



**TOWN OF PALM BEACH
PLANNING, ZONING AND BUILDING
DEPARTMENT**

**MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION
MEETING HELD ON WEDNESDAY, FEBRUARY 17, 2023.**

Please be advised that in keeping with a directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com.

I. CALL TO ORDER

Chair Patterson called the meeting to order at 9:30 a.m.

II. ROLL CALL

Sue Patterson, Chair	PRESENT
Kim Coleman, Vice Chair	PRESENT (Arrived at 9:31 a.m.)
Jacqueline Albarran, Member	PRESENT
Patrick Segraves, Member	PRESENT
Anne Fairfax, Member	PRESENT
Brittain Damgard, Member	PRESENT
Bridget Moran, Member	PRESENT
Anne Metzger, Alternate Member	ABSENT (Excused)
Fernando Wong, Alternate Member	PRESENT
Julie Herzig Desnick, Alternate Member	PRESENT

Staff Members present were:
Sarah C. Pardue, Design & Preservation Planner
Jordan Hodges, Design & Preservation Planner
Kelly Churney, Deputy Town Clerk
John C. Randolph, Town Attorney
Janet Murphy, Preservation Consultant
Emily Stillings, Preservation Consultant

III. PLEDGE OF ALLEGIANCE

Chair Patterson led the Pledge of Allegiance.

IV. APPROVAL OF MINUTES OF THE JANUARY 18, 2023, MEETING

Motion made by Ms. Albarran and seconded by Ms. Damgard to approve the minutes of the January 18, 2023, meeting. Motion carried unanimously, 7-0.

V. APPROVAL OF THE AGENDA

Ms. Pardue announced the following modifications to the agenda:

COA-23-010, N. County Road Historic Vista (Wells Road to Miraflores Drive) deferred to

March 22, 2023

COA-23-055 (ZON-23-025) 210 Via Del Mar (Combo) deferred to March 22, 2023

HSB-22-011 (ZON-22-122), 141 Australian Ave (Combo) deferred to March 22, 2023

HSB-22-003 (ZON-22-032) 594 N. County Road (Combo) deferred to March 22, 2023

Designation Hearing for 163 Seminole Ave deferred to March 22, 2023

Motion made by Ms. Albarran and seconded by Ms. Coleman to approve the agenda as amended. Motion carried unanimously, 7-0.

VI. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY

Ms. Churney swore in all those intending to speak and continued to do so throughout the meeting as necessary.

VII. COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)

No one from the public indicated a desire to speak.

Director Wayne Bergman discussed the map provided to the Commissioners, which outlined sixty-one properties that were considered at one time but not landmarked. Staff indicated interest in researching the properties and putting together a description of why the properties were not landmarked. The reason he provided the list to the Commissioners was due to concerns raised by Mayor Moore, in which she wondered if there were any valuable properties left in the Town to landmark. Staff made the argument that there were still buildings left in the Town that may be considered, as well as the additional properties on the map that were not landmarked.

Ms. Coleman asked if there was an updated status for House Bill 423. Mr. Bergman stated that the Town's lobbyist was working on carving out a section for Certified Local Governments.

Ms. Fairfax wondered if the Commissioners could see the homes identified in the Historic Site Survey. Mr. Bergman stated that the list could be accessed on the Town's website.

VIII. PROJECT REVIEW

A. CONSENT AGENDA OF MINOR PROJECTS

1. **COA-23-010 N COUNTY ROAD HISTORIC VISTA (WELLS ROAD to MIRAFLORES DRIVE)** The applicant, The Town of Palm Beach, has filed an application requesting a Certificate of Appropriateness review and approval for roadway, drainage, curb, and median improvements for the historically designated vista.

Please note: This item was deferred to the March 22, 2023, meeting at the Approval of the Agenda, Item V.

B. CERTIFICATES OF APPROPRIATENESS - OLD BUSINESS

1. **COA-22-054 (ZON-22-153) 125 VIA DEL LAGO (COMBO)** The

applicant, Todd Glaser, has filed an application requesting Landmarks Preservation Commission review and consider approval for exterior modifications, including removal and relocation of a stairway, and a new addition over the driveway, requiring variances. This is a combination project that shall be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Mses. Albarran and Moran.

Daniel Menard, LaBerge & Menard, presented the architectural modifications proposed for the existing landmarked residence.

Ms. Coleman expressed concern about the functionality of the garage doors behind the pillars. Mr. Menard stated that the area would be converted into covered storage.

