

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., WEDNESDAY, APRIL 21, 1993

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

I. Call to Order: The meeting was called to order at 9:02 a.m. by Chairman Volk.

II. Roll Call:

PRESENT: Lillian Jane Volk, Chairman
Sally Gingras, Secretary
William S. Gubelmann, Member
Anne G. Metzger, Member
Jacqueline Albarran de Mendoza, Member
Arthur Silverman, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator

ABSENT: Elise P. Mackintosh, Vice Chairman
Leslie Divoll, Member
Wilmer J. Thomas Jr., Alternate Member
Jane R. Grace, Alternate Member

RECORDING SECRETARY: Cynthia M. Delp

III. Approval of the Minutes of the March 17, 1993 Meeting:

MOTION BY MR. SILVERMAN TO APPROVE THE MINUTES AS MAILED.

MOTION SECONDED BY MRS. METZGER.

MOTION CARRIED UNANIMOUSLY.

IV. Public Hearings:

A. Application for Certificate of Appropriateness No. 7-93, Lighting poles/fixtures

Owner: Town of Palm Beach

Applicant: Phipps Plaza Property Owner's Association

Address: Phipps Plaza (Common Area)

Project Description: Request approval of replacement of existing lamp post fixtures and addition of at least one new fixture, incandescent lighting illumination, L220 15 x 29 with 10' square pole

(Please note this item was deferred from the March meeting.)

Post Office Box 2029 • 360 South County Road • Palm Beach, Florida 33480 • (407) 838-5430

Mrs. Volk excused herself from voting on this issue, as she had filed a Voting Conflict form at last month's meeting relative to this project. (Voting Conflict form on file.)

Mr. Steve Kartrude, Town Electrician Supervisor, returned to the Commission with an alternative proposal to the above. He distributed a handout showing a sketch of the new poles and fixtures, as well as data regarding each. The new proposal would include a UL approved square straight aluminum pole, 4" square and 10' in height, and a traditional four-sided incandescent fixture with clear prismatic acrylic lens, which closely resembles the existing fixtures. The aluminum pole, then, will have 1" x 6" cypress board cladding around it. This proposal will not only satisfy the Town's electrical code requirements, but also satisfies the aesthetic concerns of the Phipps Plaza Residents. This proposal has been made possible by the generosity of the Society of the Four Arts in donating, to the Town, cypress beams which were recently removed. The Public Works Department will use the beams to create the pole housing, and will apply some type of sealer to protect the wood from the elements.

MOTION BY MR. GUBELMANN TO APPROVE COA# 7-93 AS PRESENTED.
MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.
MOTION CARRIED UNANIMOUSLY.

Mr. Moore, the Commission, and the Phipps Plaza Residents expressed their sincere appreciation to Mr. Kartrude for developing a workable solution to this problem.

- B. Application for Certificate of Appropriateness No. 8-93, Fenestration and front entrance changes, ADA access
Owner/Applicant: The Society of the Four Arts
Address: 439 Royal Palm Way
Architect: Lewis & Associates
Project Description: Request approval for modification of front entrance canopy, creation of handicapped access on the north elevation, and fenestration changes to the south, west, and north elevations.

Mr. Gubelmann declared his conflict with respect to this matter as he is an officer of the Society of the Four Arts. (Voting Conflict form on file.)

Mr. Hap Lewis, Architect, presented the request as follows:

1. Enlarge the front entrance canopy by one foot on each side, to include nine (9) small pyramid skylights. The skylights will project upward about 18-20 inches, and will mimic the larger nine interior atrium skylights.
2. Change existing front entrance door to wooden door with ten raised panels.
3. Re-wire and re-install existing front entrance lighting fixtures.
4. Create handicap access on the north elevation

- immediately under an eight pane window, to include ramps and railings.
5. Enlarge two small bath windows on the south elevation to match adjacent windows.
 6. Replace existing french doors on the north elevation to match the french doors (10 pane) on the east and south elevations.
 7. On south elevation, continue the raised medallions all the way down the facade on the belt course.

After some discussion, the following motion was made:

MOTION BY MRS. ALBARRAN DE MENDOZA TO APPROVE THE PROJECT AS PRESENTED, WITH THE FOLLOWING EXCEPTIONS: THE ENTRANCE CANOPY SKYLIGHTS SHALL BE SIX (6) IN NUMBER RATHER THAN NINE (9), AND THE FRONT ENTRANCE DOORS SHALL BE MAINTAINED AS SINGLE LITE FIXED GLASS DOORS, RATHER THAN WOODEN DOORS.

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness No. 9-93, Driveway gates

Owner/Applicant: Mr. Arthur Seelbinder/Mrs. Kathy Hammer
Address: 25 Middle Road

Architects: SKA, Inc., Jacqueline Albarran de Mendoza
Morgan Wheelock Inc., Mr. Tim Lee

Project Description: Request approval to replicate previously existing driveway gates to match existing front entry gate.

