed an application requesting Landmarks Preservation Commission review and approval for exterior modifications, including removal and relocation of a stair way, and a new addition over driveway, requiring variances. This is a combination project that shall be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments for this project.

Call for disclosure of ex parte communication: No one had any communications to disclose.

Daniel Menard, LaBerge & Menard, Inc., presented the modifications proposed for the existing, landmarked home.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, expressed objections to the proposed addition to the home. She did not believe the addition was set back enough to differentiate the two structures. She also expressed concern for the garage door design as well as the long overhang in the garage area.

Ms. Moran thought the addition was nice and supported the request.

Ms. Fairfax inquired about the stair removal on the north elevation. Mr. Menard reviewed the change in plan with Ms. Fairfax. Ms. Fairfax asked if the owner was seeking tax abatement.

Emily Stillings, Murphy Stillings stated that the owner had not applied for a tax abatement credit.

Ms. Fairfax stated she could support the addition. However, she expressed concern about the span of the overhang over the garage. Mr. Menard stated the engineer confirmed that the overhang would be successful. Ms. Fairfax wondered if a landscape plan was required to accompany the modifications. Mr. Menard responded and discussed how the landscape was not changing. Ms. Fairfax stated that the addition could be removed in the future.

Ms. Coleman wondered if the addition should be stepped back a bit further. She also thought the changes near the garage were questionable. She asked if the roof material would be changed, to which Mr. Menard stated the material would be the same.

Ms. Albarran questioned the location of the addition and recommended pushing the addition back 18 inches from the front façade.

Mr. Segraves thought the addition ruined the symmetry of the building and could not support the project. He also questioned the large open span by the garage as well as the proposed balconies and shutters. Mr. Segraves suggested alternate approaches for the addition.

Ms. Fairfax inquired if the professional had the historic drawings of the home. Mr. Menard responded. A discussion ensued on whether changes would change the landmarked home. Ms. Fairfax urged the professional to seek out any historical photographs.

Ms. Herzig-Desnick was not in favor of the addition. She thought it ruined the graciousness of the house. She questioned the functionality of the parking in the existing garage.

Ms. Albarran questioned how far the addition could be set back. Mr. Menard guessed about 2 feet.

Ms. Coleman thought it would be helpful to see more photographs of the existing structure.

Ms. Moran reminded the Commission that the addition would be hidden by the guesthouse. She also wondered if the bottom floor of the addition would be better would if left open.

Ms. Fairfax thought the balcony could be differentiated on the addition.

Ms. Sunny indicated that she found historic photographs of the residence in their collection.

Ms. Patterson asked to see the colored renderings. She asked if the professional would consider adding some interest to the long span over the garage.

Ms. Fairfax also provided suggestions for the area.

Motion made by Ms. Fairfax and seconded by Ms. Moran that implementation of the proposed variance will not cause negative architectural impacts to the subject property. Motion carried 6-1, with Mr. Segraves dissenting.

Motion made by Ms. Fairfax and seconded by Ms. Albarran to approve the project with the following conditions: the new balcony proposed shall be wood and shall replicate the historic balcony in the Barbara Hoff tot photograph, the addition shall be set back 18" from the west façade, the design of the north façade shall return to the February 17, 2023 meeting.

A short discussion ensued about the motion.

Motion carried 5-2, with Mr. Segraves and Ms. Coleman dissenting.

Mr. Murphy stated that he would ask The Preservation Foundation to send staff any historic photographs of the residence, in which he would provide to the applicant.

2. **COA-23-001 (ZON-23-017) 1100 S OCEAN BLVD—MAR A LAGO (COMBO)** The applicant, Mar A Lago Inc., has filed an application requesting a Certificate of Appropriateness review and approval for the construction of a new one-story approximately 250 SF guardhouse to a Landmarked structure. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments for this project.

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

Rick Gonzalez, REG Architects, presented the addition of a guardhouse on the site of an existing landmark. He also discussed the zoning request for the structure.

