

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., WEDNESDAY, AUGUST 19, 1998

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

I. Call to Order: The meeting was called to order at 9:00 a.m. by Chairman Jeffery W. Smith.

II. Roll Call:

PRESENT: Jeffery W. Smith, Chairman
Eugene Pandula, Vice Chairman
Lindley M. F. Hoffman, Secretary
Sari M. Wilkey, Member
Nikita Zukov, Alternate Member
Ann Lilja, Alternate Member

ABSENT: Arthur Silverman, Member (Excused due to illness)
Leighton Rosenthal, Alternate Member (Unexcused)
Jacqueline Albarran de Mendoza, Member (Unexcused)
Elizabeth Shields, Member (Unexcused)
John C. Randolph, Town Attorney
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator

RECORDED & TRANSCRIBED BY: Cynthia M. Delp
TYPED BY: Jackie L. Kervi

III. Approval of the Minutes of the July 15, 1998 Meeting

MOTION BY MR. PANDULA TO APPROVE THE MINUTES AS MAILED.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

IV. Administration of the Oath to all persons who wish to testify: Mrs. Delp administered the oath to all those who were present and wished to testify.

V. Public Hearings:

- A. Application for Certificate of Appropriateness #18-98, (deferred from April, May, June & July)
Covered walkway, demolition, Fountain, Courtyard, Property Wall
Owner: E.W. Cook Trustee and Chalet Restaurants Inc.
Applicant: Chase Manhattan Private Banking, N.A.
Address: 205 Royal Palm Way, incorporating 221 Royal Palm Way
Architect: The Lawrence Group

Project Description: Request approval of the following remaining items:

1. Signage
2. Other associated changes as presented

Please note that architect requests deferral of signage to the September meeting.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION

Previously approved items at the April, May, and June meetings

1. Construct a covered walkway between existing buildings at 205 and 221 Royal Palm Way
2. Demolish a portion of the first floor at 221 Royal Palm Way and change exterior of building to Mediterranean style
3. Construct new fountain and exterior court
4. Construct new north boundary wall

MOTION BY MR. PANDULA TO DEFER THE PROJECT TO THE SEPTEMBER MEETING.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

B. Application for Certificate of Appropriateness #24-98, (deferred from June & July meeting)

Doors/windows, pool, terraces, driveway & gates

Owner/Applicant: Mr. and Mrs. Robert Miller

Address: 105 Clarendon Avenue

Architect: SKA Architect & Planner

(Voting Conflict previously declared by Mrs. Albarran de Mendoza)

Project Description: Request approval of the following remaining items:

1. New gates
2. Other associated changes as presented

Please note that the architect requests deferral of the remaining items to the September meeting.

Previously approved items from the June meeting:

1. Revision of previously approved courtyard door and family room windows/doors
2. New pool and garden terraces
3. New driveway

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION

MOTION BY MR. PANDULA TO DEFER THE PROJECT TO THE SEPTEMBER MEETING.
MOTION SECONDED BY MS. LILJA.
MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness #29-98, (deferred from the July meeting)

Fountain Revisions

Owner/Applicant: The Everglades Club

Address: Via Parigi

Landscape Architects: Wheelock, Sanchez & Maddux

Project Description: Request approval of revision to previously approved fountain and other associated changes as presented

Please note that at last month's meeting, there was a motion approved to delete the previously approved fountain in front of Mrs. Duncan's door. There was also a motion to defer the revisions to the previously approved rectangular fountain so that the architect may develop a restoration plan duplicating the Volk fountain design in the same location.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None Declared

Mr. Jorge Sanchez, of Wheelock, Sanchez & Maddux, returned to the LPC relative to this project. He stated that the previously approved fountain had indeed been deleted in front of Mrs. Duncan's door. The other fountain in question, when removed from the site, had a broken basin. The proposed new design is an octagonal basin which is slightly smaller. The tip of the original fountain had broken as well and is being replaced with a new one. All of the fountain elements will be done in simulated coquina, inside and out, thereby replacing the interior 60's tiles of the old fountain.

Ms. Lilja commented that the original fountain design was round, not octagonal. Mr. Sanchez replied that the octagonal design creates more space in the area and they feel it is more in keeping with the architecture of the area, much more Spanish and/or Southern Mediterranean in influence. Mr. Smith objected to the proposed design as the octagon is not on axis, whereas a circular design is forgiving as to axis. He reminded Mr. Sanchez of the Via Parigi resident who strongly objected to the octagonal design. The LPC, likewise, asked for a restoration plan, but that would mean a round fountain. Making the fountain smaller is acceptable but in a round shape.

