



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION MEETING HELD ON WEDNESDAY, DECEMBER 21, 2016.

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

Mr. Cooney called the meeting to order at 9:31 a.m.

II. ROLL CALL

Edward Austin Cooney, Chairman	PRESENT
Nikita Zukov, Member	PRESENT
Jacqueline Albarran, Member	PRESENT
Page Lee Hufty, Member	PRESENT
William J. Strawbridge, Jr., Member	PRESENT
Richard Rene Silvin, Member	PRESENT
Jacqueline Weld Drake, Alternate Member	PRESENT
Anne Fairfax, Alternate Member	PRESENT (arrived at 9:34 a.m)
Jorge Sánchez, Alternate Member	PRESENT

Staff Members present were:

Veronica Close, Assistant Director of Planning, Zoning & Building

John Lindgren, Planning Administrator

Kelly Churney, Secretary to the Landmarks Preservation Commission

Please note that Ms. Drake voted in the shortage of voting members on the Commission.

III. PLEDGE OF ALLEGIANCE

Chairman Cooney led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES OF THE NOVEMBER 16, 2016 MEETING

Motion made by Ms. Albarran and seconded by Mr. Silvin to approve the minutes of the November 16, 2016 meeting. Motion carried with all in favor.

V. APPROVAL OF THE AGENDA

Mr. Cooney stated that there was a modification to the agenda. He asked that COA-039-2016, 141 S. County Rd. be withdrawn from the agenda.

Motion made by Ms. Albarran and seconded by Mr. Silvin 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)

Ms. Close stated that Ms. Albarran declared conflicts for the projects at 270 Algoma Road and 233 Clarke Avenue at the November 16, 2016 meeting and had correctly completed the 8B form in accordance with State Law.

Ms. Close also stated that Mr. Sánchez declared a conflict for the project at 100 Bradley Place at the November 16, 2016 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Cooney acknowledged the passing of Lee Hanley and Bob Moore and stated both had a sizable impact on the Landmarks Preservation Commission.

Please note: Mr. Sánchez left the room for the following discussion due to a conflict of interest with this project.

Brian Vertesch, SMI Landscape Architecture, announced he wanted to update the Commission on a situation regarding the project at Bradley Park and indicated that he had spoken to Ms. Albarran and Mr. Cooney about the situation. He stated that at the October meeting, he had presented the project and received an approval. He stated that Ms. Albarran, in her motion, had asked for landscaping to be placed between the bathroom and the fountain. He said that the Police Department looked at the plans and indicated that the landscaping could create a visibility concern for them. Mr. Vertesch stated he discussed this issue with Ms. Albarran, who stated that the request was a minor concern and would not hesitate to remove her recommendation from her motion. Mr. Vertesch stated that he informed Mr. Lindgren about the conversation and Mr. Lindgren and Mr. Cooney both agreed that Mr. Vertesch should discuss the issue with the Commission as a whole. Mr. Vertesch asked the Commission if they would approve to have the recommendation removed from the approval.

Mr. Cooney verified that the recommendation was a condition of the approval.

Ms. Albarran stated her intent for the recommendation and indicated that she would be happy to remove the it from the approval.

Mr. Lindgren stated that although it may seem like a minor issue, it was a condition of approval and he could not administratively approve the request.

Mr. Silvin asked for clarification for the security concern. Mr. Vertesch answered the question.

Mr. Lindgren discussed the option to revisit the motion. Ms. Close stated that a motion on the prevailing side could be made to reconsider the item.

Mr. Zukov suggested to install a camera and a short buffer to eliminate the safety concerns. Mr. Vertesch explained the challenges with that option.

Motion made by Ms. Albarran and seconded by Mr. Silvin to reconsider the motion of COA-040-2016 made at the November 16, 2016 meeting. Motion carried with all in favor.

Mr. Cooney asked Ms. Churney to read the motion that was made at the November 16, 2016. Ms. Churney read the motion.

Ms. Hufty stated that she would be in favor of a buffer. She also questioned the security of the bathrooms. Ms. Close stated that her concern would be taken to the Police Department.

Mr. Cooney discussed the intent of a new motion. He then asked the Commissioners if they felt comfortable removing the language regarding the buffer while allowing the landscape professionals the flexibility to create a buffer with the Commissioners' intent in mind. Mr. Lindgren offered a suggestion for the motion.

Mr. Cooney asked for public comment at this time.

