



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION MEETING HELD ON WEDNESDAY, JULY 19, 2017.

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 1:30 p.m.)
Anne Fairfax, Member	ABSENT (unexcused)
Patrick Segraves, Member	PRESENT
John T. Gannon, Member	PRESENT
Jacqueline Weld Drake, Alternate Member	ABSENT (unexcused)
Kim Coleman, Alternate Member	PRESENT
Sue Patterson, Alternate Member	PRESENT

Staff Members present were:

John S. Page, Director of Planning, Zoning & Building

John Lindgren, Planning Administrator

Kelly Churney, Secretary to the Landmarks Preservation Commission

Mr. Cooney noted for the record that Ms. Coleman would be voting in the absence of Ms. Fairfax.

III. PLEDGE OF ALLEGIANCE

Chairman Cooney led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES OF THE JUNE 21, 2017 MEETING

Motion made by Mr. Silvin and seconded Ms. Albarran to approve the minutes of the June 21, 2017 meeting. Motion carried with all in favor.

V. **APPROVAL OF THE AGENDA**

Motion made by Mr. Gannon and seconded by Mr. Segraves to approve the agenda as amended. Motion carried with all in favor.

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):

Ashton DePeyster, 306 Worth Avenue, expressed his concern about the condition of the building at 300 and 306 Worth Avenue and asked for the Commission's help in urging the owner to repair the building. He invited the Commissioners to tour his apartment to evaluate the condition.

Mr. Cooney stated that he walked the space with the owner and noticed the termite damage.

Ms. Albarran stated that she gave Mr. DePeyster the phone number of a contractor. Mr. DePeyster stated that he believes that a structural engineer needs to evaluate the building.

Mr. Page stated that Code Enforcement would hear the current case. He also indicated a section in the Code that points to a Landmark building deteriorating by neglect. He stated he would like to consult with the Town Attorney.

Ms. Patterson suggested that Mr. DePeyster coordinate with the manager of the Polo store.

Ms. Hufty expressed her opinion regarding Code Enforcement and property owner Burt Handelsman.

Mr. Page stated he would contact the Town Attorney and asked Mr. DePeyster to keep him informed about the Code Enforcement hearing.

Anita Seltzer, 44 Cocanut Row, stated that the Stonzek Theater in Lake Worth would be showing a documentary by Jane Jacobs soon. She also questioned the lack of participation of the Landmarks Preservation Commission in regards to the recent changes to the Comprehensive Plan.

Mr. Page stated that Ms. Albarran declared a conflict for her project at 270 Algoma Rd. at the June 21, 2017 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Page also stated that Ms. Fairfax declared a conflict for her project at 102 Jungle Rd. at the June 21, 2017 meeting and had correctly completed the 8B form in accordance with State Law.

VIII. PUBLIC HEARINGS

- A. [Application for Certificate of Appropriateness #029-2017](#)
LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)
- Done 6/21/17
Address: 102 Jungle Rd.
Owner/Applicant: Thomas Maier
Architect: Richard F. Sammons/Fairfax, Sammons & Partners
Project Description: The following changes are requested: 1) variance for existing wall extension and piers for a new motor court gate and garbage enclosure; 2) refurbished metal (Volk) grill above main entry, in lieu of previously proposed new grille; 3) new wood gate at service entry, in lieu of existing metal gate; 4) new wood gate and masonry brackets at AIA beach access in lieu of existing metal gate with flanking fins; 5) new metal (zinc coated copper) finial at top of west guest wing. Other associated changes as presented

At the June meeting, a motion carried that the implementation of the proposed variance would not cause negative architectural impact to the subject landmark property.

Call for disclosure of ex parte communication: None.

Mr. Cooney noted that the Town Council granted the requested variances.

Jorge Torres, Fairfax, Sammons & Partners, showed the Commissioners a site plan and reviewed the proposed project. He told the Commissioners that he would like to remove the beach access gate from the agenda, as it now needs an additional variance. He presented elevations and renderings for the project.