Mr. Sanchez reminded the LPC that the property owner, the Everglades Club, is now and has always been very conscientious in doing good and sensitive work. Mr. Ken Brown, Architect, added for the record, that in reality the original basin, pedestal and finial were destroyed. The remainder are still in tact.

Ms. Lilja felt the cut outs for the palms surrounding the fountain were too busy, with too much pattern, and accentuate the non-axial problem. Mr. Sanchez stated that pattern is very typical of this type of architecture. He also commented that the pattern will not be as evident to pedestrians negotiating the walkway as it is on the site plan.

Mr. Zukov questioned whether the palms, due to their placement, would be hitting the sides of the buildings. Mr. Sanchez stated the palm fronds will be trimmed to avoid this. The palm diamonds will be trimmed in brick, but Mr. Sanchez stated the bricks could be eliminated if "business" is a concern. Instead the coquina pavers alone could surround the palms.

Mr. Hoffman echoed Mr. Zukov's point about the palms being too close to the buildings. Mr. Pandula commented that too much geometry is being forced into this space. Mr. Smith likewise saw the design as a geometry problem of axis and cross axis - a hodgepodge. Round would be more forgiving and the trees should, perhaps, be closer to the fountain to open up the area to the buildings and to traffic.

In summary the members made the following comments:

Ms. Lilja - prefers round design with closer untrimmed trees.

Mr. Zukov - fountain shape acceptable, but two trees or no trees would be better.

Mr. Hoffman - fountain shape acceptable, but the trees must be closer and more symmetrical.

Mr. Smith - does not object to the fountain shape, but does object to how it is executed here. The fountain and trees must be better integrated.

○ Mr. Pandula - the shape is acceptable, but the whole picture does not work.

Mrs. Wilkey - the shape is acceptable, but there must be closer integration. The plaza is too busy.

The LPC asked Mr. Sanchez to return at the end of the agenda with a revised design responding to the comments made.

MOTION BY MR. PANDULA TO DEFER THIS ITEM TO THE END OF THE AGENDA.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

At the end of the agenda, the Via Parigi item was called again. Mr. Sanchez revised the design. He changed the palm diamonds to circles and moved them further in toward the fountain to allow for more walking room. Mr. Sanchez also revised the fountain apron to eliminate most of it, making it a minimal expression only.

MOTION BY MR. ZUKOV FOR APPROVAL AS REVISED.

MOTION SECONDED BY MRS. WILKEY.

MOTION CARRIED UNANIMOUSLY.

Mr. Smith declared a Conflict of Interest with respect to items D, E, I & J as they are all clients of Smith Architectural Group.

- D. Application for Certificate of Appropriateness #30-98, (deferred from the July meeting)
Owner/Applicant: Mr. and Mrs. Dudley Moore
Address: 220 El Bravo Way
Architect: Smith Architectural Group
(Voting Conflict previously declared by Mr. Smith)
Project Description: Request approval of the following:
1. Extend new loggia and terrace
 2. Pool cabana
 3. New gazebo
 4. New landscape plan
 5. New pool
 6. Miscellaneous changes to windows/doors west and south elevations
 7. Demolition of wishing well
 8. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None Declared

Please note the following motions made at the July meeting:

MOTION TO APPROVE ITEMS 1, 2, 3, 7 & 8, WITH THE FOLLOWING PROVISOS: 1) THAT THE DEMOLITION OF THE WISHING WELL BE BROUGHT BACK WITH A STATEMENT AS TO WHETHER IT HAS HISTORICAL VALUE OR NOT, AND 2) DEFERRAL OF THE PORTICO AND GATE REFERENCED IN ITEM 8 FOR RESTUDY.

MOTION REGARDING ITEM #6, THAT THE TWO NEW WINDOWS BE REDUCED IN SIZE TO MATCH THE OTHER WINDOWS IF POSSIBLE.

☐ MOTION APPROVING ITEMS 4 & 5 AS PRESENTED.

Mr. Michael Perry and Mr. Todd Elliott returned to the LPC regarding this project. Subsequent to the research done regarding the existing wishing well which indicated no historical significance of the wishing well, and the owners' desire to have it removed, Mr. Perry and Mr. Elliott requested demolition of the structure.

MOTION BY MR. HOFFMAN FOR APPROVAL OF DEMOLITION OF THE WISHING WELL SINCE IT HAS NO HISTORICAL SIGNIFICANCE.

MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

Relative to the wall and portico, the architects presented a colored rendering showing the landscaping and the structures. The wall design showed a new scallop treatment on the wall near the portico, thereby addressing a concern raised last month by the LPC. The portico is 11'6" in height at the top of the plate and 11' in total width. The portico doors are 6' wide. One step leads down from the portico to the driveway.

MOTION BY MS. LILJA FOR APPROVAL OF THE WALL AND PORTICO.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

☐ On the south elevation, due to some floor plan changes, three window openings have been deleted in the staff rooms/garage areas.

MOTION BY MR. HOFFMAN APPROVING THE WINDOW DELETIONS.
MOTION SECONDED BY MS. LILJA.
MOTION CARRIED UNANIMOUSLY.

Door panels and glazing have been revised on four doors on the south and west elevations. This change was done to let in more light, make the doors more attractive and to make them match other doors.

MOTION BY MR. ZUKOV APPROVING THE DOOR CHANGES.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

E. Application for Certificate of Appropriateness #35-98,
Bell Tower

Owner/Applicant: Mr. and Mrs. Dudley Moore

Address: 220 El Bravo Way

Architect: Smith Architectural Group

(Voting Conflict previously declared by Mr. Smith)

Project Description: Request approval of new bell tower to match original, and other associated changes as presented

☐ CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None Declared

Mr. Michael Perry and Mr. Todd Elliott presented the project. The bell tower in question had been an original part of John Volk's plans. The Smith Architectural Group was successful in obtaining a variance, for height, to replicate the bell tower using the original drawings.

MOTION BY MRS. WILKEY FOR APPROVAL OF THE BELL TOWER.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

Mr. Elliott requested that the board hear Items I & J out of order as they were two remaining items for Smith Architectural Group.

- I. Application for Certificate of Appropriateness #33-98.
 Miscellaneous changes
 Owner/Applicant: Mr. and Mrs. Dominick Telesco
 Address: 150 Via Bellaria
 Architect: Smith Architectural Group
 (Voting Conflict previously declared by Mr. Smith)
 Project Description: Request approval of the following
1. Lower existing driveway
 2. Remove existing curb wall & wrought aluminum railing
 3. New entrance stair, walls and drive
 4. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None Declared

Mr. Elliott stated that the existing driveway is steep and difficult, so the project will make the driveway a level surface. As a result of lowering the driveway, the existing curb wall and wrought aluminum railing will be removed. A new entrance stair, walls and drive will be added. They have copied cast stone balustrade with coquina finish as a detail from the west elevation and have used it at the new front porch, with steps coming down from either side. The street site wall will be altered copying other site walls there. The existing driveway finish is painted bomanite and will be changed to ashlar course coquina to match the existing courtyard.

Ms. Lilja commented that the beauty of this house is its simplicity at the entrance. This proposal adds another element of questionable appropriateness. Mr. Elliott stated that the new entrance is more in scale and more graceful than the existing condition. Mr. Pandula felt the ashlar pattern on the driveway might be a problem, but Mr. Elliott assured him it would be a very subtle effect, with a minimized joint pattern.

MOTION BY MR. ZUKOV TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MRS. WILKEY.

MOTION CARRIED 4-1-0, WITH MS. LILJA OPPOSING FOR REASONS PREVIOUSLY STATED.

- J. Application for Certificate of Appropriateness #34-98.
 Miscellaneous changes
 Owner/Applicant: Mr. and Mrs. Louis Furlo
 Address: 840 South Ocean Boulevard
 Architect: Smith Architectural Group
 Project Description: Request approval of the following:
1. Remove existing exterior shutter boxes
 2. New wrought iron grills to match original

3. Add cast stone on north and east elevations to match original
4. New french doors and cast stone balcony
5. Change paving material on existing drive
6. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None Declared

Mr. Michael Perry and Mr. Todd Elliott continued with this next presentation for Smith Architectural Group. (1) The house currently has roll down aluminum shutters. These will be removed and replaced with applied shutters. On the east elevation, non-original colonial shutters will be removed as well. (2) New more decorative, more Mediterranean wrought iron grills will replace the existing ones, and new small grills will be added at the crawl spaces. (3) Existing simple cast stone door surrounds will be replaced with more detailed Mediterranean surrounds. The north elevation string course will be continued. (4) A window will be replaced with a french door and balcony to break up the east facade. (5) As for the driveway material, the existing painted bomanite pressed concrete material will be replaced with coquina and old brick, but the pattern is still being developed. (6) Other associated changes proposed are to build out a portion of the east facade by a 1' projection to break up and modulate that facade. The belt course will be continued all the way around the house at the second level window height. Various custom designed lanterns will be added. A new cast stone crest will be added to the east facade above the french doors. The exterior color will be changed from a putty color to a light terra cotta.

