



# **TOWN OF PALM BEACH**

## **PLANNING, ZONING AND BUILDING DEPARTMENT**

### **MINUTES OF THE REGULAR ARCHITECTURAL COMMISSION MEETING HELD ON WEDNESDAY, NOVEMBER 28, 2018**

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).

#### **I. CALL TO ORDER**

Mr. Vila called the meeting to order at 9:01 a.m.

#### **II. ROLL CALL**

Robert J. Vila, Chairman	PRESENT
Michael B. Small, Vice Chairman	PRESENT
Robert N. Garrison, Member	PRESENT
Alexander C. Ives, Member	PRESENT
Maisie Grace, Member	PRESENT (left at 11:56 a.m.)
John David Corey, Member	PRESENT (left at 11:44 a.m.)
Nikita Zukov, Member	ABSENT (excused)
Betsy Shiverick, Alternate Member	PRESENT
Katherine Catlin, Alternate Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT

Staff Members present were:

John Lindgren, Planning Administrator

Josh Martin, Director of Planning, Zoning and Building

Kelly Churney, Secretary to the Architectural Review Commission

*Please note: Ms. Shiverick voted in the absence of Mr. Zukov.*

#### **III. PLEDGE OF ALLEGIANCE**

Chairman Vila led the Pledge of Allegiance.

#### **IV. APPROVAL OF THE MINUTES FROM THE OCTOBER 24, 2018 MEETING**

**Motion made by Mr. Small and seconded by Mr. Ives to approve the minutes from the October 24, 2018 meeting. Motion carried unanimously.**

#### **V. APPROVAL OF THE AGENDA**

Mr. Small requested to amend the agenda with the deferral of project B-093-2018, 977 S. Ocean Blvd to the December 14, 2018 meeting.

Mr. Lindgren added that staff was requesting a deferral of project A-051-2018, 400 Chilean Avenue to the December 14, 2018 meeting. He stated that the architect for project A-044-2018, 1040 N. Lake Way requested a deferral to the January 23, 2019 meeting.

Mr. Vila asked if the representative for project B-093-2018, 977 S. Ocean Blvd could provide a reason for the deferral. Maura Ziska, attorney for the applicant, explained the reason for the additional deferral.

**Motion made by Mr. Small and seconded by Mr. Garrison to approve the agenda as amended. Motion carried unanimously.**

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

Ms. Churney administered the oath at this time and throughout the meeting as necessary.

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

There were no comments heard at this time.

VIII. **PROJECT REVIEW**

**Please note: All approved projects will now include the following condition in the motion – *Prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.* This shall be required prior to the issuance of a building permit.**

*Please note: At this time, Mr. Corey inquired if any Commissioner on the prevailing side of the Testa's window project would like to open the motion from the October 24, 2018 meeting for discussion. Mr. Corey explained his concerns for the project. Mr. Vila stated that Mr. Corey should discuss his concerns with the architect for the project and expressed concern for opening the motion.*

A. **DEMOLITIONS AND TIME EXTENSIONS**

**B-110-2018 Time Extension**

Address: 259 Pendleton Ave.

Applicant: Llewellyn Legacy LLC (Elizabeth Tilney)

Professional: Jacqueline Albarran/SKA Architect + Planner

Project Description: One year time extension request for project demolition (B-006-2018)

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

Ms. Albarran presented the time extension request for the demolition.

**Motion made by Ms. Grace and seconded by Mr. Small to approve the demolition as presented with the following caveats: remove all exotic and**

**invasive plant species, sod and irrigate the property within 30 days and all elements on the property are to be maintained prior to demolition, with the items remaining after demolition to be maintained until new construction commences. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried unanimously.**

**B-117-2018 Demolition**

Address: 237 Brazilian Ave.

Applicant: Thomas D'Agostino Sr. & Thomas D'Agostino Jr, as trustees of the Thomas B. & Elzbiela M. D'Agostino 1997 CRT

Professional: Nievera Williams Design

Project Description: Demolition of existing multi-family structure and hardscape.

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

Matt Jackman, Nievera Williams Design, stated that this project had previously been approved for demolition. He requested an approval for the demolition and stated that there were no changes since the last time the Commission heard the proposal.

