

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

WEDNESDAY, OCTOBER 20, 2004 AT 9:00 A.M.

AT THE TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

(COVERING THOSE ITEMS POSTPONED FROM THE CANCELLED SEPTEMBER
2004 MEETING AS WELL AS ANY NEW BUSINESS)

I **Call to Order:** Chairman Pandula called the meeting to order at 9:02 a.m.

II **Roll Call:**

PRESENT:

Eugene Pandula, Chairman
Wendy Victor, Secretary
Ann Vanneck, Member
Jack Pyms, Member
Judy Hoffman, Member
Patrick Segraves, Member
William Lee Hanley Jr., Alternate Member
Eileen L. Morris, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
Jane Day, Staff Preservation Consultant

ABSENT:

Ann Blades, Vice Chairman (Excused)
Robert T. Eigelberger, Alternate Member (Excused)

RECORDING SECRETARY: Cynthia M. Delp

III **Approval of the Minutes of the August 18, 2004 Meeting:**

MOTION BY MRS. VANNECK FOR APPROVAL OF THE MINUTES.

MOTION SECONDED BY MRS. VICTOR.

MOTION CARRIED UNANIMOUSLY.

IV **Administration of the Oath to all persons who wish to testify:** By Mrs. Delp

Mr. Pandula stated that there has been a request to add the Bradley House courtyard as an informal review at the end of the agenda..

MOTION BY MRS. VICTOR TO ADD THIS ITEM TO THE AGENDA.

MOTION SECONDED BY MR. PYMS.

MOTION CARRIED UNANIMOUSLY.

V Public Hearings:

A. Application for Certificate of Appropriateness #25-2003, (deferred from Dec. 2003 & Jan., March, April, May, June, July, & Aug. 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.

CALL FOR DISCLOSURE OF EX PARTE COMMUNICATION: None declared.

Mr. Jim Peerson, a Toronto architect, was present on behalf of J.F. Brennan. Mr. Peerson intended to present the gates only, rather than also presenting the front entry stairs. Both of these features were included in the last motion for deferral relative to this address. He stated that it was his understanding that the gates had been presented at a previous meeting, and they were deferred for re-design. That re-design, now simpler and "Mizneresque" was shown today on xeroxed copies, not on a presentation board, and no site plan was presented to show the gate locations. There are three gates at different site locations, but all three gates will match in size and style.

Mrs. Hoffman stated concerns about the scale of the gates in each of the locations, although both she and Mr. Segraves approved of the revised gate design. Asked for staff comments, Mr. Frank noted that the project architect is Ralph Cantin, not Mr. Peerson, and the LPC will have to make a determination as to whether this is a sufficient presentation. Mr. Pandula called the presentation inappropriate, i.e., the applicant was not prepared with a site plan, presentation boards, or any presentation of the entry stairs. On the other hand, he liked the revised gate design, although he felt the gate proportions may be off. Referring to previously filed drawings, Mr. Pandula stated that the railing inserts at the entry stairs are appropriate.

Mrs. Vanneck and Mrs. Victor expressed concern over what they perceive to be no construction progress at this site. Attorney Frank Lynch, who was in the audience, stated that he is due back at the LPC at the November meeting to give his quarterly report in conjunction with the deterioration by neglect issue relative to this property. Mr. Moore stated that this property has been reviewed by the Town Council and the LPC for extensions to the building permit to allow for completion of the work. The extension was granted by the Town Council contingent upon ongoing work continuing. If work is not being performed on an ongoing basis, the deterioration by neglect procedure may be invoked. The obligation is upon Mr. Lynch's client to move forward with the project. Mr. Lynch responded that the project has been underway for three years, but his client has owned the property for approximately one year. Mr. Lynch assured the LPC that it is the intention of this owner to complete the house. He stated that he would personally visit the site and report the progress of the work, or lack thereof, to his client.

MOTION BY MRS. VANNECK 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.

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

Mr. Jim Peerson, a Toronto architect, was present on behalf of J.F. Brennan. Mr. Peerson intended to present the gates only, rather than also presenting the front entry stairs. Both of these features were included in the last motion for deferral relative to this address. He stated that it was his understanding that the gates had been presented at a previous meeting, and they were deferred for re-design. That re-design, now simpler and "Mizneresque" was shown today on xeroxed copies, not on a presentation board, and no site plan was presented to show the gate locations. There are three gates at different site locations, but all three gates will match in size and style.

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Mrs. Vanneck and Mrs. Victor expressed concern over what they perceive to be no construction progress at this site. Attorney Frank Lynch, who was in the audience, stated that he is due back at the LPC at the November meeting to give his quarterly report in conjunction with the demolition by deterioration issue relative to this property. Mr. Moore stated that this property has been reviewed by the Town Council and the LPC for extensions to the building permit to allow for completion of the work. The extension was granted by the Town Council contingent upon ongoing work continuing. If work is not being performed on an ongoing basis, the demolition by deterioration procedure may be invoked. The obligation is upon Mr. Lynch's client to move forward with the project. Mr. Lynch responded that the project has been underway for three years, but his client has owned the property for approximately one year. Mr. Lynch assured the LPC that it is the intention of this owner to complete the house. He stated that he would personally visit the site and report the progress of the work, or lack thereof, to his client.

