

TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION MEETING HELD ON FRIDAY, JANUARY 16, 2019.

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

Chairman Cooney called the meeting to order at 9:32 a.m.

II. ROLL CALL

Edward Austin Cooney, Chairman	PRESENT
Richard Rene Silvin, Vice Chairman	PRESENT
Jacqueline Albarran, Member	PRESENT
Page Lee Hufty, Member	PRESENT (left at 12:04 p.m.)
Patrick Segraves, Member	PRESENT
John T. Gannon, Member	PRESENT
Kim Coleman, Member	PRESENT
Jacqueline Weld Drake, Alternate Member	PRESENT
Sue Patterson, Alternate Member	ABSENT (excused)
Anne Metzger, Alternate Member	PRESENT

Staff Members present were:

John Lindgren, Planning Administrator
Josh Martin, Director of Planning, Zoning and Building
Kelly Churney, Secretary to the Landmarks Preservation Commission
Emily Stillings, Preservation Consultant for the Town of Palm Beach
Janet Murphy, Preservation Consultant for the Town of Palm Beach

III. PLEDGE OF ALLEGIANCE

Chairman Cooney led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES OF THE DECEMBER 19, 2018 MEETING

Motion made by Mr. Silvin and seconded by Ms. Albarran to approve the minutes of the December 19, 2018 meeting. Motion carried unanimously.

V. APPROVAL OF THE AGENDA

Mr. Cooney stated that the Town received deferral requests to the February 20, 2019 for the following projects on the agenda: COA-041-2018, 241 Seaview Avenue, COA-048-2018, 1100 S. Ocean Blvd., COA-049-2018, 280 Sunset Avenue, COA-

056-2018, 174 Via Del Lago as well as the designation hearings for 145 Seaspray Avenue and 475 N. County Rd.

Motion made by Ms. Albarran and seconded by Mr. Silvin to approve the agenda as amended. Motion carried unanimously.

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

Ms. Churney administered the oath at this time and throughout the meeting as necessary.

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

Ms. Hufty expressed displeasure about the unattended, dirty police cars parked at the three entrances to the island.

Mr. Silvin urged everyone to visit the new Lilly Pulitzer store on Worth Avenue.

VIII. DISCUSSION ITEMS

1. Memorial Fountain Update – Public Works Department

Paul Brazil, Director of Public Works, reviewed his discussion and possible solutions for the four inoperable cartouches at the front of the fountain. He stated he would not begin any work until the summer due to the amount of disruption it would cause. Mr. Brazil stated he would speak to Jorge Sánchez about putting plants into the cartouches if he was unable to repurpose them as bubblers.

Mr. Brazil addressed the reduction of the hedge height around the fountain. He stated this would occur in the spring when his staff began the substantial cutbacks.

Mr. Silvin thanked Mr. Brazil for the update.

Ms. Hufty also thanked Mr. Brazil. She asked Mr. Sánchez if the Town could lower the hedge to allow more visibility to the fountain. Mr. Sánchez stated he supported the request to lower the hedge.

Ms. Coleman asked what the hedge height would be after the trimming. Mr. Sánchez stated about 5 feet. Ms. Coleman asked if the hedge height could be lower than 5 feet. Mr. Sánchez provided the reasons for the hedge height proposed.

Mr. Cooney spoke in favor of lowering the hedge on a trial basis. A short discussion ensued about the possibility of lowering the hedge.

Mr. Sánchez responded and stated that if the Commission decided to cut the hedge lower than what was previously approved, he believed the Garden Club should be consulted.

Anita Seltzer, 44 Cocanut Row, expressed concern for the mold and the cracks currently present on the Memorial Fountain. She showed the Commission recent photographs that she took to demonstrate its condition.

Mr. Brazil discussed the cleaning schedule for the fountain and addressed the maintenance of the cracks.

Mr. Silvin expressed appreciation for Ms. Seltzer's brevity and presentation.

Ms. Coleman expressed concern for the amount of accumulated mold in between the scheduled cleanings. Mr. Brazil stated he would look into adding more cleanings, especially during the season.

IX. PUBLIC HEARINGS

1. Application for Certificate of Appropriateness #041-2018
***LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)* - Done 9/21/18**

Address: 241 Seaview Avenue

Owner/Applicant: Palm Beach Day Academy, Inc.

