



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

**MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION
MEETING HELD ON WEDNESDAY, DECEMBER 20, 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
Bradley Falco, Planner II
Kelly Churney, Acting Town Clerk
Janet Murphy, Preservation Consultant
Emily Stillings, Preservation Consultant

III. PLEDGE OF ALLEGIANCE

Chair Patterson led the Pledge of Allegiance.

Town Attorney Randolph discussed his pending retirement and expressed a note of thanks to the Commissioners for their work in the Town. He stated that Joanne O'Connor would be the new Town Attorney and that Lainey Francisco would participate in the Landmarks Preservation Commission meetings.

IV. APPROVAL OF MINUTES

A. Minutes of the November 17, 2023, Landmarks Preservation Commission Meeting

A motion was made by Ms. Damgard and was seconded by Ms. Moran to approve the minutes of the November 17, 2023, meeting as presented. The motion was carried unanimously, 7-0.

V. APPROVAL OF THE AGENDA

Ms. Pardue introduced an addition to the agenda, which was COA-21-017, 720 S. Ocean Blvd. She indicated that this project would be heard prior to any of the COAs on the agenda.

A motion was made by Ms. Damgard and was seconded by Ms. Moran to approve the agenda as amended. 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

No comments were heard at this time.

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

No one indicated a desire to speak.

IX. PROJECT REVIEW

A. CERTIFICATES OF APPROPRIATENESS - OLD BUSINESS

1. **COA-21-017 720 S. OCEAN BLVD.** The applicant, 720 S Ocean Blvd. Trust (Paul A. Krasker, Trustee), has filed an application requesting Landmarks Preservation Commission review and approval of a Certificate of Appropriateness for the final architectural detailing of a beach cabana approved in 2021 for the Landmarked residence.

Ms. Pardue provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Ms. Albarran and Mr. Ives. *Clerk's note: Ms. Patterson declared a conflict of interest for the project and left the dais during the discussion.*

MP Design & Architecture presented the architectural modifications proposed for the beach cabana.

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

Ms. Albarran thought the architect responded nicely to the Commissioners'

comments.

Ms. Moran agreed and stated she would support the project.

Ms. Fairfax expressed concern about the proposed detailing. She thought the detailing on the existing library bay window appeared complete and suggested replicating this detail on the beach cabana. The other Commissioners agreed with Ms. Fairfax's suggestion.

A motion was made by Ms. Fairfax and was seconded by Ms. Albarran to approve the project, with the condition that the details on the beach cabana are referenced from the library bay window on the existing residence. The motion was carried unanimously, 7-0.

2. **COA-23-040 (ZON-23-109) 134 EL VEDADO RD (COMBO).** The applicant, Elizabeth and Jeffrey Leeds, have filed an application requesting Landmarks Preservation Commission review and approval of a Certificate of Appropriateness for additions and alterations to an existing two-story Landmarked residence and accessory structures, including window, door and roof replacement, modifications to opening sizes, demolition of rear porch, construction of an enclosed rear addition, addition of covered rear terrace, covered walkway and second floor addition to tennis house, and landscape and hardscape modifications. Additionally, requesting construction of front wall with new vehicular driveway gates, including a variance from the backup/cueing distance requirement. Town Council shall review the application as it pertains to the zoning relief/approval.

Ms. Mittner provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Mr. Ives.

Mario Nievera, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the site.

Ms. Patterson liked the use of the brick and new shutter color proposed for the gates. She asked Mr. Nievera to show a picture of the existing home so the other Commissioners could see the details.

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

Ms. Herzig-Desnick asked about the pattern in the gate design. Mr. Nievera responded.

Ms. Damgard was in favor of the changes. She thought the change in color lightened up the gates.

Ms. Fairfax confirmed that the color would be a stain rather than paint, to which Mr. Nievera provided confirmation.

A motion was made by Ms. Damgard and was seconded by Ms. Albarran to approve the project with gate choice number 3, and the

color of the gate shall match the shutter color on the main residence. The motion was carried unanimously, 7-0.

