



**MINUTES**  
**LANDMARKS PRESERVATION COMMISSION**  
**IN THE TOWN COUNCIL CHAMBERS**  
**TOWN HALL, 2<sup>ND</sup> FLOOR**  
**360 SOUTH COUNTY ROAD**

**WEDNESDAY, MAY 18, 2011, 9:30 a.m.**

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

**I. CALL TO ORDER:(9:30:10 a.m.)**

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

**II. ROLL CALL:(9:30:17 a.m.)**

|                                    |                |
|------------------------------------|----------------|
| Edward Austin Cooney, Chairman     | PRESENT        |
| William P. Feldkamp, Vice Chairman | PRESENT        |
| William O. Cooley, Member          | PRESENT        |
| 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 | ABSENT-EXCUSED |
| Wallace Rogers, Alternate Member   | PRESENT        |
| Rachel Lorentzen, Alternate Member | ABSENT-EXCUSED |

Staff members present were John C. Randolph, Town Attorney, John S. Page, 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.

At this point, Chairman Cooney paused to remember the great spiritual leader, Father Frank of St. Edward’s, who had recently passed, and asked Mr. Randolph to lead a prayer in his remembrance.

**III. APPROVAL OF THE MINUTES OF THE APRIL 20, 2011 MEETING:(9:32:16 a.m.)**

MOTION BY MR. FELDKAMP FOR APPROVAL OF THE MINUTES.  
MOTION SECONDED BY MS. DIVER.  
MOTION CARRIED UNANIMOUSLY.

IV. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY:(9:32:26 a.m.)

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

V. COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes)(9:32:40 a.m.)

Patrick Flynn, President of the Palm Beach Theatre Guild, offered some comments relative to the *Palm Beach Follies* especially with regard to the Royal Poinciana Playhouse and its historical importance. He provided copies of a book entitled *Memories for the Future* to the new LPC members. He asserted that because the theatre is not being leased, it suffers from demolition by neglect; that this theatre is vital to the this resort community; that the residents are trying to enforce the 1979 covenant; and, that the theatre continues to be listed as one of Florida's most endangered properties.

Mr. Cooley questioned Mr. Randolph as to why the Town Council has elected not to enforce the 1979 agreement relative to the theatre. Mr. Randolph advised that the enforcement of the 1979 agreement is not within the purview of the Landmarks Preservation Commission. Further, he stated that he would have to review meeting minutes, but he did not believe that the Town Council's action could be interpreted as an action not to enforce the agreement.

VI. APPROVAL OF THE AGENDA:(9:39:54 a.m.)

**MOTION BY MR. FELDKAMP FOR APPROVAL OF THE AGENDA.**

**MOTION SECONDED BY MS. DIVER.**

**MOTION CARRIED UNANIMOUSLY.**

VII. PUBLIC HEARINGS:(9:40:07 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.

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

Architect Mark Marsh testified that the Town Council granted two variances for this project at last week's Town Council meeting. He indicated that the Town Council favored leaving the existing Post Office signage on the building, but has deferred that decision to the LPC. There is some concern that leaving the sign in place may lead to confusion for residents, so perhaps a plaque

might be preferable. Mr. Marsh stated that all interior elements will be preserved, except for a counter which will be removed to create an entry into the back work area. The exterior ramp on the west façade will be removed in favor of a ramp on the east side. Some additional landscaping has been added since the last meeting. At the last meeting, Mr. Marsh was asked to present elevations of the interior as well, and he presented those today for a complete record.

Commission comments: The trees on the south side need attention; materials removal information is lacking; the building is lacking maintenance and is deteriorated; the landscape plan still shows the west ramp though the ramp will be removed; concern about landscaping and site plan in general; on the west elevation, the two trees in the middle should be located between the windows, not cover the windows; and, the architecture is fine, but not the landscaping and site plan.

Dr. Day stated that the Certificate of Appropriateness which results from this hearing will be sent to the State Historic Preservation Office. This building is a local and National Register landmark. As such, with this federal building being sold, it must undergo a 106 compliance review. That has occurred and the historic features to be retained have been identified, and the new owner must retain those features. That list did not include the signage on the building, however. Dr. Day reported that sometimes signage is retained on historic buildings, and sometimes it is not. The decision as to whether the historic sign should be kept is left to local control. As for a materials removal plan, Dr. Day felt that it would make the record complete and should be documented.