Professional: Nievera Williams Design

Project Description: Addition of paved parking lot, landscape improvements and drainage improvements.

A motion carried at the October meeting to defer the project to the November 16, 2018 meeting at the request of the attorney. A motion carried at the November meeting to defer the project to the December 19, 2018 meeting at the request of the attorney. A motion carried at the December meeting to defer the project for one month to the January 16, 2019 meeting at staff's request.

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

2. Application for Certificate of Appropriateness #048-2018
***LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW* - Done 12/19/18**
Address: 1100 S. Ocean Blvd.
Owner/Applicant: Harvey E. Oyer, III on behalf of Mar-a-Lago Club, Inc.
Professional: Rich Gonzalez/REG Architects, Inc.
Project Description: The Applicant seeks approval to add an accessory dock. It is to be located at the northwest corner of the site and projects 40 feet from the existing seawall into the Lake Worth Lagoon. The proposed dock will not be visible from the historic home, does not violate the preservation easement

granted to the National Trust for Historic Preservation, and is generally located where the property's prior historic dock was previously located.

A motion carried at the October meeting to defer the project to the November 16, 2018 meeting. A motion carried at the November meeting to defer the project to the December 19, 2018 meeting at the request of the attorney. A motion carried at the December meeting that implementation of the special exception with site plan review will not cause negative architectural impact to the subject property.

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

3. Application for Certificate of Appropriateness #049-2018
***LPC TO MAKE RECOMMENDATION RELATIVE TO SITE PLAN REVIEW WITH VARIANCE(S)* - Done 10/17/18**
Address: 280 Sunset Ave.
Owner/Applicant: Bradley Park Owner LLC
Professional: Keith Spina/Glidden Spina + Partners
Project Description: The Bradley Park Hotel, also known as Bradley House and originally built under the name The Algomac Hotel, was constructed in 1923 by Colonel F.T. Bradley. The architect is unknown. The Hotel was constructed immediately adjacent to F.T. Bradley's famous Beach Club gambling casino as a private hotel for his friends and guests. The hotel is now separated from Bradley Park where the casino stood. It is one of the earliest hotels designed in the Mediterranean motif in Palm Beach. The building is "U" shaped with the center being 4 stories and the wings three stories with a Belvedere on the northwest wing. Site improvements include: Reconfiguration of the central courtyard to accommodate a new pool and patio; redesign of the parking lot; relocated exterior approach to entrance. Parking lot improvements include new landscaping, paving materials and drainage. The proposed changes to the building interior include: Demolition of interior partitions, as required, to accommodate the reconfiguration of guest rooms, support space and lobby. Proposed exterior alterations include replacement of doors and windows; removal of wall mounted A/C units; reinstallation of rooftop equipment and removal of adjacent unsightly metal mesh screen; and alteration to elevator penthouse. Redesign of these roof elements results in a well-balanced architectural treatment to the top of the building and can be seen as one enters into Palm Beach. All mechanical equipment will be screened from view. ****Please note this is a tax abatement project****

Motions carried at the October meeting that implementation of the proposed site plan review with variances will not cause negative architectural impact to the subject landmarked property and that the proposed development will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. A motion carried at the November meeting to approve the project as presented with the caveat that the details for the balcony railings,

fencing and gates will return at the December 19, 2018 meeting. A motion carried at the December meeting to approve the remaining items with the exception of the pedestrian entry gate, which was deferred for one month to the January 16, 2019 meeting.

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

4. Application for Certificate of Appropriateness #056-2018
Address: 174 Via Del Lago
Owner/Applicant: Beatrice Tollman
Professional: Kristin Kellogg/Smith Kellogg Architecture, Inc.
Project Description: Door and window replacement, interior modifications and roof replacement.

A motion carried at the December meeting to approve the window and door replacements proposed with a deferral of the roof material to the January 16, 2019 meeting.

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

5. Application for Certificate of Appropriateness #057-2018
Address: 125 Seagrape Circle
Owner/Applicant: Pelican Manor LLC (Cedric DuPont)
Professional: M. Mark Marsh, AIA/Bridges, Marsh & Associates, Inc.
Project Description: Full rehabilitation of existing landmark property with addition of +/- 3000 sq. ft. of new garage, kitchen, family room and master suite. New loggia addition on west façade as well as new and updated landscaping/hardscaping and pool.