MOTION BY MRS. VANNECK 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.

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

B. Application for Certificate of Appropriateness #21-2004,
Intake Grilles and covering for same (deferred from August)

Owner: New Bradley House Ltd.

Applicant: Coco Palm Beach, LLC

Address: 290 Sunset Avenue

Architect: Giacomelli Architecture, Inc.

Project Description: Request approval for installation of (3) fresh air intake grilles inset in new arcades on west elevation together with screening for same, and installation of (1) fresh air intake wood grille at west end of courtyard gallery, and other associated changes as presented

Please note that this project was heard informally at the July meeting.

CALL FOR DISCLOSURE OF EX PARTE COMMUNICATION: None declared

At the August meeting, there was a motion to defer the entire project (to Sept., now Oct.), while approving the concept of the shutters, and while returning next month with actual painted shutters samples, as well as the complete package requested in the earlier motion. Please note that in the earlier motion, there was a deferral of the courtyard intake shutter which is insensitive to the building, along with the applicant returning with a complete package which addresses the site screening of the rooftop equipment, light fixtures, signage, and landscaping, all of which has not been approved by the LPC.

Architect Dario Giacomelli and Attorney Frank Lynch were present on behalf of Coco's. Mr. Lynch addressed some of the issues raised at the August meeting. He noted that a permit had been issued for the signage. Relative to the landscaping, a staff approval had been given. The fresh air intake on the north elevation, considered offensive by the LPC, has been removed and stuccoed over. Light fixtures, previously installed without approval, have been removed, and new, larger ones have been installed in their place, subsequent to a meeting with Mr. Frank. The shutters and the screening of the rooftop smog hog will be addressed by Mr. Giacomelli in today's presentation.

Mr. Giacomelli reiterated that the fresh air intake previously slated for the north elevation has been removed from the project. The shutters on the west elevation are cedar shutters painted white with an eggshell finish. They are 4'6" in height plus the transom. Mr. Giacomelli brought an actual shutter sample, one-half showing small slats and the other half showing larger slats. Most of the commissioners preferred the larger slats as they are more proportional to the size of the shutter itself. Mrs. Day stated that the smaller louvers are more appropriate to a 1920's building. Mr. Giacomelli stated that the small louvers work better to facilitate air flow. The issue of maintenance of the shutters on this hot and sunny west elevation was discussed. Mr. Lynch acknowledged that the shutter maintenance is the responsibility of Coco's. Mr. Moore noted that he was happy to hear that the maintenance is Coco's responsibility as Coco's will need an Occupational License annually from the Town in order to do business. Annuals will be planted in front of the shutters and irrigation will be installed to serve the landscaping.

Mr. Pandula clarified with Mr. Giacomelli that all the niches (behind the shutters) will be painted

flat black along with the grill louvers themselves. Mr. Giacomelli confirmed that aspect of the project.

As for the exterior color of the building, Mr. Giacomelli noted that the existing building is differentiated from the new construction by a difference in color tone. (Specific color was not stated at the meeting.)

As for the roof top smog hog unit, Mr. Giacomelli offered a three-prong proposal to the LPC for consideration: Cover or clad the frame with heavy gauge metal and paint to match the building; double the screening material; and, paint the unit the same color as the building. Mr. Giacomelli noted that one layer of screening is already in place, and a second layer could safely be added, although it must be properly tied down. Mr. Moore noted that the roof had previously been analyzed to ensure that it could hold this large piece of equipment. Mrs. Victor questioned whether weight constrictions would allow the other layer of mesh. Mr. Moore responded that the additional mesh would not negatively impact the structure.

Mr. Giacomelli passed a brochure showing the three light fixtures which have been installed at the site to replace the previous inappropriate fixtures.

Mr. Frank thanked Mr. Giacomelli for incorporating all of the unresolved items into this presentation today.

MOTION BY MR. PYMS TO APPROVE THE PROJECT, AS PRESENTED, WITH THE SMALLER LOUVERS ON THE SHUTTERS.

MOTION SECONDED BY MRS. VICTOR.

UPON A ROLL CALL VOTE, MOTION FAILED 2-5, WITH ONLY MR. PYMS AND MRS. VICTOR SUPPORTING THE MOTION.

MOTION BY MR. SEGRAVES FOR APPROVAL OF THE PROJECT, AS PRESENTED, WITH THE LARGER LOUVERS ON THE SHUTTERS, AND INCLUDING THE SMOG HOG SCREENING.

MOTION SECONDED BY MRS. VANNECK.

MOTION CARRIED 6-1, WITH MRS. VICTOR VOTING AGAINST.