Ms. Shiverick asked if there was an architect for the new residence. Mr. Jackman responded and stated that there had not been an architect retained at this time.

Mr. Corey asked about the condition of the existing hedge on the east side. Mr. Jackman stated that they would fill in the hedge.

Mr. Garrison asked about the timeline of the demolition. Mr. Jackman stated he was unsure of the timeline for the project. Mr. Lindgren commented on the demolition timeline. Mr. Garrison wanted confirmation that there would not be any demolition until after Easter. Mr. Jackman provided confirmation.

Mr. Vila stated that the property was not in good condition and asked if the owners would clean up the property. Mr. Jackman stated that they would. Mr. Garrison stated he would like to know who would monitor the cleanup. Mr. Jackman responded.

Mr. Floersheimer stated he saw several cats on the property and asked for this to be addressed.

Mr. Small discussed the condition of properties in the Town before, during and after demolition and stated the neighbors and the Town suffer when the maintenance of the property is not addressed.

**Motion made by Mr. Small and seconded by Ms. Grace to approve the demolition as presented with the following caveats: remove all exotic and invasive plant species, sod and irrigate the property within 30 days and all elements on the property are to be maintained prior to demolition, with the items remaining after demolition to be maintained until new construction commences. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried unanimously.**

**B. MAJOR PROJECTS – OLD BUSINESS**  
**B-003-2018 Demolition/New Construction**

Address: 2291 Ibis Isle Rd. E.

Applicant: Lynne Eriksen

Professional: Roger Hansrote/ACI

Project Description: Demolition of an existing one story, CBS, 2547 s.f. ranch style single-family residence and swimming pool constructed in 1961.

Construction of a new 3576 s.f. AC area one story single family residence with a 523 s.f. garage, swimming pool and associated landscaping and hardscape.

A motion carried at the April meeting to defer the project to the May meeting at the request of the architect. A motion carried at the May meeting to defer the project to the October 24, 2018 meeting. A motion carried at the October meeting to approve the requested demolition. A second motion carried to defer the project for restudy to the November 28, 2018 meeting.

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

Richard Leja, ACI, presented the architectural modifications for the new residence. He presented material samples to the Commissioners.

Steve West, Parker Yannette Design Group, presented the modifications to the landscape and hardscape plans for the new residence.

Ms. Grace was in favor of the new colors and appreciated the changes presented. She added that a larger and wider entrance would appear more gracious.

Mr. Floersheimer asked about the material proposed for the front door. Mr. Leja responded and showed the Commissioners the detail of the front door. Mr. Floersheimer stated that he felt the palms in the front appeared diminutive. Mr. West responded.

Mr. Corey stated he preferred the previously presented front entrance with the pediment. He also questioned the new muntin pattern proposed for the windows. He stated he was in favor of the Pigeon Plums in the front. He asked about the

Royal Palms proposed. Mr. West responded. Mr. Corey felt that the Royal Palms would be out of scale as they grow larger. He recommended either a Dwarf Royal Palm or a Foxtail Palm. Mr. West responded.

Mr. Garrison suggested that the front entrance was too narrow and suggested making it wider by two feet. Mr. Leja responded.

Ms. Catlin appreciated the minor changes but still felt that the front entrance was missing curb appeal. She agreed with Mr. Corey that the Royal Palms would be out of scale as they grow.

Mr. Ives agreed that the front entrance appeared too tight and felt the design needed to be restudied. Mr. Leja explained the design.

Ms. Shiverick stated she felt the first entrance was a better design and had more charm. She questioned the new muntin pattern.

Mr. Vila agreed with his fellow Commissioners that the front entrance felt pinched. He added that the roof design was a bit problematic due to the front entrance design.

Mr. Corey stated that if additional width were added to the front entrance, it would allow the front door to be centered to align with the pool entrance.

Mr. Leja discussed the front entrance design.

**Motion made by Mr. Garrison and seconded by Mr. Small to defer the project for a restudy of the front entrance, window mullions and roof plan to the January 23, 2019 meeting. Motion carried unanimously.**

**[B-093-2018 Demolition/New Construction](#)**

**\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)\***

Address: 977 S. Ocean Blvd.

Applicant: 195 Phesten Associates Palm Beach LLC/Contract Purchaser

Professional: Studio SR Architecture, Inc.