Mr. Page confirmed that at the Town Council meeting last week, this project was reviewed for Site Plan Review with Special Exception and variances. A Declaration of Use Agreement was developed to address the parking issues at the site. The Town Council discussed the signage with a general consensus that the signage should be retained, and in the end, they “approved the project with preservation of the old Post Office sign in accordance with direction from the Landmarks Preservation Commission.”

Commission comments continued: Great project...wonderful re-use; the Town could help by placing some trees in the Town owned parcel to the rear of this property; signage should be removed to eliminate confusion; with such a drastic change in the use of the building, leaving the sign will be very confusing...a plaque would be better; having the sign on the old building anchors you in the history of the Town, and local people will be aware of the change; feel strongly that the sign should stay...it reads like a civic building and is sited as such; removing the ramp is great; retaining the flagpole adds to confusion; opposed to leaving the sign; how about a historic marker instead of the building sign; and, would prefer no signage in existing sign location.

Dr. Day stated that this building is eligible for a National Register plaque which can be obtained through the Federal government.

**MOTION BY MR. MOORE TO ELIMINATE THE EXISTING SIGN. (then re-stated below).**

**MOTION SECONDED BY MR. COOLEY.**

**MOTION BY MR. MOORE TO ELIMINATE THE EXISTING POST OFFICE SIGN AND ENCOURAGE THE INSTALLATION OF A COMMEMORATIVE PLAQUE OF FEDERAL STANDARDS, AND TO ENCOURAGE THE LOCATION, ON THE OTHER SIDE, A PLAQUE OF SIMILAR SIGNAGE THAT WOULD BE SUBJECT TO THE OWNER’S VERBIAGE.**

**RE-STATED MOTION ACCEPTED BY THE SECONDER, MR. COOLEY.  
(NO VOTE)**

**SUBSTITUTE MOTION BY MRS. ALBARRAN TO APPROVE THE BUILDING, BUT  
DEFER THE SIGNAGE AND THE LANDSCAPE.  
MOTION SECONDED BY MS. DIVER.  
(NO VOTE)**

**MR. MOORE STATED THAT HE DOES NOT ACCEPT THE SUBSTITUTE MOTION.**

**SUBSTITUTE MOTION BY MR. STRAWBRIDGE APPROVING THE  
ARCHITECTURE, BUT DEFERRING THE SIGNAGE AND THE LANDSCAPING.  
MOTION SECONDED BY MRS. ALBARRAN.  
MOTION CARRIED 4-3, WITH MESSRS. COOLEY, FELDKAMP AND MOORE  
OPPOSED.**

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

Call for disclosure of ex parte communication: Messrs. Rogers and Cooney made ex parte  
declarations.

Don Skowron provided the presentation for the project description as listed above. He explained that unfortunately, trees may deteriorate over time, and that is what has happened at this site. His professional opinion was that at this site, one Australian Pine is in good shape, two will not come back and the Red Cedar should go. He advocated for Podocarpus as the most appropriate replacement tree and noted that they can be trimmed out at the bottom to look like the Australian Pines.

Mr. Rogers commented that the row of trees is so impressive, and it would seem inappropriate to insert another type of tree. Mrs. Albarran recalled, from her former service on the LPC, that when the vista was designated, replacement of trees in the future had been discussed, and she recalled that these particular Australian Pines were going to be allowed to be replaced in kind. Dr. Day commented that in the 1920's, the State suggested that Australian Pines be planted, and many of them were planted. It was the intent of the LPC, in landmarking the Wells Road Scenic Vista several years ago, to keep the trees. The City of Gulfstream has a beautiful vista of Australian Pines as well, which was endorsed and protected by legislation through the State of Florida. *{A bit later in the meeting, Mr. Randolph testified that Gulfstream had a bill passed through the State legislature to create a Historic Scenic Highway, and obtained an exemption from the Exotic Species law, allowing them to keep the existing pines and grow new Australian Pines for replacement purposes. He added that this process took considerable time, lobbying and research.}* Dr. Day recalled that she had been told that there is a sterile variety of Australian Pines which are being raised by the City of Gulfstream to replace the existing protected Australian

Pines. Dr. Day stated that she would hate to see three Australian Pines removed on Wells Road just because, at this moment in time, they are not as healthy as they should be. She encouraged the property owner and landscape architect to keep the trees, and/or replace them with the sterile variety of Australian Pines.