Ms. Patterson asked to see different views of the structure. Mr. Gonzalez reviewed the plans with the Commissioners. Ms. Patterson wanted to see the structure from the road's perspective. Ms. Fairfax recommended to show 3 dimensional views of the property. Ms. Albarran wanted to see the streetscape views.

Ms. Moran asked if the Secret Service had an alternate plan for a guesthouse. Mr. Gonzalez responded. Ms. Moran asked if the building could be removed if determined that the Secret Service no longer needed the building. Mr. Gonzalez confirmed that it would be removed if no longer needed.

Mr. Segraves thought that while the proposal was acceptable, he requested to see the building in the plan.

Ms. Metzger questioned the columns on the building and thought they looked small.

Ms. Coleman discussed the vehicular backup on the street during an event at Mar-a-Lago. She wondered if the guardhouse should be moved further into the property.

Ms. Herzig-Desnick asked to include all the buildings in the next presentation, along with the curve of the property line.

Ms. Fairfax asked if the existing cottages could be adapted for the guardhouse.

Mr. Segraves recommended removing the columns on the guardhouse.

Ms. Fairfax recommended a tighter spacing of the rafters.

Motion made by Mr. Segraves and seconded by Ms. Coleman to defer the project February 17, 2023 meeting, with the direction to return with a rendering of the new guardhouse shown on the plans. Motion carried 6-1, with Ms. Moran dissenting.

Please note: The following project was heard out of order following the consent agenda.

3. **COA-23-002 (ZON-23-019) 363 COCOANUT ROW—THE VINETA HOTEL (COMBO)** The applicant, 363 Cocconut Row Popco LLC, has filed an application requesting a Certificate of Appropriateness for the review and approval of the interior and exterior renovation of an existing Landmarked four-story hotel structure including alterations to the façades, a reduction of rooms from 57 keys to 41, the reconstruction of historic door and window locations and associated hardscape/landscape and rooftop projections requiring height variances for rooftop allowances. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments for this project.

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

Keith Spina, Spina O'Rourke + Partners, introduced Deborah Reuban with Reuban Brothers, who own the property. He also introduced others present who were an intricate part of the design for the project.

Ms. Reuban discussed her groups' intent for the property.

Phillipe Oetker, Property Manager, stated this would be their first hotel in the United States. He spoke about the company and the properties they had acquired and manage internationally.

M. Timothy Hanlon, Attorney for the applicant, presented the zoning requests for the application and outlined each variance for the Commissioners. He advocated for a positive recommendation to the Town Council.

Town Attorney Randolph indicated that since there had been letters regarding the project, the Commission would not be considering the intensification of use as well as the number of tables related to the hotel. He added that both of those items would be heard by the Town Council. Finally, he confirmed that the notice of the project was sufficient for the project to be heard at the Commission level.

Mr. Spina discussed the history of the hotel. He discussed how he worked with The Preservation Foundation of Palm Beach when designing the modifications. He presented the modifications proposed for the existing landmarked property.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications for the site.

Mr. Spina discussed the proposal of nano walls in the pool courtyard. He indicated that he would consider an alternative to the nano walls. He showed the Commission the location of the nano walls and discussed the proposed windows with muntins. He discussed the operability of the wall as well.

James Murphy, Assistant Director of Planning, Zoning and Building, stated that the design team should still strive to obtain more landscape open space. He added that staff would like the rooftop projections to be screened. He reminded the Commission that the number of seats were not under the purview of the Commission, but stated the change to the pool courtyard could be reviewed by the Commission. He stated the Landmark Preservation Commission could focus on how the altered use of the pool lounge handled the architecture. Although the nano wall was an interior façade, the Commission could weigh upon whether the nano wall was appropriate for a project of this age. He urged the Commission to focus on the impact of their proposal on the exterior changes.

Ms. Patterson called for public comment.

Jorie Butler, 349 Chilean Avenue, expressed her concerns about the exposure near her residence as well as the noise and odors from the hotel. She also expressed frustrations with the lack of parking around the hotel in season.