Mr. Hoffman commented that he did not like the 1' projection as it was neither historically accurate nor architecturally pleasing. Mr. Pandula and Mr. Zukov agreed. Mr. Zukov remarked about the fifth grilled window on the north elevation, the one on a different plane. He felt it should not be grilled and should be a different style window.

MOTION BY MR. HOFFMAN APPROVING THE PROJECT WITH THE FOLLOWING CONDITIONS:

- 1) THAT THE PROPOSED 1' PROJECTION OF THE EAST FACADE BE ELIMINATED FROM THE PLAN.
- 2) THAT THE APPLICANT RETURNS WITH PAVING AND LANTERN DETAILS (THEREBY INITIATING A DEFERRAL).

MR. ZUKOV, PRIOR TO SECONDING THE MOTION, ASKED THAT THE 5TH GRILLED WINDOW BE CHANGED TO A DIFFERENT STYLE WINDOW WITH NO GRILL. MR. HOFFMAN ACCEPTED THE CHANGE, AND MR. ZUKOV SECONDED THE MOTION.

MOTION CARRIED UNANIMOUSLY.

Please note that Mr. Pandula left the meeting at 10:07 a.m. As such, only five members were left seated. Mr. Moore reminded the members that 4 votes one way or the other would be required to pass or defeat a motion. Anything less than four votes would indicate no action, i.e., a defeated motion.

Mrs. Delp administered the oath to all those who had not been previously sworn.

- F. Application for Certificate of Appropriateness #31-98,
Demolition/New Construction of New Two Family Dwelling
Owner/Applicant: Casa Rosada
Address: 323 Brazilian Avenue
Architect: Smith & Moore Architects, Inc.
Project Description: Approval as follows:
1. Partial demolition and restoration of the existing embattlement wall

2. Demolition of an existing one story residence and garage
3. New construction of a two story, two family residence with pools, new driveways and landscaping
4. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None Declared

Mr. Harold Smith, of Smith & Moore Architects, along with Mr. Tony Solo of Casa Rosada Partnership presented this request. Mr. Smith described the property as being located on the north side of Brazilian Avenue, a medium to high density street where the Mediterranean style of architecture is predominant. This particular residence was Addison Mizner's last commission in the Town of Palm Beach, which is highlighted by the landmarked embattlement wall in front of the property. The project proposed deals with partial demolition of the embattlement wall and total demolition of the one story residence behind it. Then new construction would take place in the form of a two story two family residence with pools, new driveways and landscaping. The property was developed in 1932, and the embattlement wall is its most significant feature, while the house was out of the typical Mizner scale.

The proposal would demolish about 15' of the embattlement wall on the east side as well as on the west end. The lot is 100' wide with very little of the existing development on the west side of the property. The plan would restore the wall removing the paint to see what is underneath. Also, a small existing window in the wall on the east side of the door would be repeated on the west side. Gate posts would be created at both ends of the wall topped by orbs to match the existing orbs. The gate posts will indicate location for vehicular access. The doors of the embattlement wall will serve as the pedestrian access for the east unit. The proposed structure covers almost 35% of the lot, with a 62.5% Floor Area Ratio and 37.5% landscape open space. Building height is 21'6" at the higher beam and 19'5" in the front. The garages are both side entry accessed by brick driveways and brick walkways. There will be a heavy landscape screen buffer at the rear of the property. Mr. Smith proceeded with a review of the elevations. The west unit will have a more elaborate doorway than the east unit because the east unit benefits from the embattlement wall. Each unit will have a vehicular, pool and interior courtyard. Windows will be vinyl clad wood casements. The house will be done in a very heavy Spanish stucco to match the wall, while the garage doors will be done in vertical applied cypress. Let the record show that Mr. Smith did present photos of the surrounding neighborhood as well as a colored rendering of the proposed project.

Mrs. Polly Earl, Director of the Preservation Foundation, commented that if the entire house had been landmarked instead of the wall, we would not be faced with this situation. This was Mizner's only one story house. It did have some bad care and bad replacements over the years, but it was certainly restorable. So we are left with the wall alone, representing a different Mizner treatment at a different time in his architectural career. She felt it was very important to save the wall. As for the new construction, however, she felt the new house was out of scale with the historic landmark, and that whatever new construction is contemplated, it must be built in conformity and appropriateness to the landmarked piece. Any demolition of the landmarked wall needs to be completely justified. Further, regarding whatever demolition is permitted on the property, house or wall, she hoped that those involved would provide for the Town a very detailed photographic record of this property along with measured drawings of this one and only one story Mizner home.