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

B. CERTIFICATES OF APPROPRIATENESS - NEW BUSINESS

1. **COA-23-050 101 FOUR ARTS PLZ—THE SOCIETY OF THE FOUR ARTS** The applicant, Society of the Four Arts Inc, has filed an application requesting a Certificate of Appropriateness for the review and approval of the replacement of the overhead beams and rafters in two of the four pergolas in The Philip Hulitar Sculpture Garden at The Society of the Four Arts with an Azek product in lieu of wood.

Ms. Mittner provided staff comments for this project.

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

Roger Ramdeen, Shutts & Bowen, on behalf of the applicant, presented the architectural plans proposed for the pergolas at the Society of the Four Arts.

Russ Clark, Walpole Outdoors, spoke about the synthetic product to be used for the proposed pergolas.

Ms. Fairfax expressed a concern about the proposed material.

Ms. Patterson called for public comment.

Bob Vila, 690 Island Dr., spoke in favor of the proposed material and advocated for the use of the Azek product. He also spoke about the Ipe wood that had been used and the appearance of the proposed material.

Richard Sammons, Fairfax & Sammons, spoke against the Azek project and discussed other materials that could be used.

Mr. Ives asked if the proposed project would have a grain look when finished. Mr. Clark responded. Mr. Ives acknowledged the weather and maintenance issue with the real wood. He was not against using the Azek material; however, he wanted to see a detail of what the project would look like once it was finished. He wished all four pergolas would be replaced instead of replacing items in a piecemeal fashion.

Ms. Moran had a concern about painting the material. She was surprised that the Ipe wood was deteriorating; she asked about the maintenance of the current pergolas. She agreed with Mr. Ives and wanted to see what the material would look like once finished with the proposed paint.

Mr. Rylands stated they had not completed any maintenance in the last four

years. Ms. Moran thought that could be a contributing factor.

Mr. Clark discussed the fabrication and painting of the material.

Ms. Damgard had a wooden fence by Walpole, which was still standing. However, she thought that the Four Arts deserved wood pergolas. Mr. Clark discussed the hardship of finding good wood that would last.

Ms. Fairfax thought the Four Arts deserved wood material as well. She expressed concerns about the faux painting of the material and the maintenance of that material. She thought many other materials could be used. She thought architects and professionals had a responsibility to sustainability. She thought the material was inappropriate.

Ms. Metzger agreed with Ms. Fairfax that a different natural project should be used.

Ms. Herzig-Desnick thought the Commissioners should be provided with the specifications of the material. She asked about the weight and finish of the project. Mr. Clark responded.

Mr. Griswold agreed with the other Commissioners. He thought the pergolas should be made with wood materials.

Mr. Wong stated that he had used Walpole materials on projects in the past; however, he was not able to use them in Palm Beach as he believed they were not allowed in Town.

Ms. Albarran stated she could not approve the project as it was presented. She thought the professional should return with a sample that matches the wood.

Mr. Ramdeen discussed the issues of public safety and cost factors in relation to the project.

Ms. Patterson expressed concern about only approving the replacement of two pergolas rather than four. She also expressed concern about the faux painting of the material to look like wood when it did not. She stated she could not support the proposal. She thought other wood alternatives should be considered.

Mr. Vila discussed the material from the perspective of a board member of the Four Arts. He discussed the budget restraints and the reason the Azek was chosen.

A motion was made by Ms. Damgard and was seconded by Ms. Albarran to defer the project to the January 17, 2024, meeting with the request for the applicant to return with different materials and samples. The motion was carried unanimously, 7-0.

2. **COA-23-015 189 BRADLEY PL.** The applicant, Richard Sammons & Anne Fairfax Ellett, has filed an application requesting a Certificate of Appropriateness review and approval for modifications to a previously approved COA, including design modifications to lite patterns on replacement windows and doors, elimination of passage at the rear, and two mezzanine floors added for air conditioning equipment.

