



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

**MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION
MEETING HELD ON WEDNESDAY, MAY 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
Jacqueline Albarran, Member	PRESENT
Anne Fairfax, Member	ABSENT (Excused)
Brittain Damgard, Member	PRESENT
Bridget Moran, Member	PRESENT
Julie Herzig Desnick, Member	PRESENT
Alexander Hufty Griswold, Member	PRESENT
Anne Metzger, Alternate Member	ABSENT (Unexcused)
Fernando Wong, Alternate Member	PRESENT
Alexander Ives, Alternate Member	PRESENT

It was noted that Mr. Wong voted in the absence of Ms. Fairfax.

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

III. PLEDGE OF ALLEGIANCE

Chair Patterson led the Pledge of Allegiance.

IV. APPROVAL OF MINUTES

A. Minutes of the April 19, 2023 Landmarks Preservation Commission Meeting

Motion made by Ms. Moran and seconded by Ms. Albarran to approve the minutes of the April 19, 2023, meeting. Motion carried unanimously, 7-0.

V. APPROVAL OF THE AGENDA

Motion made by Ms. Moran and seconded by Ms. Albarran 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. COMMENTS FROM THE LANDMARKS PRESERVATION COMMISSION MEMBERS

No one indicated a desire to speak.

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

No one indicated a desire to speak.

IX. 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.

Motion made by Ms. Moran and seconded by Ms. Albarran to approve the consent agenda as presented. Motion carried unanimously, 7-0.

B. CERTIFICATES OF APPROPRIATENESS - OLD BUSINESS

1. **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.

Mr. Hodges provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Mr. Ives.

Robert Fishel, the owner, discussed the modifications made to the home by the previous owner, which the Commission had not approved. He discussed his

requests for the upcoming modifications to the home.

Tyler Nielsen, Nielsen Landscape Architecture, presented the modifications proposed for the landmarked residence.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, thought the application was much more compatible and the paint color, as proposed, was closer to the original style. She was also in favor of the proposed gates.

Ms. Damgard asked about the idea of stripping the wood rather than painting the wood. Dr. Fishel discussed the issue of stripping the pecky Cypress wood. Dr. Fishel expressed his concern about creating an eyesore with the darker paint. Ms. Damgard thought the middle-toned hue of the paint choices was closer to pecky Cypress. She was also in favor of the simplified gate.

Mr. Wong was in favor of the landscaping and driveway changes. Mr. Wong thought there was a perfect paint color on the outside of the Lana Marks store near Worth Avenue.

Mr. Griswold thought the middle-toned color was most appropriate.

Ms. Moran also thought the middle-toned color was also most appropriate. She also thought the new driveway changes were very nice. She was sad to see the removal of the arbor. She thanked the owners for their time.

Ms. Albarran thought the courtyard redesign was beautiful. She was in favor of the gates. She thought the middle-toned color was appropriate.

Ms. Herzig-Desnick thought the new driveway pattern worked very nicely. She thought the mid-tone paint was fine but wondered if a darker color would blend better with the pavement.

Ms. Patterson thought the changes were beautiful and was in favor of the middle color.

Motion made by Ms. Damgard and seconded by Ms. Moran to approve the project as presented, with the middle-toned paint color, Sherwin Williams Fresco Cream, to be used on the wood timbers. Motion carried unanimously, 7-0.

2. **COA-23-003 (ZON-23-020) 139 N COUNTY RD—THE PARAMOUNT THEATER (COMBO)** The applicant, WEG Paramount LLC, has filed an application requesting a Certificate of Appropriateness for the review and approval of the renovation and adaptive re-use of an existing Landmarked theater structure, and the construction of a new three-story mixed use (retail and four residential units) development with two subterranean parking levels (127 parked spaces) to replace an existing surface parking lot (46 spaces) including multiple variances including setbacks, height, open space, among others. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

Please note: This item was deferred to the July 19, 2023, meeting at the Approval of the Agenda, Item V.

3. **COA-23-017 (ZON-23-044) 360 SEASPRAY AVE (COMBO)** The applicants, Justin and Meira Besikof, have filed an application requesting a Certificate of Appropriateness for proposed exterior alterations, additions, and site modifications to a Landmarked single-family residence requiring variances for reduced setbacks (west), the removal of garage parking, and pool screening requirements. Town Council will review the zoning components/relief requests of the application.