Mr. Anthony Solo, owner of the property, stated his agreement with Mrs. Earl in that he wants to do a magnificent restoration on this site in keeping with what Mizner may have done at this site had he not been restricted by various factors. As such, Mizner only built a one story home, but added this very large and significant embattlement wall. The applicant sees the wall as protecting a town or village of sorts, not a very simple one story house. He feels that the proposed two family design embellishes the wall and lets it serve, perhaps, its originally intended purpose. Mr. Solo felt the proposed plan is compatible with other construction going on in Town.

Mr. Smith commented that the LPC must preserve and protect the wall and make sure it relates to the new construction. He felt that the applicant has merely taken a typical development style appearing now in other areas of the Town, and "plunked" it 5' behind this wall. The whole structure is way too close to the wall. It should, at the very least, be separated from the wall via landscaping. Mr. Smith felt that Mizner would certainly not have built such a design even without any restrictions placed upon him. Mr. Smith remarked that there are no other two family dwellings on this street. The Floor Area Ratio is an issue here. With (2) 5600 square foot homes or 11,200 square feet, this design is more than two times larger than any house on the street. In summary, Mr. Smith commented that this is a very large lot, but the architecture is not compatible with the landmark; it is out of scale; it is too high and too large; the volume is excessive; the wall should be used as a major feature; something should line up behind the wall; and no construction should be closer than 30' to 40' from the wall as a setback. He urged the architect and the applicant to be creative . . . to take the landmarked piece and create from it. He asked them to put aside thoughts of "maxing" out the structure, and instead be sensitive to the size of the structure behind the wall and think of what Mizner would do here.

Mr. Hoffman agreed with Mr. Smith that the design was out of scale for the neighborhood and much more massive than anything else in the neighborhood. He urged them to set back the new construction and break up the masses.

Ms. Lilja stated that the applicant is not being sensitive to the value of the landmark. "You are overscaling the wall," she commented. She urged them to move the building away from the wall, to landscape, to be creative.

Mr. Zukov did not feel as strongly against the design but did likewise comment that the design overpowers the wall. He felt that the cabanas were perhaps too much. There should be more distance between the wall and the new construction. Lastly, he suggested that the color of the wall not dictate the color of the building.

MOTION BY MR. HOFFMAN TO DEFER THE PROJECT FOR FURTHER STUDY WITH THE LPC'S COMMENTS IN MIND.

MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

During the vote Mr. Smith commented that he might be inclined to deny the project outright, but ultimately did vote for the deferral. He advocated an entirely new design as the way to proceed, with special attention to size and compatibility.

Mr. Solo requested a motion to allow the demolition of the one story structure only.

MOTION BY MR. ZUKOV TO APPROVE THE DEMOLITION OF THE EXISTING ONE STORY STRUCTURE.

MOTION DIED FOR LACK OF A SECOND.

Mr. Solo stated that zoning restrictions do play into the proposed design. He questioned whether the wall could be picked up, moved and reconstructed closer to the road to provide additional setback. The LPC commented that such a move might create additional problems.

Mr. Frank reminded the applicant to get on line with not only the zoning code, but with the guidelines of the Landmarks Ordinance. The new design must be compatible with style, scale and character of the neighborhood.

Mrs. Earl commented that the LPC has bent over backwards to explain what they are looking for. Now it is up to

the applicant to do as fine a job as the LPC has already done.

G. Application for Certificate of Appropriateness #32-98

Landscape/hardscape

Owner/Applicant: Alan & Lynn Ciklin

Address: 260 Pendleton Avenue

Architect: Smith & Moore Architects, Inc.

Project Description: Request approval of landscape and hardscape, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None Declared

Mr. James Smith, Landscape Architect, presented this request for a tropical planting plan for the site. In the rear of the property are tall cocoanuts which can be seen from the front of the property. On both sides of the property are tall ficus hedges to frame the property. Mr. Smith reviewed the landscaping at the front of the property. Ms. Lilja commented that the house is very formal, yet the landscaping does not match its formality. She felt the landscape material was too small, too sparse, and insufficient in quantity. Mr. Hoffman agreed with Ms. Lilja. Mr. Jeff Smith noted for the record that the landscaping has already been installed. Mr. Frank stated that originally the house had very little landscaping, so even this design is a great improvement. Paving for the front driveway and walk will be done in soft buff pavers, removing the finished concrete. The pool deck will be done in buff imitation keystone 2" x 2" pavers. To balance and improve the design the following motion was made:

MOTION BY MS. LILJA TO APPROVE THE PROJECT WITH THE ADDITION OF ANOTHER LIGUSTRUM, IN AN ADEQUATE SIZE, TO BE PLACED ON THE OPPOSITE SIDE OF THE OTHER LIGUSTRUM FOR BALANCE.