Mr. Falco provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by several members. *Clerk's note: Ms. Fairfax declared a conflict of interest and left the dais during the discussion.*

Richard Sammons, Fairfax and Sammons, presented the architectural plans proposed for the landmarked commercial building. Mr. Sammons showed an alternate plan for the fenestration on the front façade (Option 2)

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

Mr. Wong asked about the awnings. Mr. Sammons responded.

Ms. Herzig-Desnick asked about the location of the mechanical equipment. Mr. Sammons stated the location had been approved and discussed the location.

Mr. Ives thought the project was wonderful and should be applauded.

Ms. Moran agreed with Mr. Ives. She thought the muntin patterns were improved.

Ms. Damgard supported the project.

Ms. Albarran liked the muntin patterns and supported the new patterns.

A discussion ensued about the proposed fenestration.

A motion was made by Ms. Moran and was seconded by Ms. Damgard to approve the project as presented, with option 2, as presented for the fenestration. The motion was carried unanimously, 7-0.

3. **COA-23-037 691 N COUNTY RD.** The applicant, Laberge & Menard Inc., has filed an application requesting a Certificate of Appropriateness for the review and approval of two new one-story 145 SF wing additions to an existing two-story garage/guest landmarked structure that was designed in 1930 for Otto H. Kahn by Treanor and Fatio. The request also includes the replacement of windows and doors as well as some opening modifications.

Ms. Mittner provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Mr. Ives.

Daniel Menard, LaBerge & Menard presented the architectural plans proposed for the addition to a landmarked structure.

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

Ms. Metzger asked about the design of the quoins. Mr. Menard responded he believed they were beveled.

Mr. Griswold asked about the fenestration on the garage renovation. Mr. Menard discussed the windows.

Mr. Ives suggested reducing the size of the additions to make them a bit more subsidiary to the main, existing building. He thought the project was nice.

Ms. Albarran favored the project and liked the proportions as proposed.

Ms. Moran agreed. She supported the project and proportions. She asked about where the accessory items would be stored. Mr. Menard responded.

Ms. Fairfax favored the pergola and wondered how it was attached to the building. She requested to see the details of the pergola. She suggested spanning the pergola from corner to corner of the buildings to provide more structure.

Ms. Herzig-Desnick was glad to see the garage doors were remaining. She thought it helped to preserve the building, especially at the entrance to the property.

Ms. Damgard asked about the bathroom on the first floor. Mr. Menard responded.

A motion was made by Ms. Albarran and was seconded by Ms. Damgard to approve the project as presented, with the condition that the pergola shall span the area from corner to corner and that brackets shall be added to the pergola on the ends, as well as where the columns are located. A motion was carried unanimously, 7-0.

4. **COA-23-046 235 SUNRISE AVE.** The applicant, Palm Beach Hotel Condominium Association, INC. (Rep. Anthony Sawaya), has requested Landmarks Preservation Commission review and approval of a Certificate of Appropriateness for the replacement of windows and doors for the Landmarked building.

Ms. Mittner provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Mr. Ives.

Anthony Sawaya, Condominium Board President, presented the

architectural modifications proposed for the landmarked building.

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

Ms. Mittner spoke about the proposed window materials compared to the existing windows. She indicated that the fenestration pattern was compared to the historical documentation. She stated that the staff felt the proposal was consistent with past approved materials. She asked that if approved, the Commission ask that the historical drawings take precedence if any discrepancies arise.

Ms. Fairfax wondered if the project could have been approved by staff. Ms. Mittner responded and discussed the reason it was in front of the Commission.

Mr. Ives was supportive since the project was trying to bring it to unity. He thought the proposal would improve the building.

Ms. Moran asked if any awnings were proposed. Mr. Sawaya responded. She asked if the building would be painted and added she liked it when it was pink. Mr. Sawaya responded.

Ms. Albarran asked about the muntins for the proposed windows. Ms. Mittner responded.

A discussion ensued about the proposed windows.

A motion was made by Ms. Moran and was seconded by Ms. Fairfax to approve the project as presented, with the allowance for staff to compare any windows to the drawings submitted should there be any discrepancies. The motion was carried unanimously, 7-0.

