



TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

WEDNESDAY, AUGUST 16, 2006 AT 9:00 A.M.

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

I **CALL TO ORDER:** Acting Chairman Hanley called the meeting to order at 9:00 a.m.

II **ROLL CALL:**

PRESENT: William Lee Hanley, Vice Chairman and Acting Chairman
Wendy Victor, Secretary
Judy Wells Hoffman, Member
Robert T. Eigelberger, Member
Eileen L. Bresnan, Member
Gail L. Coniglio, Alternate Member
Hazel Rubin, Alternate Member (arrived at 9:03 a.m., just after roll call)
John C. Randolph, Town Attorney
Veronica B. Close, Director of Planning Zoning & Building
Timothy M. Frank, Planning Administrator
Jane S. Day, Staff Preservation Consultant
Cynthia M. Delp, Recording Secretary

ABSENT: Eugene Pandula, Chairman (Unexcused)
Patrick Segraves, Member (Excused)
D. Imogene Willis, Alternate Member (Unexcused)

Let the record show that Mrs. Coniglio and Mrs. Rubin were voting members for purposes of today's meeting.

III **APPROVAL OF THE MINUTES OF THE JULY 19, 2006 MEETING:**
MOTION BY MRS. VICTOR FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MRS. CONIGLIO.
MOTION CARRIED UNANIMOUSLY.

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

V **PUBLIC HEARINGS:**

- A. Application for Certificate of Appropriateness #15-2006,(deferred from July)
Addition and Accessory Structure
Owner/Applicant: Robert Miller
Address: 105 Clarendon Avenue
Architect: Mesa Architecture - Stephen Roy
Project Description: Request approval for addition to historic structure and new accessory structure which is further described as: Addition of a new 3 car, one story garage. Materials shall match existing structure. Addition of a covered loggia off of existing carriage house. Materials shall match existing structure. Color of exterior additions shall match existing colors. Other associated changes as presented

At the July meeting, this project was approved as a whole, with the proviso that the applicant returns with the doors on the second floor and the arches.

CALL FOR DISCLOSURE OF EX PARTE COMMUNICATION

Mrs. Victor stated she had visited the site with Jane Day.

Architect Stephen Roy returned to the LPC in response to last month's deferral. Mr. Eigelberger questioned the need to review the entire project again, since it had been basically approved last month. Mrs. Victor felt it was necessary to delve into the project because during her visit to the site, she was stuck in the driveway with no room to negotiate a turnaround of the vehicle. She questioned whether this was a zoning issue.

Mr. Frank did not address the turnaround area, but stated that the revised plans in the file were date stamped August 14, 2006. This provided staff an insufficient amount of time to render an opinion.

MOTION BY MR. EIGELBERGER FOR DEFERRAL TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MRS. VICTOR.

MOTION CARRIED UNANIMOUSLY.

Mrs. Victor urged all commissioners to make a site visit so they can fully appreciate how "tight" the back area of the house actually is.

B. Application for Certificate of Appropriateness #16-2006, (deferred from July)
Accessory Structure

Owner/Applicant: Mr. Bob Echele and Mr. Bob Gease

Address: 143 Clarendon Avenue

Architect: Ames Bennett

Project Description: Request approval of new accessory structure which is further described as: New pool cabana/garage structure (one and two story) at North end of existing pool. Revised landscape and hardscape plan. All finishes (roof tiles, stucco and trim) to match main house. Other associated changes as presented.

Please note that at the July meeting, this project was deferred for restudy of the second floor and cabana.

CALL FOR DISCLOSURE OF EX PARTE COMMUNICATION

Mrs. Victor met with Mr. Elias on the site and spoke with Mr. Perry. Mrs. Coniglio met with Mr. Elias on the site. Mr. Hanley met with Mr. Elias on the site and spoke with Mr. Elias and Mr. Perry by phone. Mrs. Hoffman spoke with Mr. Perry via telephone.

Architect Ames Bennett and Michael Perry returned to the LPC in response to last month's deferral.

Mr. Frank stated that the revised drawings were received yesterday at 1:00 p.m. He noted that staff's opinion regarding this project has not changed since last month, and staff recommends against approval of the project.

MOTION BY MR. EIGELBERGER FOR DEFERRAL TO THE SEPTEMBER MEETING.

