



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

WEDNESDAY, NOVEMBER 16, 2011, 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:(9:34:35 a.m.)

Acting Chairman and Vice Chairman William Feldkamp called the meeting to order at 9:33 a.m.

II. ROLL CALL:(9:35:00 a.m.)

Edward Austin Cooney, Chairman	PRESENT (arrived at 10:55 a.m.)
William P. Feldkamp, Vice Chairman	PRESENT
William O. Cooley, Member	PRESENT
Dudley L. Moore, Jr., Member	PRESENT
Jacqueline Albarran, Member	PRESENT
William J. Strawbridge Jr., Member	PRESENT
Leslie Diver, Member	ABSENT (Unexcused)
D Imogene Willis, Alternate Member	PRESENT
Wallace Rogers, Alternate Member	PRESENT
Rachel Lorentzen, Alternate Member	PRESENT

Let the record show that Ms. Willis and Mr. Rogers were voting members until the arrival of Chairman Cooney. Then Ms. Willis continued as a voting member.

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

III. APPROVAL OF THE MINUTES OF THE OCTOBER 19, 2011 MEETING:(9:35:02 a.m.)

MOTION BY MRS. ALBARRAN FOR APPROVAL OF THE MINUTES.

MOTION SECONDED BY MR. COOLEY.

MOTION CARRIED UNANIMOUSLY.

IV. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY: By Mrs. Delp

V. [COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: \(Please limit comments to 3 minutes\):\(9:35:43 a.m.\)](#) None

VI. [APPROVAL OF THE AGENDA:\(9:35:59 a.m.\)](#)
MOTION BY MR. MOORE FOR APPROVAL OF THE AGENDA.
MOTION SECONDED BY MR. ROGERS.
MOTION CARRIED UNANIMOUSLY.

VII. [PUBLIC HEARINGS:\(9:36:13 a.m.\)](#)

A. [Certificate of Appropriateness # 033 - 2011](#)

Landscape/Hardscape

Owner/Applicant: Oceanic Place Properties LLC, Les Gelber

Address: 640 S. Ocean Boulevard

Architect: Mario Nievera Design Inc.

Project Description: Request approval for landscape/hardscape which is further described as: Gate, fountain and paving details, and other associated changes as presented

Call for disclosure of ex parte communication: Disclosure by Mr. Feldkamp

LANDSCAPE PRESENTATION BY: Keith Williams, Mario Nievera Design Inc.

Mr. Williams stated that the landscaping had been approved in April of 2010. Today he returned with details, as had been requested. Cypress gates, some with cast stone columns and finials, occur at the several locations on the property. The fountain (cast stone dolphin & bowl, with coral surround and hand painted tiles) will be located in the courtyard on the south side of the property. A tiled bench flanks the fountain. Mr. Williams also presented brick and Dominican coral samples to be used for paving.

Under comments, members commented that the smaller gate is out of scale...perhaps remove the finials; and, the bench may need a back.

MOTION BY MR. STRAWBRIDGE FOR APPROVAL, “AND TAKE A SECOND HARD LOOK AT THE ISSUES WE TALKED ABOUT.”
MOTION SECONDED BY MS. WILLIS.
MOTION CARRIED UNANIMOUSLY.

B. [Certificate of Appropriateness # 034-2011](#)

Rehabilitation

Owner/Applicant: Mrs. Barbara Dooley

Address: 105 Banyan Road

Architect: Smith Architectural Group, Inc.

Project Description: Request approval for rehabilitation which is further described as:

Replacement of plate glass window at south side of courtyard loggia with a new fireplace.

Replacement of small openings at south side of courtyard loggia with French doors. Replacement of Nanawall System at east side of courtyard loggia with a French door. Other associated changes as presented.

Call for disclosure of ex parte communication: Disclosures by several members

ARCHITECTURAL PRESENTATION BY: Sophia Laugerholm, Smith Architectural Group

The proposal will affect the south side of the property along Banyan Road. In addition to the project description listed above, Ms. Laugerholm stated that the fireplace will be white painted stucco with clay barrel tile on its sides. The commission expressed only positive comments.

MOTION BY MR. COOLEY FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MR. MOORE.