Mr. Hodges provided staff comments for this project.

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

Patrick Segraves, SKA Architect + Planner, presented the architectural plans proposed for the landmarked residence.

Ms. Damgard asked about the new roof over the bump-out. Mr. Segraves responded.

Ms. Herzig-Desnick had issues with the side entrance to the kitchen.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, thought some of the changes were more compatible and were a step in the right direction. She thought the copper hood roof was most appropriate but agreed that the proposed roof was also fine.

Ms. Damgard wondered if the mullions were removed from the bump-out portion on the west elevation. Mr. Segraves responded with an explanation of the design.

Ms. Moran thought the best treatment was to leave it as built; however, she understood the owners' request and felt it was important to work with the owner. She supported the requests as presented.

Ms. Albarran was in favor of the rear elevation. She thought the divided lights should remain on the west elevation if the mudroom were to be built.

Mr. Ives thought the applicant had listened to the Commissioners' comments. He thought the Commission should work with the applicant and allow the proposed changes. He supported the changes.

Mr. Wong was in favor of the changes. He suggested adding a few palms on the west elevation near the new mudroom.

Mr. Griswold asked about the roof. Mr. Segraves responded. Mr. Griswold supported the changes.

Ms. Patterson was sad to see the copper roof removed but understood the

owner's request.

Motion made by Ms. Moran and seconded by Mr. Griswold to approve the project as presented. Motion carried unanimously, 7-0.

Motion made by Ms. Moran and seconded by Mr. Griswold that implementation of the proposed variances will not cause a negative architectural impact on the subject landmarked property. Motion carried unanimously, 7-0.

C. CERTIFICATES OF APPROPRIATENESS - NEW BUSINESS

1. **COA-22-040 (ZON-22-115) 801 S COUNTY ROAD (COMBO)** The applicant, Palmeiral Revocable Trust/Frances I. Kettenbach, has filed an application requesting a Certificate of Appropriateness for proposed exterior alterations and additions to an existing beach cabana requiring a Special Exception with Site Plan Review and variances to vest existing non-conforming setbacks, mechanical equipment setbacks, and a to reduce the ocean bulkhead setback. Town Council will review the zoning components and relief requests of the application.

Ms. Pardue provided staff comments for this project.

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

Daniel Menard, LaBerge & Menard, presented the architectural plans proposed for the existing beach cabana.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, questioned the details proposed for the cabana. She could see elements from the Mediterranean Revival character taken from the main house and used for the cabana. She thought the elements were being used slightly differently and were not as successful. She understood the family wanted a larger cabana but thought some tweaks might be necessary to the details for compatibility.

Ms. Damgard did not believe the Mediterranean Revival style was reflected in the proposed beach cabana. She did not believe the proposal worked.

Mr. Wong thought the cabana felt so big; he recommended using more whimsical details in the proposed design. He thought the design needed more restudy.

Mr. Ives asked about the distance between the cabana and the main house. Mr. Menard responded. Mr. Ives thought that was enough distance between the two buildings and acknowledged that there was a reference to the main structure. He did not believe the cabana design harmed the landmarked structure. Mr. Ives believed the application was fair.

Ms. Moran agreed with Mr. Ives. She recommended omitting the round pillar. She was in favor of the low roofline and thought the design was respectful. She thought the architecture was agreeable.

Ms. Albarran thought the size was acceptable. She also understood the need for the variances. She thought the north and west elevations were fine. She thought the south elevation was acceptable. However, she was bothered by the glass openings on the east elevation and recommended a restudy of this element.

Ms. Patterson thought the design was very commercial in its look; she thought it was unpolished. She asked to see the building and how it would look from the road. She thought the lack of details, as well as the design as a whole, should be restudied.

Ms. Herzig-Desnick thought the west elevation was more successful than the east elevation. She recommended breaking up the roof line to redistribute the massing.

Mr. Moran asked about the comments from Ms. Patterson. She indicated that the roof may get taller if they mimicked the details from the main house.

Ms. Albarran liked Ms. Herzig-Desnick's suggestion of breaking up the roof line on the east elevation.

Ms. Damgard recommended making the design more compatible with the main home.

A short discussion ensued about the direction of the design.

Mr. Ives asked about the roof plan and the pitch for the roof. Mr. Menard responded. Mr. Ives suggested restudying the roof design.

