



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

WEDNESDAY, OCTOBER 20, 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:(9:31:05 a.m.)

Chairman Pandula called the meeting to order at 9:30 a.m.

II. ROLL CALL:(9:31:47 a.m.)

The following members of the Landmarks Preservation Commission were present: Eugene Pandula, Chairman, William Lee Hanley Jr., Vice Chairman, William O. Cooley, Secretary, Charles S. Roberts, Member, Dudley L. Moore Jr., Member, Edward Austin Cooney, Member, William P. Feldkamp and Alternate Members - D. Imogene Willis, Wallace Rogers, and Rachel Lorentzen. Absent: None

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

III. APPROVAL OF THE MINUTES OF THE SEPTEMBER 16, 2010 MEETING:(9:32:21 a.m.)

MOTION BY MR. MOORE FOR APPROVAL OF THE MINUTES.

MOTION SECONDED BY MR. COOLEY.

MOTION CARRIED UNANIMOUSLY.

IV. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY:(9:32:23 a.m.) By Mrs. Delp

V. COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes)

Mr. Feldkamp was congratulated on his promotion to regular member status, and Mrs. Lorentzen was welcomed into service as an alternate member.

VI. APPROVAL OF THE AGENDA:(9:33:22 a.m.)

MOTION BY MR. HANLEY FOR APPROVAL OF THE AGENDA.

MOTION SECONDED BY MR. COONEY.

MOTION CARRIED UNANIMOUSLY.

VII. PUBLIC HEARINGS:(9:33:40 a.m.)

A. Application for Certificate of Appropriateness #COA - 024 - 2010

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.

Call for disclosure of ex parte communication: Mr. Roberts made an ex parte declaration.

Architect Betsy Rossin, representing Thomas M. Kirchhoff, AIA, presented this request. Mr. Kirchhoff was unable to attend today's meeting. Ms. Rossin re-stated that this is a tax abatement project. Change #2 (listed above) occurs in the breakfast room (breakfast room previously approved at the August meeting). Regarding the grilles and shutters, many of the windows on the original home had shutters. They now propose to meet the intent of that and put shutters back in certain places on the building. The shutters will be plank style, real wood shutters and will be colored to match the cypress. The grilles are aluminum to match the original designs. Ms. Rossin presented samples of Moroccan tiles to be used in the pool loggia on the walls and on the floor.

Commission comments: East elevation: the lower level windows go to the floor and are not as nice as the other windows...the muntins are gone...this significantly changes that wing; note that the referenced windows exist and no change was requested to them; would the owner consider making them more authentic; problem with plank shutters; grilles are nice; balcony and French door at breakfast room are good; nice to have shutters back, but make them louvered, not plank; Moroccan tile takes the house further away from the original, and adds a design element that never existed before; adamant against the proposed shutters; dropping the grillwork off the second story makes a huge change...the grillwork should be put back.

Dr. Day commented that this is a tax abatement project, and the strictest standards are to be upheld. Since original plans are available, the design should go back to what was originally there. If the applicant would like to withdraw the tax abatement, the changes as proposed could be reviewed using different criteria. She stated that it would be preferred that the grillwork be put back; that the first floor oceanfront windows be permitted to remain, with the recommendation that if at any time in the future the project comes back with a change out of those windows, the windows should be replaced according to Fatio's original drawings; that the appropriately styled shutters be replaced on the openings where they were originally; and, that the Moroccan tiles in such a large space create something that is much more ornate than the rest of the house. Dr. Day reminded that the LPC has a fiduciary obligation, with tax abatement projects, to the Town and to the County to go forward with the Department of the Interior's Standards rather than acquiescing to the wishes of the applicant.

Additional commission comments: This is a very important house and we have been compromising month after month on this project...we need to hang on to the exterior; perhaps raise the lower level oceanfront windows and add brackets underneath; and, there were no shutters on the garage originally and that drew a distinction between the main house and garage. The members had a discussion about whether the LPC could require, or request, that the applicant make some changes which were not requested, but were desired by the LPC. Chairman Pandula stated he is not in favor of mandating changes to previous approvals; that the grilles and shutters should return to the original design in the original locations; that the balcony at the breakfast room is fine; and, that he is not in favor of Moroccan tile at this residence.

