

MINUTES
LANDMARKS PRESERVATION COMMISSION
WEDNESDAY, NOVEMBER 17, 2004 AT 9:00 A.M.
AT THE TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

I **Call to Order:** Mr. Pandula called the meeting to order at 9:06 a.m.

II **Roll Call:**

PRESENT: Eugene Pandula, Chairman
 Ann Blades, Vice Chairman
 Wendy Victor, Secretary
 Jack Pyms, Member
 Judy Hoffman, Member
 Patrick Segraves, Member
 William Lee Hanley Jr., Alternate Member
 Robert T. Eigelberger, Alternate Member (arrived at 9:07 a.m.)
 Eileen L. Morris, Alternate Member
 John C. Randolph, Town Attorney (arrived at 9:30 a.m.)
 Robert L. Moore, Dir. of Planning, Zoning & Bldg. (arrived 10:05 a.m.)
 Timothy M. Frank, Planning Administrator
 Jane Day, Staff Preservation Consultant

ABSENT: Ann Vanneck, Member (Unexcused)

 Recording Secretary: Gretchen Dayton from 9:00 to 9:50 a.m.
 Cynthia M. Delp from 9:50 a.m. forward
 Transcribed by: Cynthia M. Delp

III **Approval of the Minutes of the October 20, 2004 Meeting:**
 MOTION BY MRS. BLADES FOR APPROVAL OF THE MINUTES.
 MOTION SECONDED BY MR. HANLEY.
 MOTION CARRIED UNANIMOUSLY.

IV **Administration of the Oath to all persons who wish to testify:** By Ms. Dayton

V **Public Hearings:**

- A. Application for Certificate of Appropriateness #25-2003, (deferred from Dec. 2003 & Jan., March, April, May, June, July, Aug. & Oct. 2004)
Continuing renovation with miscellaneous changes
Owner/Applicant: 123 LLC
Address: 455 North County Road
Architect: J.F. Brennan Design/Build L.C., Ralph Cantin
Project Description: Request approval of the following:

“The main purpose of this project is to fully restore and rehabilitate the existing building on the exterior, bringing out the richness of the Mizner design with cypress outlookers, barrel tile roofs, balconies and lookouts and unique fenestration. On the interior, major rooms such as the living room, library, and family rooms will be restored with wood beams and/or equal ceiling and details, and be brought back to its original function and use. All existing masonry openings for windows and doors shall remain in place, as well as any existing structural walls and/or supports, with the exception of one proposed window on the west stair (refer to second floor plan and north elevation) to bring in light. In addition, the proposed elevations will have two more proportionate windows within existing masonry openings in the second floor laundry room and his bath area on the south elevation. Further, the proposed plans and elevations present a grander and more refined and developed entry staircase and planting area”

Let the record show that at the December meeting, there was a motion for approval of the fenestration changes presented, and there was a second motion for deferral of the stairs (together with driveway and motorcourt) to the January meeting. At the January meeting, the applicant requested deferral to the March meeting. At the March meeting, there was a motion for deferral to the April 2004 meeting. At the April meeting, there was a motion for deferral to the May meeting with the understanding that if the applicant does not appear at that meeting, the project must be re-advertised and the application must be re-submitted for a Certificate of Appropriateness. At the May meeting, there was a motion for deferral to the June meeting. At the June meeting, there was a motion for approval, as presented, with the stipulation that some iron rails be inserted, and that a planter be provided between the wall and the stairs, and that the applicant will return with the rail design next month, together with landscaping, and with any and all gate designs. At the July meeting, there was a motion for deferral of the design on the gates and the front entry stairs, as discussed, to the August meeting. At the August meeting, there was a motion for deferral to the September meeting (now October) with the stipulation that the item will be removed from the agenda if no one is present on behalf of the project. At the October meeting, there was a motion for deferral to the November meeting, given the fact that the work is not progressing as quickly as it could be, and since there are still some issues with the gates, but with the stipulation that a proper presentation is given at the November meeting.

CALL FOR DISCLOSURE OF EX PARTE COMMUNICATION: Mrs. Victor stated that she has been at the site.

