



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION MEETING HELD ON WEDNESDAY, JULY 18, 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 9:30 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 (left at 1:48 p.m.)
Jacqueline Weld Drake, Alternate Member	ABSENT (unexcused)
Kim Coleman, Alternate Member	PRESENT
Sue Patterson, Alternate Member	PRESENT

Please note: Mr. Cooney noted that Ms. Coleman would be voting in the absence of Ms. Drake.

Staff Members present were:

John Lindgren, Planning Administrator
Paul Castro, Acting Director of Planning, Zoning and Building
Kelly Churney, Secretary to the Landmarks Preservation Commission
John Randolph, Town Attorney
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 JUNE 20, 2018 MEETING

Motion made by Ms. Albarran and seconded by Mr. Silvin to approve the minutes of the June 20, 2018 meeting. Motion carried unanimously.

V. APPROVAL OF THE AGENDA

Mr. Cooney requested to withdraw the following project from the agenda: COA-029-2018, 8 S. Lake Trail.

Motion made by Mr. Silvin 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):

Addison Linck, 251 Esplanade Way, asked for the Commissioners help in nominating Addison Mizner's 1929 Fountain and Memorial Park for the National Register of Historic Places.

Mr. Silvin agreed and asked about the necessary actions to suggest the fountain for the National Register.

Ms. Murphy stated she would need to write a report and then submit the report to the state for review and approval. Ms. Murphy discussed the benefits of being on the National Register.

Mr. Segraves was in favor of the suggestion. He inquired why other places in Palm Beach are not on the National Register. Ms. Murphy stated that the Landmark Status comes with more restrictions than the National Register and provided some explanation about the two designations.

Ms. Hufty asked if adding stairs to the fountain would complicate the nomination. Mr. Cooney responded. A short discussion ensued.

Mr. Lindgren indicated that the Commission would need to request the Town Council to direct the Landmark Preservation Consultants to write the report for the application. A discussion ensued about the application process.

Motion by Mr. Silvin and seconded by Mr. Segraves to ask the Town Council to consider taking necessary steps to submit the Mizner Fountain and Memorial Park to the National Register of Historical Places. Motion carried unanimously.

VIII. PUBLIC HEARINGS

1. Application for Certificate of Appropriateness #026-2018

*LPC TO MAKE RECOMMENDATION RELATIVE TO SITE PLAN
REVIEW WITH VARIANCE(S)* - Done 6/20/18

Address: 19 Golfview Rd.

Owner/Applicant: Francesco Galesi

Professional: M. Mark Marsh/Bridges, Marsh & Associates

Project Description: Single story addition to existing residence and relocation of existing garage door with associated hardscape/landscape.

Motions carried at the June meeting that implementation of the proposed variance and site plan review will not cause negative architectural impact to the subject landmarked property.

Call for disclosure of ex parte communication: None.

Mr. Marsh presented the architectural changes proposed for the residence. He presented a Fatio sketch of the garage to the Commissioners. He reviewed some of the proposed landscape changes.

Ms. Coleman asked about the material proposed for the garage door. Mr. Marsh responded.

Ms. Hufty inquired about the proposed Bougainvillea on the north side of the home. Mr. Marsh stated he could replace the Bougainvillea with Confederate Jasmine.

Mr. Cooney stated he was not in favor of the garage returning to the non-original position. Mr. Cooney made a suggestion for the exterior site wall.

Motion made by Ms. Albarran and seconded by Mr. Segraves to approve the project as amended with the garage doors to match the original doors and the addition of the extra window on the east elevation. Motion carried 5-2 with Messrs. Silvin and Cooney opposed.

2. Application for Certificate of Appropriateness #028-2018

LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION - Done 6/20/18

Address: 363 S. County Rd.

Owner/Applicant: Ocean Sandwiches, Inc./Michael R. Cohen, President

Professional: David Miller/David Miller & Associates, P.A.