A motion carried at the December meeting to approve the plans as presented with the deferral of the gazebo to the January 16, 2019 meeting.

Call for disclosure of ex parte communication: None.

Mr. Mizell presented the details for the proposed gazebo. Mr. Mizell showed a rendering and drawing of the gazebo on the overhead projector.

Mr. Cooney asked if the column capitals on the gazebo would match the column capitals on the home. Mr. Mizell confirmed the capitals would match.

Motion made by Mr. Gannon and seconded by Mr. Silvin to approve the project as presented. Motion carried unanimously.

6. Application for Certificate of Appropriateness #001-2019
Address: 303 Maddock Way (FKA 305 Maddock Way)
Owner/Applicant: Julie D. Simmons, as Trustee of the Julie and Brian Simmons Martial Trust

Professional: Roger P. Janssen/Dailey Janssen Architects

Project Description: The existing Ducks Nest Lot, (305 Maddock Way), has been unified with the adjacent lot to the east of Ducks Nest (303 Maddock Way). Tax abatement for previously approved and proposed restoration work. Additional changes to previously approved plans including addition of wood porch with low railing to west façade, select fenestration changes (as shown) and interior alterations. Hardscape and landscape modifications are proposed to the previously non-Landmarked parcel. Minor hardscape revisions are proposed to the drawings that were previously approved for the Ducks Nest. The existing ficus tree in the west garden of Ducks Nest is being changed in status from “remove” to remain.” *****Please note: This is a tax abatement project*****

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

Mr. Janssen presented the architectural modifications to the existing landmarked home. Mr. Janssen showed a sketch and an inspirational photo on the overhead projector.

Ms. Metzger asked about the wood in the bar room. Mr. Janssen responded.

Mr. Seagraves stated he was in favor of the solution for the proposed railing.

Ms. Hufty was in favor of the solution for the porch but stated she felt that the roof should be raised. Mr. Janssen discussed the complications that could occur if the roof was raised on the porch. He added that he may be able to adjust the pitch of the roof.

Ms. Albarran expressed her support for the changes proposed.

Mr. Cooney inquired about the reconfiguration of the interior stair element. Mr. Janssen responded. Mr. Cooney requested that the professionals stay in communication with the Commission regarding any structural issues that may arise during the renovation. Mr. Janssen responded.

Mr. Silvin stated he was in support of the changes and added that he would not change the proportions of any of the elements.

Brian Vertesch, SMI Landscape Architecture, presented the proposed landscape and hardscape modifications to the existing residences.

Mr. Cooney offered his support for the changes and thought they pulled the properties together.

Mr. Silvin asked if the owners had a unity of title for the properties. Mr. Vertesch confirmed they did have a unity of title. Mr. Silvin thanked everyone involved in the saving and restoration of this property.

Ms. Coleman asked about the proposed location for the chaises lounges. Mr. Vertesch responded.

Ms. Hufty asked if there were any methods for saving large shade trees.

Mr. Gannon thought the changes were appropriate. Mr. Gannon asked about the choice of material chosen for the driveway. Mr. Vertesch responded.

Mr. Segraves was in favor of the use of grass to tie the two properties together.

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

Motion made by Mr. Silvin and seconded by Mr. Gannon to approve the project as presented. Motion carried unanimously.

7. Application for Certificate of Appropriateness #004-2019

Address: 3 Pelican Lane

Owner/Applicant: Dana Landry

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Reconstruction of house due to major fire. House will be reconstructed exactly as original house.

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

Please note: Patrick Segraves declared a conflict of interest with this project and left the chambers during the presentation.

Daniel Clavijo, SKA Architect + Planner, presented the architectural modifications to the residence, which was damaged by a major fire.

Mr. Cooney expressed concern about whether the Building Official would make the professional adhere to the Florida Building Code or if he would allow a replica of the stairwell to be rebuilt. Ms. Albarran stated that she had rebuilt stairwells in the same situation. Mr. Clavijo stated his intent was to replicate the stairwell.