Mr. Griswold appreciated the height proposed for the cabana. Mr. Griswold recommended adding more lights and view corridors in the cabana.

Motion made by Ms. Damgard and seconded by Ms. Albarran to defer the project to the June 21, 2023, meeting. Motion carried unanimously, 7-0.

2. **COA-23-019 (ZON-23-056) 1170 N OCEAN BLVD (COMBO)** The applicant, Bath & Tennis Club, Inc, has filed an application requesting a Certificate of Appropriateness for the review and approval for the installation of twelve (12) light poles for existing tennis courts, requiring review for a special exception, site plan review, and variances. Town Council shall review the application 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.

Keith Spina, Spina O'Rourke + Partners, presented the modifications proposed for the existing tennis courts.

Ms. Damgard was not in favor of the aesthetics of the lighting and wondered if there was another solution. Mr. Spina responded.

Motion made by Ms. Albarran and seconded by Mr. Moran to approve the project as presented. Motion carried unanimously, 7-0.

Motion made by Ms. Moran and seconded by Ms. Albarran that implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property. Motion carried unanimously, 7-0.

D. HISTORICALLY SIGNIFICANT BUILDINGS - OLD BUSINESS

1. **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 June 21, 2023, meeting at the Approval of the Agenda, Item V.

2. **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.

Mr. Hodges provided staff comments for this project.

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

Patrick Segraves, SKA Architect + Planner, presented the architectural plans proposed for the accessory structure.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape changes proposed for the site.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, thought the changes had moved in the right direction. She recommended restudying the window pattern on the sleeping porch. She also recommended reducing the wall space between the first floor and the sleeping porch. She thought the doors should remain in their original openings.

John Eubanks, representing neighbor Thomas McCarthy, objected to the

increase in height of the accessory structure. The structure was already too big and too close. He felt the structure was much too large for the lot.

Ms. Damgard asked if the home's foundation could be lowered by excavation. Mr. Segraves stated he was unsure if it would be possible due to the actual topography of the property; he discussed the addition of curbing to keep water from getting into the building. He said the structure may be able to be lowered with some grading, but he was unsure. Mr. Segraves thought a little more height was necessary downstairs. A short discussion ensued.

Ms. Patterson asked about the increase in height. Mr. Segraves responded.

Ms. Moran asked if four variances would still be necessary if the structure were renovated. Mr. Hodges responded. Ms. Moran asked if the mullion pattern could remain the same. Mr. Segraves responded.

Emily Stillings, MurphyStillings, agreed with Ms. Sunny's suggestion as well as considering retaining the historic structure.

Mr. Wong liked Ms. Sunny's suggestions for the awning and windows. He discussed the brackets holding the eaves and thought it would be good inspiration for the trellis.

Mr. Griswold thought the applicant listened to the comments from the Commissioners and thought he compromised on the height.

Ms. Herzig-Desnick agreed with Ms. Sunny's suggestion to add a band under the windows. She asked about the increase in height in the structure. Mr. Segraves said they would do their best to retain the existing height.

Ms. Albarran thought the changes would enhance the building. She suggested raising the structure 4 inches above grade and retaining at least 8 feet on the first floor. She agreed with the suggestion to reorganize the windows on the sleeping porch.

Ms. Patterson was in favor of Mr. Wong's suggestion for the overhang.

Ms. Damgard thought the changes were for the better. She suggested changes to be made to the windows on the second floor sleeping porch to make them more symmetrical and to add banding or an awning. Mr. Segraves thought the banding and a bracketed trellis above the doors would be a great addition to the building.

Motion made by Ms. Moran and seconded by Ms. Albarran to approve the project with the following conditions: the first-floor height shall be 8 feet, the building height shall be 4 inches higher than the grade, the addition of banding, there shall be trellises added over the first-floor French doors with brackets that match the eaves, the windows in the sleeping porch shall be made symmetrical with all changes to be staff approved in coordination with the Chair. Motion carried unanimously, 7-0.

Motion made by Ms. Moran and seconded by Ms. Albarran that

implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property. Motion carried unanimously, 7-0.

3. **HSB-23-004 249 SANDPIPER DR.** The applicant, Alec Sheiner, have filed an application requesting Landmarks Preservation Commission review and approval of the roof replacement with a change in roofing material from flat white concrete to dark slate to an existing Historically Significant one-story residence.