Project Description: Demolition of existing single story residence; proposed new two story modern residence in light stone cladding, natural veneer with associated landscape and hardscape.

A motion carried at the August meeting to defer the project to the September 26, 2018 meeting at the request of the attorney. A motion carried at the September meeting to defer the project to the October 24, 2018 meeting at the request of the attorney. A motion carried at the October meeting to defer the project at the November 28, 2018 meeting at staff's request.

SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S) INFORMATION:

1) Special Exception with Site Plan Review to allow the construction of a 9,685 square foot two-story, single family residence on a non-conforming lot that is 77 feet in depth in lieu of the 150 foot minimum required In the R-A Zoning District and 13,662 square feet in area in lieu of the 20,000 square foot minimum area required in the R-A Zoning District. 2) A request for a variance to allow the proposed swimming pool to have a 5-foot rear yard setback in lieu of the 10-foot minimum required and a 30-foot front yard setback in lieu of the 35-foot minimum required in the R-A Zoning District. 3) A request for a variance to allow a building height plane setback to be 35 feet in lieu of the 50-foot minimum setback required.

***Please note: This item was deferred to the December 14, 2018 meeting with the Item V. Approval of the Agenda.***

B-104-2018 Demolition/New Construction

Address: 880 & 888 S. Ocean Blvd.

Applicant: Mr. & Mrs. Alex Chesterman

Professional: MP Design & Architecture

Project Description: Demolition of existing residence at 888 S. Ocean Blvd.

New two-story addition to existing two-story residence at 880 S. Ocean Blvd. (previously ARCOM approved), new two-story pool house, pool, landscape & hardscape.

A motion carried at the September 26, 2018 meeting to approve the demolition as requested. A second motion carried to approve the project as presented with the caveat that the architect would return in one month with a vehicular gate and pedestrian door design for the south elevation. A motion carried at the October meeting to defer the project to the November 28, 2018 meeting at the architect's request.

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

Matt Jackman, Nievera Williams Design, presented the modifications to the gates proposed for the residence.

Mr. Vila asked about the arched top on the gate design. Mr. Jackman responded. Mr. Vila stated he would have preferred a gate with a flat top.

Mr. Corey asked about the gate material proposed. Mr. Jackman responded. Mr. Corey thought the gate lacked imagination. Mr. Jackman responded.

Ms. Grace questioned the gate color proposed. Mr. Jackman stated that the gate would match the color of the shutters on the home.

Mr. Small agreed with the concerns expressed for the proposed gates.

Mr. Floersheimer questioned the use of the pedestrian gate on South Ocean. Mr. Jackman responded.

Mr. Vila suggested changing the service gate to a flat top design and painting it the same color as the wall so that the gate disappears. Mr. Jackman agreed to the change.

**Motion made by Mr. Ives, seconded by Mr. Garrison to approve the project as presented with the caveat that both gates are changed to reflect a flat top, and painted the same color as the wall. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried 6-1 with Mr. Corey opposed.**

[B-108-2018 New Construction](#)

\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW\* - Done 10/24/18

Address: 830 S. County Rd.

Applicant: Kenneth & Claudia Silverman

Professional: M. Mark Marsh/Bridges, Marsh & Associates

Project Description: New two-story residence with associated hardscape and landscape.

A motion carried at the October meeting that implementation of the proposed special exception with site plan review will not cause negative architectural impact to the subject property. A second motion carried to defer the project for restudy to the November 28, 2018 meeting.

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

Mr. Marsh presented the architectural modifications for the new residence.

Mr. Corey thought the design was successful. He questioned the railing heights on the south and west porticos. He also questioned the detail proportions on the on the carriage house entry surround.

Mr. Ives thought the project was improved and a bit more modest.

Ms. Grace was in favor of most of the changes but questioned the design of the carriage house entrance in relation to the front façade.

Ms. Catlin appreciated the changes and thought the new design worked.

Mr. Vila questioned the entrance on South County and thought the entrance should be on Via Del Mar. He suggested a redesign of the carriage house. He stated he could not support the entrance on South County.

Matt Jackman, Nievera Williams Design, showed the new rendering of the landscape and hardscape to coincide with the architectural changes.

Mr. Marsh advocated for the carriage house and entrance on South County.

