



MINUTES
LANDMARKS PRESERVATION COMMISSION
IN THE TOWN COUNCIL CHAMBERS
2ND FLOOR
TOWN HALL, 360 S. COUNTY ROAD
PALM BEACH

THURSDAY, DECEMBER 16, 2010, 9:30 a.m.

Please be advised that in keeping with a recent 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 or may obtain an audio recording (CD) of the meeting by contacting Cynthia M. Delp, Secretary to the Landmarks Preservation Commission at (561) 227-6408. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. CALL TO ORDER:(9:31:57 a.m.)

Chairman Pandula called the meeting to order at 9:31 a.m.

II. ROLL CALL:(9:32:18 a.m.)

Eugene Pandula, Chairman, PRESENT
William Lee Hanley, Jr., Vice Chairman , PRESENT
William O. Cooley, Secretary, PRESENT
Dudley L. Moore, Jr., Member, ABSENT (EXCUSED)
Edward Austin Cooney, Member, PRESENT
William P. Feldkamp, Member, PRESENT
D. Imogene Willis, Alternate Member, PRESENT
Wallace Rogers, Alternate Member, PRESENT
Rachel Lorentzen, Alternate Member, PRESENT

The following staff members attended: John C. Randolph, Town Attorney, John S. Page, Director of Planning, Zoning and Building, John Lindgren, Planning Administrator, Dr. Jane Day, Ph. D., Staff Historic Preservation Consultant, and Cynthia Delp, Secretary to the Landmarks Preservation Commission.

III. APPROVAL OF THE MINUTES OF THE NOVEMBER 17, 2010 MEETING:(9:32:43 a.m.)

**MOTION BY MR. COOLEY FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MR. HANLEY AND MS. WILLIS.
MOTION CARRIED UNANIMOUSLY.**

IV. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY:(9:33:10 a.m.) Mrs. Delp administered the oath at this time and as necessary during the meeting.

V. COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes) None

VI. APPROVAL OF THE AGENDA:(9:33:14 a.m.)

**MOTION BY MR. HANLEY FOR APPROVAL OF THE AGENDA.
MOTION SECONDED BY MR. COOLEY.
MOTION CARRIED UNANIMOUSLY.**

VII. DESIGNATION HEARING:(9:33:25 a.m.)

ITEM 1: 105 BANYAN ROAD (deferred from the April 21, 2010 hearing)

Owner: Ms. Barbara Dooley

Please note that this designation hearing was deferred from the November meeting at the request of the project architect.

Dr. Day testified to the history and architecture related to this 1923 Mediterranean Revival Marion Syms Wyeth designed home. She stated that this property meets the following criteria for designation:

(3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmen; and,

(4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

Staff verified that proof of publication and proper legal service were in place for this hearing.

**MOTION BY MR. HANLEY THAT THE DESIGNATION REPORT BE MADE A PART OF THE RECORD.
MOTION SECONDED BY MS. WILLIS.
MOTION CARRIED UNANIMOUSLY.**

MOTION BY MR. COONEY THAT THE PROPERTY AT 105 BANYAN ROAD BE RECOMMENDED TO THE TOWN COUNCIL FOR DESIGNATION AS A

**LANDMARK OF THE TOWN OF PALM BEACH, AND THAT THE CRITERIA, AS PRESENTED, BE MADE PART OF THE RECORD.
MOTION SECONDED BY MR. FELDKAMP AND MR. HANLEY.
MOTION CARRIED UNANIMOUSLY.**

VIII. PUBLIC HEARINGS:(9:40:50 a.m.)

- A. Application for Certificate of Appropriateness #COA - 027 - 2010
Demolition (interior and exterior) and new construction
Owner/Applicant: Mrs. Barbara Dooley
Address: 105 Banyan Road
Architect: Smith Architectural Group Inc.
Project Description: Request approval for demolition (interior and exterior), addition to historic structure, and new accessory structure which is further described as: Removal of 3,626 sq. ft. of existing west wing, part of which was constructed in 1993, to be replaced with a new 5,223 sq. ft. wing. Removal of a 706 sq. ft. mid-century guesthouse and replace with a new 996 sq. ft. guesthouse.

Please note that this project was not heard at the November meeting, and was deferred to December at the request of the project architect.

Call for disclosure of ex parte communication : Several members made ex parte declarations.

Architects Jeffery W. Smith and Leslie Pierce of Smith Architectural Group presented this project, as described above, for review. After the presentation there was some discussion relative to the balustrade material and the eave line of the new addition. It was clarified that a small window to the left of the front door, though omitted in error on the elevations, will remain. The new guesthouse will be centered on the existing pool.

