TOWN OF PALM BEACH
PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, FEBRUARY 26, 2020

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.

I. **CALL TO ORDER**
Mr. Vila called the meeting to order at 9:00 a.m.

II. **ROLL CALL**

Robert J. Vila, Chairman	PRESENT
Michael B. Small, Vice Chairman	PRESENT
Robert N. Garrison, Member	PRESENT
Alexander C. Ives, Member	PRESENT
Maisie Grace, Member	PRESENT
John David Corey, Member	PRESENT (left at Noon)
Nikita Zukov, Member	PRESENT
Betsy Shiverick, Alternate Member	PRESENT
Katherine Catlin, Alternate Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT

Staff Members present were:
Wayne Bergman, Acting Director of Planning, Zoning and Building
Emily Stillings, Preservation Consultant
Janet Murphy, Preservation Consultant
Kelly Churney, Secretary to the Architectural Review Commission

III. **PLEDGE OF ALLEGIANCE**
Chair Vila led the Pledge of Allegiance.

IV. **APPROVAL OF THE MINUTES FROM THE JANUARY 29, 2020 MEETING**
Motion made by Mr. Small and seconded by Mr. Garrison to approve the minutes from the January 29, 2019 meeting. Motion carried unanimously.

V. **APPROVAL OF THE AGENDA**
Mr. Small requested the deferral the following project: B-074-2019 125 Worth Avenue to the March 25, 2020 meeting.

Motion made by Mr. Small and seconded by Mr. Garrison to approve the agenda as amended. Motion carried unanimously.

VI. **ADMINSTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY**
Ms. Churney administered the oath at this time and throughout the meeting as necessary.

VII. **COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)**
There were no comments heard at this time.

VIII. **COMMENTS FROM THE ARCHITECTURAL COMMISSION MEMBERS**
Mr. Small stated the Commission would honor Messrs. Vila and Zukov at lunch as this would be their last meeting.

Mr. Ives asked about legislation in the State Legislature regarding stripping power from review boards. Ms. Catlin spoke to the issue and stated that the bill is related to the separation of Code and design. She stated she could provide a copy of the bill to the Commissioners.

Mr. Corey stating he would be leaving the meeting at lunch as he was participating in a program associated with the Police Academy. He also raised the issue of staff approvals. He recommended putting the staff approved projects on the agenda as a consent item or providing a brief synopsis of the approvals at the end of the agenda each month. Mr. Vila thought Mr. Corey had a good suggestion.

Mr. Floersheimer expressed concern about the letters they receive from the public on controversial projects, especially when the Commission has not yet seen any plans. Ms. Grace saw the issue as progress between the neighbors and the professionals. Mr. Small reminded the Commission that they are to make their decisions on the information that is presented at the meeting. A short discussion continued on this issue.

IX. **PROJECT REVIEW**

A. **DEMOLITIONS AND TIME EXTENSIONS**

B-005-2020 Demolition
Address: 425 Seabreeze Avenue
Applicant: Henry and Mary Wulsin
Professional: Roger Hansrote
Project Description: Demolition of single family residence.

A motion carried at the January meeting to defer the project to the February meeting to allow the professionals to return with a landscape plan that shows a nice, vegetated border.

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

Jamie Crowley, attorney on behalf of the owner, reviewed the issues with the landscape plans previously proposed.

Adam Mills, Environment Design Group, presented the landscape and hardscape modifications proposed.

Mr. Garrison inquired about the timing of the planting of the Clusia hedge. Mr. Mills responded and stated it would be planted immediately following demolition. Mr. Garrison confirmed that the screening would be opaque. Mr. Mills provided confirmation.

Ms. Grace asked if there were plans to demolish the home soon. Mr. Crowley stated it would not occur at this time but the owner requested to move forward with the demolition application.

Mr. Corey thanked the professionals for working with the Commission.

Motion made by Mr. Corey and seconded by Mr. Zukov to approve the demolition as presented with the following caveats: sod and irrigate the property within 30 days, all elements on the property are to be maintained prior to demolition, an opaque screening fence will be added to the entire perimeter during demolition and the items remaining after demolition to be maintained until new construction commences. Motion carried unanimously.

