



**TOWN OF PALM BEACH
PLANNING, ZONING AND BUILDING
DEPARTMENT**

**MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION
MEETING HELD ON WEDNESDAY, OCTOBER 18, 2023.**

Please be advised that in keeping with a 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.

I. CALL TO ORDER

Chair Patterson called the meeting to order at 9:30 a.m.

II. ROLL CALL

Sue Patterson, Chair	PRESENT
Brittain Damgard, Vice Chair	PRESENT
Jacqueline Albarran, Member	PRESENT
Anne Fairfax, Member	PRESENT
Bridget Moran, Member	PRESENT
Julie Herzig Desnick, Member	PRESENT
Alexander Hufty Griswold, Member	PRESENT
Anne Metzger, Alternate Member	PRESENT
Fernando Wong, Alternate Member	PRESENT
Alexander Ives, Alternate Member	PRESENT

Staff Members present were:

Friederike Mittner, Design and Preservation Manager
Sarah C. Pardue, Design and Preservation Planner
Kelly Churney, Acting Town Clerk
Janet Murphy, Preservation Consultant
Emily Stillings, Preservation Consultant

III. PLEDGE OF ALLEGIANCE

Chair Patterson led the Pledge of Allegiance.

IV. APPROVAL OF MINUTES

A. Minutes of the September 20, 2023, Landmarks Preservation Commission Meeting

A motion was made by Ms. Damgard and was seconded by Ms. Albarran to approve the minutes of the September 20, 2023, meeting. The motion was carried unanimously,

7-0.

V. **APPROVAL OF THE AGENDA**

A motion was made by Ms. Damgard and was seconded by Ms. Albarran to approve the agenda as presented. The motion was carried unanimously, 7-0.

VI. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY**

Ms. Churney swore in all those intending to speak and continued to do so throughout the meeting as necessary.

VII. **COMMENTS FROM THE LANDMARKS PRESERVATION COMMISSION MEMBERS**

Mr. Wong discussed a project that his firm, Fernando Wong Outdoor Living Design, was working on in a Chateau.

VIII. **COMMENTS OF THE DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT**

There were no comments heard at this time.

IX. **COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)**

No one indicated a desire to speak.

X. **PROJECT REVIEW**

A. **CERTIFICATES OF APPROPRIATENESS - OLD BUSINESS**

1. None

B. **CERTIFICATES OF APPROPRIATENESS - NEW BUSINESS**

1. **COA-23-031 (ZON-23-089) 223 COLONIAL LN (COMBO) AND FLOODPLAIN VARIANCE.** The applicant, Thomas & Robyn Wasserman, has filed an application requesting a certificate of appropriateness for modifications to a landmark property, requiring a variance from the Floodplain requirement from Chapter 50, Floods, and including rear window changes, replacement of all remaining windows, repairing siding as necessary, new roof material, new garage door, and an approximately 100 SF addition to an existing accessory structure, requiring setback variances from Town Council. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Mses. Albarran, Metzger, and Mr. Ives.

Patrick Segraves, SKA Architect + Planner, provided an overview of the proposed modifications to the landmarked residence.

Daniel Clavijo, SKA Architect + Planner, presented the architectural plans for the landmarked residence.

Dustin Mizell, Environment Design Group, presented the landscape and

hardscape plan proposed for the site.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, commented on the proposed roof and window material.

Mr. Clavijo discussed budget limitations to use wood windows. He stated that his client felt strongly about the cedar shake roof material proposed.

Ms. Albarran thought the addition was placed nicely on the site. She liked the recommendation for the cedar shake roof. Ms. Albarran thought the alternate muntin pattern would look better since the doors had a thinner profile.

Ms. Fairfax supported the change to the cedar roof material; however, she thought a shingle would be preferred to a shake material. Mr. Segraves agreed and said he would discuss the change with the client. Ms. Fairfax supported the addition.

Ms. Albarran added that a wood impact window had a much thicker profile and supported the proposed material for the windows.

Ms. Damgard thought the proposed project improved the home. She preferred the cedar shingle material.

Ms. Moran liked the proposed muntin pattern rather than the alternative muntin pattern. She questioned whether the landscape lighting was too much for the site. She thought the cedar roof material would look better; however, she asked if it was in keeping with the historic nature of the property. She questioned the hardship for the variance.

Ms. Metzger preferred the muntin pattern proposed by the applicant. She asked Ms. Albarran why she liked the alternate design. Ms. Albarran responded and provided her reasons. Mr. Segraves stated he would evaluate the size of the lights once the construction drawings were completed.

Mr. Griswold understood the cost limitations for the choice of windows. He thought the home was a bit formal; therefore, Mr. Griswold recommended a wood shingle material for the roof replacement.

Ms. Herzig-Desnick also thought the wood shingle material would be most appropriate. She also asked about the size of the garage. Mr. Clavijo responded and discussed the size of the proposed garage.