Mr. Cooney asked about the reconstruction of certain portions of the home. Mr. Clavijo responded and showed the plans to the Commission. Mr. Cooney asked about the dimensions that would be lost by moving the home forward by two feet. A short discussion ensued about the additional space to be added on to the center portion of the home.

Mr. Silvin offered his support to the owners and the professionals for the renovation and restoration.

Ms. Stillings stated she felt the changes were the best solution for the unfortunate situation.

Ms. Coleman expressed concern for salvaging the existing wing that had some damage, mainly with water and smell. Mr. Clavijo responded and stated that the intent was to rebuild what was presented. However, he added that if the plans changed, they would return to update the Commission with any unexpected issues.

In the event the professional would need to return to provide an update on means and methods of the construction, Mr. Lindgren reviewed the process for the Commission.

Ms. Stillings stated that reconstruction was a type of preservation.

Motion made by Mr. Silvin and seconded by Mr. Gannon to approve the project as presented. Motion carried unanimously.

8. Application for Certificate of Appropriateness #005-2019
Address: 142 N. County Rd.
Owner/Applicant: Gerald M. Barbarito, Bishop of the Catholic Diocese of Palm Beach
Professional: Jeffrey Smith/Smith Architectural Group
Project Description: New impact rated bronze frame windows on South, West and North sides of church to match impact rated bronze frame windows on East side of church.

Call for disclosure of ex parte communication: None.

Mr. Smith presented the fenestration changes to the existing landmarked church. He cautioned the Commission to not be discouraged by the look of the church during the construction.

Mr. Cooney asked about the material to be used as well how the material would be fastened to the windows on the north and south facades. Mr. Smith responded.

Ms. Albarran stated she was in favor of protecting the stained glass.

Mr. Cooney asked about cost of the project. Mr. Smith stated that a recent donation would cover the cost of the project.

Mr. Segraves asked if the glass would be clear. Mr. Smith confirmed it would be clear glass. Mr. Segraves asked if it would be low energy glass. Mr. Cooney stated that historic properties were exempt from using low energy glass.

Ms. Coleman asked about the length of time for the renovation. Mr. Smith responded.

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

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

Please note: A short break was taken at 11:04 a.m. The meeting resumed at 11:19 a.m.

9. Application for Certificate of Appropriateness #007-2019

Address: 137 Seaspray Ave.

Owner/Applicant: Seaspray Court LLC

Professional: Richard Sammons/Fairfax, Sammons & Partners

Project Description: 1) Windows added to existing shed. 2) Bench at upper terrace to be made wider and deeper. 3) East side wall to remain in existing location and existing fountain to still be demolished. 4) Loggia connecting main house and cottage not to be expanded. 5) New walkway connecting upstairs loggia with upstairs cottage and spiral stair to be open, rather than rooted and with posts; railing to be masonry and barrel tiles, rather than metal. 6) Bay window (North elevation) design changes. *****Please note: This is a tax abatement project*****

Call for disclosure of ex parte communication: Disclosure by Ms. Albarran and Mr. Segraves.

Scott Collison, Fairfax, Sammons & Partners, presented the architectural modifications to the previously approved renovations for the existing landmarked home.

Ms. Albarran asked about a balcony railing on the west elevation. Mr. Collison responded and explained the design. Ms. Albarran expressed concern about extending the length of the bench past the width of the dome, seen on the north elevation. Mr. Collison showed the floor plans to the Commissioners so that they could view the differences in the approved and proposed benches.

Mr. Segraves stated he agreed with Ms. Albarran. Mr. Segraves asked about the material to be used for the windows. Mr. Collison responded.

Mr. Silvin asked about the fenestration changes in relation to the tax abatement. Ms. Stillings thought the proposed changes were in keeping with the Secretary of Interior Standards.

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

Motion made by Mr. Silvin and seconded by Mr. Gannon to approve the project as presented. Motion carried unanimously.

X. OTHER BUSINESS

1. Informal Review - Application for Certificate of Appropriateness #002-2019
LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)
Address: 640 S. Ocean Blvd.
Owner/Applicant: 640 Palm Beach, LLC
Professional: James C. Paine, Jr., PA
Project Description: At existing motor court entry on the south side of El Brillo Way, construct a decorative metal horizontal rolling gate between existing masonry piers, gate detailing to match existing fence. We request that the gate be aligned with the motor court side of the existing piers at a distance of approximately 7 feet from the pavement edge rather than the 18 feet required.