B-006-2020 Demolition
Address: 2315 Ibis Isle Rd S
Applicant: Albert and Sandra Hutzler
Professional: Stephen Roy/Roy & Posey Architects
Project Description: Demolition of an existing two-story residence, hardscape and pool. New sod and irrigation.

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

Mr. Roy presented the proposed demolition for the existing home, hardscape and pool.

Motion made by Mr. Small and seconded by Mr. Zukov to approve the demolition as presented with the following caveats: sod and irrigate the property within 30 days, all elements on the property are to be maintained prior to demolition, an opaque screening fence will be added to the entire perimeter during demolition and the items remaining after demolition to be maintained until new construction commences.

Mr. Floersheimer inquired about the Seagrape on the southeast corner of the property and questioned if it was worth saving. Mr. Roy stated that most of the

landscaping would be retained with the exception of landscaping that would need to be removed for the demolition.

Mr. Vila inquired about the plantings on the east side. Dale Posey, Roy & Posey Architects, discussed the plantings on the east side.

Mr. Floersheimer stated that upon his visit, he noticed the whole east side was decimated. Mr. Posey stated that he would visit the site.

Motion carried unanimously.

B-008-2020 Time Extension
Address: 910 S. Ocean Blvd.
Applicant: 910 S Ocean LLC (Maura Ziska, Attorney)
Professional: Jose Luis Gonzalez Perotti/Portuondo Perotti Architects
Project Description: Request one year time extension of previously approved plan (B-019-2019) for single family residence with pool, pool cabana and related landscape/hardscape improvements.

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

Rafael Portuondo, Perotti/Portuondo Perotti Architects, explained the request for the time extension.

Motion made by Mr. Zukov and seconded by Mr. Small to approve the time extension as requested. Motion carried unanimously.

B. MAJOR PROJECTS – OLD BUSINESS

B-018-2019 Vehicular Gates
Address: 341 Hibiscus Ave.
Applicant: Roy and Vanessa Carroll
Professional: Dustin Mizell/Environment Design Group
Project Description: Addition of vehicular gate. Revisions to the entry courtyard and associated landscape changes.

A motion carried at the March meeting to defer the project for one month to the April 24, 2019 meeting for restudy. A motion carried at the April meeting to defer the project for one month to the May 29, 2019 meeting for a restudy based on the comments from the Commissioners. A motion carried at the May meeting to defer the project for one month to the June 26, 2019 meeting at the request of the professional. A motion carried at the June meeting to defer the project until the November 22, 2019 meeting at the request of the professional. A motion carried at the November meeting to defer the project until the February 26, 2019 meeting at the request of the professional.

Please note: The professional will be requesting a deferral to the March 25, 2020 meeting.

Mr. Mizell explained his request for the deferral.

Mr. Vila inquired if any of the plans had changed. Mr. Mizell stated that the plans had changed.

The general consensus of the Commission was to not allow a fourth deferral.

Motion made by Mr. Small and seconded by Mr. Corey to withdraw the project from the agenda. Motion carried unanimously.

B-063-2019 New Construction
Address: 220 Brazilian Avenue
Applicant: PBROC Limited Partnership
Professional: Patrick Ryan O'Connell Architect, LLC
Project Description: Proposed construction of a new two-story, two-family residential structure, including new pools, hardscape and landscape.

At the September 25, 2019 ARCOM, meeting the project was deferred for one month to October 30, 2019 for restudy. At the October 30, 2019 meeting, the project was deferred to the November 22, 2019 meeting, for a restudy in accordance with the comments of the Commissioners, specifically the comments relating to the mass of the structure. A motion carried at the November 22, 2019 meeting to approve the project with the caveat that the following items would return to the January 29, 2020 meeting: the colors for the residences, the lanterns, the front site walls and vehicular gates. A motion carried at the January meeting to approve the lanterns proposed but to defer the gate and color of the home to the February 26, 2020 meeting.

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

Maura Ziska, attorney for the owner, discussed the items that were deferred at the last meeting. Mr. O'Connell presented the proposed colors for the townhomes and showed the Commissioners the color samples. He also presented the proposed vehicular and pedestrian gates.

Mr. Corey was in favor of the colors but thought the vehicular gate was too wide. He also felt the pedestrian gate was unnecessary. Mr. Corey stated he preferred two piers at the vehicular entrance with the removal of the pedestrian gate.

