



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

THURSDAY, JUNE 16, 2011, 9:30 a.m.

Please be advised that as recently reaffirmed by a Town Council directive, the minutes of all Town Boards and Commissions will be “abbreviated” in style.* Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town’s website at www.townofpalmbeach.com or may obtain an audio recording (CD) of the meeting by contacting Cynthia M. Delp, Secretary to the Landmarks Preservation Commission at (561) 227-6408. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

**Please note that these minutes, in a much more abbreviated form, are designed to comply with the recently reaffirmed directive from the Town Council for “abbreviated” minutes.*

I. CALL TO ORDER:

In the absence of Chairman Cooney, Mr. Feldkamp, Vice Chairman and Acting Chairman, called the meeting to order at 9:30 a.m.

II. ROLL CALL:

Edward Austin Cooney, Chairman	PRESENT (<i>arrived at 10:12 a.m.</i>)
William P. Feldkamp, Vice Chairman	PRESENT
William O. Cooley, Member	ABSENT - EXCUSED
Dudley L. Moore, Jr., Member	PRESENT
Jacqueline Albarran, Member	PRESENT
William J. Strawbridge Jr., Member	PRESENT
Leslie Diver, Member	PRESENT
D Imogene Willis, Alternate Member	PRESENT
Wallace Rogers, Alternate Member	PRESENT
Rachel Lorentzen, Alternate Member	PRESENT

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

III. APPROVAL OF THE MINUTES OF THE MAY 18, 2011 MEETING:

MOTION BY MS. DIVER FOR APPROVAL OF THE MINUTES.

MOTION SECONDED BY MRS. ALBARRAN.

MOTION CARRIED UNANIMOUSLY.

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

Mrs. Delp administered the oath at this time and throughout the meeting as necessary.

V. COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes)(9:34:10 a.m.)

Eugene Pandula, former Chairman of the Landmarks Preservation Commission, and Alex Ives, Director of the Preservation Foundation, provided an update relative to the status of the Flagler Memorial Bridge project at the request of Chairman Cooney.

VI. APPROVAL OF THE AGENDA:(9:39:20 a.m.)

MOTION BY MS. DIVER FOR APPROVAL OF THE AGENDA.

MOTION SECONDED BY MR. STRAWBRIDGE.

MOTION CARRIED UNANIMOUSLY.

VII. PUBLIC HEARINGS:(9:39:34 a.m.)

A. Application for Certificate of Appropriateness #005 - 2011

Renovations and Alterations

Owner/Applicant: Little Broad Beach Partners, LP

Address: 95 North County Road

Architect: Bridges Marsh & Associates

Project Description: Proposed renovation and alteration to existing Post Office as follows: The exterior is to remain as is with the exception of replacing the doors and windows to match existing, removing ramps used by Post Office in rear and providing steps and railing at the rear loading area. The existing lobby will remain completely intact. The interior of the two stories is to be remodeled to house offices for business use. The existing two-story space will become two floors with a central atrium lit by skylights. Other associated changes as presented

Please note that at the April Town Council meeting, the variances related to this project were deferred to the May meeting. As such, this project was deferred from the April LPC meeting to the May meeting. At the May LPC meeting, there was a motion approving the architecture, but deferring the signage and the landscaping.

Call for disclosure of ex parte communication: None declared

Persons who testified relative to this project: Mark Marsh, Architect, Bridges Marsh & Associates, who asked the commission for direction as to the signage issue, since the owner's preference is to remove the sign. In a straw poll, five (5) of the members voted to keep the Post Office signage on the building, and three (3) members were in favor of removing it. Secondly, Mr. Marsh presented a revised landscape plan.

MOTION BY MR. MOORE TO DEFER THE SIGNAGE TO NEXT MONTH.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

LPC members requested that the Town add landscaping to the Town's parcel to the east of the Post Office, and asked that staff pass that request forward.

MOTION BY MRS. ALBARRAN FOR APPROVAL OF THE LANDSCAPING AS PRESENTED.

MOTION SECONDED BY MR. MOORE.

MOTION CARRIED UNANIMOUSLY.

B. [Application for Certificate of Appropriateness #008 - 2011 Landscape/Hardscape](#)

Owner/Applicant: Mr. Peter Cohen

Address: Wells Road Scenic Vista @ 144 Wells Road

Architect: Don Skowron Inc.