Motion made by Mr. Silvin to approve project COA-040-2016 as the motion was made at the November 16, 2016 meeting but to remove the stipulation that there is landscaping in front of the bathroom door. Some discussion ensued on this motion. Mr. Silvin withdrew his motion at this time.

Motion made by Mr. Zukov and seconded by Mr. Silvin to approve project COA-040-2016 as the motion was made at the November 16, 2016 meeting but to allow the landscaping professionals to work with the Police Department to create a buffer that will not cause a safety concern for the Town. Some discussion ensued on this motion.

Ms. Drake stated she was in favor of approving the project as presented without any caveats. Ms. Albarran agreed with Ms. Drake.

Ms. Hufty stated her reasons for wanting a buffer. Mr. Vertesch stated he would be happy to look at planting a buffer but would prefer that the word "buffer" not be included in the motion. More discussion continued on this topic.

Mr. Cooney stated that when a condition is placed on a motion, it can limit staff's flexibility when handling staff approvals. Mr. Lindgren stated it depends on how the motion is worded.

Ms. Hufty read the definition of the word "buffer."

Mr. Zukov amended his motion to read **to allow for landscapers to work with the Police department to create landscaping in front of the bathroom if at all possible. Mr. Silvin agreed to second the language of this motion. Motion carried 5-2 with Ms. Albarran and Drake opposed.**

Mr. Cooney stated that Mr. Gannon, Vice Chairman of the Landmarks Preservation Commission, resigned from the board and now the Commission is in need of a new Vice Chairman and asked for nominations. Ms. Hufty nominated Rene Silvin for the position. Ms. Albarran seconded the nomination. There were no other nominations at this time. Mr. Silvin was voted unanimously to the Vice Chairman position.

VIII. PUBLIC HEARINGS

A. [Application for Certificate of Appropriateness #054-2016](#)

***LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)* - Done**
11/16/16

Address: 238 Phipps Plaza

Owner/Applicant: Robb R. Maass and Elizabeth Maass

Architect: M. Mark Marsh/Bridges, Marsh & Associates, Inc.

Project Description: Remove existing outside stairs on east side of residence and replace with new enclosed interior stair, enclose open second story balcony in rear of residence, renovate interiors; related changes to hardscape and landscape.

VARIANCE INFORMATION: The applicant is proposing to enclose an existing outside stair and enclose an open second story balcony which requires the following variances: a) a north front yard setback of 6.5 feet in lieu of 25-foot minimum required; b) an east side yard setback of 0.5 feet in lieu of 10-foot minimum required; and c) a south rear yard setback of 5.3 feet in lieu of 15-foot minimum required.

At the November meeting, a motion carried that the implementation of the proposed variances would not cause negative architectural impact to the subject landmarked property.

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

Mr. Marsh provided a brief overview of the project, including some of minor changes that had been made since the last presentation. He showed the Commissioners a site map, existing and proposed elevations. Some of the minor modifications that Mr. Marsh presented included adding a window, a slight step down in the new roof that Ms. Albarran recommended and a Juliette balcony.

Mr. Cooney asked if the balcony addition would affect any variance or set back issues. Mr. Lindgren stated he would have to research the issue.

Many of the Commissioners were in favor of the changes.

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

B. [Application for Certificate of Appropriateness #055-2016](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)- Done
11/16/16

Address: 233 Clarke Ave.

Owner/Applicant: Austin and Gwendolyn Fragomen

Architect: Jacqueline Albarran/SKA Architect + Planner, Inc.

Project Description: New second story extension in rear of main house. Demolition of deteriorated existing guest house/garage. New guest house and attach two car garage. Add covered terrace and pergola to new guest house. Replace all windows and doors with new impact to match existing. Roofs and all details to match existing. Correct existing previously submitted height information. Entire presentation to match previously approved design (April 2016).

VARIANCE INFORMATION: The applicant requests to demolish a non-conforming landmarked two story guest house/garage (1,422 sq. ft.) and rebuild a new guest house/garage (2,460 square feet) in the same general location. The following variances are required: 1) to allow an overall height of 20.5 feet in lieu of the 15-foot maximum allowed; 2) to allow a two story accessory building on a lot that is under 20,000 square feet in the R-B Zoning District in lieu of the one story maximum allowed.

At the November meeting, a motion carried that the implementation of the proposed variances would not cause negative architectural impact to the subject landmarked property.

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

Ms. Albarran declared a continuing conflict for the project at this time.