Ms. Hufty expressed her concern about the proposed beach access gate and noted it would impede the ocean vista. Mr. Torres responded.

Ms. Coleman agreed with Ms. Hufty and thought the proposed beach access gate was imposing.

Motion made by Ms. Albarran and seconded by Mr. Segraves to approve the project as presented. Motion carried with all in favor.

- B. [Application for Certificate of Appropriateness #031-2017](#)
Address: 1300 S. Ocean Blvd.
Owner/Applicant: Paul Tudor Jones II
Architect: Allan Shope
Landscape Architect: Jorge Sanchez/SMI Landscape Architecture

Project Description: Completion of exterior door and window replacement project started in 2017. The majority of new doors and windows to match existing in existing openings. All become hurricane-impact resistant. New exterior window in new opening added at the Sound Room in the former Library wing. Color, material and glazing pattern to retain character of existing. Select exterior door glazing pattern reconfiguration to allow more daylight and improve relationship to overall scale and character of the house's existing glazing. Existing exterior doors relocated and reconfigured, with one pair of doors added at first floor of Guest Wing. Color, material and glazing pattern to retain character of existing. Existing window relocated and reconfigured at second floor of Guest Wing. Color, material and glazing pattern to retain character of existing. Parapet wall at roofline to move 3'-6" to the west to accommodate new elevator. Landscape work to be divided into two summer phases: 2017 & 2018. Re-landscaping of garden in various areas. Reconfiguration of driveway more to the original one & parking court. Runnel fountain allée. Three pergolas in garden. Garden steps. Tennis court trellis. Service parking area renovations. North loggia fountain & glass doors to the east. New east swimming pool. Bedroom terrace. Reconfiguration & reduction in size of south pool. Service ramp on south end of house. Other associated changes as presented.

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

Mr. Shope presented an overview of restoration taking place at the property. He showed the Commissioners elevations of the project and indicated the proposed modifications.

Mr. Cooney inquired about the removal of a staircase window and asked to see historic photographs of the space. Mr. Shope stated he had current photos but not historic photos. Mr. Cooney also asked about the proposed changes for the second floor windows. A short discussion ensued regarding the proposed changes for the windows and whether they should be changed into single or double casement windows.

Ms. Albarran asked if the architect found any historical drawings. Mr. Shope responded.

Ms. Hufty expressed concern regarding the removal of the staircase window and the affect it would have on the elevation.

Mr. Cooney inquired about the windows on the lower level of the tower and stated he thought the irregularities of the design added to the character of the home.

Mr. Segraves stated he understood the dilemma with the staircase window and asked the architect to do some research for the original plan of that space.

Mr. Shope talked about the owners wishes for the house and asked if the Commissioners would reconsider the staircase window and the French doors.

The Commission expressed their appreciation to the owners for restoring the home.

Mr. Sánchez presented the proposed landscape and hardscape plans for the property. He showed the Commissioners a site plan, a previous drawing of the property, a rendered site plan, existing photographs, drawings and detailed sheets.

Mr. Silvin spoke in favor of the proposed changes. Mr. Silvin asked for more detail about the artist that will be doing the shell work at the property.

Ms. Hufty spoke in favor of the proposed shell work.

Mr. Gannon spoke in favor of the proposed grotto and driveway.

Mr. Cooney spoke in favor of the landscape and hardscape changes.

Ms. Albarran spoke in favor of the proposed shells, driveway and grotto.

Mr. Silvin asked about the steps that were covered by landscaping. Mr. Sánchez responded.

Motion made by Mr. Segraves and seconded by Mr. Gannon to approve the landscaping as presented. Motion carried with all in favor.

Mr. Gannon asked about the motion for the architecture. Mr. Cooney expressed his concern.

A second motion made by Mr. Gannon and seconded by Ms. Albarran to defer the architecture for one month to the August 16, 2017 meeting to allow the architect time to find historic photographs of the home. Motion carried with all in favor.