Let the record show that Ralph Cantin, Architect, David Easton, Interior Designer, Attorney Frank Lynch, and Joe Brennan were present on behalf of the project. Mr. Cantin showed the

railings at the front stairs which is a much simpler design than seen in past presentations. The front gate and two other gates will be identical and will follow the railing design at the front entry. Mr. Cantin also presented a change of a window to a french door on the west elevation lower level due to changes in the interior spaces creating a media room in this area. Also, on the south side of the property there were three garage doors. One of them will be replaced with a french door in the same opening as the garage door existed to facilitate the gym space in the interior.

Mr. Easton reviewed the interior spaces with the commission although they are not part of this application.

Mr. Pandula asked whether the media room french door could be centered, and Mr. Brennan responded that it could be done.

MOTION BY MR. SEGRAVES TO APPROVE THE THREE IDENTICAL GATES AS PRESENTED, THE RAILING DESIGN, AND THE MEDIA ROOM FRENCH DOOR TO BE CENTERED WITH THE DOOR ABOVE IT, AND THE GARAGE DOOR TO BE A GLAZED FRENCH DOOR INSTEAD OF WOOD.

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

Mr. Easton presented the exterior paint color for the house. It will be a deeper white with an antique finish.

MOTION BY MRS. VICTOR FOR APPROVAL OF THE PAINT COLOR AS PRESENTED.

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

- B. 455 North County Road: Continuation of Deterioration by Neglect
 Owner: 123, LLC
 Continuation of quarterly reports: Attorney Frank Lynch

Mr. Lynch passed photos of the house taken at the time his client purchased the property, approximately fourteen months ago. There has been concern expressed about the length of time this project is taking. One of the problems inherited with the purchase of the property was the fact that the property had been exposed to the elements for 1-2 years. That resulted in a tremendous mold problem in the house. "Rather than ignore the problem and deal with what we had, we set about taking apart the wood portion of the house stick by stick so that there is no wood that exists now that existed at the time we purchased the property 14 months ago." That wood was replaced with steel and poured concrete. The existing structure remains intact after two hurricanes. He also passed photos of the home as it exists today. The roof tiles are on site and are being installed. The framework is complete. Electrical, mechanical and other subcontractors are working at the site. The project is moving forward, despite the fact that it is taking longer than expected. Mr. Lynch's client is committed to completing the project and

bringing the house back to its original grandeur.

Mr. Brennan, in response to Mr. Pandula's question, stated that they anticipate to complete the project in about eight months.

Mr. Lynch will return to the commission in February for the next update.

It should be noted that there was a healthy discussion in response to Mr. Eigelberger's question to Mr. Brennan asking if there was one original stick of wood left in the house. Mr. Brennan responded that this house was exposed to the elements. As such, very little, if any, wood could be saved. He felt that if a house is regularly maintained, the fact that it is a wood frame house should not necessitate that the wood has to be removed when renovations and additions are contemplated. After discussion, Messrs. Brennan, Pandula and Eigelberger were all in agreement that in practicality, if deterioration, termite damage, dry rot, and mold are encountered on a job site, they must be dealt with in some form or fashion.

C. Application for Certificate of Appropriateness # 22-2004,
Reconstruction (deferred from October 2004)

Owner/Applicant: Robert Echele & Robert Gease

Address: 143 Clarendon Avenue

Architect: Lee Kvarnberg

Project Description: Request approval of the following:

This is a reconstruction of an "as built" landmarked accessory structure, garage, using the same building materials with respect to the Secretary of the Interior's Standards for rehabilitation and reconstruction. The owners are using the same footprint. Other associated changes as presented.

Please note this matter was discussed informally at the August meeting. At the October meeting, there was a motion to defer this project to the November meeting, with the request for a peer review of the structural engineer's report, with the understanding that the cost for such a review is to be paid by the applicant.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION:

Mrs. Morris visited the site with Mrs. Day.

Mr. Segraves had a call from the architect.

Mrs. Victor visited the site with Mrs. Day.