Mrs. Albarran de Mendoza declared her Voting Conflict with respect to this matter, as she is the architect of record. (Voting Conflict form on file.)

Mr. Tim Lee of Morgan Wheelock presented this item, submitting a sketch of proposed wrought iron gate. The height of the new driveway gates will be a maximum of 8', meeting code, and the light airy design of the front entry gate will be replicated in the driveway gates. A circular metal medallion, found elsewhere on the property, will be re-used on one half of the gate. An additional medallion will be replicated for the other half of the gate. The gates will be manually operated.

MOTION BY MRS. GINGRAS TO APPROVE THE DRIVEWAY GATES AS PRESENTED.

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

V. Other Business

A. Informal Review: 133 Banyan Road

Modifications to previously approved design.

Mr. Gene Pandula, Architect, stated that the scope of this project has been narrowed due to the recent death of Mrs. Hoyt. Right now, work is at a standstill pending the settling of Mrs. Hoyt's affairs. The modifications to the previously approved project are as follows:

1. Modification to the plain Banyan Road site wall adding three pilasters, one with a raised center section allowing for fountain (to be viewed from the interior).
2. Modification to previously approved addition, scaling it down to just include a proposed one story mechanical room with flat roof, and for the present, eliminating the re-positioning of the garage, eliminating the guest bedroom suite, the kitchen enlargement, and the second floor addition.

The change in scope of the project represents a net reduction of approximately 1,500 square feet of construction. Mr. Pandula expressed the current need to proceed with the 180 square foot mechanical room so that new necessary electrical panels can be installed. Mr. Frank suggested that Mr. Pandula appear before the Commission today so as to not hold up the necessary construction. The project will be properly advertised for next month's hearing. Let the record note that the Commission expressed no objections to the project modifications as presented. This item will be advertised for next month's meeting.

(As the applicant was not yet here for Item B, discussion moved to Item C.)

C. Informal Review: Town Hall, 360 South County Road

"Replacement" rooftop awning (3rd floor)

Mr. Joe Mattei of American Awning presented a vinyl awning (15' wide by 8' projection) for the 3rd floor rooftop area which will match the exterior color of the building. The awning will be "laced on" and can be easily removed during extreme wind conditions.

Mr. Moore stated that during the time when Mr. Frost was the Town Manager, a deck with umbrella tables had been installed on this third floor rooftop area. It was in place at that time as a place for employees to relax and have lunch. Subsequent to that time, a third floor interior lounge was created, and the deck was used less and less. Then, during the restoration of Town Hall, the rooftop deck was removed and replaced, but the umbrella tables were not. This awning/deck proposal would re-establish the area as one to be enjoyed by all employees, smoking and non-smoking. This proposal comes in conjunction with the Town's May 15th ban on smoking inside Town Hall, and would restore the rooftop area to its prior use.

Mr. Frank read a letter into the record from Ms. Francine Bernard, 234 Park Avenue, relative to this matter, wherein

she voiced her opposition to the Town placing this awning on the roof. This letter will be on file with these minutes. Mr. Randolph stated that the subject matter of the letter is a matter for consideration by the Town Council. The issue before the Commission today is the aesthetic appropriateness of the awning in the desired location.

Although some of the Commissioners expressed their disagreement with the policy of providing this area as an accommodation to smoking employees, they expressed no concerns with the aesthetics of the awning.

The LPC asked whether the Town Council had already approved the awning. It was noted by Mrs. Barbara Martinuzzi, the Town's Risk Manager, that the Town Council was made aware, when they approved the smoke-free working environment, that an area outside the building would be provided for employees who wish to smoke, subject to LPC approval.

It should be noted that today's review of this matter is on an informal basis, and formal action will take place at a subsequent date.

B. Informal Review: Duck's Nest, 561 North Lake Way

Replacement of roofing material

Mr. Paul Maddock Jr., property owner, and Mr. Lloyd McCants, the Maddock's foreman, presented this request to replace the existing cedar shingle roof with "Celotex" Shake fiberglass shingle. Originally, Duck's Nest had a "West Palm Beach Cypress Shingle roof, which was typical of houses at the turn of the century. As cypress became less plentiful during the 20's and 30's, cedar shingles became the roofing material of choice. Since that time, the cedar has decreased greatly in quality, and in fact, turns to "mush" after only about four to five years. The Duck's Nest roof is very low pitched, which only increases the deterioration rate, as the shingles absorb the water, swell, mildew, crack and deteriorate quickly. The Maddocks have searched for a substitute roof material for about one-and-a-half years. Cypress shingles do not exist today, and cedar shingles have a very short life on the low pitched Duck's Nest roof. The Celotex product, on the other hand, comes with a forty (40) year limited warranty against total deterioration. Further, because of its design, it will give visible definition to the roof, and will be in character with the building. The color of the Celotex sample shown was grey-white, and Mr. McCants stated, when applied to the roof, it will appear white. Another distinct advantage of using the Celotex is related to the cost, \$21,000 to \$22,000, as compared to the \$39,000 cost of cedar shingles.