Project Description: Four new 2-seater tables and chairs for outdoor dining installed in the courtyard per the plans.

A motion carried at the June meeting that implementation of the proposed special exception will not cause negative architectural impact to the subject landmarked property.

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

Mr. Cooney asked Mr. Broberg if he brought information on the tables proposed for the space. Mr. Broberg stated that he did not bring a photo of the proposed tables but the owner stated that if the Commission objected to the tables after installation, he would change them.

Ms. Coleman requested to see the tables before installation.

Ms. Hufty asked about the position of the proposed table next to the ramp.

A discussion ensued about the tables for the space.

Mr. Lindgren recommend deferring the project to allow Mr. Broberg to get a picture of the proposed tables. The Commission agreed to hold the project until Mr. Broberg returned.

****At this time, the Commission paused their discussion on project COA-028-2018, 363 S. County Rd.***

3. Application for Certificate of Appropriateness #029-2018

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S) -

Done 6/20/18

Address: 8 S. Lake Trail

Owner/Applicant: Old Kapok LLC

Professional: Fernando Wong Outdoor Living Design

Project Description: Relocate the spa to the north side of the exercise room.

*****This is a tax abatement project*****

A motion carried at the June meeting that implementation of the proposed variance will not cause negative architectural impact to the subject landmarked property and with the caveats that the proposed tabby concrete is used in the driveway and motor court areas only, that the coral stone in the garden is replaced with the same material and that the Town's arborist is consulted to confirm that the root system of the Kapok tree will not be disturbed.

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

4. Application for Certificate of Appropriateness #030-2018

LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION AND SITE PLAN REVIEW - Done 6/20/18

Address: 347 Worth Ave.

Owner/Applicant: Everglades Club Inc.

Professional: Jeffrey Brasseur/Brasseur & Drobot Architects P.A.

Project Description: A request for special exception approval with site plan review to install a 750 KW generator within a 525 square foot second floor addition and add a 256 square foot one-story addition at ground level to construct an electrical equipment building to support the generator.

A motion carried at the June meeting that implementation of the proposed special exception and site plan review will not cause negative architectural impact to the subject landmarked property.

Call for disclosure of ex parte communication: None.

Mr. Brasseur stated that the Town Council unanimously approved the project. Mr. Brasseur reviewed the architectural plans for the proposed generator.

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

5. Application for Certificate of Appropriateness #031-2018

Address: 130 Brazilian Ave.

Owner/Applicant: David and Zoya Soane

Professional: Jeffrey Brasseur/Brasseur & Drobot Architects P.A.

Project Description: Project consists of hardscape renovations including: removal of the existing concrete driveway and brick entrance walkway, the addition of a new brick driveway and entrance walkway to the northwest and west of the existing residence, the addition of a new concrete driveway to the southwest of the existing residence, the addition of a metal rolling gate and a 4 ft. high site wall at the northern property line, and the addition of a metal rolling gate and a 4 ft. high site wall on the west side of the existing residence. The project also consists of renovations to the existing guest house including: removal of an existing arched parapet wall and restoration of the original parapet wall on the north elevation, removal of an existing round window on the north elevation, replacement of various doors and windows on the west and south elevations, an additional window to be installed on the south elevation, and removal of existing windows on the south elevation with a French door addition and step in its place. The project also consists of the removal of an existing metal rail located on the north elevation of the main residence.

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

Mr. Brasseur presented the proposed architectural changes to the residence.

Mr. Cooney inquired about the removal of the round window in the guesthouse. Mr. Cooney stated he would be in favor of keeping the window. Mr. Cooney stated he was not in favor of the proposed driveway gate at the street. Mr. Cooney also stated that the French door proposed on the second story was discussed in a staff review as a possible life safety issue.

Mr. Castro spoke about the potential safety hazard in relation to the French door and suggested that they speak with the Building Official. Mr. Castro questioned whether they met the landscape opened space requirement. Mr. Brasseur confirmed they met the requirement.