5. **COA-23-047 (ZON-24-003) 340 ROYAL POINCIANA WAY (COMBO)** The applicant, TUTTO MARE LLC and SIDNEY SPIEGEL, TRUSTEE OF TRUST #31520371 DATED OCTOBER 25, 1984, has filed an application requesting modifications to previously approved Certificate of Appropriateness for exterior façade alterations to the south and west facades, including a variance to exceed the maximum height for new rooftop kitchen equipment. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Mittner provided staff comments for this project.

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

Nelo Freijomel, Spina O'Rourke + Partners, presented the architectural plans proposed for the landmarked building.

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

Ms. Damgard asked about the single door versus the double doors. Mr. Freijomel responded.

Ms. Moran was fine with the door. She asked about the painting as proposed for the interior space. Mr. Freijomel responded and said the entire mural would be exposed.

Ms. Albarran asked about the doors on the west elevation. She asked that they be centered on the arches. Mr. Freijomel agreed.

Ms. Patterson was supportive of the project.

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

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

C. HISTORICALLY SIGNIFICANT BUILDINGS - OLD BUSINESS

1. **HSB-23-009 (ZON-23-111) 269 PARK AVE (COMBO) AND FLOODPLAIN VARIANCE** The applicant, Schnapps 269 Park Avenue LLC (Andrew and Lorraine Dodge), has filed an application requesting Landmarks Preservation Commission review and approval for exterior alterations to an existing three-story historically significant building, specifically to add a front terrace deck onto an existing ground floor entry porch, to construct a new gable-end entry, to add four new dormer windows (two on the east and two on the west side) to the roof of an existing three-story building, requiring a variance from the Floodplain requirement from Chapter 50, Floods, to maintain the existing building at a finished floor elevation below current FEMA requirements, and a variance to expand a nonconforming third floor, to increase the maximum height and to reduce the required front and side setback. Town Council shall review the application as it pertains to zoning relief/approval.

Mr. Falco provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Ms. Damgard and Mr. Ives.

Jeffrey Brasseur, Brasseur & Drobot Architect, presented the architectural modifications proposed for the landmarked residence.

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

Ms. Herzig-Desnick asked the reason for the addition of the dormers. Mr. Brasseur responded.

Ms. Albarran was in favor of the changes and thought the professional listened to the comments of the Commissioners.

Ms. Moran asked about the reduction in the size of the dormers. Mr. Brasseur responded. She still had a concern about the parapet on the street and asked if it could be lowered. Mr. Brasseur responded. She asked if the scuppers were new on the front of the building; she recommended moving them to the side of the home. Mr. Brasseur agreed.

Ms. Damgard thought the parapet needed softening. She provided a suggestion to change the look of the parapet.

A discussion ensued about the suggestion for the look of the parapet.

Mr. Griswold thought the professional listened to the comments of the Commissioners and thought the changes were a large improvement to the home.

A motion was made by Ms. Fairfax and was seconded by Ms. Albarran to approve the project as presented, with the conditions that the scuppers are moved from the front elevation, and the professional shall restudy the front parapet and return with alternate designs at the January 17, 2024, meeting. The motion was carried unanimously, 7-0.

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

D. HISTORICALLY SIGNIFICANT BUILDINGS - NEW BUSINESS

1. **HSB-23-010 441 SEAVIEW AVE.** The applicant, 441 Seaview LLC (Rep. Maura Ziska), has filed an application requesting a Certificate of Appropriateness review and approval for the installation of a new rooftop solar panel system for an existing one-story Historically Significant Building currently undergoing rehabilitation.

Mr. Falco provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Mr. Ives.

Jaime Torres-Cruz, Fairfax & Sammons, presented the architectural modifications proposed for the landmark residence.

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

Ms. Moran stated she supported the project and that it met the letter of the Secretary of Interior Standards.

A motion was made by Ms. Moran and was seconded by Ms. Damgard

to approve the project as presented. The motion was carried unanimously, 7-0.

