



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION MEETING HELD ON FRIDAY, DECEMBER 19, 2018.

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
Patrick Segraves, Member	PRESENT
John T. Gannon, Member	PRESENT
Kim Coleman, Member	PRESENT (arrived at 9:33 a.m.)
Jacqueline Weld Drake, Alternate Member	PRESENT
Sue Patterson, Alternate Member	PRESENT
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 NOVEMBER 16, 2018 MEETING

Motion made by Mr. Segraves and seconded by Ms. Albarran to approve the minutes of the November 16, 2018 meeting. Motion carried unanimously.

V. APPROVAL OF THE AGENDA

Mr. Cooney requested to move the project COA-048-2018, 1100 S. Ocean Blvd to the ninth item in the agenda, to follow the discussion items.

Motion made by Mr. Segraves and seconded by Ms. Albarran 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):

There were no comments heard at this time.

VIII. DISCUSSION ITEMS

1. Memorial Fountain Update – Public Works Department

Paul Brazil, Director of Public Works, addressed the spray height of the fountain as well as the two cartouches at the front that are not functional.

Mr. Silvin asked if the cartouches could be used as planters. Ms. Hufty suggested adding a bubbler to the cartouches. Mr. Brazil stated he could ask the design team to consider at the suggestion.

Ms. Hufty restated her concerns for the unusable cartouches as well as the height of the podocarpus hedge. She requested that someone cut and lower the hedge.

A short discussion ensued about the hedge height. Mr. Brazil stated he would ask the design team to revisit the hedge height.

Ms. Coleman stated that the condition of the fountain in Bradley Park needed to be addressed. Mr. Brazil responded.

Ms. Hufty suggested that the Town's fountains should have plants and carp.

A discussion ensued regarding the maintenance of the fountains.

2. North County Road Historic Tree Canopy/Vista – Public Works Department

Mr. Cooney requested an update on the overall health of the canopy trees.

Mr. Brazil provided an update on the health of the trees, the loss of some trees and planting replacements.

Ms. Hufty expressed concerned with the large limbs of the Mysore Fig tree in Royal Poinciana Plaza. Richard Maxwell, the Town's Arborist and owner of King Tree Service, discussed the nature of the tree and the prior request made to obtain more space for the tree.

Ms. Hufty suggested that the Commission could potentially help to obtain more space if needed. Ms. Hufty inquired about the Banyan and Fig trees that are disease resistant. Mr. Maxwell responded.

Bill Metzger, 277 Esplanade Way, stated that he believed the 1979 Agreement with the Poinciana Plaza mentioned the Fig tree as well as parking and restoration.

Mr. Martin reviewed the items to be placed on the agenda for the January 16, 2019 meeting.

Please note: The next project was moved at the approval of the agenda, Item V.

IX. OTHER BUSINESS

1. Informal Review - Application for Certificate of Appropriateness #048-2018
LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW
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 for one month to the November 16, 2018 meeting. A motion carried at the November meeting to defer the project for one month to the December 19, 2018 meeting at the request of the attorney.

SPECIAL EXCEPTION WITH SITE PLAN REVIEW INFORMATION: 1. The Applicant seeks approval of a Special Exception with Site Plan Review to add an accessory dock to the property in the approximate location of the prior historic dock. The dock is to be located at the northwest corner of the site and projects 40 feet from the existing seawall into the Lake Worth Lagoon.

Call for disclosure of ex parte communication: Disclosure by Ted Cooney.

Harvey Oyer, attorney on behalf of Mar-a-Lago Club, Inc., presented the plans for the proposed dock and discussed the zoning requests. Mr. Oyer stated that the plans had been submitted and approved by the National Trust for Historic Preservation as well as the Palm Beach Sheriff's Office. Mr. Oyer presented the material choices for the proposed dock. He added that the National Trust indicated that the wood plank would be the only acceptable material.

Mr. Cooney asked for more information on the material proposed.

Mr. Gonzalez provided further explanation on the proposed materials for the dock and gate.

Mr. Cooney requested a black and white line drawing for the gate at the next meeting for the project's formal review.

Mr. Silvin thanked Mr. Gonzalez for following the proper procedure with the application. Mr. Silvin asked about the neighbor to the north and inquired whether she had concerns for the proposed dock.

Mr. Oyer responded and stated that he had not spoken to Ms. DeMoss and had only communicated through her attorney, Frank Lynch.

