

From: [Micheal Small](#)
To: [Kelly Churney](#)
Subject: Fwd: Request for Consideration of an Amendment to the Demolition Ordinance...
Date: Wednesday, February 03, 2021 2:37:41 PM

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Good Afternoon Kelly
Please be good enough to email a copy of this communication to ARCOM members.
Thank you
Michael Small

Sent from my iPhone

Begin forwarded message:

From: Micheal Small <msmall@smalllawpalmbeach.com>
Date: February 3, 2021 at 2:35:04 PM EST
To: gconiglio@townofpalmbeach.com, mzeidman@townofpalmbeach.com, blindsay@townofpalmbeach.com, dmoore@townofpalmbeach.com, lcrampton@townofpalmbeach.com, jaraskog@townofpalmbeach.com, kblouin@townofpalmbeach.com, JBoodheshwar@TownofPalmBeach.com, wbergman@townofpalmbeach.com, jrandolph@jonesfoster.com
Subject: Request for Consideration of an Amendment to the Demolition Ordinance...

Request for Consideration of an Amendment to the Demolition Ordinance

Good Day:

My name is Michael Small.I am writing to you in advance of your February 10,2021 Development Review Meeting, as Chairman and in behalf of the Architectural Review Commission of the Town of Palm Beach in support of the unanimous request of ARCOM to minimally revise the Town Ordinance Permitting the Demolition of Structures.(Sec18-206)

You will recall that I previously appeared before you in person in support of this request.

The Ordinance creating ARCOM(Sec18-146) describes the Town as a place of beauty and quality.The Town Council creates ARCOM in the Ordinance and directs ARCOM to preserve and protect that beauty and quality. The ordinance provides criteria for ARCOM 's role and discretion as a "gatekeeper "in considering new construction, alterations, modifications, restorations,landscape and hardscape.But when the ordinance concludes with the section on demolition or the destruction of structures,there are no guidelines for the exercise of discretion,except limited discretion in considering the retention of landscaping.The ordinance, simply read, mandates that any demolition request for a structure which is not landmarked or on a list to be considered for land marking shall be approved. The criteria is ministerial at best.There is no recognition nor

reference to either architecturally or historically significant structures. So, one has to ask himself/herself, whether ARCOM is fulfilling its charge and mandate as a "gatekeeper" to preserve and protect beauty and quality by allowing for the destruction of that very beauty and quality. Whether this is a big problem, depends somewhat on your perspective. Given that 90% to 95% of all demolition requests heard annually by ARCOM are not deemed to be architecturally or historically significant, there may still be 2 or 3 structures per year that are worthy of consideration as being architecturally or historically significant. For me, the destruction and loss of just one architecturally or historically significant structure is too much.

The current request being presented to you, unanimously supported by all 10 members of ARCOM, if approved, is minimal, but would at least create a safety net and allow ARCOM to defer the requested demolition of a structure deemed to be architecturally or historically significant for up to 60 days, referring it to the Landmarks Preservation Commission (LPC) to be considered for landmarking. As you recall, this request was supported by both Rene Silvin, the LPC Chair and Amanda Skier, the Director of the Preservation Foundation of Palm Beach. We respect and appreciate their support.

We urge your support for this minimal request - it is a start and it is a needed safe guard.

Thank You

Michael Small,
ARCOM Chairman

Sent from my iPhone