Ms. Herzig-Desnick questioned the functionality of the garage doors and wondered if they could be turned into something more appealing. She also questioned the turnaround for the third parking space. Mr. Menard acknowledged it would be a tight turnaround.

Ms. Fairfax thought the professional addressed all comments made by the Commissioners.

Motion made by Ms. Fairfax to approve the project as presented.

Mr. Segraves thought the project was much better. He asked about the distance from the carport opening to the property line. Mr. Menard responded.

Motion seconded by Ms. Albarran.

Ms. Patterson called for public comment. There were no comments heard at this time.

Motion carried unanimously, 7-0.

2. **COA-22-055 (ZON-23-025) 210 VIA DEL MAR (COMBO)** The applicant, BEACHBOYZ DEVELOPMENT LLC., has filed an application requesting a Certificate of Appropriateness for roof replacement, window and door replacement, exterior paint, and site alterations including new landscape, hardscape, a free-standing trellis, and vehicular gates with reduced setbacks, requiring Special Exception with Site Plan Review, for the Landmarked property. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Please note: This item was deferred to the March 22, 2023, meeting at the Approval of the Agenda, Item V.

3. **COA-23-001 (ZON-23-017) 1100 S OCEAN BLVD—MAR A LAGO (COMBO)** The applicant, Mar A Lago Inc., has filed an application requesting a Certificate of Appropriateness review and approval for the construction of a new one-story approximately 250 SF guardhouse to a Landmarked structure. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments for this project.

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

Harvey Oyer, attorney for the applicant, presented the zoning requests for the project and advocated for a favorable recommendation to the Town Council.

Rick Gonzalez, REG Architects, presented the architectural modifications proposed for the existing landmarked site.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, acknowledged that there was no other location for the proposed gate. She also thought it was unfortunate that the proposed location would have a negative visual impact. She thought it was essential to put on the record why alternative locations could not be considered and why renovation and repurposing of one of Jim's Cottages had not been an alternative consideration.

Mr. Oyer provided additional reasons placed into the record for the proposed location and why one of Jim's Cottages could not be used.

Ms. Patterson inquired if the applicant would agree to remove the structure if it is no longer needed. Mr. Oyer stated that the applicant would not be amenable to removing the structure. He argued that no one had ever asked that other additions to the building be removed. Ms. Patterson acknowledged those buildings and stated that they did not block the front façade of a historic structure. Discussion ensued.

Ms. Coleman also acknowledged that the front gates were shown closed, but she thought the gates were open most of the time. She asked about adding the Sea Oats but wondered if the professional considered the original landscaping from the era of Marjorie Merriweather Post. She also expressed concern for the south spotlight that shined into traffic at night, particularly into vehicles on S. Ocean Blvd. She also wondered why the applicant would not consider a crash gate.

Dustin Mizell, Environment Design Group, stated that the proposed landscaping was contained in the proposed plan. However, he confirmed that he would research and consider adding some previously planted material on the site.

Mr. Oyer stated he would investigate the situation of the light shining onto S.

Ocean Blvd.

Ms. Fairfax appreciated the comments regarding whether the allowance for a gate should sunset after there was no further use for the building. Ms. Fairfax wondered why the guardhouse could not be moved to the southern gate once the need was no longer necessary. She requested to see the guardhouse in elevation, with the gates open. Ms. Fairfax asked for confirmation that the National Trust approved the project; Mr. Gonzalez confirmed it had been approved.

Ms. Moran stated that the south gate was routinely used during significant events. Ms. Moran stated that the guardhouse would be seen, but she understood the necessity. She stated that the architecture had improved. She also recalled that last month, there was a discussion that included the removal of the structure once the Secret Service no longer needed the structure.

Mr. Segraves agreed with Ms. Moran that the proposed location was the only possibility. He felt the architecture had improved, and he felt it fit in well.

Ms. Herzig-Desnick agreed with Ms. Fairfax and thought the exit could be changed to the entrance.

Mr. Wong wondered if they considered an armored automobile rather than a guardhouse in the location. He recommended a change in materials used for architecture and landscaping. Mr. Gonzalez responded and provided the reason for the materials proposed.

Ms. Damgard did not believe the guardhouse was attractive and wanted more attractive architecture. She referred the professional to the architecture of the existing boathouse.