The LPC voiced no objection to the use of the Celotex Shake fiberglass shingle for the Duck's Nest roof. This item will be heard formally next month.

D. 1993 Preservation Celebration

Mrs. Volk stated that as the Preservation Celebration was removed as a budget item this year, letters have been sent to landmark property owners and some other individuals notifying them of the May 14, 1993 event, and soliciting donations for same. The event, held at the Society of the Four Arts, will feature Dr. Donald Curl and Dr. Sandra Norman, who will speak regarding Palm Beach's other styles of architecture. Tours of a few Palm Beach homes will be offered, with FAU students serving as guides.

Mrs. Hermine Wiener, Council President Pro-Tem, addressed the Commission. She stated that she supported removing the Preservation Celebration as a budget item in this tight budget year. She did, however, compliment the LPC on one of the most attractive solicitation letters she has received, and most graciously offered her donation toward the event.

E. Preservation Plan

Mr. Frank distributed copies of the Preservation Plan to each of the Commissioners for their review. He stated that it is now in complete form, but not in an approved form. The State had given the Town a grant for the archaeological portion of the plan, and has approved that portion. The LPC was asked to review the document for the next two months, after which the document will be adopted. Mr. Moore added that the creation of the Preservation Plan is a requirement of the State's Comprehensive Growth Management Act, 9J5.

VI. Adjournment

MEETING ADJOURNED AT 10:30 A.M. PER MOTION BY MR. SILVERMAN.

The next meeting of the Landmarks Preservation Commission will be heard on WEDNESDAY, MAY 19, 1993 at 9:00 a.m., in the TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH.

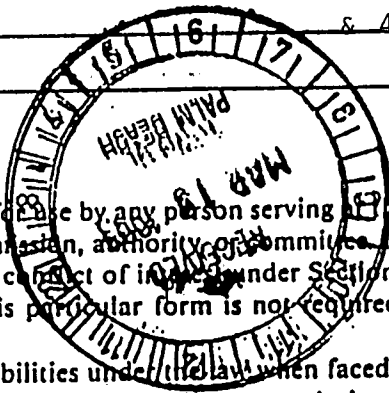
Respectfully submitted,


Sally Gingras
Secretary

cmd

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

LAST NAME—FIRST NAME—MIDDLE NAME Lillian Jane Volk		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 Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY TOWN	
DATE ON WHICH VOTE OCCURRED 3/17/93		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	



WHO MUST FILE FORM 8B

This form is for use by any person serving on 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 presented with a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

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, Lillian Jane Volk, hereby disclose that on March 17, 1993:

(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 _____, by whom I am retained.

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

*I am the President of the Phipps Plaza Association
v a resident of Phipps Plaza*

Re: CoA #7-93 for lighting of the Phipps Plaza

Date Filed

3/17/93 & 4/21/93

Signature

Lillian Jane Volk

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 ALBARRAN & HENDOZA, JACQUELINE		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 204 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 FL.		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
DATE ON WHICH VOTE OCCURRED 4/21/93		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

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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.

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DISCLOSURE OF STATE OFFICER'S INTEREST

I, JACQUELINE ALBARIZAN, hereby disclose that on 4/21, 1993:

(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 _____, by whom I am retained.

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

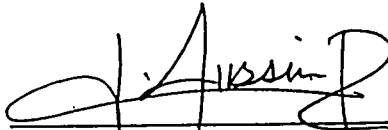
I AM THE ARCHITECT OF RECORD ON THE
SEELBINDER/HAMMER PROJECT.

Re: CoA #9-93, 25 Middle Road, Palm Beach

Date Filed

4/21/93

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 GUBELMANN WILLIAM SAMUEL		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LANDMARKS PRESERVATION COMMISSION	
MAILING ADDRESS 235 S. County Rd.		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
CITY PALM BEACH	COUNTY PI	NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH	
DATE ON WHICH VOTE OCCURRED 21 APRIL 1993		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

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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.

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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, William S. Gubelman, hereby disclose that on 21 April, 1993:

(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 _____, by whom I am retained.

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

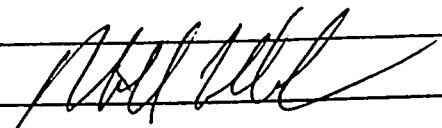
I AM AN OFFICER OF THE Society of the Four Arts whose
Representative came before the Landmarks Preservation Commission on
21 April 1993

Re: CoA #8-93, The Society of the Four Arts, 439 Royal Palm Way

Date Filed

21 April 1993

Signature



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