Mr. Coleman asked about the size of boat that the dock could accommodate. Mr. Oyer responded and stated he would bring that information at the next meeting.

Mr. Gannon stated that he knew the area and added it was very shallow. Mr. Gannon stated he was in favor of the dock.

Mr. Gonzalez stated that the dock and boats were in jurisdiction of the National Trust. He added that the view shots from Mar-a-Lago were approved by the National Trust.

Ms. Hufty stated that the size of boat should not be under the purview of the Commission. Ms. Hufty asked if the architect considered a wood composite material for the dock. Mr. Gonzales responded and stated that the National Trust approved Ipe wood.

Mr. Lindgren stated that the Commission should only be considering the dock and gate related to the historic nature of Mar-a-Lago, not the use of the dock.

Mr. Metzger asked about the design detail of the gate. Mr. Gonzalez responded and stated he would bring a detailed design at the next meeting.

Mr. Cooney called for public comment at this time.

Nasser Kazeminy, 100 Worth Ave, PH 1 and family-owned home at 760 Island Dr., expressed his opposition to the project.

Town Attorney Randolph stated that the Town Council would hear the application regarding the special exception and uses of the dock. He stated that the Landmarks Commission should only be looking at whether the proposed dock affected the historic nature of the landmarked building.

Ms. Coleman thought that the proposed length of the dock was excessive. Other Commissioners thought that the length of the dock was appropriate.

Frank Lynch, attorney on behalf of Nancy DeMoss at 185 Woodbridge Rd., expressed his objections on the proposed dock.

Mr. Gannon expressed concern that Mr. Lynch was discussing the use of the dock, which was not under the purview of the Landmarks Commission. Town Attorney Randolph stated that Mr. Lynch should not be limited on time to provide his comments. He asked Mr. Lynch to keep his comments relevant to the Commission.

Mr. Lynch continued to express objections to the proposed dock on behalf on his client. He requested that the Commission not recommend the dock to the Town Council.

Mr. Cooney asked Town Attorney Randolph about other docks in the same zoning district and the method required to obtain a dock. Messrs. Randolph and Lindgren responded.

Mr. Silvin thanked Mr. Lynch for his position. Mr. Silvin stated that his charge on the Commission was to look at the landmark property and determine whether the proposal would affect the property's historic nature.

Ms. Hufty stated she believed that there was no maliciousness with the proposed dock.

Mr. Lynch argued that the proposed dock was neither for a residential property nor for residential use.

Mr. Cooney stated that he agreed with the National Trust that the proposed dock site would be the most sympathetic for the property.

Motion made by Mr. Gannon and seconded by Mr. Segraves that implementation of the proposed special exception and site plan review will not cause negative architectural impact to the subject landmark property. Motion carried unanimously.

Mr. Cooney stated that project COA-041-2018, 241 Seaview Avenue had requested a deferral to the January 16, 2019 meeting and that both designation hearings had requested deferrals. Mr. Cooney stated that the owner of 244 Nightingale Trail requested a deferral to the January 16, 2019 meeting. He stated that the owner for 120 Everglade Avenue requested a deferral to the 2019-2020 designation season.

Mr. Cooney asked Town Attorney Randolph about whether it would be a reasonable amount of time to consider 120 Everglade Avenue if it was deferred

to the 2019-2010 season. Mr. Randolph stated the Commission could condition the motion that the owner waive any time constraints of their designation hearing.

Motion made by Ms. Albarran and seconded by Mr. Silvin to defer COA-041-2018, 241 Seaview Avenue and the designation hearing for 244 Nightingale Trail to the January 16, 2019 meeting and to defer the designation hearing for 120 Everglade Avenue to the 2019-202 designation season, conditioned upon the owner waiving his/her rights to be heard within 30 days of the mailing of the notice (Code Sec. 54-164). Motion carried unanimously.

X. 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 for one month to the November 16, 2018 meeting at the request of the attorney. A motion carried at the November meeting to defer the project for one month to the December 19, 2018 meeting at the request of the attorney.

Please note: After the informal review of 1100 S. Ocean Blvd., the Commission deferred this item to the January 16, 2019 meeting.

2. Application for Certificate of Appropriateness #043-2018
Address: 89 Middle Rd.
Owner/Applicant: Larry Morassutti, C/O The Cury Group
Professional: Jose Luis Gonzalez-Perotti/Portuondo Perotti Architects
Project Description: Modifications to previously approved project to include minor aesthetic elements (including exterior railing design, cast stone profiles, deletion of windows at pool cabana), revision to site walls and other miscellaneous items.