Ms. Grace felt the colors were too drab for the townhomes. Ms. Grace was also not in favor of the gates.

Mr. Small inquired about the utility easement issue. Ms. Ziska and Mr. O'Connell both thought the easement issue had been resolved.

Steven Stern, the Town's Undergrounding Project Manager, stated that the owner and the Town had come to an agreement and there was no longer an issue.

Mr. Zukov was in favor of the project.

Mr. Garrison inquired which gate the professional was requesting. Mr. O'Connell responded. Mr. Garrison stated he preferred the alternate gate design presented.

Mr. Ives also preferred the alternate gate design presented.

Ms. Shiverick mentioned her discussion with the developer and the reason he requested the gates.

Mr. Corey was not in favor of the gates. Mr. Floersheimer agreed.

Motion made by Mr. Zukov and seconded by Mr. Ives to approve the project as presented.

A discussion ensued about whether the gates were approved at the past meeting.

Ms. Catlin understood the developer's concern of the gates and also preferred the alternate design for the gates.

Motion amended by Mr. Zukov and seconded by Mr. Ives to approve the project as presented, including the gates with the alternate gate design as presented. Motion carried 5-2, with Mr. Corey and Ms. Grace opposed.

B-074-2019 Additions & Modifications
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)
Address: 125 Worth Avenue
Applicant: 125 Worth Partners LLC
Professional: Jose Luis Gonzalez Perotti/Portuondo Perotti Architects
Project Description: The project consists of the façade renovation and addition to an existing four-story 1970's building. The fourth-floor structure will be removed and replaced with four new luxury residential apartments, and trellis gardens. The façade will be renovated with new architectural screens, white brick veneer and exposed concrete accents that will enhance the aesthetic of the building for its users and pedestrians alike. The addition component consists of a new one-story commercial structure with a roof top trellised courtyard and a two-story elevator tower.

ZONING INFORMATION: A request for Site Plan Review modification approval for revitalization, renovation and expansion of the 45-year-old nonconforming commercial building located at 125 Worth Avenue in the C-WA zoning district. The building will be completely renovated architecturally using design themes found in the Worth Avenue Design Guidelines. In

addition, a two-story addition is being proposed on the east end of the property. To make this project financially feasible, the owners are requesting to demolish and rebuild the existing fourth story and expand its footprint to add four residential units. In addition to the Site Plan Review proposed modifications, the applicant is requesting the following Special Exceptions and Variances required to complete the project:

1. Per Section 134-1163(8)b., a special exception for a two-story and fourth-story addition. The existing building is four stories but it is being expanded.
2. Per Section 134-2182(b), a special exception for on-site shared parking, subject to a professional shared parking analysis.
3. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the height from 53 feet in lieu of the 49 feet 2 inches existing and the 25-foot maximum allowed by code.
4. Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the overall building height to 63 feet 4 inches in lieu of the 53 feet 8 inches existing and the 35-foot maximum allowed by current code.
5. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the existing air-conditioned floor area of the fourth story to 13,212.9 square-feet from 3,448.75 square-feet existing. An open fourth story trellis of 5,433 square-feet is also proposed in this application and included in the calculation of lot coverage, below. There is an existing exterior fourth floor covered area of approximately 3,290 square-feet in addition to the existing air-conditioned floor area on the fourth story of the building.
6. Per Section 134-1163(5), variance to allow a minimum front yard setback of 1-foot 1 inch for portions of the building in lieu of the 5 feet existing and the 5 feet minimum required on the private property. The sidewalk is required to be a minimum of 10 feet wide and this proposal is a minimum of 8 feet 2 inches in the area where the sidewalk is only 1 foot 1 inch wide on private property.
7. Per Section 134-1163(9)b., variance for lot coverage of 71% on the first floor in lieu of the 57% existing and the 35% maximum allowable.
8. Per Section 134-1163(9)b., variance for lot coverage of 66% on the second floor in lieu of the 57% existing and the 35% maximum allowed for second story.
9. Per Section 134-1163(9)b., variance for lot coverage of 54% on the fourth floor in lieu of the 20% existing and the 35% maximum allowable by code.

A motion carried at the December meeting to defer the project to the February 26, 2020 meeting.

Clerk's note: The project was deferred to the March 25, 2020 meeting at the Approval of the Agenda, Item V.