Mr. Segraves asked if a landscape plan should be included with the presentation to confirm their landscaped open space requirement had been met.

Ms. Coleman requested larger pictures in the next presentation.

Mr. Brasseur stated he could not address the French door and questioned whether it could be staff approved if the Commission was in agreement with the rest of the project.

Ms. Albarran asked about the proposed French door. Mr. Brasseur pointed out the location of the door. A short discussion ensued about the door.

Ms. Albarran requested that the small window on the guesthouse, north elevation, remain.

Mr. Brasseur presented historical drawings on the overhead projector to show the small guesthouse window was not on the drawings.

Ms. Coleman inquired if other surrounding neighbors had similar driveway gates to the one proposed.

Mr. Cooney recommended that the architect return with better photos of the window to be removed and a landscape plan.

Mr. Segraves recommended a restudy of the proposed hardscape as he thought it was too much hardscape. A short discussion ensued.

Mr. Lindgren recommended that the architect show existing and proposed on one sheet for ease of comparison.

Mr. Cooney recommended that the architect meet with the Building Official regarding the second story French door.

Motion made by Ms. Albarran and seconded by Ms. Coleman to defer the project for one month to the August 20, 2018 meeting. Motion carried unanimously.

****At this time, the Commission resumed their discussion on project COA-028-2018, 363 S. County Rd.***

Mr. Broberg returned and presented a photograph on the overhead projector of the black metal tables to be used in the interim. He stated the owner would like to order more substantial, white tables.

Many of the Commissioners were in favor of the black metal tables in the photograph shown.

Motion made by Ms. Albarran and seconded by Ms. Hufty to approve the project (COA-028-2018) as presented with the caveat that the table near

the ramp is moved to the east between the ramp and the fountain. Motion carried unanimously.

Ms. Coleman asked about the signage for the space. Mr. Lindgren stated he administratively approves the signage. There was a short discussion about what signage would be appropriate for the space.

Please note: A short break was taken at 10:27 a.m. The meeting resumed at 10:39 a.m.

IX. OTHER BUSINESS

1. Informal Review - Application for Certificate of Appropriateness #034-2018

LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)

Address: 101 Four Arts Plaza

Owner/Applicant: Society of the Four Arts, Inc.

Professional: Bryan Donahue/Insite Studio, Inc.

Project Description: The applicant is seeking Landmarks Preservation Commission approval to make changes to the Landmarked property with the addition of the "Eve's Apple Sculpture". The sculpture is the work of Edwina Sandys and captures the moment in the Bible when Eve has taken a bite from The Tree of Knowledge and offers Adam the apple. The sculpture will be installed on the north side of the Hultar Sculpture Garden and will stand 14'2" tall including a 2'6" base.

SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)

INFORMATION: 1. Request for special exception approval to modify the approved site plan to add a sculpture to the sculpture garden 2. Request for site plan review to modify the Society of The Four Arts "Sculpture Garden" to add a sculpture 3. Variance to allow the installation of a sculpture in the "Sculpture Garden" which is 14' 2" high including a 2' 6" high base (14' 2" total height) in lieu of the 12' maximum allowed.

Call for disclosure of ex parte communication: None.

Mr. Donahue presented the proposed sculpture to be on display in the Four Arts Sculpture Garden.

Mr. Cooney stated the Commission had approved similar sculptures in the past.

Mr. Donahue stated that the sculpture is temporary and would only be in the garden for one year.

Mr. Silvén asked why the Four Arts did not obtain an approval before they installed the sculpture. Mr. Donahue stated that since the sculpture is temporary, they were not aware that they needed approval.

Ms. Hufty asked who was responsible for obtaining the approval. Mr. Donahue introduced Kenny Lewis, Conkling & Lewis Construction, Inc., to answer the question. Mr. Lewis stated that the curator did not obtain approval.