C. Application for Certificate of Appropriateness #20-2004, (deferred from August)
Fenestration changes, pool, paint, etc.

Owner: Matthew and Amber Trifiro

Address: 142 Seabreeze Avenue

Architect: NWCS, Nelson F. Walters, Architect

Project Description: Request approval of the following:

1. Changes to outbuilding - repairs and system upgrades
 - a. Repairs structural defects
 - b. Upgrade electrical and plumbing
2. Changes to outbuilding - interior changes
 - a. Enlarge bathroom for shower
 - b. Convert old laundry to walk-in closet
 - c. Finish walls and floors fo "garage" for use as studio
 - d. Reduce size of second story office (becomes a loft)
3. Changes to outbuilding - fenestration
 - a. Remove closet windows; add bathroom window-west side
 - b. Replace two double-hung windows on east side with French doors of similar style (to match original french doors at dining room)
4. Add small pool to back yard
5. Paint exterior (main house and outbuilding)
6. Upgrade various plumbing and electrical fixtures (as presented)

CALL FOR DISCLOSURE OF EX PARTE COMMUNICATION: None declared

At the August meeting, there was a motion for approval of the changes to the outbuilding, that is, to remove the two windows on the east facade, to leave the west facade as is, to replace the garage door with a pair of french doors, to approve the yellow color for the house, to submit the revised elevations incorporating the changes to the outbuilding, as approved, to staff, to approve the proposed sconces, with the suggestion to keep looking for perhaps a better sconce, and to defer the plan for the pool.

Mr. Frank stated that there had been a question whether the garage building needed, by Code, to be maintained and used as a garage. He reported that the garage has not been used as a garage for nearly 50 years, so there is no zoning problem.

Mr. Matt Trifiro, the property owner, returned to the LPC today in response to the August deferral of the this project. He reminded the LPC that this is a tax abatement project. Mr. Trifiro stated that he and his wife have decided to postpone the pool installation indefinitely, thereby removing it from scope of the project. The revised plans now show a hedge and wood gate (to match the front wood gate) placed across the driveway, as had been discussed at the previous meeting. As for the outbuilding (previous garage building), there are no changes to the south or east elevations. The north elevation of that building shows the removal of the garage doors in favor of the installation of french doors which match the french doors on the house. On the west elevation, which is situated close to the west property line, two windows at the previous addition will be removed, and a new small window will be inserted at the bath area. Mr. Trifiro showed a sample of the new sconce which they have found, which will be placed at all main entry doors of

the house and the outbuilding. Some commissioners felt that while this sconce was more appropriate than the one they saw in the last presentation, this one was still too small in scale. Mr. Trifiro responded that while they have looked at hundreds of fixtures to arrive at this one, they will continue to look for a better option. He requested approval of this fixture, and pledged to return to the LPC if a more suitable fixture is found. Mrs. Vanneck suggested looking at Charleston Lighting for a more appropriate sconce.

**MOTION BY MRS. VANNECK FOR APPROVAL OF THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. PYMS.
MOTION CARRIED UNANIMOUSLY.**

Mr. Pandula asked Mr. Trifiro whether he has resolved the issue of his steps in the rear of the house. Mr. Trifiro answered that it is still their intention to apply for a variance from the Town Council to extend the deck in front of all the doors.

D. Application for Certificate of Appropriateness # 22-2004,
Reconstruction

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.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Architect Lee Kvarnberg distributed various documents to the members: A set of plans as originally seen at the August meeting, a set of plans as modified, a photographic wall by wall analysis to demonstrate deterioration, an earlier letter from the structural engineer, and a more comprehensive report from the structural engineer, Thomas J. Rogers. Upon receipt of these documents, Mrs. Victor questioned the appropriateness of being handed all of this information at this late juncture, and then being asked to make a decision without having been given time to review the material. Mrs. Hoffman and Mr. Pandula agreed. A motion for deferral was suggested. Mr. Frank felt that the architect was present today to review all of this information with the LPC to prepare the way for a decision. Mr. Moore stated that the LPC has a right to request any information from the applicant that is necessary to facilitate a decision, and the option to defer the project is always available. He also noted that the LPC members have the opportunity to review all submission materials in advance of the meeting at the Planning, Zoning & Building Department. *(Mrs. Delp notes that the documents distributed today had not previously been submitted to the Town.)*

Mr. Kvarnberg projected the photos of the wall by wall analysis onto the screen, and proceeded

to review these, one by one, to demonstrate the level of deterioration found in the building. He stated that he has not seen a building "more rotten" than this one. As many of the photos show large holes in the walls, Mrs. Victor noted that according to the Secretary of the Interior's Standards, x-ray photography is recommended to see conditions within the walls rather than "poking holes" in the walls, which is not recommended. Mr. Pandula noted that there are 135 slides here, and asked Mr. Kvarnberg to summarize the conditions for the LPC.