Mr. Pandula spoke with Mr. Kvarnberg by phone, and visited the site.

Architect Lee Kvarnberg returned to the commission subsequent to last month's deferral. The Town's Engineer has turned in his report, and it agrees with Mr. Kvarnberg's structural engineer's report. Mr. Kvarnberg stated that his client is very concerned, as a result of both structural engineering reports, that someone could be hurt at the garage/guest house structure, and wants the demolition to be done as soon as possible. The question remains as to what should be rebuilt and how it should be rebuilt.

Mr. Kvarnberg showed a simpler re-design of the addition to this accessory structure using either stucco or cypress elements, at the choice of the LPC. At this point, Mr. Kvarnberg reported that

his client would like to rebuild the structure with CBS and stucco, rather than wood and stucco as earlier thought.

Mrs. Jane Day, Staff Preservation Consultant, stated that she had visited the house with Mrs. Victor and Mrs. Morris on Monday. During that visit, a number of things came to light. She showed the main house and the accessory building on the screen for context purposes. Mrs. Day stated that this home was designated in 1999 with owner consent. The house was designed by Fatio in 1930 when Fatio was most productive in the Town. In 2003, additions and alterations were approved for the main house, but during the recent site visit it was discovered that the house was all open to the elements in the rear, and there was water intrusion with the roof off the master bedroom. The existing garage building has an inappropriate addition from the 1950s. It appears that reconstruction is in order from review of the structural engineers' reports, and reconstruction is a preservation tool to be used when all other options are not available. She felt that this situation presents an opportunity to replace the garage building just as Fatio had designed it originally. That would be the best historic preservation solution, and it would be best to be rebuilt using wood. As for the main house, however, it has been left open and mold may become an issue here as well. She asked the LPC to give the architect advice as to how to proceed.

Mr. Frank made the point that when the house was landmarked, the inappropriate additions were present on the garage building. So the question is should the building be reconstructed as originally built by Fatio, or should it be reconstructed as it was when it was landmarked. Mrs. Day noted that the 50s addition only added 220 square feet to the original structure. Mr. Pandula responded that he is not opposed to an addition, rather than lose the square footage, but it must be good design. Mr. Segraves added that the LPC would have never approved the addition had it come to them for review because of its form, and encouraged Mr. Kvarnberg to do a better design. Mr. Eigelberger and Mrs. Hoffman were of the opinion that Mr. Kvarnberg should ask his client to rebuild the garage exactly as Fatio originally built it, sacrificing the extra square footage.

Maia Gaillard, from the Preservation Foundation, referred to this as a huge opportunity to use this as a shining example of how to handle such a situation in a way that is good for preservation. It sets a strong preservation precedent for the LPC and the client, as a property owner in the Town. As such, she agreed with Mr. Eigelberger that it should be rebuilt according to the Fatio plans with wood construction.

Mr. Bill Elias addressed the commission. While he respected the views stated here today, he noted that the 220 square feet is for the living room of the guest house. He advocated allowing the owner and his architect do a better addition and let the building evolve.

Mrs. Hoffman commented that in this reconstruction situation, the building should be reconstructed according to the original Fatio plans, without question, as a starting point. Then if an addition is needed, that could be requested as well. The applicant should not be permitted to demolish the structure and put up a whole new building without regard to the original Fatio plans.

Ms. Gaillard urged the commission to only permit a pure reconstruction built according to the

Fatio plans. Mr. Pandula commented that if that is the goal, to prevent change or modification to buildings, there is no need for the LPC to exist or to meet on a monthly basis. Mrs. Day responded that projects must be reviewed on a case by case basis. Properties, even landmarked properties, tend to grow in the Town of Palm Beach. Additional square footage has already been approved for the main house at 143 Clarendon. The garage building does have to come down. The problem with the garage building is the design which has been presented to the commission. With this project on the table, there is an opportunity to return to something aesthetically pleasing and appropriate for the landmark, the original Fatio building, and she recommended the reconstruction as such.