Mr. Bill Elias, in the audience, asked for special consideration that the LPC hear the project, rather than deferring it, due to the owner's health. Mrs. Victor responded that this project presents major issues for discussion, especially with regard to the second floor and the cabana. While she was sympathetic to the owner, neither staff, nor the LPC members have been able to review the late plan submission. Mr. Eigelberger asked if it was possible for the LPC to legally review the project today, due to the late submission. Mr. Frank replied that it was possible, but precedent had already been set with Item A, and the architect had a full month to submit revised drawings. He reiterated that staff had major problems with the project as originally submitted, and has not been able to review the revised drawings.

MOTION SECONDED BY MRS. VICTOR.

Mr. Hanley asked Mr. Randolph, given the circumstances of this project, if the LPC could hear the presentation and then defer it. Mr. Randolph stated that this is the LPC's prerogative. Mr. Hanley suggested this option to the LPC, but the members wanted to vote on the motion on the

floor.

MOTION CARRIED 6-1, WITH MR. HANLEY OPPOSING THE MOTION FOR DEFERRAL.

- C. Application for Certificate of Appropriateness # 17-2006,
Restoration, Rehabilitation, Reconstruction, Addition, Accessory Structure, Demo
Owner/Applicant: Brookshore Ltd.
Address: 710 South Ocean Boulevard
Architect: Smith Architectural Group
Project Description: Request approval for restoration, rehabilitation, reconstruction, addition to historic structure, new accessory structure, and exterior demolition, which is further described as: Proposed Demolition: Removal of existing pool; removal of existing terrace at Eastern facade; removal of existing pool pavilion; and, removal of portion of Northern facade. Proposed additions: New two-story addition at Eastern facade; new loggia addition at Northern facade; new second story addition over proposed loggia; new terrace at Eastern facade; new two-story pool pavilion; new terrace at Western facade; new via and garage addition to western facade; new monumental stairs; new pool and spa; new chimneys at East and North facade; numerous fenestration changes; and, other associated changes as presented.

CALL FOR DISCLOSURE OF EX PARTE COMMUNICATION

Mr. Eigelberger visited the site.
Mrs. Victor had visited the site in a previous month.
Mr. Hanley visited the site with the architect and lawyer last month.
Mrs. Hoffman visited the site last month.
Mrs. Bresnan visited the site with the architect and lawyer last month.
Mrs. Rubin visited the site with the architect and lawyer last month.
Mrs. Coniglio visited the site with the architect and lawyer last month.

Architect Jeff Smith and Don Kino of Smith Architectural Group returned to the LPC after having been given variance approval from the Town Council.

Mrs. Day stated that the issues which came up last month concerned the pool pavilion (the blank wall and the north/south walls), and the portico on the north facade which was viewed as too bulky in comparison to the original tower. She stated she had received some comments regarding the terrace to the front lawn. Personally, Mrs. Day stated she would like the Gothic portico retained, rather than removed, in a true spirit of preservation.

Mr. Smith responded that the Gothic portico is not original to the house, and was not shown in the 1947 John Volk plans. Removal of that portico is necessary to make the house work for a family kitchen. Mr. Smith stated that there are no other Gothic elements on the house, and it had been added as a staff loggia. Mrs. Day replied that there is no evidence that the portico was not original to the house. The house, built for Mrs. Alfred Kaye, has many whimsical elements, the

stamp of that owner, so this portico is very much in keeping. Mrs. Day stated she would need to see the plans to which Mr. Smith was referring in order for her to agree that the portico was not original to the house. Mr. Smith called the portico a "hodge podge" of styles. He stated it was extremely important to the owner that the portico be removed to allow for a family kitchen, and a family room which opens out onto the courtyard.

Mrs. Victor and Mrs. Hoffman stated that they both really like the portico. Mr. Smith reiterated that it does not work with the proposed plan. He reminded the LPC that this owner is a contract purchaser for this home which is and has been in terrible condition for quite some time, and the purchase is pending Town approvals.

Other issues concern the pool house and the new portico to the north. Members commented that the new portico looks "heavy". Mr. Smith first addressed the blank wall of the pool house, stating that it was deliberately blank in consideration of the neighbors. That facade will simply show an espalier of bougainvillea. Mr. Smith stated he would be willing to insert fenestration into the facade if that is the will of the commission. Mr. Smith explained that the cabana will also serve as a guesthouse, providing the fifth bedroom needed at the site.