The discussion turned to ownership of the Australian Pines. Paul Brazil, Director of Public Works, responded that he is not sure of the ownership without looking at a survey...that although they are in the road right of way, park strips are typically maintained by the corresponding property owners, including irrigation, mowing, etc.

Chairman Cooney commented that he believes that the construction at this site has negatively impacted the health of these trees. He asked that measures be taken in the future to protect these trees during construction at any site along the street. Mr. Brazil felt this could be addressed during the permitting process.

**MOTION BY MR. COOLEY THAT THE EXISTING TREES REMAIN (CLARIFIED TO BE THE RED CEDAR AND THE PINES AND THE PODOCARPUS), AND THEY CAN LANDSCAPE AROUND THEM.**

**MOTION SECONDED BY MR. MOORE. (no vote, and then next motion made)**

**LATER, MOTION CARRIED 6-1, WITH MS. DIVER OPPOSED.**

**AFTER THE VOTE, CLARIFICATION THAT THIS MOTION INCLUDES DEFERRAL UNTIL NEXT MONTH TO ENABLE GATHERING MORE INFORMATION.**

**MOTION BY MR. COOLEY TO ASK THE TOWN COUNCIL TO REQUEST OUR LEGISLATIVE DELEGATION TO GET A STATE LAW INTO THE NEXT SESSION TO ALLOW US TO DESIGNATE THIS AS A SCENIC VISTA, AND TO ALLOW KEEPING THE TREES. (no second, and then next motion made by Ms. Diver)**

**SUBSTITUTE MOTION BY MS. DIVER ALLOWING THAT THE THREE TREES BE REMOVED UNTIL LEGISLATION HAS BEEN PASSED ALLOWING AUSTRALIAN PINES, STERILE AUSTRALIAN PINES BE REPLACED THERE, AND IF THERE IS LEGISLATION, THIS HAS TO COME BACK TO US. (MR. RANDOLPH FELT THIS WAS NOT APPROPRIATE AS A SUBSTITUTE MOTION, AND DETERMINED THAT A VOTE AGAINST MR. COOLEY'S FIRST MOTION WOULD BE MORE APPROPRIATE. AS SUCH, MS. DIVER WITHDREW HER MOTION.)**

**LATER, MR. COOLEY'S SECOND MOTION RE-STATED: MOTION BY MR. COOLEY 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.**

**MOTION SECONDED BY MRS. ALBARRAN AND MS. DIVER SIMULTANEOUSLY. MOTION AMENDED TO INCLUDE THE BREAKERS ALLEY OF AUSTRALIAN PINES.**

**MOTION CARRIED UNANIMOUSLY.**

C. [Application for Certificate of Appropriateness #009 - 2011 Restoration/Rehabilitation](#)

Owner/Applicant: The Breakers Palm Beach Inc.

Address: 1 South County Road

Architect: Peacock and Lewis, Mr. Steve Pollio

Project Description: Request approval for restoration and rehabilitation which is further described as: Rooms Renovation 2011 consists of a renovation of approximately 86 rooms within the main Hotel building, located on the north side of the Hotel, in a wing of rooms that run east to west. The scope of work is identical to the renovations approved and completed over the last four years in Phases I, II and III. This project includes Guest Bathroom renovations, Guest Room window replacement and Main Hotel Building infrastructure, restoration and renovation, and other associated changes as presented. Please note this is a tax abatement project.

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

Architect Steve Pollio provided the presentation for this tax abatement project. This is Phase IV of the continuing renovation of the Breakers Hotel as described above.