MOTION BY MRS. HOFFMAN TO DEFER THIS FOR RE-STUDY, SO THAT THE ARCHITECT MAY EXPLAIN TO HIS CLIENT THAT THE LPC WOULD LIKE THE BUILDING TO BE RECONSTRUCTED ACCORDING TO THE ORIGINAL FATIO PLANS, AND STIPULATING THE IF AN ADDITION IS DESIRED, IT MUST BE AN APPROPRIATE ADDITION.

MOTION SECONDED BY MRS. BLADES.

Mrs. Victor commented that she is not 100% certain that the building has to come down. While she has been to the site and has seen the structure's deterioration, she suggested that there are ways to preserve the structure without taking it down. Mrs. Day responded that she is 100% certain that the building must come down as it is an unsafe building, and the plans are available for reconstruction. Mr. Kvarnberg had suggested that Fatio did not actually design the building, and that it may have been designed by someone in his firm. Mrs. Day responded to that suggestion by reading from one of Fatio's letters which clearly states that he personally examined and corrected all of the drawings.

Mrs. Hoffman was asked whether she would include an approval to demolish the building based on the two engineering reports. Mrs. Hoffman declined to include that approval.

MOTION CARRIED 6-1 WITH MR. PYMS VOTING AGAINST THE MOTION.

There was continuing discussion relative to whether the demolition should be approved now. Mr. Eigelberger wondered if the LPC would incur any liability if they did not permit the demolition, in light of the two engineer's reports. Mr. Randolph replied that the LPC has no liability in that regard. Mrs. Hoffman felt the LPC would set a dangerous precedent to allow the demolition before a plan is presented and approved for the replacement structure. Mr. Pandula questioned what would happen if the demolition is allowed, and then the owner abandons the project.

Mr. Moore commented that the LPC is a much more user friendly commission than it started out to be many years ago. After the passage of time, however, with the natural aging of the buildings, the LPC will now begin to see more and more of these demolition/reconstruction requests, and they must be dealt with. He asked the LPC to remember the property owners noting that when a project is delayed for a month, the property owner is also being delayed. Mr. Moore stated that a bond could be required from the property owner requiring him to reconstruct the garage building according to the Fatio plans, if the demolition was approved today.

After further discussion and without a motion for demolition approval, Mr. Pandula commented that the architect will need to return next month. He felt that even if the architect duplicates the Fatio building, undoubtedly something will be different which requires review.

143 Clarendon Avenue, Main House discussion

Mrs. Victor urged all of the members to make a site visit to see the condition of the main house, with water having come through the dining room to a degree that the plaster will have to be removed and replaced. Mr. Kvarnberg stated that he had no control over the contractor in how he closed up the building prior to the hurricanes. A possible declaration of deterioration by neglect was discussed, but staff noted that this it cannot be invoked when there is an open building permit on a house.

Mr. Elias, speaking as a friend of the owner, stated that the owner has spent lots of money on this project, and all that needs to be done is notify the owner that there is a problem, and he will take care of it. Mr. Moore suggested that Mr. Elias might tell the owner how upset the LPC is about the condition of the main house, and that by not remedying the situation, they are risking the Town cancelling the building permit and invoking deterioration by neglect. Mr. Elias assured the LPC that a simple call to the owner will remedy the situation.

Mr. Kvarnberg commented that when he was out to the site recently, he asked why no one was working at the site. The construction supervisor responded that he was waiting for an approval of a revision for a beam over the fireplace. Mr. Kvarnberg also mentioned that two light fixtures needed to be moved, and that electrical inspection was holding up a concrete pour. Mrs. Blades said these other pieces of information have nothing to do with why the house is not secured. Mr. Pandula stated that he visited the site, and it appears that this job has been abandoned for 4-6 months based on the amount of corrosion on the reinforcing steel, the discoloration of form boards, the weeds growing up through concrete, all evidence of the building deteriorating. At this point, Mr. Pandula suggested that these large projects submit a milestone schedule so staff can see if a project is on track. He asked the architect to do something to rectify this matter.