Ms. Albarran stated that this project was originally approved to raise the structure as existing but then realized the floor was sloped 8 inches and would not be possible. She reminded the Commission that they would now rebuild the structure as it exists today. Ms. Albarran presented pictures of the existing structure and existing and proposed elevations. She told the Commission she did receive approval for the variances from the Town Council.

Mr. Cooney asked if they would eventually see a landscape plan. Ms. Albarran said the plan would eventually be brought to the Commission.

Mr. Silvin stated he recalled that the Town Council required a supportive engineering report as a condition of approval. Mr. Silvin wanted to know if the Town Council's request had been satisfied. Mr. Cooney stated that a condition could be placed on the approval that an engineering report be submitted.

Motion made by Mr. Silvin and seconded by Ms. Hufty to approve the project as presented, subject to the Town Council receiving the supportive engineering report. Motion carried with all in favor.

C. [Application for Certificate of Appropriateness #056-2016](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S) - Done
11/16/16

Address: 3 Pelican Ln.

Owner/Applicant: Mr. Dana Landry

Architect: Patrick W. Segraves, A.I.A./SKA Architect + Planner

Project Description: Interior renovation of first floor kitchen, demolition of part of wall, kitchen wall and addition of 33 S.F. bay window breakfast area.

VARIANCE INFORMATION: The applicant is requesting a variance to allow the construction of a 33 square foot addition with a street side yard setback of 26.16 feet in lieu of the 35-foot minimum required.

At the November meeting, a motion carried that the implementation of the proposed variances would not cause negative architectural impact to the subject landmarked property.

Call for disclosure of ex parte communication: None.

Mr. Segraves stated that the project had not been changed from the last presentation in November. He stated that he did receive approval from the Town Council. Mr. Segraves presented a floor plan, a site plan and elevations of the proposed project.

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

D. [Application for Certificate of Appropriateness #058-2016](#)

Address: 105 Clarendon Ave.

Owner/Applicant: Charles A. Schumacher

Architect: Keith Williams/Nievera Williams Design

Project Description: Revisions of previously presented drawings (COA-047-2013) for property located at 105 Clarendon Ave., increase of pool length, removal of spa, fountain and garden steps at east area of property. Other associated changes as presented.

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

Mr. Williams presented previously approved and currently proposed site plans and indicated all of the proposed modifications to the plan. Some of the modifications include

an increase in size of the pool, a reduction of the tennis court and the addition of a small terrace. Mr. Williams also discussed the proposed modifications to the landscape as well. **Motion made by Mr. Zukov and seconded by Ms. Albarran to approve the project as presented. Motion carried with all in favor.**

Please note: It was noted that Ms. Fairfax would now be voting in the absence of Ms. Hufty.

Tim Gannon, past Commissioner of the Landmarks Preservation Commission, stated how much he enjoyed being on the Commission and how he hopes to serve again in the future. Mr. Silvin expressed his appreciation of Mr. Gannon.

Mr. Sánchez asked a question about the tennis court on the project at 105 Clarendon Avenue. Mr. Cooney answered his question.

E. [Application for Certificate of Appropriateness #059-2016](#)

Address: 691 N. County Rd.

Owner/Applicant: Harriet Cohen, James S. Cohen & Robert B. Cohen

Architect: Thomas M. Kirchhoff/Kirchhoff & Associates Architects

Project Description: The garage/guest house was designed in 1930 for Otto H. Kahn by Treanor & Fatio. The request for the certificate of appropriateness is for the replacement of the existing exterior deteriorated stair with a new stair in the existing stair footprint.

Call for disclosure of ex parte communication.

Please note that at this time, the architect was not present to discuss the project.

Motion by Ms. Albarran and seconded by Mr. Zukov to defer the item to the end of the agenda to allow the architect to arrive. Motion carried with all in favor.

IX. [OTHER BUSINESS](#)

A. [Informal Review - Application for Certificate of Appropriateness #039-2016](#)

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

Address: 141 S. County Rd.

Owner/Applicant: Church of Bethesda-by-the-Sea, Inc.

Architect: Gene Pandula/Pandula Architects

Project Description: The Church of Bethesda-by-the-Sea proposed to add 11 parallel off-street parking spaces along the north side of the 100 block of Barton Ave. The parking spaces currently exist. The new spaces are being shifted onto the Church property to allow Barton Ave. to operate as a full time two-way local street. 23 off-street parking spaces are proposed to be located on the vacant parcel directly west of the Church (across South County Rd.)

SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE INFORMATION: The applicant is requesting for approval of a Special Exception with Site Plan Review and Variances to

construct required off-street & supplemental parking spaces to accommodate 34 additional required off-street & supplemental parking, specifically 11 parallel parking spaces are proposed to be located on private property along the north side of the 100 block of Barton Avenue, adjacent to the Church. 23 parking spaces are proposed to be located on the Church's parcel directly west of the Place of Worship across South County Road. If approved, the additional 34 required off-street & supplemental parking spaces will substantially alleviate the recent loss of parking that has existed as a result of changes to the Town's parking policies. At the Town Council's direction, the applicant seeks to allow residents of the 100 & 200 block of Barton Avenue along with residents of the 200 block of Pendleton Avenue to use the 34 off-street and supplemental parking spaces by way of a Declaration of Use agreement. The following variances are requested for the 11 parallel required off-street parking spaces to be located on the north side of the 100 block of Barton Avenue: 1) to allow the landscape open space area to be reduced from the existing 51.98% to 50.48% in lieu of 55% minimum landscape open space as required by code; 2) to allow the off-street parking with a zero setback in lieu of the 25 foot minimum setback required; 3) to allow the off-street parking spaces not to include the required screening with hedges, walls or a combination thereof as required; 4) to allow the interior off-street parking landscape open space to be reduced to zero in lieu of the minimum 10% (205.3 sq. ft.) required.

At the October meeting, the project was given a 60-day referral at the request of the attorney for the project.

Please note: This project was withdrawn during Item V., Approval of the Agenda.

B. Informal Review - Application for Certificate of Appropriateness #057-2016

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Address: 323 Chilean Ave.

Owner/Applicant: Ambassador Mark Gilbert

Architect: Jacqueline Albarran/SKA Architect + Planner, Inc.

Project Description: Raise existing main house to achieve a 7.5' NGVD finish floor elevation and relocate it to the East and South. Raise existing guest house to achieve a 7.5' NGVD finish floor elevation and leave in existing footprint. One and two story additions to both main house and guest house. New trellis, pool, spa, fountain and patios. Replace existing, non-original roof shingles with barrel tile. Replace all windows and doors with new wood impact.

VARIANCE INFORMATION: The applicant is proposing to lift the house to meet the FEMA requirement of 7.5 NGVD and construct a 60.26 square foot addition to create a new 2 car garage that will have a 7.28 foot west side yard setback in lieu of the 10 foot minimum required.

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

Ms. Albarran declared a continuing conflict for the project at this time. Mr. Lindgren noted that Mr. Sánchez would be voting due to Ms. Albarran's conflict.

Ms. Albarran presented an existing and proposed vicinity map, an existing and proposed streetscape, existing photos of the project, a site map for the property. Ms. Albarran showed the Commissioners the location of where the existing house and the proposed addition would be moved.

Ms. Ziska explained the variance that they are requesting and seeking a favorable recommendation for the Town Council.

Ms. Albarran provided a few details of the landscape but stated that the full landscape plan would be presented to the Commission in the future. Ms. Albarran went over the floor plans, a roof plan, a historic photo and colored elevations. She discussed materials to be salvaged and used for the project. Ms. Albarran presented existing and proposed floor plans for the guest house. She also presented elevations and colored elevations for both the main residence as well as the guest home.

Mr. Cooney applauded both Ms. Albarran and the owner's vision to restoring the home. Mr. Cooney also mentioned the benefit for the Commissioners to be able to see historic drawings and photographs when making decisions on a project. Mr. Cooney asked Ms. Albarran to restudy the fenestration on the east elevation, the location of the old sleeping porch in particular. Ms. Albarran agreed to do so. Mr. Cooney also asked Ms. Albarran to provide updates to the Commissioners regarding the details of the moving of the residence.

Mr. Strawbridge agreed with Mr. Cooney to revisit the area of the sleeping porch to retain some of the existing character. Mr. Silvin and Mr. Lindgren discussed the landmarking of the residence.

Mr. Zukov asked Ms. Albarran to add another bay to the three windows above the garage on the second floor, south elevation to elongate them and make them more narrow. Ms. Albarran stated she would look at the windows again. Mr. Zukov also expressed concern about the second floor location over the garage.

Ms. Fairfax suggested to Ms. Albarran that she advocate to her client to save the garden door on the east elevation. Ms. Fairfax also suggested the option of using flood gates rather than moving and raising the existing home. Ms. Albarran agreed to ask her client to save the door.

