



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION MEETING HELD ON WEDNESDAY, AUGUST 17, 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

Chairman Cooney called the meeting to order at 9:35 a.m.

II. ROLL CALL

Edward Austin Cooney, Chairman	PRESENT
John T. Gannon, Vice Chairman	PRESENT
Nikita Zukov, Member	ABSENT (excused)
Jacqueline Albarran, Member	PRESENT
Page Lee Hufty, Member	PRESENT
William J. Strawbridge, Jr., Member	PRESENT (left the meeting at 12:53 p.m.)
Richard Rene Silvin, Member	PRESENT
Jacqueline Weld Drake, Alternate Member	PRESENT
Anne Fairfax, Alternate Member	PRESENT

Staff Members present were:

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

John Lindgren, Planning Administrator

Paul Castro, Zoning Administrator

Kelly Churney, Secretary to the Landmarks Preservation Commission

Chairman Cooney noted that Ms. Drake would be voting in the absence of Mr. Zukov.

III. PLEDGE OF ALLEGIANCE

Chairman Cooney led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES OF THE JULY 20, 2016 MEETING

Motion made by Ms. Albarran and seconded by Mr. Silvin to approve the minutes of the July 20, 2016 meeting. Motion carried with all in favor.

V. **APPROVAL OF THE AGENDA**

Chairman Cooney noted that the architects for COA-16-2016, 101 El Brillo Way and for COA-031-2016, 5 Middle Rd. have requested to withdraw their applications. Lastly, Chairman Cooney noted that the architect for COA-033-2016, 255 Clarke Ave. has requested to defer their project to the September 21, 2016 meeting.

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)**

At this time, Mr. Page went on the record to indicate that Ms. Fairfax did declare a conflict for the project at 9 Golfview Rd. at the July 20, 2016 meeting and has correctly completed the 8B form in accordance with State Law.

VIII. **PUBLIC HEARINGS**

A. **Application for Certificate of Appropriateness #016-2016**

Address: 101 El Brillo Way

Owner/Applicant: Palm Trust

Architect: Michael J. Johnson

Project Description: Existing early to late 1920's residence to be modified as follows: 1) partial removal of existing later additions a) library at ground floor, b) master bedroom sitting room, c) tap room at ground floor, d) small wall at east terrace, e) existing garage extensions at west elevation, f) sitting room over tap room at second floor, g) removal of chimneys at guest wing, h) removal of existing wood stairs at guest wing, i) removal of existing barrel roof tiles. 2) Proposed modifications a) new ground floor loggia at east elevation, b) extension at second floor master bedroom and bath over new loggia, east elevation, c) extension of existing kitchen into west courtyard, d) addition of one story pool cabana at west elevation, e) reconfiguration of doors and windows as per drawings, f) reconfiguration of existing roof line as per drawings. New barrel clay tiles to match existing, g) reconfiguration of roof over master bedroom to hip roof.

At the June meeting, this project was granted a July deferral. At the July meeting, this project was granted a deferral to the August meeting.

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

B. **Application for Certificate of Appropriateness #017-2016**

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S) - Done 7/20/16

Address: 196 Banyan Rd.

Owner/Applicant: Robert F. Agostinelli

Architect: Michael J. Johnson

Project Description: Removing existing exterior wood stair structure and replacing it with a dog-leg shaped stair with a knee wall type guard rail.

VARIANCE INFORMATION: The applicant is requesting a variance to modify the existing exterior staircase located on the southeast side of the property from a straight staircase to a winding staircase, with a street side yard setback and building height plan of 25.1 feet in lieu of the 35 foot minimum required.

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

Call for disclosure of ex parte communication: None

Mr. Johnson stated that the Town Council approved the application submitted for the variance requests. He then turned the presentation over to Daniel Menard. Mr. Menard presented the proposed stairway and stated the reasons for the proposed change. Mr. Menard also explained the two variances that were needed for the project.

Mr. Page did confirm that the Town Council did approve the project at their meeting on August 16, 2016.

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

C. [Application for Certificate of Appropriateness #025-2016](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S) - Done 7/20/16

Address: 9 Golfview Road

Owner/Applicant: Acroterium Group/Richard Sammons, Member

Architect: Richard Sammons/Fairfax, Sammons & Partners

Project Description: Alterations to front (south) façade with the following: replace plate glass window with two true-divided light windows; remove portion of balcony and eave; install new parapet at portion of façade; new wood shutters; new paint; new balcony railing and pickets. Interior courtyard changes include new retractable awning at second floor terrace; replace pair of double doors with true divided light doors; replace sliding glass doors with true-divided light doors. Landscape changes include new gate, new posts, new wall and removal of some impermeable surface. New landscape plan for front and inner courtyard.

VARIANCE INFORMATION: The applicant is proposing to 1) allow the proposed swimming pool to have a 9.7 foot front yard setback in lieu of the 35 foot minimum required; 2) to add a parapet onto the front of a Landmarked two story residence with an existing pitched roof that will increase the overall height in the non-conforming setback of 2.25 feet.

At the July Meeting, a motion carried that the implementation of the proposed variance would not cause negative architectural impact to the subject landmarked property.

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

Ms. Fairfax declared a conflict on this project and left the room during the presentation.

Mr. Sammons presented the history of the home. He then presented the site plan, floor plans, elevations, and changes to the landscape and hardscape. Mr. Sammons discussed some of the materials that are proposed and also explained the reasons that the variance was requested.

Commission comments: Mr. Strawbridge asked about the height of the current hedge. Mr. Sammons responded and stated the hedge is currently between 7-8 feet and it will be maintained at its current height.

Mr. Page confirmed that the Town Council did give an approval to the variance request.

Chairman Cooney wanted to clarify on the record that the Landmarks Preservation Commission does not usually approve drastic stylistic changes but recognized that this house had many changes from its original form and that this is a unique situation.

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

D. [Application for Certificate of Appropriateness #031-2016](#)

Address: 5 Middle Rd.

Owner/Applicant: Tom and Jorden Saunders

Architect: Mario Nievera/Nievera Williams Design

Project Description: Revised front driveway gates.

At the July meeting, this project was deferred one month for restudy.

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

E. [Application for Certificate of Appropriateness #033-2016](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S) - Done 7/2016*

Address: 255 Clarke Ave.

Owner/Applicant: The Clarke Trust

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

Project Description: Demolition of existing pergola and utility building on north end of property second floor, new window in bath on east façade, new window in bath on north façade, second floor. Replacement of existing wood railing on north façade of master bedroom, second floor, with metal railing to match existing historical

railing. Reconstruction of 500 sq. ft. family room with addition of new elevator/cabana bath/BBQ on east side of garage building. New pavilion structure on north end of property.