**Motion made by Ms. Grace to defer the project in accordance with the Commissioner's comments.**

Mr. Small asked the architect to comment on Mr. Vila's concern and stated he shared Mr. Vila's concern for the entrance on South County. Mr. Marsh responded and stated that he had addressed the Town's concerns for the traffic circulation patterns.

Ms. Shiverick stated she would support the project and was in favor for the carriage house design on South County.

**Motion made by Ms. Grace failed for a lack of a second.**

**Motion made by Mr. Corey and seconded by Ms. Grace to approve the project as presented with a restudy of the east and west façades of the carriage house entrance with a simpler design.**

Mr. Marsh offered to remove the railing on carriage house. A short discussion ensued.

**Motion failed 3-4 with Messrs. Small, Ives, Vila and Ms. Shiverick opposed.**

**Motion made by Mr. Ives and seconded by Ms. Shiverick to approve the project as presented. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried 4-3 with Messrs. Vila, Small and Ms. Grace opposed.**

**C. MAJOR PROJECTS – NEW BUSINESS**  
**B-115-2018 New Construction**

Address: 239 Monterey Rd.

Applicant: Ales Hufty Griswold

Professional: MHK Architecture & Planning

Project Description: New two-story Monterey Style house. New landscape, hardscape and pool.

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

Caroline Forrest, MHK Architecture & Planning, presented the architectural plans for the new residence.



Mr. Vila stated he was in favor of the pink color proposed. Mr. Vila asked if the front door was historically accurate to a Fatio designed door. Ms. Forrest confirmed it was accurate.

Ms. Grace was in favor of the design.

Mr. Corey agreed with Ms. Grace and stated he was in favor of the pink color proposed. He questioned the two steps shown at the entry of the home and wondered if the was drawing was accurate considering the existing grade of the lot.

Mr. Ives was in favor of the design and thought the design was appropriate for the street.

Ms. Shiverick thought the home design was charming and was in favor of the colors proposed. Ms. Shiverick questioned the proposed brick for the driveway.

Ms. Catlin appreciated the professional's research and thought process in the design and added that the home was befitting for the streetscape.

Mr. Garrison discussed the conundrum of bringing the house up to FEMA regulations while trying to soften the roof height. Ms. Forrest stated she did research the home with different roof styles and added that a gable roof would require a variance. Mr. Garrison thought the overall issue needed to be addressed.

Mr. Vila thought the design was great and perfect for the street.

Matt Jackman, Nievera Williams Design, presented the landscape and hardscape plans for the new residence. Ms. Jackman presented an alternate front façade rendering for the residence.

Ms. Grace was in favor of the landscape changes proposed for the front façade.

**Motion made by Mr. Corey and seconded by Mr. Ives to approve the project as presented. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried unanimously.**

*Please note: A short break was taken at 10:20 a.m. The meeting resumed at 10:41 a.m.*

[B-116-2018 New Construction](#)

Address: 757 Island Dr.

Applicant: David and Elizabeth Wetherell/Maura Ziska, Trustee

Professional: Daniel Kahan/Smith and Moore Architects, Inc.

Project Description: New two-story residence. Final landscape and hardscape.

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

Mr. Kahan presented the architectural plans for the new residence.

Mr. Ives was in favor of the design and thought the home was elegant. He expressed some concern about the amount of fenestration on the west elevation but stated that overall the home was well done.

Ms. Shiverick thought the home was exciting and liked the individuality of the design. She asked about the unique design on the brick. Mr. Kahan responded. She was in favor of the detail and recommended adding the feature on the west façade.

Mr. Small agreed with Mr. Ives and Ms. Shiverick and thought the design protected the unique site. He stated he was in full support of the project.

Ms. Catlin thought the home would be an inspiration for other homes in the future.

Mr. Floersheimer agreed with the other commissioners but thought the front entrance was a little heavy in the design. Mr. Kahan responded.

Mr. Garrison stated he supported the project and thought the home was well designed.

Ms. Grace thought the project was terrific.

Jorge Sanchez, SMI Landscape Architecture, presented the landscape and hardscape plans for the new residence. Mr. Sanchez presented alternate and additional renderings on the overhead projector.

Mr. Ives was supportive of the landscape and hardscape plans.