Mrs. Victor reminded the commission that the Landmark Manual prescribes that the rhythm of solids and voids should be preserved on a landmark property.

Mr. Eigelberger commented that this house has had so many inappropriate additions and is in bad shape. He gave credit to the contract purchaser for taking on the project. He felt the proposal was "98% on track" and encouraged the owner to proceed with the project.

MOTION BY MR. EIGELBERGER TO APPROVE THE PROJECT WITH THE PROVISIO THAT THREE AREAS BE RE-STUDIED: THE GOTHIC LOGGIA, THE WEST FACADE OF THE POOL HOUSE, AND THE COLUMN WIDTHS.

Mr. Hanley asked Mr. Eigelberger to hold his motion to allow for discussion on the column width of the new portico, particularly the middle column. Mr. Smith explained that it is a load bearing pilaster, rather than a column. He estimated that the pilaster might be 3.5 feet across. LPC members saw a problem with proportion of the pilaster/columns. It was suggested that the size of the pilaster possibly be made smaller and the columns be made larger so they are more similar in size.

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

- D. Application for Certificate of Appropriateness #18-2006
Revisions
Owner/Applicant: 123, LLC
Address: 455 North County Road
Architect: Lang Design Group

Project Description: Request approval of revisions which are further described as: revised landscape, revised hardscape, pool cabana revised layout and elevations, and other associated changes as presented.

CALL FOR DISCLOSURE OF EX PARTE COMMUNICATION:

Mrs. Victor stated that she had driven by the site, noticing that the pile of dirt, previously there, was gone.

Mr. John Lang of Lang Design Group and Mr. Robert Regensberg presented this request. This project had been reviewed informally last month, and the LPC had two areas of concern at that time: the pool folly building and the front entry gates. Mr. Regensberg noted that the LPC had asked for a change to the roof design of the pool folly building at last month's meeting. That request has been accommodated with the revised plans showing a hip roof. Colored renderings of the pool folly were shown. It will be painted to match the main house. The LPC was pleased with the changes.

The entry gate, as presented last month, was viewed as being too tall and too ornate. Mr. Lang presented several options to the LPC for a simplified gate. The favored option, Gate #2, shows a 7 ft. high gate with 8 ft. columns (without lights). The design is very simple with a flat or even top edge. It will be set back 36 ft. from the road. The service gate, which will be set back even further from the road, will be simpler and smaller than the main entry gate. The gates will be made of iron that is cold dipped galvanized in black.

Mr. Eigelberger commented that he does not like the criss-cross jasmine on the front wall. The other members agreed that it should be removed. Mr. Lang had no problem with removing it from the landscape plan.

Mrs. Day stated that the gate design does not match the iron work of the main house, but staff likes the gates as presented. She felt it was not necessary that the iron work on the gates match the iron work on the house, since the gates are new to the site.

MOTION BY MR. EIGELBERGER TO APPROVE THE NEW GATES, AS PRESENTED (GATE #2), WITH THE PROVISIO THAT THE CRISS-CROSS JASMINE IS REMOVED ALL THE WAY ALONG COUNTY ROAD, AND THAT THE APPROVAL INCLUDES APPROVAL OF THE POOL FOLLY BUILDING.

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

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

Attorney Frank Lynch passed photos of the site which were taken yesterday. Mrs. Delp

administered the oath to Mr. Lynch. He explained the progress at the site: the exterior is complete; it is stuccoed; the roof is on; the doors and windows are in; painting has begun; drywall is complete interiorly; the mechanical systems are stubbed in; some finish work has begun; and, the interior work is proceeding well. The owner remains committed to complete the house as soon as possible.

Mrs. Victor asked if the LPC members would be able to see the interior of the house with Mrs. Day. Mr. Lynch responded that the site is still a construction site, with uneven ground and a great deal of work ongoing. He stated he would check with the project manager, but felt it could probably be arranged. Mr. Lynch will work with Mrs. Day relative to these visits.

Mr. Lynch will return in three months for the next update regarding this project.

- F. Application for Certificate of Appropriateness #19-2006,
Restoration, Addition, Landscape/Hardscape
Owner/Applicant: Mr. and Mrs. Clark and Patricia Graebner
Address: 440 Brazilian Avenue
Architect: SKA Architect and Planner
Project Description: Request approval of restoration, addition to historic structure, and landscape/hardscape which is further described as: Replace existing rear awning with permanent structure (covered terrace) and balcony above. Replace miscellaneous doors and windows to match existing. New privacy landscaping at front. Other associated changes as presented.