Ms. Hufty thought the base of the sculpture was out of scale with the other sculptures in the garden. Mr. Lewis responded with an explanation for the larger base design. A short discussion ensued about the sculpture and its location in the garden.

Mr. Silvin asked about the code enforcement issue with the sculpture. Mr. Lewis discussed the process involved to resolve the citation. There was a short discussion about the code enforcement issue.

Mr. Cooney made a suggestion to the professionals that the Four Arts compile an overall plan that the Commission could approve for any future temporary sculptures.

Ms. Hufty asked how long the sculpture would be in the garden. Mr. Lewis stated the sculpture is on loan until June 2019.

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

2. Informal Review - Application for Certificate of Appropriateness #002-2018
LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S) - Done 1/17/18
Address: 323 Chilean Ave.
Owner/Applicant: Ambassador Mark Gilbert
Professional: Jacqueline Albarran/SKA Architect + Planner, Inc.
Project Description: Demolition of existing deteriorated main house structure, patio and driveway (existing two story guest house to remain). Existing perimeter landscaping remains. New irrigated lawn as per code. New two story house to match previously approved but places at 8' NGVD finish floor elevation reworking some arches and roof slope as per original historic photo. Raise existing guest house to achieve an 8' NGVD finish floor elevation. Leave in existing footprint with new one story addition, trellis, pool, spa, fountain and patios as previously approved.

A motion carried at the January meeting that the implementation of the proposed special exception, site plan review and variances would not cause negative architectural impact to the subject landmarked property. A motion carried at the February meeting to defer the project for two months to the April 18, 2018 meeting at the request of the attorney. A motion carried at the April meeting to defer the project for one month to the May 16, 2018 meeting at the request of the attorney. A motion carried at the May meeting to defer the

project for one month to the June 20, 2018 meeting. A motion carried at the June meeting to defer the project for one month to the July 18, 2018 meeting at the owner's request.

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

Please note: Ms. Albarran declared a conflict of interest for the project. Mr. Cooney noted that Ms. Patterson would be voting in her absence.

Ms. Albarran presented the proposed architectural changes and reconstruction for the residence. Ms. Albarran presented a proposed front façade on the overhead projector.

Ambassador Mark Gilbert, owner, discussed his intentions for the home and the changes proposed for the existing home.

Mr. Silvin expressed a deep concern that there were no new plans for the residence and the proposal still included demolition. Mr. Gilbert responded. Mr. Silvin asked Mr. Gilbert if he made any repairs on the home to avoid demolition by neglect. Mr. Gilbert stated that there are no issues in the existing home due to neglect. Mr. Silvin asked Mr. Gilbert if it was his intent to retain the landmark status on the home after the proposed modifications. Mr. Gilbert responded.

Ms. Hufty asked about the condition of the home when it was landmarked. Mr. Castro stated the house that was landmarked is as the same as it stands today. Mr. Gilbert added his thoughts on the designation.

Ms. Stillings stated that she had the designation report and reviewed the criteria by which the home was designated.

Ms. Hufty stated that the proposal is in contradiction with the mission of the Commission. She thought that Mr. Gilbert should request to de-designate the home and present the proposed changes to the Architectural Review Commission. Mr. Gilbert responded.

Mr. Cooney discussed the Commission's goal of trying to preserve older landmarked homes that will need future renovations. Mr. Gilbert responded. Mr. Cooney stated he thought the preservation program had been successful due to the Commission's willingness to allow renovations to meet the current living conditions.

Mr. Coleman stated that the home was landmarked after it had been converted from the multi-family back to the single family home.

Ms. Albarran provided a comparison of a restoration that took place on a different home that was in similar condition.

Mr. Segraves asked Ms. Albarran if she had any other photographs of the historical home to aid in the possible reconstruction of the home. Ms. Albarran stated that she only had the photograph that she had shown.

Mr. Cooney stated he thought it was unfair for Ms. Albarran to present Jane Day's opinions in her absence.