Ms. Grace thought the design was an excellent presentation. She asked if the architect would consider adding Bougainvillea to the boathouse. Mr. Sanchez stated he would look at the area and consider the addition.

Mr. Corey inquired about the width of the vehicular gate at the front entrance. Mr. Sanchez stated the gate was 12 feet wide and explained the design.

Mr. Lindgren stated that the gate appeared taller than 8 feet. He stated the gate would need to be revised to meet Code or the applicant would need a variance.

Ms. Catlin thought the design was an excellent marriage of architecture and landscape.

Mr. Floersheimer inquired about the extension of the west and south property with a 6-foot green dock. Mr. Sanchez responded.

Ms. Shiverick was in favor of Ms. Grace's suggestion of the addition of Bougainvillea on the boathouse and requested the addition of two more sea grapes next to the pool. Mr. Sanchez responded and stated he would study the suggestion.

Mr. Villa was in full support of the project.

**Motion made by Mr. Garrison and seconded by Mr. Ives to approve the project as presented. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried unanimously.**

[B-118-2018 Additions/Modifications](#)

\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO  
VARIANCE(S)\*

Address: 117 Everglade Ave.

Applicant: Joan Klann

Professional: Jacqueline Albarran/SKA Architect + Planner

Project Description: One story infill addition on east side of existing structure. This addition, which is not visible from the street, is to match existing roof, stucco, side door and all existing details.

VARIANCE INFORMATION: Applicant is proposing to construct 164 square feet one story infill addition to connect the existing garage to the house which will require the following variance: 1) a cubic content ratio ("CCR") of 4.96 in lieu the 4.85 existing and the of the 3.98 maximum allowed in the R-B Zoning District for a lot that is 12,245 square feet in area.

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

Maura Ziska, attorney for the applicant, explained the variance request and advocated for a positive recommendation to the Town Council.

Ms. Albarran presented the architectural plans for the proposed addition.

**Motion made by Mr. Small and seconded by Mr. Garrison that implementation of the proposed variance will not cause negative architectural impact to the subject property. Motion carried 6-1 with Mr. Ives opposed.**

**A second motion made by Mr. Small and seconded by Mr. Garrison to approve the project as presented. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried 6-1 with Mr. Ives opposed.**

**B-119-2018 Modifications**

**\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)\***

Address: 528 N. Lake Way

Applicant: NLWFL LLC

Professional: Nievera Williams Design

Project Description: Relocation of equipment enclosure to street side yard with enclosure wall height of 7'HT. Raise previously approved portion of curb wall to match enclosure height and remodel of landscape per new layout. Removal of previously approved paving and pergola structure within north side yard space.

VARIANCE INFORMATION: 1) A request for variance to allow a 60 KW generator to be placed in the street side yard setback along Tangier Avenue with a setback of 5.83 feet in lieu of the 25 foot minimum required. 2) A request for a variance to allow a swimming heater in the street side yard setback with a setback of 5.83 feet in lieu of the 25 foot minimum required. 3) A request for a variance to allow an equipment screening and noise-attenuating wall at a height of 7 feet in lieu of the 6 foot maximum allowed in a front or street side yard setback.

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

Maura Ziska, attorney for the applicant, explained the variance request and advocated for a positive recommendation to the Town Council.

Matt Jackman, Nievera Williams Design, presented the landscape and hardscape modifications for the site.

Mr. Vila asked if the neighbor to the west had any objections to the changes. Mr. Jackman responded and stated the neighbor did not have any objections.

Mr. Corey asked about the wall increase in height. Mr. Jackman responded.

Ms. Shiverick asked for more information about the wall. Mr. Jackman responded.

**Motion made by Mr. Ives and seconded by Mr. Small that implementation of the proposed variance will not cause negative architectural impact to the subject property. Motion carried unanimously.**

**A second motion made by Mr. Ives and seconded by Mr. Small to approve the project as presented. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either**

**dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried unanimously.**

**B-120-2018 New Construction**

Address: 726 Hi-Mount Rd.

Applicant: Irimar Ocean Properties LLC

Professional: Richard Sammons/Fairfax, Sammons & Partners, LLC

Project Description: New two-story residence with basement and pool cabana.

New swimming pool, landscape and hardscape improvements. Existing perimeter site walls & gates to remain.