Ms. Gaillard expressed concern over the fact that the architect said he has no control over the contractor in closing up the building. This is a landmark. Mr. Pandula responded that in the confines of the LPC meetings, there is much passion for the cause of preservation, but “in the real world,” landmark concerns often take a back seat to time, budget, politics, etc. Mrs. Day added that this matter is being discussed today because she visited the site and found a house deteriorating due to being left open to the elements. She stated she does not want to go through another deterioration by neglect here in the town. She offered to contact the owner to seek a solution to the problem. Mr. Moore voiced that he was disturbed by the architect and his lack of concern about the problems mentioned. Mr. Moore gave a verbal OK for the inspection Mr. Kvarnberg stated was holding up the progress of the job.

Mrs. Blades remarked that the property owners are ultimately responsible in this situation. They have been absent for four months according to Mr. Kvarnberg. It is their responsibility to check on the work that is being done. The house must be made secure. She stated that she will have no sympathy for the owners if they come to the LPC in a few months asking for radical changes, or demolition of the main house due to deterioration or mold, etc.

**MOTION BY MRS. HOFFMAN THAT THE OWNERS BE NOTIFIED OF THE
CONDITION OF MAIN HOUSE.**

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

Let the record show that there was a short break from 11 a.m. to 11:10 a.m.

- D. Application for Certificate of Appropriateness #23-2004,
 Landscape/Hardscape (deferred from October)
 Owner/Applicant; Power-Love Associates
 Address: 256 Worth Avenue
 Landscape Design: Greencare Landscape
 Project Description: Request approval to construct a waterfall, water gardens,
 bridge, and landscaping in the Gucci courtyard, and other associated changes as
 presented.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION

**At the applicant's request, this matter was deferred from the October meeting to the
November meeting.**

Mrs. Delp stated that the applicant verbally requested another deferral to the December meeting.

**MOTION BY MR. SEGRAVES FOR DEFERRAL TO DECEMBER.
MOTION SECONDED BY MRS. VICTOR.
MOTION CARRIED UNANIMOUSLY.**

- E. Application for Certificate of Appropriateness #25-2004,
 Landscape/Hardscape & Modifications to previous approval (deferred from Oct.
 2004
 Owner/Applicant: Avram and Jill Glazer
 Address: 5 Middle Road
 Architect: Thomas M. Kirchhoff, AIA, P.A.
 Morgan Wheelock, Landscape Architect
 Project Description: Request approval of the following:
1. New Landscape Plan: The landscape design will remove existing,
 overgrown, out of character plant material, relocate quality material in
 conflict with new construction or hardscape design, and preserve existing
 material complementary to the overall design.
 2. New Hardscape Plan: Includes a new swimming pool, spa and fountain;
 new terrace area, service drive and front drive materials
 3. The second (existing) curb cut on Middle Road will be reopened to re-
 establish the loop drive previously closed. Both driveways on Middle
 Road will have operable metal gates.
 4. Changes to the description of improvements which received a Certificate
 of Appropriateness at the May 19, 2004 LPC Meeting, specifically

- changes to the four bay garage, changes to the east wing addition, and changes to the existing gambrel roof housing staff bedrooms and bath.
5. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION

The application indicates that this is a tax abatement project.

At the October meeting, there was a motion for approval of the landscape and hardscape, as presented, without raising the walls, and with bringing the west Ficus hedge down (in height), and with keeping the driveway gates on the same plane, and having the applicant return with lighting, gates, and fountain details. The architectural changes presented were approved.

**MOTION BY MRS. HOFFMAN FOR DEFERRAL TO THE DECEMBER MEETING.
MOTION SECONDED BY MRS. BLADES.
MOTION CARRIED UNANIMOUSLY.**

- F. Application for Certificate of Appropriateness # 26-2004,
Internal Driveway (deferred from October)
Owner/Applicant: The Mar-a-Lago Club
Address: 1100 South Ocean Boulevard
Architect: R.E.G. Architects
Project Description: Request approval for the following:
1. New internal driveway to serve members going to the ballroom at the Mar-a-Lago Club, as approved by the Town Council. Driveway surface to be coquina like the main entrance driveway
 2. Low level lighting to be installed in the parking lot and drive aisle leading to the new driveway drop off and pick up area
 3. Landscaping to be provided along the new driveway and in the center of the driveway drop off area
 4. Drop off area to connect to a sidewalk that goes from the mansion to the ballroom.
 5. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION

At the October meeting, there was a motion to defer this matter to the November meeting with a request that the architect re-study the layout of the driveway making it more in keeping with the landscape and softer, in the two options discussed today, and come back with the landscape and lighting plan. PLEASE NOTE THAT THE APPLICANT HAS REQUESTED A DEFERRAL TO THE FEBRUARY 2005 MEETING.

**MOTION BY MRS. VICTOR FOR DEFERRAL TO THE FEBRUARY MEETING.
MOTION SECONDED BY MR. SEGRAVES.
MOTION CARRIED UNANIMOUSLY.**

Mrs. Blades commented that the stucco on the ballroom building is not the beautiful, soft stucco as is on the main house. It is not only different from the main house; it is too dissimilar. Mr. Frank stated he could contact the architect to try to resolve the matter, but the difference in the stucco does serve to differentiate the original landmark from the new building. Other members agreed that the type of stucco on the ballroom building is not appropriate. Staff will look into the matter and it will most likely be on the agenda next month.

G. Application for Certificate of Appropriateness #27-2004,
Entry Drives and Motorcourt

Owner/applicant: 260 Via Bellaria LLC

Address: 260 Via Bellaria

Architect: Robert Bell

Project Description: Request approval as follows: No changes are to be made to the landmarked building in this application. Request made is to construct new entry drives and motorcourt off of Via Bellaria at the existing residence entry location. Existing gates and columns added in 1940 will be retained. New retaining walls with stucco finish to match will be constructed as well as a pair of new stairs up to existing entry door. Railing material will be of aluminum with the design to match existing grillwork. Finish of motorcourt will be grasscrete/turfblock material. Other associated changes as presented.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION

Mrs. Victor stated she has been on site with Mrs. Day

Mr. Pandula had a short meeting with the architect

Architect Robert Bell presented this application. He explained that at this house, there is no ability to pull off the road and get near the main entry. The proposed new motorcourt would permit 2-3 cars to park there, and it will be surfaced in grasscrete or turfblock.

Mr. Segraves expressed his concern that the grasscrete or turfblock will turn into a muddy driveway. Mr. Bell responded that it will require maintenance. Mrs. Victor asked if the existing handicap ramp will remain. Mr. Bell responded that it will remain.

Mr. Frank commented that the proposed railing does not meet the 4" sphere rule. As such, the railing would have to be modified or the architect would have to use plexiglass behind the railing. Mrs. Day stated that she was happy with the project and that reconfiguring the driveway creates a good parking solution. She did feel it might be better to do a new railing design than to do the plexiglass option. Mr. Bell responded that the plexiglass provides a way to solve the code problem and keep the design.

MOTION BY MRS. VICTOR FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MR. PYMS.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MRS. BLADES TO RECOMMEND TO THE OWNER THAT THE MOTORCOURT BE DONE IN COQUINA RATHER THAN GRASSCRETE OR TURFBLOCK, AND BECAUSE OF GREEN SPACE REQUIREMENTS IN THE FRONT

YARD, THE LPC WOULD RECOMMEND THAT THE TOWN COUNCIL GRANT A VARIANCE TO ALLOW THE USE OF COQUINA.

MOTION SECONDED BY MR. HANLEY.

MOTION CARRIED UNANIMOUSLY.

H. Application for Certificate of Appropriateness #28-2004,
Courtyard modifications

Owner/Applicant: New Bradley House Ltd.

Address: 280 Sunset Avenue

Architect: Brower Architectural Associates Inc.