Ms. Patterson agreed with the previous comments made by other Commissioners but also questioned the future of the home and the possibility of another owner's willingness to restore the home.

Mr. Gannon thought that the method of the restoration was the issue at hand.

A short conversation ensued about the action taken by the Town Council on the proposed project.

Mr. Castro reminded the Commission that the owner did not have to meet today's Code to renovate the home.

A discussion ensued about potential demolition of the home and its landmarked status.

Mr. Silvin asked if it was important to the owner that his home is landmarked. Mr. Gilbert responded.

Ms. Stillings reminded the Commission of the purpose and intent of the Town's preservation ordinance. She added that the proposed demolition did not meet the intent of the ordinance. She recommended that the Commission deny the application and ask the applicant to return with a new application that will restore and preserve the existing home.

Mr. Randolph stated that there is criteria in the code for demolition, in which a home could be demolished. He cited the applicable code and read some of the criteria. He also recommended that the Commission look at each application on its own merit.

Amanda Skier, Preservation Foundation of Palm Beach, provided her comments in opposition to the proposed project. She advocated for a restoration of the existing home.

Ms. Hufty asked Ms. Albarran if she had created plans to restore the home in its current location. Ms. Albarran responded.

Ms. Coleman asked if the home could be restored in its current location. Ms. Albarran responded.

Mr. Lindgren stated that the previous owner had given him the historic photograph of the home.

Please note: A short break was taken at 12:31 p.m. The meeting resumed at 12:44 p.m.

Mr. Cooney stated that the Building Official, Bill Bucklew, had to leave and asked him to speak regarding the proposed project.

Mr. Bucklew stated that he toured the property on July 17, 2018 and did not find any demolition by neglect. He stated that there were a few maintenance issues that would need to be addressed in the future but he did not find any pressing issues.

Ms. Hufty asked Mr. Bucklew if the owner was able to restore the home in its current condition. Mr. Bucklew discussed the Florida Building Code, specifically how it provides allowances for compliance with respect to historic homes. Mr. Bucklew stated he could not answer whether the home could be restored, as there were unknown conditions that could affect the restoration.

Mr. Gilbert provided further comments about his intent with the proposed renovations as well as a timeline of events leading to the initial application.

A short discussion ensued about the possibility of restoration rather than demolition.

Mr. Cooney thought that restoration that reversed insensitive changes was acceptable. He thought that the Commission embraced the original plan due to the condition of the home but thought the front loading garage was a compromise. He was not in favor of de-designating the home.

Ms. Coleman asked if the home could be restored in its current location. Ms. Albarran responded. A conversation ensued.

Mr. Gilbert spoke about the percentage of proposed demolition. Mr. Cooney pointed out that the proposed impact windows accounted for a large portion of the demolition.

Ms. Stillings recommended restudying a plan to keep the home in its current location.

Mr. Castro advised the Commission on the applicant's next steps concerning the Town Council recommendation.

Mr. Gilbert outlined the reasons for the plan to move the home.

Motion made by Mr. Segraves and seconded by Ms. Hufty to defer the project for one month to the August 20, 2018 meeting.

Mr. Randolph asked the Commission to provide direction to the applicant in respect to the deferral.

Mr. Segraves withdrew his motion.

There was a long discussion on a potential motion as well as a possible direction to the applicant. In the end, Mr. Gilbert stated he would consult with the structural engineers to determine where the 75% of demolition was occurring and what could be changed in order to save more of the home.

Motion made by Mr. Segraves and seconded by Mr. Gannon to defer the project for one month to the August 20, 2018 meeting with a restudy to explore restoration rather than demolition. Motion carried unanimously.

Mr. Gilbert asked what percentage of demolition would be acceptable to the Commission. Mr. Cooney stated he was uncomfortable giving a percentage but added as minimal as possible.

Please note: A short break was taken at 1:48 p.m. The meeting resumed at 1:55 p.m.