CALL FOR DISCLOSURE OF EX PARTE COMMUNICATION: None declared

Acting Chairman Hanley noted that this is a tax abatement project. Architect Jacqueline Albarran presented this request. She explained that the Graebners purchased this home about ten years ago, and requested that it be considered for landmarking in an effort to restore and preserve the house. Mrs. Day noted that the original architect is unknown. She also clarified that the existing tax abatement on this property will run through 2007, and allows the LPC to review interior changes as well. The owners, who previously rented this property, are now planning to move into the home. As such, changes are being requested. In the front of the property, the ficus hedge will be extended for added privacy. In the rear of the property, the existing aluminum awning will be removed and replaced with a new covered terrace and balcony above. The balcony, with barrel tile roof and railings to match existing, will serve the master bedroom. Rotten French doors and windows will be replaced with all wood mahogany hurricane impact windows. Jalousie windows in the storage room/shed will be removed and the resulting opening will be blocked up. Mrs. Albarran explained the interior changes which were extremely minor in nature. She reviewed the site plan, floor plans and elevations with the LPC.

MOTION BY MR. EIGELBERGER FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MRS. CONIGLIO.

MOTION CARRIED UNANIMOUSLY.

G. Application for Certificate of Appropriateness #20-2006,
Landscape/Hardscape and Exterior Demolition

Owner/Applicant: The Breakers Palm Beach, Inc.

Address: 1 South County Road

Architect: Gregory Lombardi Design Inc.

Project Description: Request approval of landscape/hardscape and exterior demolition which is further described as: Palm Courtyard - resurface courtyard surface: replacement of existing 8-year old defective tile with more appropriately themed material; replacement of a 9-year old, under-scaled center fountain with more appropriately scaled, carved-stone fountain; and; general planting and lighting improvements. Front Porch, Croquet Lawn and Vicinity-Replacement and enhancement of existing sidewalks; reconfiguration and enhancement of planting materials to include cast stone balustrades in the landscape, along with landscape lighting; addition of fountain and balustrades in the landscape; and, other associated changes as presented.

CALL FOR DISCLOSURE OF EX PARTE COMMUNICATION: None declared

Danny Miller, Director of Horticulture and Grounds at the Breakers, presented this request along with Gregory Lombardi of Gregory Lombardi Design Inc. and Tim Sheehan, Senior Associate Landscape Architect. He stated that this project is for only landscape/hardscape enhancements, with no impact to the historic structure. Mr. Miller stated that the Breakers is very excited to present this project which is the first part of a grounds refinement plan to be effected over the next several years. This particular part of the project is scheduled for completion before the next guest season.

The existing configuration of the Palm Court was described. It is fully surrounded by a loggia. The Breakers would like the feeling of being outside to be preserved in the courtyard in a densely planted and shaded environment. The proposal would change the configuration to four (4) large group palms instead of six (6) singles, with a larger fountain with seating edge in the center, and palm pots on each of the corners.. New paving will be travertine with a center mosaic and slip-proof painted tiles for color.

Mr. Eigelberger cautioned that creating too much shade may inhibit the growth of the jasmine and bougainvillea meant to grow on the walls. He also noted that the cabada palms proposed tend to shed quite a bit and may not be salt tolerant. The design team mentioned that they are reviewing their palm selections.

Mrs. Rubin suggested that the palm mosaics might be better replaced with a more Mediterranean treatment. Mr. Eigelberger commented that the landscape at the Breakers has improved greatly over the last ten (10) years, and they should be given some leeway with their proposal. Mrs. Victor complimented the fountain style shown on the plans.

At the Croquet Lawn there is too much existing concrete and too little landscape area. The proposal replaces concrete with travertine and cast coquina. The edges of the Croquet Lawn will be reconfigured and the landscape will be more dense and meandering. A balustrade and small fountain will overlook the golf course. The plan includes the addition of red Royal Poinciana trees for shade. The existing croquet lawn will be maintained for regulation play. It was noted that the new plans will facilitate all of the Breakers functions which normally occur in this area.

Mr. Eigelberger warned against trees which defoliate in the winter, like Royal Poinciana trees do in the height of the season (Dec. through March). If the trees are being suggested to provide shade, Live Oaks would be a better choice for the Croquet Lawn, and the Royal Poincianas could be used elsewhere.