MOTION CARRIED UNANIMOUSLY.

C. [Application for Certificate of Appropriateness # 035 - 2011](#)

Rehabilitation and interior demolition

Owner/Applicant: The Everglades Club

Address: 350 Worth Avenue

Architect: Smith and Moore Architects, Inc.

Project Description: Request approval for rehabilitation and interior demolition which is further described as: This project includes structural and architectural renovations and restoration of the entire kitchen wing of the Everglades Club, which fronts on Worth Avenue. The project will be performed in four annual phases. The first phase will include foundation restoration, first and second floor window replacement, the raising of the height of a parapet wall, the removal and replacement of clay barrel tile roofing, and the removal of visible rooftop mechanical equipment. Interior work includes removal and replacement of interior finishes and dishwashing equipment. This application pertains to Phase I work only. ***Please note that this is a tax abatement project.***

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Harold Smith, Smith and Moore Architects

Mr. Smith explained that last week, a special exception and variances were approved for this project. This Phase I work occurs at the west end of the property, adjacent to Worth Avenue. Mr. Smith provided the presentation for both the interior and exterior, and explained the four phases of the project. This Phase I work, as presented, includes new double hung windows which will be screened interiorly to prevent light from escaping, in respect of the neighbors.

Under comments, members noted their preference for casement windows. Mr. Smith will check the code requirements related to the windows.

MOTION BY MR. STRAWBRIDGE FOR APPROVAL OF PHASE I, IN PRINCIPLE, SUBJECT TO COMING BACK WITH DETAILS OF THE DRAWINGS ON THE WINDOWS.

MOTION SECONDED BY MR. COOLEY.

SUBSTITUTE MOTION BY MR. STRAWBRIDGE FOR DEFERRAL TO DECEMBER.

MOTION SECONDED BY MR. COOLEY.

MOTION CARRIED UNANIMOUSLY.

D. [Application for Certificate of Appropriateness # 036 - 2011](#)

Restoration/Rehabilitation/Addition/Landscape/hardscape/Demolition

Owner/Applicant: Mr. Arthur Minerof, The Milan Associates, L.P.

Address: 330 Island Road

Architect: The Pandula Architects, Inc.

Project Description: Request approval for restoration, rehabilitation, addition to historic structure, landscape/hardscape, and interior/exterior demolition which is further described as: Raise original structure, in place, from existing finished floor elevation 6.22 to finished floor elevation 7.50 flood elevation; Materials removal: Remove approx. 416 sq. ft. enclosed porch addition at southwest corner of residence; remove approx. 72 sq. ft. exterior elevator addition at southwest corner of residence; remove approx. 400 sq. ft. dining room addition at the south facade of the residence; removal approx. 150 sq. ft. greenhouse structure at the southeast corner of the property; remove miscellaneous interior partitions at the east side of the ground floor to allow the dining room to be re-located back to its original location, and, to accommodate a new kitchen/breakfast area with related support service areas and new back stair; remove miscellaneous interior partitions on the second floor to accommodate new bedroom/bathroom suite layouts and the introduction of a new back stair; remove non-original enclosure at the second floor south balcony and revise to a configuration similar to the original layout; remove non-original enclosure at the second floor north balcony and revise to a configuration similar to the original layout. New Construction: Create a new one-story loggia/cabana/ guest bedroom suite addition at the southeast corner of the residence, replacing the removed enclosed porch. This area will include a swimming pool to the south and garden courtyard to the north; create a new two-story addition at the southeast corner (rear) of the residence to accommodate staff areas on the ground floor and guest bedrooms at the second floor, including an expansion above the existing automobile garage; create a new covered porch/balcony element at the south facade of the residence, replacing the removed dining room addition. Miscellaneous: Replace existing windows with new painted wood hurricane rated units to match existing; repair/replace brick wall surfaces, roofing, fixtures and trim, as required, to match existing; update mechanical, electrical, plumbing and site drainage systems; landscape/hardscape finalized layout to be presented; other associated changes as presented. ***Please note that this is a tax abatement project.***

