



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION MEETING HELD ON WEDNESDAY, JULY 20, 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 9:31 a.m.

II. ROLL CALL

Edward Austin Cooney, Chairman	PRESENT
John T. Gannon, Vice 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
Carol N. Wyett, Alternate Member	ABSENT (excused)
Jacqueline Weld Drake, Alternate Member	ABSENT (excused)
Anne Fairfax, Alternate Member	PRESENT (left meeting at 10:47 a.m.)

Staff Members present were:

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

John Lindgren, Planning Administrator

Kelly Churney, Secretary to the Landmarks Preservation Commission

III. PLEDGE OF ALLEGIANCE

Chairman Cooney led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES OF THE JUNE 13, 2016 MEETING

Motion made by Ms. Albarran and seconded by Mr. Silvin to approve the minutes of the June 13, 2016 meeting. Motion carried with all in favor.

V. **APPROVAL OF THE AGENDA**

Chairman Cooney noted that the applicant for COA-08-2016, 1300 S. Ocean Blvd. has requested to withdraw their application. Chairman Cooney also noted that the applicant for COA-016-2016, 101 El Brillo Way has requested to defer their project to the August 17, 2016 meeting. Lastly, Chairman Cooney noted that the applicant for COA-020-2016, 780 S. Ocean Blvd. has requested to defer their project to the September 21, 2016 meeting.

Motion made by Ms. Albarran and seconded by Mr. Zukov 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)**

Mr. Page announced to the Commissioners that Carol Wyett, Alternate Member, has resigned her position for personal reasons. He indicated that staff has prepared a press release announcing the vacancy and anticipate the Town Council will make the appointment to fill the seat at their September 13, 2016 meeting.

Chairman Cooney thanked Carol Wyett for her service and stated that she would be missed. Chair Cooney also introduced Amanda Skier, the new Director at the Preservation Foundation of Palm Beach.

VIII. **PUBLIC HEARINGS**

A. **Application for Certificate of Appropriateness #008-2016**

Address: 1300 S. Ocean Blvd.

Owner/Applicant: Paul Tudor Jones II

Architect: Allan Shope

Project Description: General Building Improvements - All roofing will be replaced 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 third floor (work to be divided into 2 phases: phase 1 - 2016 & phase 2 - 2017.) Basement level - interior - various minor renovations in association with new elevator. First floor - interior - existing kitchen renovated, various other minor room renovations, existing living spaces converted to guest bedrooms and baths, existing enclosed connector between garage and house removed, replaced with more planter area, existing exterior doors relocated at guest bedroom, replacing small window at former power room, existing exterior glass doors enlarged at existing living, dining and breakfast rooms, arched area added at top-color, material and glazing pattern to match character of existing bronze & glass doors at sun room, new exterior glass doors added to existing arched openings at loggia-color, material and glazing pattern to match character of existing doors in adjacent area, new terrace added at screening room - color, material and detailing to match character of existing ocean terrace, new dining terrace added - color, material and detailing to match character of existing ocean

terrace. Second floor - interior - bedroom and bath renovations, master bedroom balcony porch made deeper, existing window openings reconfigured and expanded - color, material and glazing pattern to retain character of existing windows, new hall added, bringing together disconnected areas of second floor - color, material and detailing of addition to match character of existing exterior walls, roofing and windows. Third floor - interior - bedroom and bath renovations.

At the March meeting, this project was granted a May deferral. At the May meeting, this project was granted a deferral until June.

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

B. [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 March meeting, this project was granted a May deferral. At the May meeting, this project was granted a deferral until June.

Please note: This project was deferred to the August 17, 2016 meeting during Item V., Approval of the Agenda.

C. [Application for Certificate of Appropriateness #018-2016](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO SITE PLAN REVIEW - DONE 6/13/16

Address: 1095 N. Ocean Blvd.

Owner/Applicant: TGS Florida, LLC

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

Project Description: New 184 KW generator to be housed in a 279 sq. ft. enclosed building (partially below grade). Other associated changes as presented.