Mrs. Bresnan asked about the lighting plan of the Palm Courtyard. It will include small uplights to illuminate the palm groups, and wall sconces (amber glow) in six locations to match existing hanging fixtures.

Mr. Eigelberger commented that the Palm Courtyard fountain with four stone pots is very symmetrical in its design. He asked that the design team make sure that the fountain does not look like it was manufactured, and recommended terra cotta or Italian pots instead.

MOTION BY MR. EIGELBERGER FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MRS. RUBIN.

MOTION CARRIED UNANIMOUSLY.

VI OTHER BUSINESS:

- A. Informal Review: Brazilian Court Hotel (301 Australian Avenue)
New design for wishing well

Landscape Architect Orlando Comas presented this item. He stated that the wishing well had been severely damaged during construction at the hotel. It was located in the north courtyard of the Brazilian Court Hotel. Mr. Comas presented a proposed new wishing well design.

Mrs. Victor noted, for the record, that the LPC is not happy when pieces of landmarked structures are demolished. Mrs. Day stated that the north courtyard had been designed by architect, Rosario Candella. The wishing well arrived in the 1920s, and weddings were held in front of the well. The well had sentimental value, and the LPC had required that the well be retained when the approvals were given for the large construction project at the hotel. Mrs. Day noted that the roof tiles most recently on the wishing well were not the original roof tiles. Mr. Frank noted that there had also been a series of ponds connected to the wishing well, and the water just re-circulated from the well to the ponds and back again. The LPC had insisted that the wishing well remain. More recently, staff was informed of the damage to the well, and the hotel requested removal of the well. Mr. Frank stated that this would have to have LPC approval, especially since the proposed new well would be considerably taller.

Mrs. Victor questioned whether the well is appropriate for the site. Mr. Eigelberger commented that it would set a bad precedent to allow removal when something gets damaged. Mrs. Hoffman felt that the hotel should exactly replace the wishing well as it existed. Mr. Frank explained that the hotel, via his staff approval, already has approval for the wishing well which previously existed, but that is not the request. Mr. Eigelberger felt the well should look the same as it existed, but with smaller roof tiles.

Mrs. Leslie Schlesinger, one of the principals of the hotel, stated that the wishing well had been built in the 1990s by the Lawrence Group, and was not the original wishing well.

Mrs. Day will look for a historical photo of the original well, and will bring it back to the LPC. Mrs. Schlesinger reported that she has been unable to find such a photo since the hotel does not want to replace the well from the 1990s, but would like to re-create the original wishing well.

It was clear that the LPC would not approve the well design presented today.

VII COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING ZONING AND BUILDING DEPARTMENT DIRECTOR:

Mr. Eigelberger reported that there is a Home Depot type, pressure-treated fence being erected along the north side of the **west building of the Palm Beach Public School**. He questioned how this was approved. Ms. Close responded that staff gave a report on this subject last month advising that the fence was being erected for the protection of the children at the Hebrew School which is leasing space in the building. The Hebrew School had been given conditional site plan approval from the Town Council for a period of 60 days only to allow the school to move forward. The school had to issue the Town a Hold Harmless agreement for any work they planned to do at the site, especially since the Town Council could, after the 60 day period, deny the application of the Hebrew School. With this Town Council conditional approval in place, the Planning Zoning & Building Department issued the permit for the fence, and the LPC was advised of the staff approval for the fence at last month's meeting. The fence is a temporary picket fence, for a period of four years, and is set back three feet to allow for complete screening, which is a requirement of the permit.

Mr. Frank stated that he can generally do staff approvals, provided the work is of a minor nature and is code compliant. Originally, a chainlink fence was requested, but Mr. Frank would not staff approve that type of fence. Ultimately, Mr. Frank approved a wood shadow box fence which would be fully screened with landscaping. The reason for the fence was to surround the childrens' play area, and it is code compliant. The fence does not affect the landmark structure and can be easily removed at any time.

Ms. Close added that the Town Council can attach any conditions they wish when the matter is discussed again at their October meeting. Ms. Close noted that enrollment at the school will be limited by the regulation that there must be 250 sq. ft. of outside space per child.

