

From: **Lamar Briggs** nlamar005@gmail.com
Subject: **Regarding The Sea Streets**
Date: **October 8, 2019 at 4:34 PM**
To: council@townofpalmbeach.com

Members of the Town Council:

I am enclosing the emails from some of my neighbors....I am a resident of SeaSpray Ave and long time resident of Palm Beach.
I have live at 358 Seaspray for about 20 years and have one of the smallest properties/houses in the whole of Palm Beach....

I am writing in support of those in the neighborhood who oppose making our area an "Historic District" for all of their reasons listed on the emails as well. I have included some of the emails.
I also want to thank them for their research and time spent to follow this important issue. I think all of us in this part of town are actually exhausted from having to push back again and again....
So, maybe the outcry to protect the sea streets is not as loud currently as in the recent past and it is not "season".

These emails also point out some past history with the Landmarks proposals of the past...1993 and 2003 especially...
Our streets are very different now as then...and even though the streets still maintain some of their charm, we have far fewer homes that could be considered "culturally significant"as the definition of an Historic District requires!

The definition of Historic District:
it is a location of structures that embody elements of OUTSTANDING attention to architectural or landscape design, detailed craftsmanship and or materials.
The area should be deemed significant to the City's cultural fabric and therefore in need of protection for public view.

I would like to point out that this may apply to other areas of Palm Beach Island....maybe Worth Ave etc....
but not what is left of the houses on THE SEA STREETS.....even if you include the 4 cottages on Coconut Row.

I hope the council will put this issue to rest once and for allI would hate to live here for the rest of my life with the never ending threat of this discussion every few years....

Thank you for your consideration to abandon this proposal.

Most Sincerely, Nancy Briggs



TOWN OF PALM BEACH

OCT 09 2019

Town Manager's Office

From: Steven Greenwald 3102724@gmail.com
Subject: Addresses of Council, etc.
Date: October 8, 2019 at 11:30 AM
To: Lamar Briggs nlamar005@gmail.com

SG

Addresses below some just requested, to send an email to some have just requested of me. NOTE: Best to email to all council members, Moore, Lindsay, Zeidman, Araskog and Crampton, not just the Town council email, as they tend to vanish when only sent to the main email address:

PCastro@townofpalmbeach.com,
council@townofpalmbeach.com,
dmoore@townofpalmbeach.com,
blindsay@townofpalmbeach.com,
mzeidman@townofpalmbeach.com,
jaraskog@townofpalmbeach.com,
mayor@townofpalmbeach.com,
tcouncil@townofpalmbeach.com,
townclerk@townofpalmbeach.com,
lcrampton@townofpalmbeach.com,
KBlouin@townofpalmbeach.com

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Steven Jeffrey Greenwald, Esq.

Email address:

3102724@gmail.com

U.S.A. Telephone & voicemail:
561-310-2724

Mailing address: P.O. Box 3407
Palm Beach, Florida 33480 - U.S.A.

From: **Bradford Winston** bradford.winston@gmail.com
Subject:
Date: October 2, 2019 at 8:34 PM
To: Lamar Briggs nlamar005@gmail.com



ERIC LEINER'S letter to council:

Dear Mayor and Town Council,

I'm writing to you to let you know that I am against the idea of making the Sea Streets an historic district by throwing a heavy blanket of rules and regulations on an entire neighborhood when it is obviously not needed and unwelcome. ARCOM is doing a good job of reviewing each house on a case by case basis. The status quo should be maintained.

I'm very disturbed that there was no notice to residents that this incredibly important and disruptive matter was being considered and voted on and again our neighborhood had to mobilize and play catch up on this matter. Very unfair.

I'm against the Landmarks Preservation Commission vote to ignore the Town Council's decision to not proceed in this matter.

I'm very upset that Landmarks Preservation vote to move forward will immediately disrupt the real estate market on the Sea Streets because now every house is in limbo while this matter is under consideration.

This is incredibly unfair to all us living on the Sea Streets. I can't imagine a house being bought or sold under these uncertain conditions.