Project Description: Request approval of the following:

1. New landscape and hardscape in courtyard and united adjacent spaces
2. Re-alignment of existing fountain on axis
3. Re-define courtyard space by relocation of front wall, planters and material patterns
4. New materials include: Chicago brick, key stone, bronze deck drain and various landscape materials
5. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

No one was present on behalf of this project. Mrs. Victor commented that she thought the work was already done. Mr. Frank acknowledged that there is activity going on at this site. Mr. Frank explained that when he visited the site, he found up heaved pavers, and dead landscaping. At that time, Mr. Frank directed them to replace the broken pavers to produce a safe situation. Mr. Frank only authorized replacement of the existing pavers and dead landscape material.

MOTION BY MR. PYMS FOR DEFERRAL TO DECEMBER.

MOTION SECONDED BY MRS. BLADES.

MOTION CARRIED UNANIMOUSLY.

I. Application for Certificate of Appropriateness #29-2004,
Rehabilitation, Demolition, Landscape/hardscape

Owner/Applicant: 421 Peruvian Avenue, Inc.

Address 421 Peruvian Avenue

Architect: The Pandula Architects Inc.

Project Description: Request approval of the following:

1. Removal of non-original, non-contributing portions of the building at the courtyard side
2. Removal of non-original portions of the building at the automobile garage and loggia and replace with new library and loggia
3. Complete interior renovations of both the 1st and 2nd floors within the existing building envelope
4. Complete rehabilitation of building exterior, as noted by drawings, to include: stucco finish repair and replacement, new roof tile, new windows and doors with certain units being relocated, repair to trim elements to

- match existing
- 5. New swimming pool
- 6. New hardscape and landscape
- 7. Repair/replace, as required, damaged and deteriorated foundation, wall, floor and roof components
- 8. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION:

Mr. Hanley spoke with Mr. Elias.

Mrs. Victor visited the site with Jane Day.

Mrs. Hoffman visited the site with her husband, who later met with Mr. Pandula

Let the record show that Mr. Pandula declared a Conflict of Interest and passed the gavel to Mrs. Blades, who, in turn, passed the gavel to Mrs. Victor.

Mr. Bill Elias and Architect Jacqueline Albarran were present for this project. Mr. Elias stated that this property is currently under consideration for landmark designation. It is currently three run down apartments. The proposal would return it to a single family home. It was originally built in 1929 with Howard Major additions in 1936. The project will decrease lot coverage by 190 square feet and increase landscaping by 130 square feet. This is not a tax abatement project. Variances for the project have already been obtained from the Town Council.

Mrs. Albarran explained that the existing storage area will become a library. An existing open porch in the rear will remain as a loggia. On the second floor, the sleeping porches will remain, but will be refurbished. The side entrance will also remain. An existing non-original pool will be removed, and a new pool will be constructed. Mrs. Albarran reviewed the floor plans and elevations. Windows will be replaced with divided lite impact windows.

Mrs. Day asked whether walls will have to be removed to accommodate the impact windows. Mr. Elias responded that the existing walls will be reinforced. Mr. Moore asked Mr. Elias if the building was constructed with 2x4s or 2x6s. Mr. Elias responded that it is 2x6 frame stucco.

(Let the record show that Mrs. Blades left the meeting at Noon)

Mrs. Day stated that this is a good overall project which does not go back to the original 1920s frame vernacular structure, but does go back to the 1930s Howard Major designs of Major Alley. She was happy to see the three units being reduced to one, and regarded it as a great solution for the site. Mrs. Day noted that this owner has volunteered this property for landmarking, especially due to its low elevation. It is so much better for Major Alley to have this property landmarked right next to it, and have that property at the same lower elevation, than to have some new structure built there which meets the FEMA regulations and is much higher than Major Alley.

It was noted that certain areas of the project will involve demolition and reconstruction, but the rest will remain intact. Mr. Moore stated that if any surprises are encountered during construction, the matter will have to return to the LPC. Mr. Elias responded that his structural engineer regards this as a very strong structure. Mr. Moore stated that we are trying to “make sure that there is no misunderstanding that as your project progresses and we discover, in

inspection, that there is a problem, that you are not going to proceed with it until you come back here to advise them.” He also stated that “because it is voluntary does not give the exclusivity of the fact that it’s voluntary, that steps can be skipped. I want that clear on the record by all of our experts, and our architect, and our owner, that they are going to have to return if there is a problem.”

