

From: [John Eubanks Jr](#)
To: [Wayne Bergman](#); [Donald Lunny](#); [Queenester Nieves](#)
Cc: [John \(Skip\) C. Randolph](#); [Maura Ziska](#); [Legal](#); [Town Attorney](#); [Paul Castro](#); [Kelly Churney](#); [Laura Groves van Onna](#); [Bradley Falco](#)
Subject: RE: Request for Extension of Time and Continuance : Simmons Appeal of ARCOM Decision of October 28, 2020 and Request for Confirmation of Hearing Schedule The Palm House Hotel
Date: Thursday, December 03, 2020 10:36:41 AM
Attachments: [160 Royal Palm Way - Deferral to January \(00045601xB6458\).pdf](#)

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Wayne:

As a follow up to Mr. Lunny's letter, our office would also request a deferral of the consideration of its Appeal of the ARCOM Decision of October 28, 2020 from the December 9, 2020 Town Council Meeting to the January 13, 2020 meeting in light of productive ongoing settlement negotiations. As noted by Mr. Lunny, the Applicant has agreed to this continuance. By separate letter dated November 23, 2020, the Applicant has already requested that consideration of the Application be deferred to the January 13, 2020 Town Council meeting, a copy of which is attached.

Thank you.

John R Eubanks, Jr.

SNIFFEN & SPELLMAN, P.A.

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From: Wayne Bergman [mailto:wbergman@TownOfPalmBeach.com]

Sent: Thursday, December 03, 2020 9:28 AM

To: Donald Lunny <Donald.Lunny@brinkleymorgan.com>; Queenester Nieves <qnieves@TownOfPalmBeach.com>

Cc: John (Skip) C. Randolph <JRandolph@jonesfoster.com>; Maura Ziska <MZiska@floridawills.com>; John Eubanks Jr <jeubanks@sniffenlaw.com>; Legal <Legal@TownOfPalmBeach.com>; Town Attorney <townattorney@TownOfPalmBeach.com>; Paul Castro <PCastro@TownofPalmBeach.com>; Kelly Churney <KChurney@TownofPalmBeach.com>; Laura Groves van Onna <lvanonna@TownOfPalmBeach.com>; Bradley Falco <bfalco@TownOfPalmBeach.com>

Subject: RE: Request for Extension of Time and Continuance : Simmons Appeal of ARCOM Decision of October 28, 2020 and Request for Confirmation of Hearing Schedule The Palm House Hotel

Don – assuming you want your cake and also the ability to eat it, is the request to defer BOTH the joined appeals AND the Special Exception / Site Plan / Variance applications to the January 13, 2021 Town Council meeting? Is your request for additional time limited to the proposed meeting schedule, or would you need to amend your request to a certain length of time?

Please further confirm that the changes to the Special Exceptions / Site Plan / Variances will be presented at this month's Arcom meeting, scheduled for December 17 and 18, 2020. Maura Ziska is to return at that meeting to present the landscape plan, security gate and paint color, as these three items were deferred at the October Arcom meeting..

This seems like a great path to resolution. Please let me know what Town staff can do to assist beyond the rescheduling of the meetings.

Thank you.

Wayne Bergman, MCP, LEED-AP
Director
Town of Palm Beach

Planning, Zoning, Building
360 S. County Road
Palm Beach, FL 33480
Office: 561-227-6426
www.townofpalmbeach.com

[P.S. Your exterior project may require ARCOM approvals. Click here for more info.](#)

From: Donald Lunny <Donald.Lunny@brinkleymorgan.com>
Sent: Wednesday, December 02, 2020 5:03 PM
To: Wayne Bergman <wbergman@TownOfPalmBeach.com>; Queenester Nieves <gnieves@TownOfPalmBeach.com>
Cc: John (Skip) C. Randolph <JRandolph@jonesfoster.com>; Maura Ziska <MZiska@floridawills.com>; John Eubanks Jr <jeubanks@sniffenlaw.com>
Subject: Request for Extension of Time and Continuance : Simmons Appeal of ARCOM Decision of October 28, 2020 and Request for Confirmation of Hearing Schedule The Palm House Hotel
Importance: High

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Dear Mr. Nieves and Mr. Bergman.

Please see the attached correspondence. You should be receiving similar correspondence from the other Appellant soon.

Please note that the adjustments to the hearing schedule have been agreed to amongst the parties, and we all ask that the same be confirmed.

Please also note that I've spoken to Mr. Randolph this morning and have advised him that this request would likely be made today, and he indicated that a letter request to the Town should be sufficient for this purpose. I have copied him with the letter and this E-mail.

If there is anything further that is needed, please let me, Ms. Ziska, and Mr. Eubanks all know.

Thank you.

DONALD J. LUNNY, JR. | PARTNER
Board Certified City, County & Local Government Lawyer

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KOCHMAN & ZISKA PLC

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Maura A. Ziska

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Facsimile 561-802-8995

*also admitted in NY

VIA EMAIL

November 23, 2020

Paul Castro
Kelly Churney
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

***RE: Z-20-00289
160 Royal Palm Way, Palm Beach, Florida***

Dear Paul and Kelly:

Please **defer** the above referenced matter from the **December 9, 2020** Town Council meeting to the **January 13, 2021** Town Council meeting. Thank you.

Sincerely,

Maura Ziska

Maura A. Ziska

maz/jc
cc: Client