A motion carried at the October meeting to approve the project as presented, with the exception of the tile work in the transoms, which was deferred to the November 16, 2018 meeting. A motion carried at the November meeting to defer the project for one month to the December 19, 2018 meeting at the request of the architect.

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

Rafael Portuondo, Portuondo Perotti Architects, stated that he had previously proposed tile in the arches above the windows. However, he now was requesting the deletion of the tile. He presented the architectural modifications for the windows.

Ms. Albarran stated that the changes were more elegant.

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

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.

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

Mr. Spina presented the proposed landscape modifications for the hotel.

Ms. Hufty expressed concern that the Bougainvillea proposed would not grow on the north side of the building. Mr. Spina responded and stated he thought the Bougainvillea would be fine in the proposed location.

Mr. Silvin was in favor of the newly proposed hedge.

Ms. Coleman thought the proposed hedge was a huge improvement but added she was not in favor of the gold draperies.

Mr. Spina presented the architectural modifications proposed for the entry gate.

Mr. Cooney stated he was not in favor of the options presented. He added he felt option two was too simple in its design. Ms. Metzger agreed with Mr. Cooney.

Ms. Albarran agreed and thought the gate needed to be more historically accurate. Mr. Segraves added that the design should be more upscale.

Mr. Spina presented the architectural modifications for the proposed guardrails.

Mr. Segraves thought the glass railings were successful. Mr. Segraves suggested keeping the original railing and adding the glass on the top. Mr. Spina responded.

Ms. Patterson expressed concern about keeping the glass clean. Mr. Cooney agreed but understood the ownership would take care of the maintenance. Mr. Cooney expressed some concern about the reflectiveness of the glass.

Ms. Albarran asked about the color of the trim on top of the pillar and questioned whether it would look better in white. Mr. Spina responded.

A discussion ensued about the color scheme and awnings proposed.

Ned Grace, Ausmerica, LLC, stated that the west awnings would be changed to canvas at the suggestion of the consultants.

Ms. Metzger asked if the proposed glass railing would be tempered. Mr. Spina responded.

Mr. Silvin inquired about the schedule for the renovation. Mr. Grace responded.

Mr. Cooney asked the other Commissioners if they were concerned about the reflectivity of the glass. Mr. Segraves thought the glass would be acceptable.

Ms. Albarran asked about the method to attach the glass. Mr. Grace responded.

Ms. Coleman suggested adding a water source to water the plants on the staircase.

Motion made by Mr. Segraves and seconded by Ms. Albarran to approve the presented landscape changes as well as the balconies with the glass railings with the caveat that a redesign of the pedestrian gate would return to the January 16, 2019 meeting.

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

Motion carried unanimously.

Please note: A short break was taken at 11:13 a.m. The meeting resumed at 11:22 a.m. Ms. Drake returned at 11:27 a.m.

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.

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

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

Mr. Cooney asked Ms. Albarran and Mr. Segraves about the work they previously performed on the home. Ms. Albarran recounted the modifications she oversaw on the home.

Mr. Cooney expressed concern for keeping the roof material that did not appear to be original to the home. Mr. Lindgren stated that the S-tile roof material had been approved on a few occasions.

Mr. Segraves stated he usually was not in favor of the S-tile but felt this situation was special.

Ms. Kellogg explained the problem her team had encountered in the search for the appropriate barrel tile for this home.

A short discussion ensued about the existing S-tile roof.

Ms. Stillings discussed the original Wyeth drawings and the historic building permit for the roof. She suggested that the roof return to a flat tile.

Ms. Metzger asked about the black streaks on the material sample. Ms. Kellogg responded and showed a photo of the proposed green S-tiles.

Ms. Kellogg stated that the owners were adamant about the S-tile and provided the reasons for their preference.

Mr. Cooney stated he would support a flat tile but would not support the proposed S-tile roof.

Mr. Segraves asked Mr. Lindgren if the owner could replace the roof with the same material since the home was landmarked with the S-tile. Mr. Lindgren stated he was unsure since the total roof was being replaced. Mr. Segraves stated he was not in favor of the black streaks in the proposed tile.

Ms. Patterson stated she was in favor of the flat tiles on the existing cabanas and thought they looked elegant.

Mr. Silvin inquired about the replacement for the garage doors on the maintenance building. Ms. Kellogg responded. Mr. Silvin asked if the garage doors could be replaced with matching doors used on the main garage. Ms. Kellogg stated she would ask owners about the change.