VARIANCE INFORMATION: The applicant is proposing the following improvements to the existing landmarked residence: 1) demolish and rebuild a 500 square foot family room; 2) construct a two story 31 square foot elevator addition to the garage; 3) construct a one story 45 square foot cabana bathroom; 4) construct a one story 340 square foot pavilion; 5) construct a one story 60 square foot covered BBQ; 6) demolish a pergola and utility room consisting of 210 square feet; 7) demolish family room east loggia consisting of 210 square feet. A variance for cubic content ratio ("CCR") is being requested to accomplish the above improvements to allow a CCR of 4.98 in lieu of the 4.82 existing and the 3.91 maximum CCR allowed.

At the July Meeting, a motion carried that the implementation of the proposed variance would not cause negative architectural impact to the subject landmarked property.

Please note: This project was deferred to the September 21, 2016 meeting during Item V., Approval of the Agenda.

F. [Application for Certificate of Appropriateness #034-2016](#)

Address: 1300 S. Ocean Blvd.

Owner/Applicant: Paul Tudor Jones II

Architect: Allan Shope

Project Description: General Building Improvements - All roofing will be repaired throughout to match existing, all exterior windows and doors will be replaced throughout to match existing but become hurricane impact-resistant, new elevator added between basement and second floor. Basement level - support walls and storage spaces added below new Dining Terrace above (See plan & East elevation), interior: laundry relocated, baths, staff areas and offices renovated (see plan). First floor - new dining terrace added - color, material and detailing to match character of existing ocean terrace (see plan & east elevation), existing exterior bronze and glass doors enlarged at existing Living, Dining and Breakfast rooms, arched area added at top - color, material and glazing to match character of existing doors at Sun Room (see east elevation), new exterior wood and glass doors added to existing arched openings at Loggia - color, material and glazing pattern to match character of existing doors in adjacent area (see east elevation), select existing windows enlarged, removed or reconfigured based on interior renovations - color, material and glazing pattern to retain character of existing (see plans & elevations), existing enclosed Garage connector expanded into planter area (see plans for extent), interior - kitchen relocated and renovated, back stair relocated, various other minor room renovations, existing living spaces converted to Guest bedrooms and baths (see plan). Second floor - new hall added, bringing together formerly disconnected areas of second floor - color, material and detailing of addition to match character of existing exterior walls, roofing and windows (See East & West Elevations), existing balcony enlarged at Master Bedroom (see plan for extent), select existing windows enlarged, removed or reconfigured based on interior renovations - color, material and glazing pattern to retain character of existing (see

plans & elevations), Interior - bedroom and bath renovations throughout (see plan). Third floor - interior - minor bedroom and bath renovations.

Call for disclosure of ex parte communication: Ex parte was not given at this time.

Ms. Albarran stated that she was told this project was going to need a variance. Mr. Page asked Paul Castro, Zoning Administrator, to speak to the Commission regarding this project. Mr. Castro stated that this applicant will need a variance for the project. There was some discussion on this issue. Mr. Castro stated that this applicant is projecting to return to the Landmarks Commission in October for an informal presentation, a presentation to the Town Council in November and back to the Landmarks Commission for a formal presentation in November.

Motion made by Ms. Albarran and seconded by Mr. Gannon to defer the project to the September 21, 2016 meeting. Motion carried with all in favor.

G. [Application for Certificate of Appropriateness #035-2016](#)

Address: 365 N. County Rd.

Owner/Applicant: Frank Strausser

Architect: Jacqueline Albarran/SKA Architect + Planner

Project Description: Interior remodel and enclosure of existing master bedroom covered terrace at a non-historic one story structure that sits behind a Landmarked garden arch. New impact doors and windows. All new detailing to match existing.

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

Ms. Albarran declared a conflict and stated she is the architect for this applicant for the project.

Ms. Albarran presented the history of the landmarked arch in front of the home as well as the home. She presented the proposed changes to the front door and the removal of the roof that protrudes into the landmarked arch. She also presented the master bedroom addition, interior floor plan and fenestration changes. She presented a site plan, floor plans, elevations and photographs of the property.

Commission Comments: Many of the Commissioners were thrilled with the changes that Ms. Albarran is making, especially with the removal of the roof that sits below the arch.

Mr. Cooney asked that great care be given to the arch when the overhang removal occurs. Ms. Albarran stated she will make sure that the arch is protected.

Mr. Cooney noted that Ms. Fairfax would be voting in the place of Ms. Albarran.

Motion made by Ms. Hufty and seconded by Mr. Silvin that the project is approved as presented. Motion carried with all in favor.

H. [Application for Certificate of Appropriateness #037-2016](#)

Address: 120 El Brillo Way

Owner/Applicant: Margaretta Taylor

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

Project Description: Removal and replacement of existing windows and exterior doors. Other associated changes. ****Please note this is a tax abatement project.****

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

Kristen Kellogg presented the history of the home and located the home on an aerial map. She presented historic floor plans and elevations compared to existing and proposed. She presented the windows and doors that would be replaced as well as the windows and doors that would remain on all elevations. Ms. Kellogg indicated that the paint color would match existing. There was no relocation of any windows and all of the openings would remain the same.

Commission comments: Many of the Commissioners were pleased that the presentation was so thorough with historic, existing and proposed elevations. There was a question about a door on the north façade that was on the historic elevation but not on the existing. Mr. Smith addressed this question.

Mr. Smith stated that this project is a tax abatement project.

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

There was a short break taken at 10:30 a.m. The meeting resumed at 10:41 a.m.

IX. [OTHER BUSINESS](#)

A. [Informal Review - Application for Certificate of Appropriateness #036-2016](#)

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

Address: 3 Four Arts Plaza

Owner/Applicant: Society of the Four Arts

Architect: Thomas M. Kirchhoff/Kirchhoff & Associates Architects

Landscape Architect: Jorge Sanchez/SMI Landscape Architecture

Project Description: Rehabilitate the existing The Gioconda and Joseph King Library will include the following: 1) Retain the original Fatio building while demolishing the two additions to the north of the Fatio building; 2) Retain the character of the main reading room; 3) Restore the meeting room upstairs by exposing the original heavy timber members; 4) Add a new two-story addition to the original building. This building will be Mediterranean with a pitched roof. It will be sited similarly to the existing additions, but it will be a full two story addition, satisfying the needs of the staff and the public. The rehabilitation will address accessibility, including providing accessible toilet rooms and egress. Moisture issues will be rectified, as well as providing proper climate control for

the building and specifically for the rare book room. The approval of this work will ensure that library patrons in the future will be able to enjoy charms and services of this very special library.

SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES: The applicant is requesting for approval to rehabilitate the Gioconda and Joseph King Library ("King Library"). The design objectives of the King Library rehabilitation are as follows: maintain the public entrance facing Four Arts Plaza, maintain the first floor of the original Fatio Building as a library reading room, provide a Rare Documents Room that has proper ventilation and humidity and security, provide a meeting space on the second floor of the original Fatio Building, restore the exposed wood roof trusses on the second floor of the original Fatio Building, provide staff work stations and work space, provide accessible restroom facilities in accordance with ADA, and provide second means of egress from second floor. The following variances are requested for the new addition to the King library: 1) To reduce the required front yard setback for the King Library to 12.0 feet in lieu of 35 feet minimum required. A variance of 23.0 feet. 2) To increase the required angle of vision to 154 degrees for the King Library in lieu of 116 degrees maximum as required. A variance of 38 degrees. 3) To increase the required building height for the addition to the King Library to be 31.0 feet in lieu of 22 feet maximum as required. A variance of 9.0 feet. 4) To allow an overall building height for the addition to the King Library to be 35.50 feet in lieu of 30 feet maximum as required. A variance of 5.50 feet. 5) To have the building height plane for the King Library to be 11.0 feet in lieu of 61.5 feet maximum as required. A variance of 50.5 feet. 6) To eliminate the requirement to provide one (1) off-street parking space required for the 649 square foot addition to the King Library.

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

Mr. Kirchhoff showed an aerial map of the site and provided some history of the building to the Commission. He pointed out all of the different areas of the site. He indicated the two additions that they are proposing to remove to build a new addition. Mr. Kirchhoff stated he began working on this project in 2011 until it was on hold in 2012. He started working on the project again in November 2015. He stated they are looking for a favorable recommendation to the Town Council for the 6 variance requests that they are seeking and gave an explanation of those variances. He presented historic floor plans, existing and proposed site plans, floor plans and elevations. He presented all of the proposed changes to the site, including the changes to the front façade which included a handicap ramp. He discussed the materials that they are proposing for some of the different elements. Mr. Kirchhoff showed the Commission some historic interior photos of the project. He addressed the different proposed ceiling changes on the first and second floor, including exposes the trusses on the second floor.

Mr. Sanchez presented photos of the existing landscaping. He indicated that they would try to preserve as much landscaping on the south and west side of the building during the renovation. Mr. Sanchez presented the proposed landscaping changes to the different areas of the project.

Commission Comments: Many thought the changes were good and that the addition makes the building more balanced. They also liked the exposed trusses. There was a question about the replacement of the balustrade and if it would meet code after its replacement. Mr. Kirchhoff addressed this issue. There was a question about the possibility of replacing the 3 windows on the new addition with two windows including shutters. Mr. Kirchhoff said he would determine whether that was possible before he returns to the Commission for his formal presentation.

Mr. Kirchhoff presented a sample of the proposed roof tile for the new roof. He also presented a few different options of entry doors in the loggia. Some discussion ensued.

Commission Comments: There was a request to maintain the character of the current library. There was some questions about the proposed lighting. Mr. Kirchhoff addressed this question. Several of the Commissioners, while understanding the need, had a problem with the addition of the proposed ramp and the changes it contributes to the front (West) façade. There was a question as to whether the elevator could open to the front and eliminate the need for the ramp (similar to the elevator at the Preservation Foundation of Palm Beach). Mr. Kirchhoff addressed this issue and indicated he would discuss this possibility with the applicant.

Dr. Rachel Schipper, Director of the Four Arts Library, stated that the new plan and addition will allow for more flexibility and utilization of space. She also indicated that many patrons have fallen walking up the front entrance as well as into the library hence the reason for trying to make the library accessible to all patrons.

Ms. Hufty spoke about highly of the existing, lovely gardens and the ADA accessibility through the gardens. She spoke of her displeasure for the proposed changes of the front façade. She provided her comments on the addition and asked to see a more muted addition.

Ms. Fairfax requested that the architect reconsider adding the quoins and the window grills that were seen on the historic plans. She asked Dr. Schipper to address again if she feels they are gaining space by the new addition. Dr. Schipper addressed this question. Ms. Fairfax suggested removing the shutters as it was original shown on the historic photos. She also expressed her concerns for the window on the right side on the west elevation, the front door that will open into the proposed reading room and the plate glass window on the east elevation that overlooks the garden.

Some discussion occurring regarding the handicap access. The Commission asked Dr. Schipper to speak on the accessibility issue. Dr. Schipper stated her concerns. Mr. Kirchhoff spoke about the materials to be used on the new landing.

Mr. Kirchhoff presented to the Commissioners a photo from a Palm Beach newspaper from December 1937 what showed Maurice Fatio's concept of the Four Arts.

Motion made by Mr. Gannon and seconded by Mr. Strawbridge that the implementation of the proposed special exception, site plan and variances will not cause negative architectural impacts to the subject landmarked property.

Some discussion continued. Mr. Lindgren questioned Mr. Kirchhoff whether the front steps required a variance. Mr. Kirchhoff stated the Paul Castro had seen the plans and had outlined the variances.

Ms. Hufty asked the Town's Preservation Consultants to comment on the project. Emily Stillings, MurphyStillings, stated she does have concerns regarding the steps coming forward as well as the accessibility issues. She also suggested an elevator opening rather than a ramp. She thought the additions were done sensitively. She passed out a copy of a preservation brief on accessibility to all of the Commissioners. [Exhibit 1]

Mr. Castro stated that Mr. Kirchhoff would need to modify their variance request and stated the reasons. Some discussion ensued regarding this issue.

Motion amended by Mr. Gannon and seconded by Mr. Strawbridge that the implementation of the proposed special exception, site plan and variances will not cause negative architectural impacts to the subject landmarked property with the exception of the variance for the front staircase issue. Motion carried 6-1 with Ms. Hufty opposed.

B. [Informal Review - Application for Certificate of Appropriateness #040-2016](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW

Address: 100 Bradley Place

Owner/Applicant: Brian Vertesch, Agent for the Preservation Foundation of Palm Beach
Architect: Jorge Sanchez and Brian Vertesch/SMI Landscape Architecture

Project Description: Modifications to Bradley Park that include: Removal and partial relocation of existing fountain, plaza addition, demolition of existing restroom and addition of new restroom, removal of employee parking at north end of park, addition of overlook along seawall, lake trail extension, new park entry, relocation of Bradley monument plaque, addition of stabilized grass parking in place of existing asphalt, benches, low sculptures, low see through perimeter fence, sculpture pad, new perimeter sidewalks adjacent to the park, additional plantings, landscape lighting, addition of compacted stone dust paths.

SPECIAL EXCEPTION WITH SITE PLAN REVIEW INFORMATION: The applicant requests to modify Bradley Park public open space as follows: 1) Removal and relocation of existing fountain centerpiece, located at south west area of Bradley Park. Demolition of existing fountain basin; 2) Construction of plaza and fountain basin adjacent to south side of existing structure at north/central property, often referred to as the "Tea House"; 3) Demolition of existing one story restroom and kitchen located directly east of the Tea House and the addition of a new public restroom; 4) Removal of asphalt parking adjacent to north side of existing bathroom; 5) Removal and partial replacement of sidewalks on

north property line, Sunset Ave, and east property line, Bradley Place; 6) Addition of small overlook structure to the west of the existing pump house, adjacent to the proposed lake trail; 7) Addition of Town Lake Trail extension; 8) Addition of new park entry at north east corner of park; 9) Relocation of existing Bradley Park monument; 10) Addition of stabilized grass parking adjacent to S-2 pump station; 11) Addition of site furnishings including benches, bike rack, and low train sculpture; 12) Addition of sculpture pad to south of the Tea House; 13) Addition of 30" high decorative see through fence around perimeter of park at Sunset, Bradley Place, and Royal Poinciana Way. There will be openings into park with no gates; 14) Addition of stabilized decomposed granite pathways within the park; 15) Addition of landscape lighting; 16) Landscape improvements as graphically described on the plans and specifications submitted.