Mr. Kvarnberg stated that the existing footprint of the building is the original footprint, with the exception of the second floor addition facing north. The floor plan has experienced changes over time. The 50's addition to the building was built in 2x4's as opposed to the rest of the building's 2x6's, Mr. Kvarnberg, upon questioning, stated that the windows, roof, garage doors, and probably the stucco exterior finish on this structure are not original.

Mrs. Day noted, for the record, that at the pre-meeting meeting with the Chairman, held the Monday before the regular LPC meeting, the handouts distributed today were not in the Town's file. (Nor were they submitted to the Town until today.) She stated that the garage was part of Fatio's original design for the project in 1930. This is an accessory building, designed to enhance the main house, yet perform a practical function for the site. She also noted that when the 1950's addition was added, a structural beam was compromised during the construction.

Mr. Moore interjected that staff, in reviewing our current procedures, especially those involving deterioration, believes that in an abundance of caution, an independent structural engineer should review the report submitted by Mr. Kvarnberg today. The applicant will pay for the cost of the Town's engineer, and the Town will choose the engineer. He suggested that there be a motion to that effect. In addition, staff wants the work of the engineer to be done under the supervision of the architect so there is no excuse for a workman to start destroying the structure unnecessarily in the name of exploratory demolition. As such, he recommended deferral of the project pending review by the Town's chosen engineer.

Mrs. Hoffman questioned, and Mr. Kvarnberg verified that this building was originally built according to Fatio's plans, but it was remodeled in the 50's. Mrs. Day added that the LPC could ask the owner to reconstruct it **exactly** according to the Fatio plans, rather than the Kvarnberg plans, even if it means a loss in proposed square footage. Mr. Moore noted that economics are not to be considered by the LPC in their deliberations for what sort of reconstruction and methods of reconstruction are to be used. He also stated that there is no exception to the Life Safety Code for historic preservation projects.

MOTION BY MRS. VANNECK TO DEFER THIS PROJECT TO NEXT MONTH, 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.

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

- E. Application for Certificate of Appropriateness #23-2004,
Landscape/Hardscape
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

The applicant had filed a request for a deferral to the November meeting.

**MOTION BY MR. SEGRAVES FOR DEFERRAL TO NOVEMBER.
MOTION SECONDED BY MRS. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.**

At this point, there was a ten minute break, and the meeting resumed at 10:55 a.m.

- F. Application for Certificate of Appropriateness # 24-2004,
Fountains
Owner/Applicant: Society of the Four Arts, Inc.
Address: 1-2 Four Arts Plaza
Architect: Morgan Wheelock Inc.
Project Description: Request approval of the following:
1. Upper Terrace Fountain: 722 square foot octagon-shaped steel reinforced concrete, including 15" high raised wall with integrated planters, (8) lighted 2' high foam jets, Pebble Sheen "French Grey" surface with Oceanside Glasstile "Puget Sound" color accents, and Florida Coquina coping with coquina faced exterior wall. Future central sculpture may be added.
 2. Main Fountain: (Long reflecting pool along Royal Palm Way) 638 square foot steel reinforced concrete, including height which is flush with adjoining walkway, (3) lighted 3' high cascade jets, Pebble Sheen "French Grey" surface with Oceanside Glasstile "Puget Sound" color accents
 3. Trough Fountain: (located at the Garden House) 38 square foot steel reinforced concrete, including 24" high raised wall with antique French terra cotta wall frieze with 4 mini-spout jets that flow into the trough, (2) lighted 1' high hollow column jets, and Oceanside Glasstile "Puget Sound" surface with Florida Coquina coping with stucco faced exterior wall

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Mr. Morgan Wheelock and Mr. Don Skowron presented this request for the fountains as described above. All of the water works for each of the fountains are remotely located from the fountains, tucked away in the landscaping. The fountains will be illuminated. The specific plant species for the upper terrace fountain has not yet been selected. Mrs. Victor commented that the fountains are appropriate for the site. Mrs. Day thought they look wonderful, and enhance the historic buildings there.

Mrs. Vanneck inquired about the health of the large Banyan tree. Mr. Wheelock responded that it has a terminal illness, but efforts will be made to keep it alive as long as possible, until it becomes more hollow inside. When that condition occurs, the tree will be taken down. There are tentative plans to replace it with a single Medjool Palm surrounded by 4-5 Canary Palms on two levels. Mr. Wheelock stated he would be sure to re-create the canopy typically provided by the Banyan tree.

**MOTION BY MRS. VANNECK FOR APPROVAL OF THE PROJECT AS PRESENTED.
MOTION SECONDED BY MRS. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.**

G. Application for Certificate of Appropriateness #25-2004,
 Landscape/Hardscape and Modifications to previous approval
 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:

Mr. Segraves met with the architect and landscape architect at the site.
Mr. Pyms met with the architect's representative at the site.
Mrs. Vanneck met with the architect and landscape architect at the site.
Mrs. Victor met with the architect and landscape architect at the site.
Ms. Morris met with the architect and landscape architect at the site.