MOTION BY MR. ROBERTS FOR APPROVAL OF THE TILES AND DECORATING AS SUBMITTED; APPROVAL OF LOUVERED SHUTTERS PER THE ORIGINAL DRAWINGS, OR NOT AT ALL, AS THE BUILDING EXISTS TODAY, AND REQUESTING THAT THE OWNER CONSIDER DOING THE WINDOWS AS DISCUSSED, LEAVING OUT THE MUNTINS THAT COULD BE ADDED BY A FUTURE OWNER IN LATER YEARS; APPROVING THE BALCONY AND FRENCH DOORS; AND APPROVING THE GRILLES AS SIGNIFICANT.

MOTION SECONDED BY MR. HANLEY.

Dr. Day added that it is the job of the LPC to interpret the Secretary of the Interior's Standards, to make approvals that way, and to refer to original documents if they are available. She encouraged the members to use clear and consistent decision making for the big, important homes like this one, but also for the smaller landmarked bungalows.

Mr. Cooley recommended that the applicant be asked to return with a proposal that as closely mirrors the original drawings (which are available) as possible since this is the LPC's obligation, by law.

MOTION WITHDRAWN BY MR. ROBERTS.

MOTION BY MR. ROBERTS 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.

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

Mr. Pandula passed the gavel to Mr. Hanley to make the following motion:

MOTION BY MR. PANDULA FOR APPROVAL OF THE NEW WINDOW DESIGN AND BALCONY AT THE BREAKFAST ROOM AREA.

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

MOTION BY MR. PANDULA 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.

**MOTION SECONDED BY MR. FELDKAMP AND MR. ROBERTS
SIMULTANEOUSLY.**

MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. PANDULA FOR DEFERRAL OF JUDGEMENT ON THE MOROCCAN TILE MOTIF FOR THE POOL LOGGIA AND ASK YOU TO RESTUDY THAT.

**MOTION SECONDED BY MR. ROBERTS.
MOTION CARRIED 6-1, WITH MR. FELDKAMP OPPOSING.**

B. [Application for Certificate of Appropriateness #COA - 025 - 2010](#)

Owner/Applicant: The Everglades Club

Address: 347 Worth Avenue

Architect: Smith and Moore Architects Inc.

Project Description: Request approval for restoration and addition to historic structure which is further described as: Restoration of the original residential use to the 2nd and 3rd floors; a new covered entry to the residence from Via Parigi; the creation of an entry hall at the 1st floor; the replacement of existing metal and wood carriage doors on Cocanut Row with a pecky cypress garage door; and the

partial replacement of windows to restore the original wood double casement configuration; and other associated changes as presented

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

Architect Daniel Cahan with Smith and Moore Architects presented this request. First, he indicated that some letters of objection had been received regarding the proposed garage door. As such, Mr. Cahan stated that the applicant is withdrawing that portion of the application at this time to enable the applicant to meet with concerned parties and find an acceptable solution.

Secondly, Mr. Cahan stated, for the record, that this is a tax abatement project. This 1925 Addison Mizner building is located across the street from the Everglades Club and forms the western edge of Via Parigi. The building was originally designed to have residential space above the first floor commercial space and this project would restore those uses. A single residential apartment (6,346 sq. ft.) on the second and third floors will be accessed from the original residential entrance off Via Parigi. Some elements of the proposal include restoration of the original window configuration with the installation of new wood impact windows painted white; other window changes/replacements; removal of the Mary Mahoney sign; maintain awning on south side; maintain gate on Coconut Row; new covered entry off Via Parigi; and, new pecky cypress paneled entrance door with central knocker. Mr. Cahan then proceeded to review the interior floor plans, noting that an existing original stair from the first to second floor will be removed.

Dr. Day offered her comments in support of this tax abatement project.

It was noted that this project will vastly decrease the parking requirements for the property.