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

Amanda Skier, Preservation Foundation of Palm Beach, stated she was pleased to present the plans for the beautification of Bradley Park as a gift to the Town of Palm Beach and introduced Jorge Sanchez, the landscape architect for the project.

Mr. Sanchez the proposed plans for the park. He presented current images of the park and presented a proposed rendering of the changes. Mr. Sanchez presented all of the changes to the landscape and hardscape that are being proposed. He showed the Commission the location where a garden sculpture on loan would be placed. Mr. Sanchez showed the Commission renderings and plans for a proposed bathroom that was drawn by Mark Marsh with Bridges, Marsh & Associates, Inc. and stated their intention was for the bathroom to mimic the existing Tea House.

Mr. Cooney questioned Mr. Marsh about the location of the proposed bathrooms. Mr. Marsh addressed this question. Some discussion continued on this topic and on security for the bathroom.

Mr. Marsh thanked Jeff Smith for the original drawing of the gazebo from Casa Bendita with measurements for the proposed gazebo. Ms. Albarran asked Mr. Marsh if they will be matching the roof tile on the new proposed gazebo. Mr. Marsh addressed this issue.

Mr. Sanchez showed the Commission the 4 proposed gardens on the north section of the park. He indicated that these gardens will be donated by single owners and funded for their maintenance. He also added that these gardens will be designed by landscaping firms and will be selected/approved by a committee.

Mr. Page announced that he did hand out a few emails from Anne Pepper to the Commissioners prior to the meeting and wanted the Commission to acknowledge for the record that they did receive them.

Mr. Page discussed the site plan and special exception required for the project and noted that the Town Council has looked at the plan and has asked the Commission for their recommendation.

Jeff Smith, Smith Architectural Group, requested that the fence not be placed around the park and stated his reasons.

Mr. Silvin asked a question about the legalities of the emails that had been sent to the Commissioners. Mr. Cooney asked Town Attorney Randolph to address this issue. Mr. Randolph stated that the legal issues in the email should be addressed by the Town Council and that the Commissioners should be making a decision based on their function. There was some discussion based on this issue.

Mr. Silvin asked Mr. Sanchez to present the proposed grass driveway as well as the bike path. Mr. Sanchez addressed these issues.

Commission Comments: Many of the Commissioners agreed that fence around the park was not needed.

Anita Seltzer, 44 Cocanut Row, had questions on the following items: MurphyStillings Consultants' opinions of the proposed changes, Town Attorney Randolph not sitting on the dais, deed restrictions relative to the park, caveats associated with the fountain, the location of a cost report for fountain repair, the fountain's basin replacement, proposed fence and restroom, passive versus recreational park, Lake Trail extension and expenditures, proposed train sculptures, proposed gazebo, historic monument location, park's maintenance, liability and budget, the timing of this discussion in the summer, bidding process, and the application of the project. She likened this project to the Town fountain project that turned into a multi-million dollar project. She also stated she thought the project should be denied.

Janet Murphy, MurphyStillings, stated she was of the opinion that this was a good project, was very supportive of the project, was happy that the Tea House is being preserved, and would rather have the fence omitted.

Motion made by Ms. Albarran and seconded by Mr. Gannon that the implementation of the proposed special exception and site plan review will not cause negative architectural impacts to the subject landmarked property with the exception of the fence around the park. Motion carried with all in favor.

X. DISCUSSION ITEM

1. Address correction for a property that was put under consideration for Landmark Status.

Mr. Lindgren stated in May when the Commission was looking at homes to put under consideration for Landmarked status, the picture of 190 S. Ocean Blvd. had an incorrect address label of 109 Seabreeze Ave. The Town staff had sent out the notice to the owners of 109 Seabreeze Ave. He asked the Commissioners to look at 190 S. Ocean Blvd to formally put it under consideration and remove 109 Seabreeze Ave without any prejudice for possibility of future landmark status.

Emily Stillings showed a picture of the 190 S. Ocean Blvd. Janet Murphy provided with the history of the home and showed the Commission some of the additions and changes that have occurred over time. She also presented some photos from 1931, 1997 and 2012.

Mr. Lindgren stated he does not think the Commission should be making a full consideration whether to landmark the home at this time. He also indicated that the Commissioners should only be making an address correction.

Mr. Randolph stated his concern and understood this conversation was whether to consider this place the correct property under consideration.

Jeff Smith, architect for the home owner at 190 S. Ocean Blvd., stated he saw a picture of the home in the paper, provided the consultants with the photos and indicated to them the alterations that had been made over the years.

Motion made by Ms. Albarran and seconded by Mr. Gannon to remove 109 Seabreeze Avenue from under consideration for landmark status without prejudice possible future landmarking designation. Motion carried with all in favor.

A second motion made by Ms. Albarran and seconded by Mr. Gannon not to place 190 S. Ocean Blvd. under consideration at this time without prejudice for possible future landmarking designation. Motion carried with all in favor.

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

None

XII. ADJOURNMENT

Motion made by Mr. Gannon and seconded by Mr. Silvin to adjourn the meeting at 1:42 p.m.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, September 21, 2016 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



[Home](#) > [How to Preserve](#) > [Preservation Briefs](#) > 32 Accessibility

Some of the web versions of the Preservation Briefs differ somewhat from the printed versions. Many illustrations are new and in color; Captions are simplified and some complex charts are omitted. To order hard copies of the Briefs, see [Printed Publications](#).

PRESERVATION BRIEFS

32

Making Historic Properties Accessible

Thomas C. Jester and Sharon C. Park, AIA

[Planning Accessibility Modifications](#)

[Accessibility Solutions](#)

[Consider an Addition for Accessibility](#)

[Making Historic Landscapes Accessible](#)

[Federal Accessibility Laws](#)

[Summary and References](#)

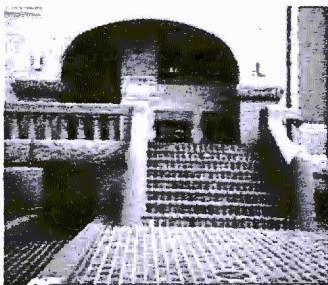
[Reading List](#)

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Accessible historic building.
Photo: NPS files.

Historically, most buildings and landscapes were not designed to be readily accessible for people with disabilities. In recent years, however, emphasis has been placed on preserving historically significant properties, and on making these properties—and the activities within them—more accessible to people with disabilities. With the passage of the Americans with Disabilities Act in 1990, access to properties open to the public is now a civil right.



A significant entrance may be difficult to modify. Although a special challenge, sensitive changes can almost always be made to provide access while preserving the unique historic character. Photo: NPS files.