I understand that Landmarks Preservation serves at the pleasure of the Town Council, so I will wholeheartedly support the Town Council decision to remove the members of Landmarks Preservation, squash this matter, and return our neighborhood to normalcy.

Thank you for considering my position.

Sincerely,

Eric Leiner

--
Bradford Winston
347-882-2811

From: **Bradford Winston** bradford.winston@gmail.com
Subject:
Date: October 2, 2019 at 8:33 PM
To: Lamar Briggs nlamar005@gmail.com



Members of the Town Council:

I am writing you in your official capacity to object to the current mess imposed on you by the Preservation Commission. However, I am also writing you as a neighbor in the belief that the issues you need to deal with in this matter are fundamentally important to "OUR TOWN" and have the potential to seriously impact its future.

Unfortunately, the ultra vires action of the Preservation Commission has already become a decisive crisis that has serious economic and legal consequences for "OUR TOWN", for the residents of the Sea Streets and for both the members of the Town Council and the current members of the Preservation Commission. Hopefully through your actions to respond to the mess created by the Preservation Commission a truly ugly, divisive and town wide damaging result can be avoided.

We endorse the many letters you have received in opposition to the latest action by the Preservation Commission and specifically incorporate by reference those from Steven Greenwald, the Le Cates family, and Eric Leiner. They have succinctly laid out many of the facts, laws and background that you need to consider in taking action on this matter.

We would strongly recommend that the Town Council take action immediately to make it clear that Sea Street residents are under no additional need for reporting and seeking authorization from the Preservation Commission than any other residents of Palm Beach and all actions taken by the Preservation Commission via their latest vote to reject the Town Council's action are null and void. I would also give serious consideration to removing members of the Preservation Commission who did not follow the Town Council's earlier request and thereby fomented the current unacceptable situation "OUR TOWN" is facing. What the Town Council should not do is allow the Preservation Commission's unauthorized rebuke of the Town Council and imposition of any action adverse to the residents of the Sea Streets to continue in any form.

We would also ask the Town Council to take this occasion to modify its authorization of the Preservation Commission's decision to hold a seminar on Preservation. As we understand the current authorization for an educational seminar, it is directed at the Sea Streets. We object to this, which under the circumstances is both inflammatory and appears as "indoctrination" rather than education. Given the recent history we are all dealing with, it is also prejudicial and unfair to the Sea Street residents to have the seminar focused on them. Can anyone believe that the Preservation Commission is capable of carrying out a fair and impartial consideration of landmarking for the Sea Streets in light of its recent behavior? I would strongly recommend to the Town Council that any Preservation Educational activity be authorized it should be focused on OUR TOWN as a whole.

Thank you for your attention.

Sincerely,

Michal and Patricia Hertzberg
129 Seaspray Avenue
Palm Beach, FL 33480

--

Bradford Winston
347-882-2811

Thus it is important and required by Florida law, to preserve all audiotapes and documents related. Again this letter request is customary, though it may be worded differently than those seen in the past.

Thank you for your professional cooperation. Please feel free to contact me at any time if you have any questions.

Respectfully, SJG

To Town of Palm Beach Clerk and other document preservation officials: In the near future various attorneys or other government officials (both inside and outside the Town officials) may need to listen to all **audiotapes** of the Palm Beach Landmarks Preservation Commission (hereinafter "LPC") hearings. This would include (but not be limited to) all LPC hearings in the last 2 years, **especially** those LPC audiotapes of **Sept 18, 2019 and August 21, 2019**.

It would also be a request as to any documents as to the Streets of Seaspray, Seaview and Seabreeze (hereinafter the "Seas" streets) becoming landmarked, becoming a landmark historic district, or the like, at any time in the past or currently.

It would also be a request as to any documents, audiotapes, reports or correspondences (email or otherwise) as to landmarking efforts as to **145 Seaspray Ave., Palm Beach** known as the *Strickland* (owner name) home. These preservation requests are thus also as to any audiotapes as to the matter of **145 Seaspray**, including any documents whatsoever in the backup of any related hearings of this 145 Seaspray property, that is or was at any time before the LPC and/or Town Council.