<u>B-004-2020 Demolition/New Construction</u>
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)
Address: 137 Dunbar Road
Applicant: Cheryl and Ken Endelson
Professional: Roger Janssen/Dailey Janssen Architects
Project Description: Demolition of a new two-story residence, guest house, pool, landscape and hardscape. New construction of a two-story residence, pool, hardscape and landscape.

ZONING INFORMATION: A request to build a 7,873 square foot (under air) two (2) story single family home with a variance to allow the point of measurement for calculating the maximum cubic content ratio (CCR) to be at 12.7' NAVD in lieu of 11.7' NAVD required by code.

A motion carried at the January meeting to approve the demolition as presented. A second motion carried to defer the project to the February 26, 2020 meeting for restudy.

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

Mr. Janssen presented the architectural modifications proposed for the new residence. Mr. Janssen showed roof samples to the Commission.

Mr. Vila asked about the different roof materials. Mr. Janssen responded. Mr. Vila inquired about the energy efficiency of the roof materials presented. Molly Mitchell, Dailey Janssen Architects, stated both roof materials met all of the energy efficiency requirements.

Mr. Garrison thought the changes requested by the Commission looked much better than the previously proposed design. He added was in favor of the project.

Ms. Grace thought the changes were good and added she preferred the gray tile roof material. Ms. Grace inquired about the neighbor that opposed the project at the last meeting. Mr. Janssen responded and stated he had worked with the neighbors who were now in favor with the project.

Ms. Shiverick preferred the metal roof and asked for the seams to be wider than the photo shown. Mr. Janssen agreed that the seams would be wider than the picture.

Mr. Zukov agreed with Mr. Garrison. He asked for clarification on which roof was preferred. Mr. Janssen stated the owners preferred the gray metal roof.

Mr. Floersheimer agreed with Messrs. Zukov and Garrison and thought the changes were fine with the metal roof proposed.

Mr. Small inquired about the condition of the hedges. Mr. Janssen responded and stated he would visit the site.

Mr. Vila stated he was glad to see the many letters of support for the project and thought the changes were successful.

Matt Jackman, Nievera Williams Design, presented the modifications to the landscape and hardscape proposed.

Mr. Corey thought the proposed buttonwood trees would be a nice addition to the street.

Motion made by Mr. Garrison and seconded by Mr. Zukov to approve the project with the proposed gray metal roof. Motion carried 6-1, with Mr. Corey opposed.

C. <u>MAJOR PROJECTS – NEW BUSINESS</u>

<u>B-007-2020 Demolition/New Construction</u>
Address: 130 Reef Rd.
Applicant: Jonathan and Elysia Doyle
Professional: Peter Papadopoulos/Smith and Moore Architects, Inc.
Project Description: Demolition of existing one-story residence, pool, hardscape elements and landscape. Existing detached one-story pool cottage to remain. New two-story single family residence with pool. Final landscape and hardscape.

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

Mr. Papadopoulos presented the proposed demolition for the existing residence.

Steve West, Parker Yannette, presented the proposed demolition of the landscape, hardscape and pool.

Mr. Vila thanked the owners for saving much of the landscape.

Mr. Small asked if the undergrounding had been completed at the site. Mr. Papadopoulos stated that there was a transformer on the property.

Motion made by Mr. Small and seconded by Mr. Corey to approve the demolition as presented with the following caveats: sod and irrigate the property within 30 days, all elements on the property are to be maintained prior to demolition, an opaque screening fence will be added to the entire perimeter during demolition and the items remaining after demolition to be maintained until new construction commences. Motion carried unanimously. Motion carried unanimously.

Mr. Papadopoulos presented the architectural plans proposed for the new residence. Mr. Papadopoulos also presented alternate colors on the overhead projector.

Ms. Grace was in favor of the style of the home and thought the home was attractive. She also was in favor of the color choices. She questioned the material choice for the front door. Mr. Papadopoulos stated the intent was to have a light wood door as the material.

Mr. Garrison complimented the architect on his detailing and proportions. He also liked the new color choices presented.

Ms. Catlin agreed with the other Commissioners. She spoke positively for the charm, island feel and thoughtful use of the lot.

