

**MINUTES
LANDMARKS PRESERVATION COMMISSION
AT THE
EMERGENCY OPERATIONS CENTER
3RD FLOOR
355 SOUTH COUNTY ROAD**

TUESDAY, DECEMBER 15, 2009, 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 Cindy 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:(9:30:16 a.m.)

Chairman Pandula called the meeting to order at 9:32 a.m.

II. ROLL CALL:(9:30:30 a.m.)

All regular members and all alternate members of the Landmarks Preservation Commission were present, excepting Mr. Dudley Moore whose absence is unexcused.

Staff members present were John Page, Director of Planning, Zoning & Building, John Lindgren, Planning Administrator, Jane Day, Staff Preservation Consultant, and Cynthia Delp, Secretary to the Landmarks Preservation Commission. No Town Attorney was present for the meeting.

III. APPROVAL OF THE MINUTES OF THE NOVEMBER 19, 2009 MEETING:(9:30:47 a.m.)

**MOTION BY MR. HANLEY FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MRS. RUBIN.
MOTION CARRIED UNANIMOUSLY.**

IV. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY:(9:30:59 a.m.)

Mrs. Delp administered the oath to all those who testified during the meeting.

V. **COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes) (9:31:15 a.m.)**

Patrick Flynn of the Palm Beach Theater Guild addressed the commission. He read from a letter submitted for the record from actor, Christopher Plummer, entitled, *Let's Keep the Royal Poinciana Playhouse*. He also provided a document entitled *Executive Summary* relative to the theater. He encouraged the proposed developers of the Plaza to incorporate preservation of the playhouse, i.e., history, with progress.

VI. **APPROVAL OF THE AGENDA: (9:34:59 a.m.)**

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

VII. **PUBLIC HEARINGS:**

A. **Application for Certificate of Appropriateness #18-09**

Phase III restoration

Owner/Applicant: Bath & Tennis Club Inc.

Address: 1170 South Ocean Boulevard

Architect: Glidden Spina & Partners, Keith Spina

Project Description: Request approval for Phase III restoration, reconstruction, landscape/hardscape, demolition (interior), demolition (exterior), awning, exterior color change which is further described as: South Bar - Add three doors & windows at patios and replace existing windows on south wall; North Bar – Remove recess arches and add 2 new arch windows and replace awning with barrel roof tile; North Cabana – Remove storage and upper cabana walkway and add cabinettes with new roof; Service Court – Replace existing awnings with new barrel tile roof. Remove upper stair and add extension to parapet wall; Main Courtyard – Raise parapet wall, add walls on roof, and replace awning with new barrel tile roof; Cabanas – Replace remaining yellow awnings with new green and tan fabric; Promenade – Replace upper windows to original configuration with wood balustrades; Tower & Courtyard – Replace windows and provide ADA ramp from upper level to new barrel tile roof. Add new door and windows; Upper level – Replace all windows and wood spindles. Add new elevator; Salon Area – Add new door, replace existing doors. Remove some existing windows, and replace existing windows; and other associated changes as presented

PLEASE NOTE THAT THE PROJECT WAS APPROVED AT THE NOVEMBER MEETING, TOGETHER WITH A DEFERRAL OF THE SERVICE COURT AREA INCLUDING LANDSCAPING, PARAPET CHANGES/REMOVAL, STAIR RAILING, AND CHAINLINK FENCE.

Several members declared ex parte communications: Mr. Pandula, Mr. Hanley and Mr. Roberts. Mr. Pandula clarified his volunteer efforts as a consultant to the club for the purposes of authorizing funding. Several attorneys have ruled that Mr. Pandula has no conflict of interest regarding this matter.

Architect Keith Spina returned to the LPC with a PowerPoint presentation regarding revisions to the Phase III renovation which was heard last month. He showed a revision to the parapet at the main courtyard which removes the medallion in the center and runs the parapet straight across. Regarding the service court, Mr. Spina stated that the landscape island is completely in DOT right of way, and the DOT will not permit the planting of any palms there. The existing hedge material will be treated with more water and fertilizer to enhance growth. Pipe railing on the staircase has been replaced with a solid wall with planting against it. At the tennis court, two options were shown: retention of the visibility of the tennis court fence with landscape screening; or, a solid wall with landscape material climbing up the wall. At the a/c units located on the roof at the cabanas (outside the South Bar), the existing units will be removed and replaced with new. The proposal would wrap stucco screen walls around 3 sides of the unit so the a/c walls blend in with the building wall.

MOTION BY MR. EIGELBERGER FOR APPROVAL OF THE PROJECT WITH THE PROVISIO TO EXTEND THE TENNIS WALL UP AS A SOLID STUCCO WALL; TO RESURFACE THE SERVICE COURT STAIRS WITH SOME TYPE OF TILES; TO APPROVE THE SOLID WALL RAILING AT THE STAIRCASE INSTEAD OF THE PIPE RAILING; AND, TO ERECT THE SOLID SCREENING WALLS TO HIDE THE A/C UNITS ABOVE THE CABANAS. IT WAS CLARIFIED THAT THIS INCLUDES DELETION OF THE MEDALLION AT THE PARAPET OF THE MAIN COURTYARD.

**MOTION SECONDED BY MRS. GOLINO.
MOTION CARRIED UNANIMOUSLY.**

B. [Application for Certificate of Appropriateness #16-09](#)

Restoration

Owner/Applicant: Paramount Church Inc.