Aimee Sunny, Preservation Foundation of Palm Beach, expressed support for the rehabilitation of the Chesterfield Hotel, now known as the Vineta. There was a preservation easement on this building and the Preservation Foundation had been stewards of the building ever since. She asked the Commission to support the requested variances for the project. She indicated that the Preservation Foundation did not have any comments on the use of the hotel.

John David Corey, 426 Australian Avenue, said the hotel had been a longstanding member of the residential enclave, and had often been the center for activities, such as the Rotary Club and a venue for parties and other events. He recommended the applicant prepare a mockup for the rooftop mechanical projections to demonstrate how tall the structures would be at completion. He was supportive of the change in location for the trash but wondered about the functionality. He noted the recycle remained on the south side of the building and should be assessed with the site plan review. He wondered about the location for the recycled material that would still be in the south side of the building. He recommended using French doors in the pool courtyard, rather than the nano wall proposed. He recommended removing the canopy in the

pool courtyard. He recommended looking at the pergola on the third floor. There was a balcony from the third floor on the second floor of the addition which was a very modern design. He suggested looking at the pergola in the bar area. He wondered if the Commission would see a window sample and he asked about the lighting plan.

Ms. Coleman inquired about the neighbor's request for a wall. Ms. Butler stated she would love to have a raised wall. Ms. Butler also was concerned about light pollution on her property due to a bedroom in her home overlooking the pool area.

Ms. Coleman also asked if the existing railings were wrought iron and whether they would be replaced with wrought iron. Mr. Spina stated if the railings needed to be replaced, he would prefer to replace them in aluminum, which would last longer and be more attractive.

Ms. Sunny noted if the railings must be replaced, they should be replaced with wrought iron. However, if the existing railings could be repaired, they should be repaired.

Ms. Coleman asked about parking for the area. Mr. Spina stated the project had a world class operator and would have a valet station; however, he added that he would speak to the Town Council about this item.

Ms. Herzig-Desnick thought the entrance for the hotel was slightly confusing. Mr. Spina responded and spoke about how guests would enter in the hotel. Mr. Murphy thought Ms. Herzig-Desnick had a good point. Ms. Herzig-Desnick suggested a water feature on the rear of the property to mitigate the noise.

Mr. Segraves thought the design team had done a good job. His concern was the height of the mechanical equipment. He asked if Mr. Spina had created a sightline drawing of the roof. Mr. Spina showed the roof plan drawing and showed the location of the mechanical equipment.

Ms. Moran was disappointed that the stairway was still there and was not addressed. She supported the nano walls due to the functionality, and that they were a cleaner look than French doors. She inquired about an awning over the front door, to which Mr. Spina stated there would not be an awning. Ms. Moran wondered if a curb cut could be provided for the trash. Mr. Spina responded and stated there was a usable curb cut; he showed Commissioners the plan.

Mr. Murphy discussed the curb cut and stated he would ask Public Works to review the suggestion.

Ms. Moran agreed with Mr. Corey's suggestion to return with lighting and screening plans.

Ms. Albarran thought the project was wonderful.

Ms. Fairfax was thrilled with the design and management team. She thought the pool lounge and courtyard changes were minimal. She agreed with Ms. Moran that the nano wall was a little more versatile and would be beautiful opening up to the pool area. She spoke about the easement program available to anyone who wished to participate. Ms. Fairfax asked for Mr. Spina to add human scales in his drawing. Ms. Fairfax asked to see the height of the entrance in the drawings. Mr. Spina showed the drawings. Ms. Fairfax was disappointed that the awnings had been eliminated from the building. She asked about the signage for the hotel. She was supportive of the addition of a water feature to help mitigate noise. She questioned the height of the entrance feature. Mr. Spina responded.

Ms. Herzig-Desnick asked about the disco. Mr. Murphy discussed how the business operated with four business licenses. Mr. Murphy discussed the nightclub operations.

Mr. Coleman asked about the red loading zoning. Mr. Spina responded.