Mr. Hodges provided staff comments for this project.

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

Yiannis Varnava, Varnava Design Studio, presented the roofing material, which was painted white. He discussed the issues that the roofer had with the painted material. He presented a new white concrete tile as an alternate material. Mr. Varnava presented samples for both materials.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, thought the material was a good compromise. She noted that the tile was referred to as a slurry-coated tile that was coated to protect the porous tile underneath.

A discussion ensued about the tile material proposed.

Motion made Ms. Albarran and seconded by Ms. Damgard to approve the project with the newly proposed tile as presented. Motion carried unanimously, 7-0

4. **HSB-22-016 (ZON-22-154) 353 PERUVIAN AVE (COMBO)** The applicant, Lifestyle Holdings LLC, has filed an application requesting Landmarks Preservation Commission review and approval for proposed exterior alterations and additions to a one-story and a two-story Historically Significant Building, requiring variances from the Floodplain requirements from Chapter 50, Floods, for the required floor elevation of the existing structures, for the renovation and alteration of an existing Historically Significant two-story building and one-story building, and the addition of operable folding glass storefront systems along the interior façades of the courtyard of the front retail liner building, including demolition of more than 50% of portions of the existing Historically Significant buildings necessitating variance relief from parking and loading space requirements, setback requirements to retain a nonconforming structure and open space requirements. 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 June 21, 2023, meeting at the Approval of the Agenda, Item V.

E. HISTORICALLY SIGNIFICANT BUILDINGS - NEW BUSINESS

1. **HSB-23-005 (ZON-23-055) 261 ROYAL POINCIANA WAY (COMBO)** The applicant, Poinciana Capital Corporation (Gail Coniglio, VP), has filed an application requesting Landmarks Preservation Commission review and approval for the addition of a second story residence to an existing one-story historically significant commercial building, requiring Special Exception with Site Plan Review and variances for setbacks, lot coverage, open space, and parking. Town Council shall review the application 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.

Patrick Segraves, SKA Architect + Planner, read a statement about the project from M. Timothy Hanlon, attorney for the applicant.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape changes proposed for the site.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, thought this was a successful second floor to a one-story landmarked building. She thought the addition was very well done.

Mr. Ives thought the addition was aesthetically well done. Unfortunately, Mr. Ives thought this was a historical structure and expressed concern with the almost doubling in size. He appreciated how the design was done, but he thought the whole street needed to be considered so as not to lose the height differentiation on that street. He was hesitant to support the project.

Mr. Moran thought the design was smaller and subservient. She thought the design was successful, and she supported the request. She recommended adding an awning rather than an umbrella.

Ms. Herzig-Desnick thought the design was an excellent solution. She recommended a lighter railing rather than the glass, as shown.

Ms. Moran recommended frameless glass. Mr. Segraves agreed with the recommendation for frameless glass.

Ms. Damgard thought it was an improvement to the building and was fully supportive.

Ms. Albarran thought the addition was wonderful and balanced the street. She thought a frameless glass railing was a good solution.

Mr. Wong was in favor of the design. He recommended adding a Creeping Fig Ficus on the sides of the building below.

Mr. Griswold thought the addition was tasteful. He agreed that a frameless glass railing was a good solution.

Ms. Patterson was supportive of the project.

Motion made by Ms. Albarran and seconded by Ms. Damgard to approve the project as presented with the condition that frameless glass is used for the proposed balcony railing. Motion carried unanimously, 7-0.

Motion made by Ms. Moran and seconded by Ms. Albarran that implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property. Motion carried unanimously, 7-0.

X. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

A. Public

Aimee Sunny, Preservation Foundation of Palm Beach, stated that the staff worked with Lobbyist Mat Forrest with regard to the House and Senate bills. She suggested the commissioners listen to Mr. Forrest's review at the last Town Council meeting. Ms. Sunny also discussed that she had been working with Ms. Patterson on training sessions for the Commissioners.

B. Staff

No one indicated a desire to speak.

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

Mr. Ives thanked Ms. Moran for passing along an informative email to the commissioners regarding Senate and House bills.

XII. NEXT MEETING DATE: Wednesday, June 21, 2023

XIII. ADJOURNMENT

Motion made by Ms. Albarran and seconded by Ms. Moran to adjourn the meeting at 11:58 a.m. Motion carried unanimously, 7-0.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, June 21, 2023, 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