The application indicates that this is a tax abatement project.

① Architect Tom Kirchhoff and Morgan Wheelock and Don Skowron of Morgan Wheelock Inc. presented the project. Mr. Wheelock stated that the underlying concept of the landscape/hardscape is to try to return the garden, using appropriate materials, to its historic reference point. Most of the existing plant materials will be retained and/or relocated on the site. The existing driveway has just one entrance leading to a parking court. The plan calls for a restoration of both entrances, providing a larger view to the front facade. The existing driveway material is a concrete drive with a cobblestone apron. The proposal includes a driveway field of tabby stone together with an apron done in outdoor travertine blocks, along with travertine butterstick joints. The fountain, outside the kitchen, will be placed on coquina set with grass joints. The garage court will be done in the same tabby and travertine pattern. At the study, there is a coquina path with grass joints leading to a butt jointed coquina terrace. On axis with the study is a reflecting pool and foreground of coquina set in grass. The reflecting pool, itself, will be French grey with coquina coping. At the main courtyard, there will be old coquina set in grass with a canopy of McArthur palms for shade. The new pool/spa will be 55 ft. in length, and will have a wet deck of 8" of water. The coping on the main pool will be cast stone to mimic coquina. The pool surround will be done in island stone set in mortar with a coquina edge.

① Mr. Skowron reviewed the landscape materials pursuant to the plans. He stated that they are trying to maintain a consistent look with what was there before. The only difference is that the view is being opened up into the main motorcourt. In the front central courtyard there is an existing tall Seagrape which was damaged in the storms. A tree surgeon will be contacted to restore the tree back to its round form. Of all the existing trees, four (4) black olives will be removed from the site, two from the front and two from the rear. A tall Ficus hedge (22 ft. to 25 ft. tall) is planned along the front of the property for privacy.

Mr. Wheelock stated that they will have to return with the gate design, lighting, and the fountain details. Mrs. Vanneck wondered whether the brick walls around the terraces would be retained, and Mr. Skowron replied that they would not. Mrs. Vanneck also noted that Mr. Kirchhoff intends to raise the low front motorcourt wall to hide air conditioning units underneath the two Sapodillas and to conform to code due to the swimming pool. She commented that there is beauty in the low wall as you enter the property, and wondered if it could be addressed. Mr. Kirchhoff responded that these walls are stucco over brick and are only three (3 ft.) tall, when four (4') feet is required due to the pool. Mr. Kirchhoff suggested that the wall could be left as is, if a hedge was planted on the back side of the wall with a chainlink fence inside the hedge.

When asked for staff comments, Mr. Frank stated he was very pleased with Morgan Wheelock, Inc. The firm had previously informed Mr. Frank of landscape damage at the site after the storms. Mr. Frank authorized Mr. Wheelock's firm, as landscape architects, to remove any landscape material which could not be saved and presented a safety problem. Mr. Frank stated he was very pleased with this plan.

① Mrs. Victor commented that the front Ficus hedge is too high and out of balance with the symmetry being created at the site. She suggested that they be brought down to 6-8 feet. Mr.

Wheelock responded that they could be cut down by 5 or 6 feet.

Mr. Segraves commented that because there is an attempt to create symmetry in the design, both driveway gates should be on the same plane. It was noted that the gates are to slide, and as such, being on the same plane is prohibited by landscaping. After discussion, Mr. Wheelock resolved that if both gates swing out, they can both be kept back eighteen (18) feet, on the same plane.

MOTION BY MR. SEGRAVES FOR APPROVAL OF THE LANDSCAPE AND HARDSCAPE, AS PRESENTED, WITHOUT RAISING THE WALLS, AND WITH BRINGING THE WEST FICUS HEDGE DOWN, AND WITH KEEPING THE DRIVEWAY GATES ON THE SAME PLANE, AND HAVING THE APPLICANT RETURN WITH LIGHTING, GATES, AND FOUNTAIN DETAILS.

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

Mr. Kirchhoff proceeded with some minor changes to the architecture as it has progressed. A Certificate of Appropriateness had been issued in May of 2004 for this tax abatement project. At that time, a significant change was being made to the middle portion of the residence. After working further with the owner and contractor, it has become unnecessary to change the middle gambrel roof section of the home, leaving it in its original form. Previously, a door, leading out to the yard, was to be added at the dining room. That idea has been abandoned, and the existing window will be retained. The new drawings show three garage doors rather than four. Mr. Kirchhoff stated that they have been able to determine the original color of the home, a coral pink, and the owner would like the house to return to that color.

Mr. Kirchhoff stated they had planned to re-use the sand set coquina on the loggia, but when they tried to take up the coquina, it crumbled. It will be re-used within the landscape. The plan is to use terra cotta tiles on the loggia instead, although those tiles have not yet been selected. Mr. Kirchhoff will bring the terra cotta tiles back to the LPC for approval.