Ms. Patterson liked the project. She preferred the wood window material for the window replacement; she felt strongly about this material being superior. She preferred the muntin pattern recommended by Ms. Albarran.

A motion was made by Ms. Albarran and was seconded by Mr. Griswold to approve the project as presented with the condition that the material for the roof replacement will be a cedar shingle, and the professional shall have the choice of the muntin pattern on the east elevation of the garage. The motion carried 6-1, with Ms. Patterson dissenting.

A motion was made by Ms. Albarran and was seconded by Ms. Damgard that implementation of the proposed variances will not cause negative architectural impact to the subject, landmarked property. The motion was carried unanimously, 7-0.

A motion was made by Ms. Albarran and was seconded by Ms. Damgard that the proposed development will not preclude the building's continued designation as a historic building, and the variance is the minimum necessary to preserve the historic character and design of the building. The motion was carried unanimously, 7-0.

2. **COA-23-035 (ZON-23-102) 1768 S OCEAN BLVD (COMBO).** The applicant, Four Winds Estates LLC (Steve and Christine Schwarzman), has filed an application requesting a Certificate Of Appropriateness for the proposed conversion of an existing tennis court into a padel tennis court with glass-enclosed court walls on the west side of the property and the installation of artificial turf ground cover around the court game that contains an existing two-story Landmarked structure. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Please note: This project was withdrawn under Item V., Approval of the Agenda.

3. **COA-23-036 (ZON-23-103) 209 PHIPPS PLAZA (COMBO).** The applicant, 209 Phipps Plaza LLC (Greg & Francine Purcell), has filed an application requesting a Certificate of Appropriateness for the addition of an awning to the northwest corner of the property. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by several members.

Patrick Segraves, SKA Architect + Planner, provided an overview and the architectural plans of the proposed modifications to the landmarked residence.

Ms. Patterson called for public comment. No one indicated a desire to speak.

Ms. Metzger wondered if the awning could be made taller so that the arches on the wall of the home were not obstructed. Mr. Segraves responded.

Maura Ziska, attorney for the applicant, stated that due to the traffic flow, this would not be seen by most people passing by the home.

Ms. Albarran suggested moving the awning to the south so that the column of the awning would align with the column on the home. Mr. Segraves agreed with the suggestion.

Ms. Moran thought this was a reasonable request and supported the project.

Ms. Fairfax thought the project should be approved since the awning was removable and did not attach to the historic structure.

Motion made by Ms. Fairfax and seconded by Ms. Albarran to approve the project with the condition to allow the applicant to adjust the location of the proposed awning to align with the existing column on the home. The motion was carried unanimously, 7-0.

A motion was made by Ms. Albarran and was seconded by Ms. Damgard that implementation of the proposed variances will not cause negative architectural impact to the subject, landmarked property. The motion was carried unanimously, 7-0.

4. **COA-23-0451200SOCEANBLVD**. The applicant, Jeffrey Greene, has filed an application requesting a Certificate of Appropriateness for the construction of a new two-story addition to the east side of the existing Landmarked single-family residence and landscape modifications.

Ms. Pardue provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Mses. Patterson, Albarran, and Mr. Ives.

Gui Vasquez, Bridges Marsh & Associates, Inc., presented the modifications proposed to the landmarked residence.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape plan proposed for the site.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, restated concerns for the proposed addition because when the original additions were added, they were designed to touch the historic building as little as possible. She pointed out that the proposed design contradicted the original intent.

A motion was made by Ms. Fairfax and was seconded by Ms. Moran to approve the project as presented. The motion was carried unanimously, 7-0.

Mr. Ives stated that while the project was previously proposed, he felt it did not guarantee a second approval. He shared Mses. Sunny and Skier's concerns about the proposed addition.

C. HISTORICALLY SIGNIFICANT BUILDINGS - OLD BUSINESS

1. None

D. HISTORICALLY SIGNIFICANT BUILDINGS - NEW BUSINESS

1. None

XI. DISCUSSION ITEMS

1. Continued Discussion on LPC Policies and Procedures

Ms. Mittner discussed several modifications and suggestions staff believed would improve the LPC process.

Mr. Murphy discussed the current notice mailing radiuses, depending on the type of request. He said the Landmark designation season would continue during the same months. He added that any project exceeding 50% of demolition would be heard only during the months of designation season.

Mr. Ives recommended changing the process so that the Commission would vote on any update the professional gave. He thought the change would provide some comfort to the community.

Mr. Griswold asked about a new review by the Commission; he was concerned with unforeseen building circumstances and prolonging the project. Mr. Murphy responded and stated that the staff was discussing the level of projects that could be reviewed and approved by the staff and Chair.

Ms. Damgard wondered if projects could be fast-tracked in the process. Mr. Murphy stated that projects require 30 days' notice. She discussed the possibility of a different notice for projects with minor changes. Mr. Murphy noted that the staff would discuss this possibility.

Ms. Fairfax cautioned the Commission not to burden the building community further by adding more bureaucracy.