11 Mrs. Victor commented that this situation flies in the face of the integrity of the landmark program. She felt the LPC should have been consulted before the use of the building was effected and even before the Hebrew School signed the lease. She likewise did not feel it was appropriate for staff to have made this decision. Mrs. Victor stated that two of the Town Council members have stated that they were not informed this was a landmark property before they gave the conditional approval. She found it very discouraging that the LPC was left out of the process.

Mr. Eigelberger questioned whether the school would have leased the property if they had known that the number of students would be limited by the amount of outside space. Previously, students at the west building were able to cross the street to use the outside recreation area on the east side of Cocoanut Row. As such, Mr. Eigelberger felt that the condition of this building is going to get worse and worse, and will continue to be an eyesore in the town.

Ms. Close informed the LPC that the Town has nothing to do with enforcing the State regulations relative to the number of students allowed. She stated that staff will be discussing this matter with the Four Arts, the Hebrew School, and the neighbors. She also noted that staff regularly gives staff approvals for fences and walls. If the LPC would like to change that, staff can modify its policies.

11 Mrs. Coniglio commented that whether the school erects a wall or a fence, they are still closing off green space to the public. Ms. Close reminded the LPC that this is the Public School's private property, and it would not necessarily be accessible to the public.

Mrs. Hoffman commented that the fence looks so ugly on that corner and the LPC was not consulted about it. The LPC's hands were tied on the design of the public school building on the east side of Cocoanut Row as well. Mrs. Hoffman stated, "It makes you wonder why you're on Landmarks."

Ms. Close reiterated that if the LPC would like to review all fences and walls, staff will make that change to their procedures. Mrs. Bresnan saw no need for the LPC to approve every wall or fence.

MOTION BY MR. EIGELBERGER THAT THE LPC WISHES TO REVIEW CHANGES TO LANDSCAPE, WALLS AND FENCES OF LANDMARKED PROPERTIES.

MOTION SECONDED BY MRS. RUBIN.

MOTION CARRIED 6-1, WITH MRS. BRESNAN OPPOSING THE MOTION.

Mrs. Victor asked staff to inform the Town Council of this LPC policy change.

Ms. Close informed the LPC that the Planning Zoning & Building Department does not issue permits for landscaping either on landmarked or non-landmarked buildings.

Some members were having second thoughts about the motion just passed, fearing inundation with review of these smaller issues. Mr. Eigelberger clarified that the LPC does not need to see replacements of old walls and fences. Ms. Close proposed that staff prepare a list of the type of projects that the LPC should review, and present the list at the next meeting.

Mrs. Victor reported that she, along with Mrs. Day, had been asked to review the approved landscape plan versus the plant material on site at the Four Arts Garden. She stated that the work is proceeding according to the approved plans. Mrs. Hoffman stated that she met with Don Skowron of Morgan Wheelock yesterday at the site. She thought the ~~Bamboo~~ ^{bamboo} being used is beautiful. Mrs. Day stated that Mr. Skowron had explained that one of the original plant selections was unavailable at the correct height. This led to the selection and use of the ~~Bamboo~~ ^{bamboo} which was available in several varieties and sizes. Bamboo is being used in the new garden and the old Demonstration Gardens.

Mr. Hanley brought up a procedural issue, that being the necessity to establish an absolute time certain for submission of revised plans. Mr. Frank recommended 7 calendar days in advance of the meeting.

MOTION BY MR. EIGELBERGER TO REQUIRE THAT REVISED PLANS BE SUBMITTED A FULL 7 CALENDAR DAYS PRIOR TO THE MEETING.

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

Mrs. Hoffman wondered if it would be a good idea to require models for large projects so that the scale of a project is more clearly evidenced. She cited the new building at the Flagler Museum as an example of such a project. Mr. Hanley commented that requiring models would be very expensive to the applicant. Mr. Frank stated that the LPC usually does not see projects of 10,000 square feet and more, which is typically the threshold for a model. Some LPC members felt that a model should have been presented for the 710 South Ocean Boulevard project. Mr. Frank stated that this matter can be discussed next month during the discussion about staff approvals.

Mrs. Victor asked Ms. Close to confirm that the education budget for LPC members has either been cut or trimmed. Ms. Close responded that the Town Council considered the budget for the Planning Zoning & Building Department, which included a \$10,500 item for all of the boards/commissions served by PZ&B staff, but did not approve that budget item. As such, a board/commission member wanting to attend a conference will have to do so at their own expense.