Ms. Shiverick loved the front entrance and was happy with the color choices. She commented on the fact that the owners requested a one car garage but the requirement was a two car garage.

Mr. Corey thought the front entrance design was perfect. He thought the house was special. He suggested simplifying the garage doors a bit.

Mr. Small thought the home was very charming and would be a nice addition to the neighborhood.

Ms. Grace made the suggestion to pursue a variance with the Town Council to allow a one car garage.

Mr. West presented the proposed landscape and hardscape plans for the new residence. Mr. West expressed concern about placing a screen against the west property line due to the fact it could damage the existing vegetation.

Mr. Garrison thought that if the owner agreed to maintain the neighboring hedge, he would agree to eliminate the fence requirement.

Ms. Grace thought that if they were going to explore that screening plan, she would recommend meeting with the neighbor and working out the details cooperatively.

Mr. Vila inquired about the thickness of the driveway. Mr. West responded.

Mr. Corey was in favor of the plan. He inquired about the location of the Gumbo Limbo. Mr. West responded. Mr. Corey recommended moving the Seagrape as to not obstruct the view of the front door. Mr. West responded.

Mr. Grace thought the landscape plan complimented the home and was in favor of the plan. She also liked Mr. Corey's suggestion for the relocation of the Seagrape.

Mr. Catlin was in favor of the plans as well as the amount of native vegetation proposed.

Mr. Vila thought the whole collaboration of the project was exceptional.

Motion made by Mr. Corey and seconded by Mr. Zukov to approve the project as presented with the pink color as proposed. Motion carried unanimously.

Clerk's note: A short break was taken at 10:24 a.m. The meeting resumed at 10:39 a.m.

B-009-2020 New Cabana
Address: 1360 N. Ocean Blvd.
Applicant: Katherine J. Henry
Professional: M. Mark Marsh/Bridges Marsh & Associates, Inc.
Project Description: Construction of a beach cabana and site improvements. New doors and windows at the existing house.

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

Guillermo Vasquez, Bridges Marsh & Associates, Inc., presented the architectural plans proposed beach cabana. He also presented the new windows and doors for the existing home.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape plans proposed for the new beach cabana.

Ms. Grace questioned the style of the cabana in relation to the existing home. She also thought the cabana was very small. She also preferred the home's existing windows to the proposed. She was in favor of the blue color proposed.

Mr. Floersheimer agreed with Ms. Grace. Mr. Floersheimer inquired about the roof height of the proposed cabana. Mr. Vasquez stated it would be about the same height as the existing, maybe a few inches higher.

Mr. Corey asked if the gables on the beach cabana could be removed to look more like the main house. He also suggested to use a wood decking rather than the composite proposed. Mr. Vasquez stated they could switch the material to Ipe.

Mr. Small asked about the length of the site wall. Mr. Mizell stated about 100 feet. Mr. Small stated that the Commission was in charge of protecting the ocean vista and he was not in favor of the four foot site wall for 100 feet.

Ms. Catlin was not in favor of the changes to the home and the cabana. She thought the changes would make the house look sterile. She also thought the proposed cabana needed to be restudied.

Mr. Ives thought he could give a pass to the cabana. However, he agreed with Ms. Catlin on the fenestration changes to the main house.

Ms. Shiverick agreed with Mr. Ives. She stated she would like to see a window sample as well as a color sample.

Mr. Zukov agreed with the other Commissioners. He was not in favor of the window changes, the gates and the cabana design.

Mr. Garrison stated he could approve the cabana. He was confused about the height requirement for the site wall and vegetation.

Maura Ziska, attorney for the owner, explained the requirements to maintain the ocean vista.

Mr. Garrison stated that the east side of the project was acceptable but the west side of the project needed some restudy.

Mr. Vila thought the project as a whole needed to be restudied.

Motion made by Mr. Small and seconded by Ms. Grace to defer the project for one month, to the March 25, 2020 meeting, for a restudy of the project.

B-010-2020 Demolition/New Construction
Address: 1 Wells Circle
Applicant: Allison Menkes
Professional: LaBerge & Menard and Wayne Swadron
Project Description: Demolition of existing house. New 8,800 sq. ft. one-story home.

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

Daniel Menard, LaBerge & Menard, presented the proposed demolition for the existing residence.

