

TOWN OF PALM BEACH

Planning, Zoning & Building Department

**MINUTES OF THE ARCHITECTURAL REVIEW COMMISSION
WEDNESDAY, AUGUST 27, 2003
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH**

I. CALL TO ORDER

The meeting was called to order at 9:00 a.m.

II. ROLL CALL

PRESENT:

John H. Schuler, Chairman
Floyd L. Wideman, Jr., Vice Chairman
Eric Adams, Member
Marvin Rosenberg, Member
Lindley M.F. Hoffman, Member
Morgan Dix Wheelock, Alternate Member
William J. Strawbridge Jr., Alternate Member
Leslie C. Diver, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director Planning, Zoning & Building
Veronica Close, Assistant Director Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
Paul Castro, Zoning Administrator
Gretchen Dayton, Recording Secretary

ABSENT:

Leslie A. Shaw, Member (unexcused)
Nikita Zukov, Member (unexcused)

III. PLEDGE OF ALLEGIANCE

The pledge of allegiance was lead by Chairman Schuler.

IV. APPROVAL OF THE MINUTES FROM THE JULY 23, 2003 MEETING.

MOTION BY MR. WIDEMAN TO APPROVE THE MINUTES.

MOTION SECONDED BY MR. WHELOCK.

MOTION CARRIED UNANIMOUSLY.

V SWEARING IN PERSONS TESTIFYING.

Persons testifying were sworn in at this time and periodically throughout the meeting.

Chairman Schuler amended the agenda by adding to Other Business discussion regarding variance requests which relate to ARCOM applications. He called for a motion at this time. He asked for a motion regarding this amendment.

**MOTION BY MR. WHELOCK TO APPROVE THE AMENDMENT TO THE
OTHER BUSINESS SECTION OF THE AGENDA.**

MOTION SECONDED BY DR. ROSENBERG.

MOTION CARRIED UNANIMOUSLY.

VI PROJECT DEFERRALS/REMOVALS

B33-03 Addition

Applicant:	Diana and George Abouzeid
Address:	1072 North Ocean Boulevard
Architect:	Blue Minges Architect
Project Description:	Add second story living and loggia. Consolidate numerous details into a more coherent design. Add exterior stair and miscellaneous arches.

This project was deferred from the May meeting for restudy, and from the June and July meetings at the architects requests. A letter was received from Architect Blue Minges on August 7, 2003 referring this project to Architect Pat Seagraves. Mr. Seagraves requested deferral to the September meeting. Mr. Frank recommended removal from the agenda based on the fact that a new architect has taken over the project and there have been several deferrals thus far.

**MOTION BY MR. ADAMS TO REMOVE THE PROJECT FROM THE
AGENDA.**

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

B64-03 New Two Unit Building

Applicant: 470 South Ocean LLC - The Cury Group
Address: 470 South Ocean Boulevard
Architect: Portuondo-Perotti Architects
Project Description: A new two unit condominium building with courtyards and pools designed in the classic Mediterranean style incorporating a full barrel tile roof, smooth stucco with cast details, cast stone cladding, panels & surrounds, cypress wood garage & front doors, cast iron railings, & impact metal clad doors and windows.

The attorney, representing this project, requested deferral from the ARCOM agenda due to Town Council's deferral to their September meeting.

MOTION BY MR. WIDEMAN TO DEFER PROJECT NUMBER B64-03 TO THE SEPTEMBER MEETING.

MOTION SECONDED BY DR. ROSENBERG.

MOTION CARRIED UNANIMOUSLY.

VII PROJECT REVIEW

A. INFORMAL REVIEW

The Town Council deferred the following items from their August 12, 2003 meeting and requested an architectural opinion from the Commission:

Mr. Moore reported that Mr. Schuler addressed a letter to the Town Council requesting that ARCOM have some input regarding variances, special exceptions and site plan reviews prior to the Council taking any action, and prior to ARCOM's review. The Town Council decided this would be a good time to begin deferring troubled projects to the Commission. Mr. Moore indicated that the review will be informal and only the architectural issues will be discussed. As well, if they notice something that bothers them architecturally, this would be the time to discuss it.

B61-03 New Garage (V25-2003)

Applicant: Sarah Asche
Address: 569 Island Drive
Architect: Smith & Moore Architects
Project Description: Construction of a new attached two-car garage, materials & heights to match existing.

Ms. Diver, Dr. Rosenberg, Mr. Wideman, Mr. Hoffman, Mr. Adams and Mr. Wheelock said they met with the architect and reviewed the plans.