Ms. Damgard recommended that her fellow Commissioners train with the Preservation Foundation of Palm Beach.

Ms. Herzig-Desnick thought temporary structures should be approved by staff. Mr. Murphy stated the awning on the agenda required a variance.

Ms. Patterson thought the perception of the Landmarks program needed to change.

Ms. Patterson called for public comment.

Amanda Skier, Preservation Foundation of Palm Beach, thought the ordinance needed more discussion before it was taken to the Town Council to clarify certain statements. She felt the information about the public right of way should be reconsidered.

Mr. Murphy agreed that the ordinance needed further discussion. He stated that the staff would work with the Preservation Foundation and return to the Commission with an amended ordinance.

Ms. Damgard stated she had two calls about the awning, so she was glad the project was presented to the Commission.

Ms. Fairfax wondered if an informal review of a project by the Commission had been considered. Mr. Murphy discussed how this idea had been discussed and the reason the idea had been tabled. Mr. Murphy discussed how the staff does provide an initial review of projects.

Mr. Ives thought the landmarks program was working; he cautioned about overburdening the applicant.

Mr. Griswold agreed with Ms. Skier and thought the threshold could be expanded on which projects in the public right of way would return.

2. Project Designation Manual Matrix Update

Ms. Mittner presented the revised LPC matrix. She asked the Commission's opinion if they believed this was a clear distinction of the project review process.

Mr. Murphy discussed why the Architectural Review Commission (ARCOM) and the Landmarks Preservation Commission matrices were bifurcated.

When Ms. Moran asked if neighbor consent was eliminated, Mr. Hodges discussed how neighbor consent was added to the Administrative Chair Review column.

Ms. Albarran asked about the approval of artificial turf. Ms. Pardue said it is almost always sent to the Commission for approval. Ms. Moran thought if the side yard was visible from the street, it should be reviewed by the Commission.

Ms. Fairfax asked about adding an item with a variance to the matrix. Mr. Hodges pointed to the item on the matrix. Ms. Moran wondered if an item that could be easily removed but needed a variance could be approved by the Chair and then sent to the Town Council for approval. Mr. Murphy stated he would explore the suggestion with the Town attorney.

Ms. Metzger asked about the notice to the neighbor. Mr. Hodges discussed the items that would need approval.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, liked the new matrix and its separation from the ARCOM matrix. Ms. Sunny thought accessory structures should be added under the review of the Commission. She also asked for clarification on the level of demolition listed in the matrix. She inquired about additions approved at the staff level. Lastly, she thought the line about the number of staff approvals was confusing.

3. Presentation of Potential Voluntary Properties Previously Considered for Landmark Designation

Mses. Murphy and Stillings presented a list of homes to be revisited for voluntary landmark designation. These homes had been previously considered but were not designated. Ms. Stillings stated that these owners would be contacted by a letter written by the mayor and possibly by the Preservation Foundation of Palm Beach.

Ms. Fairfax thought the new state bill 423 removed the burden of the homeowner's inability to demolish their house if landmarked.

Mr. Murphy discussed how the staff thought of pursuing some of the older homes that were not previously designated.

The homes presented to the Commission were 141 Brazilian Avenue, 211 Dunbar Road, 102 Flagler Drive, 115 Flagler Drive, 215 Garden Road, 5 Golfview Road, 341 Peruvian Avenue, 153-155 Root Trail, 170 Seagate Road, 357 Seabreeze Avenue, 120 Seabreeze Avenue, 145 Seaspray Avenue, 255 Seaspray Avenue, and 110 Seaspray Avenue.

A short discussion ensued about the possibility of landmarking districts.

A motion was made by Ms. Albarran and was seconded by Ms. Damgard to explore voluntary landmark designation of the following homes: 141 Brazilian Avenue, 211 Dunbar Road, 102 Flagler Drive, 115 Flagler Drive, 215 Garden Road, 5 Golfview Road, 341 Peruvian Avenue, 153-155 Root Trail, 170 Seagate Road, 357 Seabreeze Avenue, 120 Seabreeze Avenue, 145 Seaspray Avenue, 255 Seaspray Avenue, and 110 Seaspray Avenue. The motion was carried unanimously, 7-0.

XII. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

A. Public

No one indicated a desire to speak.

B. Staff

Ms. Pardue reminded the Commission that their meeting in November will be on a Friday.

Ms. Churney stated that Ms. Albarran declared a conflict for her project at 130 Brazilian Avenue at the September 20, 2023, meeting and had correctly completed the 8B Florida Commission on Ethics form in accordance with state law.

XIII. NEXT MEETING DATE: Friday, November 17, 2023

XIV. ADJOURNMENT

A motion was made by Ms. Moran and was seconded by Ms. Albarran to adjourn the meeting at 12:01 p.m. The motion was carried unanimously, 7-0.

The next meeting of the Landmarks Preservation Commission will be held on Friday, November 17, 2023, at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully submitted,

Sue Patterson, Chair
LANDMARKS PRESERVATION COMMISSION

kmc