MOTION SECONDED BY MR. ZUKOV

MOTION CARRIED UNANIMOUSLY.

H. Application for Certificate of Appropriateness #36-98,

Doors & Signage

Owner: Burton Handelsman, c/o Love Realty

Applicant: Gucci

Address: 256 Worth Avenue

Architect: The Phillips Group

Project Description: Request approval to replace existing revolving doors with a pair of glass doors surrounded by a coral stone entry arch with logo above, new identification signage, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None Declared

Mrs. Delp administered the oath to those testifying for the project. Mr. David Fleming, of the Phillips Group of New York City, and Vino, Project Manager, presented this project. The existing wooden revolving doors will be replaced with a pair of more contemporary glass doors with stainless steel handles, a coral stone entry arch, and "GUCCI" in 9" stainless steel letters above the door. An existing awning will be replaced with a white awning without scallop. All of the existing brass lettering will be refinished in polished steel and white vinyl lettering will be placed on the windows. There will be a total of 17.5 sq. ft. of signage. The applicant had also proposed a bronze window tint for the second floor windows along with interior window treatments. The LPC did not like the idea of some windows being tinted while others were not, and opted for interior window treatments only.

MOTION FOR APPROVAL OF THE PROJECT BY MR. ZUKOV.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

VI. Other Business:

A. Informal Review: 134 Seabreeze Avenue - Construction of new pool

Mr. Frank stated that the LPC had previously reviewed the landscape plan for this site including a pool location, but the materials for the pool had not been reviewed or approved. Mrs. Charlotte Frank, property owner, showed artificial coquina for the decking and coping. She also displayed 6" cobalt blue tiles to be placed around the pool in one row. Different sized cobalt blue tiles will be placed on the pool steps.

This matter is on the agenda informally this month, and will be heard on the regular agenda at the September meeting. The LPC offered no negative feedback today.

B. 1998 Landmarks Preservation Celebration - Update

Staff reported that we are currently looking for alternative tour sites for the Preservation Celebration, should the original Cook house location not be available. The Society of the Four Arts is again being considered as a base of operations. Staff has filed for the required Charitable Solicitations permit to fund the event.

C. Discussion Period - initiated by Mr. Hoffman

Mr. Hoffman expressed his concern over suggested fees for persons seeking landmark status. He felt that such fees would be contrary to the work that the LPC is trying to do. He questioned the reasoning for these fees. Mrs. Wilkey and Mr. Smith agreed with this concern.

Mr. Moore stated that during the Finance and Tax meetings, discussions centered around voluntary landmarks taking advantage of the current ability to have a tax deferment and the regulations related to being below the flood plain as they relate to home improvements. This does not refer to those properties brought forth for designation by the consultant and/or the LPC, but purely those brought forward by owners to take advantage of the benefits listed above.

With each designation, there is a cost incurred by the Town, i.e., staff time, consultant fees, advertising costs, attorney fees, recording fees, etc. The figure was approximated at \$2000.00. The \$2000.00 could be split in two payments . . . a \$1000.00 investigatory fee for the voluntary landmark and a \$1000.00 balance to be paid if the property is worthy of designation. Then, in addition, there would be a pass through cost of \$500.00 for our consultant to prepare the documents required to successfully obtain a tax deferment.

Since 1992, when Mrs. Day came on board as the consultant, 55 structures have been landmarked. Of the 55 structures, just 7 have been voluntarily designated. Of the 7, only one was not FEMA related or tax related, but this property happened to be in a low flood area.

The Town Council does not want to have Town services used without some benefit back to the Town, just so the property owner can reap the advantages. Again, this would not pertain to those properties proposed for designation by the LPC or the consultant. It is just for properties which were otherwise unnoticed with respect to landmarking.

Mr. Moore added that the Preservation Foundation and the State of Florida have written letters of objection relative

to the institution of these fees. This is an issue that the Town Council will be looking at, and if the LPC does not approve of the fees, Mr. Moore recommended that the LPC members ask the Town Council to consider the subject carefully.

MOTION BY MR. HOFFMAN REQUESTING THAT THE TOWN COUNCIL CAREFULLY CONSIDER THE MATTER OF THE INSTITUTION OF FEES FOR CERTAIN LANDMARK DESIGNATIONS.