Mr. Cooley questioned why, if only the west façade is landmarked, is the LPC reviewing room renovations, and asserted that this serves a private purpose. Dr. Day stated that this is the 7<sup>th</sup> tax abatement project for the Breakers. She noted that although only the west façade of the Breakers is landmarked, the Breakers is on the National Register. As such, attorneys for the Breakers have successfully argued that the Breakers qualifies for tax relief on areas of the building which are not locally landmarked. Since 2002, most changes at the Breakers have come to the LPC for review. To date, approximately \$ 63,000,000 has been subject to tax relief, allowing the Breakers a savings of \$ 195,128/yr. relative to local taxes, and a larger sum related to county taxes.

Mr. Cooley commented that this is an inappropriate use of public funds, and he will not vote for any further modifications or alterations to the building until the entire building or property is landmarked.

**MOTION BY MR. FELDKAMP FOR APPROVAL AS PRESENTED.**

**MOTION SECONDED BY MS. DIVER.**

**MOTION CARRIED 5-2, WITH MR. COOLEY AND MR. STRAWBRIDGE OPPOSED.**

Mr. Feldkamp explained that he sponsored the motion for approval because he did not want to hold up the Breakers from proceeding with this work, but commented that he agrees with Mr. Cooley's philosophy, and suggested that perhaps this topic might be revisited in the future. Mr. Cooley requested an item on the next agenda relative to consideration of landmarking the Breakers. Chairman Cooney honored his request. The item will be found as an informal review under Other Business on the June agenda.

*Let the record show that there was a short recess from 11:15 a.m. to 11:22 a.m.*

D. [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: Michael Johnson and 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.

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

Architect Michael Johnson introduced the project and introduced Daniel Menard, who provided the presentation. Mr. Menard indicated that there would be no presentation relative to the pool cabana today as proposed changes to the cabana will require a variance. Ellen Cavanaugh of Mr. Menard's office, provided a history of the home and a history of changes made to it over time. Mr. Menard presented photos of the interior and exterior, original Fatio drawings, and reviewed the details of the proposed changes to the interior and exterior. In addition to the proposed changes listed in the Project Description, Mr. Menard proposed the following: curved drive; fountain near the entrance; the new garage which is actually one-half level down; add new lap pool on the front of the loggia over the garage; save and/or duplicate the front door; retain the existing swimming pool; and, preserve existing stained glass windows sandwiching them between impact glass.

Mr. Lindgren read a letter of objection from James and Celine Neidel, 115 Via La Selva, into the record listing their objections to the project because of noise, concern about odors, and blockage of their views.

Commission comments: Lower the height of the garage element; prefer the original Gothic windows on the east facade; the garage/loggia element is too tall for a pavilion...the roof and/or pilasters can be lowered...too massive; issue with where staff stair railing stops; scale of loggia is far larger than scale of original building...if smaller, neighbor will be happier; and, consider glazing the top of the living room windows. Mr. Menard offered some compromises to defer the loggia today, and to return to 3 Gothic arches in each of the two openings of the living room.

Mr. Cooney asked whether these changes meet tax abatement guidelines. Dr. Day responded that the Town has routinely granted changes interiorly provided the grand rooms are retained. She asked what the new ceilings are going to look like in the great room and dining room, and stated that the LPC needs more visuals in the public rooms, and more details in general as to materials, tiles, etc.

Commission comments continued: Need more details because this is a tax abatement project; concern with removal of existing fountain in the driveway; need details regarding dining room ceiling beams; balustrade on east elevation. a code issue? Material?; south elevation...the stair is original; loggia design not fully thought out; noise will carry; need detailing of public rooms; was removal of existing landscaping approved?; we need to see what landscaping was approved; and, give the neighbor a better view at the southeast corner.

Steve Dauber, Landscape Architect, stated he had been brought into the project a month ago, and saw the landscape trimming/removal in process. He attempted to bring that activity to a halt. Currently, many of the mature trees have been safely secured and/or relocated to a holding area. Larger material will be brought in to restore the original character of the site. Mr. Dauber was advised to bring full landscape plans next month.

**MOTION BY MR. STRAWBRIDGE FOR DEFERRAL TO NEXT MONTH.**  
**MOTION SECONDED BY MR. MOORE.**  
**MOTION CARRIED UNANIMOUSLY.**

Dr. Day noted that 115 Via La Selva is a known archaeological site, so there must be an archaeologist on site at 801 South County to monitor and perform a Phase I survey.