This Preservation Brief introduces the complex issue of providing accessibility at historic properties, and underscores the need to balance accessibility and historic preservation. It provides guidance on making historic properties accessible while preserving their historic character; the Brief also provides examples to show that independent physical accessibility at historic properties can be achieved with careful planning, consultation, and sensitive design. While the Brief focuses primarily on making buildings and their sites accessible, it also includes a section on historic landscapes. The Brief will assist historic property owners, design professionals, and administrators in evaluating their historic properties so that the highest level of accessibility can be provided while minimizing changes to historic materials and features. Because many projects encompassing accessibility work are complex, it is advisable to consult with experts in the fields of historic preservation and accessibility before proceeding with permanent physical changes to historic properties.

Modifications to historic properties to increase accessibility may be as simple as a small, inexpensive ramp to overcome one entrance step, or may involve changes to exterior and interior features. The Brief does not provide a detailed explanation of local or State accessibility laws as they vary from jurisdiction to jurisdiction. A concise explanation of several federal accessibility laws is included below.

Planning Accessibility Modifications

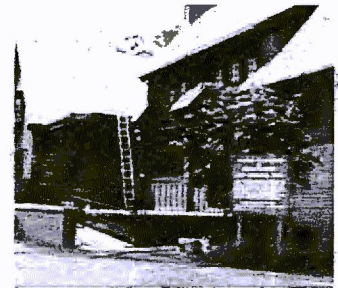
Historic properties are distinguished by features, materials, spaces, and spatial relationships that contribute to their historic character. Often these elements, such as steep terrain, monumental steps, narrow or heavy doors, decorative ornamental hardware, and narrow pathways and corridors, pose barriers to persons with disabilities, particularly to wheelchair users.

A three-step approach is recommended to identify and implement accessibility modifications that will protect the integrity and historic character of historic properties:

1. Review the historical significance of the property and identify character-defining features;
2. Assess the property's existing and required level of accessibility; and
3. Evaluate accessibility options within a preservation context.

1. Review the Historical Significance

If the property has been designated as historic (properties that are listed in, or eligible for listing in the National Register of Historic Places, or designated under State or local law), the property's nomination file should be reviewed to learn about its significance. Local preservation commissions and State Historic Preservation Offices can usually provide copies of the nomination file and are also resources for additional information and assistance. Review of the written documentation should always be supplemented with a physical investigation to identify which character defining features and spaces must be protected whenever any changes are anticipated. If the level of documentation for a property's significance is limited, it may be necessary to have a preservation professional identify specific historic features, materials, and spaces that should be protected.



This accessibility ramp is compatible with the historic building in scale and materials. Photo: William Smith.

For most historic properties, the construction materials, the form and style of the property, the principal elevations, the major architectural or landscape features, and the principal public spaces constitute some of the elements that should be preserved. Every effort should be made to minimize damage to the materials and features that convey a property's historical significance when making modifications for accessibility. Very small or highly significant properties that have never been altered may be extremely difficult to modify.

Secondary spaces and finishes and features that may be less important to the historic character should also be identified; these may generally be altered without jeopardizing the historical significance of a property. Nonsignificant spaces, secondary pathways, later additions, previously altered areas, utilitarian spaces, and service areas can usually be modified without threatening or destroying a property's historical significance.

2. Assess the Property's Existing and Required Level of Accessibility

A building survey or assessment will provide a thorough evaluation of a property's accessibility. Most surveys identify accessibility barriers in the following areas: building and site entrances; surface textures, widths and slopes of walkways; parking; grade changes; size, weight and configuration of doorways; interior corridors and path of travel restrictions; elevators; and public toilets and amenities. Simple audits can be completed by property owners using readily available checklists (See Further Reading). Accessibility specialists can be hired to assess barriers in more complex properties, especially those with multiple buildings, steep terrain, or interpretive programs. Persons with disabilities can be particularly helpful in assessing specific barriers.

All applicable accessibility requirements—local codes, State codes and federal laws—should be reviewed carefully before undertaking any accessibility modification. Since many States and localities have their own accessibility regulations and codes (each with their own requirements for dimensions and technical requirements), owners should use the most stringent accessibility requirements when implementing modifications. The Americans with Disability Act Accessibility Guidelines (ADAAG) is the document that should be consulted when complying with the Americans with Disabilities Act (ADA) requirements.

3. Identify and Evaluate Accessibility Options within a Preservation Context

Once a property's significant materials and features have been identified, and existing and required levels of accessibility have been established, solutions can be developed. Solutions should provide the greatest amount of accessibility without threatening or destroying those materials and features that make a property significant. Modifications may usually be

phased over time as funds are available, and interim solutions can be considered until more permanent solutions are implemented. A team comprised of persons with disabilities, accessibility and historic preservation professionals, and building inspectors should be consulted as accessibility solutions are developed.

Modifications to improve accessibility should generally be based on the following priorities:

1. Making the main or a prominent public entrance and primary public spaces accessible, including a path to the entrance;
2. Providing access to goods, services, and programs;
3. Providing accessible restroom facilities; and,
4. Creating access to amenities and secondary spaces.



The ramp's scale and materials are inconsistent with the historic character of the building. Photo: NPS files.

All proposed changes should be evaluated for conformance with the Secretary of the Interior's "Standards for the Treatment of Historic Properties," which were created for property owners to guide preservation work. These Standards stress the importance of retaining and protecting the materials and features that convey a property's historical significance. Thus, when new features are incorporated for accessibility, historic materials and features should be retained whenever possible. Accessibility modifications should be in scale with the historic property, visually compatible, and, whenever possible, reversible. Reversible means that if the new feature were removed at a later date, the essential form and integrity of the property would be unimpaired. The design of new features should also be differentiated from the design of the historic property so that the evolution of the property is evident.

In general, when historic properties are altered, they should be made as accessible as possible. However, if an owner or a project team believes that certain modifications would threaten or destroy the significance of the property, the State Historic Preservation Officer should be consulted to determine whether or not any special accessibility provisions may be

used. Special accessibility provisions for historic properties will vary depending on the applicable accessibility requirements.

In some cases, programmatic access may be the only option for extremely small or unaltered historic properties, such as a two-story house museum with no internal elevator. Programmatic access for historic properties refers to alternative methods of providing services, information, and experiences when physical access cannot be provided. It may mean offering an audio-visual program showing an inaccessible upper floor of a historic house museum, providing interpretive panels from a vista at an inaccessible terraced garden, or creating a tactile model of a historic monument for people with visual impairments.

Accessibility Solutions

The goal in selecting appropriate solutions for specific historic properties is to provide a high level of accessibility without compromising significant features or the overall character of the property. The following sections describe accessibility solutions and offer guidance on specific historic property components, namely the building site, entrances, interiors, landscapes, amenities, and new additions. Several solutions are discussed in each section, referencing dimensions and technical requirements from the ADA's accessibility guidelines, ADAAG. State and local requirements, however, may differ from the ADA requirements. Before making any modification owners should be aware of all applicable accessibility requirements.