3. Informal Review - Application for Certificate of Appropriateness #033-2018
LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE
Address: 120 El Brillo Way
Owner/Applicant: Margaretta Taylor
Professional: Harold Smith/Smith and Moore Architects, Inc.
Project Description: Addition of an exterior stair to the southeast corner of the main house.

VARIANCE INFORMATION: Applicant is proposing to construct a 75 square foot exterior staircase along the east side of the residence that will require a variance to be requested to increase the lot coverage from 29% to 29.3% in lieu of the 25% maximum allowed.

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

Mr. Smith presented the proposed architectural modifications for the residence. Mr. Smith presented alternative handrail drawings on the overhead projector as well as a sample of the materials.

Mr. Segraves asked about the proposed Moroccan arch below the staircase. Mr. Smith responded.

Mr. Silvin was in favor of the proposed change.

Mr. Cooney asked for clarification on an arched window. Mr. Smith responded and stated it was an error in the drawing.

Mr. Cooney stated he was not in favor of the proposed change and explained his reasons.

Mr. Segraves made a recommendation for the design of the stairs. Mr. Smith agreed to restudy the design.

Motion made by Ms. Hufty and seconded by Mr. Silvin that implementation of the proposed variances will not cause negative architectural impact for the subject landmark property. Motion carried 6-1 with Mr. Cooney opposed.

X. DISCUSSION ITEM

1. Presentation of potential properties to consider for Landmark Designation.

Ms. Murphy presented the following properties to consider for future landmark designation: 127 Kings Rd., 137 Kings Rd., 343 El Brillo Way, 215 El Bravo Way, 534 Island Dr., 686 Island Dr., 505 S. County Rd., 249 Peruvian Ave., 128 Australian Ave., 150 Australian Ave., 232 Cocoanut Rd., 400 Seaspray Ave., 255 Seaspray Ave., 145 Seaspray Ave., 300 Seabreeze Ave., 124 Clarke Ave., 120 Everglade Ave., 211 Dunbar Rd., 302 Via Linda and 244 Nightingale Trail. The consultants answered the Commissioners questions about the homes proposed.

Please note: Mr. Cooney noted that Ms. Patterson would be voting in the absence of Mr. Gannon.

After a discussion by the Commission, the following properties received the most votes to be placed under consideration for landmark designation: 255 Seaspray Ave., 145 Seaspray Ave., 124 Clarke Ave., 120 Everglade Ave., 211 Dunbar Rd. and 244 Nightingale Trail.

Mr. Cooney recommended that the Commission also consider 115 Flagler Dr. for landmark designation. Ms. Stillings stated that a previous Commission had reviewed 115 Flagler Dr. and did not recommend placing it under consideration.

Motion made by Ms. Albarran and seconded by Mr. Silvin to place the six properties: 255 Seaspray Ave., 145 Seaspray Ave., 124 Clarke Ave., 120 Everglade Ave., 211 Dunbar Rd. and 244 Nightingale Trail, under consideration for landmark designation. Motion carried unanimously.

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

Mr. Silvin reviewed the Landmark projects that were heard at the July Town Council meeting.

Ms. Silvin stated that Anne Metzger presented her credentials to the Town Council at the July meeting for the upcoming Landmark Commission appointment.

Mr. Silvin discussed the demolition occurring at 1800 S. Ocean Blvd.

XII. ADJOURNMENT

A motion made by Mr. Silvin and seconded by Ms. Hufty to adjourn the meeting at 2:51 p.m. Motion carried unanimously.

The next meeting of the Landmarks Preservation Commission will be held on Monday, August 20, 2018 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

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Albarran, Jacqueline</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Landmarks Preservation Commission</i>	
MAILING ADDRESS <i>324 Royal Palm Way #227</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>July 18, 2018</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, Jacqueline Albarran, hereby disclose that on July 18, 20 18:

(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:

Continuing conflict for the project at
323 Chutkan Ave
CoA - 002 - 2018

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

7/18/18

Signature



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