*Let the record show that Ms. Diver left the meeting at this point, and Mr. Feldkamp left the meeting for 30 minutes and then returned.*

E. [Application for Certificate of Appropriateness #012 - 2011 Signage](#)

Owner/Applicant: Wells Fargo Bank, N.A., successor by merger to Wachovia Bank, N.A., successor by merger to First Union Bank of Florida

Address: 239, 251 & 255 South County Road

Architect: Bridges, Marsh and Associates

Project Description: Request approval of signage which is further described as: Applicant seeks approval of two (2) new Wells Fargo signs, which includes the removal of two (2) First National Bank signs. These signs will be of similar color, style and material as the First National Bank signs being replaced and will be in compliance with all applicable Town of Palm Beach zoning ordinances. Other associated changes as presented

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

Attorney Harvey Oyer of Shutts and Bowen stated that at last month's Town Council meeting, approval was obtained to replace two of the four First National Bank signs, one on County Road and one on the rear of the building, with Wells Fargo signs. Mark Marsh, Architect, presented the new Wells Fargo signs for the west façade and the east façade, and reviewed the signage requests in general. He noted that the state flag will be flown instead of the once considered Wells Fargo corporate flag. At the drive-thru, Mr. Marsh stated that the letter size has been reduced above the arches, as previously requested by the LPC.

Mr. Lindgren read two pieces of correspondence into the record: one from George Mastics, 131 Seaview Avenue, and an e-mail from Nancy Bhargava, 140 Seaview Avenue, both in objection to the project. Let the record show that Paul Castro, Zoning Administrator, testified that corporate flags are not permitted by code.

**MOTION BY MR. STRAWBRIDGE FOR APPROVAL OF THE PROJECT AS PRESENTED, WITH THE PROVISION THAT THE HEIGHT OF THE LETTERS AT THE DRIVE-THRU BE AS PREVIOUSLY APPROVED BY THE LPC.**

**MOTION SECONDED BY MR. ROGERS.**

**MOTION CARRIED 5-1, WITH MR. COOLEY OPPOSED.**

F. [Application for Certificate of Appropriateness #013 - 2011 Addition](#)

Owner/Applicant: Lynn Foster

Address: 424 Brazilian Avenue

Architect: SKA Architect + Planner, Patrick W. Segraves, A. I.A.

Project Description: Request approval of addition to historic structure, interior and exterior demolition which is further described as: Replace doors and windows with impact mahogany doors and windows, and 6 ft. x 29 ft. addition to rear of home. Other associated changes as presented

Call for disclosure of ex parte communication: Mrs. Albarran made an ex parte declaration.

Architect Pat Segraves and the property owner were present on behalf of this project which includes many fenestration changes, changing a paneled mahogany front door to a mahogany and glass door, add a tile roof over the back door, and an addition providing a study, bath, and office on the first floor, and a master bedroom and bath on the second floor. After review, the commission members were not in favor of the inconsistency of the lite sizes proposed. The property owner testified that she would be happy to make any changes that the commission and architect recommend.

**MOTION BY MRS. ALBARRAN FOR APPROVAL AS PRESENTED WITH THE PROVISIO THAT THE MASTER BEDROOM WINDOW BE CHANGED ( THAT THE LITES OF THE WINDOW AT THE MASTER MATCH THE OTHER WINDOW LITES.)**

**MOTION SECONDED BY MR. COOLEY.**

**MOTION CARRIED UNANIMOUSLY.**

*Let the record show that Mr. Feldkamp returned to the meeting.*

G. [Application for Certificate of Appropriateness #014 - 2011 Fenestration Modification](#)

Owner/Applicant: Michael Price

Address: 450 Worth Avenue

Architect: Bridges, Marsh & Associates

Project Description: Request approval of modification to fenestration which is further described as: Interior remodel of kitchen wing on ground floor/west. The remodel proposes to add/relocate window and door fenestration to existing east and west elevation of affected wing of the residence. This fenestration will match similar existing elements and details. Other associated changes as presented

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

Architect Mark Marsh presented this project to remodel the west wing of this home including assorted fenestration changes, especially to facilitate flow and balance interiorly. The introduction of a very narrow French door on the east elevation was of particular interest and discussion because the openings were so close. The existing fountain, also on that facade, will be shifted to the south to allow for the new door.