The Building Site

An accessible route from a parking lot, sidewalk, and public street to the entrance of a historic building or facility is essential. An accessible route, to the maximum extent possible, should be the circulation route used by the general public. Critical elements of accessible routes are their widths, slopes, cross slopes, and surface texture. Each of these route elements must be appropriately designed so that the route can be used by everyone, including people with disabilities.

The distance between the arrival and destination points should also be as short as possible. Sites containing designed landscapes should be carefully evaluated before making accessibility modifications. Historic landscapes are described in greater detail below.



The significant building site is now accessible to people with disabilities (note steps in front of ramp). Photo: NPS files.

Providing Convenient Parking

If parking is provided, it should be as convenient as possible for people with disabilities. Specially designated parking can often be created to improve accessibility. Modifications to parking configurations and pathways should not alter significant landscape features.

Creating an Accessible Route

The route or path through a site to a historic building's entrance should be wide enough, generally at least 3 feet (91 cm), to accommodate visitors with disabilities and must be appropriately graded with a stable, firm, and slip-resistant surface. Existing paths should be modified to meet these requirements whenever possible as long as doing so would not threaten or destroy significant materials and features.

Existing surfaces can often be stabilized by providing a new base and resetting the paving materials, or by modifying the path surface. In some situations it may be

appropriate to create a new path through an inaccessible area. At large properties, it may be possible to regrade a slope to less than 1:20 (5%), or to introduce one or more carefully planned ramps. Clear directional signs should mark the path from arrival to destination.

Entrances



The historic threshold was made accessible with a 1/2" wood bevel. Photo: NPS files.

Whenever possible, access to historic buildings should be through a primary public entrance. In historic buildings, if this cannot be achieved without permanent damage to character-defining features, at least one entrance used by the public should be made accessible. If the accessible entrance is not the primary public entrance, directional signs should direct visitors to the accessible entrance. A rear or service entrance should be avoided as the only mean of entering a building.

Creating an accessible entrance usually involves overcoming a change in elevation. Steps, landings, doors, and thresholds, all part of the entrance, often pose barriers for persons with disabilities. To preserve the integrity of these features, a number of solutions are available to increase accessibility. Typical solutions include regrading, incorporating ramps, installing wheelchair lifts, creating new entrances, and modifying doors, hardware, and thresholds.

Regrading an Entrance

In some cases, when the entrance steps and landscape features are not highly significant, it may be possible to regrade to provide a smooth entrance into a building. If the existing steps are historic masonry, they should be buried, whenever possible, and not removed.

Incorporating Ramps

Permanent ramps are perhaps the most common means to make an entrance accessible. As a new feature, ramps should be carefully designed and appropriately located to preserve a property's historic character.

Ramps should be located at public entrances used by everyone whenever possible, preferably where there is minimal change in grade. Ramps should also be located to minimize the loss of historic features at the connection points—porch railings, steps, and windows—and should preserve the overall historic setting and character of the property. Larger buildings may have below grade areas that can accommodate a ramp down to an entrance. Below grade entrances can be considered if the ramp leads to a publicly used interior, such as an auditorium, or if the building is serviced by a public elevator. Ramps can often be incorporated behind historic features, such as cheek-walls or railings, to minimize the visual effect.

The steepest allowable slope for a ramp is usually 1:12 (8%), but gentler slopes should be used whenever possible to accommodate people with limited strength. Greater changes in elevation require larger and longer ramps to meet accessibility scoping provisions and may require an intermediate landing. Most codes allow a slightly steeper ramp for historic buildings to overcome one step.

Ramps can be faced with a variety of materials, including wood, brick, and stone. Often the type and quality of the materials determines how compatible a ramp design will be with a historic property. Unpainted pressure-treated wood should not be used to construct ramps because it usually appears temporary and is not visually compatible with most



A new elevator entrance was provided next to the stairs to provide universal access to the services inside. Photo: Courtesy, GSA.

historic properties.

Railings should be simple in design, distinguishable from other historic features, and should extend one foot beyond the sloped area.

Ramp landings must be large enough for wheelchair users, usually at least 5 feet by 5 feet (152.5 cm by 152.5 cm), and the top landing must be at the level of the door threshold. It may be possible to reset steps by creating a ramp to accommodate minor level changes and to meet the threshold without significantly altering a property's historic character. If a building's existing landing is not wide or deep enough to accommodate a ramp, it may be necessary to modify the entry to create a wider landing. Long ramps, such as switchbacks, require intermediate landings, and all ramps should be detailed with an appropriate edge and railing for wheelchair users and visually impaired individuals.

Temporary or portable ramps are usually constructed of light-weight materials and, thus, are rarely safe or visually compatible with historic properties. Moreover, portable ramps are often stored until needed and, therefore, do not meet accessibility requirements for independent access. Temporary and portable ramps, however, may be an acceptable interim solution to improve accessibility until a permanent solution can be implemented.

Installing Wheelchair Lifts

Platform lifts and inclined stair lifts, both of which accommodate only one person, can be used to overcome changes of elevation ranging from three to 10 feet (.9 m-3 m) in height. However, many States have restrictions on the use of wheelchair lifts, so all applicable codes should be reviewed carefully before installing one. Inclined stair lifts, which carry a wheelchair on a platform up a flight of stairs, may be employed selectively. They tend to be visually intrusive, although they are relatively reversible. Platform lifts can be used when there is inadequate space for a ramp. However, such lifts should be installed in unobtrusive locations and under cover to minimize maintenance if at all possible. A similar, but more expensive platform lift has a retracting railing that lowers into the ground, minimizing the visual effect to historic properties. Mechanical lifts have drawbacks at historic properties with high public visitation because their capacity is limited, they sometimes cannot be operated independently, and they require frequent maintenance.

Considering a New Entrance

When it is not possible to modify an existing entrance, it may be possible to develop a new entrance by creating an entirely new opening in an appropriate location, or by using a secondary window for an opening. This solution should only be considered after exhausting all possibilities for modifying existing entrances.

Retrofitting Doors

Historic doors generally should not be replaced, nor should door frames on the primary elevation be widened, as this may alter an important feature of a historic design. However, if a building's historic doors have been removed, there may be greater latitude in designing a compatible new entrance. Most accessibility standards require at least a 32" (82 cm) clear opening with manageable door opening pressures. The most desirable preservation solution to improve accessibility is retaining historic doors and upgrading the door pressure with one of several devices. Automatic door openers (operated by push buttons, mats, or electronic eyes) and power-assisted door openers can eliminate or reduce door pressures that are accessibility barriers, and make single or double-leaf doors fully operational.