Although the request herein is mostly intended as to the Landmarks Commission (LPC) documents audiotapes and correspondences, it would also include any audiotope hearing of Town Council as to the possible Landmarking or historic districting of the Seas streets. This would include any backup docs whatsoever including correspondences, including that of the upcoming **October 10, 2019** hearing, and including but not limited to Council's past hearing on this dated **Sept 11, 2019**.

It is customary for interested parties or their attorney(s) to notify of a **preservation of evidence** request. By such a request, government document officials are simply requested to preserve all potentially relevant audiotapes, documents, reports, studies (including but not limited to Seas historic district studies, hearing transcripts of Zoning, LPC or Town Council in the past on the issue of this letter) including all evidence, writings, **emails**, written and recorded information and "ESI" (electronically stored information) and to prevent the intentional or even accidental deletion or spoliation of any evidence that in any manner relates to the matter(s) outlined in this letter, and the issues involved.

This letter is such a request as it concerns the Seas streets and any attempt to landmark, or declare the Seas a historic district this year or in the past. The request also concerns any studies or reports in the past or currently to have Seas become a historic district.

Although I am sure the Town will do its utmost to preserve evidence, including any audiotapes, Florida Law provides for a separate tort action for spoliation of evidence, even if done accidentally. That is why it is customary for one to show a notification was at least sent. Nevertheless, even if this *my notice* was not sent, such a separate tort action for evidence preservation could still occur.

MINUTES FROM 2-27-2003 Planning & Zoning Commission Meeting re: OVERLAY ZONING PROPOSAL FOR THE SEA STREETS

Mr. Tim Frank, Planning Administrator, stated that according to the National Trust for Historic Preservation, 85% of the homes in a district must be of landmark quality for the district to qualify as historic. The Sea streets were previously studied as a possible historic district, but it was determined that only 45%- 50% of the structures were eligible individually for landmark status.

Note #3

MINUTES FROM 9-15-1993 LANDMARKS MEETING

Mrs. Day questioned whether there would be a sufficient number of structures (50% to 70%), in the Poinciana Park subdivision, with enough architectural integrity to be considered "contributing" structures, thereby substantiating the "district" concept.

Note #4

Here is a link to an article from the Urban Land Magazine entitled **How Historical Designations Affect Property Values.**

<https://urbanland.uli.org/economy-markets-trends/historical-designations-affect-property-values/>

You will note the following from the article:

Interestingly, property values increase in historic districts for all boroughs — except Manhattan. Because Manhattan has the highest land values and lowest supply of available land, the loss of the option for redevelopment in preserved neighborhoods reduces the potential value of a given parcel of land. As the authors note, "In areas like Manhattan, it appears that the hit to land values outweighs the boost to structure values, because land values comprise such a large share of total property values." In many historically designated Manhattan neighborhoods, property prices drop and economic value is destroyed, as shown by the authors' analysis.

number of landmark worthy properties on the Sea Streets (Note #2)

3. Past statement from Jane Day questioning if there are enough "contributing structures" on the Sea Streets (Note #3)
4. Recommendations of the former historic consultant, Jane Day, that landmarking in Palm Beach should be done on a site by site basis
5. Expense of the Designation Report for something the majority of the residents do not want.
6. A study indicating that a historic district destroys property values in places with '.....the highest land values and lowest supply of available land....' (Note #4)

Based on the above items, my thought is to have your decision be a **final** decision so a historic district will not be visited on the Sea Streets again.

That being said, individual property owners can still voluntarily submit their properties for landmark designation if they so wish.

Lastly, I'm sure you will hear the argument that if you reverse the Landmarks decision that there will be a sudden rush of demolition requests in the neighborhood.

I doubt that will be true as the residents are happy in their homes and have no plans to demolish nor a plan for where they would go if they did demolish.

However, if the potential for a rush of demolitions is a concern to you, then one way to resolve this would be to make your decision a **final** decision.

By so doing, any fear on the part of the residents that the historic district proposal will return will be removed. Hence any reason to rush to demolition.

As always, thank you for your time and consideration.