VIII COMMENTS FROM THE PUBLIC:

Mr. Pat Flynn of the Palm Beach Theatre Guild stated that he was here against the advice of counsel because he felt that this was public business which transcends private lawsuits. He stated he and his group are not adversarial with the Landmarks Preservation Commission, and they are simply trying to save the theatre.

Mr. Flynn stated that the Theatre Guild does not want the property owner to be able to claim economic hardship. They want the owner to maintain the building. He asked the LPC to move forward with Code Enforcement relative to the building. He also urged the LPC to move forward with landmarking the theatre.

Mr. Randolph instructed the LPC to receive Mr. Flynn's remarks as a report, but to take no action or have discussion, since the Town is named as a defendant in the lawsuit. He noted that the LPC previously placed the entire Royal Poinciana Plaza "under consideration" for landmark designation.

IX ADJOURNMENT:

**MOTION BY MR. EIGELBERGER TO ADJOURN THE MEETING AT 11:20 A.M.
MOTION SECONDED BY ALL AND CARRIED UNANIMOUSLY.**

The next meeting of the Landmarks Preservation Commission will be held on **Wednesday, September 20, 2006** at 9:00 a.m. in the Town Council Chambers, 2nd Floor, Town Hall, 360 South County Road, Palm Beach, Florida.

Respectfully submitted,

Wendy Victor, Secretary
Wendy Victor, Secretary
LANDMARKS PRESERVATION COMMISSION

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**TOWN OF PALM BEACH
LANDMARKS PRESERVATION COMMISSION**

ATTENDANCE RECORD 2006

MEMBERS	1/06	2/06	3/06	4/06	5/06	6/06	7/06	8/06	9/06	10/06	11//06	12/06
Eugene Pandula	<u> P </u>	<u> P </u>	<u> P </u>	<u> P </u>	<u> P </u>	<u> P </u>	<u> P </u>	<u> U </u>				
Ann Blades	<u> P </u>	<u> P </u>	(Term maximum reached)									
Judy Hoffman	<u> P </u>	<u> P </u>	<u> E </u>	<u> P </u>	<u> E </u>	<u> E </u>	<u> P </u>	<u> P </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>				
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>				
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>				
Robert Eigelberger	<u> P </u>	<u> P </u>	<u> P </u>	<u> P </u>	<u> P </u>	<u> A </u>	<u> U </u>	<u> P </u>				
Eileen Bresnan			<u> P </u>	<u> P </u>	<u> P </u>	<u> P </u>	<u> U </u>	<u> P </u>				

ALTERNATE MEMBERS	1/06	2/06	3/06	4/06	5/06	6/06	7/06	8/06	9/06	10/06	11//06	12/06
Eileen L. (Morris) Bresnan	<u> P </u>	<u> P </u>	(Promoted to regular member)									
Gail L. Coniglio	<u> P </u>	<u> P </u>	<u> P </u>	<u> P </u>	<u> P </u>	<u> U </u>	<u> P </u>	<u> P </u>				
Hazel Rubin	<u> P </u>	<u> P </u>	<u> P </u>	<u> P </u>	<u> P </u>	<u> P </u>	<u> U </u>	<u> P </u>				
D. Imogene Willis			<u> P </u>	<u> P </u>	<u> P </u>	<u> P </u>	<u> P </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 2006

MEMBERS	1/06	2/06	3/06	4/06	5/06	6/06	7/06	8/06	9/06	10/06	11/06	12/06
Eugene Pandula	<u>V</u>	_____	_____	_____	_____	_____	<u>V</u>	_____	_____	_____	_____	_____
Ann Blades	_____	_____	(Term maximum reached)									
Judy Hoffman	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Patrick Segraves	<u>V</u>	<u>VPD1</u>	_____	_____	_____	_____	<u>V</u>	_____	_____	_____	_____	_____
Wendy Victor	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
William Lee Hanley Jr.	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Robert T. Eigelberger	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Eileen Bresnan	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

ALTERNATE MEMBERS	1/06	2/06	3/06	4/06	5/06	6/06	7/06	8/06	9/06	10/06	11/06	12/06
Robert T. Eigelberger	_____	_____	(promoted to regular member)									
Eileen L. (Morris) Bresnan	_____	_____	(Promoted to regular member)									
Gail L. Coniglio	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Hazel Rubin	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
D. Imogene Willis	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

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**)