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

ARCHITECTURAL PRESENTATION BY: Eugene Pandula, The Pandula Architects

LANDSCAPE PROFESSIONAL PRESENT: Cliff Leisinger, Land Stewardship Company

Mr. Pandula stated that this 1939 Fatio designed home has voluntarily been placed “under consideration” for landmark designation. The first approval needed is to raise the building up to 7.5 feet, and engineers on ready to proceed pending LPC approval. Also, the applicant wishes to proceed immediately with selective demolition of two rooms and some interior exploratory work to verify foundation systems, and some site work including a new, seven (7) foot tall privacy wall on the west boundary. Mr. Pandula discussed proposed site plan changes, reviewed original Fatio drawings with regard to the proposed changes; discussed material removal; and, reviewed the new floor plans and elevations.

Comments: Show the mullions/muntins on the windows when you return for review; do gables, rather than hips on the west wing; mix of hips and gables is confusing...restudy; happy to see the request for renovation rather than demolition;

Let the record show that Chairman Cooney arrived during these comments.

Page Lee Hufty, next door neighbor, and one who had been born in the subject home, expressed her sincere pleasure that the house is being preserved, and her endorsement of the proposal which she views as very sensitive. She asked that the LPC give an approval for the proposed wall. Ms. Hufty's sister (did not identify herself for the record) also stated that she was thrilled with the plans and encouraged the acceptance of the proposal as a lovely design.

MOTION BY MRS. ALBARRAN FOR APPROVAL OF THE MATERIALS REMOVAL PLAN, THE SITE WALL TO THE WEST, THE FOOTPRINT OF THE HOUSE PRESENTED, AND DEMOLITION OF ALL THE STRUCTURES AS PRESENTED, AND APPROVAL TO RAISE THE HOUSE, TOGETHER WITH A DEFERRAL OF THE ARCHITECTURAL DETAILS AND THE ROOF LINES TO THE DECEMBER MEETING.

MOTION SECONDED BY MR. MOORE.

MOTION CARRIED UNANIMOUSLY.

Let the record show that there was a short recess at 11:07 a.m. The meeting reconvened at 11:15 a.m. Chairman Cooney served as Chairman for the remainder of the meeting.

E. Application for Certificate of Appropriateness # 037 - 2011

New Accessory Structure

Owner/Applicant: Jeffrey & Mei Sze Greene

Address: 1200 S. Ocean Boulevard

Architect: Bridges Marsh & Associates

Project Description: Request approval for new accessory structure which is further described as: Addition of a free standing two-story guesthouse/exercise building at west side of property adjacent to existing tennis court. The architectural materials will be similar to the main residence. Other associated changes as presented.

Please be advised that a motion is required to defer this project for proper legal service.

MOTION BY MR. COOLEY FOR DEFERRAL TO THE DECEMBER MEETING.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

VIII. DESIGNATION HEARINGS:(11:07:45 a.m.)

Please note that Item 2 was heard first to accommodate Ms. Wyser-Pratte.

ITEM 2: 272 Wells Road

Owner: Heather Wyser-Pratte

Please be advised that Ms. Wyser-Pratte has requested a three month deferral of this hearing, and has waived her right to a final decision within 30 days.

Dr. Day testified that Ms. Wyser-Pratte has requested that Dr. Day speak as her advocate in her request for a three month deferral so she can properly prepare for the hearing. At this time, Ms. Wyser-Pratte opposes the designation, and Dr. Day is working with her to clarify the landmarking process.

MOTION BY MRS. ALBARRAN THAT LANDMARKING CONSIDERATION OF 272 WELLS ROAD BE DEFERRED TO THE FEBRUARY (2012) MEETING WITH THE

**PROVISO THAT THE OWNER RECOGNIZES SHE IS WAIVING HER RIGHT BY ORDINANCE REQUIRING THE COMMISSION TO ACT WITHIN 30 DAYS.
MOTION SECONDED BY MR. COOLEY.
MOTION CARRIED UNANIMOUSLY.**

Dr. Day stated that this is the beginning of the designation season this year. The properties to be heard this season had been placed “under consideration” as a result of the Historic Sites Survey and in response to the Town Council’s directive to the LPC to be proactive with regard to landmarking.