Ms. Albarran thought that the rooftop screening should be left up to staff. Ms. Patterson agreed with Ms. Albarran. She thought the project was wonderful and was grateful to the owners and designers. She was not in favor of the awnings.

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

Motion made by Ms. Moran and seconded by Ms. Damgard to approve the project as presented with the conditions that the rooftop screening shall be approved at staff level, and that the lighting package shall return to the March 22, 2023, meeting. Motion carried unanimously, 7-0.

Please note: The Commission took a short break at 1:02 p.m. The meeting resumed at 1:13 p.m.

4. **COA-23-005 1095 N OCEAN BLVD.** The applicant, Carl & Mary Jane Panattoni, have filed an application requesting Certificate of Appropriateness review and approval for architectural features including an updated balcony railing design, a new added gable roof section on the south end of the main house, and a revision to roof material. Landscape and hardscape updates include an updated driveway gate design, new entry step handrails, and revised pool terrace pavilion/pergola structure for the Landmarked property.

Mr. Hodges provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by several members. *Please note that Mr. Segraves declared a conflict of interest and left the dais during the meeting.*

Daniel Clavijo, SKA Architect + Planner, presented the architectural

modifications proposed for the existing landmarked residence.

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

Ms. Albarran asked if nano walls were proposed in the outdoor kitchen. Confirmation was provided.

Ms. Patterson called for public comment.

Ms. Stillings asked if there were any proposed changes to the landmarked, pedestrian gate as well as the covering roof. Mr. Williams responded. She thought the Commission should consider the proposed changes to the landmarked gate. She also suggested that the roof change did not lend itself to a Mediterranean style house. She also thought the railings and gate design detracted from the historic wall.

Aimee Sunny, Preservation Foundation of Palm Beach, agreed with Ms. Stillings. She suggested that the roof material remain a barrel tile as the proposed material would change the character of the Mediterranean style. She thought the frame of the vehicular gates were atypical of the Mediterranean style. She also thought the black metal and glass canopy were also not in keeping.

Ms. Moran agreed that the roof material was not in keeping with the style and did not support the material. She asked about the conditions of the existing railings on the home. Mr. Clavijo showed the Commission that there were several styles of railings on their home. Ms. Moran asked about the wood on the driveway gates, to which Mr. Williams responded. She was in favor of the vehicular gates but thought they were a bit heavy. She recommended eliminating the wood frame on the gate. She was in favor of the outdoor kitchen design.

Mr. Clavijo advocated for the roof material proposed. Mr. Clavijo also discussed an alternate material for the roof.

Mr. Randolph discussed his conversation with the owner, who questioned the Commission's authority on whether they could veto a proposed roof material. Mr. Randolph restated his response to the owner.

Ms. Patterson discussed the importance of this home in the Town of Palm Beach. She thought the two different roof materials were a mistake. Ms. Patterson questioned the scroll design on the vehicular gates.

Ms. Herzig-Desnick questioned the railing design; she suggested taking an element from the home and incorporating it into the design.

Ms. Albarran thought a change in roof material would be a terrible mistake. She also thought the proposed vehicular gate was too frilly and heavy. She thought the nano walls in the outdoor kitchen were acceptable; however, she

thought the borders of the nano doors looked heavy.

Motion made by Ms. Moran and seconded by Ms. Albarran to defer the project to the February 17, 2023, meeting with the direction to restudy the gates and railings. Motion carried unanimously, 6-0.

Mr. Clavijo inquired about the direction for the outdoor kitchen.

Motion made by Ms. Coleman and seconded by Ms. Moran to approve the plans for the outdoor kitchen design portion of the project. Motion carried unanimously, 6-0.

5. **COA-22-008 (ZON-23-001) 1 S COUNTY ROAD – THE BREAKERS HOTEL (COMBO)** The applicant, The Breakers Palm Beach, Inc., has filed an application requesting a Certificate of Appropriateness for the review and approval of new fencing and gates for the Landmarked hotel, requiring Site Plan Review. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments for this project.