MOTION BY MR. FELDKAMP FOR APPROVAL OF THE PROJECT WITH THE REQUEST THAT THE ARCHITECT STUDY A CHANGE TO THE EAVE HEIGHT JUST TO THE WEST OF THE ENTRANCE, AND CHANGE THE BALCONY RAILING MATERIAL TO METAL.

**MOTION SECONDED BY MR. HANLEY.
MOTION CARRIED UNANIMOUSLY.**

It was noticed that some landscape/hardscape drawings were included in these plans, though neither were presented.

**MOTION BY MR. FELDKAMP TO RE-OPEN THIS PROJECT.
MOTION SECONDED BY MR. COOLEY.
MOTION CARRIED UNANIMOUSLY.**

Keith Williams of Mario Nievera Design testified that they provided these drawings to illustrate landscape screening. Since the landscape/hardscape was not

part of the advertised project, no action was taken in this regard. The landscape/hardscape will return to the LPC at such time as a new application for Certificate of Appropriateness is filed for same.

B. [Application for Certificate of Appropriateness #COA - 024 - 2010 \(deferred\)](#)
[Landscape/hardscape/shutters/grilles/door](#)

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

Address: 691 North County Road

Architect: Thomas M. Kirchhoff, AIA, P.A.

Project Description: Request approval for landscape/hardscape, shutters and grilles, and French door which is further described as 1) addition of shutters and grilles consistent with original design concept; 2) French doors and associated balcony in lieu of windows; 3) floor finish design for pool loggia; and other associated changes as presented.

At the October meeting, the following motions were made and carried: (1) MOTION FOR DEFERRAL FOR THIRTY DAYS (TO THE NOVEMBER MEETING) FOR FURTHER STUDY TO REVISE THE DRAWINGS TO ARRIVE AT A SET OF DRAWINGS THAT CAN BE APPROVED WHICH REFLECTS OUR DISCUSSION TODAY. (2) MOTION FOR APPROVAL OF THE NEW WINDOW DESIGN AND BALCONY AT THE BREAKFAST ROOM AREA. (3) MOTION FOR DEFERRAL OF ANY VOTE ON THE WINDOW SHUTTERS AND GRILLES ON THE ENTIRE PROJECT WITH THE ENCOURAGEMENT THAT AS YOU RESTUDY THEM, YOU LOOK CLOSELY AT THE ORIGINAL DESIGN OF THE BUILDING AND THINK ABOUT MATCHING THE ORIGINAL DESIGN OF THE SHUTTERS AND THEIR LOCATIONS, AS WELL AS REPLACEMENT OF THE GRILLES IN THEIR ORIGINAL LOCATIONS, ALL AS ONE WHOLE, AND ALSO TO REQUEST THAT YOU CONSIDER REVISING THE FOUR OCEANFRONT WINDOWS ON THE BOTTOM FLOOR THAT ARE NOW FULL LENGTH ALUMINUM STOREFRONT; AND (4) MOTION FOR DEFERRAL OF JUDGEMENT ON THE MOROCCAN TILE MOTIF FOR THE POOL LOGGIA AND ASK YOU TO RESTUDY THAT.

PLEASE BE ADVISED THAT THIS IS A TAX ABATEMENT PROJECT.

Please note that at the November meeting, the project was approved as requested, except for the shutters and grilles which were deferred to the December meeting.

Call for disclosure of ex parte communication: None declared

Architect Tom Kirchhoff explained that in October, he had presented a plank style shutter. Since then, at the request of the LPC, he has convinced the owner to change to a louver style shutter made of Ipe wood. He proceeded to review the elevations to show the windows where the shutters and grilles will be applied, and those where they will not be applied, stating his reasons for the placement. The shutters will be unpainted and will be allowed to weather naturally. He also mentioned an additional change being requested to move a stairway to allow for one more parking space in the motor court.

MOTION BY MR. FELDKAMP FOR APPROVAL OF THE SHUTTERS AND GRILLES AS PRESENTED.

MOTION AMENDED BY MR. FELDKAMP ADDING APPROVAL OF THE MOVEMENT OF THE STAIRWAY AS PRESENTED.

**MOTION SECONDED BY MR. HANLEY.
MOTION CARRIED UNANIMOUSLY.**

VIII. OTHER BUSINESS:(10:10:24 a.m.)

A. Possible change to February 2011 meeting date

Mr. Page stated that both the February and June 2011 LPC meeting dates need to be changed due to conflicts with Town Council meetings. **After discussion, it was decided that the February meeting will be held on Wednesday, February 9, 2011 and the June meeting will be held on Thursday, June 16, 2011.**

B. Update from the Chairman relative to the Flagler Memorial Bridge

Mr. Pandula stated that there was a notice to enter into a contract for the bridge with the firm of PCL Civil Engineering Constructors. This project will come to the LPC for approval of design details in the future. The basic bridge design has already been decided.