C. [Application for Certificate of Appropriateness #032-2017](#)

Address: 205 Royal Palm Way

Owner/Applicant: Keith Spina

Architect: Keith Spina/Glidden Spina + Partners

Project Description: Install new French door at south elevation. Other associated changes as presented

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

Mr. Spina presented the proposed changes for the building. He showed the Commissioners floor plans, existing photographs and elevations.

Mr. Cooney expressed concern with using a decorative door rather than a plain door.

Mr. Spina stated he could use a solid door, painted white rather than the decorative door.

Ms. Albarran agreed with Mr. Cooney's suggestion.

Mr. Lindgren stated that the ramp could not be approved as it did not meet Code.

Mr. Spina stated they would propose to use grass in place of the ramp if it was Code compliant.

Mr. Silvin inquired about the history of the building. Mr. Cooney responded.

Ms. Hufty asked about the use of the propose use of door. Mr. Spina responded.

Motion made by Mr. Gannon and seconded by Ms. Coleman to approve the project as amended with a solid door with no exterior hardware and no ramp on the exterior that connects to the sidewalk. Motion carried with all in favor.

D. [Application for Certificate of Appropriateness #034-2017](#)

Address: 142 Seaspray Avenue

Owner/Applicant: Mockingbird Home LLC

Architect: Peter Papadopoulos/Smith and Moore Architects, Inc.

Landscape Architect: Mario Nievera/Nievera Williams Design

Project Description: Request approval for rehabilitation of 142 Seaspray Avenue and landscape/hardscape design to include replacement of existing fenestration with wood impact windows/doors; replace existing asphalt roof shingles with wood roof shingles; reconstruct north second floor porch. Hardscape changes to include renovation of vehicle driveway, revised swimming pool size and location. Landscape changes to include renovation of existing north yard area and south area around new pool. Other associated changes as presented. ****Please note that this is a tax abatement project****

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

Mr. Papadopoulos presented the proposed plans for the project. He showed the Commissioners aerial photographs, site plan, colored site plan, historic drawings, elevations, existing exterior photographs of the home, interior photographs, floor plans and elevations placed on the overhead projector.

Mr. Cooney spoke in favor of the project and expressed appreciation for the amount of details in the presentation.

Mr. Silvin was in favor of the project. He noted that Mr. Papadopoulos had changed his mind about a proposed window design.

Ms. Coleman asked about the entrance to the front door. Mr. Papadopoulos responded.

Jane Day, President of Research Atlantica, presented the history of the home.

Ms. Hufty asked about the home's developer. Ms. Day responded.

Mr. Nievera presented the proposed landscape and hardscape plans for the project. He showed the Commissioners a site plan, a rendered site plan and rendered elevations.

Mr. Silvin spoke in favor of the landscaping. He asked about the details of the tree archway. Mr. Nievera provided an explanation.

Mr. Cooney spoke in favor of the design.

Mr. Page asked Commissioners to declare any additional ex parte.

Motion made by Ms. Albarran and seconded by Mr. Silvin to approve the project as presented. Motion carried with all in favor.

A short break was taken at 11:41 a.m. The meeting resumed at 11:53 a.m.

E. [Application for Certificate of Appropriateness #035-2017](#)

Address: 235 Banyan Rd.

Owner/Applicant: Richard Kurtz

Architect: Storm Guard Impact Window & Door

Project Description: Installing impact windows and doors to replace existing windows and doors. Other associated changes as presented.

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

Brian Homan, General Manager with Storm Guard Impact Window & Door, presented the proposed plans for the project. He showed the Commissioners elevations of the home and stated that the window proportions would remain

the same. He also noted that the product they were using was the CGI Estate Series windows.

Mr. Cooney asked about the existing windows. Mr. Homan stated they were the original wood windows.

Mr. Segraves asked if the proposed windows would be tinted. Mr. Homan stated that they would not be tinted. Mr. Segraves asked about the color of the windows. Mr. Homan stated they would match the existing windows.

Mr. Cooney expressed concern about the replacement of the arched windows.

Ms. Albarran asked about the double casement window design. Mr. Homan responded.