**MOTION BY MRS. VICTOR FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MR. SEGRAVES.
MOTION CARRIED UNANIMOUSLY.**

Mr. Wheelock, having just consulted with his client, stated his client is not in favor of the driveway gates swinging out on the same plane. The client's preference is to place the outgoing sliding gate on a forward plane. This will be discussed next month when the gate design is brought back.

H. Application for Certificate of Appropriateness # 26-2004,
Internal Driveway

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: None declared

Attorney Ray Royce and Architect Rick Gonzalez were present for this application. Mr. Royce explained that several months ago, the Town Council asked about the route that club members will take to get to the ballroom. After the Town Council heard the circuitous route that club members would have to take, it was their suggestion to construct an east/west off shoot from the existing north/south driveway to arrive at the ballroom. The concept and location of the new east/west drive was approved by the Town Council in August as a change to the site plan. In response to a question by Mrs. Vanneck, Mr. Royce stated that although the National Trust has not been notified of this change, the National Trust's view easement is not affected by this new driveway. The National Trust will ultimately be advised of the change.

Mrs. Day clarified, for the record, that this property is not only listed on the National Register, but it is also a National Historic Landmark, which is even a higher designation.

Mr. Gonzalez began with an update stating that during the recent hurricanes, the property experienced some tree damage, and the house experienced roof damage and water leaks at the upper levels of the house. The south wall and gates were damaged as well. When the landscape professional is caught up with repairing storm damage, the landscaping will be brought back to the LPC along with the fountain details and lighting. He noted that the ballroom is close to completion and work is ongoing at the kitchen building.

As for the proposed new driveway, its width will be kept to a minimum. The driveway material is cast stone set on shellrock with a curb detail, the same materials as on the main drive.

Mrs. Day commented that she would like to hear from the National Trust prior to the LPC giving any approvals. She thought it might be better to review the driveway with the landscaping as a whole rather than as a piecemeal presentation. She suggested that there may be a way to hide the new driveway more than as shown.

Mrs. Vanneck objected to the palm alley lining the proposed driveway, which calls more attention to it. She also commented that this is yet another add on to the site, when the LPC had previously asked how persons would access the ballroom during review of the ballroom building. Mr. Royce responded that this was simply a better suggestion by the Town Council. Mr. Moore added that a condition of Town Council approval was that the driveway be illuminated by low level lighting, but the driveway material and landscaping was referred to the LPC. He explained that this is plan provides another way of ingress/egress, and the traffic plan has been approved by the Town Council. As this presents a third drop off area, it will serve to eliminate stacking of cars out on South Ocean Boulevard.

Mr. Pandula stated his concern that the proposed driveway, as designed, is as formal and important as the main driveway, and what lies between has not been given any importance. He questioned whether the next request will be to improve that in between area. Mr. Pandula stated that the new driveway is 190 feet long. He wondered why it could not be designed with a more free form, like a cart path, to hug the tree line, so it doesn't look "like a little private landing strip in the middle of the property."

Mr. Moore stated that it was the intent of the Town Council to provide another drop off area. He did not feel, however, that the Town Council would not entertain a different design of the driveway. Mr. Royce agreed that they would be glad to look at other alternatives, provided that they do not conflict with the Town Council approval. Mrs. Victor and Mrs. Vanneck offered suggestions for a revised design; i.e., hide it in the landscaping; take a one way in and one way out approach; something much more sensitive to the landscape. Mr. Moore cautioned that the approved design may experience some degree of modification to accommodate the suggestions made, but a complete change in the layout would have to return to the Town Council for approval. Mr. Randolph clarified that the Town Council approved the design presented today, and requested LPC input as to materials, landscaping and low level lighting only. Some members commented that it was unfortunate that the Town Council did not consult the LPC before approving the new driveway.

Mr. Segraves liked the suggestions made by Mrs. Vanneck and Mrs. Victor, and liked coquina as the driveway material, but he felt the landscape should be less formal than the alley of palms shown. Mr. Pandula agreed that the new driveway should hug the tree line; that a one way loop option be explored which narrows the scale of it and serves to pull the new construction further away from the main building.

MOTION BY MRS. VANNECK 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 LANDSCAPING AND LIGHTING PLAN.

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

VI **Other Business:**

A. Informal Review: 280 Sunset Avenue

Attorney Ron Kolins and Architect Ken Brower presented this informal request for changes to the courtyard at the Bradley House, a hotel. Mr. Kolins clarified that he represents the Bradley House, not Coco's Restaurant. He stated that the existing courtyard is broken up and uneven, but even more importantly, there are drainage problems underneath the courtyard which demand attention. The restaurant, Coco's, will soon be ready to open, and ideally, the courtyard work should be completed by that time. Mr. Kolins requested approval to allow the work to be started in advance of the LPC hearing the formal application at the November meeting.