Thank you,

Jay Serzan
353 Seabreeze

Note #1

MINUTES FROM 4-21-1999 LANDMARKS PRESERVATION MEETING

MR. CHOPIN: ...Not Pendleton Avenue. At one point in time, there was a strong desire to consider the question of the Sea streets as a historic district.

Is that not correct?

MR. FRANK: That is correct.

MR. CHOPIN: And the town staff, on its own, acting as prudent professionals concluded that that was not an appropriate historic district?

MR. FRANK: The town staff did not act on its own in that determination. We went back to the Landmarks Preservation Commission, this commission.

We asked them for support to do a study. It was the results of the study that came to that conclusion.

MR. CHOPIN: And so the Sea streets were, in fact, not recommended as a historic district.

MR. FRANK: That is correct. That was the result of the study.

Note #2

From: Jay Serzan [mailto:jayserzan@comcast.net]
Subject: FW: RE: Town Attorney Memorandum on Sea Streets historic district
Date: October 5, 2019 at 10:05 AM
To: jayserzan@comcast.net



Good Morning Sea Streets friends and neighbors,

Please read my email below to the Town Council that I sent this morning.

If you agree with my thoughts, **PLEASE** write the council members to let them know how you feel.

Thank you again for your time and consideration.

Jay Serzan
353 Seabreeze

From: Jay Serzan [mailto:jayserzan@comcast.net]
Sent: Saturday, October 05, 2019 10:01 AM
To: 'mayor@townofpalmbeach.com'; 'dmoore@townofpalmbeach.com'; 'Bobbie Lindsay'; 'Margaret Zeidman'; 'lcrampton@townofpalmbeach.com'; 'jaraskog@townofpalmbeach.com'
Cc: 'towncouncil@townofpalmbeach.com'
Subject: RE: Town Attorney Memorandum on Sea Streets historic district

Hello Mayor and Town Council Members,

I have read Attorney Randolph's memorandum relating to the matter of placing the Sea Streets under consideration as a historic district.

At the end of the memorandum he writes:

"A reversal of the Landmarks decision to place the property under consideration need not be a final decision, but could be based upon the fact that the Town Council wishes to go through the symposium in December and the education of the public prior to this matter being further considered by the Landmarks Preservation Commission."

If you decide to reverse the Landmarks decision and **if it is not a final decision**, then the Sea Streets historic district proposal can be brought back again.

We would then be back at the same place as we are now.

I'm all for holding a town-wide historic districting symposium.

That being said, I do not feel that the symposium will change many minds on the Sea Streets. The arguments against districting, **particularly** as they relate to the Sea Streets will remain.

These arguments include:

1. Past statement by former Planning Administrator, Tim Frank, that the Sea Streets were not recommended as a historic district (Note #1)
2. Past statements by former Planning Administrator, Tim Frank, that there are not a sufficient number of landmarks worthy of designation on the Sea Streets (Note #2)

From: Jay Serzan jayserzan@comcast.net

Subject: Sea Streets Historic District Designation Report

Date: October 4, 2019 at 9:58 AM

To: mayor@townofpalmbeach.com, dmoore@townofpalmbeach.com, Bobbie Lindsay BLindsay@TownofPalmBeach.com, Margaret Zeidman MZeidman@TownofPalmBeach.com, lcrampton@townofpalmbeach.com, jaraskog@townofpalmbeach.com



Hello Mayor and Town Council Members,

I want to thank you again for your efforts on behalf of the Sea Streets residents.

I write today to inquire about the status of the Sea Streets Historic District Designation Report that the Landmarks Preservation Commission (LPC) asked the Town's historic consultants to prepare.

My specific questions are:

1. Is the report in progress?
2. If the answer is 'yes', will the report work continue if you take action to void the LPC historic district vote?
3. What is the cost of doing the report?

There are approximately 164 residential properties facing the Sea Streets (not the 105 that have been mentioned previously).

We are looking at an expense of around \$164,000, if the cost per residential property is as low as \$1000 each.

As you know, the cost to prepare a Designation Report for an individual property is around \$5,000, so my *guestimate* of \$1,000 each may be low.

I would question the wisdom of this expenditure for a Designation Report for a Historic District that the majority of residents clearly do not want.

Thank you,

Jay Serzan