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

Jamie Crowley, Attorney for the applicant, presented the proposal of additional fencing and gates for the property.

Mr. Segraves understood the security concerns, and thought the decorative gates fit with the property. He thought the proposed was an improvement.

Ms. Coleman confirmed that that proposed gates were aluminum.

Ms. Patterson called for public comment. There were no comments heard at this time.

Ms. Albarran was in favor of the proposal.

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

Please note: The Commission broke for lunch at 1:52 p.m. The meeting resumed at 2:33 p.m. Mr. Segraves did not return to the meeting.

D. HISTORICALLY SIGNIFICANT BUILDINGS-OLD BUSINESS

None

E. HISTORICALLY SIGNIFICANT BUILDINGS-NEW BUSINESS

1. **HSB-22-003 (ZON-22-032) 594 N COUNTY RD (COMBO)** The applicant, George Marucci, has filed an application requesting Landmarks Preservation Commission review and approval for two, one-story additions to a

historically significant one-story building totaling approximately 300 SF, including variances from side setback requirements and including a variance from Chapter 50 for the required floor elevation for the new ground floor additions on a historically significant building to construct a ground floor addition with a finished floor of 6.69' NAVD in lieu of the required 7' NAVD. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Please note: This item was deferred to the February 17, 2023, meeting at the Approval of the Agenda, Item V.

IX. DESIGNATION HEARINGS

1. **296 S County Rd (296-302 S County Rd)**
Owner: Milton Partnership LTD

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

Emily Stillings, MurphyStillings, LLC, testified to the architecture and history for this Mediterranean Revival Style commercial structure. Ms. Stillings pointed out the design features of this building. Ms. Stillings 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.

Ms. Patterson asked for confirmation on proof of publication. Ms. Churney provided confirmation.

Motion made by Ms. Moran and seconded by Ms. Albarran to make the designation report for 296 S County Rd (296-302 S County Rd) part of the record. Motion carried unanimously, 7-0

Ms. Patterson called for any public comment on the designation.

Aimee Sunny, Preservation Foundation of Palm Beach, stated that the buildings met both criteria as stated by Ms. Stillings. She indicated that the art jury reviewed the building and thought the buildings were a wonderful addition to the Town. She stated that the architect for the buildings was the same architect as Town Hall. She added that while the storefronts had been changed, she still thought they retained their historic value. She provided her support for the designation.

Ms. Moran questioned whether criteria number one was befitting for the buildings. She wondered if the buildings were there to fill an empty space on the street. She thought there were other buildings in the Town that better represented the architect's work. Ms. Moran also thought the characteristics of

building did not speak to the style of architecture. She was not in support of the designation.

Ms. Fairfax agreed with Ms. Moran. She thought the buildings were nice but wondered if the buildings were the best the Town had to offer.

Ms. Patterson questioned what would replace the buildings if the existing were demolished.

Mses. Fairfax and Moran thought the buildings did not meet the criteria.

Ms. Stillings clarified that she did not recommend criteria 4, which related to the architect of the buildings. She added that she thought the buildings were iconic on a very traveled road.

Ms. Herzig-Desnick asked if the adjacent buildings were landmarked. Ms. Stillings responded. Ms. Herzig-Desnick asked about the zoning for the area and inquired about the restrictions that would be placed on new construction.

A short discussion ensued about the type of buildings that could be built in this location.

Ms. Coleman stressed that it was important to save the fabric and feeling of the Town. She thought it was important to preserve the existing nature and intimacy.

Ms. Fairfax thought some of the properties that were being recommended were marginal and the Commission should be careful. She did not believe the property met the criteria and should not be recommended.

Ms. Albarran thought the buildings were charming and had nice proportions. She added that she would support the designation.

Ms. Herzig-Desnick thought the roof lines were very nice. She also thought the proportions were nice and thought it would be a shame for the proportions to change. Ms. Herzig-Desnick asked about the timeline of when the buildings were placed under consideration. Ms. Stillings responded.