Ms. Albarran commented that the entrance was just as historic as everything else on site. She did not think the entrance could be changed since it has been used historically. Ms. Fairfax asked Ms. Albarran her opinion on removing the building after it was no longer needed. Ms. Albarran thought the landscaping needed improvement. Mr. Oyer stated that any changes to the landscape would need to be approved by the National Trust.

Ms. Moran wondered if the Commission could approve the guardhouse with the caveat that the site is returned to the Commission for approval after the Secret Service no longer needs the proposed guardhouse.

Town Attorney Randolph responded and stated the function of the Landmark Preservation Commission is to look at criteria and determine whether the project meets the criteria contained in the code. He said the applicant must seek a special exception and a site plan approval. The Town Council would address this; however, he advised the commission that they could make that recommendation as part of their approval. The alternative would be to deny the request if the Commission does not feel it is appropriate.

Ms. Fairfax stated that there was a condition to remove the helipad once it was no longer needed. Town Attorney Randolph stated that the Town Council indicated that was a condition since helipads were illegal in the Town.

Ms. Sunny believed the Code had criteria allowing the Commission to recommend that the building be smaller and the location changed. She suggested the building could be on the other side, or one of Jim's cottages may be renovated to meet the express purpose of a guardhouse. She stated that she also spoke to the National Trust for Historic Preservation, and they were interested in removing the guardhouse once it was no longer needed.

Mr. Oyer objected and stated that Town Attorney Randolph stated that the Commission could not impose the removal condition. Town Attorney Randolph stated that this was a unique situation. The Commission was looking at a Certificate of Appropriateness, and he advised the commission that if it were not acceptable to make removal of the guardhouse a condition, their alternative action would be to deny the request.

Motion made by Ms. Moran and seconded by Ms. Albarran to approve the project as presented, with the landscape plan to return to a future meeting for approval, and with the recommendation to the Town Council to consider requiring the guardhouse to be removed or return for approval after the Secret Service no longer needs the building. Motion carried 6-1, with Ms. Damgard dissenting.

4. **COA-23-005 1095 N OCEAN BLVD.** The applicant, Carl & Mary Jane Panattoni, have filed an application requesting Certificate of Appropriateness review and approval for architectural features including an updated balcony railing design, a new added gable roof section on the south end of the main house, and a revision to roof material. Landscape and hardscape updates include an updated driveway gate design, new entry step handrails, and revised pool terrace pavilion/pergola structure for the Landmarked property.

Mr. Hodges provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by several members. *Please note: Mr. Seagraves declared a conflict of interest and left the dais during the discussion.*

Daniel Clavijo, SKA Architect + Planner, indicated he did not have the plans for the vehicular gate as the owners were considering a new design. He stated that they would seek approval for the design in a future meeting. He indicated that the only item for approval was the railing design.

Ms. Patterson asked to see a close-up of the railing. Mr. Clavijo enlarged the plans and reviewed the proposed balconies. Mr. Clavijo discussed the reasons for the current railing proposal. He indicated that the railings would not be

visible from the street. Mr. Clavijo reminded the Commissioners that they were not requesting approval of the gate at this meeting. Some of the Commissioners argued that the gate and railing design were related.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, had historic images of the gate design that she shared with the Commissioners. She encouraged the Commission to ask that the historical design be replicated in the new railing design.

Ms. Fairfax thanked Ms. Sunny for her work. Ms. Fairfax thanked the applicant for returning to the barrel tile for the roof material. She asked Mr. Clavijo if the owners had seen the historical railing designs. Mr. Clavijo responded. Ms. Fairfax requested another study of the railings; she was not certain the proposed railings were appropriate for the home. She thought the railing should be restudied and returned with the gate design.

Ms. Albarran agreed with Ms. Sunny and Ms. Fairfax. She preferred one of the original railing designs. She also requested that the vehicular gate be made of solid wood.

Ms. Moran thought the railings were inappropriate for the home; she agreed with Ms. Fairfax and thought the original railings were complementary. Ms. Moran thought the southern gate could complement the railings since it was far from the main gate.

Ms. Coleman thought the railings detracted from the beauty of the architecture and were too fancy. She recommended a simple design.

Motion made by Ms. Fairfax and seconded by Ms. Coleman to reject the proposed railings and ask the applicant to consider historic railings, with the direction to defer the railing design to return with the gate design at the March 22, 2023, meeting. Motion carried unanimously, 7-0.

