

**I. DESIGNATION HEARINGS**

Item 1: 145 Seaspray Ave.

Owner: R. Michael and Sue A. Strickland

Mr. Cooney asked for confirmation on proof of publication. Ms. Churney provided confirmation.

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

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this Colonial Revival style home. Ms. Murphy pointed out the design features of this residence. Ms. Murphy testified that the residence 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.

Maura Ziska, attorney for Mr. and Mrs. Strickland, stated that her clients strongly opposed the designation and that she would present arguments to contradict the consultants' assessment of the property. She added that a landmark designation would create an economic hardship in the devaluation of her clients' home. Ms. Ziska entered items into the record that supported her case.

Ms. Ziska interviewed Mr. Jeffrey Smith and inquired about his qualifications. Ms. Ziska questioned Mr. Smith about his opinions regarding the architectural style of the home and whether it was worthy of a landmark designation. Mr. Smith stated that his opinion was that the residence did not meet the criteria for landmark designation and therefore should not be recommended for designation.

Ms. Ziska interviewed real estate appraiser Robert R. Reynolds. Ms. Ziska questioned Mr. Reynolds and asked his opinion about the effect a landmark designation would have on the property. Mr. Reynolds' opinion was that the property would have a 15% diminution in value.

Sue Strickland, owner at 145 Seaspray Ave., spoke about her strong opposition to the landmark designation of her home.

Ms. Metzger asked for clarification on Mr. Smith's statement in his testimony regarding the zoning district of the home. Mr. Smith provided more explanation and discussed this with Ms. Metzger.

Ms. Patterson questioned if it was possible for the lot to be divided. Ms. Ziska stated the lot could not be divided. Ms. Patterson inquired how a loss in price would be determined.

Mr. Reynolds stated the home was an under improvement for the site and provided further explanation.

**Motion made by Mr. Gannon and second by Mr. Silvin to make the designation report for 145 Seaspray Avenue part of the record. Motion carried unanimously.**

Mr. Cooney called for public comment on the designation.

Amanda Skier, Executive Director of the Preservation Foundation of Palm Beach, offered her support for the designation on behalf of the Foundation.

Aimee Sunny, Director of Education of the Preservation Foundation of Palm Beach, offered her support for the designation on behalf of the Foundation.

Jane Day, previous Preservation Consultant for the Town of Palm Beach, stated she felt compelled to return to advocate for the designation of a property. She offered some clarification to some of the statements made by the Ms. Ziska and Mr. Smith and added that she wanted to correct the record. She addressed the comments made by Mr. Reynolds that a landmark designation would cause a diminution in value. Ms. Day stated that this home represented an important part of history of the town and was worthy of the landmark designation.

Mr. Cooney asked Ms. Day to opine on the style of the home. Ms. Day responded.

Ms. Murphy defended her categorization of the style of the home, which was Colonial Revival. She and Ms. Stillings presented some items to support the categorization. She addressed the C rating in the master site file raised by Mr. Smith and pointed to several other homes that had been designated as a landmark with a C rating as well. She provided some rebuttal arguments for some of the information provided by Mr. Smith.

Ms. Ziska provided further arguments against landmarking the home.

Anita Seltzer, 44 Cocoanut Row, questioned whether the economic impact or hardship of the owner should be considered in the landmark designation.

Mr. Randolph responded to Ms. Seltzer's question.

A discussion ensued on what the Commission should consider when making their decision whether to recommend a property for landmark designation.

Mr. Cooney asked Ms. Day if other homes had been landmarked where the land was considered to be not the highest and or best use of a property. Ms. Day responded. Mr. Cooney also asked Ms. Day if there were other non-architect homes that were designated as landmarks in the Town. Ms. Day responded.

Mr. Cooney provided the many reasons he would be in support of the landmark designation.

Ms. Cini stated she agreed with Ms. Sunny's assessment and thought semantics were getting in the way of the decision. Ms. Cini stated she found it hard to believe the home would have a diminution in value if it were landmarked.

Mr. Silvin thanked Mr. Cooney and Ms. Day and Seltzer for their comments. He added that this was a tough decision.

Ms. Coleman said she had been thinking about this decision since she visited this home. She added that she believed that preservation was also preserving the nature of the neighborhood.

Mr. Gannon questioned the architectural style of the home and whether it was worthy of the designation.

Ms. Patterson stated she struggled with the decision, especially since the owners objected to the designation. However, she added that she did not want to see this home demolished and wished that the landmarked designation were more embraced.

Mr. Segraves said he was conflicted about the decision. However, he added that if the owner brought the home to the Commission with a request to landmark, he would agree to the request.

Ms. Albarran stated she was torn on her decision.

Mr. Strickland, owner, stated that the Commission has had many years to designate the home. He advocated not recommending his home for landmark status.

Ms. Metzger inquired if the owner's wishes should be considered. Mr. Cooney stated that an owner's objection was not one of the criteria listed in the Ordinance and did not have to be taken into account when making the decision.

Mr. Cooney passed the gavel to Mr. Silvin so that he could make a motion.

**Motion made by Mr. Cooney and second by Mr. Silvin to recommend 145 Seaspray Avenue to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1 and 3 in Section 54-161. Motion carried 5-2, with Ms. Albarran and Mr. Gannon opposed.**