Ms. Pardue discussed that the properties were placed under consideration at the end of last designation season.

Motion made by Ms. Coleman and second by Ms. Albarran to recommend 296 S County Rd (296-302 S County Rd) 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 5-2, with Mses. Fairfax and Moran dissenting.

2. **304 S County Rd (304-306 S County Rd)**

Owner: Thomas Campaniello

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

Emily Stillings, MurphyStillings, LLC, testified to the architecture and history for this Art Deco style commercial structure. Ms. Stillings pointed out the design features of this building. Ms. Stillings 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.

Ms. Patterson asked for confirmation on proof of publication. Ms. Churney provided confirmation.

Motion made by Ms. Moran and seconded by Ms. Albarran to make the designation report for 304 S County Rd (304-306 S County Rd) part of the record. Motion carried unanimously, 7-0

Ms. Patterson called for any public comment on the designation.

David McPherson, representing the owner Thomas Campaniello, objected to the designation. He provided the reasons for the owner's objections.

Ms. Fairfax told the representative that the owner could join the façade easement program, which would provide a federal tax break to the owner. She briefly explained the program.

Aimee Sunny, Preservation Foundation of Palm Beach, stated that the buildings met both criteria as stated by Ms. Stillings. She thought the buildings had wonderful art deco features and indicated that the buildings met the walkable fabric of the downtown area, as well as the changing cultural trends. Ms. Sunny reminded the Commission that landmarked buildings would allow for additions and provided her support for the designation.

Ms. Moran did not believe the buildings were a good representation of the art deco style. She did not support the designation.

Ms. Albarran liked the buildings and liked how the design was split between two buildings. She thought the buildings were elegant and supported the designation.

Motion made by Ms. Coleman and second by Ms. Albarran to recommend 304 S County Rd (304-306 S County Rd) 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, and with the acknowledgement of owner opposition. Motion carried 6-1, with Ms. Moran dissenting.

3. **316 S County Rd (310-316 S County Rd)**
Owner: Thirty Sixty South Ocean Inc.

Please note: This item was deferred to the March 22, 2023, meeting at the Approval of the Agenda, Item V.

X. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

XI. COMMENTS OF THE LANDMARK COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT

Ms. Coleman recommended the addition of a gate in the garbage area of The Esplanade, similar to the garbage area at The Colony Hotel. Mr. Murphy stated that The Esplanade had an upcoming project with the Architectural Review Commission, in which staff requested that the screening of the garbage area be placed into the application. Ms. Coleman asked if the gates could match the gates at The Colony. Mr. Murphy responded.

Ms. Fairfax stated the new screening gates at 214 Brazilian Avenue looked fantastic.

Mr. Murphy stated he hoped all the Commissioners could participate in the upcoming charettes for Code Review. Ms. Fairfax indicated that she and Richard Sammons would be assisting with renders and drafts for the event.

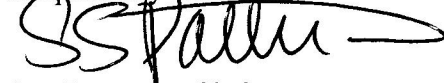
XII. NEXT MEETING DATE: Friday, February 17, 2023

XIII. ADJOURNMENT

Motion made by Ms. Coleman and seconded by Ms. Moran to adjourn the meeting at 3:23 p.m. Motion carried unanimously, 7-0.

The next meeting of the Landmarks Preservation Commission will be held on Friday, February 17, 2022, at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully submitted,



Sue Patterson, Chair
LANDMARKS PRESERVATION COMMISSION

kmc

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

LAST NAME—FIRST NAME—MIDDLE NAME Segraves, Patrick		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 2500 S. Ocean Blvd., # 2A1		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED January 18, 2023		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, Patrick Segraves, hereby disclose that on January 18, 20 23:

(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 Carl and Mary Jane Amattoni, 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:

Certificate of Appropriateness

Cot-23-005

1095 N. Ocean Blvd.

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.

1.18.23

Date Filed

Signature

Patrick Segraves

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.