Ms. Fairfax raised the possibility of replicating a landmark house rather than expending the large cost of raising, moving and renovating a landmark house. Mr. Zukov expressed the same concern. Some discussion continued on this topic.

Ms. Fairfax asked Mr. Sánchez to comment on the topic due to his personal experience. Mr. Sánchez spoke to his experience about raising his property as well as the history of the area of the proposed project.

Mr. Silvin talked about the history of the home and the area. Mr. Strawbridge discussed size and scale of the historic homes in Palm Beach.

Ms. Fairfax also added that she thought proposed garages look too suburban and that the landscaping would be important. Mr. Sánchez suggested to add a vine over the garage to minimize them.

Ms. Drake brought up the subject of landmark homes that were not built to last and the predicament that an owner faces when renovating. Some discussion continued on this topic.

Motion made by Mr. Zukov and seconded by Mr. Silvin that the implementation of the proposed variance will not cause negative architectural impact to the subject landmark property. Motion carried with all in favor.

E. [Application for Certificate of Appropriateness #059-2016](#)

Address: 691 N. County Rd.

Owner/Applicant: Harriet Cohen, James S. Cohen & Robert B. Cohen

Architect: Thomas M. Kirchhoff/Kirchhoff & Associates Architects

Project Description: The garage/guest house was designed in 1930 for Otto H. Kahn by Treanor & Fatio. The request for the certificate of appropriateness is for the replacement of the existing exterior deteriorated stair with a new stair in the existing stair footprint.

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

Mr. Kirchhoff provided a historic overview of the property. He stated that the stair at the guest house and garage structure had deteriorated and a staff member had fallen through the stairway. A contractor had fixed the stair without a permit and was cited by Code Enforcement. Mr. Kirchhoff presented photos of the damage and decay of the old stairs as well as the newly built stairs.

Mr. Cooney confirmed that the intent was to replicate the existing stairs. Mr. Kirchhoff stated that was correct.

Ms. Fairfax asked Mr. Kirchhoff about the contractor who performed the repair. Mr. Kirchhoff answered her question.

Mr. Cooney discussed the process of obtaining a permit after something has been built without inspections.

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 11:18 a.m. The meeting resumed at 11:26 a.m.

X. [DESIGNATION HEARINGS](#)

[Item 1: 201 El Brillo Way](#)

Owner: James S. and Irene J. Karp

Call for disclosure of ex parte communication: None.

Mr. Cooney asked for confirmation that the Town had proof of publication and notice with regard to this landmark designation hearing. Ms. Churney stated that the Town does have proof of publication.

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this Marion Sims Wyeth residence. Ms. Murphy pointed out the design features of the Mediterranean Revival Style home for the Commissioners as well as provided a history of the home, including information on the original owners. Ms. Murphy testified that the building meets 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 or 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 asked if the owner had been contacted. Ms. Murphy stated that they made attempts to contact the owner but were unsuccessful in their attempt.

Mr. Cooney discussed the alterations that had been made to the property, including the missing divided lights in the windows and the addition of the stone sills on the second floor windows. Ms. Albarran also discussed the changes in the windows and the sills. Mr. Cooney noted that he did not think the changes compromised the integrity of the home.

Ms. Fairfax asked if Ms. Murphy had original drawings for the home. Ms. Murphy stated she found original plans but not elevations. Ms. Fairfax made a request to include any drawings and plans in future presentations. Ms. Murphy put the plans on the overhead projector for the Commissioners.

Ms. Murphy listed all of the alterations to the property that had been made. The Commissioners noted that these alterations were minor.

Mr. Cooney open the discussion for public comment and there was none.

A motion made by Mr. Zukov and seconded by Mr. Silvin that 201 El Brillo Way be recommended to the Town Council designation as Landmark of the Town of Palm Beach based on criteria 1, 3 and 4 in Section 54-161. Motion carried with all in favor.

A second motion was made by Ms. Albarran and seconded by Mr. Zukov that the designation report be made part of the record. Motion carried with all in favor.

[Item 2: 130 Chilean Ave.](#)

Owner: 130 Chilean LLC

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

Mr. Cooney asked for confirmation that the Town had proof of publication and notice with regard to this landmark designation hearing. Ms. Churney stated that the Town does have proof of publication.