Mr. Moore explained that the Town Council wanted the Commission to look at the architecture and decide if it would still be pleasing with a reduction of variances that were requested. Attorney Peter Broberg, representing Mr. and Mrs. Asche, indicated that the house had a garage that was converted into living space. They now request a variance to construct a 493 s.f. garage. He presented three options. The first one was the original proposal of a side loading garage, which the architect felt had the proper symmetry. The second, having the side loaded garage moved closer to the house. The third option, also moved closer to the house, was front loading. The two new options still require variances, and the angle of vision was slightly reduced. These two options also eliminated a window that is matched on the other side of the house. Mr. Wideman preferred having some distance from the neighbors by moving the addition closer to the house and eliminating the round window. Dr. Rosenberg disagreed, and thought the initial proposal was the best choice from an architectural point of view. Mr. Hoffman described the alternate drawings as aesthetically unpleasing. Mr. Adams believed that the symmetry of the house was important. Mr. Wheelock believed that there was not enough space to back out of the garage. He explained that the garage back-up turn around with a perpendicular slot would require 26' to 28' and with no perpendicular slot, it would require 30' to back out of the garage. He commented that the initial proposal was only one story with a recessive roof design, and he did not think it would be bothersome to the neighbors. Mr. Strawbridge, Ms. Diver and Mr. Schuler recommended the architecture of the first option.

**MOTION BY DR. ROSENBERG TO HAVE THE FIRST RENDERING
CONSIDERED BY THE TOWN COUNCIL AS THE PREFERRED
ARCHITECTURAL DESIGN FOR THIS PROJECT.**

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

B62-03 Demolition and New Residence (SE17-2003)

Applicant: 1620 South Ocean LLC
Address: 1620 S. Ocean Boulevard
Architect: Smith and Moore Architects
Project Description: Demolition of an existing residence and construction of a new two-story residence.

Ms. Diver, Dr. Rosenberg, Mr. Wideman, Mr. Hoffman, and Mr. Adams said they met with the architect and reviewed the plans. Mr. Wheelock said he visited the site, met with the architect and the attorney. Mr. Schuler said he spoke on the telephone with Mr. Smith, but did not discuss the project.

Mr. Moore explained that the Town Council wanted ARCOM to address the size of the house relative to the variance requested in order to build the house. Attorney Maura Ziska explained that they are requesting a point of measurement variance because of the natural grade of the property is 21 NGVD and the town requires 16 NGVD. Architect Harold Smith requested formal review of the demolition portion of the project. Mr. Randolph advised the attorney and the architect that if the house is demolished, they take the risk as to whether or not they receive a variance to go forward with construction of the size house they want. Ms. Ziska stated for the record that the applicant accepts this responsibility.

Mr. Smith noted that the existing house is 3,408 s.f. under the roof. It was constructed in 1960 for Mrs. Pauline Ruth and designed by John Adair. The house is in fair condition and exhibits no significant historical or architectural features. It was agreed to retain the hedge material during construction and to remove the Australian pines at the end of the project.

**MOTION BY MR. WIDEMAN TO APPROVE THE DEMOLITION WITH THE
CONDITION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.
MOTION SECONDED BY DR. ROSENBERG.
MOTION CARRIED UNANIMOUSLY.**

Mr. Moore indicated that the Town Council wanted ARCOM to look at the mass of the house in relationship to where it needs to be built, (18" above the crown of the road), if the house should be reduced in height, and what effect it would have on the neighborhood. Architect Edward Saung noted that the request for a point of measurement variance was the result of D.E.P. requirements. He said the Town Council was concerned with the massing of the structure and asked that ARCOM look at this issue. He presented an alternate drawing of the project showing only one chimney and a lower tie beam height. Ms. Ziska advised the Commission that the garage was not reduced to a one-story element as the Town Council suggested, because they are locked into a RA zoning with a

25% lot coverage. She said the square footage is very tight with the set back restrictions.

Some of the Commissioners felt that the house was very tall and preferred the alternate drawing without a tower. Others thought there was no problem with the massing of the project as proposed, and that the tower and chimneys create an exciting elevation.

**MOTION BY MR. WIDEMAN TO RECOMMEND TO THE TOWN COUNCIL
THE ALTERNATE PLAN, WITHOUT THE TOWER AND ONE CHIMNEY.
MOTION SECONDED BY MR. ADAMS.**

ROLL CALL:

MR. WIDEMAN	YES
MR. ADAMS	YES
DR. ROSENBERG	NO
MR. HOFFMAN	YES
MR. WHEELLOCK	NO
MR. STRAWBRIDGE	YES
MR. SCHULER	YES

MOTION CARRIED 5-2.

A. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B15-03 New Residence (V49-02)

Applicant:	Scott Derrin and Michelle Ryan
Address:	254 North County Road
Architect:	The Lawrence Group Architects
Project Description:	Construction of a two-story, two bedroom and library house with a two-car garage.

Demolition was approved at the March meeting. The new residence was deferred for restudy from the March, June and July meetings, and it was deferred from the April and May meetings at the architect's request.

Mr. Hoffman and Mr. Wheelock said they met with the architect and visited the site. Mr. Adams said he visited the site, and met with the architect and the owner. Mr. Strawbridge declared a previous Conflict of Interest and left the dais during the discussion.

Architect Eugene Lawrence introduced Mr. and Mrs. Derrin and Attorney Jim Brindell. Mr. Lawrence indicated that the thickness of the master suite was reduced, the second floor area was reduced, and balconies were added. The tower was retained and it was redesigned to have a break in it on the street side.

Mr. Wideman felt that the mass of the two stories did not fit the neighborhood. Mr. Hoffman commented that the Town Council approved a variance for the two-story home, and he thought the architect did a good job downscaling the project on a very minimal lot. Mr. Adams stated that the house was reduced in size as much as possible and that the Commission will have to be satisfied with this proposal. Mr. Diver appreciated what the architect has done with the project, but thought that it was still too massive for that street corner.

MOTION BY MR. WHELOCK TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. HOFFMAN.

ROLL CALL:

MR. WHELOCK YES

MR. HOFFMAN YES

MR. WIDEMAN NO

MR. ADAMS YES

DR. ROSENBERG YES

MS. DIVER NO

MR. SCHULER NO

MOTION CARRIED 4-3.

A27-03 Guardhouse and Wall Modifications (SP 6-2003)

Applicant:	Premier Palm Beach, LP
Address:	3000 South Ocean Boulevard
Architect:	The Lawrence Group
Project Description:	Modify previously approved guardhouse and fountain wall elevations, incorporating coquina trim, precast columns, clay barrel tile roof and additional stucco rustication.

Mr. Hoffman, Mr. Adams and Mr. Wheelock said they met with the architect.

Architect Eugene Lawrence presented the revised plans and indicated that the arched treatment on the guard house will be repeated on the fountains. The fountains were revised to have smaller vessels, and a sheet of water flowing from the single arches rather than bubblers as previously proposed. He indicated that the wrought iron gates were substantially simplified. The Commissioners agreed that the project had been revised as requested.

MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. ADAMS.

MOTION CARRIED UNANIMOUSLY.

B30-03 Pool House

Applicant: William and Katherine Rayner
Address: 215 Coral Lane and 216 Emerald Lane
Architect: Peter Marino Architect
Project Description: "Pool house (accessory structure) and swimming pool; materials include stucco at building walls, barrel tile roof, lime stone columns and building trim."

This project was deferred from the April meeting for restudy, it was deferred from the May meeting, as no one was present to represent the project, and it was deferred from the July meeting at the architects request. This project was re-advertised for the July meeting per ARCOM action. No one was present at this meeting, therefore, it was deferred to the August meeting.

No one was present to represent the project. Mr. Frank stated that no revised plans have been received from the architect.

MOTION BY MR. WIDEMAN TO REMOVE THE PROJECT FROM THE AGENDA

MOTION SECONDED BY WHEELOCK.

MOTION CARRIED UNANIMOUSLY.

B43-03 Additions

Applicant: Mr. Sterling M. Hamill and Ms. Leslie K. Bullock
Address: 177 Clarendon Avenue
Architect: SKA Architect & Planner
Project Description: Master bathroom addition to be approximately 420 square feet, library loggia to be approximately 420 square feet, renovation of office/den, renovation of pool cabana and addition of french doors and balconies in master bedroom, library and dining area. All additions and renovations to match existing Mediterranean style house.

This project was approved with the exception of the widow's walk at the June meeting. It was deferred from the July meeting at the architect's request.

Mr. Frank reported that the architect requested removal from the agenda because he has decided to retain the original design of the widow's walk. Mr. Frank indicated that a minor change to the chimney is proposed, and thought it may be a staff approval.

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MOTION BY MR. WIDEMAN TO REMOVE THE PROJECT FROM THE AGENDA.

MOTION SECONDED BY MR. WHEELOCK.

