

From: [Sarah Wetenhall](#)
To: [Paul Castro](#)
Cc: [Town Council](#); [Maura Ziska](#); [Wayne Bergman](#); [Kelly Churney](#)
Subject: response to Brooker complaint - The Colony Hotel
Date: Tuesday, July 28, 2020 12:41:22 PM

*******Note:** This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Paul,

I am writing you in response to Dave and Cathy Brooker's email dated July 23, 2020 complaining about the East Garden of The Colony Hotel. It is the purpose of this communication to set the record straight regarding the facts addressed in their note. A few things for you, town staff and the Town Council to reference:

--[if !supportLists]-->• <!--[endif]-->Despite statements to the contrary, as far as we know the Brookers do not reside year-around in Unit 4 at 129 Hammon Avenue nor were they present in June 2020 when the two events in question took place. For the record, my family and I reside in our personal home at 125 Hammon Avenue (which is directly to the West side of 129 Hammon Avenue), and we were at home during the time period referenced. It is a small community that lives on Hammon Avenue, especially during COVID-19 when the hotel is closed, and we often interacted with Mr. Paul Wood and Mr. Matthew Leeson, as well as with our neighbors from Winthrop House, but not once did we see the Brookers in residence.

--[if !supportLists]-->• <!--[endif]-->I take personal offence with The Brookers summary statement that 'The Colony Hotel has failed to have any regard for the surrounding neighbors.' The Colony Hotel prides itself on being a town-serving business, a leader in the community, and we always attempt to be kind and thoughtful to our neighbors; when we make mistakes we address them in a timely fashion and we apologize when appropriate, as I did personally to Mr. Paul Wood when he complained after our first event on June 8th. But surprisingly, The Brookers have not once complained to The Colony about any of the issues that they bring up in this note. As their neighbor on both sides, I am dismayed by this lack of common courtesy and neighborly behavior.

--[if !supportLists]-->• <!--[endif]-->Mr. and Mrs. Brooker did indeed receive notice from the Town of Palm Beach regarding the East Garden, LPC Case Number COA-017-2019. The notice was sent to them at 1619 19th Street NW, Washington DC 20009, which is the town's mailing address on file for their property, PCN 50434326090020040.

--[if !supportLists]-->• <!--[endif]-->The Brookers state that the East Garden has never been used for any outside activity. This is factually incorrect as that space has not only been used as the Hotel's employee entrance since December 2016, but it is also the loading zone for all events that take place at the hotel. So, it is without doubt a very active area that sees heavy foot traffic, loading and unloading noise, and whatnot for every event that takes place within the hotel's ballroom facility.

--[if !supportLists]-->• <!--[endif]-->I would like to point out that the statement that The Colony Hotel has failed to maintain 'their' hedge along the property line is erroneous. The Ficus Benjamina that is planted on the lot line between 135 and 129 Hammon Avenue is a shared hedge that both The Colony Hotel and The Ocean Colony Palm Beach Condo Association have joint responsibility to maintain. The Ficus is infested with Whitefly and is indeed not thriving. Earlier in 2020 The Colony approached Mr. Paul Wood, the President of the Condo Association, to ask if they be willing to share the cost of a new Podocarpus hedge. The Podocarpus would provide better screening and privacy for all parties involved and also be Whitefly resistant, but this suggestion was declined. Since then, The Colony gardeners have trimmed the existing Ficus hedge on both sides (with their permission) to allow sunlight to permeate, and they have been feeding and attempting to maintain the hedge as best as possible. But it is a challenge given the nature of the hedge and the infestation – additionally to make the situation worse, our gardeners discovered that the workers who were hired to paint 129 Hammon Avenue were dumping paint run-off into the root system of the Ficus hedge. In summary, The Colony is doing all we can to maintain an unhealthy and severely damaged hedge, that is in truth a shared responsibility between the two entities.

--[if !supportLists]-->• <!--[endif]-->Indeed, the water feature in the East Garden remains unfinished, as the tiles lining the face of the fountain arrived in the wrong color. As soon as the correct color tiles arrive the water feature will be finished. This was an error that is completely out of our control.

--[if !supportLists]-->• <!--[endif]-->Mr. and Mrs. Brooker are correct, the contractors who were hired to build the garden were storing some construction materials on the back side of the water feature at the end of each day, in an attempt to leave a clean worksite that was visually pleasing to all from Hammon Avenue. This was erroneous on the part of the workers, but they were attempting to do the 'correct' thing from the town's perspective and leave a tidy site. As soon as The Colony learned of this practice we requested that the contractors immediately cease storing the items behind the fountain and instead store their materials inside the hotel at the end of their workday. Again, it was an innocent error that was rectified as soon as I was made aware.

I thank you for taking the time to read this note and seeing that it gets added to the appropriate file. I am happy to speak on the phone if you have any questions.

With warmest regards from our Pink Paradise,

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