VARIANCE INFORMATION: Request for a variance to allow a sliding driveway gate with a 7-foot setback from the edge of pavement in lieu of the 18 foot minimum required.

Call for disclosure of ex parte communication: Disclosure by Mr. Silvin.

Maura Ziska, attorney for the owner, explained the zoning requests and advocated for a positive recommendation to the Town Council.

Mr. Paine presented the proposed gate for the existing landmarked home.

Mr. Cooney expressed some concern for the gate and the proposed method to mount the gate. He inquired about the space available perhaps for a swinging gate. Mr. Paine stated a swinging gate would interfere with the parking court.

Ms. Albarran asked about the operation of the sliding gate and inquired about the look of the gate when open. Mr. Paine stated that the gates could slide completely behind the walls.

Mr. Segraves agreed with Mr. Cooney about sliding gates but thought this one would shield the garage doors. He expressed a concern for the scrolls in the middle of the gate and suggested to remove the scrolls. Other Commissioners stated that they liked the scrolls.

Mr. Cooney asked if the area in front of the panels would be landscaped. Mr. Paine stated that there would be materials planted in front of the panels.

Mr. Silvin stated he was in favor of the project.

Motion made by Mr. Silvin and seconded by Ms. Albarran that implementation of the proposed variance will not cause negative architectural impact to the subject landmarked property and with a request that the gate panels slide completely behind the wall. Motion carried 6-1, with Mr. Cooney opposed.

2. Informal Review - Application for Certificate of Appropriateness #003-2019
LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)
Address: 200 Regents Park
Owner/Applicant: Joel and Carol Jankowsky
Professional: Kevin Asbacher/Asbacher Architecture
Project Description: A request for a variance to allow the existing 6' 4" enclosure wall to be increased by 2' 4" for a total height of 8' 8" in order to fully encompass and shield a new 46 KW generator, in lieu of the 7' wall height allowed.

VARIANCE INFORMATION: A request for a variance to allow the existing 6' 4" enclosure wall to be increased by 2' 4" for a total height of 8' 8" in lieu of the 7' wall maximum height allowed in order to fully encompass and screen a new 46 KW generator.

Call for disclosure of ex parte communication: None.

Mr. Asbacher presented the architectural plans for the proposed generator and wall.

Ms. Albarran stated that a generator could be at ground height in a landmarked home.

Mr. Asbacher stated that he believed the owner would want the generator elevated due to the water that tends to sit on the property.

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

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

Please note: Ms. Hufty left at 12:04 p.m. Ms. Drake voted in the absence of Ms. Hufty.

3. Informal Review - Application for Certificate of Appropriateness #006-2019
LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)
Address: 244 Nightingale Trail
Owner/Applicant: 244 Nightingale LLC
Professional: Jon Gregory Tankersley/McAlpine

Project Description: Additions & renovations to the property located at 244 Nightingale Trail. All additions to occur on the south side of the property, away from the street. All new construction will match the detailing of existing structure. Hardscape and landscape changes on all sides of property. Paint entire structure (including stone) white. Interior demolition and renovation of both floors. All electrical, lighting, cabinetry, plumbing fixtures, appliances and HVAC equipment to be removed and replaced. Subject to variance for FEMA site elevation. *****Please note: This is a tax abatement project*****

VARIANCE INFORMATION: A request for a variance in order to renovate a landmarked residence with a finished floor elevation of 5.68 North American Vertical Datum ("NAVD") in excess of 50% of the market value of the residence. Section 50-114. - Historic buildings states: A variance is authorized to be issued for the repair, improvement or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code. Existing Building, Chapter 12 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the Florida Building Code.

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

Maura Ziska, attorney for the owner, explained the zoning requests and advocated for a positive recommendation to the Town Council.

Gene Pandula, architect and consultant for the project, presented the architectural modifications proposed for the existing residence.

Mr. Gannon thought the house was charming and was in support of the changes.

Mr. Silvin asked about the changes in relation to the tax abatement. Ms. Stillings thought the additions and changes to the back of the home met the Secretary of Interior Standards. She questioned the proposal to paint the stone. She also questioned whether painting the stone would be the highest level of preservation. Mr. Silvin asked Mr. Pandula about his client's preference in painting the house white. Mr. Pandula showed the Commission two other homes, by the same architect, that had been painted white for a comparison.