Mrs. Vanneck questioned whether there are plans to restore the building back to the way it should be. Mr. Kolins responded that much internal work has been done to the building in the past year, and the great majority of this work is complete. The restaurant will open shortly and the courtyard must be repaired. After that, any remaining items may be addressed. Mr. Moore reminded Mr. Kolins to remind his client that any work done to the building requires a building permit prior to commencing the work, and any work on the exterior requires LPC approval as well. This accepted order had not been followed in the past by the client.

Mr. Brower showed the basic plan of the existing courtyard, a four quadrant theme with a central fountain which is slightly off the east/west axis. He explained that after the drainage work is complete, the existing theme will be replaced in concept, with a few minor changes. To make the courtyard more usable than it is today, the plan moves the existing wall more forward and connected back to the building at the corners. Landscape materials would be increased, introducing palms into the courtyard, and two Royal Palms on a center axis on Sunset Avenue. The paving pattern would be modified slightly, and the fountain would be moved north just a bit so it is on axis with Coco's.

Mrs. Victor expressed several concerns about the proposed plan in the way it differs from what was there previously. Mrs. Day stated that while she understands the urgency to do the drainage work, the LPC needs more information prior to making a decision. Mrs. Day will research the courtyard to find exactly what the courtyard was like historically.

Mr. Kolins responded that there are really three changes being proposed, i.e., to move the fountain so it is on axis, to make the courtyard more usable by moving out the walls, and adding the side walls. He asked the members if they found these aspects of the project objectionable. He stated that to do nothing to the courtyard would present a safety hazard as the courtyard is dangerous, prone to flooding, and generally unsightly. Mr. Randolph stated that the only information Mr. Kolins and his client were entitled to is the individual feedback on the presentation. Mr. Kolins should not rely on the majority of opinions expressed here today, however, as a basis on which to proceed, as the item has not been advertised; this is only an informal hearing; and, LPC members could change their opinions between now and then. In fact, Mr. Randolph requested a Hold Harmless agreement from Mr. Kolins if he chooses to move forward without a formal approval. Mr. Kolins did not want to go the route of a Hold Harmless.

Mr. Frank stated it was inappropriate to rush the LPC members to making a decision in this

regard as any building permit to commence the work would first require a Certificate of Appropriateness, and a Certificate of Appropriateness cannot be issued without proper advertising and a formal hearing. He also noted that he had spoken to the property owner over three years ago relative to these very problems, and the LPC should not be rushed now. On the other hand, Mr. Frank was delighted that there is an architect assigned to the project.

Mrs. Hoffman expressed that it would be a good idea for LPC members to visit the site before any approvals are given. Mrs. Vanneck cautioned the applicant to preserve any salvageable original materials when the work is started.

Mr. Kolins requested permission from the LPC to deconstruct the courtyard, and allow the drainage work to be done. He and Mr. Brower also wondered whether they could have approval today if they agree to replace the courtyard exactly as it is now. A discussion ensued, and Mr. Pandula posed the question whether removal of any portion of the courtyard constitutes demolition, and if it did, how can routine maintenance be performed.

Mr. Frank stated that this situation is quite unlike removal of a broken barrel tile on a roof and replacement of the tile in kind. In this case, the drainage work, so needed, will affect the outward appearance of the courtyard, i.e., grates, catch basins, etc. The plan presented today does not indicate how the courtyard would be affected. As such, demolition of the existing courtyard cannot be approved at this time.

Hearing this Mr. Kolins stated that they will proceed as follows: Return formally next month for approval; request Mrs. Day to research the courtyard and share her findings; and prepare a drainage plan and landscape plan for next month's meeting. He urged the members to make a site visit and keep their revised plan, as presented today, in mind.

Although there was a quick motion by Mrs. Hoffman to adjourn at 1:05 p.m., and seconded by Mrs. Vanneck, Mrs. Day stated she had a few reports to give. The members were re-seated.

COMMENTS BY MRS. JANE DAY:

Mrs. Day stated that she had been asked by the LPC to look into lighting of historic bridges in Florida. She distributed photos of four Florida bridges, showing up lights, down lights, and/or side lights. Mr. Moore reminded the members that the Mayor of West Palm Beach and Mayor Smith had put forth a request to consider re-lighting the underside of the bridge. (Originally, the LPC had not been in favor of same.)

Mrs. Vanneck commented there is no part of the bridge which can be considered finished. As such, it would be difficult to evaluate this lighting proposal at this time. Mr. Pandula commented that this type of lighting is an exact science, and the State of Florida's computer graphics department could provide several lighting concepts, in advance of the bridge being completed. Mrs. Day will make contact with the State's graphics department toward this aim.

Mrs. Day contacted the National Preservation Institute, a group of consultants who lecture all around the United States. If the Town elects to have this group provide their services for the benefit of the LPC, there would be a pre-registration for the one-and-a-half day event, and light refreshments should be available. Members should reflect on suggested subjects for the lecture. Mr. Moore commented that as there is a charge for the consultant's services, approximately \$ 7,000 to \$ 9,000, the Town's education budget funds could perhaps be partnered with the Preservation Foundation to cover the costs. February or March would be the first available time to schedule the lecture.