Mr. Vila inquired about the impact that the removal of the shared driveway would have on the neighbors.

Maura Ziska, attorney for the owners, explained the discussion and agreements that had occurred between the neighbors.

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

Mr. Floersheimer inquired about the plantings in the driveway circle. Mr. Williams responded.

Mr. Small asked if the owner would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Menard agreed to the easement.

Motion made by Mr. Small and seconded by Mr. Garrison to approve the demolition as presented with the following caveats: sod and irrigate the property within 30 days, all elements on the property are to be maintained prior to demolition, an opaque screening fence will be added to the entire perimeter during demolition and the items remaining after demolition to be maintained until new construction commences. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Mr. Menard presented the architectural plans proposed for the new residence.

Mr. Williams presented the landscape and hardscape plans proposed for the new residence.

Mr. Vila inquired about the parking and storage for yard waste. Mr. Williams explained the parking design.

Ms. Grace thought the house design was very attractive. She questioned the fenestration on the west elevation. She also inquired about the percentage of native vegetation. Mr. Williams responded with the percentage.

Ms. Shiverick also thought the design was attractive. She also thought the landscape and hardscape plans complimented the design. She inquired about the garage door material. Mr. Swadron responded. Ms. Shiverick made a suggestion for the garage door material.

Mr. Floersheimer agreed with Mses. Shiverick and Grace and was in favor of the project.

Mr. Garrison agreed with his fellow Commissioners. Mr. Garrison made a suggestion for the front driveway. Mr. Williams stated he studied Mr. Garrison's suggestion when considering the design.

Ms. Catlin thought the collaborative effort was a success.

Mr. Menard showed a video of the home.

Mr. Vila expressed concern for guest parking. Mr. Williams stated he could increase the guest parking area that he had proposed. Mr. Vila inquired about the native material. Mr. Williams discussed the native species proposed.

Mr. Floersheimer inquired about the driveway configuration. Ms. Ziska responded.

Motion made by Mr. Garrison and seconded by Ms. Grace to approve the architectural plans as presented and to defer the landscape and hardscape plans for one month, to the March 25, 2020 meeting, for a restudy of the site circulation and vehicular guest parking. Motion carried unanimously.

Clerk's note: Please note that Ms. Shiverick voted in the absence of Mr. Small.

Clerk's note: At this time, Frank Lynch, attorney for the owner at 137 Dunbar Road, explained that the variance request for the project had not been acted on during their presentation. He explained the request and asked for a positive recommendation to the Town Council.

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

B-011-2020 Demolition/New Construction
Address: 217 Sandpiper Dr.
Applicant: Valley Property Management LLC (Philip Cambo)
Professional: Gregory Bonner/B1Architect
Project Description: A new proposed one-story single family residence approximately 5,120 total square feet in a Bermuda architectural style.

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

Mr. Bonner presented the architectural plans proposed for the new residence.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape plans proposed for the new residence.

Mr. Small asked if the owner would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Bonner agreed to the easement.

Motion made by Mr. Small and seconded by Mr. Ives to approve the demolition as presented with the following caveats: sod and irrigate the property within 30 days, all elements on the property are to be maintained prior to demolition, an opaque screening fence will be added to the entire perimeter during demolition and the items remaining after demolition to be maintained until new construction commences. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Mr. Bonner presented the architectural plans proposed for the new residence.

Mr. Mizell presented the landscape and hardscape plans proposed for the new residence.

Ms. Grace appreciated the one story home proposed. She questioned the fenestration proposed for the front entrance. She suggested removing the stone trim from the scalloped detail on the front elevation. She recommended adding shutters on the west side of the front elevation. She also thought the pergola on north side of the home was too small. She also suggested changing the shutters on the rear of the home. She was in favor of the color selection for the home.

Mr. Ives thought the general concept was good. He agreed with the comments that were made by Ms. Grace. He questioned the large windows with the small shutters on the front entrance. He also questioned the design of the rear of the home, where the master bedroom and study were located, along with the roof plan.

Ms. Shiverick agreed with Mr. Ives' assessment of the fenestration. She thought there was too much fenestration and not enough shutters. She recommended changing one of the front windows to a bay window. Ms. Shiverick thought the landscape on the front was too plain and could be changed to add charm to the home.