Ms. Metzger stated she was in agreement with Mr. Cooney and suggested that the roof should be changed to a flat green tile without black streaks.

Ms. Patterson stated she agreed and added that she preferred the flat tile.

Mr. Segraves wondered if the Commission should consider a flat terra cotta tile rather than a flat concrete tile. Ms. Stillings stated that the original drawings did not specify a roof material. Mr. Segraves questioned the green concrete tile.

A short discussion ensued the roof material.

Mr. Segraves stated he would like to see a material sample before an approval was given.

Ms. Kellogg discussed her history with the modifications to the home and her research on the roof tiles.

More discussion ensued on the roof material.

Ms. Hufty asked about the design style of the home. Ms. Kellogg stated that several different design styles had been used to describe the home.

Ms. Stillings stated that the home was designated as a Colonial Revival with Louisiana influences.

Mr. Cooney passed the gavel so that he could make a motion on the project.

Motion made by Mr. Cooney to approve the window and door replacements as presented with a deferral of the roof material to the January 16, 2019 meeting.

A discussion ensued about the roof material on the pool house.

Motion seconded by Mr. Gannon. Motion carried unanimously.

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.

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

Mr. Marsh presented the proposed architectural modifications to the existing home.

Mr. Cooney asked about the material proposed for the window replacement. Mr. Marsh stated he would be using a Kolbe product and further explained the windows to be used.

Mr. Cooney stated that he felt that the proposed changes were respectful to front façade. He inquired about the lack of shutters on the west façade addition. Mr. Marsh responded and explained the design.

Mr. Segraves stated he agreed with Mr. Cooney and was in favor of the proposal. He stated he was in favor of the changes on the west façade as well as the addition.

Mr. Silvin thought the changes were brilliant. He stated he was in full support of the project.

Ms. Albarran stated she was in agreement with her other Commissioners. She felt that the proposal was a beautiful design and respectful to the front façade.

Ms. Patterson was in favor of the proposed changes.

Ms. Metzger inquired about the black roof. Mr. Marsh responded and stated he was unsure of the original roof material. Ms. Metzger questioned the practicality of a black roof. A short discussion ensued. Mr. Cooney clarified that Mr. Marsh was not replacing the entire roof but only matching the roof of the addition to the main home.

Mr. Gannon thought the addition was respectful and was pleased with the project.

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

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

Mr. Cooney inquired about the plans for the newly proposed gazebo. Mr. Marsh stated that the gazebo was existing and would remain. Mr. Mizell stated that a new gazebo for the northwest corner was proposed but added that he did not have the details of the design. Mr. Mizell explained the design for the gazebo.

Mr. Segraves stated he was in favor of the landscape and hardscape plan but thought that the Commission should see the plans for the new gazebo proposed. Other Commissioners agreed that they would like to see the plans for the gazebo.

Ms. Coleman stated she was in favor of the clean design proposed.

Motion made by Ms. Albarran and seconded by Ms. Coleman to approve the plans as presented with the caveat that Mr. Mizell returns to the January 16, 2019 meeting with the plans for the gazebo. Motion carried unanimously.

XI. DESIGNATION HEARINGS

Item 1: 120 Everglade Avenue
Owner: 120 Everglade LLC

Please note: After the informal review of 1100 S. Ocean Blvd., the Commission deferred this item to the 2019-2020 Designation Season.

Item 2: 244 Nightingale Trail

Owner: 244 Nightingale LLC

Please note: After the informal review of 1100 S. Ocean Blvd., the Commission deferred this item to the January 16, 2019 meeting.

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

Mr. Silvin thanked the Garden Club for the flower and plant pamphlets that were provided to the Commissioners.

Mr. Silvin reviewed the Landmark issues presented at the December Town Council meeting.

Mr. Lindgren stated that Mr. Segraves declared a continuing conflict for his project at 212 Seaspray Ave. at the November 16, 2018 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Lindgren stated that Mr. Segraves declared a continuing conflict for his project at 400 Regents Park at the November 16, 2018 meeting and had correctly completed the 8B form in accordance with State Law.

XIII. ADJOURNMENT

A motion made by Mr. Silvin and seconded by Ms. Albarran to adjourn the meeting at 12:29 p.m. Motion carried unanimously.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, January 16, 2019 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Rd. Palm Beach.

Respectfully submitted,



Edward Cooney, Chairman

LANDMARKS PRESERVATION COMMISSION

kmc