SITE PLAN REVIEW INFORMATION: The applicant is requesting a Site Plan Review to install a 184 KW generator that is proposed to be located in a 279 sq. ft. accessory building on the southwest area of the property below the pool terrace deck.

At the June Meeting, a motion was made by Ms. Albarran and seconded by Mr. Zukov that the implementation of the proposed site plan review will not cause negative architectural impacts to the subject landmarked property. The motion carried with all in favor.

Call for disclosure of ex parte communication: None

Daniel Kahan stated he would be presenting in place of Peter Papadopoulos. Mr. Kahan stated that the project has not changed since the last time it was presented. He also stated the Town Council had reviewed and approved the project. Mr. Kahan presented the existing and proposed elevation of the property and indicated where the proposed generator would be located.

Mr. Cooney inquired about an additional door on the proposed elevation.

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

At this time, Item D, COA-19-2016 and Item F, COA-28-2016 were moved to the end of the agenda to accommodate the architects that were not currently present.

E. [Application for Certificate of Appropriateness #020-2016](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S) - DONE 5/18/16

Address: 780 S. Ocean Blvd.

Owner/Applicant: Terry Taylor

Architect: Jason P. Drobot/Brasseur & Drobot Architects, P.A.

Project Description: The project consists of partial demolition of an existing (+/-) 500 square foot cabana structure located at the northwest corner of the beachside property. A new 500 (+/-) square foot addition shall be constructed on the east side of the existing cabana structure. Existing hardscape and landscape shall be removed to accommodate the new structure.

SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES INFORMATION: The applicant is requesting a Special Exception with Site Plan Review to modify an existing 500 sq. ft. beach cabana with a 500 sq. ft. addition (1,000 sq. ft. total) in the Beach Area Zoning District. The following Variances are being requested in order to expand and modify the existing beach cabana: 1) to allow a front yard setback of 22.5 feet in lieu of the 35 ft minimum setback required; 2) to allow a 16.25 ft roof height in lieu of 16 ft maximum allowed, 3) to retain the existing 43 inch wall in lieu of a wall at the required height of 30 inches in the beach vista area. The vista is required to be 75% of the lot width in this case.

At the May meeting, a motion made by Ms. Albarran and seconded by Mr. Gannon that the implementation of the proposed variances will not cause negative architectural impacts to the subject landmarked property. Motion carried with all in favor.

Please note: The applicant has requested a deferral until September 21, 2016.

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

G. [Application for Certificate of Appropriateness #029-2016](#)

Address: 350 Worth Ave.

Owner/Applicant: The Everglades Club Inc. (Scott Lese, General Manager)

Architect: Jason P. Drobot/Brasseur & Drobot Architects, P.A.

Project Description: The project consists of removing three existing arched openings, the cast stone columns supporting them, and three French doors with arched transoms on the south side elevation of the existing Mizner Room located on the southeast side of the existing main building. The removed arches and their respective doors/transoms shall be replaced with an elliptical arch with cast stone columns similar to those removed and a new mahogany elliptical French door with sidelights.

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

Mr. Drobot stated the changes that are proposed for the property. He presented to the Commissioners a site map, photos, a demolition plan, floor plans and existing and proposed elevations for the south entrance.

Commissioners Comments: Many of the Commissioners thought this was a nice improvement. Ms. Albarran suggested adding an additional muntin in the new, proposed door.

One of the Commissioners asked Mr. Drobot what was the reasoning for the changes. Mr. Drobot provided the reasoning.

Commissioners Comments: There was a concern expressed about the placement of the columns next to the arched door as well as the massive size of the arched door. A suggestion was made to eliminate the columns all together. Mr. Drobot agreed to that change. There was some discussion about possible changes to the east and west façade but it was stated that those changes would have to wait for financial reasons. There was another suggestion to only work on the interior at this time and to make the exterior changes next year so that other windows could be included in the changes.

Motion made by Ms. Albarran and seconded by Mr. Gannon to approve the project as presented with the removal of the double columns next to the door and adding the extra horizontal muntin. Motion carried 5-2 with Messrs. Zukov and Strawbridge opposed.