Mr. Segraves asked about the front door replacement. Mr. Homan responded. Mr. Segraves expressed concern about replacing the front door with an aluminum door.

Ms. Albarran asked about the French doors in the balcony area and questioned whether the vertical muntin should be removed. Mr. Homan responded.

Mr. Segraves asked about the installation of the proposed windows. Mr. Homan responded.

Ms. Hufty and Ms. Albarran asked about the arched windows and the proposed replacements. Mr. Homan responded.

Tony Prummel, CGI Windows and Doors, showed the Commissioners samples of the proposed French door and window.

Mr. Cooney expressed concern with the replacement of the door. He also questioned if the owner considered restoring the large windows and just replacing the smaller windows.

Motion made by Mr. Segraves and seconded by Ms. Hufty to approve as presented with the request that the owner consider restoring, rather than replacing, the large French doors in the living room.

Mr. Page asked to clarify the motion.

Motion carried 6-1 with Mr. Cooney opposed.

- F. [Application for Certificate of Appropriateness #036-2017](#)
Address: Median within the Royal Poinciana Way Right-of-Way
Owner/Applicant: State of Florida Department of Transportation

Architect: None

Project Description: Final location for Flagler Statue within the Royal Poinciana Way median, easterly of the newly built Flagler Memorial Bridge. Other associated changes as presented.

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

Mr. Page presented the proposed project. He provided a history of the project and showed the Commissioners a photo of the statue to be placed. He presented an aerial map of the proposed sites and stated the reasons why the donor would prefer the alternate location.

Mr. Cooney talked about his meeting with the donor and provided a history of the statue as well.

Mr. Silvin asked about the term Landmark Vistas. Mr. Cooney and Mr. Page responded.

Bill Metzger, 277 Esplanade Way, informed the Commission about a possible restoration opportunity for the eagle and flag pole on Royal Poinciana Way.

Motion made by Mr. Gannon and seconded by Mr. Silvin to approve the project as presented. Motion carried with all in favor.

IX. OTHER BUSINESS

A. [Informal Review – Application for Certificate of Appropriateness #033-2017](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCES

Address: 8 S. Lake Trail

Owner/Applicant: Old Kapok, LLC

Architect: Harold J. Smith/Smith and Moore Architects, Inc.

Landscape Architect: Fernando Wong/Fernando Wong Outdoor Living Design

Project Description: Interior and exterior alterations to a two-story 1938 John Volk designated residence. Interior alterations include bath and kitchen area renovations; restoration of existing architectural elements such as base, casing and cornice moldings; replacement of non-original library wood paneling and stair hall wood flooring; addition of an elevator; reconfiguration of a staff stair; conversion of a dining room to a family room; creation of a new dining room; reconfiguration of second floor bedrooms and baths. Exterior alterations include window and door replacement; the addition of a loggia on the west elevation; infill addition in the proposed dining room; the addition of a service door; replacement of two windows with doors on the east elevation; an addition to the current pool cabana. Construction of a detached four-car garage and a detached one-story guesthouse. Alterations to hardscape and landscape. Addition of a tennis court. Other associated changes as presented. ****Please note that this is a tax abatement project****

VARIANCE INFORMATION: The applicant is requesting modifications to a Landmarked residence which will require the following variances: 1. A request for a variance to allow construction of a tennis court that will not be completely enclosed with a fence and that the tennis court with appurtenances will have a 27 foot front yard setback in lieu of the 35 foot minimum required. 2. A variance request to allow a driveway back up space to be 17 feet in lieu of the 25 feet required. 3. A variance request to construct a one story addition to the south side of the existing cabana that will have a front yard setback of 33.8 feet In lieu of the 35 foot minimum required.

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

Mr. Cooney stated that the entire home is landmarked which includes the entire site.

Maura Ziska, Attorney for the owner, stated her objection to the letter sent by Anne Fairfax. Mr. Page responded. Mr. Cooney stated that since Ms. Ziska had objected, he would not read her letter aloud.