**MOTION BY MR. FELDKAMP FOR APPROVAL AS PRESENTED.**

**MOTION SECONDED SIMULTANEOUSLY BY MESSRS. STRAWBRIDGE AND ROGERS.**

**MOTION CARRIED UNANIMOUSLY.**

H. [Application for Certificate of Appropriateness #015 - 2011 Reconstruction/Addition/Hardscape](#)

Owner/Applicant: Macy & Jeff Greene

Address: 1200 South Ocean Boulevard

Architect: Bridges, Marsh & Associates

Project Description: Request approval of reconstruction, addition to historic structure, and hardscape which is further described as: Changes to previously approved additions as follows: reduce the massing of proposed one story additions, enlarge guest room on northwest end to house home theatre and minor detailing improvements. Materials and color to remain as previously approved on 2/17/2010. Other associated changes as presented

Call for disclosure of ex parte communication: Messrs. Feldkamp and Cooney made ex parte declarations.

Architect Mark Marsh stated that he was brought into the project subsequent to the previous approval by the LPC for plans as presented by architect Raphael Portuondo. Mr. Marsh studied the approved plans and revisited the issues of mass and use. Under the Portuondo plans, the main driveway came through two porte cochere elements. Under the Marsh proposal: the driveway remains, but the porte cochere elements have been removed; the north wing is proposed to extend to the west to accommodate the new theatre; create built space in formerly proposed courtyard space; and, create two pool cabanas. Mr. Marsh also proposed changing the wood turned picket railings on the east elevation to metal simple pickets to match the north side.

Commission comments: What you're proposing is appropriate, but opposite of Portuondo design; Marsh plan is good for plan and function, but whimsy has a place in architecture; deeply unsettling...looks like a hotel; Marsh design is good, but no fun...we need delight, emphasis and folly; you have improved on the Portuondo design; Mizner would not have done that fanciful chimney; east elevation calls attention to graphic mistake at shed roofs; gallery should look different than the rest...perhaps lower the roof line.

**MOTION BY MR. MOORE FOR APPROVAL AS SUBMITTED.**

**MOTION SECONDED BY MR. COOLEY.**

**MOTION AMENDED BY MR. MOORE ADDING WITH CONSIDERATION THAT LOWERING THE CONNECTION BE LOOKED AT, AND THAT THE CHAIRMAN WILL WORK WITH STAFF FOR APPROVAL.**

**AMENDED MOTION ACCEPTED BY MR. COOLEY.**

**MOTION CARRIED 5-2, WITH MESSRS. FELDKAMP AND STRAWBRIDGE  
OPPOSED.**

**VIII. OTHER BUSINESS:(1:53:48 a.m.)**

**A. Staff update relative to 851 North Lake Way**

Chairman Cooney reported that he and Dr. Day had met with representatives of the Palm Beach Country Club one week after the last LPC meeting, as had been requested by the LPC at that meeting. The result of that meeting, after a tour of the property and discussion, was that the Country Club is not interested in retaining or maintaining the cottage on the Country Club property, but is not opposed to it being moved and preserved. Dr. Day commented that this meeting was very successful. The Country Club offered to give the cottage to persons willing to move it off the Country Club property. She stated that she stands by her prior analysis of the property; that it had been altered to the degree that it justifiably was not previously placed on any list for possible designation. Since that time, however, the Stambaugh family has provided historical information and photos indicating that all of the fenestration is the same as when it was built; also, the front door is the original front door. Dr. Day gave a brief report on the structure. Since it was built on piers, the structure is able to be moved. The structure could qualify for designation under criteria 1 and 2 due to its great historical association with the Stambaugh family and the Town. As yet, a new location for the cottage is unknown, though Peanut Island and Phipps Ocean Park had been considered.