H. [Application for Certificate of Appropriateness #030-2016](#)

Address: 14 Golfview Rd.

Owner/Applicant: Tom and Heidi McWilliams

Architect: Andrew Kirschner/Jackson Kirschner Architects

Project Description: Remove and fill in windows that interfere with the design and circulation within the interior spaces. The finish will match existing exterior color and finish. Replace the windows and doors that are in disrepair with new wood impact windows and doors that will match existing exact style and color.

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

Mr. Kirschner presented the proposed window changes to the Commissioners. He also requested a partial balcony removal on the rear of the residence.

Commissioners Comments: There was a suggestion to move the A/C units out of public view and putting them lower below the wall. Mr. Kirschner stated he agreed and would check into the possibility.

There was a discussion about the handrail on the second floor and whether it would need to be brought up to Code. Mr. Page went to seek the advice of the Town's Building Official.

Commissioners Comments: Ms. Albarran provided some history about the windows in the project. There was a suggestion to dry wall the front window from the inside but preserve front (south) façade. There was another suggestion that when removing the window on the north façade, to leave a slight recess to show that a window previously existing in that location.

Bill Bucklew, Building Official, was shown the photo of the existing railing that is presently non-code compliant and was asked if it needed to be removed and replaced with something that meets today's Code. He stated if changes were being made to the balcony where the railing was located, then it would need to be replaced. However, if the changes were not affecting that area, the railing would be allowed to remain.

Motion made by Ms. Albarran and seconded by Ms. Hufty to approve the project as presented with the caveat that the window on the south façade is dry walled from the inside. Motion carried with all in favor.

I. [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.

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

Mr. Williams presented a modified entry gate to one that was previously approved. He showed the Commissioners photos of the existing gate, renderings of the approved gate and the proposed modified gate.

Commissioners Comments: Most of the Commissioners felt that the previously approved gate felt more welcoming and did not support the change.

Motion made by Ms. Albarran and seconded by Mr. Gannon to defer the project for one month for restudy. Motion carried with all in favor.

J. [Application for Certificate of Appropriateness #032-2016](#)

Address: 720 S. Ocean Blvd.

Owner/Applicant: Cindy & John Sites

Architect: Michael J. Johnson

Project Description: Faux finish at existing exterior columns/sills, faux finish at existing exterior wood structure and trim, new color for existing wood windows. Color to be: Farrow & Ball, Parma Grey #27, same color for existing property gates and doors.

Call for disclosure of ex parte communication: Disclosure by Messrs. Strawbridge, Cooney and Silvin and Ms. Albarran.

Mr. Johnson turned the presentation over to Daniel Menard. Mr. Menard stated that the owners would like to enhance the details to the exterior of their home. He presented the proposed changes to the exterior, including faux finishing on the timber and columns, adding a band at the upper part of the exterior, painting the doors, windows and gates.

Commissioners Comments: Many Commissioners liked the addition of the color. There was some discussion regarding the banding and if the addition was necessary.

Motion made by Ms. Albarran and seconded by Ms. Hufty to approve the project as presented with the exception of the addition of the banding. Motion carried with all in favor.

A short break was taken at 10:47 a.m. and the meeting resumed at 11:00 a.m.

D. [Application for Certificate of Appropriateness #019-2016](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S) - DONE 5/18/16

Address: 2 Four Arts Plaza

Owner/Applicant: Harvey E. Oyer, III, Esq.

Architect: Bryan R. Donahue/WGI, Inc.

Project Description: Reconfigure the northern parking lot to install 26 additional parking spaces (24 perpendicular and 2 parallel). There are currently 66 parking spaces located within the northern parking lot (affected area). The redesign of the northern parking lot will add 26 additional parking spaces for a total of 92 parking spaces within the northern parking lot (affected area). The Four Arts campus (west of Four Arts Plaza) will now provide 181 off-street parking spaces.

SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES INFORMATION: The applicant is requesting a Special Exception approval with Site Plan Review to reconfigure the northern parking lot to construct 26 additional surface parking spaces (24 perpendicular, 2 parallel). There are currently 66 surface parking spaces located within the northern parking lot (affected area). The redesign of the northern lot will add 26 additional parking spaces for a total of 92 surface parking spaces within the northern parking lot (affected area). If approved, the Four Arts campus (west of Four Arts Plaza) would provide 181 permanent off-street surface parking spaces. The applicant operates a non-profit cultural use in the R-B zoning district by an existing Special Exception. The Four Arts owns and manages the Town's library and provides lectures, art viewings, concerts, films, educational classes, and live broadcasts of the Metropolitan Opera along with other cultural offerings for its members and the public. The existing fence will remain in place located along the northern property line. As proposed and shown on the revised landscape plan, new and upgraded plant, shrub, and hedge material will be planted to provide the required buffering and screening from the adjacent property owners. The following variances are being requested to redesign the north parking lot: 1. A variance to allow the landscape open space area to be reduced from the existing 29.5% to the proposed 25.5% in lieu of 55% minimum landscape open space as required by code; 2. A variance to reduce the driving isle width required for 90 degree parking spaces within the proposed redesigned northern parking lot to 24 feet in width in lieu of 25 feet in minimum width as required by code; 3. A variance to reduce the street side yard setback for the redesigned northern parking lot to seven (7) feet in lieu of thirty-five (35) foot minimum as required by code; 4. A variance to reduce the interior minimum parking area landscape open space for the redesigned northern parking lot to 5.2% in lieu of 10% minimum as required by code.

At the May meeting, a motion made by Ms. Albarran and seconded by Mr. Gannon that the implementation of the proposed variance will not cause negative architectural impact to the subject landmarked property with the caveat that two parking spaces on the north and two parking spaces on the south are used for landscaping. Motion carried with all in favor.

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

Mr. Page confirmed that the Town Council did approve the requested special exception, site plan review and variances subject to the recommendation that the Landmarks Commissioners made at their May meeting.

Mr. Donahue reviewed the project for the Commissioners and stated that four parking spaces had been replaced with greenspace, which had been their recommendation.

Commissioners Comments: There was a question about the landscape buffer for the resident to the north of the parking spaces. Mr. Donahue addressed this concern.

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

IX. OTHER BUSINESS

- A. [Informal Review - Application for Certificate of Appropriateness #017-2016](#)
LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)
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.

Call for disclosure of ex parte communication: Disclosure by Mses. Albarran and Hufty and Messrs. Silvin and Cooney.

Mr. Johnson turned the presentation over to Daniel Menard. Mr. Menard presented to the Commissioners the proposed change to the stairs that face S. County Rd. He presented drawings of the existing, approved and proposed staircase. He showed pictures of the existing stairs and presented a video of the proposed stairs.

Motion made by Mr. Zukov and seconded by Ms. Albarran that the implantation of the proposed variance will not cause negative architectural impact to the subject landmarked property. Motion carried with all in favor.

F. [Application for Certificate of Appropriateness #028-2016](#)

Address: 200 Regents Park

Owner/Applicant: Joel Jankowsky

Architect: Steve Kvarnberg/KVLA Design, LLC

Project Description: Landscape renovations proposed to coordinate with other site improvements - drainage and site grading, hardscape modifications as designed by the project architect. Much of the existing landscape is overgrown or over mature. Landscaping renovations consist of general clean up and removal of overgrown materials and new plantings with fresh plant materials. Perimeter hedges and trees are generally untouched and shall remain.

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

Mr. Kvarnberg presented the landscaping changes for the property and the exterior paint change to the residence. He stated most of the landscaping changes will take place on the interior of the property and indicated that most of the changes were cleaning up some tired, old landscaping.

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

B. [Informal Review - Application for Certificate of Appropriateness #025-2016](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Address: 9 Golfview Road

Owner/Applicant: Acroterium Group/Richard Sammons, Member

Architect: Richard Sammons/Fairfax, Sammons & Partners

Attorney: Maura Ziska

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.