MOTION CARRIED UNANIMOUSLY.

B45-03 Exterior Revisions (V35-2003)

Applicant: Goodman Company
Address: 150 Worth Avenue
Architect: REG Architects
Project Description: Exterior upgrades and cosmetic changes - paint change, signage, landscaping & details.

This project was deferred for restudy of the entire building from the June meeting. It was deferred from the July meeting at the architect's request.

Dr. Rosenberg said he met with the architect and reviewed the plans. Mr. Hoffman said he met with the architect, reviewed the plans and visited the site.

Architect Rick Gonzales introduced his assistant William Waters and John Collier of the Goodman Company. Mr. Gonzales retracted from the project description the request to revise the building color. He indicated that the proposal was revised to be very simple with less ornamentation, but with just enough detailing to help the facade. Updated light fixtures will be added to the garage. Blank wall sections on the parking garage and at the entry will be filled in with seafoam green colored tiles. Faux windows at the garage and at the top of the tower will replace blank arches. A small lion head fountain, 7" in diameter, is proposed for the arched wall between the garage entry and exit. The proposal for signs for each of the tenants would be a fixed detail so that each logo or store name will fit within a certain design feature. Seven small medallions with a small case "e" incorporated into the frieze were proposed along the fourth building section. Mr. Gonzales presented a sample board which included Styrofoam outriggers and samples of limestone and cast stone materials. After discussion, Mr. Gonzales agreed to use both stone materials to match the existing stonework.

Mr. Adams remarked that one of the sections of building appeared busy having seven medallions with the Esplanade logo. Mr. Frank suggested that if a tenant desires having a sign that differs from the format that was presented today, they should come to the Commission for approval.

MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT AS PRESENTED WITH THE CONDITION THAT THE ARCHITECT AND THE GOODMAN COMPANY MAKE THE DECISION TO KEEP THE "E" LOGO OR INCORPORATE A LION'S HEAD.

MOTION SECONDED BY MR. WHEELOCK.

Under discussion, Mr. Moore remarked that logos are only allowed to be one square foot. If the letter "e" were used as a logo, then only one would be allowed. Mr. Collier responded that the "e" is used throughout the via as a logo.

AMENDED MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT WITH THE CONDITION TO CHANGE THE LOGO TO A LION HEAD, INCLUDING THE SIGNAGE AND IF IN THE FUTURE THERE ARE ANY VARIANCES FROM THE SIGN DESIGN, IT MUST COME BACK TO THE COMMISSION FOR APPROVAL.

MOTION SECONDED BY MR. WHEELOCK.

MOTION CARRIED UNANIMOUSLY.

B53-03 New Residence

Applicant:	Julia Aspuru Trust
Address:	250 Kawama Lane
Architect:	Ames Bennett
Project Description:	build a new 6,530 s.f. Classic Regency style CBS residence, lap pool, and entrance gates.

Demolition of existing residence was approved, and the new residence was deferred for restudy from the July meeting.

Ms. Diver, Mr. Schuler, and Mr. Hoffman said they met with the architect and discussed the plans. Mr. Wideman and Mr. Schuler said they met with the attorney and reviewed the plans. Mr. Adams and Dr. Rosenberg discussed the project on the telephone with the attorney. Mr. Wheelock said he met with the landscape architect.

Architect Ames Bennett introduced Attorney Joel Koppel and Landscape Architect Steven Dauber. Mr. Bennett presented the revisions to this project which included the removal of the site walls, with the exception of the wing walls at the gates, and the redesign of the gates. The windows were standardized making them all the same, as well as the muntins in the windows and doors. Drainage plans have been completed as requested at last month's meeting. The corona height was lowered by 2' and the finials on the top of the house will remain. Mr. Bennett remarked that the finials were repeated on the gates, which may become lights in the future. After discussion, Mr. Bennett agreed to widen the transoms over the french doors. Landscape Architect Steven Dauber presented the landscape plan that he described as a formal parterre design to complement the Regency style home. The plan includes trimmed ficus hedges and a variety of palm trees. The hard surface will be made of cast stone and light grey Apeanway pavers. Mr. Hoffman suggested lowering the height of the garage and the service wing to better balance the house. The half bathroom window was discussed, and Attorney Joel Koppel advised that his clients were willing to remove the window. After several suggestions it was decided to add a niche in the building below the window and fill it in with vines. It

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was commented that there were no other entry gates on Kawama Lane and gates would over stress the importance of this building on the street. Mr. Dauber responding to comments about the amount of greenspace, stated that it is 40% of the area. Property Owner Mark Meyers, brought attention to the gate that had been recently installed next door. Mr. Moore informed the Commission that they cannot prohibit gates, but they can review the design. Mr. Koepfel indicated that Mrs. Meyers was often alone in the house and she was concerned about security.

MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT AS PRESENTED WITH THE PROVISIO A FULL LANDSCAPE PLAN COMES BACK INCLUDING THE GATES AND THE HARDSCAPE, WITH THE SUGGESTION TO LOOK AT THE SMALL WINDOW, PUT A NICHE UNDER IT OR MAKE IT ROUND, AND CHANGE THE ½ ROUND WINDOWS ON THE REAR ELEVATION.

MOTION SECONDED BY DR. ROSENBERG.

MOTION CARRIED UNANIMOUSLY.

B58-03 Demolition

Applicant:	Varick Preston Foster
Address:	162 Dolphin Road
Contractor:	Tuscan Homes, Inc.
Project Description:	Demolition of existing single family residence, pool house, boundary wall and remove existing vegetation as per vegetation plan

This project was deferred from the July meeting for restudy.

No one was present to represent the project.

MOTION BY MR. WHEELock TO DEFER THE PROJECT TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MR. ADAMS.

MOTION CARRIED UNANIMOUSLY.

B. NEW BUSINESS - MAJOR PROJECTS

B59-03 New Residence

Applicant: Kings Estate, Inc. c/o Dean Vegosen
Address: 150 Kings Road
Architect: SKA Architect + Planner
Project Description: Construction of new two-story Mediterranean style home.

Mr. Wheelock declared a previous Conflict of Interest and left the meeting room during the discussion.

Architect Pat Seagraves presented the project which had been approved in November 2001, and was extended for another year in September 2002. Responding to a question of what would happen to the project if it were not approved today, Mr. Randolph said that it would be void and they would have to come back to the Commission with a new presentation.

MOTION BY MR. WIDEMAN TO DENY THE REQUEST TO EXTEND ARCOM APPROVAL FOR ANOTHER YEAR.

Under discussion, Mr. Seagraves asked to present the project as a new proposal, as it had been advertised. Mr. Moore agreed that this was a valid request.

Mr. Seagraves presented a rendering of the one and two-story Mediterranean style home. Cast stone will be applied around the arched Venetian style windows and it will be the material used for the quoins. A tower element is proposed for the rear of the house. Perimeter walls with hedges were included in the 45% greenspace requirement.

The amount of brick paving was thought to be too much mainly due to the side loading garage and the size of the pool deck. It was noticed that some of the elements depicted in the rendering and in the elevation drawings were different.

**MOTION BY MS. DIVER TO DEFER THE PROJECT TO THE SEPTEMBER MEETING TAKING INTO ACCOUNT ALL OF THE SUGGESTIONS MADE BY THE COMMISSION, INCLUDING THE HARDSCAPE AND THE WINDOWS, ALSO THE APPROVAL WILL BE EXTENDED FOR ONLY ONE MONTH.
MOTION SECONDED BY MR. STRAWBRIDGE.
MOTION CARRIED UNANIMOUSLY.**

B60-03 Addition

Applicant: Taja Realty Trust
Address: 306 Pendleton Lane
Architect: Smith and Moore Architects
Project Description: One-story addition to an existing two-story residence.

Ms. Diver, Dr. Rosenberg, Mr. Wideman, Mr. Hoffman, Mr. Adams and Mr. Wheelock said they met with the architect and reviewed the plans.

Architect Harold Smith presented a one-story mother-in-law addition to an existing two-story home. A new rectangular shape swimming pool will replace the existing oval shaped pool. The proposal includes re-roofing with flat white concrete tile which will unify the different types of materials now used on this house.

It was suggested to move the gable roof to join the addition and the library without cutting off the end of the gable. Mr. Smith responded that there is an existing roof section that matched, but he agreed to look at it. It was Commented that a tree will have to be removed for this addition, the addition changes the motif of the house, and it changes the character of the neighborhood. Suggestions were made to reconfigure the addition in order to accommodate the existing architecture. Mr. Smith appreciated the suggestions, but stated that none of them would suit the needs of the homeowner.

**MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. ADAMS.**

ROLL CALL:

MR. WIDEMAN	YES
MR. ADAMS	YES
DR. ROSENBERG	YES
MR. HOFFMAN	YES
MR. WHEELOCK	NO
MR. STRAWBRIDGE	NO
MR. SCHULER	NO

MOTION CARRIED 4-3.