Adapting Door Hardware

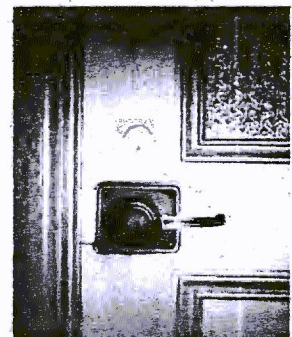
If a door opening is within an inch or two of meeting the 32" (81 cm) clear opening requirement, it may be possible to replace the standard hinges with off-set hinges to increase the size of the door opening as much as 1 1/8" (3.8 cm). Historic hardware can be retained in place, or adapted with the addition of an automatic opener, of which there are several types. Door hardware can also be retrofitted to reduce door pressures. For example, friction hinges can be retrofitted with ball-bearing inserts, and door closers can be rethreaded to reduce the door pressure.

Altering Door Thresholds

A door threshold that exceeds the allowable height, generally 1/2" (1.3 cm), can be altered or removed with one that meets applicable accessibility requirements. If the threshold is deemed to be significant, a bevel can be added on each side to reduce its height. Another solution is to replace the threshold with one that meets applicable accessibility requirements and is visually compatible with the historic entrance.

Readily Achievable Accessibility Options

Many accessibility solutions can be implemented easily and inexpensively without destroying the significance of historic



This door handle has been retrofitted to meet ADA requirements. Photo: NPS files.

properties. While it may not be possible to undertake all of the modifications listed below, each change will improve accessibility.

Sites and Entrances

- Creating a designated parking space.
- Installing ramps.
- Making curb cuts.

Interiors

- Repositioning shelves.
- Rearranging tables, displays, and furniture.
- Repositioning telephones.
- Adding raised markings on elevator control buttons.
- Installing flashing alarm lights.
- Installing offset hinges to widen doorways.
- Installing or adding accessible door hardware.
- Adding an accessible water fountain, or providing a paper cup dispenser at an inaccessible water fountain.

Restrooms

- Installing grab bars in toilet stalls.
- Rearranging toilet partitions to increase maneuvering space.
- Insulating lavatory pipes under sinks to prevent burns.
- Installing a higher toilet seat.
- Installing a full-length bathroom mirror.
- Repositioning the paper towel dispenser.



A retractable lift for this historic building foyer was created using "like" materials. Photo: NPS files.

Moving Through Historic Interiors

Persons with disabilities should have independent access to all public areas and facilities inside historic buildings. The extent to which a historic interior can be modified depends on the significance of its materials, plan, spaces, features, and finishes. Primary spaces are often more difficult to modify without changing their character. Secondary spaces may generally be changed without compromising a building's historic character. Signs should clearly mark the route to accessible restrooms, telephones, and other accessible areas.

Installing Ramps and Wheelchair Lifts

If space permits, ramps and wheelchair lifts can also be used to increase accessibility inside buildings. However, some States and localities restrict interior uses of wheelchair lifts for life-safety reasons. Care should be taken to install these new features where they can be readily accessed. Ramps and wheelchair lifts are described below.

Upgrading Elevators

Elevators are an efficient means of providing accessibility between floors. Some buildings have existing historic elevators that are not adequately accessible for persons with disabilities because of their size, location, or detailing, but they may also contribute to the historical significance of a building. Significant historic elevators can usually be upgraded to improve accessibility. Control panels can be modified with a "wand" on a cord to make the control panel accessible, and timing devices can usually be adjusted.

Retrofitting Door Knobs

Historic door knobs and other hardware may be difficult to grip and turn. In recent years, lever-handles have been developed to replace door knobs. Other lever-handle devices can be added to existing hardware. If it is not possible or appropriate to retrofit existing door knobs, doors can be left open during operating hours (unless doing so would violate life safety codes), and power-assisted door openers can be installed. It may only be necessary to retrofit specific doorknobs to create an accessible path of travel and accessible restrooms.

Modifying Interior Stairs

Stairs are the primary barriers for many people with disabilities. However, there are some ways to modify stairs to assist people who are able to navigate them. It may be appropriate to add hand railings if none exist. Railings should be 1 ½" (3.8 cm) in diameter and return to the wall so straps and bags do not catch. Color-contrasting, slip-resistant strips will help people with visual impairments. Finally, beveled or closed risers are recommended unless the stairs are highly significant, because open risers catch feet.

Building Amenities

Some amenities in historic buildings, such as restrooms, seating, telephones, drinking fountains, counters, may contribute to a building's historic character. They will often require modification to improve their use by persons with disabilities. In many cases, supplementing existing amenities, rather than changing or removing them, will increase access and minimize changes to historic features and materials.

Upgrading Restrooms

Restrooms may have historic fixtures such as sinks, urinals, or marble partitions that can be retained in the process of making modifications. For example, larger restrooms can sometimes be reconfigured by relocating or combining partitions to create an accessible toilet stall. Other changes to consider are adding grab bars around toilets, covering hot water pipes under sinks with insulation to prevent burns, and providing a sink, mirror, and paper dispenser at a height suitable for wheelchair users. A unisex restroom may be created if it is technically infeasible to create two fully accessible restrooms, or if doing so would threaten or destroy the significance of the building. It is important to remember that restroom fixtures, such as sinks, urinals, and partitions, may be historic, and therefore, should be preserved whenever possible.

Modifying Other Amenities

Other amenities inside historic buildings may require modification. Seating in a theater, for example, can be made accessible by removing some seats in several areas. New seating that is accessible can also be added at the end of existing rows, either with or without a level floor surface. Readily removable seats may be installed in wheelchair spaces when the spaces are not required to accommodate wheelchair users. Historic water fountains can be retained and new, two-tiered fountains installed if space permits. If public telephones are provided, it may be necessary to install at least a Text Telephone (TT), also known as a Telecommunication Device for the Deaf (TDD). Historic service counters commonly found in banks, theaters, and hotels generally should not be altered. It is preferable to add an accessible counter on the end of a historic counter if feasible. Modified or new counters should not exceed 36" (91.5 cm) in height.

Considering a New Addition as an Accessibility Solution

Many new additions are constructed specifically to incorporate modern amenities such as elevators, restrooms, fire stairs, and new mechanical equipment. These new additions often create opportunities to incorporate access for people with disabilities. It may be possible, for example, to create an accessible entrance, path to public levels via a ramp, lift, or elevator. However, a new addition has the potential to change a historic property's appearance and destroy significant building and landscape features. Thus, all new additions should be compatible with the size, scale, and proportions of historic features and materials that characterize a property.

New additions should be carefully located to minimize connection points with the historic building, such that if the addition were to be removed in the future, the essential form and integrity of the building would remain intact. On the other hand, new additions should also be conveniently located near parking that is connected to an accessible route for people with disabilities. As new additions are incorporated, care should be taken to protect significant landscape features and archeological resources. Finally, the design for any new addition should be differentiated from the historic design so that the property's evolution over time is clear. New additions frequently make it possible to increase accessibility, while simultaneously reducing the level of change to historic features, materials, and spaces.