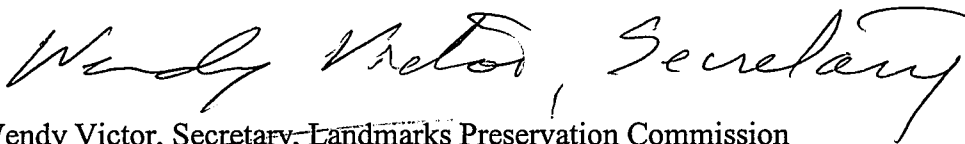
Mr. Moore noted that the LPC Application for Certificate of Appropriateness has been recently revised. The word "reconstruction" has been added, as well as "interior demolition" and "exterior demolition." Copies of the filed Applications for Certificate of Appropriateness will be distributed to the members on a monthly basis. Staff will also be available for any questions from LPC members, and will make every effort to clarify the scope of the projects.

VII Adjournment:

The meeting adjourned at 1:20 p.m. based on a motion sponsored by Mrs. Vanneck.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, November 17, 2004 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road, Palm Beach.

Respectfully submitted,

 Secretary

Wendy Victor, Secretary, Landmarks Preservation Commission

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***REMINDER: JOINT MEETING OF LPC, ARCOM, AND PLANNING & ZONING
COMMISSION TO BE HELD WEDNESDAY, NOVEMBER 17, 2004 AT 2:00 P.M. IN
THE TOWN COUNCIL CHAMBERS.***

**TOWN OF PALM BEACH
LANDMARKS PRESERVATION COMMISSION**

ATTENDANCE RECORD 2004

MEMBERS	1/04	2/04	3/04	4/04	5/04	6/04	7/04	8/04	9/04	10/04	11/04	12/04
Eugene Pandula	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_n/a_</u>	<u>_P_</u>	<u> </u>	<u> </u>
Sari M. Wilkey	<u>_E_</u>	<u>_P_</u>	(Term expired)									
Ann Vanneck	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_U_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_n/a_</u>	<u>_P_</u>	<u> </u>	<u> </u>
Ann Blades	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_U_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_U_</u>	<u>_n/a_</u>	<u>_E_</u>	<u> </u>	<u> </u>
Jack Pyms	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_E_</u>	<u>_P_</u>	<u>_n/a_</u>	<u>_P_</u>	<u> </u>	<u> </u>
Judy Hoffman	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_E_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_U_</u>	<u>_n/a_</u>	<u>_P_</u>	<u> </u>	<u> </u>
Patrick Segraves	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_E_</u>	<u>_n/a_</u>	<u>_P_</u>	<u> </u>	<u> </u>
Wendy Victor	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_U_</u>	<u>_P_</u>	<u>_P_</u>	<u>_n/a_</u>	<u>_P_</u>	<u> </u>	<u> </u>
ALTERNATE MEMBERS	1/04	2/04	3/04	4/04	5/04	6/04	7/04	8/04	9/04	10/04	11/04	12/04
William Lee Hanley Jr.	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_n/a_</u>	<u>_P_</u>	<u> </u>	<u> </u>
Robert T. Eigelberger	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_U_</u>	<u>_n/a_</u>	<u>_E_</u>	<u> </u>	<u> </u>
Eileen L. Morris	<u>_n/a_</u>	<u>_n/a_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_P_</u>	<u>_U_</u>	<u>_P_</u>	<u>_n/a_</u>	<u>_P_</u>	<u> </u>	<u> </u>

LEGEND:

P	=	Present
E	=	Excused
U	=	Unexcused
A	=	Absence Pending Classification as "excused" or "unexcused"

**TOWN OF PALM BEACH
LANDMARKS PRESERVATION COMMISSION**

RECORD OF VOTING CONFLICTS 2004

MEMBERS	1/04	2/04	3/04	4/04	5/04	6/04	7/04	8/04	9/04	10/04	11/04	12/04
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Eugene Pandula	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Sari M. Wilkey	_____	_____	(Term expired									
Ann Vanneck	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Ann Blades	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Jack Pyms	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Judy Hoffman	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Patrick Segraves	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Wendy Victor	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

ALTERNATE MEMBERS	1/04	2/04	3/04	4/04	5/04	6/04	7/04	8/04	9/04	10/04	11/04	12/04
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William Lee Hanley Jr.	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Robert T. Eigelberger	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Eileen L. Morris	n/a	n/a	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

LEGEND:

V	=	One Voting Conflict during a meeting
V2	=	Two Voting Conflicts during a meeting
V3	=	Three Voting Conflicts during a meeting

VPD	=	Voting Conflict Previously Declared (This category to be used when a conflict has Been declared at a previous meeting, and the Changes being reviewed are part of an ongoing project. ONLY COUNT ORIGINALDECLARED CONFLICT PER JCR, TOWN ATTORNEY)
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