B63-03 Demolition

Applicant: Edna Schmidt, Jody Lickett and Jay Scott Embler
Address: 300 Seabreeze Avenue
Contractor: H. Gilbert & Associates
Project Description: Demolition of existing guesthouse on southeast of property.

Mr. Wheelock said he visited the site.

Attorney Peter Broberg presented the request to demolish a 12'x18' guest house that is in poor condition. Mr. Frank read the demolition report which indicated that the house was built in the early 1920's and that it would require extensive rebuilding. Mr. Wheelock said he was familiar with this building and removal of it would be a great improvement.

**MOTION BY MR. WHELOCK TO APPROVE THE DEMOLITION WITH THE
PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.
MOTION SECONDED BY DR. ROSENBERG.
MOTION CARRIED UNANIMOUSLY.**

B65-03 Demolitions

Applicant: Dr. G. Marder
Address: 1, 2 & 3 Ocean Lane
Architect: Miller & Hall Architecture
Project Description: Demolition of houses at #1 & #2 Ocean Lane (to live in the house at #3 Ocean Lane). #3 Ocean Lane will be demolished once the new residence is finished.

No one was present when this item was called.

**MOTION BY WIDEMAN TO DEFER THE PROJECT TO THE END OF THE
MEETING.
MOTION SECONDED BY MR. WHELOCK.
MOTION CARRIED UNANIMOUSLY.**

This project was heard after item number A31-03.

Architect Michael Hall explained that a unity of title has been obtained for three properties. A new house will replace two houses, and the third house will be demolished after the new one is completed. Mr. Moore advised that the owner will put all of the properties into unity, to comply with the zoning code. As well, the remaining house will have to be demolished before a Certificate of Occupancy will be issued for the new one.

**MOTION BY MR. WIDEMAN TO APPROVE DEMOLITION WITH THE
PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.
MOTION SECONDED BY MR. WHEELOCK.
MOTION CARRIED UNANIMOUSLY.**

B66-03 Remodel and Addition

Applicant: Victor DeMarinis
Address: 1451 North Lake Way
Architect: Thomas M. Kirchhoff
Project Description: Remodeling to an existing one-story residence. New concrete tile roof and master bedroom addition. Change existing carport to a garage.

There were no ex parte communications disclosed regarding this project.

Architect Thomas Kirchhoff presented the revisions to the existing house which included enclosure of an octagon room to add a den, enclosure of a carport to create a garage, and the addition of a new gabled entry element. The Commission felt that the front door was out of place with the rest of the house. Also, that there were too many steps in the entry roof, and that the use of brick was considered to conflict with the Bermuda style. Mr. Kirchhoff proposed a swimming pool on the south side of the property. Mr. Wheelock thought this change to the property should have been included in the project description for the sake of the neighbors.

**MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT AS
PRESENTED.**

MOTION SECONDED BY MR. HOFFMAN.

ROLL CALL:

DR. ROSENBERG	YES
MR. HOFFMAN	YES
MR. WIDEMAN	NO
MR. ADAMS	NO
MR. WHEELOCK	NO
MR. STRAWBRIDGE	NO
MR. SCHULER	YES

MOTION FAILED 3-4.

**MOTION BY MR. ADAMS TO DEFER THE PROJECT TO THE SEPTEMBER
MEETING TO RECONSIDER THE FRONT DOOR IN BOTH MATERIAL AND
SHAPE, THE CHICAGO BRICK HARD SURFACE, THE GABLE ROOF END,
AND TO ADDRESS THE MANY DISPARATE ELEMENTS OF THE PROJECT.
MOTION SECONDED BY MR. STRAWBRIDGE.**

DR. ROSENBERG OPPOSED.

MOTION CARRIED 6-1.

Mr. Moore explained that it is a major project. Therefore, the swimming pool and new paving should have been included with the notice to the neighbors.

C. DEFERRALS AND CONTINUATIONS MINOR PROJECTS

A23-03 Landscape

Applicant: G.G. & F.L.P.
Address: 725 North Lake Way
Architect: Steven M. Dauber/Life Force Nurseries
Project Description: Landscape plan

This project was deferred for restudy, of the north elevation, from the June meeting and deferred from the July meeting at the architect's request.

Mr. Wheelock said he conferred with the landscape architect and visited the site.

Architect Steven Dauber indicated that a 6' high hedge will be planted behind an existing wall for additional privacy. It was observed that there was still some rigidity of the palm tree pattern, especially when the traveler palms grow to match the height of the royal palm trees.

**MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY DR. ROSENBERG.
MOTION CARRIED UNANIMOUSLY.**

Note: Project #A27-03 was moved to New Business - Major Projects.

D. NEW BUSINESS - MINOR PROJECTS

A29-03 Landscape, Site Lighting & Hardscape

Applicant: Gary and Diana Wexler
Address: 579 East Woods Road
Architect: Steven M. Dauber
Project Description: Landscape, lighting plan, hardscape modifications.

Ex parte communication disclosures

Landscape Architect Steven Dauber proposed two double foxtail palms in the driveway island. The ficus hedge along the south property line will be interrupted with vegetation. Mr. Dauber described the site lighting as minimal with 50 watt up lights in a few areas. Mr. Wheelock indicated that adequate screening for the second floor will not be possible. He said that this was a good example of why the landscape architect ought to be involved with the architect and the drainage engineer at the very beginning of a project. The

house is too big and its position precludes the proper landscape screening.

MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY DR. ROSENBERG.

MR. WHEELOCK OPPOSED.

MOTION CARRIED 6-1.

A30-03 Roll Shutter Boxes

Applicant:	Mr. Earl Hollis
Address:	330 Brazilian Avenue
Contractor:	Michael Construction
Project Description:	Installation of roll-up shutters, (4) total, (1) north elevation (1) south elevation and (2) east elevation to be painted to match "trim" on home.

There were no ex-parte communications regarding this project.

Building Contractor Michael Porath explained that additional privacy and security with roll down shutters was requested on the east side by Mr. Hollis, as he will occupy that side of the duplex. Mr. Porath indicated that all of the glass in this project was impact resistant.

The commission felt that they could not support the request for roll down shutter boxes for the following reasons:

Mr. Hollis could have had the shutter boxes incorporated with the design rather having boxes applied to the outside of the building. There is no issue of security because hurricane strength glass can withstand the impact of a 2x4 board at 150 mph, and there is no privacy issue if he uses thick curtains.

MOTION BY MR. WIDEMAN TO DENY THE REQUEST IN ACCORDANCE WITH THE CRITERIA SET FORTH IN ARTICLE III. ARCHITECTURAL REVIEW AND PROCEDURE, SECTION 18-205 CRITERIA, (3) THE PROPOSED BUILDING OR STRUCTURE IS IN ITS EXTERIOR DESIGN AND APPEARANCE INFERIOR QUALITY SUCH AS TO CAUSE THE NATURE OF THE LOCAL ENVIRONMENT TO MATERIALLY DEPRECIATE IN APPEARANCE AND VALUE.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

A31-03 Landscape

Applicant: The Cury Group
Address: 161/165 Main Street
Architect: Morgan Wheelock, Inc.
Project Description: Landscape plan, including streetscape improvements to Main Street.

Ex parte communication disclosures

Mr. Wheelock declared a previously declared Conflict of Interest and left the meeting room during review of this project.

Landscape Architect Don Skowron presented aerial photographs of the construction site. He said they discussed the landscaping at the street with the Breaker's Landscape Architect, Danny Miller. The discussion related to what landscape material would be more appropriate for the entry to the Breaker's as well as having some positive visual impact to their property. He stated that brick paving will be introduced on the road to signify entrance into a different space.

Dr. Rosenberg suggested expanding the improvement of the roadway from County Road rather than from the post office parking lot. Mr. Skowron agreed to propose this idea to his client. Chairman Schuler advised not discussing the road improvement at this time as it was not part of their request. Mr. Moore stated that the roadway material change would require Town Council approval.

**MOTION BY MR. ADAMS TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY DR. ROSENBERG.
MOTION CARRIED UNANIMOUSLY.**

VIII OTHER BUSINESS

Chairman Schuler, on behalf of the Commission, congratulated Ms. Diver on her marriage. She indicated that she will take her husband's name which is Kirkwood.

Mr. Moore announced that procedural changes will be made. ARCOM has indicated their displeasure with projects that have come before them after having variances, special exceptions, site plan reviews granted. Mr. Moore read a letter dated May 9, 2003, from Chairman Schuler addressed to the Town Council, suggesting that ARCOM be given a chance to review projects before review of zoning matters. (The letter is attached to and made part of these minutes.) The Town Council has asked the Commission to develop a list of items that would come before them, prior to Council. He said Ms. Close has developed a list that ARCOM could start with. He further explained that the commission would be asked only for advice on the variance. The consent portion of the variance belongs to the Council. At the time ARCOM formally reviews these projects, the

ARCOM 8/27/03

commission will then be able to request reduction of the mass. This will be done as a policy and not an ordinance change until the process has been refined. Ms. Close reviewed the list regarding criteria for submission to ARCOM and LPC, and a list of review procedures. (These lists are attached to and made part of these minutes). Mr. Castro stated that most projects require multiple variances with the exception of docks.