*Let the record show that Mrs. Albarran left the meeting at 2:12 p.m.*

Reg Stambaugh testified that this home, for a pioneer family, goes back to before 1913, and there are very few houses older than 100 years in the Town. He noted that it will cost \$ 50,000 to move the cottage and it can actually sit on a barge until a location for it has been found. Mr. Stambaugh provided some historical information relative to the house and gave an impassioned plea for the LPC to place it “under consideration” so that he can successfully do fundraising for the move. Mr. Stambaugh offered his opinion that Phipps Park is the best location for the cottage.

The Chairman reported that it is not in the program of the Country Club to either permanently move the cottage to another location elsewhere on the Country Club site, or to have the cottage temporarily stored on the Country Club property. It was stated that demolition of the cottage and the construction of the new house will be on ARCOM’s agenda next week, and ARCOM has no means to deny the demolition. A discussion ensued relative to placing the cottage “under consideration”. Mr. Randolph advised that he had a telephone call from Maura Ziska, Attorney for the Country Club, advising that the Country Club would object to the property being placed “under consideration”, and reminding that the Country Club has already applied to ARCOM for the demolition and new construction. Ms. Ziska was of the opinion that it would be legally inappropriate to place the property “under consideration” with the demolition and new construction application already having been filed with the Town. Mr. Randolph did not know how a judge would rule in this regard, and offered his comments.

**MOTION BY MR. COOLEY TO PLACE THIS HOUSE (THE COTTAGE AT 851 N LAKE WAY) “UNDER CONSIDERATION” FOR LANDMARK DESIGNATION.  
MOTION SECONDED BY MR. STRAWBRIDGE.**

Dr. Day stated that she does not believe the LPC should try to designate a property if the property owner has already applied for demolition. She believed that such an action would be viewed as adversarial by

the Country Club, and recommended against it. Dr. Day also noted that a report can be written to substantiate the worthiness of the structure in terms of landmarking without the property formally being placed “under consideration.” Mr. Randolph clarified that if it is not placed “under consideration”, that should not be a signal, to those who want to save it and raise money to save it, that the Town does not think it is worthy of saving. He added that the Town Council wants the LPC to be proactive with landmarking structures, rather than reactive in trying to place a property “under consideration” after an application for demolition has already been filed. Though discussion continued relative to placing the property “under consideration”, Chairman Cooney felt that such an action would be inappropriate. Dr. Day stated that in her opinion, the Country Club will be helpful with the preservation efforts if the cottage is not placed “under consideration.”

**SECOND WITHDRAWN BY MR. STRAWBRIDGE.  
MOTION DIED FOR LACK OF A SECOND.**

Dr. Day added that there is precedent in moving a structure and then placing it “under consideration,” and that precedent is the Seagull Cottage.

Joette Stambaugh Kean thanked the commission for attempting to reach a solution relative to the cottage. She also expressed her gratitude to the Country Club for their assistance. Like Mr. Stambaugh, Ms. Kean felt that the cottage would most appropriately be moved to Phipps Park as a perfect complement to the Little Red Schoolhouse. She agreed that it would be most helpful to the fund raising effort if the LPC placed the cottage “under consideration” for landmarking.

Chairman Cooney commented that the best outcome for the cottage would be to move it to Phipps Park, but he acknowledged the factors working against that outcome...time, money, and an environmental issue in Phipps Park, but he assured the Stambaughs that he would continue to try to help them in their cause to preserve the cottage. The commission had no objection to having Dr. Day to do a report on the cottage, as discussed, without having placed it “under consideration”.

**IX. COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING ZONING & BUILDING DEPARTMENT DIRECTOR: None**

**X. ADJOURNMENT:(2:42:38 a.m.)  
MOTION BY MR. COOLEY TO ADJOURN THE MEETING AT 2:58 P.M.  
MOTION SECONDED BY MESSRS. FELDKAMP AND STRAWBRIDGE.  
MOTION CARRIED UNANIMOUSLY.**

**The next meeting of the Landmarks Preservation Commission will be held on THURSDAY, JUNE 16, 2011 AT 9:30 A.M. IN THE TOWN COUNCIL CHAMBERS, 2<sup>ND</sup> FLOOR, TOWN HALL, 360 SOUTH COUNTY ROAD, PALM BEACH.**

Respectfully submitted,

Edward Austin Cooney, Chairman  
**LANDMARKS PRESERVATION COMMISSION**

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