Project Description: Request approval for landscape/hardscape which is further described as: Removal of sick and/or dying Australian Pines and Red Cedar Trees and replacement with Podocarpus Trees, and other associated changes as presented

Please note that at the May meeting, there was a motion that the existing trees remain (clarified to be the Red Cedar and the Pines and Podocarpus), and they can landscape around them. This motion was clarified to include a deferral to the June meeting to enable gathering more information. There was also a motion to request the Town Council to ask our legislative delegation to propose a state statute that would allow us to keep this area designated as scenic area, and to allow the continued existence of the Australian Pines. That motion was amended to include the Breakers alley of Australian Pines.

Call for disclosure of ex parte communication: None declared

Persons who testified relative to this project: Don Skowron, Landscape Architect, Katrina Solomon, State Certified Arborist, Dr. Day, Staff Historic Preservation Consultant, and Ken Brower, General Public. Mr. Skowron indicated that his position remains unchanged, and today he brought Ms. Solomon to the meeting to provide her professional opinion. Ms. Solomon testified that the two Australian Pines are slowly dying, and she recommended removal and replacement with Podocarpus. Dr. Day discussed the information she had learned from the Town of Gulfstream, whose Australian Pines are protected and allowed to be replaced in kind. She recommended seeking a second opinion from an arborist who has long-term experience with Australian Pines, and also advocated for a long term plan for these and other Australian Pines in the town. *(Let the record show that Mr. Cooney arrived during this discussion.)* Ken Brower offered his comments in support of retaining the Australian Pines.

MOTION BY MR. STRAWBRIDGE FOR DEFERRAL FOR 30 DAYS, (TO THE NEXT MEETING).

MOTION SECONDED BY MR. COONEY.

MS. DIVER REQUESTED THIS ADDITION TO THE MOTION: THAT WITHIN THE NEXT 30 DAYS, A SECOND OPINION IS OBTAINED FROM ANOTHER ARBORIST, AND THAT IT IS DETERMINED WHETHER THE TOWN COUNCIL WILL ACCEPT THE EXPENSES AND IS WILLING TO SEEK LEGISLATIVE CHANGES WITH REGARD TO THE AUSTRALIAN PINES.

MOTION CARRIED UNANIMOUSLY.

Mr. Skowron requested that the expense of the second arborist is paid by the Town. Ms. Close responded that this would be possible.

C. [Application for Certificate of Appropriateness # 011 - 2011 Restoration/Rehabilitation/New Accessory Structure, etc.](#)

Owner/Applicant: The Palmeiral Revocable Trust, Maura Ziska as Trustee

Address: 801 S. County Road

Architect: LaBerge and Menard Inc.

Project Description: Request approval of restoration, rehabilitation, demolition interior and exterior, new accessory structure, awning, landscape and hardscape which is further described as: 801 South County was built in 1929. The home was designed by the Architect Maurice Fatio and named "Palmeiral." The proposed project consists of restoring, rehabilitating, new construction of an accessory structure, demolition, replacing an existing awning with a new one, new landscaping and refurbishing existing hardscaping. All new design elements will be appropriate to the 1920's "Fatio" original style. The key descriptions of this project include the following: All windows and doors will be replaced with hurricane impact rated doors and windows. The windows will be solid mahogany. The original stained glass windows will be restored and incorporated into the new windows to keep the original look. All original ironwork and metal railings will be cleaned and made good. Any new ironwork or metal railings will be designed to resemble the original 1920's style. The roof will be replaced with new clay barrel tiles that match the existing tiles. All original interior doors will be restored and new doors will be designed to match the original 1920's style doors. All hardware for doors, windows and cabinets will be selected appropriately to the style. The original terra cotta tile floors on the West loggia will be restored. The original "linen fold" paneling on the Living Room walls will be restored. The 1920's tile in the bathrooms will be restored. New window and door openings are proposed for the Living Room area and the kitchen. The original stone balusters on the exterior will be duplicated and installed in the same fashion as existing. Demolition of the existing garage. Construction of new two story CBS 4 bay garage on the first floor and a loggia on the second floor. The existing tennis court will be removed and replaced with landscaping. The landscaping will consist of new and existing plantings in keeping with the traditional Palm Beach look. The central fountain at the West Terrace will be refurbished and made good. The existing fountain at the West driveway will be removed and replaced with a new fountain. All existing entries to the property will remain as existing. Other associated changes as presented. PLEASE NOTE THAT THIS IS A TAX ABATEMENT PROJECT.