Dr. Day thanked the Preservation Foundation for the assistance of the Anthony K. Baker preservation interns in the preparation of designation reports. She recognized the interns: Lawrence Griffin, Heather Mashburn, and Melissa Walton.

[ITEM 1: 125 Via Del Lago](#)
Owner: GEH Properties LLC

Dr. Day testified to the history, architecture, architectural history, and the architect with regard to the Mediterranean Revival residence at 125 Via Del Lago which was designed in 1929 by Marion Sims Wyeth. Specifically, she stated 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 the 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.

Attorney Maura Ziska, on behalf of the property owner, testified that the property owner accepts the landmark designation. Ms. Ziska stated that she had helped to educate and advocate for the landmark program with these property owners. Chairman Cooney thanked Ms. Ziska for her efforts.

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

Mrs. Delp verified that proper proof of publication and legal service had been achieved relative to this hearing.

MOTION BY MR. FELDKAMP THAT 125 VIA DEL LAGO 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 MRS. ALBARRAN.

Call for disclosure of ex parte communication: Disclosure by Mr. Cooney
MOTION CARRIED UNANIMOUSLY.

ITEM 3: 100 El Bravo Way

Owner: Kenneth G. and Kathleen O. Tropin

Mrs. Delp verified that proof of publication and proper legal service had been achieved relative to this hearing. Mrs. Delp administered the oath to any additional persons present who wished to testify.

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

Dr. Day stated that the fact that this building has been changed over time does not make it unworthy for landmark designation. She maintained that the house retains its architectural integrity. Dr. Day testified to the history, architecture, architectural history, and the architect with regard to the property at 100 El Bravo Way which was designed in 1922 by Marion Sims Wyeth. Specifically, she stated 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 the 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.

MOTION BY MR. COOLEY TO MAKE THE DESIGNATION REPORT A PART OF THE RECORD.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

Attorney James Brindell, on behalf of the property owner, testified that the owners object to having the property designated as a landmark. Mr. Brindell listed the architectural changes to this home. He made several points, some of which follow: that the home's architectural integrity has been lost as a result of all of the changes; that better Mediterranean Revival Wyeth designs are already landmarked; and, that the house, as it exists today, does not reflect the house that the owners enjoyed when it was built. Mr. Brindell spoke to the criteria listed in the report, and made his case to refute them.

Mr. Brindell introduced his expert witness and presented his curriculum vitae. John S. Garner, Ph.D. testified, at length, in support of the owner's objection to the landmark designation. Dr. Garner presented and submitted his report entitled, *100 El Bravo Way, The Tropin Residence: Response to the Landmark Designation Report*. Dr. Garner maintained that the changes to this property have compromised the architectural integrity of the structure, and he recommended against designation.

Alexander Ives, Executive Director of the Preservation Foundation, addressed some comments made by Mr. Brindell and Dr. Garner.

Bill Diamond, 220 Wells Road, inquired as to partial designations.

Dr. Day provided additional testimony in support of the designation.

Under commission comments, which were quite lengthy, it was clear that the commission was divided on this issue, and there was much focus on the appropriateness of a designation based upon criterion 4 in this case.

MOTION BY MR. FELDKAMP THAT THE PROPERTY AT 100 EL BRAVO WAY BE RECOMMENDED TO THE TOWN COUNCIL FOR DESIGNATION AS A LANDMARK OF THE TOWN OF PALM BEACH, AND THAT CRITERIA (1) AND (3), WITH THE OMISSION OF CRITERION (4), BE MADE PART OF THE RECORD.

MOTION SECONDED BY MS. WILLIS.

After further discussion, MOTION CARRIED 5-2, WITH MESSRS. COOLEY AND MOORE OPPOSED.

IX. **OTHER BUSINESS:** None

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

XI. **ADJOURNMENT:**(1:37:36 a.m.)

The meeting was adjourned at 1:47 p.m. without benefit of a motion.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, December 21, 2011 at 9:30 a.m. in the Town Council Chambers, 2nd Floor, Town Hall, 360 South County Road, Palm Beach, Florida.

Sincerely,

Edward Austin Cooney, Chairman
LANDMARKS PRESERVATION COMMISSION

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