Mr. Cooney stated he had some concerns about painting the stone but would support the clients in their request.

Mr. Segraves asked about the material to be used for the fenestration. Mr. Pandula responded. Mr. Segraves asked about the material proposed front door. Mr. Pandula responded.

Ms. Albarran was in favor of the changes proposed.

Ms. Coleman thought the stone and the red door was the most intriguing about the front façade.

Ms. Metzger asked if a precedence would be set by allowing the owners to paint the stone. Mr. Cooney responded.

Ms. Drake was supportive of the changes.

Mario Nievera, Nievera Williams Design, presented the proposed landscape and hardscape plans for the existing residence.

Mr. Silvin asked about the ficus on the front façade. Mr. Nievera responded.

Ms. Drake stated the driveway was innovative and added that she was in favor of the project.

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

A second motion made by Ms. Drake and seconded by Mr. Silvin that the proposed development will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. Motion carried unanimously.

XI. DESIGNATION HEARINGS

Item 1: 244 Nightingale Trail

Owner: 244 Nightingale LLC

A motion carried at the December 19, 2018 meeting to defer the designation hearing to the January 16, 2019 meeting at the owner's request.

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

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this 1945 International style home. Ms. Murphy pointed out the design features of this building. Ms. Murphy testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction of use of indigenous materials or craftsmanship; and

Sec. 54-161 (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

Mr. Cooney was delighted to support the designation of the property.

Mr. Silvin inquired why the home did not meet the second criteria for designation as a landmark. Ms. Murphy provided the reasons why criteria two was not offered in the recommendation.

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

Motion made by Mr. Silvin and second by Ms. Coleman to make the designation report for 244 Nightingale Trail part of the record. Motion carried unanimously.

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

Aimee Sunny, Director of Education of the Preservation Foundation of Palm Beach, offered her support for the designation.

Motion made by Mr. Gannon and second by Mr. Silvin to recommend 244 Nightingale Trail to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3 and 4 in Section 54-161. Motion carried unanimously.

Item 2: 145 Seaspray Ave.

Owner: Michael R. and Sue A. Strickland

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

Item 3: 475 N. County Rd.

Owner: Christopher G. Kellogg

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

XII. COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING, ZONING & BUILDING DEPARTMENT DIRECTOR.

Mr. Martin expressed appreciation for the Commission. Mr. Martin discussed a policy change that would be upcoming and specifically related to zoning combination projects. The Commission was appreciative for the change.

Mr. Martin stated he would be making a presentation on a future path for Zoning Code Reform to the Planning and Zoning Commission meeting on February 19, 2019.

Mr. Silvin reviewed the Landmark projects presented at the January 2019 Town Council meeting.

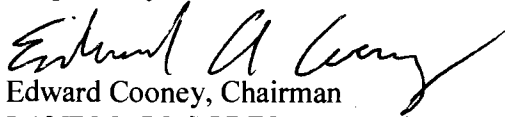
Ms. Metzger recommended that everyone visit the Preservation Foundation of Palm Beach to see the exhibit, Celebrating Forty Years of the Landmarks Preservation Ordinance.

XIII. ADJOURNMENT

A motion made by Mr. Silvin and seconded by Ms. Albarran to adjourn the meeting at 12:58 p.m. Motion carried unanimously.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, February 20, 2019 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Rd. Palm Beach.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edward A. Cooney", is written over the printed name.

Edward Cooney, Chairman
LANDMARKS PRESERVATION COMMISSION

kmc

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Segraves, Patrick W.</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Landmarks Preservation Commission</i>	
MAILING ADDRESS <i>2500 S. Ocean Blvd. #2A1</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY <i>Town</i>	
CITY <i>Palm Beach</i>	COUNTY <i>Palm Beach</i>	NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>	
DATE ON WHICH VOTE OCCURRED <i>January 16, 2019</i>		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 W. Segraves, hereby disclose that on January 16, 20 19:

(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:

Certificate of Appropriateness
004- 2019
3 Pelican Lane

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

1.16.19

Signature

Patrick W. 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.