C. CERTIFICATES OF APPROPRIATENESS - NEW BUSINESS

1. **COA-23-008 241 SEAVIEW AVE.** The applicant, Palm Beach Day Academy, has filed an application requesting a Certificate of Appropriateness for the review and approval for the replacement of all exterior windows.

Ms. Pardue provided staff comments for this project.

Call for disclosure of ex parte communication: None.

Maura Ziska, attorney for the applicant, provided an overview of the project.

Kari Botek, PGAL, presented the architectural plans proposed for the window

replacement for the existing landmarked building.

Caroline Forrest, representing Palm Beach Day Academy, explained some of the proposed changes.

Ms. Damgard asked if the replacement windows would be like for like, to which Ms. Botek affirmed. Ms. Forrest responded as well and outlined minor differences.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, stated that there were a few minor changes from the original windows. She felt the changes being proposed were generally appropriate. She said they were requesting gray glass and a low-energy coating, which was cause for concern. Her primary concern was that the result may not be as intended when various colors were mixed.

Ms. Coleman asked about the glass and wondered if it would be reflective. She also wondered why all the windows would be replaced in kind. Ms. Botek stated that the driving force was maintaining the structure's historic nature with the changes. Ms. Forrest stated that the air conditioning would be improved. Ms. Forrest discussed the reason for the changes.

Ms. Herzig-Desnick wondered if there were different colors of gray and wondered if they could use a lighter gray. Ms. Botek stated it was the lightest of the gray.

Mr. Segraves was also not in favor of the proposed gray windows.

Ms. Ziska stated that they were trying to make the building energy efficient.

Ms. Forrest stated that the school staff would end up adding tint to the glass if clear windows were installed.

Ms. Murphy wondered if the professional could show examples of other schools, where the proposed glass was used. She also wondered if the Commission approved the tint on the existing windows.

Ms. Albarran leaned toward supporting the project.

Mr. Wong thought the whole façade would benefit from the addition of trees around the building.

Ms. Forrest also stated that security was a big issue with the windows.

Ms. Damgard asked about the statement that the view would appear lighter from the inside looking out as opposed to the opposite. Ms. Botek provided confirmation.

Motion made by Ms. Moran and seconded by Ms. Coleman to approve the project as presented. Motion carried 6-1, with Ms. Fairfax dissenting.

2. **COA-23-009 235 BANYAN RD.** The applicant, Richard Kurtz, has filed an application requesting a Certificate of Appropriateness for the review and approval of the construction of an approximately 245 SF second floor addition in the rear of the structure of an existing three-story landmarked residence.

Ms. Pardue provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Mses. Coleman and Damgard.

Patrick Ryan O'Connell, Architect, presented the proposed architectural modifications to the existing, landmarked residence.

Janet Murphy, MurphyStillings, stated that when staff reviewed the project, they thought the new roofline should be differentiated. However, she thought the professional would lower the new portion of the roof rather than increase the roof height.

Ms. Segraves asked if there were any landscape changes. Mr. O'Connell confirmed there were no changes to the landscaping.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, provided initial comments for the proposed addition. She recommended recessing the addition and stepping the roof down. She thought more prominence was being given to the addition.

Ms. Albarran agreed with Mses. Murphy and Sunny. She thought the addition should be lower than the original building. She was unsure about recessing the addition.

Ms. Fairfax thought a downspout could mark the necessary delineation.

Mr. Segraves agreed with the location of the proposed addition. He agreed that the addition should be made subservient to the other structure.

Ms. Coleman asked the professional also to consider not changing the windows in the original section of the structure.

Motion made by Mr. Segraves and seconded by Ms. Coleman to defer the project to the March 22, 2023, meeting in accordance with the comments of the Commissioners. Motion carried unanimously. 7-0.

D. HISTORICALLY SIGNIFICANT BUILDINGS - OLD BUSINESS

1. **HSB-22-011 (ZON-22-122) 141 AUSTRALIAN AVE (COMBO)** The applicant, Gregory James Pamel, has filed an application requesting Landmarks Preservation Commission review and approval for proposed exterior alterations to a Historically Significant primary structure, and for the demolition and reconstruction of an existing two-story nonconforming accessory structure in the rear yard, including variances for setback, height, number of stories, and Cubic Content Ratio (CCR). This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Please note: This item was deferred to the March 22, 2023, meeting at the Approval of the Agenda, Item V.