Emily Stillings, MurphyStillings, LLC, testified to the architecture and history for this Volk and Maass residence. Ms. Stillings stated that this home was an excellent example of a Mediterranean Revival Style home and provided a history of the home for the Commissioners, including information on the original owners. She pointed out some of the significant design features and showed some photos of the property that were taken in 2013. Ms. Stillings stated that she was not able to find original drawings or elevations for the property. Ms. Stillings testified that the building meets the following criteria for designation as a landmark:

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 or 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 complimented MurphyStillings, LLC on the designation reports that were presented.

A motion was made by Ms. Albarran and seconded by Mr. Zukov that the designation report be made part of the record. Motion carried with all in favor.

Mr. Cooney discussed the importance of surveying the Town to find properties potentially worthy of landmarking.

Ms. Fairfax stated that her firm renovated the property and that the owners are happy that the home will be landmarked. She stated that the owners did an amazing, sensitive job renovating the property.

Mr. Cooney talked about Volk's career and some of his early work in the Town. Ms. Stillings stated that she could not find that Volk specifically worked on this home but did find evidence that Maass worked on the home.

Ms. Fairfax stated she would bring photos of this house next month to show her fellow Commissioners. Ms. Close stated that Ms. Fairfax could send the pictures to staff and staff would forward them on to the Commissioners.

A second motion made by Ms. Drake and seconded by Mr. Zukov that 130 Chilean Avenue be recommended to the Town Council designation as Landmark of the Town of Palm Beach based on criteria 3 and 4 in Section 54-161.

Mr. Cooney open the discussion for public comment and there was none.

Motion carried with all in favor.

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

Mr. Strawbridge suggested that the Commissioners consider landmarking The Colony Hotel and stated the reasons he believes it should be landmarked. Mr. Cooney stated the history of when the hotel once was considered to be placed under consideration.

Mr. Lindgren stated that the Commissioners can place a property under consideration for landmark designation at any time.

A motion made by Mr. Strawbridge and seconded by Mr. Silvin to place The Colony Hotel at 155 Hammon Avenue under consideration for landmark designation. Motion carried with all in favor.

Mr. Silvin provided an overview of the Town Council meeting and the discussions and actions that occurred regarding the properties at 233 Clarke Ave and 89 Middle Road. He provided a review of the lengthy discussion that occurred at the Town Council meeting regarding the property at 434 Seaspray Ave.

Mr. Silvin asked the Commissioners their thoughts regarding the dilemma that occurs when there is limited access to a property that is under consideration for landmark designation. Ms. Fairfax stated that Google Earth would provide more graphic information. Mr. Strawbridge suggested using a drone to capture further images.

Ms. Stillings asked for clarification on how much information the Commissioners would like presented in the designation hearings. Mr. Cooney suggested distributing a printed copy of the designation report to each Commissioner. Mr. Lindgren stated that staff could post them on the Town's website as well. Some discussion continued on this topic.

Ms. Fairfax showed the Commissioners a new book just released, The Cottages of Lake Worth.

XII. ADJOURNMENT

Motion made by Ms. Albarran and seconded by Mr. Zukov to adjourn the meeting at 12:11 p.m. Motion carried with all in favor.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, January 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
kmc

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Sánchez, Jorge</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Landmarks Preservation Commission</i>	
MAILING ADDRESS <i>239 Southland Rd.</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☒ <i>Town</i> OTHER LOCAL AGENCY	
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>December 21, 2016</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, Jorge Sánchez, hereby disclose that on December 21, 20 16:

(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:

Discussion regarding motion + new motion
COA -040-2016
100 Bradley Place
Continuing Conflict

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

12/21/16

Signature

J. Sánchez

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.

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Albarán, 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>December 21, 2016</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 Alkhoran, hereby disclose that on December 21, 20 16:

(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:

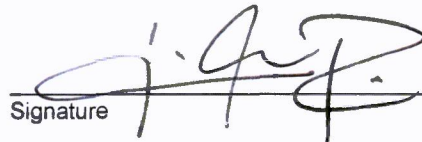
Certificate of Appropriateness hearing
for 323 Chilean Ave
COA-057-2016

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

12/21/16

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.

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: <i>Town</i>	
CITY <i>Palm Beach</i>	COUNTY <i>Palm Beach</i>	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>December 21, 2016</i>		NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</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 December 21, 20 16:

(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 Hearing
233 Clarke Ave
COA - 055-2016
Continuing conflict

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

12/21/16

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.