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

*Please note: At this point in the meeting, Mr. Small asked the Chairman if he would ask the Commissioners if anyone on the prevailing side of the Testa's window project last month would like to open the motion for a reconsideration of the project. Mr. Vila asked the Commissioners if anyone on the prevailing side would like to open the motion. There was no response; therefore, the item was not reconsidered.*

Mr. Sammons presented the architectural plans for the new residence. He told the Commissioners he would like to defer the landscape presentation at this time.

Mr. Ives thought the home design was elegant.

Mr. Corey thought the front façade was elegant. Mr. Corey inquired about the windows for the bedrooms in the basement. Mr. Sammons responded. He recommended breaking up the mass of the building from the water at the plinth. He also recommended adding rustication and details on the plinth. Mr. Sammons responded.

Ms. Catlin was in favor of the design and thought it worked well with the topography. Ms. Grace agreed.

**Motion made by Mr. Ives and seconded by Mr. Small to approve the project as presented with the deferral of the landscape presentation to the January 23, 2019 meeting. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried 6-1 with Mr. Corey opposed.**

**D. MINOR PROJECTS – OLD BUSINESS**

**A-044-2018 Modifications**

Address: 1040 N. Lake Way

Applicant: Edward and Brooke Garden

Professional: Patrick O'Connell/Patrick Ryan O'Connell Architect

Project Description: Replace existing wood front door, sidelites and transom with new wood and glass double door.

A motion carried at the October meeting to defer the project for restudy to the November 28, 2018 meeting.

***Please note: This item was deferred to the January 23, 2019 meeting with the Item V. Approval of the Agenda.***

[A-050-2018 Modifications](#)

Address: 228 Via Las Brisas

Applicant: 228 Las Brisas Corp

Professional: Steve Parker/Parker Yannette Design Group

Project Description: New travertine driveway and front yard landscaping.

A motion carried at the October meeting to defer the project to the November 28, 2018 meeting to allow the architect to bring more information to the Commission.

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

Please note: Mr. Corey left at 11:44 a.m. to attend his Master Gardner class for the Town. Mr. Vila noted that Ms. Catlin would be voting in his absence.

Steve West, Parker Yannette Design Group, presented the modifications to the landscape and hardscape.

Mr. Ives stated that at the last meeting, the Commission had request an existing, previously proposed and currently proposed set of plans for this presentation. He stated he could support the proposal but was disappointed in the presentation.

Mr. Grace thought the design was moving toward the original design and added that she was in favor of the changes.

Mr. Floersheimer asked for clarification for the proposed driveway. Mr. West further explained his design.

Mr. Small asked about the height of the gate proposed. Mr. West stated that the gate was existing and would be preserved.

**Motion made by Mr. Ives and seconded by Ms. Grace to approve the project as presented. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried unanimously.**

**E. MINOR PROJECTS – NEW BUSINESS**

**A-048-2018 Modifications**

Address: 218 La Puerta Way

Applicant: 218LPW LLC

Professional: Steve West/Parker Yannette Design Group, Inc.

Project Description: Revised landscape and landscape lighting plan.

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

*Please note: Ms. Grace left the meeting at 11:56 a.m. Mr. Floersheimer voted in her absence.*

Steve West, Parker Yannette Design Group, presented the landscape and hardscape plans for the existing site.

Ms. Shiverick asked about the landscape lighting changes. Mr. West explained the landscape lighting plan.

Mr. Ives was in full support of the modifications proposed.

Mr. Floersheimer asked if there was a wall proposed on the south side of the property. Mr. West responded and explained the design.

**Motion made by Mr. Ives and seconded by Mr. Garrison to approve the project as presented. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried unanimously.**

**A-051-2018 Modifications**

Address: 400 Chilean Ave.

Applicant: PB 400 Chilean LLC

Professional: Harold Smith/Smith and Moore Architects, Inc.

Project Description: Construction of a 529 square foot canvas parking awning.

*Please note: This item was deferred to the December 14, 2018 meeting with the Item V. Approval of the Agenda.*

**A-053-2018 Modifications**

Address: 255 Worth Ave.