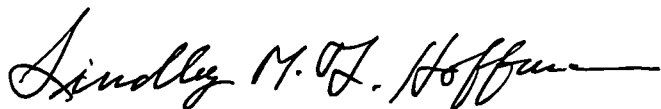
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

VII. Adjournment:

MOTION BY MS. LILJA TO ADJOURN AT 11:32 A.M.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, September 16th, 1998 at 9:00 a.m. in the Town Council Chambers, 2nd floor, 360 South County Road, Palm Beach, Florida.

Respectfully submitted,



Lindley M. F. Hoffman, Secretary

LANDMARKS PRESERVATION COMMISSION

cmd/jlk

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME 1. BARRAN de los REYES, JACQUELINE		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
ADDRESS 260 PHIPPS PLZ		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE OF WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY Town	
CITY PALM BEACH, FL. PALM BEACH		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
DATE ON WHICH VOTE OCCURRED 6/17/98, 7/15/98, 8/19/98		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE Minutes	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are present at a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory, although use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Responsibilities under the law when faced with a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form. After completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

☒ OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

☐ APPOINTED OFFICERS:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether at the officer's direction or at his direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

You should complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.

A copy of the form should be provided immediately to the other members of the agency.

The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

CoA #24-98

YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION OR VOTE AT THE MEETING.

You should disclose orally the nature of your conflict in the measure before participating.

You should complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

JACQUELINE AUBARRAN, hereby disclose that on

JUNE 17, 1998

de MENDOZA

1) A measure came or will come before my agency which (check one)

☐ inured to my special private gain; or

☐ inured to the special gain of _____, by whom I am retained

2) The measure before my agency and the nature of my interest in the measure is as follows:

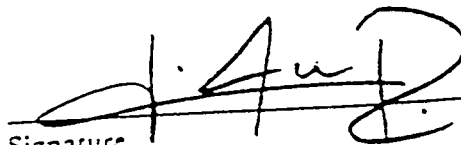
I AM THE ARCHITECT OF RECORD ON
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
24-98 FOR MR. & MRS. ROBERT MILLER.

CoA#24-98, 105 Clarendon Avenue, heard 6/17/98
heard 7/15/98
heard 8/19/98

6/17/98

Date Filed

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), A FAILURE TO MAKE ANY REQUIRE DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$5,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME ☐ Smith, Jeffery W.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 206 Phipps Plaza		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: :: CITY :: COUNTY :: OTHER LOCAL AGENCY . Town	
CITY Palm Beach	COUNTY Palm Beach	NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
DATE ON WHICH VOTE OCCURRED 8/19/98		MY POSITION IS: :: ELECTIVE X . APPOINTIVE	

Minutes

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INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

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In either case, you should disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but **must** disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

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- A copy of the form should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION OR VOTE AT THE MEETING:

- You should disclose orally the nature of your conflict in the measure before participating.
- You should complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, Jeffery W. Smith, hereby disclose that on 8/19, 19 98:

(a) A measure came or will come before my agency which (check one)

☐ inured to my special private gain; or

☒ inured to the special gain of MR & MRS. D. TELESKO, by whom I am retained.

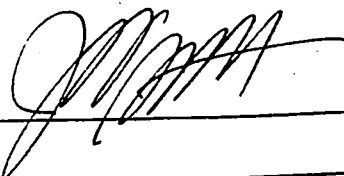
(b) The measure before my agency and the nature of my interest in the measure is as follows:

RE: CoA # 33-98
150 VIA BELLARIA
HEARD 8/19/98

Date Filed

8/19/98

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$5,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Smith, Jeffery W.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 206 Phipps Plaza		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: :: CITY :: COUNTY :: OTHER LOCAL AGENCY . Town	
CITY Palm Beach	COUNTY Palm Beach	NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
DATE ON WHICH VOTE OCCURRED 8/19/98		MY POSITION IS: :: ELECTIVE ☐ X APPOINTIVE ☒	

Minutes

WHO MUST FILE FORM 8B

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INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

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- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

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- You should complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, JEFFERY W. SMITH, hereby disclose that on 8/19, 19 98

(a) A measure came or will come before my agency which (check one)

☐ inured to my special private gain; or

☒ inured to the special gain of MR. & MRS. LOUIS FURLO, by whom I am retained

(b) The measure before my agency and the nature of my interest in the measure is as follows:

RE: CoA # 34-98
840 S. OCEAN BLVD
HEARD 8/19/98

8/19/98
Date Filed

[Signature]
Signature

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FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Smith, Jeffery W.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 206 Phipps Plaza		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ;; CITY ;; COUNTY ;; OTHER LOCAL AGENCY Town	
CITY Palm Beach	COUNTY Palm Beach	NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
DATE ON WHICH VOTE OCCURRED 8/19/98		MY POSITION IS: ;; ELECTIVE ☒ APPOINTIVE	

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DISCLOSURE OF STATE OFFICER'S INTEREST

I, Jeffery W. Smith, hereby disclose that on 8/19/98, 19 98:

(a) A measure came or will come before my agency which (check one)

_____ inured to my special private gain; or

_____ inured to the special gain of Mrs & Mrs Dudley Moore, by whom I am retained.

(b) The measure before my agency and the nature of my interest in the measure is as follows:

RE: CoA # 30-98 > 220 EL BRAND WAY
+ CoA # 35-98 HEARD 8/19/98

8/19/98
Date Filed

[Signature]
Signature

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FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

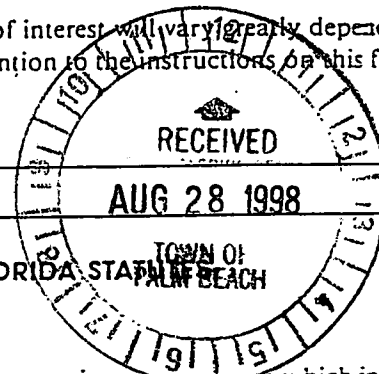
LAST NAME—FIRST NAME—MIDDLE NAME Smith, Jeffery W.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission
MAILING ADDRESS 206 Phipps Plaza		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: :: CITY :: COUNTY :: OTHER LOCAL AGENCY : Town
CITY Palm Beach	COUNTY Palm Beach	NAME OF POLITICAL SUBDIVISION: Town of Palm Beach
DATE ON WHICH VOTE OCCURRED 8/19/98		MY POSITION IS: :: ELECTIVE X. APPOINTIVE

Minutes

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DISCLOSURE OF STATE OFFICER'S INTEREST

I, Jeffery W. Smith, hereby disclose that on 8/19, 19 98

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RE: CoA # 33-98
150 VIA BELLARIA
HOARD 8/19/98

8/19/98
Date Filed

[Signature]
Signature

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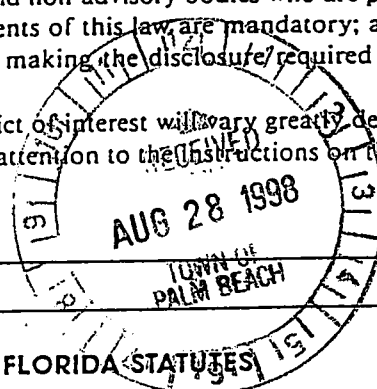
FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Smith, Jeffery W.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 206 Phipps Plaza		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ;; CITY ;; COUNTY ;; OTHER LOCAL AGENCY Town	
CITY Palm Beach	COUNTY Palm Beach	NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
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DISCLOSURE OF STATE OFFICER'S INTEREST

I, Jeffery W. Smith, hereby disclose that on 8/19, 19 98:

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(b) The measure before my agency and the nature of my interest in the measure is as follows:

RE: CoA # 30-98 > 220 EL BRAND WAY
+ CoA # 35-98 HEARD 8/19/98

8/19/98
Date Filed

[Signature]
Signature

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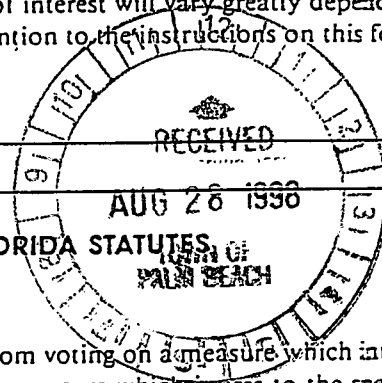
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CITY Palm Beach	COUNTY Palm Beach	NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
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Your responsibilities under the law when faced with a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.



INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but **must** disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

You should complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.

- A copy of the form should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION OR VOTE AT THE MEETING:

- You should disclose orally the nature of your conflict in the measure before participating.
- You should complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, JEFFERY W. SMITH, hereby disclose that on 8/19, 19 98:

(a) A measure came or will come before my agency which (check one)

☐ inured to my special private gain; or

☒ inured to the special gain of MR. & MRS. LOUIS FURLO, by whom I am retained.

(b) The measure before my agency and the nature of my interest in the measure is as follows:

RE: CoA # 34-98
840 S. OCEAN BLVD
HEARD 8/19/98

8/19/98
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$5,000.