MOTION BY MR. FELDKAMP APPROVING THE PROJECT, AS PRESENTED, WITH A CHANGE TO THE WEST ELEVATION TO REMOVE THE ANGLED HALF TIMBERING.

MOTION SECONDED BY MR. ROBERTS.

MOTION CARRIED UNANIMOUSLY.

VIII. OTHER BUSINESS:(10:39:53 a.m.)

A. [Discussion relative to number of annual meetings of the Landmarks Preservation Commission](#)

Mr. Page stated that Mr. Cooley had asked that this be placed on the agenda. Mr. Page reiterated that the Town Council, in consideration of reducing Town expenditures, plans to discuss the possibility of changing the frequency of meetings for Town boards and commissions.

Commission feedback/ideas:

There is a significant cost for members to return to Town for monthly meetings, some of which are very short meetings.

Examine the propriety of having summer meetings.

Look at the possibility of participation in meetings from remote locations.

Boards such as Shore Protection, Pension, etc. may not have to meet monthly, but the LPC is a service board, and does need to meet every month so construction can continue.

It would be very difficult to participate in an LPC meeting telephonically because the presentation would not be seen; samples would not be seen; etc.

Video conferencing is available, but it is very expensive.

Try bi-monthly meetings on a one year trial basis.

In the building process, it is agonizing to have to wait for two months. We (LPC) have to meet monthly. We have an obligation to the citizenry to meet monthly. If we have offered to serve, we need to be prepared to attend.

Each member is permitted a certain number of absences without repercussion.

Perhaps members do not have a sufficient number of allowed unexcused absences.

Remember that building permits are subject to time limits. There could be unintended consequences by postponing LPC action, if the permit expires while waiting for review, which could then cause the matter to have to be heard by the Town Council for permit extension.

We need to meet every month. We're here to serve. It's not about cost. It's about service. Time is very important in construction. The community needs us here.

Twelve meetings are needed to avoid a disservice to the community. The Town Council has always tried to avoid a reduction in service.

We need the ability to be able to defer for a month. To make that a two month deferral would be problematic.

Alex Ives of the Preservation Foundation offered comments in support of monthly meetings. Bi-monthly or quarterly meetings would be perceived as difficult by owners. Also, construction work to maintain properties should not be hindered.

Summer months represent the height of the construction season with extended work hours, and no additional obstacles should be created. If we want participation in this program, let's not make it difficult for owners.

MOTION BY MR. ROBERTS THAT IN ORDER FOR THE LANDMARKS PRESERVATION COMMISSION, RECOGNIZING A BUDGET ISSUE, TO PROVIDE THE SERVICE TO THE TOWN THAT WE NEED TO PROVIDE, WE NEED TO CONTINUE TO MEET TWELVE (12) TIMES PER YEAR, AND WE FEEL THAT IS AN IMPORTANT PART OF THE SERVICE WE PROVIDE AND IS NEEDED FOR LANDMARKS TO CARRY OUT THAT MISSION.

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

IX. COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING ZONING & BUILDING DEPARTMENT DIRECTOR:(11:06:12 a.m.)

Dr. Day reported that relative to the special category grant for the Memorial Fountain, she will travel to Tallahassee on November 15th to present before the Grant Review Board.

Dr. Day reported that she has been working on the Historic Sites Survey for a year to evaluate every structure over 50 years of age in the town, and the best and brightest of those under 50 years of age. The study is done from public access. She discussed the process of the survey and explained that it will also include demolitions which have occurred, and a methodology of how to proceed in the future. She made mention of the fact that while on the streets of the town doing the survey work, she has received very encouraging comments and support for the work of the Landmarks Preservation Commission. Dr. Day will provide a final report on the survey at the December LPC meeting and the January Town Council meeting.

X. ADJOURNMENT:(11:10:37 a.m.)

**MOTION BY MR. COOLEY TO ADJOURN THE MEETING AT 11:10 A.M.
MOTION SECONDED BY MR. MOORE.
MOTION CARRIED UNANIMOUSLY.**

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, November 17, 2010 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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