Mr. Cooney thanked Mr. Pandula and Mr. Ives of the Preservation Foundation for their participation in the bridge project.

C. Report relative to Historic Sites Survey by Dr. Jane Day, Staff Historic Preservation Consultant(10:17:11 a.m.)

Dr. Day distributed the preliminary results from her year-long Historic Sites Survey. She explained that she had personally walked the streets of Palm Beach and took photographs of Town properties, in conjunction with Master Site File forms completion, so the survey could be used as an important planning tool for the LPC. She also distributed and read portions of a copy of a *Palm Beach Daily News* article from February 25, 1979, when the initial landmarking efforts within the Town took place.

In the survey process, Dr. Day noted that even though a property may look great from the street, it may not be suitable for landmarking. That can only be determined after study, research, and the public hearing process. This Historic Sites Survey is the fifth one done in the Town (1981, 1988, 1997/98, 2004, and 2010). The report includes a listing of the 50 properties which have been demolished since the 2004 survey was done. She remarked that some of the demolished properties were done by famous architects, but could not be saved because ARCOM has no criteria in its ordinance to deny demolition. Completion of the Master Site File forms required Dr. Day to assess whether properties are “potentially eligible for local register”. Dr. Day found 1338 historic resources in the process of the survey,

but focused on 90 of them which she assessed as “potentially eligible for local register”. She showed photographs of each of the 90 structures, listing the address, the year built, and the architect, whenever available. Dr. Day asked the members to review the report until the January meeting, and to arrive at a smaller list of their individual favorites. Chairman Pandula thanked Dr. Day for all of her good work relative to this survey.

MOTION BY MR. COOLEY TO ACCEPT DR. DAY’S REPORT AND TO THANK HER FOR HER WORK.

**MOTION SECONDED BY MR. COONEY.
MOTION CARRIED UNANIMOUSLY.**

Anita Seltzer thanked Mrs. Day as well. She called the survey a “poetry of the soul of Palm Beach” and noted that the Landmarks Preservation Commission is the steward of that poetry. She found this information very exciting and an incredible blueprint for moving forward.

The discussion moved to the subject of how to proceed now with this information in hand. Mr. Page reported that the Town Council, though in full support of the LPC to be proactive in landmarking, did not take any action at its meeting yesterday (discussed the subject of demolitions as they relate to the LPC and to ARCOM) that would perhaps cloud the title to any property. The LPC had also requested that the Town Council take action to allow special meetings of the LPC to be called. Mr. Randolph stated that no amendment to the LPC ordinance is required to allow the Chairman to call a special meeting, as long as adequate notice is given to the public. An amendment would be required, however, for the Vice Chairman, or any two members, to call a special meeting.

As to how to proceed, Dr. Day felt it was prudent to move slowly to maintain the excellent reputation and rapport that the LPC has with the community and residents of Palm Beach. The budgetary concerns involved with landmarking a large number of properties were mentioned. Dr. Day stated that perhaps some grant monies might be available to help in this regard. Mr. Cooney noted that it is important for the public to understand that no regulations are tied to the list of 90 structures mentioned, and requested that the list be posted on the Town’s website as soon as possible. Dr. Day repeated that this is the fifth survey since 1981; that it is a requirement of the Town’s Comprehensive Plan that it be done; that it is an inventory; and, that it is a fluid document which is updated as new information becomes available.

Let the record show that Mrs. Lorentzen left the meeting at 11:30 a.m.

In the end, it was decided that the LPC members will review the list of 90 structures to arrive at their own list of the top 20 structures. **These lists should be submitted to staff by Friday January 7, 2011.** Staff will collate the lists for future discussion at the January 2011 meeting.

IX. **COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND
PLANNING ZONING & BUILDING DEPARTMENT DIRECTOR:** None

X. **ADJOURNMENT:**(11:40:52 a.m.)

**MOTION BY MR. HANLEY TO ADJOURN AT 11:40 A.M.
MOTION SECONDED BY MR. COOLEY.
MOTION CARRIED UNANIMOUSLY.**

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, January 19, 2011 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Road, Palm Beach,.

Respectfully submitted,

William O. Cooley, Secretary

LANDMARKS PRESERVATION COMMISSION

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