Applicant: FRO II 259 Worth Venture LLC

Professional: David A. Udkow, Architect

Project Description: Existing building façade to remain as is; no demo work. We are proposing two (2) planter boxes, approx. 42”W x 18”D x 12”H at the bottom

of the second floor existing windows. They will be fixed to the building and painted to match color and texture of existing building façade. We are also proposing four (4) movable planters on the first floor.

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

Erin Newton, O'Neil Langan Architects, presented the architectural modifications for the commercial building.

Mr. Garrison asked about the material proposed for the boxes. Ms. Newton responded.

Mr. Ives stated that he thought the project was acceptable but asked if there was a different material that could be used for the proposed boxes. Mr. Vila suggested fiberglass. Ms. Newton agreed with the suggestion.

**Motion made by Mr. Garrison and seconded by Mr. Ives to approve the project as presented with the caveat that the planter boxes are changed to a fiberglass material with stucco finish. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried unanimously.**

[A-054-2018 Modifications](#)

Address: 1263 N. Lake Way

Applicant: Henry P. McIntosh IV

Professional: James Clancy/Advance Solar and Spa

Project Description: Installation of photovoltaic system.

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

*Please note: The professional was not present at this time so the Commission moved the project to the end of the agenda to allow the professional time to arrive.*

[A-055-2018 Modifications](#)

Address: 304 Indian Rd.

Applicant: Anna Miller

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Replace existing concrete roof tile with cedar shingles.

Install new copper gutters and downspouts; 6" half round gutter and 4" round downspouts. Remove stucco quoins. Addition of decorative doveote recesses in north gable ends.

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



Mr. Janssen presented the architectural modifications to the residence.

Mr. Vila asked if the garage doors would be changed. Mr. Janssen stated that they would remain the same as existing.

Mr. Floersheimer asked about the balcony shown on the rear façade. Mr. Janssen stated that he did not believe any modifications were proposed for the balcony but that a change in the roof material was the only work proposed at this time.

Ms. Catlin questioned the exterior work currently being done in relation to what was being proposed. Mr. Janssen responded.

Ms. Shiverick was in favor of the changes proposed.

**Motion made by Ms. Shiverick and seconded by Mr. Small to approve the project as presented. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried unanimously.**

[A-054-2018 Modifications](#)

Address: 1263 N. Lake Way

Applicant: Henry P. McIntosh IV

Professional: James Clancy/Advance Solar and Spa

Project Description: Installation of photovoltaic system.

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

Mr. Lindgren stated that the professional was not in attendance and added that he could try to present the project. However, Mr. Lindgren added that he would not be able to answer any questions.

Mr. Vila asked if there were neighbors who would be looking at the system on the roof. Mr. Lindgren said most likely. Mr. Vila requested to defer the project.

**Motion made by Mr. Small and seconded by Mr. Ives to defer the project for one month to the December 14, 2018 meeting.**

Mr. Vila stated that the next presentation needed to show the parties that could be potentially affected.

**Motion carried unanimously.**

IX. **OTHER BUSINESS**

Mr. Garrison discussed the issue of reopening the motion on the Testa's project. A short discussion ensued.

Ms. Churney presented the Architectural Review Commission 2019 meeting dates to the Commission.

Mr. Garrison requested that the October 23, 2019 date be changed to the next Wednesday, October 30, 2019. Mr. Lindgren stated he would investigate to see if the change was possible.

Mr. Lindgren reviewed the demolition timeline in the Town. He stated that the moratorium on demolition begins on the Monday before Thanksgiving and it ends after Easter. A short discussion ensued.

Ms. Shiverick stated that a letter had been sent by Mr. Strawbridge but did not show an address. A short discussion ensued.

Ms. Shiverick confirmed that the windows at Testa's were approved. Mr. Vila stated that they were approved.

X. **ADDITION COMMUNICATION FROM CITIZENS (3 MINUTE LIMIT PLEASE)**

There were no comments heard at this time.

XI. **COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT**

NONE

XII. **ADJOURNMENT**

**Motion made by Mr. Small and seconded by Mr. Ives to adjourn the meeting at 12:27 p.m. Motion carried unanimously.**

The next meeting will be held on Friday, December 14, 2018 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S County Rd.

Respectfully Submitted,

Robert J. Vila, Chairman  
ARCHITECTURAL COMMISSION

kmc