2. **HSB-22-003 (ZON-22-032) 594 N COUNTY RD (COMBO)** The applicant, George Marucci, has filed an application requesting Landmarks Preservation Commission review and approval for two, one-story additions to a historically significant one-story building totaling approximately 300 SF, including variances from side setback requirements and including a variance from Chapter 50 for the required floor elevation for the new ground floor additions on a historically significant building to construct a ground floor addition with a finished floor of 6.69' NAVD in lieu of the required 7' NAVD. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Please note: This item was deferred to the March 22, 2023, meeting at the Approval of the Agenda, Item V.

E. HISTORICALLY SIGNIFICANT BUILDINGS - NEW BUSINESS

1. **HSB-22-017 (ZON-23-005) 128 SEABREEZE AVE (COMBO)** The applicant, Jennifer Palumbo and Keith Palumbo, as Trustees of the Keith R. Palumbo 2007 Trust u/a/d August 10, 2007, have filed an application requesting a Landmarks Preservation Commission approval for the demolition and reconstruction of a porte cochere and rear two-story accessory structure, fenestration alterations, roof alterations, and landscape and hardscape alterations for the Historically Significant property, requiring nine (9) variances for Cubic Content Ratio, increased lot coverage, decreased landscaped open space, the construction of a two-story accessory structure, and decreased building setbacks, requiring Special Exception with Site Plan Review due to the demolition of more than 50% of the two Historically Significant structures. This is a combination project that shall also be reviewed by Town Council as it pertains to the zoning relief/approval.

Mr. Hodges provided staff comments for this project.

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

M. Timothy Hanlon, attorney for the applicant, presented the zoning requests

for the project and advocated for a favorable recommendation to the Town Council.

Daniel Menard, LaBerge & Menard, presented the architectural modifications proposed for the existing landmarked residence.

Ms. Patterson called for public comment.

Janet Murphy, MurphyStillings, reminded the Commission that since this was a historically significant building, it needed to meet the Secretary of Interior Standards.

Aimee Sunny, Preservation Foundation of Palm Beach, noted that many items were being proposed that were not in keeping with the Secretary of Interior's Standards. She showed historic photographs of the front entrance, the arched windows in the sunroom, the heavy stucco texture, the proposed French doors, where historically it was shown as windows, and the restoration of some of the elements proposed to be replaced. She also recommended that the existing flat roofs remain as flat roofs rather than changed to barrel tile.

Todd Maclean, Todd Maclean Outdoors, presented the landscape and hardscape changes proposed for the site.

Ms. Fairfax thought this was a difficult house and commended the owner for taking on this project. She suggested retaining the arched opening rather than installing a French door. She questioned the roof and asked to see some photographs. She did not favor keeping the heavy stucco.

Ms. Fairfax asked about the hardscape. Mr. Maclean discussed the hardship of removing the hardscape. Ms. Fairfax inquired about the driveway material, to which Mr. Maclean responded that it would be stone.

Ms. Moran was disappointed that owners did not consider landmarking the buildings. Mr. Menard asked how the designation would change the decision. Ms. Moran said the owner would not have to follow the Secretary of Interior Standards as closely.

Mr. Segraves noticed that on the rear elevation if the doors were covered with an awning or something similar, it would improve and soften the appearance.

Motion made by Mr. Segraves and seconded by Ms. Coleman to defer the project to the March 22, 2023, meeting in accordance with the comments of the Commissioners. Motion carried unanimously. 7-0.

IX. DESIGNATIONS

- 1. ITEM1: 163 SEMINOLE AVENUE
(PALM BEACH COUNTY LISTS THE PROPERTY AS 165
SEMINOLE AVENUE)**

Owner: Dale Coudert, 2012 Steven H. Rose Trust

Please note: This item was deferred to the March 22, 2023, meeting at the Approval of the Agenda, Item V.

X. UNSCHEDULED ITEMS (3-MINUTE LIMIT PLEASE)

Ms. Patterson acknowledged the last meeting of Kim Coleman and Pat Segraves and stated how much she would miss both Commissioners. She and Ms. Damgard presented them with a parting gift.

XI. COMMENTS OF THE LANDMARK COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT

There were no comments heard at this time.

XII. NEXT MEETING DATE: Wednesday, March 22, 2023

XIII. ADJOURNMENT

The meeting adjourned at 12:50 p.m. without the benefit of a motion.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, March 22, 2022, at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully submitted,

Sue Patterson, Chair
LANDMARKS PRESERVATION COMMISSION

kmc