Call for disclosure of ex parte communication: Disclosure by Messrs. Strawbridge and Cooney and Ms. Albarran and Hufty.

Mr. Cooney stated that Ms. Fairfax has declared a conflict of interest with this project and has filled out the necessary 8B form in accordance of State Law.

Ms. Ziska explained the variance requests and asked for a favorable recommendation to the Town Council.

Mr. Sammons presented the current condition of the property with photos and elevations. He presented the proposed changes to the property, including fenestration changes, exterior façade changes, an addition of a parapet wall, door and entry changes, minor interior changes and changes to the landscape and hardscape.

Commissioners Comments: There was a concern of trying to mix different styles on the front façade. Mr. Sammons addressed this concern. Mr. Cooney addressed the front façade change but also stated that the façade had previously been changed significantly in a non-historic way. There was a question about the inspiration for the rounded arches on the front façade. Mr. Sammons answered this question. There was a comment about the downspout and its location. Mr. Sammons addressed this concern. Many Commissioners thought this was a vast improvement.

Mr. Cooney wanted to make clear that by approving these changes, the Commission is not setting a precedent for drastic, stylistic changes. This property is a unique situation where the changes that were previously made were not in keeping with its original architecture.

Motion made by Ms. Hufty and seconded by Mr. Gannon that the implantation of the proposed variance will not cause negative architectural impact to the subject landmarked property. Motion carried 6-1 with Mr. Zukov opposed.

C. [Informal Review - Application for Certificate of Appropriateness #033-2016](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Address: 255 Clarke Ave.

Owner/Applicant: The Clarke Trust

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

Attorney: Maura Ziska

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.

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

Ms. Ziska explained the variance requests and asked for a favorable recommendation to the Town Council.

Guillermo Vazquez presented the proposed architectural changes for the property. He provided a brief history of the property, and presented existing and proposed site plans, floor plans, elevations and photos.

Commissioners Comments: There was some questions about the proposed roof pitch on the new family room. Mr. Vazquez addressed this issue. There was a suggestion to make either all or none of the pavilion arches should be changed into a trefoil arches. Some Members thought the elevator addition was very charming. Several of the members had a problem with the pavilion design and thought it needed to be restudied.

Ms. Hufty addressed David Callaway's letter and the disruption caused by construction in Palm Beach. Ms. Ziska stated she was going to speak to John Lang regarding Mr. Callaway's concerns. Mr. Lindgren he would make sure that the letter is received by Paul Castro, Zoning Administrator and the Town Council.

Motion made by Ms. Albarran and seconded by Mr. Gannon that the implementation of the proposed variance will not cause negative architectural impact to the subject landmarked property and to recommend to the Town Council to pay attention to Mr. Callaway's letter. Motion carried with all in favor.

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

Chairman Cooney stated that he has noticed that the applicants are not bringing in research, historic photos and drawings on the property so that the Commission can make informed decisions. Mr. Lindgren stated that the Commission could defer a project until the information is presented. Mr. Lindgren also stated he would look at the application to make sure the information is being requested.

Chairman Cooney reviewed the staff approval process with the Commission. He also told them that they may see smaller projects coming before them but they are trying to find a balance of what can be staff approved and what the Commission needs to approve.

Mr. Silvin lamented the loss of Carol Wyett and stated he will miss her on the Commission. He also stated she struggled with the decision to leave and took the responsibility very seriously.

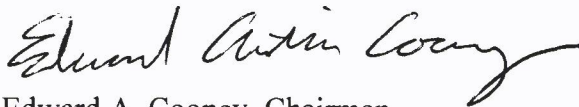
Mr. Page stated explained the replacement procedure for the vacant seat.

XI. ADJOURNMENT

Meeting adjourned at 12:36 p.m. without the benefit of a motion.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, August 17, 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

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>Landmarks 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	
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>7/20/16</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 July 20, 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 # 25-2016
hearing for 9 Golfview 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

7/20/16

Signature

Anne Fairfax

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.