Ms. Ziska presented the proposed variances in which she is requesting a favorable recommendation to the Town Council.

Mr. Smith presented the proposed plans for the project. He provided a history of the residence for the Commissioners and showed them an aerial map, historic photographs, historic plans and items, existing photographs of both the interior and exterior, a site plan, streetscape elevation, floor plans, roof plans and colored renderings.

Angelo Davila, Architect, presented modifications to the interior spaces. He showed the Commissioners interior photographs and drawings.

Fernando Wong and Tim Johnson presented the proposed landscape and hardscape plans for the project. He showed the Commissioners photographs that were inspiration for his design, rendered site plans, elevations and proposed landscape elevations.

Ms. Ziska further explained the requested variances.

Ms. Coleman asked about the composition of the tennis court. Ms. Ziska explained the request for the tennis court. Mr. Johnson responded.

Mr. Silvin was in favor of the architectural changes, questioned some of the interior changes with the tax abatement application, questioned some of the proposed outer accessory buildings and proposed tennis court.

Mr. Segraves spoke in favor of the architecture but took issue with some of the accessory buildings.

Mr. Cooney asked about the pitched roof on the proposed garage and suggested a flat roof. Mr. Smith responded. Mr. Cooney expressed concern about the guesthouse.

Ms. Patterson expressed concern about the site and the number of buildings that are proposed for the site as well as the placement of the tennis court.

Many of the Commissioners expressed their dismay about the number of buildings proposed for the site as well as concern for the size and scale of some of the rear buildings as well as the tennis court.

Ms. Albarran questioned whether this project should receive a tax abatement. She suggested removing the protrusion from the front of the guesthouse. Mr. Segraves suggested widening it as well.

Mr. Cooney explained why he was not in favor of the proposed tennis court.

Emily Stillings, MurphyStillings, spoke to the importance of the gardens at the residence. Because the applicant requested a tax abatement, Ms. Stillings asked for the Commissioners' consideration of a pitched roof rather than an original flat roof as well as the proposed balcony railings. She also was not in favor of the rear accessory buildings and the tennis court.

Mr. Gannon was not in favor of the proposed placement of the tennis court. He also questioned whether some of the proposed designs followed the original intent of John Volk.

Mr. Cooney thought the tax abatement application for the main residence was acceptable.

Ms. Stillings provided an explanation for the tax abatement application.

Mr. Silvin provided his opinion regarding the tax abatement application. Ms. Stillings responded.

Anne Metzger, 277 Esplanade Way, expressed concern about the proposed garage and preserving the garden.

Bill Metzger, 277 Esplanade Way, expressed concern about the proposed garage.

Mr. Cooney complimented Harold Smith for working with the neighbors.

Mr. Smith presented a second option for the garage doors on the overhead projector. Mr. Smith also showed a photo of the current garage to indicate the limited backup space as well as other neighboring garages.

There was a short discussion regarding the tax abatement application.

Ms. Ziska asked the Commissioners for a deferral so that they could talk to the owners about the future direction of the design.

Motion by Mr. Segraves and seconded by Mr. Silvin to defer the project for one month to the August 16, 2017 meeting for restudy. Motion carried with all in favor.

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

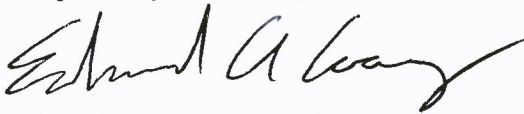
Mr. Silvin spoke to his fellow Commissioners regarding the comments made by the Mayor and the Town Attorney regarding the methods that the Commissioners addressed the professionals as well as using the Code, not opinion, to make their decisions.

XI. ADJOURNMENT

Motion by Mr. Silvin and seconded by Ms. Albarran to adjourn the meeting at 2:47 p.m. Motion carried with all in favor.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, August 16, 2017 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Rd. Palm Beach.

Respectfully submitted,



Edward A. Cooney, Chairman
LANDMARKS PRESERVATION COMMISSION

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