Please note that at the May meeting, there was a motion for deferral to the June meeting.

Call for disclosure of ex parte communication: There were no new ex parte declarations.

Persons who testified relative to this project: Michael Johnson, Architect, Daniel Menard, LaBerge & Menard, Architects, and Don Skowron for Steve Dauber, Landscape Architect. Mr. Menard provided video presentations of the existing property, last month's proposal, and this month's revised plans which attempt to respond to the commission's comments/suggestions from last month. The presentation included both interior and exterior changes as this is a tax abatement project. Since concerns remained relative to the proposed loggia/garage, Mr. Menard agreed to remove the proposed loggia/garage from consideration today, but requested feedback from the commission relative to its design. The architect was complimented on an excellent and thorough presentation, for addressing the concerns of the commission, and for a beautiful architectural design for the residence as presented.

**MOTION BY MR. FELDKAMP FOR APPROVAL OF THE ARCHITECTURE, AS PRESENTED, AND THAT DOES NOT INCLUDE THE LOGGIA.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.**

As for the loggia, commission members provided their comments and/or suggestions for the future.

Don Skowron presented the preliminary landscape/hardscape plans on behalf of Steve Dauber, Landscape Architect. Commission members were extremely concerned about the loss of the vista to the house. Other concerns regarding the landscape/hardscape were expressed as well. No motion was made relative to the preliminary landscape/hardscape which will return to the LPC at some future date.

D. [Application for Certificate of Appropriateness #016-2011 Landscape/Hardscape,Railings,Interior Changes](#)

Owner/Applicant: Lisa & James Cohen

Address: 691 North County Road

Architect: Mario Nievera Design Inc. and Kirchhoff Architects

Project Description: Request approval of restoration and landscape/hardscape which is further described as: Proposed west lawn; new driveway entrance planting; new wrought iron railings per building code at exterior stairs and loggia where drop-off occurs and at steps leading to pool loggia; all existing bathrooms on the second floor to be updated with new finishes and fixtures (total of 8 bathrooms); new theatre in existing basement; other associated changes as presented. PLEASE NOTE THAT THIS IS A TAX ABATEMENT PROJECT.

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

Persons who testified relative to this project: Thomas Kirchhoff, Architect, and Keith Williams, Mario Nievera Design, Landscape Architect. Mr. Kirchhoff provided the architectural presentation per the description above and the submitted plans, and Mr. Williams similarly presented the landscape/hardscape. Commission members offered comments, both pro and con.

**MOTION BY MR. FELDKAMP FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED 6-1, WITH MR. STRAWBRIDGE OPPOSED.**

Chairman Cooney expressed his pleasure with the restoration of this home, and read a 1975 letter to Fatio's daughter into the record relative to the house.

Let the record show that there was a short recess at 11:50 a.m.

E. [Application for Certificate of Appropriateness #017-2011 Addition](#)

Owner/Applicant: Matthew Lorentzen

Address: 250 Sanford Avenue

Architect: Brower Architectural Associates

Project Description: Request approval of addition to historic structure which is further described as: Bedroom and bathroom expansion over single story portion of existing garage. Roof profile change at second story addition, new brick work, windows and shutters to match existing, and other associated changes as presented.

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

Persons who testified relative to this project: Raphael Saladrigas, Architect, and Leah Cohen, both from Brower Architectural Associates, and both of whom provided the architectural presentation pursuant to the submitted plans.

MOTION BY MR. FELDKAMP FOR APPROVAL AS SUBMITTED.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

Let the record show that Mrs. Albarran left the meeting at 12:05 p.m.

F. [Application for Certificate of Appropriateness #018-2011 Landscape/Hardscape](#)

Owner/Applicant: James B. Patterson

Address: 710 South Ocean Boulevard

Architect: Bridges, Marsh & Associates

Project Description: Request approval of landscape/hardscape which is further described as: Reconfigure entry drive and provide gate with piers, and other associated changes as presented

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

Persons who testified relative to this project: Mark Marsh, Architect, who presented a modification to the previous approval of the main entry driveway for safety, security and privacy reasons, introducing sliding black, anodized aluminum gates and piers, enlarging the driveway apron, modifying the motorcourt from round to rectangular, and adding some landscaping, all as shown on the submitted plans. The street address and a Bronze plaque in the shape of a Moroccan star are proposed to be placed on the piers and will bear a new name for the property, Three Seasons. Dr. Day commented that the name of the property is not landmarked, but generally, it is more appropriate to keep the historic name. Commission members offered comments and concerns, and expressed their general disappointment with the renovation of 710 South Ocean Boulevard as a whole.