Address: 139 North County Road

Architect: The Lawrence Group Architects

Project Description: Request approval for restoration which is further described as: The handrails on the roof of the first floor have been cited by the Code Enforcement officer. There are numerous code violations in these railings. It is intended that the need for this railing in the exit system be eliminated by closing the access to the area as shown on the second floor plan. The rails would then be repaired as they are by replacing any rotted wood, screwing the balustrades

through the top railing, removing the metal brackets and repainting the rail. Other associated changes as presented.

PLEASE NOTE THAT AT THE OCTOBER 20, 2009 MEETING, THERE WAS AN APPROVAL OF THE TEMPORARY REMEDY, WITH THE CONDITION THAT THE APPLICANT RETURNS TO THE LPC WITH A PLAN TO RESTORE THE ORIGINAL HANDRAILS WITHIN 60 DAYS.

There were no ex parte declarations for this project.

Architect Eugene Lawrence presented two schemes for railing improvements: Each is 42" high, one with 2" spacing and one with 4" spacing. Mr. Lawrence indicated that the applicant prefers the 4" spaced option. Spindles would be done in cast aluminum with powder coat white paint, and would have profiles to match the original wood spindles. Mr. Eigelberger questioned why, in a restoration of this important landmark building, would the plan be for a railing which looks different than the original. At the very least, the aluminum should be cast, then sandblasted, and then painted. He questioned the need for a higher railing. Staff will check with the Building Official regarding railing code requirements as to height and spacing.

MOTION BY MR. EIGELBERGER FOR DEFERRAL TO THE JANUARY MEETING.

MOTION SECONDED BY MR. GOLINO.

MOTION CARRIED UNANIMOUSLY.

VIII. DESIGNATION HEARINGS:(10:01:40 a.m.)

Item 1: 271 El Vedado Road, Palm Beach

Owner: David L. Vanschaick

Mrs. Delp confirmed that proof of publication and proper legal service had been achieved with regard to this designation hearing. Architect Jacqueline Albarran, representing the property owner, read a letter into the record, as written by the property owner, in support of the designation. Mrs. Day testified that this property meets the following criteria for landmark designation:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.

Sec. 54-161 (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,

Sec. 54-161 (4) Is representative of the notable work of a master builder, designer or

architect whose individual ability has been recognized or who influenced his age. This 1929 home is attributed to E. B. Walton.

MOTION BY MR. EIGELBERGER THAT THE DESIGNATION REPORT BE MADE PART OF THE RECORD.

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

Code Compliance Officer, Rob Walton, testified that E. B. Walton was his grandfather, who very well may have designed the home. He also stated that his mother's father also built homes in Palm Beach, and he, likewise, could have designed it.

MOTION BY MR. HANLEY THAT THE PROPERTY AT 271 EL VEDADO 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 A PART OF THE RECORD.

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

IX. OTHER BUSINESS:

A. [Staff Update: Deterioration by Neglect](#)

Mr. Page explained that the language contained within the Code relative to Deterioration by Neglect will be reviewed and updated in conjunction with the larger project to update the entire Code of Ordinances.

B. [Staff Update: Casa Bendita Pavilion](#)

Mr. Page reported that in 1989/90, the pavilion (in the public right of way) had been in need of repair. At that time the repairs were done, and were paid for by a mixture of Town funds and funds from Casa Bendita residents. The pavilion is in poor condition again, and the Public Works Department is seeking proposals and estimates to determine the cost of needed repairs. When that figure is available, the Town Council will determine the future of the pavilion.

It was noted that the pavilion is not landmarked. Mr. Cooley, like Mr. Eigelberger at a previous meeting, stated that the structure is so deteriorated that it presents a dangerous situation, so repairs should be of some urgency. Mrs. Day indicated that Architect Mark Marsh is performing an engineering assessment so the cost analysis can go forward.

MOTION BY MR. EIGELBERGER TO PLACE THE CASA BENDITA

**PAVILION "UNDER CONSIDERATION" FOR LANDMARK
DESIGNATION.**

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

**X. COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND
PLANNING ZONING & BUILDING DEPARTMENT DIRECTOR:(10:17:21 a.m.)**

Mr. Page referred to a memorandum which was sent to the members regarding "Persons Qualified to Make Presentations at Commission Meetings." The matter was discussed and the commission supported the language presented by Mr. Page, as follows: "The Landmarks Preservation Commission requires that the person presenting a project for review shall be a design professional licensed by the State of Florida, or an individual who is under the direct supervision of such signing/sealing professional (an individual who is employed or compensated by that professional whom can present to the Commissions' satisfaction), or a certified Architect Corporation under the provisions of Chapter 481 FS. Such requirement will not apply when requesting approval of ancillary improvements including fences, awnings, gates, shutters, pools, etc.

XI. ADJOURNMENT:(10:22:03 a.m.)

**MOTION BY MR. HANLEY TO ADJOURN THE MEETING AT 10:24 A.M.
MOTION SECONDED BY MR. EIGELBERGER.
MOTION CARRIED UNANIMOUSLY.**

**The next meeting of the Landmarks Preservation Commission will be held on
Wednesday, January 20, 2010 at 9:30 a.m. in the Emergency Operations Center, 3rd
floor, Central Fire Station, 355 South County Road, Palm Beach.**

Respectfully submitted,

Charles S. Roberts, Secretary
LANDMARKS PRESERVATION COMMISSION

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