Ms. Catlin agreed with the previous Commissioners. She thought the home was lacking in detail and charm. She thought the interior design of the home was driving some of the exterior design. She thought the home needed a lot of work.

Mr. Corey agreed with his fellow Commissioners. He made some recommendations for the fenestration, the gable and landscaping plans.

Mr. Zukov stated that the professional needed to coordinate the plans with the elevations.

Mr. Garrison also agreed with Mr. Zukov and stated the elevations and floor plans did not match. He thought the gable on the rear of the home was not necessary. He thought the bones of the home were good.

Mr. Vila concur with all other Commissioners. He was happy that a one story home was proposed.

Motion made by Mr. Garrison and seconded by Mr. Zukov to defer the project for one month, to the March 25, 2020 meeting, for a restudy based on the comments from the Commissioners. Motion carried unanimously.

Clerk's note: A lunch break was taken at Noon. The meeting resumed at 1:15 p.m. Mr. Corey did not return from lunch. It should be noted that Ms. Shiverick voted in his absence.

D. MINOR PROJECTS – OLD BUSINESS

A-033-2019 Statue with Lighting
Address: 1960 South Ocean Boulevard
Applicant: 1960, LLC
Professional: Daniel Downey Architect
Project Description: To install a stature of a horse 8'-0" and 9'-0" long on the east lawn 35 feet behind the existing east property line.

A motion carried at the December 13, 2019 meeting to defer the project to the January 29, 2020 meeting to restudy the placement of the statue. A motion carried at the January meeting to approve the horse statue, subject to the statue being completely screened from the roadway with an elevated wall and/or hedge, with the material to be maintained while the statue is in place, and with any changes returning to the Commission, approval of the proposed lighting and a deferral of the Padel court to the February 26, 2020 meeting.

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

Mr. Downey presented the relocation of the proposed Padel court.

Ronald Rickert, Intelae, discussed the location of the Padel court.

Mr. Small inquired if the tennis court to the north was lighted. Mr. Rickert stated he did not believe it was lighted. Mr. Small inquired about the proposed lighting for the court. Mr. Rickert responded and explained the lighting proposed. Mr. Small asked if the court would be screened.

Mr. Floersheimer questioned the scale of the court on the drawing. Mr. Downey stated that measurements were taken to make sure it fit into the area. Mr. Floersheimer expressed concern for the screening on the west side of the property.

Paul Castro, Zoning Manager, stated that the court would need to be screened and the vegetation was required to be as high as the fencing. He also added that the lighting for the court was not permitted without a special exception.

Mr. Garrison suggested providing a diagram for the lighting spillage.

Mr. Downey stated he would withdraw the lighting proposed for the Padel Court.

Mr. Floersheimer asked about the required vegetative screening. Mr. Castro provided the screening requirements.

Mr. Zukov inquired whether the neighbor's screening would work for both properties. Mr. Castro responded.

Ms. Catlin thanked the professional for relocating the Padel court. Ms. Catlin asked if the court needed to be screened from the waterway. Mr. Vila stated it did not.

Ms. Grace inquired if more planting could be planted on the south side. Mr. Downey stated he would be happy to entertain adding plants on the south side.

Mr. Vila asked for an explanation of the drainage for the Padel court. Mr. Downey explained the drainage plan.

Ms. Shiverick expressed concern for the visual of the white frame at 13 feet high. Mr. Rickart stated the frame could be in any color. Ms. Shiverick inquired if the frame could be forest green. Mr. Rickart stated he could change the color to forest green.

Mr. Floersheimer disagreed with Mr. Vila and stated he would like to see plantings on the west side of the Padel court.

Motion made by Mr. Garrison and seconded by Mr. Zukov to approve the project as presented with the following caveats: the hedge screening material meets Code, there is no lighting for the court, the frame is a forest green color and a sample is submitted to the Chairman and staff for approval.

Ms. Grace raised the issue whether the Commission could request that the existing hedge material is changed. Mr. Vila stated that since it was an existing hedge, the Commission could not ask for it to be changed.

Motion carried 5-2, with Mses. Shiverick and Grace opposed.