MOTION BY MR. FELDKAMP FOR APPROVAL AS PRESENTED, WITH THE SLIGHT MODIFICATION TO THE HOUSE NUMBER SUCH THAT IT MATCHES THE HOUSE NAME.

MOTION SECONDED BY MS. WILLIS.

MOTION CARRIED 5-2, WITH MS. DIVER AND MR. COONEY OPPOSED.

VIII. OTHER BUSINESS:(12:16:51 a.m.)

A. Cottage on Palm Beach Country Club property 851 North Lake Way

Update on efforts to relocate structure

[Jane S. Day, Ph. D., Historic Preservation Consultant & Edward Austin Cooney, Chair]

Dr. Day reported that the Stambaughs are fundraising to move the cottage, and Phipps Ocean Park has been suggested as a desirable location. Dr. Day had written a short report for the Stambaughs to use in their fundraising. Mrs. Lorentzen offered additional comments.

B. New Palm Beach County Code of Ethics: Required training

[Veronica Close, Assistant Director of Planning, Zoning & Building]

Ms. Close reminded the members about the June 20th and June 23rd Ethics training classes, and mentioned the online course as well.

C. Informal Review: In consideration of landmarking the Breakers Hotel

This item appears on the agenda at the request of Mr. Cooley. Mr. Randolph, in preparing for the meeting, provided the members with a document which he regarded as essential to this matter, an Agreement entered into on September 8, 1983 between the Town of Palm Beach and Flagler System Inc. constituting a “binding agreement between the parties hereto concerning the resolution of the landmark question for the property.” He also read from a more recent letter drafted by Attorney James Brindell relative to this matter. Under Resolution No. 34-83, only the west façade (including view easement from South County Road to west façade) of the main Breakers Hotel building was landmarked by the Town. The Breakers feels strongly that any attempt to place other parts of the property “under consideration” for landmarking would constitute a violation of that agreement. On a related matter, Dr. Day testified that as a result of the Breakers being on the National Register of Historic Places, the Breakers is entitled to apply for tax abatement on portions of the property which are not locally landmarked. A lengthy discussion took place relative to the aforementioned agreement, saving the Breakers Cottages, and landmarking as it relates to the Breakers and other properties, in general. Mr. Randolph reiterated the Town Council’s position relative to the LPC, that the LPC should be proactive to landmark worthy properties, rather than be reactive when a property is threatened.

Let the record show that Ms. Diver left the meeting at 12:50 p.m., during this discussion.

D. Australian Pines - Staff update

Section 66-311 of the Palm Beach Code of Ordinances, Prohibited Plants. Code requires that Australian Pines be removed by the end of the year unless an exemption is granted by the LPC or ARCOM. [Veronica Close, Assistant Director of Planning, Zoning & Building]

Ms. Close advised that there is an exemption procedure to be followed by property owners who want to keep their Australian Pines, and the LPC may be reviewing exemption requests in the future.

It was suggested that the LPC membership should include a landscape professional.

400 South Ocean Boulevard

**MOTION BY MR. FELDKAMP TO PLACE 400 SOUTH OCEAN BOULEVARD
“UNDER CONSIDERATION” FOR LANDMARK DESIGNATION.**

MOTION SECONDED BY MS. WILLIS AND MR. STRAWBRIDGE.

MOTION CARRIED UNANIMOUSLY.

It was noted that the property owners at the 400 South Ocean Condominium consent to the landmarking of this Edward Durell Stone design. Mr. Feldkamp provided biographical information regarding Mr. Stone. The importance of the original shutters as part of the original design was stressed. The LPC was quite pleased with this nomination, as many had been working toward this goal for the past ten years.

**IX. COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING
ZONING & BUILDING DEPARTMENT DIRECTOR:(1:03:35 a.m.) None**

X. ADJOURNMENT:(1:03:53 a.m.)

Let the record show that the meeting was adjourned at 1:10 p.m. without benefit of a motion.

**The next meeting of the Landmarks Preservation Commission will be held on Wednesday,
July 20, 2011 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County
Road, Palm Beach, Florida.**

Respectfully submitted,

Edward Austin Cooney, Chairman
LANDMARKS PRESERVATION COMMISSION

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