Dr. Rosenberg offered to interview persons interested in serving on ARCOM. Mr. Schuler thought this may create some disagreement between the members. Also, the person being interviewed might disagree with the analysis. It was suggested to forward the applications and resumes, of the persons interested in serving, to the chairman and the commission members. A scoring system was also suggested for the commission members to fill out. Mr. Moore stated this would be public record and would be maintained in the Town Manager's office. After discussion, it was decided to convey to the Town Council that they are willing to assist with the selection process.

MOTION BY DR. ROSENBERG TO OFFER THE TOWN COUNCIL THE COMMISSION'S SERVICES AND ASSISTANCE IN THE SELECTION PROCESS OF FILLING VACANCIES ON THE COMMISSION IN WHATEVER MANOR THEY FEEL SUITABLE.

MOTION SECONDED BY MR. WHEELOCK.

MOTION CARRIED UNANIMOUSLY.

IX ADJOURNMENT

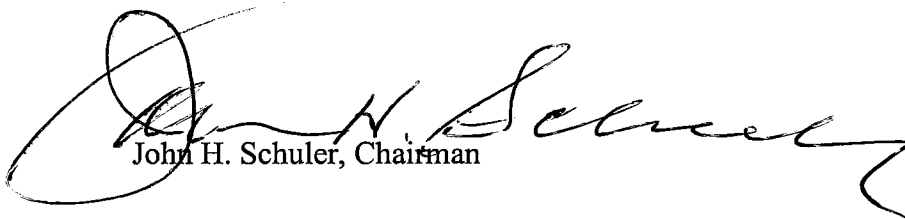
MOTION BY MR. WIDEMAN TO ADJOURN THE MEETING AT 4:10 P.M.

MOTION SECONDED BY MR. ADAMS.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Architectural Review Commission will be held on Wednesday, September 24, 2003 at 9:00 a.m.

Respectfully submitted,



John H. Schuler, Chairman

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

NAME—FIRST NAME—MIDDLE NAME HEELUCK		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 280 BAHAMA LANE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY FL 33480	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED JULY 23, 2003		NAME OF POLITICAL SUBDIVISION: PALM BEACH	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally 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 the reverse side 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 inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate 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 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:

You must abstain from voting and disclose the conflict in the situations described above and in the manner described for elected officers. In order to participate in these matters, 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.

- 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, MORGAN WHEELLOCK, hereby disclose that on JULY 23 2003, 19 03:

(a) A measure came or will come before my agency which (check one)

- ☐ 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 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:

160/164 SUNSET AVENUE, PALM BEACH.

Owner/petitioner is my Client, employing my firm as Landscape Architects for the project

Date Filed

July 23 2003

Signature

Morgan Wheellock

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

NAME—FIRST NAME—MIDDLE NAME MORGAN WHEELOCK MORGAN DIX		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 280 BAHAMA LANE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY FL 33480	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED AUGUST 27 2003		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

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SEP 18 2003

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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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:

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Megan Whalock, hereby disclose that on August 27, 19 03:

(a) A measure came or will come before my agency which (check one)

☒ inured to my special private gain or loss;

☒ inured to the special gain or loss of my business associate, Megan Whalock Inc;

☐ 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 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:

161 / 165 Main St.

Petitioner is my Client who I serve as landscape Architect

August 27 2003

Date Filed

Megan Whalock

Signature

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NAME—FIRST NAME—MIDDLE NAME MORGAN WHEELLOCK, MORGAN DIX		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM
MAILING ADDRESS 280 BAHAMA LANE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY PALM BEACH	COUNTY FL 33480	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED AUGUST 27 2003		NAME OF POLITICAL SUBDIVISION:
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

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(a) A measure came or will come before my agency which (check one)

- ☒ inured to my special private gain or loss;
- ☒ inured to the special gain or loss of my business associate, Megan Whalock Inc;
- ☐ 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 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:

161 / 165 Main St.
Petitioner is my Client who I serve as Landscape Architect

August 27 2003

Date Filed

Megan Whalock

Signature

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