E. MINOR PROJECTS – NEW BUSINESS

A-002-2020 Additions/Modifications
Address: 223 Queens Lane
Applicant: Jason Paterniti and Nicole Watson
Professional: Kristin Kellogg/Smith Kellogg Architecture, Inc.
Project Description: Addition and alterations to existing two-story residence. Remove front addition. Rework front entry. Enclose existing covered patio. Modify existing two-story rear addition. Door and window replacement. All front elevation changes revert to original architect's design.

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

Ms. Kellogg presented to the architectural modifications proposed for the existing residence.

Mr. Ives thought the proposed changes were wonderful and both the owners and the professional should be applauded.

Todd MacLean, Todd MacLean Outdoors, presented the modifications proposed for landscape and hardscape.

Ms. Grace thought the changes were successful. She expressed some concern for the proposed color of the front door.

Ms. Shiverick was in favor of the renovations. She suggested adding some pots with colored plants in the front for some added color.

Motion made by Ms. Shiverick and seconded by Mr. Ives to approve the project as presented. Motion carried unanimously.

A-003-2020 Additions/Modifications
Address: 223 Sunset Avenue
Applicant: NED 223 Sunset Owner LLC (Douglas Karp)
Professional: Keith Spina/Spina O'Rouke + Partners
Project Description: Owner would like ARCOM to review elevator shaft exterior feature that has been approved as a sundial prior to final fabrication. Install new exterior sconces at East side of restaurant to provide more lighting on patio.

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

Mr. Spina showed the example of the sundial. He requested the elimination of the sundial altogether. Mr. Spina showed photos of the existing elevations on the overhead projector. Mr. Spina advocated for the elimination of the sundial. Mr. Spina also presented the addition of exterior sconces.

Ms. Grace stated she would prefer the sundial as a white circle with the numbers.

Ms. Catlin thought the proposed sundial was too much contrast for the building. She thought something similar to the historic building would be more appropriate.

Mr. Ives was in favor of the lighting proposed. He thought leaving the wall blank was the best solution.

Mr. Garrison was not in favor of the sundial proposed and agreed with Mr. Ives to leave the wall blank.

Motion made by Mr. Garrison and seconded by Mr. Small to approve the project with the lighting proposed and the elimination of the sundial. Motion carried unanimously.

X. **DISCUSSION ITEM**

1. 111 Atlantic Avenue Landscape Buffer

Mr. Vila stated that he had been notified that the neighbors had resolved the landscape buffer issue.

2. Landscape Buffers, Synthetic Turf and Construction Hours – Wayne Bergman

Mr. Bergman stated that the ORS Committee asked for the ARCOM Commission's feeling on landscape buffers and synthetic turf. He stated that approved landscape buffers could be removed at any time after the owner receives their Certificate of Occupancy. He added that there was nothing in the Code to prevent this from occurring. Staff had made recommendations to the ORS Committee regarding landscape buffers but the committee asked for ARCOM's recommendations as well.

General comments made from the discussion about landscape buffers:

- Once the buffer was approved by ARCOM and installed, it should remain
- A buffer change should be allowed if switched to a native species
- A change should be added to the Code that requires a landscape buffer between homes to provide privacy. With this change, enforcement is possible.
- New permits should not be issued until site complies with approved plan
- If landscape buffer that protects neighbor's privacy is removed, it should be approved by the Commission or affected neighbor
- A timeframe of notice should be given to the neighbor prior to any removal (36 hours)

General comments made from the discussion about synthetic turf:

- Many not in favor of the synthetic turf
- Certain situations where turf may be allowed, such as small spaces or where it was practically impossible to grow grass.
- General rule for turf is not possible; really a case by case decision
- Eliminate the possibility of turf altogether
- Allow turn on terraces
- This was a policy decision and not something that should be included in the Code
- If not visible from the street and used in small amounts, it should be approved

XI. **ADDITION COMMUNICATION FROM CITIZENS (3 MINUTE LIMIT PLEASE)**
None

XII. **COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT**
Mr. Vila thanked all of his colleagues for making his participation on the Commission a wonderful experience.

XIII. **ADJOURNMENT**
Motion made by Mr. Zukov and seconded by Mr. Vila to adjourn the meeting at 2:21 p.m. Motion carried unanimously.

The next meeting will be held on Wednesday, March 25, 2020 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S County Rd.

Respectfully Submitted,

Robert J. Vila, Chairman
ARCHITECTURAL COMMISSION

kmc