Making Historic Landscapes Accessible

To successfully incorporate access into historic landscapes, the planning process is similar to that of other historic properties. Careful research and inventory should be undertaken to determine which materials and features convey the landscape's historical significance. As part of this evaluation, those features that are character-defining (topographical variation, vegetation, circulation, structures, furnishings, objects) should be identified. Historic finishes, details, and materials that also contribute to a landscape's significance should also be documented and evaluated prior to determining an approach to landscape accessibility. For example, aspects of the pedestrian circulation system that need to be understood include walk width, aggregate size, pavement pattern, texture, relief, and joint details. The context of the walk should be understood including its edges and surrounding area. Modifications to surface textures or widths of pathways

can often be made with minimal effect on significant landscape features.

Additionally, areas of secondary importance such as altered paths should be identified-especially those where the accessibility modifications will not destroy a landscape's significance. By identifying those features that are contributing or non-contributing, a sympathetic circulation experience can then be developed.

After assessing a landscape's integrity, accessibility solutions can be considered. Full access throughout a historic landscape may not always be possible. Generally, it is easier to provide accessibility to larger, more open sites where there is a greater variety of public experiences. However, when a landscape is uniformly steep, it may only be possible to make discrete portions of a historic landscape accessible, and viewers may only be able to experience the landscape from selected vantage points along a prescribed pedestrian or vehicular access route. When defining such a route, the interpretive value of the user experience should be considered; in other words, does the route provide physical or visual access to those areas that are critical to understand the meaning of the landscape?

Federal Accessibility Laws



The automatic door to this museum building is a practical solution for universal entry. Photo: NPS files.

Today, few building owners are exempt from providing accessibility for people with disabilities. Before making any accessibility modification, it is imperative to determine which laws and codes are applicable. In addition to local and State accessibility codes, the following federal accessibility laws are currently in effect:

Architectural Barriers Act (1968)

The Architectural Barriers Act stipulates that all buildings designed, constructed, and altered by the Federal Government, or with federal assistance, must be accessible. Changes made to federal buildings must meet the Uniform Federal Accessibility Standards (UFAS). Special provisions are included in UFAS for historic buildings that would be threatened or destroyed by meeting full accessibility requirements.

Rehabilitation Act (1973)

The Rehabilitation Act requires recipients of federal financial assistance to make their programs and activities accessible to everyone. Recipients are allowed to make their properties accessible by altering their building, by moving programs and activities to accessible spaces, or by making other accommodations.

Americans with Disabilities Act (1990)

Historic properties are not exempt from the Americans with Disabilities Act (ADA) requirements. To the greatest extent possible, historic buildings must be as accessible as non-historic buildings. However, it may not be possible for some historic properties to meet the general accessibility requirements.

Under Title II of the ADA, State and local governments must remove accessibility barriers either by shifting services and programs to accessible buildings, or by making alterations to existing buildings. For instance, a licensing office may be moved from a second floor to an accessible first floor space, or if this is not feasible, a mail service might be provided. However, State and local government facilities that have historic preservation as their main purpose-State-owned historic museums, historic State capitols that offer tours-must give priority to physical accessibility.

Under Title III of the ADA, owners of "public accommodations" (theaters, restaurants, retail shops, private museums) must make "readily achievable" changes; that is, changes that can be easily accomplished without much expense. This might mean installing a ramp, creating accessible parking, adding grab bars in bathrooms, or modifying door hardware. The requirement to remove barriers when it is "readily achievable" is an ongoing responsibility. When alterations, including restoration and rehabilitation work, are made, specific accessibility requirements are triggered.

Recognizing the national interest in preserving historic properties, Congress established alternative requirements for properties that cannot be made accessible without "threatening or destroying" their significance. A consultation process is outlined in the ADA's Accessibility Guidelines for owners of historic properties who believe that making specific accessibility modifications would "threaten or destroy" the significance of their property. In these situations, after consulting with persons with disabilities and disability organizations, building owners should contact the State Historic Preservation Officer (SHPO) to determine if the special accessibility provisions for historic properties may be used. Further, if it is determined in consultation with the SHPO that compliance with the minimum requirements would also "threaten or destroy" the significance of the property, alternative methods of access, such as home delivery and audio-visual programs, may be used.

Summary and References

Historic properties are irreplaceable and require special care to ensure their preservation for future generations. With the passage of the Americans with Disabilities Act, access to historic properties open to the public is a now civil right, and owners of historic properties must evaluate existing buildings and determine how they can be made more accessible. It is a challenge to evaluate properties thoroughly, to identify the applicable accessibility requirements, to explore alternatives and to implement solutions that provide independent access and are consistent with accepted historic preservation standards. Solutions for accessibility should not destroy a property's significant materials, features and spaces, but should increase accessibility as much as possible. Most historic buildings are not exempt from providing accessibility, and with careful planning, historic properties can be made more accessible, so that all citizens can enjoy our Nation's diverse heritage.

Acknowledgements

Thomas C. Jester is an Architectural Historian with the Preservation Assistance Division of the National Park Service.

Sharon C. Park, AIA, is the Senior Historical Architect with the Preservation Assistance Division, National Park Service.

The authors wish to thank Charles A. Birnbaum, ASLA, Historical Landscape Architect with the Preservation Assistance Division, National Park Service, for contributing the section on historic landscapes. The authors gratefully acknowledge the invaluable comments made by the following individuals who reviewed the draft manuscript: William Smith, Massachusetts Historical Commission; Kay Weeks, H. Ward Jandl, Michael Auer, and Charles A. Birnbaum, Preservation Assistance Division, National Park Service; Clare Adams, New York Department of Parks, Recreation and Historic Preservation; Lauren Bowlin, Maryland Historical Trust; Tom Mayes, National Trust for Historic Preservation; Elizabeth Igleheart, Maine Historic Preservation Commission; Milford Wayne Donaldson, FAIA; Paul Beatty, U.S. Architectural and Transportation Barriers Compliance Board; Mid-Atlantic Regional Office, National Park Service; Western Regional Office, National Park Service.

This publication has been prepared pursuant to the National Historic Preservation Act of 1966, as amended, which directs the Secretary of the Interior to develop and make available information concerning historic properties. Technical Preservation Services (TPS), National Park Service prepares standards, guidelines, and other educational materials on responsible historic preservation treatments for a broad public.

September 1993

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

LAST NAME - FIRST NAME - MIDDLE NAME <i>Albarvan, 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>8/17/16</i>		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTEE	

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 August 17, 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 #35-2016
hearing for 365 N. County Rd.*

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

8/17/16

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>Fairfax, Anne</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Handmarks Preservation Commission</i>	
MAILING ADDRESS <i>455 Worth Ave # 303</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>8/17/16</i>		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTEE	

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, Anne Fairfax, hereby disclose that on August 17, 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:

Continuing conflict for
COA - 25 - 2016, 9 Galfnew Rd

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

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>Hufty Page Lee</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Landmarks Preservation Commission</i>	
MAILING ADDRESS <i>340 Island Rd</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 Bch</i>	NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>	
DATE ON WHICH VOTE OCCURRED <i>9/21/16</i>		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTEE	

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, Page Lee Huff, hereby disclose that on September 21, 2016.

(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:

COA-043-2016 hearing for
221 Royal Palm way

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

9/21/16

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.