MOTION BY MR. EIGELBERGER (Voting in Mrs. Blade’s stead) FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MR. HANLEY. (Voting for Mrs. Vanneck)
MOTION CARRIED UNANIMOUSLY.

It was noted that the file drawings presented to the Town are accurate according to what was presented today, while the reduced drawings distributed today were not accurate.

- J. Application for Certificate of Appropriateness #30-2004,
 Demolition (Interior), Roof repairs/replacement
 Owner/Applicant: Town of Palm Beach
 Address: 300 North County Road (North Fire Station)
 Architect: Digby Bridges, Marsh and Associates
 Project Description: Request approval as follows:

Extensive water damage is present in the North Fire Station, and an environmental consultant is identifying the affected areas that require remediation. Based on the consultant’s remediation plan, exploratory demolition will be required. Typically, this demolition would involve interior finishes (gypsum wall board, ceilings and flooring) to remove water damaged materials and determine the extent of mold damage. The structural elements of the building would be examined once the finishes are removed, and any repairs or rehabilitation (interior or exterior) would be determined at that time. Eventually, the interior finishes will be restored to provide habitable spaces again. Much of the existing tile roof is damaged from the recent hurricanes. Exterior work will include roof repairs or replacement-in-kind based on the roofing consultant’s recommendation.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Town Engineer James Bowser and Architect Mark Marsh presented this request. Mr. Bowser stated that they do not expect to have any need to penetrate the exterior of the building, and they are not asking for any changes other than the roof.

MOTION BY MR. EIGELBERGER FOR APPROVAL AS PRESENTED.

(Mr. Eigelberger voted in Mrs. Victor’s stead as she was out of the Chambers.)

MOTION SECONDED BY MR. PYMS.

MOTION CARRIED UNANIMOUSLY.

Regarding the roof, Mr. Bowser stated that the roof does need to be replaced. The present roof was placed in 1987, and it is an S-tile roof. Architect Mark Marsh stated that the proposal is to replace the roof with the same type of tiles that are used on the Town Hall, a machined clay barrel tile with a color blend.

**MOTION BY MR. PYMS FOR APPROVAL OF THE ROOF AS PRESENTED.
MOTION SECONDED BY MR. SEGRAVES.
MOTION CARRIED UNANIMOUSLY.**

VI Other Business:

- A. Designation Hearing: Everglades Island Gates
 (Deferred from April 21, 2004)

Please note that staff is requesting deferral of this matter to December.

Mrs. Day distributed new copies of the Designation Reports for the Everglades Island Gates. This property has two owners, the Town of Palm Beach and the Everglades Club. The deferral is requested to provide an additional month to review the report.

**MOTION BY MR. HANLEY TO DEFER TO THE DECEMBER MEETING.
MOTION SECONDED BY MRS. VICTOR.
MOTION CARRIED UNANIMOUSLY.**

- B. Informal Review: 290 Sunset Avenue (Coco's)
 Additional light fixtures on west elevation

Mr. Frank stated that there were some inappropriate light fixtures on the building. There was no one here on behalf of Coco's to discuss the matter, but Mr. Frank noted that these lights are needed for egress requirements. Mr. Frank and Mr. Pandula were appointed to review them outside of the meeting.

Mr. Frank noted that there may be an issue with the rooftop smog hog, such that the ductwork must be moved further to the west where it will be more visible. He had no further details.

Mr. Moore reminded the commission about the joint meeting of the Planning and Zoning Commission, the Architectural Commission and the LPC which will be at 2:00 p.m. in the Town Council Chambers.

VII Adjournment:

The meeting was adjourned at 12:20 p.m. based upon a motion sponsored by Mr. Pyms.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, December 15, 2004 at 9:00 a.m. in the Town Council Chambers, 360 South County Road, Palm Beach.

Respectfully submitted,

Wendy Victor, Secretary
LANDMARKS PRESERVATION COMMISSION

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