X. LANDMARK DESIGNATION HEARING

1. ITEM 1: 249 PERUVIAN AVE

Owner: S & S Peruvian LLC

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

Ms. Mittner read a letter of objection by James Gavigan with Shutts and Bowen, who wrote on behalf of Rhonda Nasser, one of the owners of the buildings.

Emily Stillings, MurphyStillings, LLC, testified to the architecture and history of the Mid-Century Modern style buildings. Ms. Stillings pointed out the design features of the buildings. Ms. Stillings testified that the buildings met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic, or social history of the nation, state, county, or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction, or use of indigenous materials or craftsmanship,

Sect. 54-161 (4) Is representative of the notable work of a master builder, designer, or architect whose individual ability has been recognized or who influenced his age.

Ms. Patterson asked for confirmation on proof of publication. Ms. Mittner provided confirmation.

A motion was made by Ms. Damgard and was seconded by Ms. Moran to make the designation report for 249 Peruvian Avenue part of the record. The motion was carried unanimously, 7-0

Ms. Patterson called for any public comment on the designation.

Town Attorney Randolph recommended that the Commission act on the request for deferral before considering the application. Town Attorney Randolph also discussed the hearing requirements listed in the Town's Code.

Patrick Segraves, one of the owners of 249 Peruvian Avenue, stated that the item had been deferred twice, and he advocated for the Commission to hear the application and to landmark the buildings.

Ms. Mittner stated that the letter of objection on behalf of Dr. Nasser indicated that she owned many buildings, but the Property Appraiser's office listed only one building under her name.

Amanda Skier, Preservation Foundation of Palm Beach, spoke about the

significance of the building. She advocated that the building be landmarked and for the building to be preserved.

The Commission discussed whether the item should be deferred at Dr. Nasser's request. The consensus of the Commission was that Dr. Nasser had ample opportunities to state her objections.

A motion was made by Ms. Damgard and was seconded by Ms. Albarran to deny the request for deferral. The motion was carried unanimously, 7-0.

Ms. Damgard thought the property was iconic. It looked good on the street and was well-kept. She thought it looked like old Palm Beach. She thought it represented Stetson well and would like to have one of his buildings landmarked.

Ms. Moran thought the building was an excellent example of John Stetson's work. She was happy that Mr. Segraves was an excellent steward of the property.

Mr. Ives agreed Mr. Segraves was an excellent steward of the property. He also concurred that John Stetson's work was important. He questioned the uniqueness of the screen block on the building but did believe the cantilevered features were special. He was torn about whether the building should be landmarked but leaned toward not landmarking it.

Ms. Albarran felt that some of the points Mr. Ives raised were why she believed the buildings should be landmarked. She also thought the property was special since Stetson designed it, and it was his residence. She felt the building was architecturally beautiful and historically significant.

Ms. Fairfax agreed with Mr. Ives and had some reluctance in landmarking the building. She thought the building was modest and wondered if it was the highest and best design to help define the street. She questioned whether having every style represented was necessary and did not love the building.

Ms. Patterson stated she was a fan of the Mid-Century Modern style. She worried about the evolution of Palm Beach; she feared the fabric of Palm Beach could slip away. She acknowledged that while the building was not the most spectacular representation of the style, she thought the building was great. She advocated for the building to be landmarked and protected.

Ms. Damgard agreed with Ms. Patterson.

A motion was made by Ms. Albarran and was seconded by Ms. Damgard to recommend 249 Peruvian Avenue to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3, and 4 in Section 54-161 and with the acknowledgment that there are several owners of the buildings, one owner opposed while most supported the designation. The motion was carried 6-1, with Ms. Fairfax dissenting.

XI. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

- A. Public
No one indicated a desire to speak.

- B. Staff
No one indicated a desire to speak.

XII. COMMENTS FROM THE LANDMARKS PRESERVATION COMMISSION MEMBERS

No one indicated a desire to speak.

XIII. NEXT MEETING DATE: Wednesday, January 17, 2024

XIV. ADJOURNMENT

A motion was made by Ms. Albarran and was seconded by Ms. Moran to adjourn the meeting at 12:59 p.m. The motion was carried unanimously, 7-0.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, January 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